

COUNTY COUNCIL OF BEAUFORT COUNTY
ADMINISTRATION BUILDING
BEAUFORT COUNTY GOVERNMENT ROBERT SMALLS COMPLEX
100 RIBAUT ROAD
POST OFFICE DRAWER 1228
BEAUFORT, SOUTH CAROLINA 29901-1228
TELEPHONE: (843) 255-2000
FAX: (843) 255-9401
www.bcgov.net

D. PAUL SOMMERVILLE
CHAIRMAN

GERALD W. STEWART
VICE CHAIRMAN

COUNCIL MEMBERS

CYNTHIA M. BENSCH
RICK CAPORALE
GERALD DAWSON
BRIAN E. FLEWELLING
STEVEN G. FOBES
ALICE G. HOWARD
WILLIAM L. MCBRIDE
STEWART H. RODMAN
ROBERTS "TABOR" VAUX

GARY T. KUBIC
COUNTY ADMINISTRATOR

JOSHUA A. GRUBER
DEPUTY COUNTY ADMINISTRATOR
SPECIAL COUNSEL

THOMAS J. KEAVENY, II
COUNTY ATTORNEY

SUZANNE M. RAINEY
CLERK TO COUNCIL

AGENDA
COUNTY COUNCIL OF BEAUFORT COUNTY
Monday, November 9, 2015
5:00 p.m.
Council Chambers, Administration Building
Beaufort County Government Robert Smalls Complex
100 Ribaut Road, Beaufort

Citizens may participate in the public comment periods and public hearings from telecast sites at Hilton Head Island Branch Library as well as Mary Field School, Daufuskie Island.

1. CALL TO ORDER - 5:00 P.M.
2. REGULAR MEETING
3. PLEDGE OF ALLEGIANCE
4. INVOCATION - Councilman Roberts "Tabor" Vaux
5. ADMINISTRATIVE CONSENT AGENDA
 - A. Approval of Minutes – October 26, 2015 [caucus](#) and October 26, 2015 [regular](#)
 - B. Committee Reports (next meeting)
 1. Community Services (November 30 at 2:00 p.m., ECR)
 - a. Minutes – October 26, 2015 ([backup](#))
 2. Executive (December 14 at 2:00 p.m., ECR)
 - a. Minutes – October 12, 2015 ([backup](#))
 3. Finance (November 16 at 2:00 p.m., BIV #3)
 - a. Minutes – October 19, 2015 ([backup](#))
 4. Governmental (December 7 at 4:00 p.m., ECR)
 5. Natural Resources (December 7 at 2:00 p.m., ECR)
 - a. Minutes – November 2, 2015 ([backup](#))
 6. Public Facilities (November 16 at 4:00 p.m., BIV #3)
 - C. Appointments to Boards and Commissions ([backup](#))
6. PROCLAMATION
 - A. Penn Center Heritage Days Celebration Week ([backup](#))
Dr. Rodell Lawrence, Executive Director, Penn Center
7. INTRODUCTIONS
 - A. Gary James, County Assessor
 - B. Andrea Atherton, Construction Manager



8. PUBLIC COMMENT – Speaker sign-up encouraged no later than 4:45 p.m. day of the meeting.

9. CONSENT AGENDA

A. AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN EASEMENT ENCUMBERING PROPERTY OWNED BY BEAUFORT COUNTY, SOUTH CAROLINA (S.C. HIGHWAY 170 UTILITY EASEMENT FOR PALMETTO ELECTRIC COOPERATIVE, INC.) ([backup](#))

1. Consideration of second reading to occur November 9, 2015
2. Public hearing announcement – Monday, November 30, 2015 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort
3. First reading approval occurred October 26, 2015 / Vote 10:0
4. Public Facilities Committee discussion and recommendation to grant a ten-foot utility easement to Palmetto Electric Cooperative, Inc. for the underground cables located on parcel R600 029 000 0126 000. Committee action occurred October 19, 2015 / Vote 7:0

B. TEXT AMENDMENT TO COMMUNITY DEVELOPMENT CODE (CDC) TABLE 3.1.60 CONSOLIDATED USE TABLE—OFFICES & SERVICES, #17. RESIDENTIAL STORAGE FACILITY, ADDING “C” (PERMITTED USE WITH CONDITIONS) TO T4-HC (HAMLET CENTER) ([backup](#))

1. Consideration of first reading to occur November 9, 2015
2. Natural Resources Committee discussion and recommendation to approve ordinance on first reading occurred November 2, 2015 / Vote 6:0

C. A RESOLUTION TO COMMISSION ANIMAL SERVICE OFFICER TO ENFORCE BEAUFORT COUNTY ANIMAL ORDINANCES FOR BEAUFORT COUNTY PURSUANT TO THE AUTHORITY GRANTED IN SECTION 4-9-145 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976 AS AMENDED ([backup](#))

1. Executive Committee discussion to occur November 9, 2015 beginning at 2:00 p.m. in the Executive Conference Room of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort

10. PUBLIC HEARINGS

A. TEXT AMENDMENTS TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC), ARTICLES 2, 3, 4, 5, 6, 7, AND 10 (TRANSECT ZONE AMENDMENTS; SIGN AMENDMENTS, DIVISION 5.6; USE AMENDMENTS: USE TABLE, SECTION 3.1.60, LAND USE DEFINITION TABLE, SECTION 3.1.70, AND SPECIFIC TO THE USE STANDARDS, DIVISION 4.1; CORRECTIONS, CLARIFICATIONS AND PROVISIONS FROM THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE) ([backup](#))

1. Consideration of third and final reading to occur November 9, 2015
2. Second reading approval occurred October 26, 2015 / Vote 10:0
3. First reading approval occurred October 12, 2015 / 10:0
4. Natural Resources Committee discussion and recommendation to approve ordinance on first reading occurred October 5, 2015 / Vote 6:0

B. TEXT AMENDMENTS TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC), SECTION 3.2.100.E (T4 HAMLET CENTER) AND SECTION 3.3.30.C (NEIGHBORHOOD MIX-USE (C3) ZONE) TO ESTABLISH A HEIGHT LIMIT OF 35 FEET FOR INSTITUTIONAL BUILDINGS ([backup](#))

1. Consideration of third and final reading to occur November 9, 2015
2. Second reading approval occurred October 26, 2015 / Vote 10:0
3. First reading approval occurred October 12, 2015 / 10:0
4. Natural Resources Committee discussion and recommendation to approve ordinance on first reading occurred October 5, 2015 / Vote 6:0

C. LADY'S ISLAND ZONING MAP AMENDMENT FOR R200 015 000 0165 0000, R200 015 000 0721 0000, R200 015 000 0820 0000, R200 015 000 0866 0000, R200 015 000 0867 0000, R200 015 000 0868 0000, R200 015 000 0869 0000, R200 015 000 0870 0000, R200 015 000 0871 0000, R200 015 000 0872 0000, R200 015 000 0873 0000, R200 015 000 0874 0000, R200 015 000 0875 0000 (13 PARCELS TOTALING 8.75 ACRES, SOUTH SIDE OF SEA ISLAND PARKWAY BETWEEN LADY'S ISLAND COMMONS AND YOUMANS ROAD) FROM T4-HC (HAMLET CENTER) TO T4-HCO (HAMLET CENTER OPEN) ([backup](#))

1. Consideration of third and final reading to occur November 9, 2015
2. Second reading approval occurred October 26, 2015 / Vote 10:0
3. First reading approval occurred October 12, 2015 / 10:0
4. Natural Resources Committee discussion and recommendation to approve ordinance on first reading occurred October 5, 2015 / Vote 6:0

D. LADY'S ISLAND ZONING MAP AMENDMENT FOR R200 015 000 111G 0000, R200 015 000 0114 0000, R200 015 000 114B 0000, R200 015 000 114C 0000, R200 015 000 114D 0000, AND R200 015 000 0638 0000 – NORTH OF SEA ISLAND PARKWAY; R200 018 00A 0147 0000, R200 018 00A 0148 0000, R200 018 00A 0149 0000, R200 018 00A 0150 0000, R200 018 00A 0161 0000, R200 018 00A 0162 0000, R200 018 00A 0163 0000, R200 018 00A 0192 0000, R200 018 00A 0193 0000, AND R200 018 00A 0248 0000 – SOUTH OF SEA ISLAND PARKWAY (16 PARCELS TOTALING 19 ACRES, NORTH AND SOUTH SEA ISLAND PARKWAY BETWEEN GAY DRIVE AND DOW ROAD) FROM T3-N (NEIGHBORHOOD) AND T3-HN (HAMLET NEIGHBORHOOD) TO T4-NC (NEIGHBORHOOD CENTER) AND T4-HCO (HAMLET CENTER OPEN) ([backup](#))

1. Consideration of third and final reading to occur November 9, 2015
2. Second reading approval occurred October 26, 2015 / 10:0
3. First reading approval occurred October 12, 2015 / 10:0
4. Natural Resources Committee discussion and recommendation to approve ordinance on first reading occurred October 5, 2015 / Vote 6:0

11. MATTERS ARISING OUT OF EXECUTIVE SESSION

12. PUBLIC COMMENT - Speaker sign-up encouraged.

13. ADJOURNMENT

Official Proceedings
County Council of Beaufort County
October 26, 2015

The electronic and print media duly notified in
accordance with the State Freedom of Information Act.

A caucus of the County Council of Beaufort County was held Monday, October 26, 2015 beginning at 4:00 p.m. in the large meeting room of the Hilton Head Island Branch Library, 11 Beach City Road, Hilton Head Island, South Carolina.

ATTENDANCE

Chairman D. Paul Sommerville, Vice Chairman Gerald Stewart and Councilmen Cynthia Bensch, Rick Caporale, Gerald Dawson, Brian Flewelling, Steven Fobes, Alice Howard, Stewart Rodman and Roberts "Tabor" Vaux. William McBride absent.

RECEIPT OF COUNTY ADMINISTRATOR'S TWO-WEEK PROGRESS REPORT

Mr. Gary Kubic, County Administrator, presented his Two-Week Progress Report, which summarized his activities from October 12, 2015 through October 23, 2015.

RECEIPT OF DEPUTY COUNTY ADMINISTRATOR / SPECIAL COUNSEL'S TWO-WEEK PROGRESS REPORT

Mr. Joshua Gruber, Deputy County Administrator / Special Counsel, presented his Two-Week Progress Report, which summarized his activities from October 12, 2015 through October 23, 2015.

DISCUSSION ITEMS

Mr. Rodman offered his thoughts on Council's meeting start time, thereby making meetings more convenient for the public and not on any external pressure. He recommended the following schedule: executive session beginning at 5:00 p.m., caucus 5:30 p.m., regular 6:00 p.m., public hearings 7:00 p.m., and an 8:00 p.m. adjournment, unless extended.

Mr. Rodman commented on agenda item 10, an ordinance to amend the Beaufort County Ordinance number 2006-24 so as to provide for a discounted impact fee schedule for qualified affordable housing developments.

ADJOURNMENT

Council adjourned at 5:00 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

ATTEST:

Suzanne M. Rainey, Clerk to Council

Ratified:

DRAFT

Official Proceedings
County Council of Beaufort County
October 26, 2015

The electronic and print media duly notified in
accordance with the State Freedom of Information Act.

The regular meeting of the County Council of Beaufort County was held Monday, October 26, 2015 beginning at 5:00 p.m. in the large meeting room of the Hilton Head Island Branch Library, 11 Beach City Road, Hilton Head Island, South Carolina.

ATTENDANCE

Chairman D. Paul Sommerville, Vice Chairman Gerald Stewart and Councilmen Cynthia Bensch, Rick Caporale, Gerald Dawson, Brian Flewelling, Steven Fobes, Alice Howard, Stewart Rodman and Roberts "Tabor" Vaux. William McBride absent.

PLEDGE OF ALLEGIANCE

The Chairman led those present in the Pledge of Allegiance.

INVOCATION

Councilman Stu Rodman gave the Invocation.

The Chairman passed the gavel to the Vice Chairman in order to receive the Administrative Consent Agenda.

ADMINISTRATIVE CONSENT AGENDA

Review of the Proceedings of the Caucus held October 12, 2015

This item comes before Council under the Administrative Consent Agenda.

It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Council approve the minutes of the caucus held October 12, 2015. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. Flewelling, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. McBride. The motion passed.

Review of the Proceedings of the Regular Meeting held October 12, 2015

This item comes before Council under the Administrative Consent Agenda.

It was moved by Mr. Flewelling, seconded by Mr. Dawson, that Council approve the minutes of the regular meeting held October 12, 2015. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. Flewelling, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. McBride. The motion passed.

Committee Reports

Community Services Committee

Disabilities and Special Needs Board

Mr. Dawson, as Vice Chairman of the Community Services Committee nominated Mr. Caleb Brown to serve as a member of the Disabilities and Special Needs Board.

Mr. Stewart nominated Mrs. Ann Hamilton to serve as a member of the Disabilities and Special Needs Board.

Public Facilities Committee

County Transportation Committee

Mr. Dawson, as Chairman of the Public Facilities Committee, nominated Mr. Joe DeVito, representing Council District 4; Mr. Kraig Gordon, representing Council District 8; and Mr. Steve Wilson, representing Council District 11, to serve as members of the County Transportation Committee.

The Vice Chairman passed the gavel back to the Chairman in order to continue the meeting.

ANNOUNCEMENT / MS. JULIE BASCOM, RECIPIENT, 2015 PEGGY PARISH AWARD

The Chairman announced that Ms. Julie Bascom, Youth Services Manager for the Hilton Head Island Branch Library, received the 2015 Peggy Parish Award, which honors those who have made a personal impact that increases child literacy in South Carolina. The award was presented at the ninth annual School of Library and Information Science Literacy Leaders Awards event held September 8, 2015.

BOARD AND COMMISSION MEMBERS' PUBLIC SERVICE RECOGNITION

The Chairman recognized 26 individuals for their public service to County government: Jennifer Kovacs, Accommodations Tax (2%) State Board; Ronald Smetek, Airports Board; K. Z. Najaka, Alcohol and Drug Abuse Board; Ray Spellerberg, Alcohol and Drug Abuse Board; Terrence Reynolds, Bluffton Fire District Board; Thomas Dickinson, Daufuskie Island Fire District Board; Robert Collar, Disabilities and Special Needs Board; Dewayne Frederick, Disabilities and Special Needs Board; Jean Morgan, Library Board; Maureen Richards, Historic Preservation Review Board; David Tigges, Lowcountry Economic Alliance; John Michael Brock, Northern Corridor Review Board; Peter Brower, Northern Corridor Review Board; John R. Thomas, Planning Commission; James Livingston, Rural and Critical Lands Board; Ernest Marchetti, Rural and Critical Lands Board; Stephen G. Riley, Rural and Critical Lands Board; James C. Atkins, Southern Corridor Review Board; Sam Britt, Southern Corridor Review Board; Joseph K. Hall, Southern Corridor Review Board; Daniel Ogden, Southern Corridor Review Board; Ed Pinckney, Southern Corridor Review Board; Pearce Scott, Southern Corridor Review Board; Robert Arundell, Tax Equalization Board; Gloria Criscuolo, Tax Equalization Board; and Scott Kleinert, Tax Equalization Board.

PUBLIC COMMENT

The Chairman recognized Mr. Barry Johnson, legal counsel for the Graves Family, who asked Council to rezone Pepper Hall Plantation, as the Planning Commission has recommended with the development agreement encompassing the items that you have agreed to.

Mr. Edward McNair, a resident of Beaufort County, stated it is time to change the zoning of Pepper Hall Plantation in favor of the Graves Family.

Mr. Robert Graves, owner of Pepper Hall Plantation, asked Council to rezone Pepper Hall Plantation as recommended by the Planning Commission.

Mr. Claude McLeod, a resident of Seabrook, urged Council to grant Mr. Graves his zoning change.

AN ORDINANCE TO AMEND THE BEAUFORT COUNTY ORDINANCE NUMBER 2006-24 SO AS TO PROVIDE FOR A DISCOUNTED IMPACT FEE SCHEDULE FOR QUALIFIED AFFORDABLE HOUSING DEVELOPMENTS

It was moved by Mr. Rodman, as Chairman of the Governmental Committee (no second required), that Council approve on third and final reading an ordinance to amend the Beaufort County Ordinance Number 2006-24 so as to provide for a discounted impact fee schedule for qualified affordable housing developments. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. Flewelling, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. McBride. The motion passed.

TEXT AMENDMENTS TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC), ARTICLES 2, 3, 4, 5, 6, 7 AND 10 (TRANSECT ZONE AMENDMENTS; SIGN AMENDMENTS, DIVISION 5.6; USE AMENDMENTS: USE TABLE, SECTION 3.1.60, LAND USE DEFINITION TABLE, SECTION 3.1.70, AND SPECIFIC TO THE USE STANDARDS, DIVISION 4.1; CORRECTIONS, CLARIFICATIONS AND PROVISIONS FROM THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE)

This item comes before Council under the Consent Agenda. Discussion occurred at the October 5, 2015 meeting of the Natural Resources Committee.

It was moved by Mr. Flewelling, seconded by Mrs. Howard, that Council approve on second reading text amendments to the Beaufort County Community Development Code (CDC), Articles 2, 3, 4, 5, 6, 7 and 10 (Transect Zone Amendments; Sign Amendments, Division 5.6; Use Amendments: Use Table, Section 3.1.60, Land Use Definition Table, Section 3.1.70, and Specific to the Use Standards, Division 4.1; Corrections, Clarifications and Provisions from the Zoning and Development Standards Ordinance). The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. Flewelling, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. McBride. The motion passed.

The Chairman announced a public hearing on Monday, November 9, 2015 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort.

TEXT AMENDMENTS TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC), SECTION 3.2.100.E (T4 HAMLET CENTER) AND SECTION 3.3.30.C (NEIGHBORHOOD MIX-USE (C3) ZONE) TO ESTABLISH A HEIGHT LIMIT OF 35 FEET FOR INSTITUTIONAL BUILDINGS

This item comes before Council under the Consent Agenda. Discussion occurred at the October 5, 2015 meeting of the Natural Resources Committee.

It was moved by Mr. Flewelling, seconded by Mrs. Howard, that Council approve on second reading text amendments to Section 3.2.100.E (T4 Hamlet Center) and Section 3.3.30C, (Neighborhood Mix-Use (C3) Zone) to establish a height limit of 35 feet for institutional buildings. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. Flewelling, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. McBride. The motion passed.

The Chairman announced a public hearing on Monday, November 9, 2015 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort.

