

Sumter City-County Planning Commission

January 28, 2015

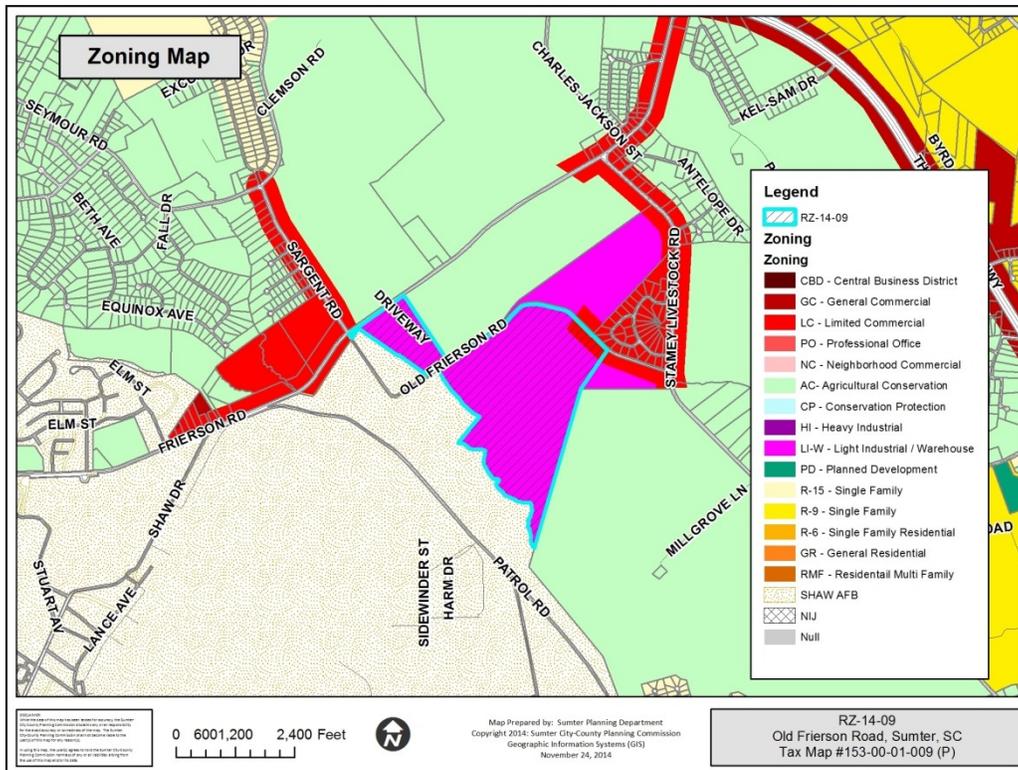
RZ-14-09, Bill Carter, Frierson Rd. (County)

