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VIA EMAIL

Georgetown County Planning Commission
129 Screven Street
Georgetown, SC 29442

RE: Covington Homes, LLC
Application for Major High Density Subdivision – Petigru Place
Case No. MAJOR 2022-00012; TMS 04-0204-025-03-00

Dear Planning Commission Members:

Residents of the Waccamaw Neck wish to thank you for following the Comprehensive Plan in your recent decisions on land use in the Parkersville community of Pawleys Island, and for considering input from people who live in this historically significant minority neighborhood.

The present application, “Petigru Place” is a another request by an out-of-town corporate developer for approval of a proposed high density subdivision on land in Parkersville that is designated as medium density by the Georgetown County Comprehensive Land Use Plan.

I am writing on behalf of adjoining landowners, heirs’ property owners, neighboring residents and community organizations including members of the Grate, Sherman, Bryant, Brown and Dennison families, the Pawleys Island Civic Club (Vincent Davis, President), the Parkersville Planning & Development Alliance (Rev. Johnny Ford, President), and many other residents who have lived and owned land in this neighborhood for generations, all of whom respectfully oppose this application on the basis that it does not conform to the Comprehensive Plan and is otherwise detrimental to the community.

Our position is summarized as follows:

- Approval of this high density subdivision plan would violate the existing Georgetown County Comprehensive Land Use Plan and Maps enacted by County Ordinance 2015-05, which designate these parcels as Medium Density for a maximum of 5 units per acre.
- Georgetown County ordinances provide that in the event of conflicting zoning or land development regulations, the most restrictive applies. *i.e.*, in this case, medium density is more restrictive than high density.

Please understand that we are not opposed to development. We support smart development that (1) complies with the law, (2) is consistent with natural character and supported by sufficient infrastructure, and (3) meets the needs of and benefits the community.

The specific bases upon which these landowners, residents, and groups oppose this high density project are as follows:

1. Planning Commission Recently Denied High Density Plans on Medium Density Parcels

The Planning Commission recently properly denied three high density plans in Parkersville (Osprey, Regatta, & Mercom) on land that was designated by the Comprehensive Plan as medium density or non-residential. The Osprey and Regatta applications were identical to this situation, *i.e.*, high density proposals on medium density parcels. We respectfully ask you to please continue adhering to state law mandates and deny proposed plans that do not conform to the Comprehensive Plan and maps.

2. Comprehensive Plan Designates Parcel as Medium Density

County Council enacted ordinance 2015-05, the Comprehensive Plan Land Use Element along with the related Future Land Use (FLU) Maps. This ordinance and these maps specifically designate the parcel at issue as “Medium Density” which is defined by the ordinance as a maximum of 5 residential units per acre.

The proposed Petigru Place subdivision has a net density of 7.74 units per acre which is substantially above the maximum density allowed by the Comprehensive Plan. There is no authority for Planning Commission to approve plans that are inconsistent with the Comprehensive Plan.

3. Compliance with Comprehensive Plan is Mandatory under State and Local Law.

State and local law are very clear that following the Comprehensive Land Use Plan is compulsory in both zoning and land development situations, including subdivision site plan approvals such as this one.

The following are the relevant provisions of the South Carolina Planning Enabling Act and Georgetown County Development Regulations that address this issue:

- SC Planning Act, Section 6-29-540: No new development should be permitted “until the location, character, and extent of it have been submitted to the planning commission for review and comment as to the compatibility of the proposal with the comprehensive plan of the community.”

- SC Planning Act, Section 6-29-1120: “[T]he regulation of land development by ... counties ... is authorized for the following purposes, among others: ... to assure ... the wise and timely development of new areas ... in harmony with the comprehensive plan”
- Georgetown County Development Regulations, Section 4: One of the specific purposes of the county development regulations is “to assure that development is compatible with adopted comprehensive plan, zoning ordinance, official map, and capital budget.”
- SC Planning Act, Section 6-29-720(A): The purpose of a zoning ordinance is to “implement the comprehensive plan.”
- SC Planning Act, Section 6-29-720(B): “[Z]oning regulations must be made in accordance with the comprehensive plan for the jurisdiction”

4. General Residential (GR) Zoning is Compatible with Medium Density.

The GR zoning ordinance states at 607 that “[i]t is the intent of this section that the General Residential District be established for medium-to-high density residential purposes.” There is no automatic entitlement to high density within GR zoning as has sometimes been suggested.