LADY’S ISLAND ZONING MAP AMENDMENT FOR R200 015 000 0165 0000, R200 015 000 0721 0000, R200 015 000 0820 0000, R200 015 000 0866 0000, R200 015 000 0867 0000, R200 015 000 0868 0000, R200 015 000 0869 0000, R200 015 000 0870 0000, R200 015 000 0871 0000, R200 015 000 0872 0000, R200 015 000 0873 0000, R200 015 000 0874 0000, R200 015 000 0875 0000 (13 PARCELS TOTALING 8.75 ACRES, SOUTH SIDE OF SEA ISLAND PARKWAY BETWEEN LADY’S ISLAND COMMONS AND YOUMANS ROAD) FROM T4-HC (HAMLET CENTER) TO T4-HCO (HAMLET CENTER OPEN)

This item comes before Council under the Consent Agenda. Discussion occurred at the October 5, 2015 meeting of the Natural Resources Committee.

It was moved by Mr. Flewelling, seconded by Mrs. Howard, that Council approve on second reading a Lady’s Island Zoning Map amendment for R200 015 000 0165 0000, R200 015 000 0721 0000, R200 015 000 0820 0000, R200 015 000 0866 0000, R200 015 000 0867 0000, R200 015 000 0868 0000, R200 015 000 0869 0000, R200 015 000 0870 0000, R200 015 000 0871 0000, R200 015 000 0872 0000, R200 015 000 0873 0000, R200 015 000 0874 0000, R200 015 000 0875 0000 (13 parcels totaling 8.75 acres, south side of Sea Island Parkway between Lady’s Island Commons and Youmans Road) from T4-HC (Hamlet Center) to T4-HCO (Hamlet Center Open). The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. Flewelling, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. McBride. The motion passed.

The Chairman announced a public hearing on Monday, November 9, 2015 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort.

LADY’S ISLAND ZONING MAP AMENDMENT FOR R200 015 000 111G 0000, R200 015 000 0114 0000, R200 015 000 114B 0000, R200 015 000 114C 0000, R200 015 000 114D 0000, AND R200 015 000 0638 0000 – NORTH OF SEA ISLAND PARKWAY; R200 018 00A 0147 0000, R200 018 00A 0148 0000, R200 018 00A 0149 0000, R200 018 00A 0150 0000, R200 018 00A 0161 0000, R200 018 00A 0162 0000, R200 018 00A 0163 0000, R200 018 00A 0192 0000, R200 018 00A 0193 0000, AND R200 018 00A 0248 0000 – SOUTH OF SEA ISLAND PARKWAY (16 PARCELS TOTALING 19 ACRES, NORTH AND SOUTH SEA ISLAND PARKWAY BETWEEN GAY DRIVE AND DOW ROAD) FROM T3-N (NEIGHBORHOOD) AND T3-HN (HAMLET NEIGHBORHOOD) TO T4-NC (NEIGHBORHOOD CENTER) AND T4-HCO (HAMLET CENTER OPEN)

This item comes before Council under the Consent Agenda. Discussion occurred at the October 5, 2015 meeting of the Natural Resources Committee.

It was moved by Mr. Flewelling, seconded by Mrs. Howard, that Council approve on second reading a Lady’s Island Zoning Map amendment for R200 015 000 111G 0000, R200 015 000 0114 0000, R200 015 000 114B 0000, R200 015 000 114C 0000, R200 015 000 114D 0000, and R200 015 000 0638 0000 – North of Sea Island Parkway; R200 018 00A 0147 0000, R200 018 00A 0148 0000, R200 018 00A 0149 0000, R200 018 00A 0150 0000, R200 018 00A 0161

0000, R200 018 00A 0162 0000, R200 018 00A 0163 0000, R200 018 00A 0192 0000, R200 018 00A 0193 0000, and R200 018 00A 0248 0000 – south of Sea Island Parkway (16 parcels totaling 19 acres, north and south Sea Island Parkway between Gay Drive and Dow Road) from T3-N (Neighborhood) and T3-HN (Hamlet Neighborhood) to T4-NC (Neighborhood Center) and T4-HCO (Hamlet Center Open). The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. Flewelling, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. McBride. The motion passed.

The Chairman announced a public hearing on Monday, November 9, 2015 beginning at 6:00 p.m. in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort.

STATE (2%) ACCOMMODATIONS TAX BOARD FISCAL YEAR 2016 GRANT RECOMMENDATIONS TO TOURISM-RELATED ORGANIZATIONS IN THE CUMULATIVE AMOUNT OF \$500,500

This item comes before Council under the Consent Agenda. Discussion occurred at the October 19, 2015 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mrs. Howard, that Council appropriate \$500,500 in accommodations tax (2% state) grant funds to 33 tourism-related organizations: Arts Center of Coastal Carolina \$11,250; Beaufort County Black Chamber of Commerce \$75,000; Beaufort Regional Chamber of Commerce \$75,000; Beaufort Film Society \$17,500; Beaufort History Museum \$10,000; Beaufort County Historical Society \$5,000; Bluffton Historical Preservation Society \$20,000; Coastal Discovery Museum \$20,000; Daufuskie Island Foundation \$6,000; Daufuskie Island Historical Foundation \$1,500; Exchange Club of Beaufort/CAPA \$500; Friends of Fort Fremont \$5,000; Gullah Festival, Inc. \$15,000; Heritage Library \$1,000; Hilton Head Island Choral Society \$3,000; Hilton Head Island Concours D'Elegance \$25,000; Hilton Head Food & Wine Festival \$2,000; Hilton Head Island Symphony Orchestra \$5,000; Hilton Head Island/Bluffton Chamber of Commerce \$20,000; Historic Beaufort Foundation \$3,500; Historic Bluffton Arts & Seafood Festival \$10,000; Lowcountry Golf Club Owners Association \$10,000; Main Street, USA \$20,000; Mitchelville Preservation Project \$25,000; My Medians Matter \$1,000; Native Island Business and Community Affairs Association \$20,000; Gullah Museum \$15,000; Penn Center \$30,000; Port Royal Sound Foundation \$3,750; Sandalwood Community Food Pantry \$500; The Sandbox \$2,000; Santa Elena Foundation \$10,000; and S.C. Lowcountry and Resort Tourism Commission \$32,000. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. Flewelling, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. McBride. The motion passed.

A RESOLUTION AUTHORIZING THE PURCHASE OF FIDELITY BOND COVERING COUNTY OFFICIALS AND EMPLOYEES WHO ARE STATUTORILY REQUIRED TO BE BONDED

This item comes before Council under the Consent Agenda. Discussion occurred at the October 19, 2015 meeting of the Finance Committee.

It was moved by Mr. Flewelling, seconded by Mrs. Howard, that Council adopt a resolution to authorize the purchase of a fidelity bond covering County officials and employees who are statutorily required to be bonded. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. Flewelling, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. McBride. The motion passed.

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN EASEMENT ENCUMBERING PROPERTY OWNED BY BEAUFORT COUNTY, SOUTH CAROLINA (S.C. HIGHWAY 170 UTILITY EASEMENT FOR PALMETTO ELECTRIC COOPERATIVE, INC.)

This item comes before Council under the Consent Agenda. Discussion occurred at the October 19, 2015 meeting of the Public Facilities Committee.

It was moved by Mr. Flewelling, seconded by Mrs. Howard, that Council approve on first reading an ordinance to authorize the execution and delivery of a ten-foot utility easement to Palmetto Electric Cooperative, Inc. for the underground cables located on parcel R600 029 0000 0126 0000. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. Flewelling, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. McBride. The motion passed.

PALMETTO ELECTRIC COOPERATIVE, INC. UTILITY RELOCATION FOR S.C. HIGHWAY 170 WIDENING

This item comes before Council under the Consent Agenda. Discussion occurred at the October 19, 2015 meeting of the Public Facilities Committee.

It was moved by Mr. Flewelling, seconded by Mrs. Howard, that Council authorize payment of the final Palmetto Electric Cooperative, Inc. relocation invoices in the amount of \$790,265.46 for the S.C. Highway 170 Widening Project. The source of funding is S.C. Highway 170 Widening Sales Tax Project Account #4701000014-54500. All utility relocation expenditures are reimbursable from the South Carolina State Infrastructure Bank Grant for this project in the amount of \$24.9 million. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. Flewelling, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. McBride. The motion passed.

BLUFFTON PARKWAY 5A SEGMENT 2 ROADWAY AND BRIDGE CONSTRUCTION MANAGEMENT AND ENGINEERING INSPECTION SERVICES CONTRACT AMENDMENT

This item comes before Council under the Consent Agenda. Discussion occurred at the October 19, 2015 meeting of the Public Facilities Committee.

It was moved by Mr. Flewelling, seconded by Mrs. Howard, that Council approve an amendment to F&ME Consultants construction management and inspection services contract in the amount of \$1,060,000 in order to maintain the required construction oversight activities for the Bluffton Parkway Phase 5A Segment 2. The source of funding is Bluffton Parkway Phase 5A Segment 2 Sales Tax Account #47010012-54500 with an available budget balance of \$2,498,090. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. Flewelling, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. McBride. The motion passed.

PUBLIC HEARINGS

PEPPER HALL PLANTATION PROPERTY / REQUEST TO CHANGE THE FUTURE LAND USE DESIGNATION AND TO REZONE PORTIONS OF AN ASSEMBLAGE OF 7 PARCELS EQUALING APPROXIMATELY 113 ACRES LOCATED ON THE NORTH SIDE OF U.S. HIGHWAY 278 BETWEEN THE OKATIE RIVER AND GRAVES ROAD FROM RURAL WITH TRANSITIONAL OVERLAY (APPROXIMATELY 33 ACRES FRONTING U.S. HIGHWAY 278) AND RURAL (80 ACRES OF THE REMAINDER OF THE PROPERTIES) TO COMMERCIAL REGIONAL (APPROXIMATELY 65 ACRES FRONTING U.S. HIGHWAY 278) AND SUBURBAN (APPROXIMATELY 48 ACRES AT THE REAR OF THE PROPERTIES)

Mr. Vaux recused himself, left the room, and was not present for any of the discussion. His law firm formerly represented the seller on this same matter.

The Chairman opened a public hearing beginning at 6:00 p.m. for the purpose of receiving public comment on the Pepper Hall Plantation property request to change the future land use designation and to rezone portions of an assemblage of 7 parcels equaling approximately 113 acres located on the north side of U.S. Highway 278 between the Okatie River and Graves Road from Rural with Transitional Overlay (approximately 33 acres fronting U.S. Highway 278) and Rural (80 acres of the remainder of the properties) to Commercial Regional (approximately 65 acres fronting U.S. Highway 278) and Suburban (approximately 48 acres at the rear of the properties). After calling once for public comment, the Chairman recognized Mr. Adrian Morris, General Manager and speaking on behalf of the residents and homeowners Berkeley Hall Plantation, who stated Berkeley Hall Plantation is the area most affected by the rezoning. He hopes to continue to be good neighbors with the Graves family and Pepper Hall Plantation, but has no choice but to absolutely object to any sort of change of zoning to commercial or any form of commercial to this piece of property.

After calling twice more for public comment and receiving none, the Chairman declared the hearing closed at 6:03 p.m.

Main motion: It was moved by Mr. Flewelling, as Chairman of the Natural Resources Committee (no second required), that Council deny the request to change the future land use designation and to rezone portions of an assemblage of 7 parcels equaling approximately 113 acres located on the north side of U.S. Highway 278 between the Okatie River and Graves Road from Rural with Transitional Overlay (approximately 33 acres fronting U.S. Highway 278) and Rural (80 acres of the remainder of the properties) to Commercial Regional (approximately 65 acres fronting U.S. Highway 278) and Suburban (approximately 48 acres at the rear of the properties).

Motion to postpone: It was moved by Mr. Rodman, seconded by Mr. Fobes, that Council postpone consideration of this item until its meeting of November 30, 2015.

First vote on the motion to postpone: YEAS – Mr. Caporale, Mr. Fobes, Mr. Rodman and Mr. Stewart. NAYS – Mr. Dawson, Mr. Flewelling, Mrs. Howard and Mr. Sommerville. ABSENT – Mr. McBride. RECUSAL - Mr. Vaux recused himself, left the room, and was not present for any of the discussion. His law firm formerly represented the seller on this same matter. NO VOTE – Mrs. Bensch. The motion failed.

Second vote on the motion to postpone: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Fobes, Mr. Rodman and Mr. Stewart. NAYS – Mr. Dawson, Mr. Flewelling, Mrs. Howard and Mr. Sommerville. ABSENT – Mr. McBride. RECUSAL - Mr. Vaux recused himself, left the room, and was not present for any of the discussion. His law firm formerly represented the seller on this same matter. The motion passed.

AN ORDINANCE TO APPROPRIATE \$64,600 FROM THE LOCAL (3%) ACCOMMODATIONS TAX FUND FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE DAUFUSKIE ISLAND PIER REHABILITATION PROJECT

The Chairman opened a public hearing beginning at 6:23 p.m. for the purpose of receiving public comment on an ordinance to appropriate \$64,600 from the local (3%) accommodations tax fund for construction management services for the Daufuskie Island Pier rehabilitation project. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:24 p.m.

It was moved by Mr. Dawson, as Chairman of the Public Facilities Committee (no second required), that Council approve on third and final reading an ordinance to appropriate \$64,600 from the local (3%) accommodations tax fund for construction management services for the Daufuskie Island Pier rehabilitation project. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. Flewelling, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. McBride. The motion passed.

AN ORDINANCE TO AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE A QUIT CLAIM DEED FOR A PORTION OF LOWEN DRIVE, PORT ROYAL ISLAND, SOUTH CAROLINA

The Chairman opened a public hearing beginning at 6:25 p.m. for the purpose of receiving public comment on an ordinance authorize the County Administrator to execute a quit claim deed for a portion of Lowen Drive, Port Royal Island, South Carolina. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:26 p.m.

It was moved by Mr. Dawson, as Chairman of the Public Facilities Committee (no second required), that Council approve on third and final reading an ordinance to authorize the County Administrator to execute a quit claim deed for a portion of Lowen Drive, Port Royal Island, South Carolina. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. McBride. The motion passed.

AN ORDINANCE TO ESTABLISH A NEW BEAUFORT COUNTY TRANSPORTATION COMMITTEE WITH MEMBERS BEING APPOINTED BY COUNTY COUNCIL (ON JUNE 29, 2015 THE COUNTY DELEGATION RESOLVED THAT, PURSUANT TO S.C. CODE ANN. §12-28-2740(O) AND AS OF THE EFFECTIVE DATE OF JANUARY 1, 2016 THE PRESENTLY CONSTITUTED CTC SHALL BE ABOLISHED AND ITS POWERS AND DUTIES DEVOLVED UPON THE BEAUFORT COUNTY COUNCIL SUBJECT TO CERTAIN STATED TERMS AND CONDITIONS)

The Chairman opened a public hearing beginning at 6:27 p.m. for the purpose of receiving public comment on an ordinance to establish a new Beaufort County Transportation Committee with members being appointed by County Council (on June 29, 2015 the County Delegation resolved that, pursuant to S.C. Code Ann. §12-28-2740(o) and as of the effective date of January 1, 2016 the presently constituted CTC shall be abolished and its powers and duties devolved upon the Beaufort County Council subject to certain stated terms and conditions). After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 6:28 p.m.

It was moved by Mr. Dawson, as Chairman of the Public Facilities Committee (no second required), that Council approve on third and final reading an ordinance to establish a new Beaufort County Transportation Committee with members being appointed by County Council (on June 29, 2015 the County Delegation resolved that, pursuant to S.C. Code Ann. §12-28-2740(o) and as of the effective date of January 1, 2016 the presently constituted CTC shall be abolished and its powers and duties devolved upon the Beaufort County Council subject to certain stated terms and conditions). The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. Rodman, Mr. Sommerville, Mr. Stewart and Mr. Vaux. ABSENT – Mr. McBride. The motion passed.

PUBLIC COMMENT

The Chairman recognized Dr. Skeet Burris, a resident of Beaufort, who requested Council to amend the Community Development Code (CDC) Table 3.1.60 Consolidate Use Table - Offices and Services, #17. Residential Storage Facility, adding “C” (Permitted Use with Conditions) to T4-HC (Hamlet Center).

ADJOURNMENT

Council adjourned at 6:40 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

ATTEST: _____
Suzanne M. Rainey, Clerk to Council

Ratified:

COMMUNITY SERVICES COMMITTEE

October 26, 2015

The electronic and print media duly notified in accordance with the State Freedom of Information Act.

The Community Services Committee met Monday, October 26, 2015 beginning at 2:30 p.m. in the Large Meeting Room, Hilton Head Island Branch Library, 11 Beach City Road, Hilton Head Island, South Carolina.

ATTENDANCE

Vice Chairman Gerald Dawson and Committee members Rick Caporale, Steven Fobes, Alice Howard and Tabor Vaux. Committee Chairman William McBride absent. Non-committee members Cynthia Bensch, Brian Flewelling, Stu Rodman, Paul Sommerville and Jerry Stewart present. (Paul Sommerville, as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote.)

County staff: Allison Coppage, Assistant County Attorney; Tony Criscitiello, Planning Director; Joshua Gruber, Deputy County Administrator/Special Counsel; Tom Keaveny, County Attorney; Gary Kubic, County Administrator; Fred Leyda, Director, Human Services Alliance; Beth Odom, Early Intervention Supervisor, Disabilities and Special Needs; John Redmond, Computer Tech/Support Specialist, Information Technology; Monica Spells, Assistant County Administrator–Civic Engagement and Outreach; and Dave Thomas, Purchasing Director.

Public: Deborah Johnson, Lowcountry Affordable Housing Coalition Facilitator.

Councilman Dawson chaired the meeting.

ACTION ITEM

1. **Consideration of Reappointments and Appointments**
 - **Disabilities and Special Needs Board**

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Mrs. Howard nominated Mr. Caleb Brown to serve as a member of the Disabilities and Special Needs Board.

Mr. Vaux (on behalf of Mr. Stewart) nominated Ms. Ann Hamilton to serve as a member of the Disabilities and Special Needs Board.

Recommendation Council nominate Mr. Caleb Brown and Ms. Ann Hamilton to serve as members of the Disabilities and Special Needs Board.