I. THE REQUEST

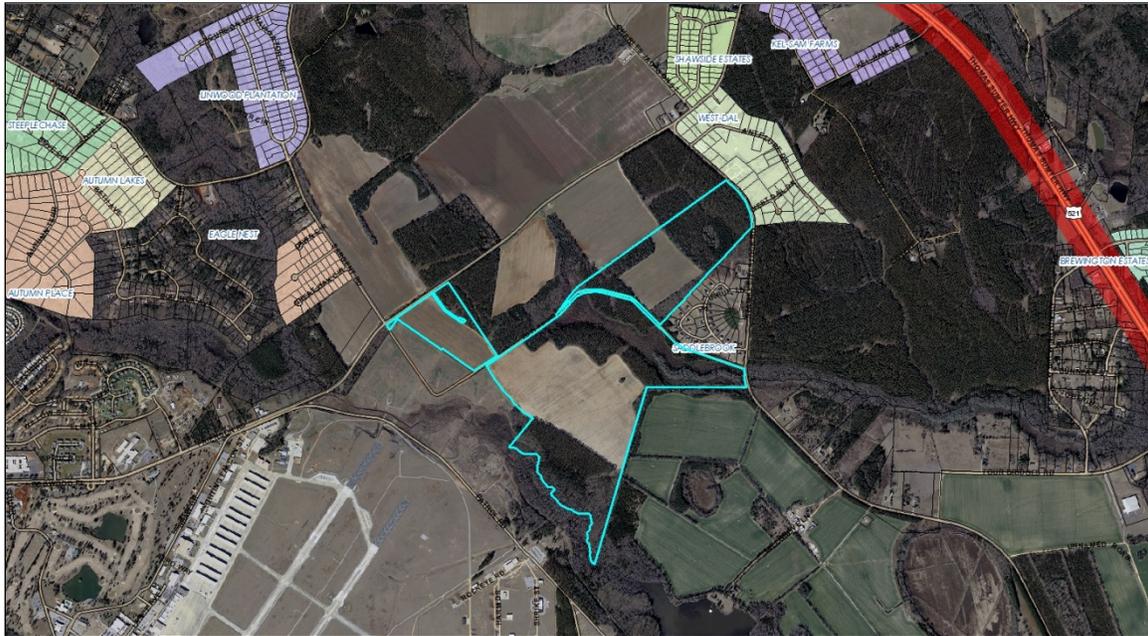
Applicant:	Bill Carter, Carter Grading & Paving
Status of the Applicant:	Property Owner
Request:	A request to rezone +/- 172.85 acre portion of property on the southeast corner of the intersection of Frierson Rd. and Sargent Rd. between Shaw AFB and Stamey Livestock Rd. from Limited Commercial(LC) and Light Industrial/Warehouse(LI-W) to Heavy Industrial (HI).
Location:	Southeast corner of the intersection of Frierson Rd. and Sargent Rd.
Present Use/Zoning:	Agricultural Fields, floodplain/wetlands/LI-W with LC zoning strip on the side adjacent to Saddlebrook Subdivision.
Tax Map	153-00-01-009 (Part)
Adjacent Property Land Use and Zoning:	North – Frierson Rd. South – Old Booth Farm/AC East – Saddlebrook Subdivision/LC West – Shaw AFB
Overlay Districts:	Airfield Compatibility District (ACD) – <ul style="list-style-type: none">• Accident Potential Zone 1 (APZ-1 (NE))• DNL Zone 1 (65 db)• DNL Zone 1A(70db)• DNL 2(75db)• Shaw Noise Attenuation

II. BACKGROUND

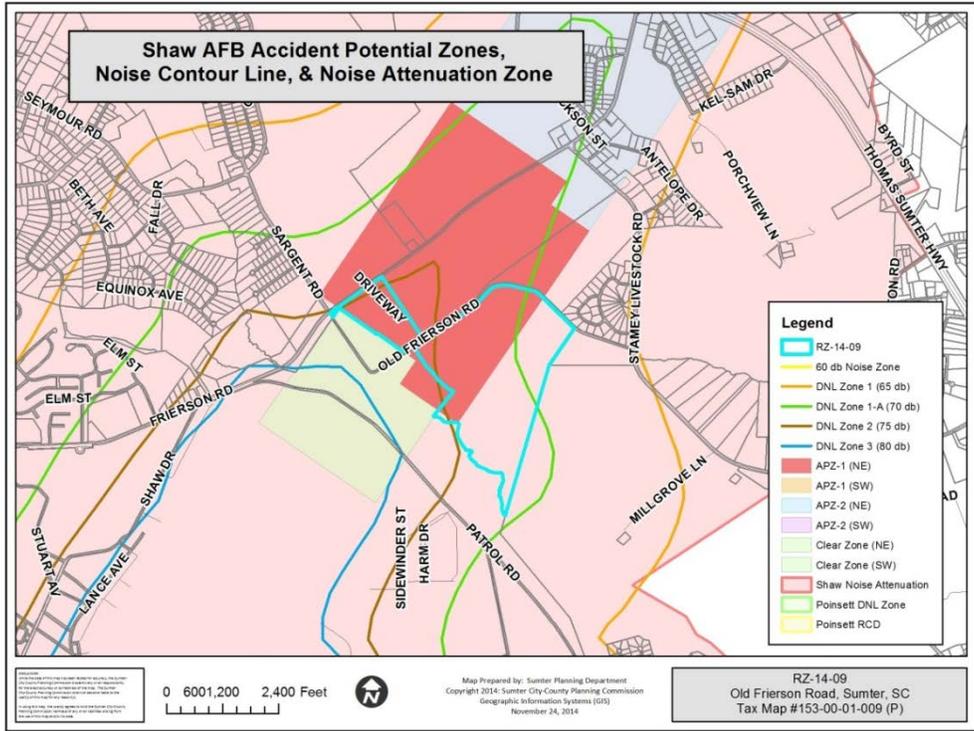
The applicant is requesting to rezone +/- 172.85 acre tract on the southeast corner of the intersection of Frierson Rd. and Sargent Rd. from Limited Commercial (LC) and Light Industrial/Warehouse (LI-W) to Heavy Industrial (HI). Future plans for the parcel include the possibility of constructing an asphalt plant or a concrete block plant. The property is a portion of a larger tract (+/- 325 acres) that is bisected by the old Frierson Rd. Only the portion highlighted (blue line) in the Zoning Map below is included in this request. The overall parcel has +/-1350 of frontage on Frierson Rd. and +/-5500 ft. of depth from Frierson Rd.



