

*Jasper County Planning Commission
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**Minutes of the October 12, 2021
Regular Scheduled Meeting
(Amended Minutes)**

Members Present: Chairman, Alex Pinckney; Vice-Chairman, Randy Waite; Mr. Thomas Jenkins; Dr. Earl Bostick; Dr. Debora Butler; and Mrs. Sharon Ferguson

Staff Present: Ms. Lisa Wagner and Ms. Sharon Durst

Others Present: Ms. Sandy Steele, Mr. Tom Curry and Mr. Christopher Curry

In accordance with the Freedom of Information Act the electronic and print media were notified. During periods of discussion and/or presentations minutes are typically condensed and paraphrased. The recorded version is available in the Office of the Planning and Building Services Department.

Call to Order: Chairman Pinckney brought the meeting to order at approximately 6:01 p.m.

Invocation & Pledge of Allegiance: Invocation and Pledge of Allegiance was given by Mr. Waite.

Approval of Agenda: Mr. Waite motioned to approve the Agenda as published, seconded by Dr. Butler. The Commission Members voted unanimously in favor of the motion.

Approval of Minutes: Mr. Waite motioned to approve the Minutes of the **September 14, 2021**, meeting as written, seconded by Dr. Butler. The Commission Members voted unanimously in favor of the motion.

New Business:

Zoning Map Amendment – Industrial Development Request, Tax Map Number #029-40-04-022: Ms. Wagner said the subject property consists of 9.93 acres and is located at 535 Stiney Road. The Applicant has requested a Zoning Map Amendment to have the property designated as Industrial Development (ID). The property is currently zoned Residential. Lowcountry Pavers developed the property in March 2000 and has operated their business at this location for more than 20 years. Lowcountry Pavers would like to upgrade the property and modify the operation of their business, which will include eliminating the concrete plant portion of the business. Prior to making a significant investment in the property, the applicant would like to have the property re-zoned to Industrial Development, eliminating the non-conformity status. The property was conforming when it was developed in 2000; however, during the 2007 Countywide Re-zoning project, this property was made non-conforming. According to the 2018 Jasper County Comprehensive Plan, the Future Land Use Map identifies this area as “Urban Transition,” which are pockets of unincorporated Jasper County that are partially or entirely surrounded by the municipality. For these areas that experience new development or redevelopment, consideration

should be given to working with the adjacent municipality for annexation. The adjacent parcels are zoned Residential and Rural Preservation with Light Industrial Zoning nearby in the City of Hardeeville. Adjacent land uses are residential and commercial, with heavy industrial uses located nearby in the City of Hardeeville. The subject property is accessed by Stiney Road, which is a two-lane state-maintained highway, classified as a local road. Staff recommends approval of the request to have the property designated as Industrial Development based on the following facts: The subject property has been developed and used as an industrial site for more than 20 years, so there will not be an increase in the intensity of the use, the physical pattern of the neighborhood will not change, there will not be an additional traffic burden on existing streets, and an additional environmental impact will not be created. The driveway to enter the subject property is located approximately 520' linear feet from the Hardeeville Industrial Park Road. The Hardeeville Industrial Park, which is located in very close proximity of the property, has numerous heavy industrial uses. If the property was immediately adjacent to the city limits, it would be annexed and zoned as Light Industrial through the City of Hardeeville, allowing a heavy industrial use.

Ms. Sandy Steele with Southern Carolina Alliance introduced herself along with the applicant, Mr. Tom Curry. Ms. Steele said the applicant's business was established in 2001 and that Mr. Curry's two sons manage the business on a daily basis. She said the applicant would like to expand the building and the expansion could create nearly 20 jobs and currently employs 25 people. She said this is a well-organized family business and they do a lot to support the community.

Dr. Butler said she is concerned because this is a historically African American neighborhood that surrounds the property. She said changing the zoning would allow other developments to come in that may not be compatible with the neighborhood. Ms. Wagner said there are no plans to change the use, and the business can continue to operate, but the applicant does not want to make a significant investment in the property as long as the property is considered to be non-conforming.