INFORMATION ITEMS

2. Consideration of Contract Award / Lowcountry Regional Transportation Authority (d/b/a Palmetto Breeze) Contract for Disabilities and Special Needs' Consumer Passenger Routes North of the Board River

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Dave Thomas, Purchasing Director, reviewed this item with the Committee. The Purchasing Department received a request from the Disabilities and Special Needs (DSN) Department to approve a sole source contract for transportation services provided the Lowcountry Regional Transportation Authority (LRTA and d/b/a Palmetto Breeze). The Lowcountry Council of Governments has supported and encouraged transportation collaboration efforts between DSN and LRTA, and they have been working together on two routes north of the Board River (Beaufort and St. Helena Island). These two routes were selected for the collaboration because the Beaufort route has the largest number of consumers and the St. Helena Island route takes the longest amount of time. This was seen as the most effective and efficient use of resources. For the past three years, the routes were paid as part of a grant from the South Carolina Department of Transportation (SCDOT) at 80% and Beaufort County DSN Special Revenue Funds at 20%. For Fiscal Year 2016 SCDOT is required to split the Section 5310 federal funds at 60% Urban, 20% Small Urban and 20% Rural projects. Because so many projects in South Carolina reclassified as rural, SCDOT has placed Beaufort County DSN on the "alternate" list for the rural north of Broad River funds and it may not receive SCDOT money, however, DSN received federal Medicaid money specifically for transportation and request to use those funds to continue the successful project routes. The total amount request of \$95,500 reflects the contract rate of \$1,900 for the first 3,500 miles and 0.39 cents for each mile thereafter on the Beaufort route and \$3,572 for the first 7,000 miles and 0.39 cents for each mile thereafter on the St. Helena Island route. Variations occur as passengers change or do not attend DSN program activities.

Motion: Committee award a contract to Lowcountry Regional Transportation Authority (d/b/a Palmetto Breeze) to provide transportation services for a total cost of \$95,500. Funding will come from Account 24420011-51230, Disabilities and Special Needs Adult Service – Transportation. The vote: YEAS –Mr. Caporale, Mr. Dawson, Mr. Fobes, Mrs. Howard and Mr. Vaux. ABSENT – Mr. McBride. The motion passed.

Status: Committee awarded a contract to Lowcountry Regional Transportation Authority (d/b/a Palmetto Breeze) to provide transportation services for a total cost of \$95,500. Funding will come from Account 24420011-51230, Disabilities and Special Needs Adult Service – Transportation.

3. Presentation / Lowcountry Affordable Housing Coalition

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Ms. Deborah Johnson, Lowcountry Affordable Housing Coalition Facilitator, provided the Committee with a PowerPoint presentation on the Lowcountry Affordable Housing Coalition. The presentation provided information on the following topics: local newspaper articles regarding the need for affordable housing, defining affordable housing, spectrum of needs, defining workforce housing, an overview of employment by industry within Beaufort County, housing stock, housing costs, the work of the Coalition, and Coalition members.

Status: Information only.

4. Consideration of Reappointments and Appointments

- **Alcohol and Drug Abuse Board**

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Status: No nominations were made.

5. Consideration of Reappointments and Appointments

- **Children's Foster Care Review Board**

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Status: No nominations were made.

6. Consideration of Reappointments and Appointments

- **Library Board**

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Status: No nominations were made.

EXECUTIVE COMMITTEE

October 12, 2015

The electronic and print media duly notified in accordance with the State Freedom of Information Act.

The Executive Committee met Monday, October 12, 2015 beginning at 2:00 p.m. in the Executive Conference Room of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Chairman Jerry Stewart and members Gerald Dawson, Brian Flewelling, William McBride and Stu Rodman. Non-Committee members Rick Caporale, Steven Fobes, Alice Howard, Paul Sommerville and Tabor Vaux present. (Paul Sommerville, as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote.)

County staff: Allison Coppage, Assistant County Attorney; Anthony Criscitiello, Planning Director; Joshua Gruber, Assistant County Administrator/Special Counsel; Alicia Holland, Assistant County Administrator, Finance; Thomas Keaveny, County Attorney; Gary Kubic, County Administrator; and Monica Spells, Assistant County Administrator, Civic Engagement and Outreach.

Public: Reed Armstrong, South Coast Office Project Manager, Coastal Conservation League; Jocelyn Staigar, Government Affairs Director, Hilton Head Association of Realtors; and Frank Turano, Lowcountry Regional Manager, Alliance Consulting Engineers, Inc.

Media: Joe Croley, *Lowcountry Inside Track*; Zach Murdaugh, *The Beaufort Gazette/The Island Packer*; and Scott Thompson, *Bluffton Today*.

Councilman Jerry Stewart chaired the meeting.

INFORMATION ITEMS

1. Title VI Review as it Relates to the Demographics of Beaufort County Council Appointed Boards and Commissions

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Ms. Monica Spells, Assistant County Administrator, Civic Engagement and Outreach, provided an overview of Title VI as it relates to the demographics of Council appointed boards and commission. Title VI of the Civil Rights Act of 1964 requires local governments, a sub-recipient of federal financial assistance directly or through state agencies, to comply with Title VI. Financial assistance is not just dollars, but also services, land or real or personal property received

from the federal government. If a recipient of federal assistance is found to have discriminated (directly or indirectly) and voluntary compliance cannot be achieved, the agency providing the assistance should either initiate fund termination proceedings to refer the matter to the U.S. Department of Justice for legal action. Are we adhering to the law and operating in a way that supports the spirit of its intent?

A list of Title VI sample review questions follows:

- Describe how all of your stakeholders are afforded an opportunity to participate in local decision-making processes, to include minorities, those with low-incomes, the elderly, and persons with disabilities.
- Describe how meeting locations and format encourage participation by traditionally underserved populations.
- How do you select the time and location for public meetings?
- Do meeting times and locations attract the full range of stakeholders in your service area?
- Provide a copy of your policy and procedures to solicit diverse nominations for boards.
- List members of your elected body, as well as the agency's boards and commissions, by name, position, ethnicity, gender, date of election, terms of service and geographical area served.
- Describe the recruitment and election process for your boards.
- How do you ensure diversity on boards?
- What is your County's demographics/profile (service area)?
- Does each board reflect your service area?

Status: Staff was asked to provide: (i) a list of other counties of similar size, their 2014 population estimates and council meeting start times plus broadcasting features, and (ii) mileage reimbursement cost estimates for the approximately 182 board and commission appointees.

2. Status Reports / 2015 Strategic Plan Committee Assignments

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Josh Gruber, Deputy County Administrator/Special Council, presented a FY 2015 2016 Mid-Year Performance Report on both the policy agenda and management agenda top and high priorities.

Policy Agenda – Top Priorities

- Sales Tax Referendum: Preparation
 - Status: In Process / Near Completion
 - Resolution adopted April 27, 2015 creating Sales Tax Commission.
 - Commission to hold first meeting on October 21, 2015.
 - Multiple discussions have occurred with municipalities regarding the direction of capital project sales tax or alternative sales and use taxes.

- Pepper Hall Site: Direction
Status: In Process
 - Ordinance authorizing borrowing of \$12.0 million to exercise purchase option failed 7:2.
 - Request to rezone the property will be heard by Council on October 26, 2015.
 - Natural Resources Committee recommended denial by vote of 6:0 with one abstention and one recusal.
- County Economic Development Policy Framework, Strategy and Action Plan
Status: In Process
 - Adoption of Resolution creating Economic Development Policy occurred June 8, 2015.
 - Adoption of Resolution authorizing the County Administrator to take action to create a nonprofit development corporation occurred July 27, 2015.
 - Governmental Committee requested that the CEO of the Beaufort Regional Chamber of Commerce act as the economic development representative until the corporation has fully formed and a director has been hired.
- Law Enforcement Center Study
Status: In Process
 - Request for Proposals issued on September 10, 2015.
 - Responses are required to be submitted by October 15, 2015.
 - Contract award will occur 30 to 45 days thereafter.
- Windmill Harbour Entrance Solutions and Funding
Status: In Process
 - Jenkins Island Access Management Project in process to identify a preferred traffic solution.
 - Several community and public meetings have been conducted to get feedback and disseminate information.
 - Completed study and recommendations should be received from the consultant in the next 30 days.
 - Funding or improvements has not yet been delineated, but could be funded from capital project sales tax.
- Long-term County Offices / Satellites Plan / Strategy
Status: In Process
 - Council renamed the main Beaufort campus to the Robert Smalls Complex on October 13, 2014. Sign installation ceremony held June 15, 2015.
 - Renovation of the third floor of the Myrtle Park building to create a One-Stop-Shop south of the Broad River to be completed by the end of October.
 - Council voted to acquire 15 and 18 John Galt Road to assist in relocation of staff from the Arthur Horne building.

- Comprehensive Plan: Update
Status: In Process / Nearing Completion
 - Multiple Planning Commission meetings have occurred to review, discuss, and modify the current Comprehensive Plan in order to ensure that it is up-to-date and appropriate to provide future guidance.
 - Planning Commission to meet in November to recommend adoption of updated Plan to Council.
 - Council adoption could occur by the end of January 2016.
- Heritage / Historic Tourism Plan: Development, Action Plan
Status: In Process
 - Santa Elena Foundation took occupancy of the old Federal Courthouse on October 1, 2015.
 - Several meetings regarding this matter have occurred outside of formal Council participation.
 - Discussion of possible funding and participation by the County is likely to occur before the end of the calendar year.
- Bridge Replacement Plan
Status: Slight Progress
 - Administrative staff has met with representatives from the Town of Hilton Head Island to discuss potential needs.
 - No currently identified funds for plan development or land acquisition. May be derived from capital project sales tax funding.
- Stormwater Management and Rate Analysis
Status: Completed
 - Rate Analysis report received by Council and adopted by Resolution on August 24, 2015.
 - Council adopted Ordinance to amend current rates on September 28, 2015.
 - MS4 Permit to be issued by SCDHEC on or before December 31, 2015.
- Business License: Direction on Funding Source Economic Development
Status: In Process
 - Business License revenue discussions are likely to occur during development of FY 2016 /2017 budget.
- Library Operational Analysis and Master Plan (with Partners) including Upgrades
Status: In Process
 - New Library Director hired May 4, 2015
 - Library Board to hold retreat on October 30, 2015.
 - Agenda items include Comprehensive Plan Update, Patron Profile Analysis, Facilities Renovations and Repair.

- Solid Waste Curbside Pick Up / Recycling
Status: In Process
 - New long-term solid waste disposal contract executed with Waste Management on August 1, 2015.
 - Provides disposal capabilities for next ten years and preferred national rates at future transfer center.
 - Convenience Center hours restored effective October 23, 2015.
- Sidewalks / Biking in Rural Acres Plan
Status: Slight Progress
 - Phase Four of Spanish Moss trail is currently underway and should be completed within the next 60 to 90 days.
 - No additional sources for this project have been identified at this time.
 - Projects could potentially qualify for capital project sales tax funding.

Management Agenda – Top Priorities

- Solid Waste: Short Term – Completed
- Comprehensive Financial Plan: Projections for Revenues/Expenditures – In Process
- Disabilities and Special Needs Day Program Facilities – In Process
- Daufuskie Island Ferry, Grant Application – Complete
- Comprehensive Study and Implementation – In Process

Management Agenda – High Priorities

- Arthur Horne Building – In Process
- Comprehensive Plan for County-Owned Land – In Process
- Parks and Leisure Services Transfer to Town of Hilton Head Island – In Process
- Countywide Information Technology Plan and Funding – In Process
- Community Development Code: Refinement – In Process

Status: Information only.

3. Continued Discussion / Capital Project Sales Tax

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Gary Kubic, County Administrator, discussed how to approach a capital improvement projects and a sales tax referendum. The administrative staff has been in discussions with the School District regarding their potential bond referendum. After the County had an opportunity to review their building master plan, it was noted in that plan that the School District was looking at approximately \$204 million to construct three new schools south of the Broad River to match the growing student population. The purpose of the meeting was to provide an opportunity to share information--County and School District points of view—and to

coordinate, or at least understand, exactly what the two largest entities were proposing in terms how to raise money for each of the agencies and satisfy capital needs of both.

In that discussion the School District basically explained their bond referendum and their concept of a partnership under the umbrella of a sales tax penny referendum. And then we began to talk about the statutory provisions that are available to the School Board as well as the County and what provisions actually require from each separate entity. The County left that session with the idea that we were going to explore the concept of, perhaps, a partnership of projects under the umbrella of the sales tax penny referendum in November 2016. The bond referendum is subject to an election day as determined by the School District.

If the School District is going to proceed with a bond sale question (a preferred way to raise money for school development) before the voters, several questions need to be asked:

- How does a potential November ballot look if you had a sales tax referendum for the School District and a sales tax referendum for the County?
- Should the County then proceed with a traditional sales tax penny, which is the derivative from the process of using a Sales Tax Commission, to vet all of the potential projects and distill it into a product for Council consideration, and, ultimately, to be a choice of the voter?
- How many times can the public agree to a sales tax? There are only eight counties in the State of South Carolina that do not have any sales tax, and Beaufort County is one of them, in terms of the additional state imposed. The balance of them has two and some have three. It is not unusual to have multiple sales tax purposes.
- What might the ballot look like if, in fact, the School District decides to move forward with a referendum to raise funds?
- What about a local option sales tax as an option? How would the revenue play out over the future?
- Does the local option sales tax become the preferred method if, we understand, any revenue we received would be applied to the preventive maintenance, renovation/restoration of our existing buildings?
- Should we consider the possibilities of placing two sales tax issue referendum questions on the November 2016 ballot?

Status: Discussion only.

FINANCE COMMITTEE

October 19, 2015

The electronic and print media duly notified in accordance with the State Freedom of Information Act.

The Finance Committee met Monday, October 19, 2015 beginning at 2:00 p.m. in the Conference Room of Building 3, Beaufort Industrial Village, 104 Industrial Village Road, Beaufort, South Carolina.

ATTENDANCE

Chairman Jerry Stewart, Vice Chairman Steve Fobes and members Cynthia Bensch, Rick Caporale, Brian Flewelling, William McBride and Stu Rodman. Non-committee members Gerald Dawson, Alice Howard and Tabor Vaux present. (Paul Sommerville, as County Council Chairman, serves as an *ex-officio* member of each standing committee of Council and is entitled to vote.)

County staff: Allison Coppage, Assistant County Attorney; Joshua Gruber, Deputy County Administrator/Special Counsel; Tom Keaveny, County Attorney; Gary Kubic, County Administrator; and Chanel Lewis, Comptroller.

Media: Joe Croley, *Lowcountry Inside Track*; Bill Rowe, *Island News*; and Scott Thompson, *Bluffton Today*.

Public: Dr. Andy Beall, Executive Director, Santa Elena Foundation; Dick Farmer, Chairman, Accommodations (2% State) Tax Board; and Dr. Jeffrey Moss, Superintendent, Beaufort County School District.

Councilman Stewart chaired the meeting.

ACTION ITEMS

- 1. State 2% Accommodations Tax Board Fiscal Year 2016 Grant Recommendations to Tourism-Related Organizations in the Cumulative Amount of \$500,500**

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Dick Farmer, Chairman, Accommodations (2% State) Board Chairman, spoke briefed the Committee on the Board's recommendations for funding in the total of \$500,500. The breakdown of funding is as follows:

Minutes - Finance Committee

October 19, 2015

Page 2 of 5

Organization	Event/Project	Amount Req'd	Amt Recomm.
Alljoy Preservation Society	Master plan	\$ 22,500	\$ -
Arts Center	Marketing	\$ 15,000	\$ 11,250
Artworks	ArtPOP	\$ 7,500	\$ -
Beaufort Black Chamber	Tourism marketing-Grouo and leisure	\$ 100,000	\$ 75,000
Beaufort Chamber	Tourism marketing	\$ 120,000	\$ 75,000
Beaufort Film Society	Int'l film festival	\$ 20,000	\$ 17,500
Beaufort History Museum	Reconstruction exhibit and website	\$ 31,355	\$ 10,000
Beaufort Historical Society	Conference Funding	\$ 11,000	\$ 5,000
Bfuffton Historical Preservation	Heyward House operations	\$ 20,000	\$ 20,000
Coastal Disc. Museum	Cultural and eco tourism	\$ 28,500	\$ 20,000
Daufuskie Island Council	Accessories for the park	\$ 33,100	\$ -
Daufuskie Island Foundation	Daufuski Day	\$ 12,000	\$ 6,000
Daufuskie Island Historical Foundation	Historical brochures	\$ 4,000	\$ 1,500
Exchange Club of Beaufort	Promote Ghost Tours	\$ 1,076	\$ 500
FirstShore	Billboard marketing	\$ 10,000	\$ -
Friends of Fort Fremont	Marketing and exhibit development	\$ 27,250	\$ 5,000
Friends of Spanish Moss Trail	Various additions to enhance the trail	\$ 33,615	\$ -
Gullah Festival	PR, marketing	\$ 25,000	\$ 15,000
Heritage Library	Zion Chapel of ease	\$ 6,160	\$ 1,000
HHI Choral Society	Promo/product of Memorial Day	\$ 17,000	\$ 3,000
HHI Concours	Extended market'g/PR	\$ 30,000	\$ 25,000
Hilton Head Food and Wine Festival	Extended market'g/PR	\$ 10,000	\$ 2,000
Hilton Head Land Trust	Art figures and ID signs Ft. Howell	\$ 10,490	\$ -
HHI Symphony	Partner with Sav A/P; Westin Hotel	\$ 10,000	\$ 5,000
HHI-Bluffton Chamber of Commerce	Bluffton video and Garden and Gun	\$ 29,000	\$ 20,000
Historic Beaufort Foundation	Tour of Homes; Verdier House	\$ 13,473	\$ 3,500
Historic Bluffton Arts and Seafood Fest	Advertising	\$ 10,000	\$ 10,000
L/C Golf Club Owners Assoc.	TV and XM radio spots	\$ 30,000	\$ 10,000
Main Street Beaufort	Non-event town marketing	\$ 27,054	\$ 20,000
Mitchelville Preservation Project	Dawn of Freedom exhibition	\$ 60,000	\$ 25,000
My Medians Matter	US 278 median planting	\$ 20,000	\$ 1,000
NIBCCA	Gullah Celebration	\$ 75,000	\$ 20,000
Gullah Museum	Expo & Gullah Days	\$ 50,000	\$ 15,000
Penn Center	Heritage Days + General marketing	\$ 60,000	\$ 30,000
Port Royal Sound Foundation	Online marktg; signage;	\$ 25,350	\$ 3,750
Sandalwood Community Food Pantry	Run/Walk for Hunger	\$ 5,000	\$ 500
Sandbox	"Big Summer Blowout"	\$ 4,590	\$ 2,000
Santa Elena Foundation	Symposium and sponsorship for Marines	\$ 45,000	\$ 10,000
SC L/C and Resort Tourism Commission	Promotion/marketing	\$ 32,000	\$ 32,000
Totals:		\$ 1,092,013	\$ 500,500
Total Allowed:	\$ 500,500.00		
Total Remaining	\$ -		

Motion: It was moved by Mr. Caporale, seconded by Mr. Fobes, that Committee approve and recommend Council appropriate \$500,500 in accommodations tax (2% state) grant funds to 33 tourism-related organizations: Arts Center of Coastal Carolina \$11,250; Beaufort County Black Chamber of Commerce \$75,000; Beaufort Regional Chamber of Commerce \$75,000; Beaufort Film Society \$17,500; Beaufort History Museum \$10,000; Beaufort County Historical Society \$5,000; Bluffton Historical Preservation Society \$20,000; Coastal Discovery Museum \$20,000; Daufuskie Island Foundation \$6,000; Daufuskie Island Historical Foundation \$1,500; Exchange Club of Beaufort/CAPA \$500; Friends of Fort Fremont \$5,000; Gullah Festival, Inc. \$15,000; Heritage Library \$1,000; Hilton Head Island Choral Society \$3,000; Hilton Head Island Concours D'Elegance \$25,000; Hilton Head Food & Wine Festival \$2,000; Hilton Head Island Symphony Orchestra \$5,000; Hilton Head Island/Bluffton Chamber of Commerce \$20,000;

Historic Beaufort Foundation \$3,500; Historic Bluffton Arts & Seafood Festival \$10,000; Lowcountry Golf Club Owners Association \$10,000; Main Street, USA \$20,000; Mitchelville Preservation Project \$25,000; My Medians Matter \$1,000; Native Island Business and Community Affairs Association \$20,000; Gullah Museum \$15,000; Penn Center \$30,000; Port Royal Sound Foundation \$3,750; Sandalwood Community Food Pantry \$500; The Sandbox \$2,000; Santa Elena Foundation \$10,000; and S.C. Lowcountry and Resort Tourism Commission \$32,000. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Flewelling, Mr. Fobes, Mr. McBride, Mr. Rodman, and Mr. Stewart. The motion passed.