Currently the property is used as an agricultural field, in an area noted by its mix of residential and agricultural uses as shown in the subdivision graphic on the following page. The closest subdivision which abuts the property is Saddlebrook Subdivision on the northeast side. The closest residence is approximately 2700 feet from the proposed location for the concrete plant.



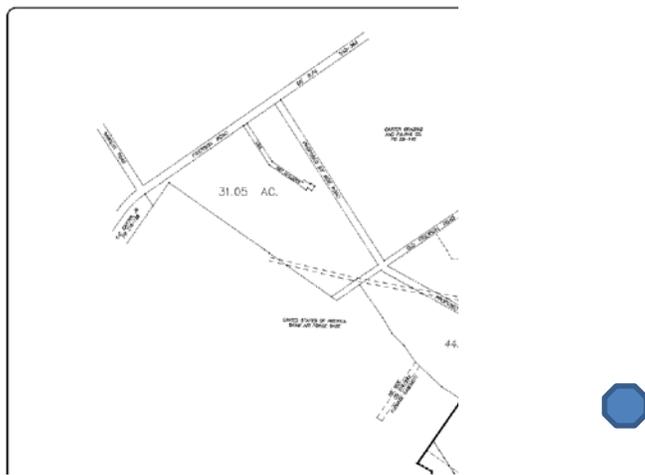
As shown in the map below, the property is influenced by the Airfield Compatibility District (ACD), specifically, APZ-1NE, and DNL-1 (65db)/DNL-1A (70 db) and DNL-2 (75db). Development within the ACD, specifically those properties influenced by the DNL noise contours and most especially those within the Accident Potential Zones (APZ) are held to a higher regulatory standard for development. These higher standards include prohibitions on most uses permitted by right in the underlying zoning district, noise dampening measures for new construction, and a limitation on the number of people per hour permitted to occupy properties within the APZ zones.



As per Section 3.r.1 of the Ordinance, the intent of the ACD is to prevent incompatible land uses or the creation of flight hazards which would impair the utility and public investment of the Shaw Air Force Base. Additionally, land designated APZ-1, APZ-2, DNL-1, DNL-2, or DNL-3 may not be used for any purpose other than those indicated by Exhibit 7.

As per Exhibit 7 and based on the Standard Industrial Classification Code (SIC Code) Asphalt plants fall within Major Group 29: Petroleum Refining and Related Industries, while concrete block manufacturing falls under Major Group 32: Stone, Glass, Glass and Concrete Products. Both these uses are not permitted within APZ-1. (Red Area on Previous Map) If rezoned, the current proposed use (concrete or asphalt plant) would have to be located toward the rear of this property outside of the APZ-1 NE Overlay within the shaded pink area.

The applicant has submitted a graphic as part of the application packet showing the proposed location of any concrete or asphalt plant. The blue circle in the graphic below shows the location of proposed plant outside of the APZ-1 NE.



