

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
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STEWART H. RODMAN
CHAIRMAN

D. PAUL SOMMERVILLE
VICE CHAIRMAN

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JOHN L. WEAVER
INTERIM COUNTY ADMINISTRATOR

CONNIE L. SCHROYER
CLERK TO COUNCIL

AGENDA
COUNTY COUNCIL OF BEAUFORT COUNTY
REGULAR SESSION
Monday, January 28, 2019
6:00 p.m.
Council Chambers, Administration Building
Beaufort County Government Robert Smalls Complex
100 Ribaut Road, Beaufort

1. **Call to Order Regular Session – Chairman Stu Rodman** 6:00 p.m.
2. **Pledge of Allegiance and Invocation – Vice Chairman, D. Paul Sommerville**
3. **Approval of Agenda**
4. **Presentations & Recognition**
 - A. Introduction of Joe Mantua, incoming General Manager of the Beaufort-Jasper Water & Sewer Authority – **Ed Saxon, General Manager, Beaufort-Jasper Water & Sewer Authority**
 - B. Overview of the County Transportation Committee (CTC) Responsibilities and Projects **Kraig Gordon, Chairman, County Transportation Committee** (backup)
 - C. That's MY Truck! Coloring Contest – **Eric Larson, Director, Environmental Engineering & Land Management** (backup)
 - D. Building Codes Department for improved ratings / classification of FEMA National Flood Insurance Program and Insurance Services Office (ISO) classification – **Phil Foot, Assistant County Administrator, Public Safety** (backup)
5. **Citizen Comments** [See Clerk to Council for sign-in prior to meeting. Speakers shall limit comments to three minutes.]



6. Non-Consent Agenda

A. Approval of Minutes

1. December 17, 2018 Natural Resources Committee ([backup](#))
2. January 2, 2019 Oath of Office ([backup](#))
3. January 7, 2019 Special Session ([backup](#))
4. January 14, 2019 Caucus ([backup](#))
5. January 14, 2019 Regular Session ([backup](#))
6. January 18, 2019 Natural Resources Subcommittee ([backup](#))

B. Public hearing and 3rd Reading of an ordinance regarding a supplemental expenditure for the funding of a Joint Shelter

Ordinance Title: *An Ordinance to Amend Beaufort County Ordinance 2018/24, for FY 2018-2019 Beaufort County Budget to Provide for Supplemental Expenditure in the Amount of \$245,585 for Funding of the Joint Emergency Shelter Between Beaufort County, Jasper County and Jasper County School District* – **Chris Inglese, Assistant Attorney** ([backup](#))

1. Public hearing on Monday, January 28, 2019
2. Consideration of third and final reading on January 28, 2019
3. Second reading approved on January 14, 2019 / Vote 10:0
4. First reading approved on December 10, 2018 / Vote 10:0
5. Council approved an Intergovernmental Agreement to build a Joint Shelter on September 24, 2018 / Vote 11:0
6. Finance Committee discussed and recommended an Intergovernmental Agreement and funding to build a Joint Shelter on September 24, 2018 / Vote 7:0
7. Governmental Committee discussed, as information only, a Joint Shelter on August 6, 2018

C. Public hearing and 3rd Reading of an ordinance to lease of a portion of the Charles Lind Brown Center

Ordinance Title: *An Ordinance Authorizing the Interim County Administrator to Execute Documents Necessary to Lease a Portion of the Charles Lind Brown Center* – **Tom Keaveny, County Attorney** ([backup](#))

1. Public hearing on Monday, January 28, 2019
2. Consideration of third and final reading on January 28, 2019
3. Second reading approved on January 14, 2019 / Vote 10:0
4. Second reading approved on January 14, 2019 / Vote 10:0
5. First reading approved on December 10, 2018 / Vote 10:0
6. Governmental Committee recommended approval on November 5, 2018 / Vote 7:0

D. Public hearing and 3rd Reading of an ordinance regarding a text amendment to the Beaufort County Code of Ordinances, Chapter 78: Floods

Ordinance Title: *Text Amendments to the Beaufort County Code of Ordinances, Chapter 78: Floods* – **Chuck Atkinson, Building Codes Director** ([backup](#))