Recommendation: Council appropriate \$500,500 in accommodations tax (2% state) grant funds to 33 tourism-related organizations: Arts Center of Coastal Carolina \$11,250; Beaufort County Black Chamber of Commerce \$75,000; Beaufort Regional Chamber of Commerce \$75,000; Beaufort Film Society \$17,500; Beaufort History Museum \$10,000; Beaufort County Historical Society \$5,000; Bluffton Historical Preservation Society \$20,000; Coastal Discovery Museum \$20,000; Daufuskie Island Foundation \$6,000; Daufuskie Island Historical Foundation \$1,500; Exchange Club of Beaufort/CAPA \$500; Friends of Fort Fremont \$5,000; Gullah Festival, Inc. \$15,000; Heritage Library \$1,000; Hilton Head Island Choral Society \$3,000; Hilton Head Island Concours D'Elegance \$25,000; Hilton Head Food & Wine Festival \$2,000; Hilton Head Island Symphony Orchestra \$5,000; Hilton Head Island/Bluffton Chamber of Commerce \$20,000; Historic Beaufort Foundation \$3,500; Historic Bluffton Arts & Seafood Festival \$10,000; Lowcountry Golf Club Owners Association \$10,000; Main Street, USA \$20,000; Mitchelville Preservation Project \$25,000; My Medians Matter \$1,000; Native Island Business and Community Affairs Association \$20,000; Gullah Museum \$15,000; Penn Center \$30,000; Port Royal Sound Foundation \$3,750; Sandalwood Community Food Pantry \$500; The Sandbox \$2,000; Santa Elena Foundation \$10,000; and S.C. Lowcountry and Resort Tourism Commission \$32,000.

2. A Resolution Authorizing the Purchase of Fidelity Bond Covering County Officials and Employees who are Statutorily required to be Bonded

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Tom Keaveny, County Attorney, reviewed this item with the Committee. This resolution would authorize the purchase of a blanket bond to cover all county officials and employees requiring bonding, rather than individual bonds. This approach would save the County approximately \$5,000 annually.

Motion: It was moved by Mr. Flewelling, seconded by Mr. Rodman, that Committee approve and recommend Council adopt a resolution authorizing the purchase of fidelity bond covering county officials and employees who are statutorily required to be bonded. The vote: YEAS – Mrs. Bensch, Mr. Caporale, Mr. Flewelling, Mr. Fobes, Mr. McBride, Mr. Rodman, and Mr. Stewart. The motion passed.

Recommendation: Council adopt a resolution authorizing the purchase of fidelity bond covering county officials and employees who are statutorily required to be bonded

INFORMATION ITEM

3. Discussion / Capital Sales Tax and Other Related Referendum Issues

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Committee Chairman Jerry Stewart introduced this item to the Committee. At the October 12, 2015 meeting of the Executive Committee, members were informed of the Beaufort County School District's (District) consideration of a Local Option Sales Tax (LOST) referendum rather than Capital Improvement Projects (CIP) referendum. At the meeting staff was asked to look into LOST.

Mr. Gary Kubic, County Administrator, provided the Committee with an overview of the cause and effect of the District's referendum decision, as well as the decision of the County. Wednesday, October 21, 2015 is the first meeting of the Capital Project Sales Tax Commission, created by Council to consider proposals for funding capital projects in Beaufort County and to potentially formulate the referendum question to appear on the ballot in November 2016. Since the creation of the Commission, the District has been in discussions regarding a LOST referendum, rather than a CIP referendum. County Council would need to decide which of the two would serve the purpose best for Beaufort County moving forward. He provided the Committee with the statistics from other counties within the state. While initially he was in favor of CIP over LOST, he has changed his mind due to the opportunity to go forward in out years with LOST.

Ms. Chanel Lewis, Comptroller, provided the Committee with LOST projections. Dollars collected from LOST would be distributed as follows: 71% to reduce taxes and 29% would go to the County and municipalities. The distribution between the County and municipalities is based upon population and calculations of dollars collected within the municipalities. The projected breakdown follows: 54% Beaufort County and the remaining portion (46%) distributed 16% City of Beaufort, 15% Town of Port Royal, 17% Town of Bluffton, 50% Town of Hilton Head. 1% Town of Yemassee, and 0.127 City of Hardeeville.

Mr. Joshua Gruber, Deputy County Administrator / Special Counsel, spoke before the Committee. Before the Capital Project Sales Tax Commission begins the exercise of evaluating projects, Council needs to decide on a direction to head regarding the referendum issue. There could potentially be three referendums on the ballot: County LOST, School District LOST, and CIP.

Dr. Moss, School District Superintendent, informed the Committee that the District is currently discussing a potential Joint Sales Tax Program with the University of South Carolina Beaufort and Technical College of the Lowcountry and the placement of an Education Sales Tax

referendum question on the ballot. The District will continue discussions at its November 16, 2015 meeting of the Finance Committee and will begin discussions with USCB and TCL thereafter.

Committee discussions continued and each member of Council weighed in on their desires moving forward.

Mr. Rodman stated that including all three referendums on the ballot would ensure all three would fail. LOST will not pass.

Mr. Caporale stated it is appropriate to include all three referendums on the ballot and let the voters decide. He would like to move forward with LOST and CIP.

Mr. Flewelling prefers to include LOST on the ballot.

Mr. Fobes opposes taking CIP off of the table. He is not in favor of including the three referendum questions on the ballot. At this time he is not in favor of LOST.

Mr. McBride supports having one referendum question appear on the ballot rather than three. He prefers putting the Capital Project Sales Tax Commission on hold until a decision is made.

Mrs. Howard would like to move forward with LOST and put the Capital Project Sales Tax Commission on hold until a final decision is made.

Mrs. Bensch favors two referendum questions on the ballot.

Mr. Dawson stated if three referendums appear on the ballot, none would pass. He prefers CIP over LOST.

Mr. Vaux opposes including the three referendum questions on the ballot. He needs more time to analyze the two referendums before making a formal decision.

Status: Information only.

NATURAL RESOURCES COMMITTEE

November 2, 2015

The electronic and print media duly notified in accordance with the State Freedom of Information Act.

The Natural Resources Committee met Monday, November 2, 2015 beginning at 2:30 p.m., in the Executive Conference Room, Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Committee Chairman Brian Flewelling, Vice Chairman Alice Howard and members Gerald Dawson, Steven Fobes, William McBride and Jerry Stewart present. Committee member Tabor Vaux absent.

County Staff: Allison Coppage, Assistant County Attorney; Tony Criscitiello, Planning Director; and Thomas Keaveny, County Attorney.

Public: Reed Armstrong, South Coast Office Project Manager, Coastal Conservation League; Andy Burris, Ken Driggers, Rural and Critical Lands/Open Land Trust; April Turner, South Carolina Department of Natural Resources; and Andrew Tweel, South Carolina Department of Natural Resources.

Media: Scott Thompson, *Bluffton Today*.

Mr. Flewelling chaired the meeting.

ACTION ITEM

- 1. Text Amendment to Community Development Code (CDC) Table 3.1.60 Consolidated Use Table – Offices and Services, #17. Residential Storage Facility, Adding “C” (Permitted Use with Conditions) to T4-HC (Hamlet Center)**

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Motion: It was moved by Mrs. Howard, seconded by Mr. Dawson, that Natural Resources Committee approve and recommend Council approve on first reading a text amendment to the Community Development Code (CDC) Table 3.1.60 Consolidated Use Table - Offices and Services, #17. Residential Storage Facility, adding “C” (Permitted Use with Conditions) to T4-HC (Hamlet Center). The vote: YEAS – Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride, and Mr. Stewart. ABSENT – Mr. Vaux. The motion passed.

Recommendation: Council approve on first reading a text amendment to the Community Development Code (CDC) Table 3.1.60 Consolidated Use Table - Offices and Services, #17.

Residential Storage Facility, adding “C” (Permitted Use with Conditions) to T4-HC (Hamlet Center).

INFORMATION ITEMS

2. Presentation / Volume Sensitive Waters Study (The Salinity Study)

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Discussion: Mr. Andrew Tweel, Assistant Marine Scientist, South Carolina Department of Natural Resources, provided the Committee with a PowerPoint presentation on Beaufort County Volume Sensitive Waters Study. The presentation provided an overview of the following topics:

- Objectives
- Methods
- Watershed Advisory Committee Members
- Data Preparation
- Visuals and data within the watershed
- Impacts on estuarine animals
- Summary

In summary, this means the following for Beaufort County:

- Potential for impacts to living resources
- Current on-site volume control is important
- Can predict potential volume changes within the development and changing rainfall
- Ability to understand the difference within watersheds based on physical characteristics
- Data available to inform management decisions
- Limited resources can be targeted to appropriate types of BMP's and Policy

Status: Information only.

3. Executive Session

Notification: To view video of full discussion of this meeting please visit http://beaufort.granicus.com/ViewPublisher.php?view_id=2

Motion: It was moved by Mr. McBride, seconded by Mr. Fobes, that Natural Resources Committee go immediately into executive session for discussion of negotiations incident to proposed contractual arrangements and proposed purchase of property. The vote: YEAS – Mr. Dawson, Mr. Flewelling, Mr. Fobes, Mrs. Howard, Mr. McBride and Mr. Stewart. ABSENT – Mr. Vaux. The motion passed.

Status: Information only.

BOARDS AND COMMISSIONS

Reappointments and Appointments November 9, 2015

1. Community Services Committee

① Disabilities and Special Needs Board

NominateD	Name	Position/Area/Expertise	Reappoint/Appoint	Votes Required	Term/Years	Expiration
10.26.15	Caleb Brown	Countywide	Appoint	6/11	Partial term	2/19
10.26.15	Ann Hamilton	Countywide	Appoint	6/11	Partial term	2/17

2. Public Facilities Committee

① County Transportation Committee

NominateD	Name	Position/Area/Expertise	Reappoint/Appoint	Votes Required	Term/Years	Expiration
10.26.15	Joe Devito	Council District 4	Appoint	6/11	2	2/18
10.26.15	Kraig Gordon	Council District 8	Appoint	6/11	2	2/18
10.26.15	Steve Wilson	Council District 11	Appoint	6/11	2	2/18

Proclamation

WHEREAS, the idea of a Penn Center Heritage Days Celebration was born in August of 1981 because many individuals and institutions of Beaufort County's Sea Islands have been touched by the activities of Penn School, now Penn Center, and because Penn Center has been instrumental in preserving and strengthening the Sea Island culture; and

WHEREAS, the Penn Center Heritage Days Celebration is an effort to publicly recognize and further document and preserve the history of Penn School, the Sea Island culture, and the various Africanisms that still exist today; and

WHEREAS, the Penn Center Heritage Days Celebration is a gesture to reveal that Penn Center is a place where all people are always welcome and can learn about themselves and about the Sea Island culture; and

WHEREAS, in 1983, the Heritage Parade from St. Helena Elementary School to Penn's Historic District was established; and

WHEREAS, Penn Center's Heritage Days Celebration has become a significant event, drawing more than 20,000 visitors; and

WHEREAS, the Penn Center Heritage Days Celebration grew from a single day of events and cuisine to a week of festive songs, performances, displays and other merriments.

NOW, THEREFORE, Beaufort County Council; proclaims the week of November 12 through November 14, 2015 as


"Penn Center Heritage Days Celebration Week"

on the occasion of the 33rd Heritage Celebration and in recognition of its success through the years.

Dated this 9th day of November, 2015.



COUNTY COUNCIL OF BEAUFORT COUNTY

By: 

D. Paul Sommerville, Chairman

Ordinance No. 2015/_____

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN EASEMENT ENCUMBERING PROPERTY OWNED BY BEAUFORT COUNTY, SOUTH CAROLINA.

WHEREAS, Beaufort County owns real property located on S.C. Highway 170 known as Beaufort County parcel on the west side of S.C. Highway 170 near Sun City Hilton Head Entrance Gate and St. Luke's Church; and

WHEREAS, due to the S.C. Highway 170 widening project, it is necessary for Palmetto Electric Cooperative, Inc., to relocate its existing electrical and communications systems that serve residents in the surrounding areas; and

WHEREAS, Palmetto Electric Cooperative, Inc. has requested that Beaufort County grant it a Utility Easement for constructing, reconstructing, operating and maintaining electrical and communication system overhead and/or underground across portions of the County's property; and

WHEREAS, County staff has worked diligently with Palmetto Electric Cooperative, Inc. to develop a proposed easement path across the County's property that ensures a minimal impact to the property itself; and

WHEREAS, Beaufort County Council has determined that it is in its best interests to authorize the execution and delivery of the requested Easement attached hereto and incorporated by reference as "Exhibit A"; and

WHEREAS, S.C. Code Ann. § 4-9-130 requires that the transfer of any interest in real property owned by the County must be authorized by the adoption of an Ordinance by Beaufort County Council.

NOW, THEREFORE, BE IT ORDAINED BY BEAUFORT COUNTY COUNCIL AS FOLLOWS:

(1) The County Administrator is hereby authorized to execute the Easement which is attached hereto as "Exhibit A"; and

(2) The County Administrator is hereby authorized to take all necessary actions as may be necessary to complete the conveyance of the Easement and ensure the construction and installation of the new power line occurs as agreed upon by the County and Palmetto Electric Cooperative, Inc.

DONE, this ____ day of _____, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY:_____

D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

First Reading: October 26, 2015

Second Reading:

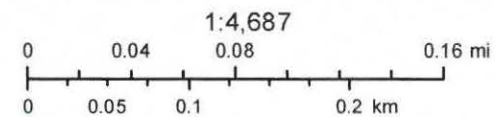
Public Hearing:

Third and Final Reading:

PROPOSED PALMETTO ELECTRIC CO-OP UTILITY ESMT



October 19, 2015



Beaufort County Hwy 170 Easement

Palmetto Electric Utility Easement



Copyright 2011 Esri. All rights reserved. Mon Oct 14 2013 02:20:14 PM.

2015 /

TEXT AMENDMENT TO COMMUNITY DEVELOPMENT CODE (CDC) TABLE 3.1.60
CONSOLIDATED USE TABLE—OFFICES & SERVICES, #17. RESIDENTIAL STORAGE
FACILITY, ADDING “C” (PERMITTED USE WITH CONDITIONS) TO T4-HC (HAMLET
CENTER)

Whereas, added text is highlighted in yellow.

Adopted this ____ day of _____, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:

Amend Table 3.1.60 as follows:

17. Residential Storage Facility	--	--	--	--	--	--	--	--	--	--	C	--	C	C	--	C	C	C
18. Vehicle Services: Minor Maintenance and Repair	--	--	--	--	--	C	--	--	--	--	--	C	C	C	--	C	C	--
19. Vehicle Services: Major Maintenance and Repair	--	--	--	--	--	C	--	--	--	--	--	--	C	C	--	C	C	C
Land Use Type	T1 N	T2R	T2 RL	T2 RN	T2 RNO	T2 RC	T3E	T3 HN	T3 N	T3 NO	T4 HC	T4 VC	T4 HCO	T4 NC	C3	C4	C5	SI

"P" indicates a Use that is Permitted By Right.

"C" indicates a Use that is Permitted with Conditions.

"S" indicates a Use that is Permitted as a Special Use.

"TCP" indicates a Use that is permitted only as part of a Traditional Community Plan under the requirements in Division 2.3

"--" indicates a Use that is not permitted.

Amend Section 4.1.220 as follows:

- "E. Residential Storage Facilities in T4 Hamlet Center, T4 Hamlet Center Open, and T4 Neighborhood Center:** Residential storage facilities shall be sited so that storage buildings are located in the interior of the block and do not face a street. The site shall incorporate outparcels to screen and separate the storage buildings from the street. The leasing office and/or security quarters may face and address the street. In the T4 Hamlet Center District where and adaptive reuse of an existing building is sought to preserve commercial stability on a street, the building and parcel upon which it resides may be remodeled and converted into a residential storage facility."

RESOLUTION 2015 /

A RESOLUTION TO COMMISSION ANIMAL SERVICE OFFICER TO ENFORCE BEAUFORT COUNTY ANIMAL ORDINANCES FOR BEAUFORT COUNTY PURSUANT TO THE AUTHORITY GRANTED IN SECTION 4-9-145 OF THE *CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED.*

WHEREAS, Beaufort County Council may appoint and commission as many animal service officers as may be necessary for proper security, general welfare and convenience of the County; and

WHEREAS, each candidate for appointment as a Beaufort County Animal Service Officer has completed training and whatever certification may be necessary.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Beaufort County, South Carolina that:

1. County Council hereby appoints and commissions the following individual as Animal Service Officer for Beaufort County:

Jason Wingler, Beaufort County Animal Services Officer

2. Each Animal Service Officer shall present the appropriate certificate to the Beaufort County Magistrate's office prior to any official action as an Animal Service Officer.