Mr. Curry said he would like to secure the zoning before making a significant investment in the property. He said the plant is over twenty years old and all the electronics are obsolete. They are having problems getting equipment. Computer components are no longer available, and it will cost between six and eight million dollars to upgrade. He said with the current zoning their options are to upgrade the current facility or build another facility in a different location. He said over the past twenty years, the only concerns from the community have been noise which comes from the concrete trucks. He said he leases a portion of the land to a concrete company, and he intends to terminate their lease. He said his goal is to demolish the concrete plant and use that area for storage.

When the Chairman called for a vote, there were no motions offered by the Commissioners. Chairman Pinckney said the Zoning Map Amendment application will be forwarded to County Council without a recommendation.

Conceptual Review of Major Subdivision – Back 2 Nature, Lowcountry Eco Village, Phase II - Tax Map Number #085-00-06-050: Ms. Wagner said the applicant, Earth Podz is seeking a conceptual review approval of a proposed major subdivision for the purpose of securing advice and/or comments prior to completing the engineering design and also to help expedite a future application for preliminary plat approval. The subject property consists of 11.92 acres and is located along Roseland Road. The applicant proposes to develop a 10-lot residential subdivision as Phase II of the proposed Lowcountry Eco Village subdivision. The property is zoned Residential, which requires a minimum of half (½) acre lot sizes. The proposed development will be served by a private road system, consisting of two spurs, each spur will have

a cul-de-sac at the end of the spur road. Each lot will be served by a private well and a septic tank. The development will consist of multiple common areas throughout the site including a dog park, playground, and nature trails, meeting the 10% open space requirement. The developer has a unique vision to provide eco-friendly homes and offer affordable housing. Earth Podz, LLC intends to build container homes on each lot. Their design strategies include solar energy, water efficiency, and sustainable materials, which is why they are calling this development Back 2 Nature Eco Village.

Alliance Consulting has developed a conceptual plan that includes all of the requirements outlined in Section 2.8 of the Jasper County Land Development Regulations for Conceptual Plan Review. Once the concept plan has been approved by the Planning Commission, giving the applicant some assurance, the applicant will proceed with outside agency permitting and engineering design to comply with the specific requirements of the Jasper County Land Development Regulations for preliminary plat approval. Staff recommends approval of the Concept Plan for Phase II - Back 2 Nature Eco Village, major subdivision.

Mr. Jenkins recused himself from this portion of the meeting.

Mr. Ryan Mailley addressed the Commission. He said since receiving conceptual approval for Phase I they had all of their soil testing completed. He said they want to get Phase II going so they can get the soil samples done and work towards engineering of the septic systems. He said when they come back before the Planning Commission, they would like to bring both Phase I and Phase II in at the same time.

Mr. Waite asked Ms. Wagner if the Fire Marshal has seen the plan and if he is okay with the turnarounds. Ms. Wagner said she did send the conceptual plan to the Fire Marshal, so far, he is okay with what is shown, but he wants to see the engineered design before issuing formal comments or approval. Mr. Waite asked if paved roads are required. Ms. Wagner said the ordinance would allow gravel roads, but they are proposing a paved road. Mr. Waite asked if there will be a HOA fee. Mr. Mailley said yes.

Dr. Bostick asked at what point will the HOA take over maintenance of the roads. Ms. Wagner said that has not been identified yet. She said before they can get final plat approval, they will need to provide a perpetual road maintenance bond and will need to show the Planning Commission how the funds for the road maintenance will be set up.

Dr. Butler asked if any of the proposed changes to the Land Development Regulations (LDR) will impact this project. Ms. Wagner said a lot of what is being proposed with the LDR is already in the ordinance, but we want to move some things around. She said if they make an application prior to the adoption of a new requirement, we won't be able to change the rules on them.

Chairman Pinckney said this is a small subdivision so the buses will not be going in the subdivision and the children will have to walk to the bus stop with no sidewalks. Mr. Mailley said they will come up with something to address that issue.

Mr. Waite made a motion to approve the concept plan for Phase II of the Back 2 Nature, Lowcountry Eco Village, major subdivision, tax map number #085-00-06-050, seconded by Dr. Butler. The Commission Members voted unanimously in favor of the motion.