It should be noted that if the property is successfully rezoned, the applicant is not obligated to develop the property for a concrete or asphalt plant. Additional uses allowed if rezoned to Heavy Industrial that are not currently allowed in LI-W and are also allowed in the APZ- 1 NE are as follows:

1. Paper & Allied Products (Manufacturing) with SIC Code 20
2. Aircraft (Transportation Services) with SIC Code 45
3. Retail Uses – Substantially more retail uses in LI-W then HI
4. Heavy Equipment Contractors with SIC Code 16
5. Metal Mining with SIC Code 10 – this use would also require Special Exception approval from Zoning Board of Appeals
6. Oil & Gas Extraction with SIC Code 13
7. Mining – Non metallic with SIC Code 14

III. COMPATIBILITY WITH THE 2030 COMPREHENSIVE PLAN



As shown in the 2030 Comprehensive Plan Map above, the proposed area for rezoning is influenced by the Military Protection Planning Area (MP) land use designation. The Land Use Element is the primary tool when making land use decisions. By and large, new uses should be consistent with those land uses supported or encouraged by the Comprehensive Plan. However, the Plan and Land Use Element should be used as a flexible policy guide and not as a rigid regulatory document (LU1). The goal is to protect and to eliminate incompatible uses and prevent encroachment of uses that jeopardize Shaw Air Force Base and its mission to the community. It is our economic lifeblood and all reasonable land use measures should be employed to the Mission.

The MP plan area is intended to protect Shaw Air Force Base and Poinsett Electronic Combat Range from encroachment of incompatible land uses and reduce the accident and noise potential to citizens in areas adjacent to these two critical military installations. Great care should be taken in evaluating any land use application in this planning area as well as surrounding adjacent areas.

As a matter of policy, the City and County support commercial, agricultural, and industrial development of a type which significantly limits the concentration of people (MP Policy #1). Additionally, the Plan incorporates the findings of the 1993 *Shaw Air Force Base Joint Compatible Land Use Study (JCLUS)*. As identified in the 1993 Study, the northern clear zones and accident potential zones that extend off of the installation into the community of Dalzell may be a future source of land compatibility problems (JCLUS pg. 37). The Study further identified community goals and policies, Community Goal #2, Policy ‘a’ states, “*Encourage all development to be located, sited and designed to carefully fit its surroundings, to protect and enhance the quality of the environment, and to maintain the character of the area.*” Sumter County also adopted a height restriction ordinance back in 1981 and amended in 1991 which regulates the height of structures within the vicinity of Shaw AFB to ensure aircraft flight safety.

As noted in the *Sumter County – Zoning & Development Standards Ordinance*, the intent of the Heavy Industrial (HI) district is to concentrate heavy industrial uses in areas where they will flourish without adversely affecting adjacent less intensive uses, and to preserve prime industrial lands for future industrial development.

IV. TRAFFIC REVIEW

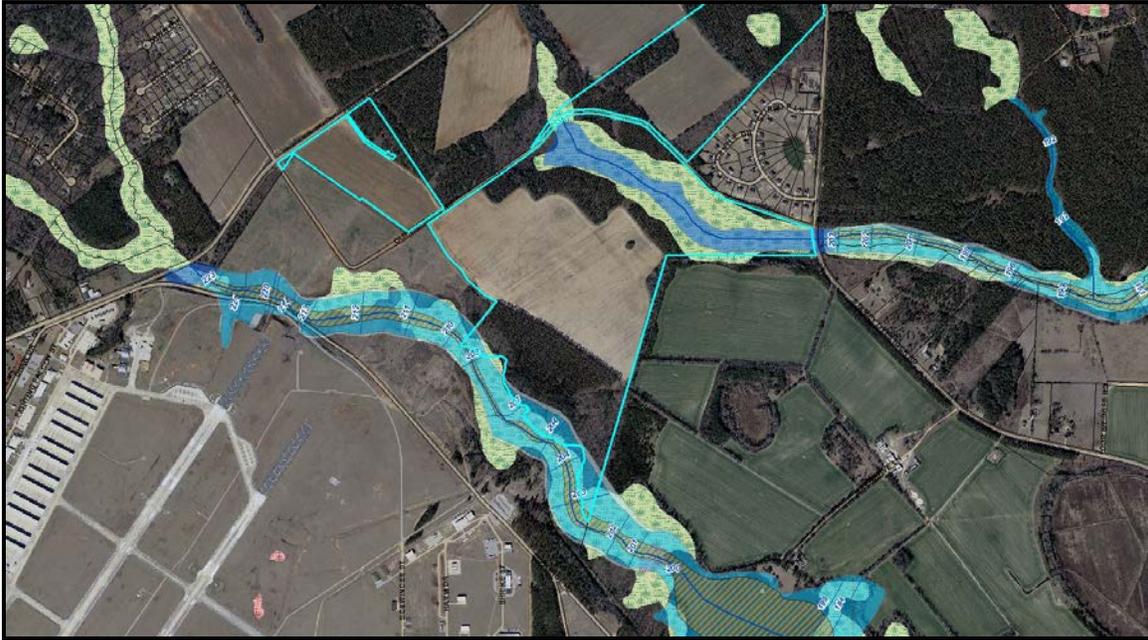
Frierson Rd. is classified as a minor arterial with a 30 mph posted operating speed. This two-lane north-south route provides direct access to Shaw Air Force Base. The 2013 traffic count for Frierson Rd. was 2300 AADT operating at LOS ‘A’. Any future development on this site will require close scrutiny of any proposed access plans. Additionally, depending upon the scale and scope of future development proposals a Traffic Impact Study prepared in accordance with Article 7, Section 7.d.10 may be a requirement of site plan review and approval.