1. Public hearing on Monday, January 28, 2019
2. Consideration of third and final reading on January 28, 2019
3. Second reading approved on January 14, 2019 / Vote 10:0
4. First reading approved on December 10, 2018 / Vote 10:0
5. Governmental Committee recommended approval on December 3, 2018 / Vote 5:0

E. Public hearing and 3rd Reading of an ordinance regarding a text amendment to the Community Development Code (CDC): Article 6, Section 6.1.30 Types and Subdivisions

Ordinance Title: *Text Amendment to the Community Development Code (CDC): Article 6, Section 6.1.30: Types and Subdivisions* (To modify the requirements to allow commercial subdivisions in all zoning districts that allow commercial uses) – **Eric Greenway, Community Development Director** ([backup](#))

1. Public hearing on Monday, January 28, 2019
2. Consideration of third and final reading on January 28, 2019
3. Second reading approved on January 14, 2019 / Vote 10:0
4. First reading approved on December 10, 2018 / Vote 10:0
5. Natural Resources Committee recommended approval on November 19, 2018 / Vote 4:0

F. Public hearing and 3rd Reading of an ordinance regarding a text amendment to the Community Development Code (CDC): Article 4, Section 4.2.190 Water / Marine - Oriented Facilities

Ordinance Title: *Text Amendment to the Community Development Code (CDC): Article 4, Section 4.2.190: Water / Marine-Oriented Facilities* (To provide a definition of small tidal creeks) – **Eric Greenway** ([backup](#))

1. Public hearing on Monday, January 28, 2019
2. Consideration of third and final reading on January 28, 2019
3. Second reading approved on January 14, 2019 / Vote 10:0
4. First reading approved on December 10, 2018 / Vote 10:0
5. Natural Resources Committee recommended approval on November 19, 2018 / Vote 4:0

G. Public hearing and 3rd Reading of an ordinance regarding a text amendment to the Community Development Code (CDC): Article 8, Section 8.3.40 Non-conforming Structures

Ordinance Title: *Text Amendment to the Community Development Code (CDC): Article 8, Section 8.3.40: Non-Conforming Structures* (To clarify that structures damaged greater than 50% of value shall conform to current Building Code Standards but not Zoning Standards) – **Eric Greenway** ([backup](#))

1. Public hearing on Monday, January 28, 2019
2. Consideration of third and final reading on January 28, 2019
3. Second reading approved on January 14, 2019 / Vote 10:0
4. First reading approved on December 10, 2018 / Vote 10:0
5. Natural Resources Committee recommended approval on November 19, 2018 / Vote 4:0

H. Public hearing and 3rd Reading of an ordinance regarding a text amendment to the Community Development Code (CDC): Appendix B, Daufuskie Island Code

Ordinance Title: *Text and Map Amendment to the Community Development Code (CDC): Appendix B, Daufuskie Island Code* (To amend the Daufuskie Island Plan) – **Eric Greenway** ([backup](#))

1. Public hearing on Monday, January 28, 2019
2. Consideration of third and final reading on January 28, 2019
3. Second reading approved on January 14, 2019 / Vote 10:0
4. First reading approved on December 10, 2018 / Vote 10:0
5. Natural Resources Committee recommended approval on November 19, 2018 / Vote 4:0

I. Public hearing and 3rd Reading of an ordinance regarding the development of a new Joint County Industrial and Business Park (Project Sky)

Ordinance Title: *An Ordinance Authorizing and Approving (1) The Development of a New Joint County Industrial and Business Park Pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, As Amended, In Conjunction With Jasper County (The "Park") Such Park to be Geographically Located in Beaufort County and to Include the Aforementioned Property; (2) The Execution and Delivery of a Written Park Agreement with Jasper County as to the Requirement of Payments of Fee In Lieu of Ad Valorem Taxes With Respect to Park Property and the Sharing of the Revenues and Expenses of The Park; (4) The Distribution of Revenues from the Park Within Beaufort County; and (5) Other Matters Related Thereto (Project Sky)* – **Chris Inglese** ([backup](#))

1. Public hearing on Monday, January 28, 2019
2. Consideration of third and final reading on January 28, 2019
3. Second reading approved on January 14, 2019 / Vote 10:0
4. First reading approved on December 10, 2018 / Vote 10:0
5. Finance Committee recommended on December 10, 2018 / Vote 6:0

J. A resolution to approve State 2% Accommodations Tax appropriations as recommended by the State Accommodations Tax Board