Adopted this ____ day of_____, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

RESOLUTION 2015 /

A RESOLUTION TO COMMISSION ANIMAL SERVICE OFFICER TO ENFORCE BEAUFORT COUNTY ANIMAL ORDINANCES FOR BEAUFORT COUNTY PURSUANT TO THE AUTHORITY GRANTED IN SECTION 4-9-145 OF THE *CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED.*

WHEREAS, Beaufort County Council may appoint and commission as many animal service officers as may be necessary for proper security, general welfare and convenience of the County; and

WHEREAS, each candidate for appointment as a Beaufort County Animal Service Officer has completed training and whatever certification may be necessary.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Beaufort County, South Carolina that:

1. County Council hereby appoints and commissions the following individual as Animal Service Officer for Beaufort County:

Jason Wingler, Beaufort County Animal Services Officer

2. Each Animal Service Officer shall present the appropriate certificate to the Beaufort County Magistrate's office prior to any official action as an Animal Service Officer.

Adopted this ____ day of_____, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

2015 /

TEXT AMENDMENT TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC), ARTICLES 2, 3, 4, 5, 6, 7, AND 10 (TRANSECT ZONE AMENDMENTS; SIGN AMENDMENTS, DIVISION 5.6; USE AMENDMENTS: USE TABLE, SECTION 3.1.60, LAND USE DEFINITION TABLE, SECTION 3.1.70, AND SPECIFIC TO THE USE STANDARDS, DIVISION 4.1; CORRECTIONS, CLARIFICATIONS AND PROVISIONS FROM THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE).

Whereas, added text is highlighted in yellow.

Adopted this ____ day of _____, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading: October 12, 2015

Second Reading: October 26, 2015

Public Hearing:

Third and Final Reading:

Transect Zone Amendments

1. Allowing Mobile Homes to be replaced without meeting Building Type and Public Frontage

Standards: This series of amendments is proposed to address an issue that has occurred in the enforcement of the Community Development Code. Some of the transect zones have Building Type and Public Frontage standards for single family dwellings that are difficult to meet for standard mobile homes. This has come up several times in the Alljoy/Brighton Beach Community, Land's End and Shell Point. In order to prevent placing undue burden on property owners who are simply replacing an older mobile home with a newer unit, staff recommends the following amendment in T2 Rural Neighborhood Open (3.2.50), T2 Rural Center (3.2.60), T3 Hamlet Neighborhood (3.2.80), T3 Neighborhood (3.2.90), T4 Hamlet Center (3.2.100), and T4 Neighborhood Center (3.2.110). See sample table below from T2 Rural Neighborhood Open for the proposed amendment that will appear in the above sections.

A. Purpose

The Rural Neighborhood (T2RN) Zone protects the residential character of existing communities and neighborhoods in the rural area. The district is intended to minimize non-conforming lots and provide owners of small clustered rural lots flexibility in the use of their land. The districts are established by identifying areas with five contiguous lots of five or fewer acres. It permits subdivision of existing lots to a maximum of 1.2 units to one acre gross density, with DHEC approval, for wastewater treatment. The district is not intended to promote tract development or to encourage rezoning.

The T2 Rural Neighborhood (T2RN) Zone implements the Comprehensive Plan goals of preserving the rural character of portions of Beaufort County.

B. Subzones

T2 Rural Neighborhood Open

The T2 Rural Neighborhood Open (T2RNO) Subzone provides rural residential areas with limited retail and service uses in the scale and character of the T2RN zone.

C. Allowed Building Types

Building Type	Specific Regulations
Carriage House	5.1.40
Estate House	5.1.50
Village House	5.1.60

Miscellaneous

Building Type Standards only apply to T2 Rural Neighborhood Open

Existing manufactured homes that are being replaced with another manufactured home that does not exceed the size and/or setbacks of the existing unit are exempt from Building Type (Division 5.1) and Private Frontage (Division 5.2) Standards.

- Facilitating Side-Parking in the T4 Transect Zones:** The T4 Hamlet Center, T4 Hamlet Center Open, and T4 Village Center Transect Zones are mixed use districts that promote pedestrian friendly development that is in close proximity to the street and sidewalk. Many of the areas of Beaufort County (e.g. Shell Point, Lady's Island, Corners Community) that are zoned with these districts are in the process of transitioning from auto-oriented to pedestrian-friendly communities. During this transition, many businesses will resist having parking at the rear of the building when a majority of customers will access the business from the highway and want to park in front of the business. A good compromise is to allow parking at the side of the building with the entrance at the front corner. This orients the building both toward the sidewalk and the parking lot accommodating both modes of transportation. The rigid requirements in the T4 districts for the percentage of building façade within the façade zone, and the parking setbacks make it difficult to impossible to have parking at the side of the building. Therefore, staff proposes to allow a wall or decorative fence that screens side parking to count toward a percentage of the façade zone. Staff also recommends reducing the parking lot setback to align parking with the front façade of the building minus 5 feet to allow a fence or wall with landscaping (see tables on pages 4 and 5).
- Making Allowances for Larger Buildings in the T4 Zones:** T4 Hamlet Center Open and T4 Village Center allow buildings of a size up to 50,000 square feet. T4 Neighborhood Center has no limit on the square footage of retail or service uses. However, there are other standards that make it difficult to site larger buildings in the T4 districts. Both districts have a maximum lot size and width

that is too small to accommodate larger buildings. In addition, the Building Types assigned to the T4 districts also limit the size of buildings. Therefore staff recommends the following amendments to accommodate the larger buildings that are already permitted in these districts:

- a. Providing for an exemption from the maximum lot sizes in the T4 Districts for larger buildings;
- b. Providing an exemption from the maximum building footprint width for larger buildings;
- c. Adding the Industrial/Agricultural building type to the T4 Districts; and
- d. Allowing for an exemption for larger buildings from the building size and massing requirements for the Industrial/Agricultural building type.

The tables below show the amendments required to allow side parking and to accommodate larger buildings in the T4 districts:

Section 3.2.100.C Amended to allow Industrial/Agricultural Building Type in T4HC, T4 HCO, and T4 VC

A. Purpose

The Hamlet Center (T4HC) Zone is intended to integrate appropriate, medium-density residential building types, such as duplexes, townhouses, small courtyard housing, and mansion apartments in an environment conducive to walking and bicycling.

The T4 Hamlet Center is appropriate for more rural areas, implementing the Comprehensive Plan goals of creating areas of medium intensity residential in portions of Beaufort County, the City of Beaufort and Town of Port Royal.

B. Sub-Zones

T4HC-O (Open)

The intent of the T4HC-O Sub-Zone is to provide neighborhoods with a broader amount of retail and service uses in the scale and character of the T4HC zone.

T4VC (Village Center – St. Helena)

The Village Center (T4VC) Zone provides a tailored set of land uses for St. Helena Island.

C. Allowed Building Types

Building Type	Specific Regulations
Carriage House	5.1.40
Village House ¹	5.1.60
Small Lot House	5.1.70
Cottage Court	5.1.80
Duplex	5.1.90
Townhouse	5.1.100
Mansion Apartment	5.1.110
Apartment House	5.1.120
Industrial/Agricultural	5.1.140
Notes	

¹The use of this building type is limited to non-residential uses

Section 3.2.100.D Amended to accommodate decorative fences and walls screening parking to count toward façade within façade zone requirement. Section 3.2.100.D also amended to exempt large buildings from maximum lot size requirements. Section 3.2.100.E amended to exempt large buildings from maximum building footprint width requirements.

D. Building Placement		
Setback (Distance from ROW/Property Line)		
Front	10' min., 25' max.	A
Side Street	10' min., 20' max.	B
Side:		
Side, Main Building	5' min.	C
Side, Ancillary Building	5' min.	
Rear	5' min.	D
Façade within Façade Zone ¹		
Front	75%	
Side Street	50%	
Notes		
¹ A Parking Lot Perimeter Strip (Section 5.8.80.C) utilizing a decorative fence or wall can substitute up to 50% of the required façade within the façade zone.		
Lot Size (37,500 SF Maximum)		
Width	150 ft. max.	E
Depth	250 ft. max.	F
Miscellaneous		
Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the façade of the front-most immediately adjacent property.		
Maximum lot size does not apply to Recreation, Education, Safety, Public Assembly uses, and buildings with a footprint exceeding 10,000 square feet.		

E. Building Form		
Building Height		
Main Building	2.5 stories max.	G
Ancillary Building	2 stories max.	
Ground Floor Finish Level: ¹		H
Residential	18" min.	
Commercial (T4HC-O)	6" max.	
Ground Floor Ceiling:		I
Commercial (T4HC-O)	10' min.	
Upper Floor(s) Ceiling	8' min.	J
Ground Floor lobbies and Common areas in multi-unit buildings may have a 0" to 6" ground floor finish level.		
Within 25' of the rear property line, buildings may not be more than a half-story taller than the allowed height of adjacent buildings.		
Footprint		
Width: Main Building	100' max. ²	
All upper floors may have a primary entrance along the front. Loading docks, overhead doors, and other service entries may not be located on street-facing facades.		
Notes		
¹ Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.		
² Buildings with a footprint exceeding 15,000 square feet are exempt from the maximum building width requirement.		

Section 3.2.100.G Amended to reduce parking lot setback to 5 feet behind the front façade line.

F. Encroachments and Frontage Types		
Encroachments		
Front	12' max.	L
Side Street	12' max.	M
Side	3' max.	N
Rear	3' max.	O
Encroachments are not allowed across a side or rear property line, or across a curb.		
See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Forecourt	
Porch: Projecting	Dooryard	
Porch: Engaged	Porch: Side Yard	
Stoop	Shopfront ¹	
Terrace ¹		
¹ Allowed in T4HC-O Sub-Zone only.		

G. Parking		
Required Spaces: Residential Uses		
Single-family detached	2 per unit	
Single family attached/ duplex	2 per unit	
Multi-family units	1.25 per unit	
Accessory dwelling unit	1 per unit	
Community residence	1 per bedroom	
Required Spaces: Service or Retail Uses		
Retail, Offices, Services	1 per 300 GSF	
Restaurant, Café, Coffee Shop	1 per 150 GSF	
Drive-through Facility	Add 5 stacking spaces per drive-through	
Gas Station/Fuel Sales	1 per pump plus requirement for retail	
Lodging: Bed and breakfast	2 spaces plus 1 per guest room	
Lodging: Inn/hotel	1 per room	
Required Spaces: Industrial Uses		
Light manufacturing, processing and packaging	1 per 500 GSF	
Warehousing/Distribution	1 per 2,000 GSF	
For parking requirements other uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	40' min. 5' behind front façade of main building	P
Side Street	15' min. 5' behind side façade of main building	Q
Side	0' min.	R
Rear	5' min.	S
Miscellaneous		
Parking Driveway Width		T
40 spaces or less	14' max.	
Greater than 40 spaces	18' max.	

Section 3.2.110.B amended to allow Industrial/Agricultural Building Type in T4NC.

A. Purpose
The Neighborhood Center (T4NC) Zone is intended to integrate vibrant main-street commercial and retail environments into neighborhoods, providing access to day-to-day amenities within walking distance, creating potential for a transit stop, and serving as a focal point for the neighborhood.
The T4 Neighborhood Center Zone implements the Comprehensive Plan goals of creating areas of higher intensity residential and commercial uses in Beaufort County, the City of Beaufort and Town of Port Royal.

B. Allowed Building Types	
Building Type	Specific Regulations
Carriage House	5.1.40
Small Lot House	5.1.70
Cottage Court	5.1.80
Duplex	5.1.90
Townhouse	5.1.100
Mansion Apartment	5.1.110
Apartment House	5.1.120
Main Street Mixed Use	5.1.130
Industrial/Agricultural	5.1.140

Section 3.2.110.D amended to exempt large buildings from maximum lot size requirements in T4NC.

C. Building Placement		
Setback (Distance from ROW/Property Line)		
Front	0' min., 15' max.	A
Side Street	0' min., 10' max	B
Side:		C
Main Building	3' min., 6' max.	
Ancillary Building	0' or 3' min.	
Rear	5' min.	D
Façade within Façade Zone:		
Front	75%	
Side Street	50%	
Lot Size (62,500 SF Maximum)		
Width	250' max.	E
Depth	250' max.	F
Miscellaneous		
Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the facade of the front-most immediately adjacent property.		
No planting strips are allowed between sidewalk and building.		
Maximum lot size does not apply to Recreation, Education, Safety, Public Assembly uses, <u>and buildings with a footprint exceeding 20,000 square feet.</u>		

D. Building Form		
Building Height		
Main Building	2 stories min., ¹ 4 stories max.	G
Ancillary Building	2 stories max.	
Ground Floor Finish Level: ²		
Residential	18" min.	H
Commercial	6" max.	
Ground Floor Ceiling:		
Commercial	10' min.	I
Upper Floor(s) Ceiling		
	8' min.	I
Ground floor lobbies and common areas in multi-unit buildings may have a 0" to 6" ground floor finish level.		
Within 25' of the rear property line, buildings may not be more than a half-story taller than the allowed height of adjacent buildings.		
Footprint		
Width: Main Building	250' max.	
Miscellaneous		
Distance Between Entries, to Upper Floor(s)	80'	
All upper floors must have a primary entrance along the front.		
Loading docks, overhead doors, and other service entries may not be located on street-facing facades.		
Notes		
¹ On Lady's Island, one-story buildings are permitted; multi-story buildings are recommended		
² Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.		

Section 5.1.140.C amended to exempt larger buildings from the maximum dimensions for the Industrial/Agricultural building type.

B. Lot		
Lot Size		
Width	100 ft	A
Depth	200 ft	B
C. Building Size and Massing		
Height		
Per building form standards based on zone.		
Main Body ¹		
Width	100 ft. max.	C
Depth	150 ft. max.	D
Notes		
¹ <u>Buildings with a footprint exceeding 15,000 square feet may exceed main body maximum width and depth requirements provided that the building meets the standards in Division 5.3 (Architectural Standards and Guidelines) and the site planning standards of Division 2.6 (Commercial Oriented Communities).</u>		

D. Allowed Frontages		
Porch: Projecting	Porch: Engaged	
Gallery	Arcade	
The porch, gallery, or arcade, shall extend along at least 75% of either the length or width of the building.		
E. Pedestrian Access		
Main Entrance Location	Front or Side	F
F. Vehicle Access and Parking		
Parking may be accessed from the alley, side street, or front.		
Parking drives and access may be shared on adjacent lots.		
G. Private Open Space		
No private open space requirement.		

4. **Traditional Community Plans: Allowing Greater Flexibility in the Choice of Transect Zones:** The Traditional Community Plan (Division 2.3) is a good tool for promoting the development of mixed use walkable communities. In order to promote the use of the TCP, staff recommends having greater flexibility with the Neighborhood-Scale TCP which currently requires the assignment of three transect zones for a development as small as 40 acres. Staff recommends making the following amendment to Table 2.3.60.B to reduce the number of required transect zones for the Neighborhood-Scale TCP from 3 to 2:

Table 2.3.60.B Required Allocation Mix of Transect Zones		
Transect Zone	Percentage of Land Assigned to Zone	
Infill-Scale TCP		
T3 Edge (T3E)	No min.	25% max.
T3 Hamlet Neighborhood (T3HN)	25% min.	70% max.
T3 Neighborhood (T3N)	25% min.	50% max.
Neighborhood-Scale TCP		
T2 Rural (T2R)	No min.	50% max.
T3 Edge (T3E)	No min.	25% max.
T3 Hamlet Neighborhood (T3HN)	25% No min.	40% max.
T3 Neighborhood (T3N)	25% 60% min.	50% 90% max.
T4 Hamlet Center (T4HC)	10% min.	40% max.
Commercial Redevelopment TCP		
For Areas Zoned C4		
T3 Neighborhood (T3N)	No min.	100% max.
T4 Hamlet Center Open (T4HCO)	No min.	100% max.
For Areas Zoned C5		
T4 Hamlet Center Open (T4HCO)	No min.	100% max.
T4 Neighborhood Center(T4NC)	No min.	100% max.

5. **Place Type Overlay Zone: Greater Flexibility for Village Place Type (3.4.80.E):** The following amendment is proposed to allow greater flexibility of the allocation of transect zones in the Village Place Type provided that the regulating plan meets the objectives of the division and is the product of a multi-day charrette involving stakeholders and the public. The amended language reads as follows:

“E. Allocation of Transect Zones: Applications for a comprehensive amendment under the provisions of the Place Type Overlay (PTO) Zone shall assign and map transect zones to each pedestrian shed according to the percentages allocated in the Table 3.4.80.E. The Director may approve a variance for modulate up to 15% for the transect zone allocation within Table 3.4.80.E as long as the proposed regulating plan meets the objectives of this Division. Modulations greater than 15% of the transect zone allocation may be permitted for the Village Place Type, provided that the regulating plan meets the objectives of this Division and is the product of a multi-day charrette involving all affected stakeholders and the public.”

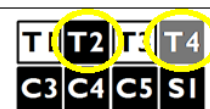
Sign Amendments

The following amendments are proposed for Division 5.6. The most common form of sign in auto-oriented areas is the freestanding sign which includes pole signs and monument signs designed to be seen from the highway by passing motorists. When the Community Development Code was adopted, Table 5.6.40.A allowed freestanding signs in each of the conventional zones, but none of the transect zones. The original purpose of prohibiting freestanding signs in T4 was that the T4 zones were meant to

create pedestrian oriented development. With buildings set at a close distance from the street, wall signs and projecting signs are easily visible from the street and are conducive to a pedestrian environment. However, this created a hardship for buildings that were unable to be sited close to the highway. Staff responded with an amendment allowing for freestanding signs in T4 when the building was sited 30 feet or greater from the front property line. After further analysis, staff has determined that neighboring jurisdictions permit freestanding signs in areas zoned for pedestrian friendly development. Therefore, staff is bringing forward the following amendment that would allow freestanding signs in T4, but at a scale that is more pedestrian-friendly, but still visible from the street. In addition, freestanding signs were prohibited in T2 districts in the Community Development Code. Staff believes that this was a mistake and is bringing forward as a correction to permit them in the T2 districts.

Table 5.6.40.A amended to allow for freestanding signs as permitted in T2 districts and as a conditional use in T4 districts:

Free Standing Signs: Free standing signs encompass a variety of signs that are not attached to a building and have an integral support structure. Three varieties include: Freestanding, Monument and Pole.



