

2009/28

ZDSO Amendments: Article I, Section 106-7(1), Exemptions; Article II, Section 106-261(4), Development Review Team; Article III, Section 106-368(B), Application Completeness Review and Recommendations; Article III, Table 106-432, Time Limits and Extensions; Article VI, Table 106-1526, Open Space and Density

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AN ORDINANCE OF THE COUNTY OF BEAUFORT, SOUTH CAROLINA, TO AMEND THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO):

- ARTICLE I, SECTION 106-7(1). EXEMPTIONS. CLARIFIES SETBACKS FOR SINGLE-FAMILY HOMES AND PLACES OF WORSHIP ON LOTS OF RECORD;
- ARTICLE II, SECTION 106-261(4). DEVELOPMENT REVIEW TEAM. CHANGES THE POSTING REQUIREMENT FOR AGENDAS PRIOR TO A DRT MEETING FROM FIVE (5) WORKING DAYS TO FIVE (5) CALENDAR DAYS;
- ARTICLE III, SECTION 106-368 (B). APPLICATION COMPLETENESS REVIEW AND RECOMMENDATIONS. CHANGES THE STAFF REPORT FILING REQUIREMENT PRIOR TO A SCHEDULED MEETING FROM SEVEN (7) WORKING DAYS TO SEVEN (7) CALENDAR DAYS; AND CHANGES THE TIME A STAFF REPORT SHALL BE MADE AVAILABLE TO THE APPLICANT PRIOR TO A SCHEDULED MEETING FROM FIVE (5) WORKING DAYS TO SEVEN (7) CALENDAR DAYS;
- ARTICLE III, TABLE 106-432. TIME LIMITS AND EXTENSIONS. AMENDS THE TIME LIMITATIONS AND EXTENSIONS OF APPROVALS FOR SPECIAL USES AND VARIANCES;
- ARTICLE VI, TABLE 106-1526. OPEN SPACE AND DENSITY STANDARDS. ADDS A LANDSCAPE SURFACE RATIO (LSR) FOR INSTITUTIONAL RESIDENTIAL IN THE SUBURBAN ZONING DISTRICT.

Whereas, Standards that are underscored shall be added text and Standards ~~lined through~~ shall be deleted text.

Adopted this 24th day of August, 2009.

COUNTY COUNCIL OF BEAUFORT COUNTY


BY: 

Wm. Weston J. Newton, Chairman

APPROVED AS TO FORM:


Ladson F. Howell, Staff Attorney

ATTEST:



Suzanne M. Rainey

Suzanne M. Rainey, Clerk to Council

First Reading: July 27, 2009

Second Reading: August 10, 2009

Public Hearing: August 24, 2009

Third and Final Reading: August 24, 2009

(Amending 99/12)

A. Article I. In General; Sec. 106-7(1). Exemptions of development types.

Proposed Amendment:

(1) *Exemption 1:* Single-family development and places of worship on lots of record. Any single-family development or place of worship on a lot created through recording of a subdivision prior to the effective date of the ordinance from which this chapter derives and conforming to the applicable zoning at the time of creation is exempt from minimum lot size (area and dimensions) standards and setbacks for its respective zoning district (this does not apply to setbacks from the OCRM critical line). Where single-family development or places of worship on lots of record can not meet the setbacks for their respective zoning districts. Instead, these lots shall adhere to the following setbacks:

- a. Single-family development: front – 25 feet; side – 10 feet; rear – 10 feet.
- b. Places of worship: front – 50 feet (major thoroughfare), ½ ROW (all other roads); side and rear – 20 feet with a 10-foot buffer.

B. Article II. Administrative Bodies and Agents. Section 106-261(4). Development Review Team (DRT).

Proposed Amendment:

(4) *Notice and agenda.* The DRT shall post all applications scheduled for consideration at the next available meeting five ~~working~~ calendar days prior. All meetings of the DRT shall be open to the public. The applicant shall post the property two weeks prior to the scheduled DRT meeting.

C. Article III. Administrative Procedures. Section 106-368(b). Application Completeness Review and Recommendations.

Proposed Amendment:

(b) *Recommendations.* Recommendations on the application are as follows:

(1) Upon completion of all appropriate county reviews, the planning department or ZDA, whichever is applicable, shall then file a staff report including all review recommendations no later than seven ~~working~~ calendar days prior to the scheduled DRT meeting or, if applicable, the ZBOA or planning commission public hearing application. Staff may meet with the applicant prior to the DRT meeting to review the recommendations, and the applicant may be permitted to ask questions and respond to the comments and recommendations. If the applicant chooses to proceed with the scheduled DRT meeting and the DRT determines that revisions to a subdivision plat or land development plan are required before further consideration can be given, a limit of

two additional meetings may be scheduled to allow the applicant time to provide the revisions. If the applicant fails to properly submit adequate revisions to previously considered plats or plans, a disapproval of the application or delay of further consideration may result. A disapproval by the DRT will require a new application by the applicant, subject to all applicable fees and conditions of this chapter.

(2) The planning department or ZDA, whichever is applicable, shall make available a copy of the staff report to the applicant no later than ~~five working~~ seven calendar days prior to the scheduled DRT meeting or, if applicable, the ZBOA or planning commission public hearing on the application.

D. Article III. Administrative Procedures. Table 106-432. Time Limits and Extensions.

Proposed Amendment:

TABLE 106-432. TIME LIMITS AND EXTENSIONS

<i>Use</i>	<i>Time Limitation (months)*</i>	<i>Extension (months)</i>
Special Use	12 ¹	6
Variance	12 <u>No limit</u>	6
Appeal	12	3
Sign Permit	6 ²	3
Zoning Permit	12	6
Concept plat or plan	12	12

Notes:

*If construction stops, other than for reasons of natural disaster, the permit expires six months after permit approval.

¹ Governed by time limitations established for concept and final development plans/plats (see subsection (b) and table above). ~~Unless specified otherwise in the special use approval.~~

²If part of a zoning permit, 12 months, or land development plan, 24 months.

E. Article VI. Open Space and Density, Lot and Building Intensity, Bufferyards and Landscaping, Exterior Storage and Illumination; Table 106-1526. Open Space and Density Standards.

Proposed Amendment:

TABLE 106-1526. OPEN SPACE AND DENSITY STANDARDS

		<i>Density</i>		<i>Floor Area Ratio</i>				
<i>Zoning District and Development Type</i>	<i>Min. OSR Or LSR</i>	<i>Max. Gross</i>	<i>Max. Net</i>	<i>Max. Gross</i>	<i>Max. Net</i>	<i>Sewer</i>	<i>ARDR Req'd.</i>	<i>Min. Site Area</i>
Suburban (S) Priority								
Single-family	0.20	2.00	3.00	N.A.	N.A.	P	Y	21,780 s.f.
Single-family cluster	0.35	2.60	3.60	N.A.	N.A.	P	Y	5 ac.
Planned	0.40	2.60	4.00	N.A.	N.A.	P	Y	5 ac.
Community, large	0.45	3.00	4.00	N.A.	N.A.	P	Y	5 ac.
Multifamily	0.40	5.0	10.0	N.A.	N.A.	P	Y	200 ac.
Manufactured home Community	0.40	4.00	7.00	N.A.	N.A.	P	Y	2 ac. Max. 20 ac.
Institutional residential	0.00 0.40	7.1 rms.	17.7 rms.	N.A.	N.A.	P	Y	5 ac.
Other permitted uses	0.60	N.A.	N.A.	0.18	0.46	P	N	2 ac.