Resolution Title: *A resolution to appropriate \$490,000 from the Beaufort County State 2% Accommodations Tax funds provided in the Fiscal Year 2019 Budget as recommended by the State Accommodations Tax Board – Alicia Holland, Assistant County Administrator, Finance and Chris Inglese (backup)*

1. Consideration of adoption on January 28, 2019
2. Finance Committee recommended on December 10, 2018 / Vote 5:1

7. Discussion and Action Items

A. Administrator's Report – John Weaver, Interim County Administrator

B. Status / Investigation of Joshua A. Gruber Contract – Chairman Stu Rodman

C. Committee Reports (next meeting)

1. Community Services (February 18, 2019, 4:00 p.m.)
2. Executive Committee (February 11, 2019, 4:00 p.m.)
3. Finance (February 4, 2019, 2:00 p.m.)
4. Governmental (February 25, 2019, 4:00 p.m.)
5. Natural Resources (February 18, 2019, 2:00 p.m.)
6. Public Facilities (February 4, 2019, 4:00 p.m.)

D. Nominations / Appointments to Boards and Commissions

1. Bruce Doneff, Board of Assessment Appeals (appointment)
2. Stephen Koch, Board of Assessment Appeals (appointment)
3. William Kuttruff, Board of Assessment Appeals (appointment)
4. Joseph Naughton, Drug and Alcohol Abuse Board (appointment)

8. Citizen Comments

9. Adjournment

BEAUFORT COUNTY TRANSPORTATION COMMITTEE

C FUND STATE STATUE

"C" FUND LAW

SECTION 12-28-2740. Distribution of gasoline user fee among counties; requirements for expenditure of funds; county transportation committees.

(A) The proceeds from two and sixty-six one-hundredths cents a gallon of the user fee on gasoline only as levied and provided for in this chapter must be deposited with the State Treasurer and expended for purposes set forth in this section. The monies must be apportioned among the counties of the State in the following manner:

(1) one-third distributed in the ratio which the land area of the county bears to the total land area of the State;

(2) one-third distributed in the ratio which the population of the county bears to the total population of the State as shown by the latest official decennial census;

(3) one-third distributed in the ratio which the mileage of all rural roads in the county bears to the total rural road mileage in the State as shown by the latest official records of the Department of Transportation. The Department of Revenue shall collect the information required pursuant to Section 12-28-1390 regarding the number of gallons sold in each county for use in making allocations of donor funds as provided in subsection (H). The Department of Revenue shall submit the percentage of the total represented by each county to the Department of Transportation and to each county transportation committee annually by May first of the following calendar year. Upon request of a county transportation committee, the Department of Transportation shall continue to administer the funds allocated to the county. All interest earnings on the County Transportation Fund in the State Treasury must be added to the distribution to counties under this section in proportion to each county's portion of the entire County Transportation Fund. Except for those funds being used in connection with highway projects administered by the Department of Transportation on behalf of counties administering their own "C" funds, these distributions of earnings and the calculation required to determine the appropriate amount shall not include those counties administering their own "C" funds.

2018/19 TRANSPORTATION COMMITTEE PLAN

Beaufort County 2018/19 Transportation Committee Plan (CTCP)