V. WATER AND SEWER AVAILABILITY

Public water is available in the vicinity, public sewer is not available.

VI. ENVIRONMENTAL ISSUES

As shown in the orthophotography on the following page, the property is influenced by floodplain and possibly wetlands as shown in the green areas taken from the National Wetlands Inventory Maps. The blue areas are the 100 year floodplain boundaries and the hatched areas within the blue areas are the floodways. The floodways can not be built upon. A wetlands delineations/determination from the US Army Corps of Engineers may be required in order to develop portions of the property.



VI. STAFF RECOMMENDATION

The proposed rezoning site directly abuts one residential subdivision to the east. Other land uses include agricultural lands, the old Booth Farm to the east and Shaw AFB to the west. Converting this property within the Military Protection Planning Area from Light Industrial/Warehouse to Heavy Industrial appears to further the intent of the 2030 Plan and is in harmony with the Joint Compatible Land Use Study. The Heavy Industrial zoning district further restricts many uses that are allowed today in the LI-W such as retail, personal services and other miscellaneous business services which may lead to a greater concentration of people into these areas, which is in direct opposition to the goals set for future land uses around Shaw AFB.

However, when introducing industrial uses to the APZ, one must also considered the impacts any future development may have on Shaw AFB's mission and night-time operations. Night lighting around industrial plants located near airfields could obstruct the vision of pilots during take-offs and landings at night. Additionally, any use that can cause a visual obstruction through steam or smoke from stacks or chimneys is not compatible with the APZ.

Given the established pattern of development and the Airfield Compatibility District development use restrictions for the majority of this property plus the environmental issues of floodplain, actual buildable area is going to be limited to a certain extent. If this property is rezoned to Heavy Industrial there will little difference in the uses allowed under Heavy Industrial than under the current Light Industrial zoning. In fact, based on Exhibit 5 *Permitted and Conditional Uses in the Commercial, Industrial, Agricultural, and Conservation Districts* and Exhibit 7 *Airfield Compatibility District (ACD) Use Regulations ACD District* regulating the uses permitted within the APZ and DNL zones, there are substantially fewer uses allowed in the Heavy Industrial Zoning District than

Light Industrial/Warehouse. Regardless of the zoning designation, there is still a high level of expectation for quality site design for this property and height of structures will have to comply with height restrictions under the County ordinance and the Federal Aviation regulations. This would include controlled access, landscaping, and approval from the Airspace and Safety Director at Shaw AFB. Site Plan review and detailed traffic review will be done once plans for any proposed use are submitted.

VII. PLANNING COMMISSION – JANUARY 28, 2015

The Sumter City-County Planning Commission at its meeting on Wednesday, January 28, 2015 voted to recommend approval of this request.

VIII. COUNTY COUNCIL – FEBRUARY 10, 2015 – FIRST READING