Text Amendment – Jasper County Land Development Regulations: Ms. Wagner said the main intent of this proposed amendment is to re-organize a few sections of the Land Development Regulations, primarily as it relates to the process and requirements for subdivisions. As previously mentioned, when working

through the North Point Subdivision, it was discovered that there are inconsistencies between a few different sections of the Land Development Regulations. Some of the preliminary plat requirements aren't in the proper order. The proposed changes are relatively minor, and some sections are just being moved around to create a better flow for processing subdivision applications. Other changes are merely wordsmithing to provide consistency throughout the document. Ms. Wagner said a Road Maintenance Agreement template has been drafted, which can be incorporated into the Land Development Regulations as an appendix, once approved. Based on previous conversations, we may want to add in additional requirements for Covenants in Article 4.11 of the proposed amendment. Ms. Wagner gave a summation of the proposed changes to the LDR and the reason for each change.

Dr. Bostick pointed out the section that states, "required construction plans only that are reviewed by the County's engineer consultant," and he asked about a previous project on Argent Boulevard where we were looking at a traffic plan and said the County didn't have an engineer on staff to look at the traffic study. He asked about the engineer consultants not being used in those cases. Ms. Wagner said the previous applicant was not asking for a subdivision approval, but eventually they will come in with a subdivision application and we will need to have an engineer consultant review their plans. Dr. Bostick asked Ms. Wagner to explain the 125% requirement in Article 3:10 versus the 10% requirement. Ms. Wagner said Article 3:10 does not deal with subdivisions, only single lot commercial site plans. She said we only require 10% site restoration guarantees to stabilize the site if the infrastructure is not completed. She said with subdivisions, we require 125%. She said with subdivisions, the developer intends to sell lots whereas a single lot being developed is not sold. Dr. Bostick asked for a recap about the covenant requirements. Ms. Wagner said she thinks this is an area that still needs more work and wants to get legal advice to make sure we don't overstep our boundaries.

Mr. Jenkins asked if we ever deputized a code enforcement officer. Ms. Wagner said a code enforcement officer was hired yesterday. She said it won't be a deputy, but it is a county employee who will be changing positions. The position of Code Enforcement was moved to the Jasper County Emergency Services Department. Teresa Nettles was hired for the position. She was previously a reserve law enforcement officer and worked for Fire/EMS. She will be going through orientation and reviewing the codes. She said this position will be structured as a new program.

Mr. Waite said through his line of work he sees deeds in some subdivisions that do not include covenants, but in Beaufort County their deeds do include covenants. He asked if Beaufort County has a mechanism for requiring the covenants to be shown in the deeds. Ms. Wagner said she has seen where some jurisdictions require a note to be on the subdivision plat stating what book and page the covenants are recorded at the Register of Deeds Office. Mr. Waite asked about how long are Development Agreements good for and how long are subdivision approvals good for before expiring. Ms. Wagner said Development Agreements are typically good for 5 or 10 years. She said subdivision approvals are good for 2 years, which allows the Developer to construct the infrastructure. She said if the developer needs more time, they can come back to the Planning Commission and ask for an extension. She said the ordinance also allows a developer to put in a portion of the infrastructure and then come to the Planning Commission and ask for final approval, bonding the remaining infrastructure. She said once the final plat is recorded, the plat is good forever.

Dr. Butler pointed out Section 2.5 (g), where the individual lot or shared driveway is longer than 150' from a publicly maintained road, she asked if this would apply to the property on Church Road where the man put in several mobile homes. She said she is not sure if there is any way for emergency vehicles to get to the homes on the back side of the property. Ms. Wagner said this requirement was adopted in 2018, and she would have to go back and look at the plat to be sure, but she thinks the plat was approved prior to the

2018 amendment and if so, this would not apply to that property. She said all 4 of the lots are located directly along Church Road so they are within 150' of a publicly maintained road.

Open Discussion:

Ms. Wagner reminded the Commissioners about Continuing Education. She said the memo in their packages states how to go about creating an account and picking out the course or courses they want to take. She said everyone needs 3 hours of continuing education.

Adjourn: Mr. Jenkins motioned to adjourn, seconded by Mr. Waite. The Commissioners voted unanimously in favor of the motion. The meeting adjourned at approximately 7:48 p.m.

Respectfully Submitted,

Lisa Wagner