C FUND PROJECTS

ENGINEERING DEPARTMENT ACTIVE PROJECT STATUS UPDATE		Project Type	Location			Project ID	Project Name	Original Contract Amounts w/ Contingency	Date	Date	Date	Committee Meeting	Date	Order Date of Last Reading	Date	Date	Date	Date	Date	List # Amount Paid PIR ID	Date	Date	Date	Comments
NO NO.	PROJECT NAME	PR. REQ. BY	A/C, S/R, CONT.	PRID NO.	ALCT NO.	ORIGINAL CONTRACT AMOUNTS W/ CONTINGENCY	DATE	DATE	DATE	COMMITTEE MEETING	DATE	ORDER DATE OF LAST READING	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	DATE	
C FUND (Gas Tax)																								
000000	2018 ROAD RESURFACING - YEAR 1 PROJECTS	027	PMI - Construction of Seaford County Roads Resurfacing		Tag Fund, C Fund	\$ 3,200,000.00	12/28/2018	3/8/2018	1/10/2018	Public Facilities	3/24/2018	NA	3/24/2018	5/22/2018	5/29/2018	6/1/2018	NA							
	PREFERRED MATERIALS, INC. #	027	2018 Road Resurfacing - ARROW RD. Wilson Road to New Orleans Rd. 26 miles HMA - 175 Trucks and Traps C	201800022	2340001-54930 C Fund	\$ 100,000.00	12/28/2018	3/8/2018	1/10/2018	Public Facilities	3/24/2018	NA	3/24/2018	5/22/2018	5/29/2018	6/1/2018	NA							
	PREFERRED MATERIALS, INC.	027	2018 Road Resurfacing - BEACH CRY RD. 20 miles Wilson Play - 14 mile traffic circle HMA - 200 Trucks and Traps B	201800023	2340001-54930 C Fund	\$ 200,000.00	12/28/2018	3/8/2018	1/10/2018	Public Facilities	3/24/2018	NA	3/24/2018	5/22/2018	5/29/2018	6/1/2018	NA							
	PREFERRED MATERIALS, INC.	027	2018 Road Resurfacing - LEO C MATTON RD. 27 miles Gordier Dr. Aberdeen Rd. 10 miles 125 Trucks and Traps E	201800024	2340001-54930 C Fund	\$ 100,000.00	12/28/2018	3/8/2018	1/10/2018	Public Facilities	3/24/2018	NA	3/24/2018	5/22/2018	5/29/2018	6/1/2018	NA							
	PREFERRED MATERIALS, INC.	027	2018 Road Resurfacing - NEW OCEANS RD. 25 miles Wilson Play - 4000 ft of Pope Ave HMA 175 Trucks and Traps C	201800025	2340001-54930 C Fund	\$ 170,000.00	12/28/2018	3/8/2018	1/10/2018	Public Facilities	3/24/2018	NA	3/24/2018	5/22/2018	5/29/2018	6/1/2018	NA							
	PREFERRED MATERIALS, INC.	027	2018 Road Resurfacing - STAMFORD DR. 26 miles Folly Field Rd - Sand Dollar Rd MI 200 Trucks and Traps E	201800026	2340001-54930 C Fund	\$ 100,000.00	12/28/2018	3/8/2018	1/10/2018	Public Facilities	3/24/2018	NA	3/24/2018	5/22/2018	5/29/2018	6/1/2018	NA							
	PREFERRED MATERIALS, INC.	027	2018 Road Resurfacing - WINDSOR DR. 26 miles Wilson Play - Traffic Circle L&R 125 Trucks and Traps E	201800028	2340001-54930 C Fund	\$ 20,000.00	12/28/2018	3/8/2018	1/10/2018	Public Facilities	3/24/2018	NA	3/24/2018	5/22/2018	5/29/2018	6/1/2018	NA							
	PREFERRED MATERIALS, INC.	027	2018 Road Resurfacing - BLUFFTON PERRY 1.32 miles Chester Hwy - Hampton Play HMA - 200 Trucks and Traps B	201800027	2340001-54930 C Fund	\$ 710,000.00	12/28/2018	3/8/2018	1/10/2018	Public Facilities	3/24/2018	NA	3/24/2018	5/22/2018	5/29/2018	6/1/2018	NA							
	PREFERRED MATERIALS, INC.	027	2018 Road Resurfacing - BLUFFTON PERRY 2 1.54 miles Hampton Play - Buckwater Play 100 mi 125 Trucks and Traps E	201800028	2340001-54930 C Fund	\$ 305,000.00	12/28/2018	3/8/2018	1/10/2018	Public Facilities	3/24/2018	NA	3/24/2018	5/22/2018	5/29/2018	6/1/2018	NA							
	PREFERRED MATERIALS, INC.	027	2018 Road Resurfacing - BLUFFTON PERRY 3 1.66 miles Buckwater Rd - Greenwood Rd. Buckwater Rd approved road	201800029	2340001-54930 C Fund	\$ 20,000.00	12/28/2018	3/8/2018	1/10/2018	Public Facilities	3/24/2018	NA	3/24/2018	5/22/2018	5/29/2018	6/1/2018	NA							