5.6.120

Section 5.6.120.B amended to provide conditions for freestanding signs in T4 districts:

A. Description

Freestanding Signs encompass a variety of signs that are not attached to a building and have an integral support structure. Freestanding varieties include Monument and Pole Signs.

A Pole Sign, usually double-faced, mounted on a single or pair of round poles, square tubes, or other fabricated members without any type of secondary support.

A Monument Sign stands directly on the ground or ground level foundation and is often used to mark a place of significance or the entrance to a location.

B. Standards

Size

Signable Area	T4	All Other Districts
Single Tenant	24 SF max.	40 SF max.
Multiple Tenant with one highway frontage	32 SF max.	80 SF max.
Multiple Tenant with two or more highway frontages	32 SF per frontage	80 SF per frontage

Location

Signs per Highway Frontage:

Single Tenant 1 max.

Multiple Tenant 1 max. ^{1,2}

Height 10' max. ^(A)

Width 15' max. ^(B)

Distance from ground to the base of the sign 4' max.

Setback within Corridor Overlay District 10' min.

¹Individual tenants may not have a Freestanding Sign.

²Frontages greater than 500 feet may include one additional freestanding sign not to exceed 80 SF in area and with a total allowable sign area not exceeding the maximum allowable sign area for the multiple tenant center.

Miscellaneous

Freestanding signs are permitted in T4 zones in cases where the principal structure is located greater than 30 feet from the front property line.

Changeable copy signs are allowed for gasoline price signs, houses of worship, schools, directory signs listing more than one tenant, and signs advertising restaurant food specials, films and live entertainment which change on a regular basis.

Use Amendments

- Add Residential Storage Facility as a conditional use in T4 Hamlet Center Open and T4 Neighborhood Center.** The Community Development Code currently does not permit Residential Storage Facilities in any of the T4 districts. This was originally done because the T4 districts are meant to encourage pedestrian friendly development. However, two areas of the County (Shell Point and Lady's Island) have T4 districts for the entirety of their commercial districts. With this particular use in high demand, especially in areas with small residential lots, staff is recommending adding residential storage facility as a conditional use in T4.

17. Residential Storage Facility	--	--	--	--	--	--	--	--	--	--	--	--	C	C	--	C	C	C
18. Vehicle Services: Minor Maintenance and Repair	--	--	--	--	--	C	--	--	--	--	--	C	C	C	--	C	C	--
19. Vehicle Services: Major Maintenance and Repair	--	--	--	--	--	C	--	--	--	--	--	--	C	C	--	C	C	C
Land Use Type	T1 N	T2R	T2 RL	T2 RN	T2 RNO	T2 RC	T3E	T3 HN	T3 N	T3 NO	T4 HC	T4 VC	T4 HCO	T4 NC	C3	C4	C5	SI

"P" indicates a Use that is Permitted By Right.

"C" indicates a Use that is Permitted with Conditions.

"S" indicates a Use that is Permitted as a Special Use.

"TCP" indicates a Use that is permitted only as part of a Traditional Community Plan under the requirements in Division 2.3

"--" indicates a Use that is not permitted.

The following amendments are recommended to Section 4.1.220 for residential storage facility in T4. Provide an additional subsection "E" to address this use in T4 Hamlet Center Open:

E. Residential Storage Facilities in T4 Hamlet Center Open and T4 Neighborhood Center:

Residential storage facilities shall be sited so that storage buildings are located in the interior of the block and do not face a street. The site shall incorporate outparcels to screen and separate the storage buildings from the street. The leasing office and/or security quarters may face and address the street.

- Revising the Definition of Lodging:Inn:** Regulating the short-term rental (i.e., less than 30 days) of single-family homes as a commercial lodging use requires that the homes be renovated to commercial building code standards per the County Building Official. For this reason, staff recommends that the short-term rental of single-family homes be deleted from the definition of "Lodging: Inn." Staff will be developing separate standards for this use for the Planning Commission's future consideration. Revise Table 3.1.70 as follows:

OFFICES AND SERVICES	
This category is intended to encompass activities, without outdoor storage needs, that are primarily oriented towards office and service functions.	
Land Use Type	Definition
9. Lodging: Inn	A building or group of buildings used as a commercial lodging establishment having up to 24 guest rooms providing lodging accommodations to the general public. <u>This includes the use of any dwelling unit for lodging accommodations on a daily or weekly rate to the general public.</u>

Corrections, Clarifications, and provisions from the ZDSO

2.7.40.C: Family Compound Standards (Clarification). Edit as follows:

- C. **Property May Be Subdivided.** Family compounds shall be developed and the dwelling units built, or the family compound property may be subdivided and conveyed by the landowner to a family member to build a dwelling unit. Family compounds that are subdivided are limited to the maximum number of units without clustering shown in Table 2.7.40.A.

2.7.40.D: Family Compound Standards (from ZDSO). Add a new subsection that reads as follows:

5. **Family Compound Design.** Family compounds that are subdivided shall be accompanied by covenants and cross easements, or similar restrictions and reservations, guaranteeing essential infrastructure and 50 feet of vehicular access for each lot.

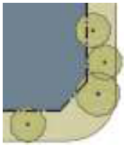
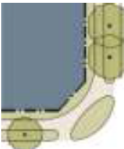

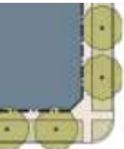




2.9.80.C: Minimum Construction Specifications for Unpaved Roads (Clarification). Edit item 2 as follows:

2. Minor subdivisions, as long as no more than four lots will be served by the proposed road, and rear lanes (see Table 2.9.90.E) may utilize a stabilized aggregate road, in accordance with the standards in this section.

2.9.80.C: Minimum Construction Specifications for Unpaved Roads (Correction). Delete item 6.

6. The road shall consist of a 20-foot roadway with four-foot shoulders and roadside ditches.

2.9.9.F: Public Frontage Standards (Correction). Amend table to allow public frontage type "HW-RD-ST" which allows open swales in the T3 and C3 districts with approval by the director.

Table 2.9.90.F Public Frontage Standards				
This table assembles prescriptions and dimensions for the public frontage elements - curbs, walkways, and planters - relative to specific thoroughfare types within transect zones. The Assembly row assembles all of the elements for the various thoroughfare types.				
Transect Zone	T1 T2 T3 T4 C3 C4 C5 S1	T1 T2 T3 T4 C3 C4 C5 S1	T1 T2 T3 T4 C3 C4 C5 S1	T1 T2 T3 T4 C3 C4 C5 S1
Public Frontage Type*	HW-RD-ST	RD & ST	ST-DR-AV	ST-DR-AV-BV
Assembly: The principal variables are the type and dimension of curbs, walkways, planters and landscape.				
Total Width	13' – 22'	13' – 22'	10' – 17'	12' – 16'
Curb: The detailing of the edge of the vehicular pavement, incorporating drainage.				
Type	Rural (Open Swale)	Rolled Curb (Valley Gutter)	Raised Curb	Raised Curb
Radius	25'	10' – 30'	5' – 20'	5' – 20'

3.2.30.B T1 (Natural Preserve) Building Placement (from ZDSO). Amend table to establish a minimum lot width of 150 feet for this district (see Table below)

B. Building Placement		
Setback (Distance from ROW/Property Line)		
Front	50' min.	A
Side Street	50' min.	B
Side:		
Side, Main Building	50' min.	C
Side, Ancillary Building	20' min.	
Rear	100' min.	D
Lot Size (One Acre Minimum)		
Width	n/a 150' min.	E
Depth	n/a	F
Miscellaneous		
Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the façade of the front-most immediately adjacent property.		

3.2.30.C: T2R (Rural) Building Placement (from ZDSO). Amend table to change side setbacks for residential uses from 50 feet to 18 feet to match what was in the ZDSO for the Rural district. Change site setbacks for ancillary uses from 20 feet to 10 feet. Establish a minimum lot width for Rural of 100 feet (see Table below).

C. Building Placement		
Setback (Distance from ROW/Property Line)		
Front	50' min.	A
Side Street	50' min.	B
Side		
Side, Main Building	50' 18' min.	C
Side, Ancillary Building	20' 10' min.	
Rear	50' min.	D
Lot Size (Half Acre Minimum)		
Width	n/a 100' min	E
Depth	n/a	F
Miscellaneous		
Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the facade of the front-most immediately adjacent property.		

3.2.80.C: T3HN (Hamlet Neighborhood) Building Placement: (Correction): Remove maximum side yard setback for main buildings (see table below).

C. Building Placement		
Setback (Distance from ROW/Property Line)		
Front	25' min., 35' max.	A
Side Street	15' min, 25' max.	B
Side:		
Side, Main Building	10' min, 15' max.	C
Side, Ancillary Building	5' min.	
Rear	15' min.	D
Lot Size (7,500 SF Minimum)		
Width	65' min.	E
Depth	100' min.	F
Miscellaneous		
Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the façade of the front-most immediately adjacent property.		

3.2.110.C: T4NC (Neighborhood Center) Building Placement: (Correction): Remove maximum side yard setback for main buildings and ancillary buildings (see table below).

C. Building Placement		
Setback (Distance from ROW/Property Line)		
Front	0' min., 15' max.	A
Side Street	0' min., 10' max	B
Side:		C
Main Building	3' min., 6' max.	
Ancillary Building	0' or 3' min.	
Rear	5' min.	D
Façade within Façade Zone:		
Front	75%	
Side Street	50%	
Lot Size (62,500 SF Maximum)		
Width	250' max.	E
Depth	250' max.	F

3.4.30.D: MCAS Airport Overlay – Noise Reduction Requirement: (Correction). Amend note #2 to read as follows:

“Because manufactured homes are constructed to federal standards that may not meet the standards listed above for noise attenuation, all permit applications for the placement of manufactured homes within a noise zone 2a, 2b, or 3 shall be accompanied by the following disclosure statement:”

3.4.30.E: MCAS Airport Overlay – Notification: (Correction). Amend subsection 2 to read as follows:

“All prospective renters signing a commercial or residential lease shall be notified by the property owner through a written provision contained in the lease agreement if the leased property is located within the ZØ MCAS-AQ Zone.”

4.1.120.C: General Retail: Specific to S1 District. [from ZDSO] This amendment to the ZDSO was approved by County Council in 2014 and is being recommended by staff to be carried over to the Community Development Code. Amend subsection C to read as follows:

1. Access shall be from the development’s internal streets.
2. The use shall not have direct access to arterial or collector streets.
3. General retail establishments may reuse developed sites that have been unoccupied by a light industrial business for more than two years provided the following standards are met:
 - a. Adequate parking in compliance with Division 5.5 (Off-Street Parking) shall be provided;
 - b. The site shall be located within 1,000 feet of an arterial road, and traffic impacts as measured by trips per day shall not exceed by more than 10% the traffic impact of the former permitted use on the site;
 - c. The proposed use shall meet the Land Use Compatibility Recommendations of the United States Navy for the Accident Potential Zones (APZs) or Noise Zones, if the site is within such a zone; and
 - d. No outside sales for an adaptive reuse shall be permitted with the APZs or Noise Zones, if the site is within such a zone.
 - e. Structural additions shall not increase the existing floor space by more than 15%; if more than a 15% increase is proposed, the application will be treated as a special use.”

4.2.20.E General Standards and Limitations: Standards for Freestanding Accessory

Buildings/Structures: (Clarification) Amend subsection 1(2) to read as follows:

“ Except in T1, T2R, and T2RL zones, all river, marsh, and ocean waterfront lots, and water/marine-oriented facilities, no accessory structure shall project beyond the front building line of the principal structure.”

4.2.200.I: Private Fish Ponds: Fencing: (Correction) Delete subsection “I. Fencing”

5.3.20.2: Architectural Standards and Guidelines: Applicability: (Clarification) Amend subsection A(2) to read as follows:

“The T2RNO, T2RC, T3E, T3HN, T3HN, T3N, and T3NO-T2 and T3 Zones with the exception of agricultural, single-family and two-family residential uses.”

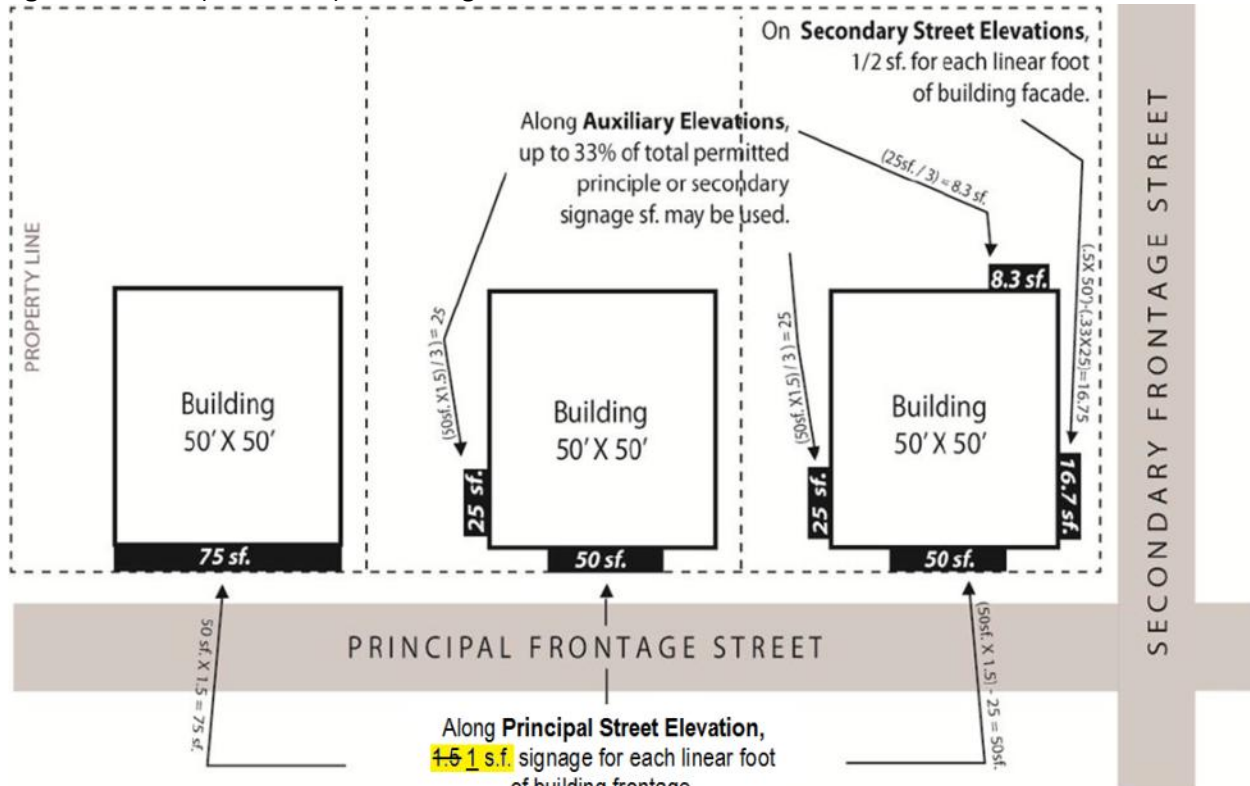
5.4.60.D: Design and Appearance: Landscape Screening: (Correction) Amend subsection to read as follows:

“All chain link fences and fences and walls exceeding four feet in height, if located within 15 feet of a public street right-of-way, shall be supplemented with landscape screening in accordance with the following standards, to soften the visual impact of the fence. These standards shall not apply to fences in the S Zone or single-family dwellings in the CS C3 Zone, unless they are located within 15 feet of the right-of-way of an arterial or collector street.”

5.6.30.F: General Sign Requirements: Sign Height Measurement: (Clarification) Amend Subsection F(2) to read as follows:

“Sign height is measured as the vertical distance from the average elevation between the highest point and the lowest point of finished grade at the base of a sign to the top of the sign. Refer to sections 5.6.80 – 5.6.190 for height measurements by type of sign.”

5.6.40.B: Permanent Sign Types for Buildings, Businesses and Communities: Figure 5.6.40.B Aggregate Sign Standards: (Correction) Amend Figure to read as follows:



5.7.50: Illumination of Outdoor Sports Fields and Performance Areas: (from ZDSO) Add the following subsections:

C. Height of Fixtures. Light fixtures shall not exceed a height of 80 feet.

D. Buffers Adjacent to Residential Properties. A landscaped buffer yard sufficient to prevent light and glare spillover to adjacent residential properties may be required by the Director.

5.8.20.B Landscaping, Buffers, and Screening Standards: Applicability: Exemptions: (Clarification) Amend as follows:

- Within Transect Zones:** Single-family residential and duplexes on individual lots are exempt from the requirements of this section within T1 Natural Preserve, T2 Rural, T2 Rural Neighborhood, T2 Rural Neighborhood Open, T2 Rural Center, T3 Edge, T3 Hamlet Neighborhood, and T3 Neighborhood.
- Within Conventional Zones and Community Preservation Districts:** Single-family residential and duplexes on individual lots are exempt.

5.8.30.B: General Landscape Design Applicable to All Zones: Existing Landscape Preservation: (Clarification) Amend subsection 2 to read as follows:

Trees 8 inches DBH and larger, and all dogwoods (*Cornus spp.*), reduds (*Cercis canadensis*), and magnolias (*Magnolia spp.*) four inches DBH and larger may not No vegetation may be removed from required buffers without approval of a re-vegetation plan unless dead, diseased, or listed as an invasive species in Table 5.11.100.C. of this ordinance.

5.8.50.B: Thoroughfare Buffer: Applicability: (Clarification) Amend subsection “B” to read as follows:

“ A thoroughfare buffer is required along all collector and arterial roads within all conventional zones, community preservation districts, T2 Rural, T2 Rural Low, and T2 Rural Neighborhood.”

5.9.20: Neighborhood Compatibility Standards: Applicability: (Correction) Amend subsection as follows:

“Except where exempted in accordance with Section 5.9.30 (Exemptions), these neighborhood compatibility standards apply to all institutional, commercial, light industrial, mixed-use, townhouse, and multi-family development in the conventional, community preservation, T1, and T2 zones located on land abutting one side or across a street or alley with two or fewer lanes from existing single-family detached residential development.”

5.11.20.A: Resource Protection Standards: General: Applicability: (Clarification) amend subsection to read as follows:

“ These resource protection standards apply to all development property in the unincorporated County, unless expressly stated otherwise in this Division.”