The determination of the appropriate density within the GR District depends on a number of factors including the Comprehensive Plan FLUM designation, compliance with other conditions of the GR ordinance itself, compliance with land development regulations, and a variety of other factors that state and local law require to be considered.

In this case, the Comprehensive Plan FLUM designates the parcel as medium density which means the GR permitted use of multi-family duplex units is limited to a maximum density of 5 units per acre.

5. Conflicts Resolved By Applying Most Restrictive Standard.

Georgetown County ordinances require that where there is a conflict between or among zoning or land development ordinances, the most restrictive one applies. In this case, the more restrictive comprehensive plan density limit controls.

- Section 1800 of the Georgetown County Zoning Ordinance:

“[I]n case of conflict between this Ordinance or any part thereof, and the whole or part of any existing or future ordinance of the County of Georgetown, the most restrictive shall *in all cases* apply.”

- Section 10 of the Georgetown County Development Regulations:

“Whenever this Ordinance imposes a higher standard than that required by other resolutions, ordinances, rules or regulations, easements, covenants or agreements, the provisions of this Ordinance shall govern. When the provisions of any other statute impose higher standards, the provisions of such statute shall govern.

6. Other Legitimate Bases for Denial

Regardless of the Comprehensive Plan violation, the Planning Commission is not obligated to approve a high density project just because a developer requests it under GR zoning. There are a multitude of factors required to be taken into consideration as set forth in the state and local land development regulations.

There are many valid reasons why a high density proposal might be denied even if it did not violate the Comprehensive Plan. Some examples of those reasons include traffic, flooding, infrastructure, stormwater, compatibility with the character of the neighborhood, tree protection, crowding, safety, and other factors that affect public health, welfare and safety, all of which are legitimate considerations under the law.

Traditional minority communities in Pawleys Island and elsewhere in Georgetown County are experiencing attrition at alarming rates due to approval of development on former heirs' property that does not fit into the character of these longstanding neighborhoods.

This proposal is not affordable or workforce housing and the price is beyond the reach of current residents. These kinds of high density projects typically displace current residents resulting in gentrification and the loss of a longstanding traditional African American community along with its valuable culture and history. Once made, these decisions cannot be undone and they set a devastating precedent that has a permanent impact on our future.

In addition to displacement of current residents, these high density projects often cause serious problems with flooding, stormwater and traffic which are also legitimate considerations and valid reasons to deny a proposal.

7. Parcel and Location Not Suitable for Proposed Purpose

Section 5 of the Georgetown County Development Regulations specifically states that:

“The Planning Commission shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public the site is not suitable for platting and development purposes of the kind proposed.”

In this case, our County Council, the governing body and highest public agency of this county, has enacted the Comprehensive Plan and maps which specifically designate this parcel as "Medium Density." By virtue of that enactment and designation, our County Council has made the specific determination that "in the best interest of the public, the site is not suitable for" high density development.

8. Stormwater Study Results

The President of the Pawleys Island Civic Club and others have repeatedly pointed out that the county has invested substantial funds to have a county-wide stormwater study conducted. We know that it has been completed for the Waccamaw Neck, yet the county has failed to release the results notwithstanding citizen demand. In the interest of government transparency and freedom of information, the results should immediately be shared with the public.

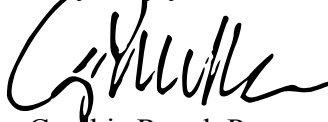
We know that Parkersville has been designated in this study as a problem area. High density developments such as the one proposed, in a neighborhood that is already experiencing serious problems with stormwater and flooding, should not be considered until the results of that study have been received, reviewed and analyzed.

This is a matter of extreme importance to the residents of this community. Many will personally attend tonight's meeting and some will speak on behalf of their families and neighbors. Most have lived and owned property in this neighborhood for generations. .

For all the reasons set forth above, we respectfully request you to follow your previous decisions and deny this proposed high density subdivision on the basis that it does not conform to our comprehensive plan.

Thank you for your kind attention and consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read 'C. Ranck Person', written in a cursive style.

Cynthia Ranck Person, Esquire