	PREFERRED MATERIALS, INC.	027	2018 Road Resurfacing - RED CEDAR 4.0 miles Bluffton Play Buckwater Rd 2000 feet Buckwater Rd approved road	201800030	2340001-54930 C Fund	\$ 10,000.00	12/28/2018	3/8/2018	1/10/2018	Public Facilities	3/24/2018	NA	3/24/2018	5/22/2018	5/29/2018	6/1/2018	NA							
	PREFERRED MATERIALS, INC.	027	2018 Road Resurfacing - MAPLEHURST RD 1.07 miles Folly Field Rd - Pine Forest Rd HMA 200 Trucks and Traps B	201800031	2340001-54930 C Fund	\$ 237,000.00	12/28/2018	3/8/2018	1/10/2018	Public Facilities	3/24/2018	NA	3/24/2018	5/22/2018	5/29/2018	6/1/2018	NA							
	PREFERRED MATERIALS, INC.	027	2018 Road Resurfacing - BLUFFTON PERRY 4 Bluffton Play & Buckingham Plantation Intersection Improvement design build incorporated in 2018	201800032	2340001-54930 C Fund	\$ 70,000.00	12/28/2018	3/8/2018	1/10/2018	Public Facilities	3/24/2018	NA	3/24/2018	5/22/2018	5/29/2018	6/1/2018	NA							
	PREFERRED MATERIALS, INC.	027	2018 Road Resurfacing - H. J. MCCORMACK DR. 10 miles Buckwater Rd to Buckwater HMA - 175 Trucks and Traps C	201800033	2340001-54930 C Fund	\$ 270,000.00	12/28/2018	3/8/2018	1/10/2018	Public Facilities	3/24/2018	NA	3/24/2018	5/22/2018	5/29/2018	6/1/2018	NA							
001370	CONSTRUCTION - CONTRACT RISE	030	County Det Road Paving		Tag and C Fund	\$ 2,740,000.00	6/25/2017	8/3/2017	7/11/2017	See Below	9/25/2017	NA	9/25/2017	11/6/2017										
	PREFERRED MATERIALS, INC.	030	Det Road Paving for Alberta Fields Circle	20180168	2340001-54765 C Fund	\$ 596,629.00	6/22/2017	8/3/2017	7/11/2017	Public Facilities	9/25/2017	NA	9/25/2017	11/6/2017	10/11/2017	10/18/2017								
	PREFERRED MATERIALS, INC.	030	Det Road Paving for Almond Drive	20180170	2340001-54765 C Fund	\$ 200,015.00	6/22/2017	8/3/2017	7/11/2017	Public Facilities	9/25/2017	NA	9/25/2017	11/6/2017	10/11/2017	10/18/2017								
	PREFERRED MATERIALS, INC.	030	Det Road Paving for Cedar Lane	20180171	2340001-54766 C Fund	\$ 303,333.00	6/22/2017	8/3/2017	7/11/2017	Public Facilities	9/25/2017	NA	9/25/2017	11/6/2017	10/11/2017	10/18/2017								
	PREFERRED MATERIALS, INC.	030	Det Road Paving for Deaconswood Drive	20180172	2340001-54767 C Fund	\$ 356,813.00	6/22/2017	8/3/2017	7/11/2017	Public Facilities	9/25/2017	NA	9/25/2017	11/6/2017	10/11/2017	10/18/2017								
	PREFERRED MATERIALS, INC.	030	Det Road Paving for Mary Isabella Road	20180173	2340001-54768 C Fund	\$ 225,884.00	6/22/2017	8/3/2017	7/11/2017	Public Facilities	9/25/2017	NA	9/25/2017	11/6/2017	10/11/2017	10/18/2017								
	PREFERRED MATERIALS, INC.	030	Det Road Paving for Shiloh Road	20180174	2340001-54769 C Fund	\$ 900,575.00	6/22/2017	8/3/2017	7/11/2017	Public Facilities	9/25/2017	NA	9/25/2017	11/6/2017	10/11/2017	10/18/2017								
	FRAME CONSULTANTS	030	DMCRS for Det Road Paving of Alberta Fields, Almond, Cedar, Deaconswood, Mary Isabella and Shiloh	20180166	2340001-51160 TAG Fund	\$ 142,286.00	6/22/2017	8/3/2017	7/11/2017	NA	NA	NA	NA											
001600	US 278 TRAFFIC SIGNAL TIMING IMPROVEMENTS	032	CTC APPROVED 12/15/17 Intersect - Signal Timing Analysis & Implementation	20180107	2340001-56812 C Fund	\$ 70,486.00	11/15/2017	1/10/2018	NA	Public Facilities	NA	NA	2/21/2018	3/28/2018	2/1/2018	3/1/2018	NA						CTC Municipal Match program	
TOWN OF PORT ROYAL SEWERAGE PROJECT																								
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BEAUFORT COUNTY TRANSPORTATION COMMITTEE MEETING SCHEDULE 2019