5.11.60.A: River Buffer: River Buffer Setbacks: (Correction) Amend Table 5.11.60.A as follows:

Table 5.11.60.A: River Buffer Setbacks						
District	River Buffer	Single Family/ Duplex Setback	Other Residential Buildings and Nonresidential Buildings Setback	Parking Lots and Drives Setback	Septic Tank/ Tile Field Setback	Agriculture/ Golf Course Setback
T1 and T2	50 feet	60 feet	100 feet	100 feet	100 feet	150 feet
Conventional & CP Districts; PUDs	50 feet	60 feet	100 feet	100 feet	100 feet	150 feet
T3 Edge	40 feet	50 feet	75 feet	100 feet	100 feet ¹	150 feet
T3	25 feet	35 feet	35 feet	100 feet	100 feet ¹	150 feet
T4	20 feet	30 feet	30 feet	50 feet	100 feet ¹	150 feet

¹Or as approved by SCDHEC.

5.11.60.C: River Buffer: Uses Allowed Between Building Setback and River Buffer: (Clarification) Amend subsection C(1) to read as follows:

“Residential – playgrounds, fire pits, outdoor furniture, pervious hardscapes, uncovered decks, pools, etc.”

5.11.60.F: River Buffer: Buffer Disturbance (Clarification) Amend Subsection (2) to read as follows:

“Removal of Trees: Except for invasive species; see Section 5.11.100.G (Removal of Invasive Tree Species), removal of any tree within a river buffer shall require a tree removal permit; see section 7.2.50 (Tree Removal Permit). Removal of trees shall require plant back inch for inch (DBH) of trees removed, except in those instances in which a tree is dead, hollow, or has another condition that poses a hazard to people or structures on the property or adjoining property as determined in

writing by a certified arborist. In those cases, the tree shall be replaced with one 2.5 inch minimum caliper tree. If all tree inches cannot be planted back on site due to site constraints, the remaining tree inches shall be subject to a general county reforestation fee; see Section 5.11.100.D.3 (Reforestation Fee).”

5.11.60.K: River Buffer: Private Trails (Clarification) Amend Subsection to read as follows:

- K. **Private Trails.** Private Trails shall be permitted to cross the river buffer at reasonable intervals for access to the water. Horizontal trails through the river buffer, such as walking paths and bikeways, will be allowed with the following requirements:
1. Such trails shall be designed and constructed in a manner that does not result in them becoming channels for stormwater, that does not result in erosion, or that does not damage surrounding vegetation.
 2. The County may require trails to be of boardwalk construction, pervious paving systems, or stepping stones if needed to ensure meeting the objectives of the buffer, and for long term maintenance of the trail.
 3. The trails shall be no more than 5 feet wide.
 4. Such trails will be accessible to the public or residents of a private community.

5.11.100.D: Tree Protection: Tree Removal: (Clarification) Add a new subsection (3) to read as follows.

“ **3. Penalty for Removing Trees Prior to Permitting.** If trees are cut down prior to a development receiving all necessary permits from the County, the County shall not issue a permit to allow the development to occur within two years of the tree removal, unless the property owner provides mitigation for the trees removed. Mitigation shall involve the replanting of trees a minimum of 2.5 caliper inches with a total caliper equal to 1.25 times that of the DBH of the trees removed.” [Note: renumber **Reforestation Fee** to subsection 4.]

5.11.100.F: Tree Removal on Developed Properties: Single-Family Residential Lots: (Clarification)

Amend Subsection (1)(b) as follows:

- “b. **Tree Removal Permit Standards:** A tree removal permit will be issued to remove a grand tree from a residential lot if the tree is dead, diseased, hollow, or has another condition that poses a hazard to people or structures on the lot or adjoining lot as determined by a certified arborist. Upon removal, the tree shall be replaced with one 2.5 inch minimum caliper tree of the same species.”

5.11.110: Allowed Activities in Resource Protection Area: (Correction) Amend Table 5.11.110.A as follows:

Table 5.11.110.A: Activities in Resource Protection Areas							
	Activities						
	Water Depen- dent Uses	Trails	Bike- way	Picnic Area	Public Road/ Essential Access	Water Sewer Line	Additional Standards
Tidal Wetlands	C	--	--	--	--	--	Sec. 5.11.30
Non-Tidal Wetlands	--	C	C	--	S	S	Sec. 5.11.40
Beach-Dunes	--	C	--	--	--	--	Sec. 5.11.50
River Buffer	C	C	C	--	S	S	Sec. 5.11.60
Endangered Species Habitat	--	C	--	--	--	S	Sec. 5.11.70
Forests	--	C	C	--	--	--	Sec. 5.11.90

C = Conditional S = Special Use -- = Not Permitted

6.1.60.B: Subdivision and Land Development: Easements: (Clarification) Amend Subsection as follows:

“Width: Utility easements shall be a minimum of ten feet wide. Easements that fall on shared side or rear lot lines shall be divided equally, requiring five feet from each lot. Access easements shall meet the standards of Division 2.9 (Thoroughfare Standards) for a comparable roadway.”

Section 7.2.20.A: Procedures: Zoning Permit: Purpose: (Clarification) Amend Subsection as follows:

“Purpose: The purpose of a Zoning Permit is to ensure that proposed development and/or new land uses complies with all the requirements of this Development Code and has any required permits for access, potable water, sewer, and any other permits required under the Code of Ordinances and/or state or federal law prior to issuance of a Building Permit or Business License.”

Section 7.2.30.A Modulation Permit: Allowable Modulations (Correction): Amend Table 7.2.30.A as follows:

Table 7.2.30.A: Allowable Modulations		
Modulation	Required Findings	Maximum Modulation
Community Scale		
Block Face and Perimeter Length. See Section 2.2.40.A.2.	Natural resources limit the ability to create an interconnected network of streets and blocks.	20 percent
Dead-End Streets and Cul-de-Sacs See Section 2.2.30.E (Dead-End Streets and Cul-de-Sacs).	Existing site specific environmental feature(s) requires protection and/or preservation, and no alternative block structure is practicable.	Allowed
Building Placement		
Setbacks: A decrease of the minimum required setback areas (e.g., side, street side, and rear) for structures. See Article 3 (Specific to Zones).	Existing development on adjacent parcels on the same block face is less than the required setback; and The modulation will allow the proposed development to blend in with the adjacent development.	3 feet or 20 percent, whichever is greater. For lots of record created before 1999, no less than 10-ft side and rear setbacks to make lot buildable.¹
Setbacks: Additions. Allowing any new addition to an existing structure to be located up to the furthest point of setback encroachment, subject to Fire Code regulations. See Article 3 (Specific to Zones).	New addition does not increase the non-conformity; and Addition to or new garage is not within 15 feet of a public right-of-way.	Up to existing encroachment. ¹
Build-to-Line: Front or Side. A relaxation of the specified build-to-line. See Article 3 (Specific to Zones).	Existing development on adjacent parcels on the same block face is set back less than the required setback; and The modulation will allow the proposed development to blend in with the adjacent development.	5 feet
Build-to-Line: Defined by an Existing Building. A relaxation of the specified build-to-line, defined by the building façade, for sites located within Transect Zones. See Article 3 (Specific to Zones).	Modulation will allow the proposed development to blend with the existing adjacent development.	10 percent
Facade within façade zone in Transect Zones. A relaxation of the specified front façade requirements for sites located within Transect Zones. See Article 3 (Specific to Zones).	Modulation will allow the proposed development to blend in with the adjacent development.	10 percent
Parcel dimensions (e.g., area , depth, or width). A decrease in the minimum required parcel area , parcel depth, or parcel width. See Article 3 (Specific to Zones).	An existing parcel can be developed following the intent of the zone; or The size of a new parcel is limited by natural resources.	10 percent

7.4.50.A: Public Hearing Scheduling and Notice: Required Public Hearings: (Correction) Amend Table 7.4.50.A as follows:

Table 7.4.50.A: Required Public Hearings			
Development Application or Approval	Advisory or Decision-Making Bodies		
	County Council	Planning Commission	Zoning Board of Appeals (ZBOA)
Comprehensive Plan Amendment	X	X	
Text Amendment	X	X	
Zone Map Amendment	X	X	
Special Use Permit			X
Variance Permit			X
Plat Vacation	X		
Street Renaming		X	
Appeal to Planning Commission		X	
Appeal to Zoning Board of Appeals			X
Development Agreements	X		

7.4.130.B: Expiration of Development Approval: Exceptions: (Correction) Amend subsection to read as follows:

“**Exceptions:** Zoning map amendments, ~~plat vacations~~, and street ~~naming and~~ renaming, shall be exempt from the standard in Subsection 7.4.130.A, above.”

7.5.60.A: Department of Community Development and Director: Powers and Duties of Director: (Correction) Delete subsection 3(b)(6) as follows:

~~(6) Plat Vacations. See Section 7.2.70.L (Plat Vacation).~~ [renumber remaining subsection].

7.5.70: Administrative Bodies and Staff: Development Review Responsibilities: (Correction) Amend Table 7.5.70.A as follows:

Table 7.5.70.A: Summary Table of Development Review Responsibilities						
D = Decision	R = Recommendation	A = Appeal	< > = Public Hearing			
Procedures	Director	Design Review Board (DRB)	Historic Preservation Review Board (HPRB)	Zoning Board of appeals (ZBOA)	Planning Commission	County Council
Application Specific Review Procedures						
Zoning Permit	D	--	--	<A>	--	--
Modulation Permit	D	--	--	<A>	--	--
Sign Permit	D	--	--	<A>	--	--
Tree Removal Permit	D	--	--	<A>	--	--
Land Development Plan (Minor and Major)	D	--	--	--	<A>	--
Subdivision Plat (Minor and Major)	D	--	--	--	<A>	--
Traditional Community Plan (TCP)	D	--	--	--	<A>	--
Plat Vacation	R	--	--	--	--	<D>
Street Renaming ¹	R	--	--	--	<D>	--
Certificate of Design Compliance	R	D	--	--	--	--
Certificate of Appropriateness	R	--	D	--	--	--
Special Use Permit	R	--	--	<D>	--	--
Variance Permit	R	--	--	<D>	--	--

10.1.160 : P Definitions: Amend definition for Passive Recreation as follows (direction from Natural Resources Committee)

“Passive Recreation. Recreation requiring little or no physical exertion focusing on the enjoyment of one’s natural surroundings. In determining appropriate recreational uses of passive parks, the promotion and development of resource-based activities such as fishing, camping, hunting, boating, gardening, bicycling, nature studies, horse-back riding, visiting historic sites, hiking, etc., shall be the predominate measure for passive park utilization. ~~However, use based activities such as target shooting or archery shall not be prohibited on passive park properties when site designs indicate compatibility of the proposed use with natural or cultural resources.”~~

2015 /

TEXT AMENDMENTS TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC), SECTION 3.2.100.E (T4 HAMLET CENTER) AND SECTION 3.3.30.C (NEIGHBORHOOD MIX-USE (C3) ZONE) TO ESTABLISH A HEIGHT LIMIT OF 35 FEET FOR INSTITUTIONAL BUILDINGS.

Whereas, added text is highlighted in yellow.

Adopted this ____ day of _____, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading: October 12, 2015

Second Reading: October 26, 2015

Public Hearing:

Third and Final Reading:

3.3.30 Neighborhood Mixed Use (C3) Zone Standards

A. Purpose

The Neighborhood Mixed Use (C3) Zone provides for high-quality, moderate-density (averaging under three dwelling units per acre) residential development, with denser areas of multi-family and mixed-use development to provide walkability and affordable housing options. The design requirements are intended to provide a suburban character and encourage pedestrian, as well as automobile, access. Open spaces shall be provided in sufficient quantity to ensure an open quality with a predominance of green space. Non-residential uses shall be limited to parcels having access to arterial or collector streets or within a Traditional Community Plan. This Zone provides for the lower densities of areas designated Neighborhood Mixed-Use in the Comprehensive Plan. It is intended to support the development of communities with a diverse range of housing types and uses.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front 30' min.¹

Side:

Side, Main Building 10' min.

Side, Ancillary Building 10' min.

Rear 50' min.

¹The minimum front setback for mansion apartments in a Multi-family community on internal streets is 15 feet.

Lot Size

Lot Size 10,890 SF min.

Width 70' min.

Minimum Site Area

Single Family and Duplex 10,890 SF

Multi-Family 21,780 SF

Note:

For development within a Traditional Community Plan meeting the requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established and delineated on the regulating plan shall apply.

C. Building Form

Building Height

Single Family and Duplex 2.5 stories max.

Multi-Family 2.5 stories max.

Non-Residential Buildings 2 stories max.

Institutional Buildings 35 Feet above grade

Ground Floor Finish Level No minimum

Multi-Family housing shall utilize the Mansion Apartment Building Type requirements in 5.1.110.

D. Gross Density¹ and Floor Area Ratio

Gross Density

Single Family Detached 2.6 d.u./acre

Two Family Unit 2.6 d.u./acre

Multi-Family Unit 12 d.u./acre, Maximum of 80 dwelling units

Traditional Community Plan 3.5 d.u./acre²

²Subject to the requirements in Division 2.3

Floor Area Ratio

Non-residential buildings 0.18 max.

¹Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)

E. Parking

Required Spaces: Residential Uses

Single-family detached 3 per unit

Single-family attached/duplex 2 per unit

Multi-family units 1.25 per unit

Accessory dwelling unit 1 per unit

Community residence 1 per bedroom

Live/work 2 per unit plus 1 per 300

GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services 1 per 300 GSF

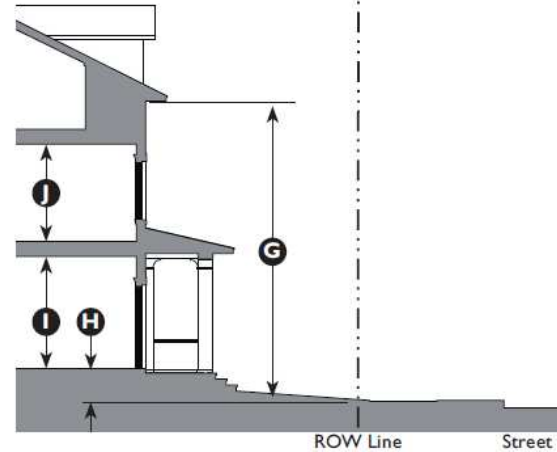
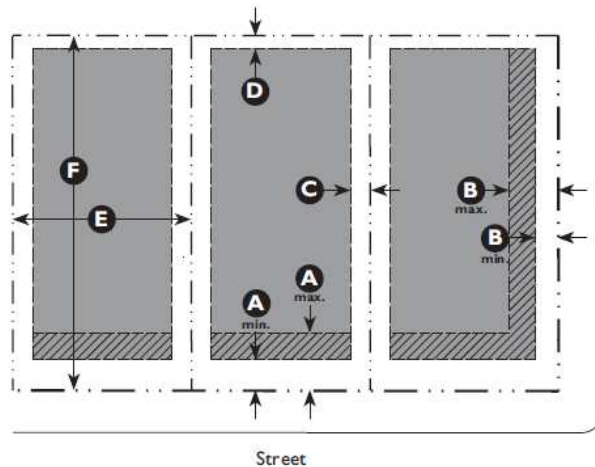
Restaurant, Café, Coffee Shop 1 per 150 GSF

Gas station/fuel sales 1 per pump plus requirement for retail

Lodging: Bed and breakfast 2 spaces plus 1 per guest room

Lodging: Inn/hotel 1 per room

For parking requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).



Key

--- ROW / Property Line	■ Building Area
— Setback Line	▨ Façade Zone

D. Building Placement		
Setback (Distance from ROW/Property Line)		
Front	10' min., 25' max.	A
Side Street	10' min., 20' max.	B
Side:		
Side, Main Building	5' min.	C
Side, Ancillary Building	5' min.	
Rear	5' min.	D
Façade within Façade Zone:		
Front	75%	
Side Street	50%	
Lot Size (37,500 SF Maximum)		
Width	150 ft. max.	E
Depth	250 ft. max.	F
Miscellaneous		
Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the façade of the front-most immediately adjacent property.		
Maximum lot size does not apply to Recreation, Education, Safety, Public Assembly uses		

E. Building Form		
Building Height		
Main Building	2.5 stories max.	G
Ancillary Building	2 stories max.	
Ground Floor Finish Level: ²		H
Residential	18" min.	
Commercial (T4HC-O)	6" max.	
Ground Floor Ceiling:		I
Commercial (T4HC-O)	10' min.	
Upper Floor(s) Ceiling	8' min.	J
Ground Floor lobbies and Common areas in multi-unit buildings may have a 0" to 6" ground floor finish level.		
Within 25' of the rear property line, buildings may not be more than a half-story taller than the allowed height of adjacent buildings.		
Footprint		
Width: Main Building	100' max.	
All upper floors may have a primary entrance along the front. Loading docks, overhead doors, and other service entries may not be located on street-facing fades.		
Notes		
¹ Institutional buildings are exempt from this requirement provided that building height does not exceed 35 feet above grade.		
² Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.		

2015 /

TEXT AMENDMENTS TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE (CDC), SECTION 3.2.100.E (T4 HAMLET CENTER) AND SECTION 3.3.30.C (NEIGHBORHOOD MIX-USE (C3) ZONE) TO ESTABLISH A HEIGHT LIMIT OF 35 FEET FOR INSTITUTIONAL BUILDINGS.

Whereas, added text is highlighted in yellow.

Adopted this ____ day of _____, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading: October 12, 2015

Second Reading: October 26, 2015

Public Hearing:

Third and Final Reading:

3.3.30 Neighborhood Mixed Use (C3) Zone Standards

A. Purpose

The Neighborhood Mixed Use (C3) Zone provides for high-quality, moderate-density (averaging under three dwelling units per acre) residential development, with denser areas of multi-family and mixed-use development to provide walkability and affordable housing options. The design requirements are intended to provide a suburban character and encourage pedestrian, as well as automobile, access. Open spaces shall be provided in sufficient quantity to ensure an open quality with a predominance of green space. Non-residential uses shall be limited to parcels having access to arterial or collector streets or within a Traditional Community Plan. This Zone provides for the lower densities of areas designated Neighborhood Mixed-Use in the Comprehensive Plan. It is intended to support the development of communities with a diverse range of housing types and uses.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front 30' min.¹

Side:

Side, Main Building 10' min.

Side, Ancillary Building 10' min.

Rear 50' min.

¹The minimum front setback for mansion apartments in a Multi-family community on internal streets is 15 feet.

Lot Size

Lot Size 10,890 SF min.

Width 70' min.

Minimum Site Area

Single Family and Duplex 10,890 SF

Multi-Family 21,780 SF

Note:

For development within a Traditional Community Plan meeting the requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established and delineated on the regulating plan shall apply.

C. Building Form

Building Height

Single Family and Duplex 2.5 stories max.

Multi-Family 2.5 stories max.

Non-Residential Buildings 2 stories max.

Institutional Buildings 35 Feet above grade

Ground Floor Finish Level No minimum

Multi-Family housing shall utilize the Mansion Apartment Building Type requirements in 5.1.110.

D. Gross Density¹ and Floor Area Ratio

Gross Density

Single Family Detached 2.6 d.u./acre

Two Family Unit 2.6 d.u./acre

Multi-Family Unit 12 d.u./acre, Maximum of 80 dwelling units

Traditional Community Plan 3.5 d.u./acre²

²Subject to the requirements in Division 2.3

Floor Area Ratio

Non-residential buildings 0.18 max.

¹Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)

E. Parking

Required Spaces: Residential Uses

Single-family detached 3 per unit

Single-family attached/duplex 2 per unit

Multi-family units 1.25 per unit

Accessory dwelling unit 1 per unit

Community residence 1 per bedroom

Live/work 2 per unit plus 1 per 300

GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services 1 per 300 GSF

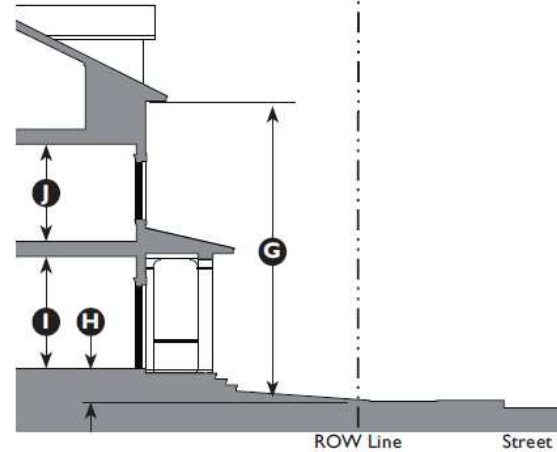
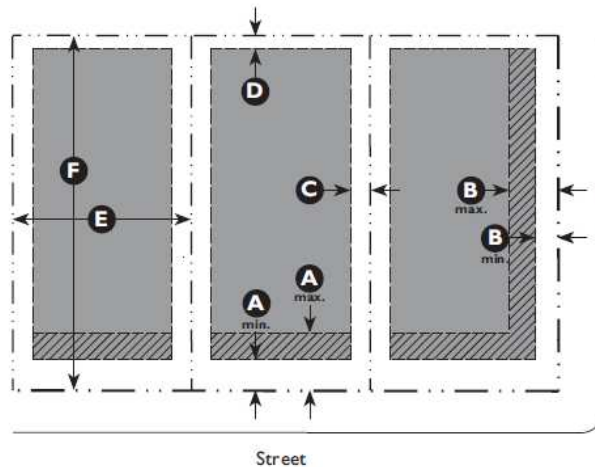
Restaurant, Café, Coffee Shop 1 per 150 GSF

Gas station/fuel sales 1 per pump plus requirement for retail

Lodging: Bed and breakfast 2 spaces plus 1 per guest room

Lodging: Inn/hotel 1 per room

For parking requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).



Key

--- ROW / Property Line	■ Building Area
— Setback Line	▨ Façade Zone

D. Building Placement		
Setback (Distance from ROW/Property Line)		
Front	10' min., 25' max.	A
Side Street	10' min., 20' max.	B
Side:		
Side, Main Building	5' min.	C
Side, Ancillary Building	5' min.	
Rear	5' min.	D
Façade within Façade Zone:		
Front	75%	
Side Street	50%	
Lot Size (37,500 SF Maximum)		
Width	150 ft. max.	E
Depth	250 ft. max.	F
Miscellaneous		
Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the façade of the front-most immediately adjacent property.		
Maximum lot size does not apply to Recreation, Education, Safety, Public Assembly uses		

E. Building Form		
Building Height		
Main Building	2.5 stories max.	G
Ancillary Building	2 stories max.	
Ground Floor Finish Level: ²		H
Residential	18" min.	
Commercial (T4HC-O)	6" max.	
Ground Floor Ceiling:		I
Commercial (T4HC-O)	10' min.	
Upper Floor(s) Ceiling	8' min.	J
Ground Floor lobbies and Common areas in multi-unit buildings may have a 0" to 6" ground floor finish level.		
Within 25' of the rear property line, buildings may not be more than a half-story taller than the allowed height of adjacent buildings.		
Footprint		
Width: Main Building	100' max.	
All upper floors may have a primary entrance along the front. Loading docks, overhead doors, and other service entries may not be located on street-facing fades.		
Notes		
¹ Institutional buildings are exempt from this requirement provided that building height does not exceed 35 feet above grade.		
² Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.		

2015 /

LADY'S ISLAND ZONING MAP AMENDMENT FOR R200 015 000 0165 0000, R200 015 000 0721 0000, R200 015 000 0820 0000, R200 015 000 0866 0000, R200 015 000 0867 0000, R200 015 000 0868 0000, R200 015 000 0869 0000, R200 015 000 0870 0000, R200 015 000 0871 0000, R200 015 000 0872 0000, R200 015 000 0873 0000, R200 015 000 0874 0000, R200 015 000 0875 0000 (13 PARCELS TOTALING 8.75 ACRES, SOUTH SIDE OF SEA ISLAND PARKWAY BETWEEN LADY'S ISLAND COMMONS AND YOUMANS ROAD) FROM T4-HC (HAMLET CENTER) TO T4-HCO (HAMLET CENTER OPEN).

Adopted this _____ day of _____, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

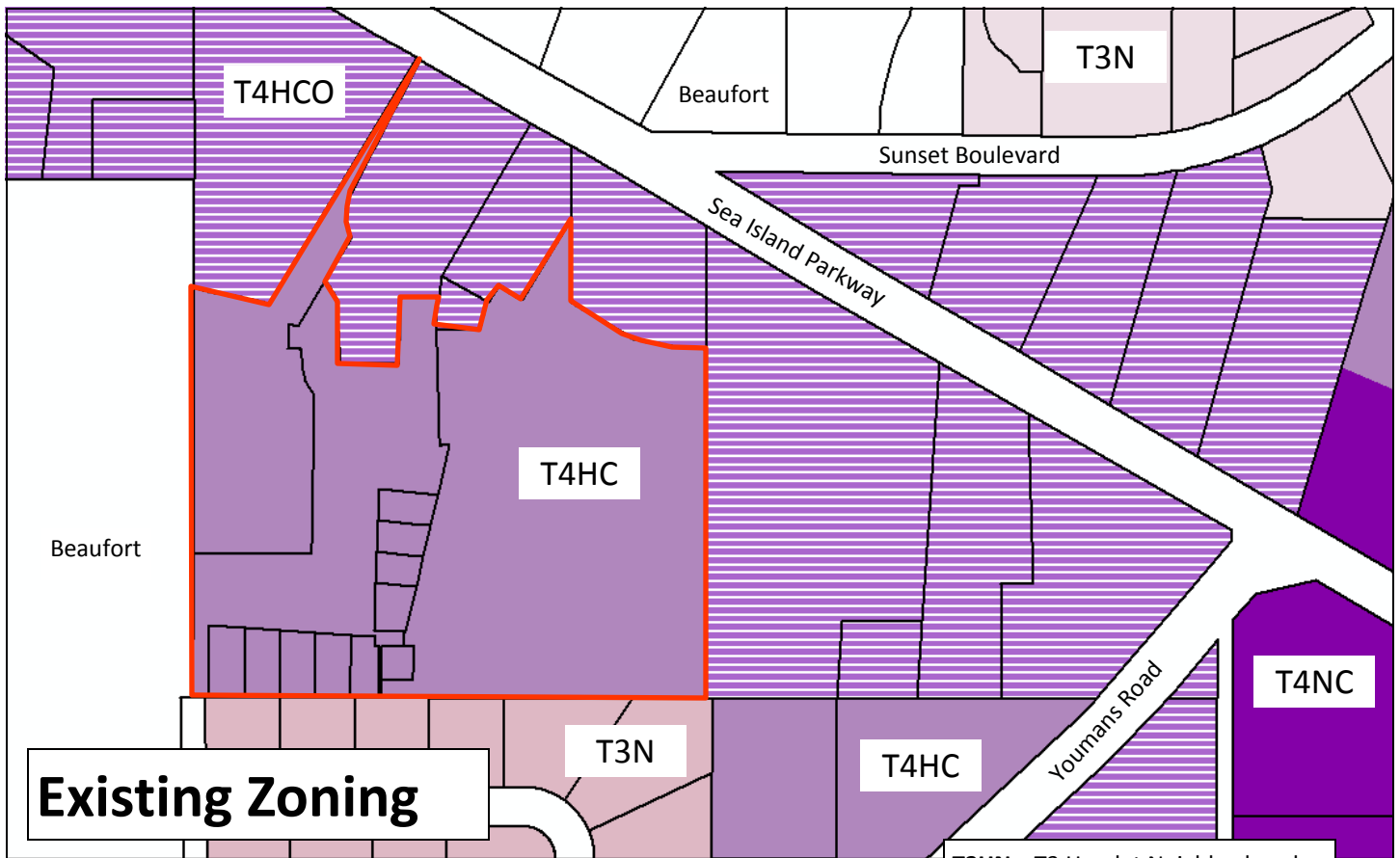
Suzanne M. Rainey, Clerk to Council

First Reading: October 12, 2015

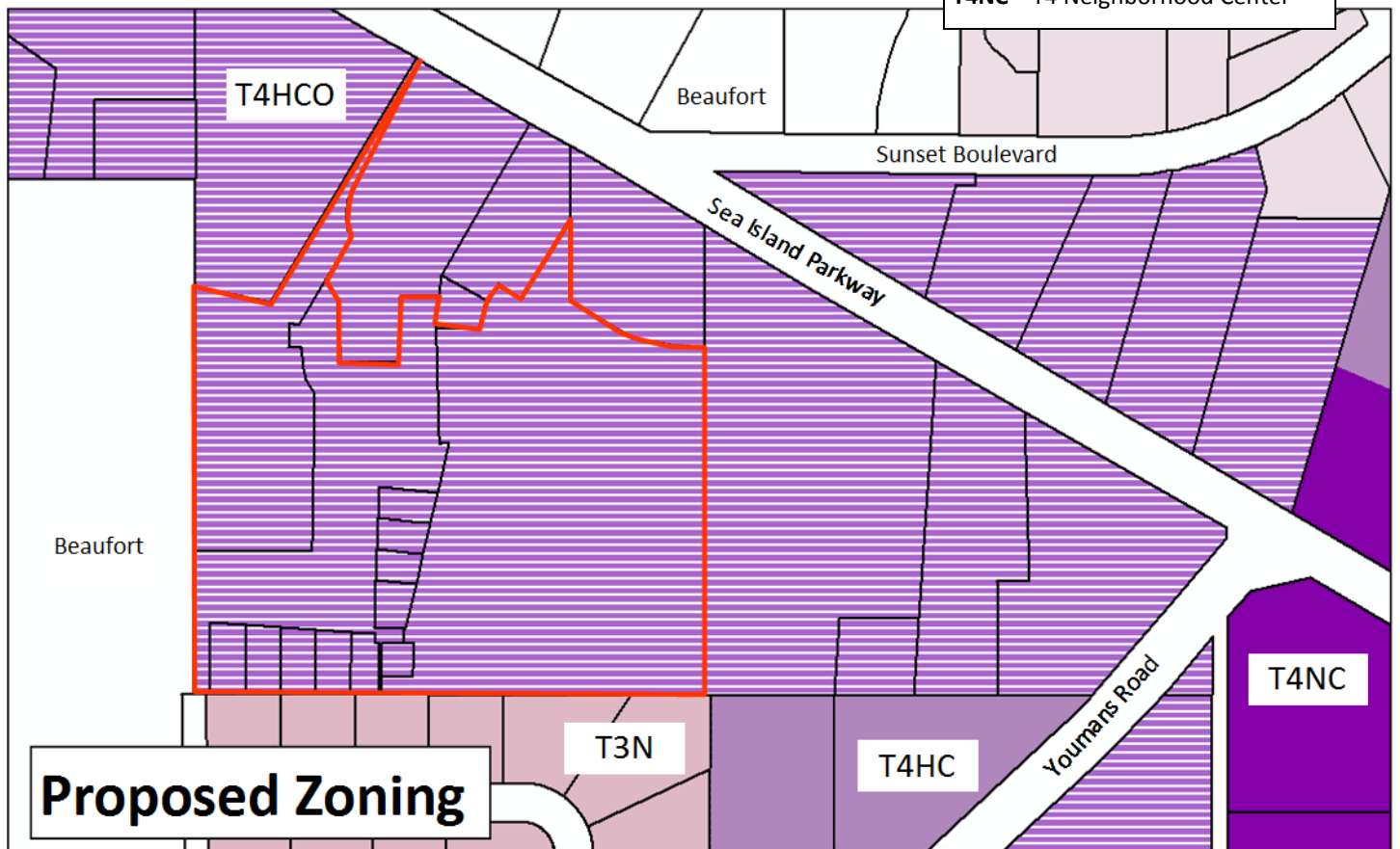
Second Reading: October 26, 2015

Public Hearing:

Third and Final Reading:



T3HN—T3 Hamlet Neighborhood
T3N—T3 Neighborhood
T4HC—T4 Hamlet Center
T4HCO—T4 Hamlet Center Open
T4NC—T4 Neighborhood Center



2015 /

LADY'S ISLAND ZONING MAP AMENDMENT FOR R200 015 000 111G 0000, R200 015 000 0114 0000, R200 015 000 114B 0000, R200 015 000 114C 0000, R200 015 000 114D 0000, AND R200 015 000 0638 0000 – NORTH OF SEA ISLAND PARKWAY; R200 018 00A 0147 0000, R200 018 00A 0148 0000, R200 018 00A 0149 0000, R200 018 00A 0150 0000, R200 018 00A 0161 0000, R200 018 00A 0162 0000, R200 018 00A 0163 0000, R200 018 00A 0192 0000, R200 018 00A 0193 0000, AND R200 018 00A 0248 0000 – SOUTH OF SEA ISLAND PARKWAY (16 PARCELS TOTALING 19 ACRES, NORTH AND SOUTH SEA ISLAND PARKWAY BETWEEN GAY DRIVE AND DOW ROAD) FROM T3-N (NEIGHBORHOOD) AND T3-HN (HAMLET NEIGHBORHOOD) TO T4-NC (NEIGHBORHOOD CENTER) AND T4-HCO (HAMLET CENTER).

Adopted this _____ day of _____, 2015.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

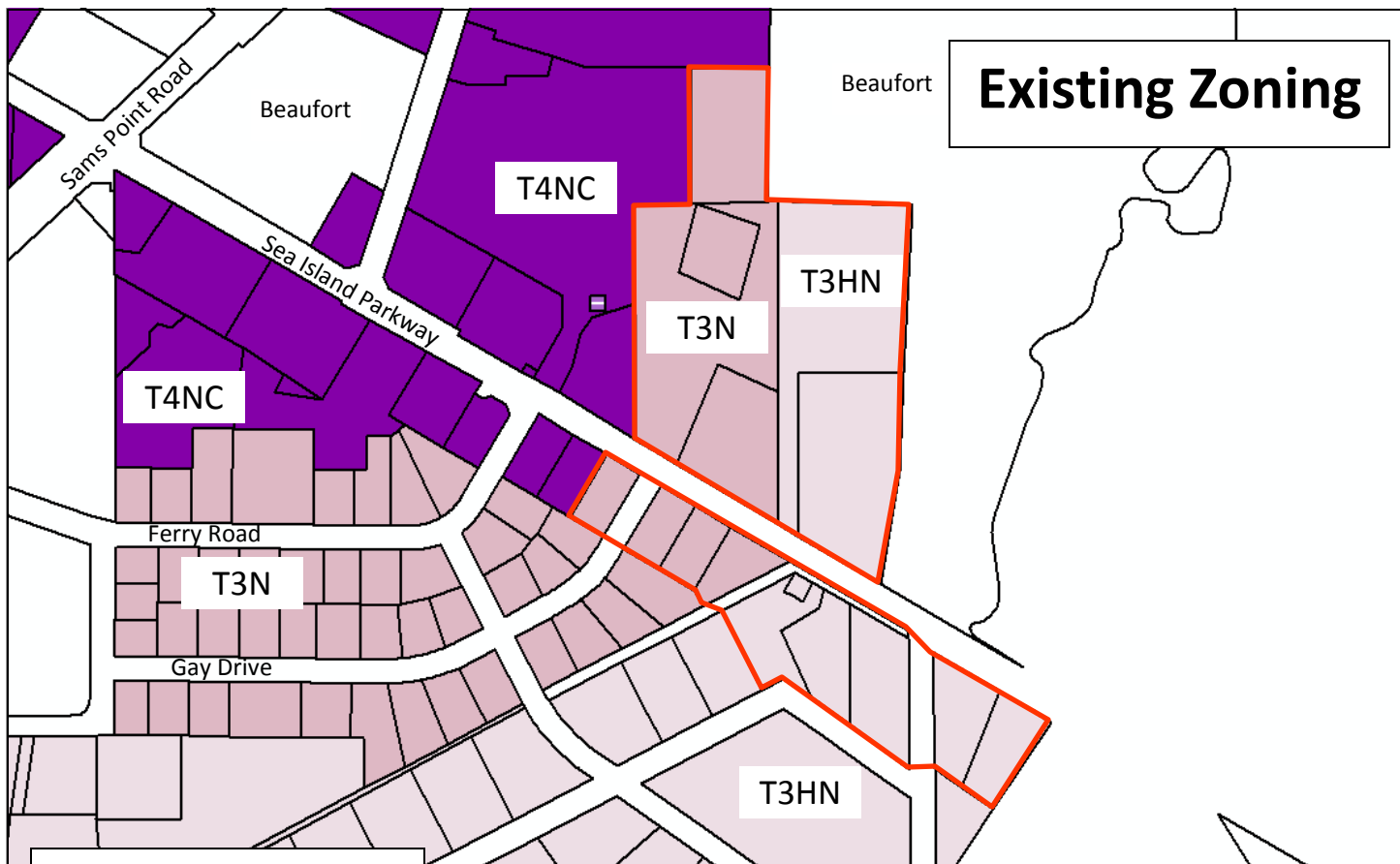
Suzanne M. Rainey, Clerk to Council

First Reading: October 12, 2015

Second Reading: October 26, 2015

Public Hearing:

Third and Final Reading:



T3HN—T3 Hamlet Neighborhood
T3N—T3 Neighborhood
T4HC—T4 Hamlet Center
T4HCO—T4 Hamlet Center Open
T4NC—T4 Neighborhood Center