County Transportation Committee Meetings

Meeting	Location	Date	Day	Time
County Council Chambers	100 Ribaut Road, Beaufort, SC	1/16/2019	Wednesday	4:00 PM
County Council Chambers	100 Ribaut Road, Beaufort, SC	3/20/2019	Wednesday	4:00 PM
County Council Chambers	100 Ribaut Road, Beaufort, SC	5/15/2019	Wednesday	4:00 PM
County Council Chambers	100 Ribaut Road, Beaufort, SC	7/17/2019	Wednesday	4:00 PM
County Council Chambers	100 Ribaut Road, Beaufort, SC	9/18/2019	Wednesday	4:00 PM
County Council Chambers	100 Ribaut Road, Beaufort, SC	11/20/2019	Wednesday	4:00 PM

ENGINEERING DEPARTMENT ACTIVE PROJECT STATUS UPDATE		SOLICITATION TYPE	DESCRIPTION	FY19 PO	FUNDING SOURCE(S)	FUNDING AMOUNT(S)	SOLICITATION ADVERTISED	SOLICITATION DUE	PRE-BID MEETING	COMMITTEE APPROVAL	COUNCIL APPROVAL	ORDINANCE	BID AWARDED	CONTRACT DATE	NOTICE TO PROCEED	PROJECT START	CHANGE ORDERS	PROJECT COMPLETION	FINAL CONTRACT AMOUNT	WARRANTY EXPIRATION	
BID NO.	PROJECT NAME	IFB, RFQ, RFP	A/E, D/B, CONST.		ACCT NO.	ORIGINAL CONTRACT AMOUNT(S) W/ CONTINGENCY	DATE	DATE	DATE	COMMITTEE MEETING	DATE	ORD# DATE OF LAST READING	DATE	DATE	DATE	DATE	LIST # AMOUNT DATE PER CO	DATE	DATE	DATE	COMMENTS
C FUND (Gas Tax)																					
020818E	2018 ROAD RESURFACING - YEAR 1 PROJECTS	RFP	PMI - Construction of Beaufort County Roads Resurfacing		Tag Fund, C Fund	\$ 3,204,511.00	12/28/2018	2/8/2018	1/16/2018	Public Facilities	3/26/2018	NA	3/26/2018	5/22/2018	5/29/2018	9/1/2018	NA				
	PREFERRED MATERIALS, INC	RFP	2018 Road Resurfacing - ARROW RD. Hilton Head to New Orleans Rd .06 miles HMA - 175 lbs/sq yd type C	20190022	23430011-54939 C Fund	\$ 190,000.00	12/28/2018	2/8/2018	1/16/2018	Public Facilities	3/26/2018	NA	3/26/2018	5/22/2018	5/29/2018	9/1/2018	NA				
	PREFERRED MATERIALS, INC	RFP	2018 Road Resurfacing - BEACH CITY RD .65 miles William Hilton Pkwy - N. side traffic circle HMA - 200lbs/sq yd type B	20190023	23430011-54939 C Fund	\$ 230,000.00	12/28/2018	2/8/2018	1/16/2018	Public Facilities	3/26/2018	NA	3/26/2018	5/22/2018	5/29/2018	9/1/2018	NA				
	PREFERRED MATERIALS, INC	RFP	2018 Road Resurfacing - LEG O MUTTON RD .07 miles Gardner Dr.-Marshland Rd Thin lift 125 lbs/sq yd type E	20190024	23430011-54939 C Fund	\$ 100,000.00	12/28/2018	2/8/2018	1/16/2018	Public Facilities	3/26/2018	NA	3/26/2018	5/22/2018	5/29/2018	9/1/2018	NA				
	PREFERRED MATERIALS, INC	RFP	2018 Road Resurfacing - NEW ORLEANS RD .75 miles William Hilton Pkwy - 400'N of Pope Ave HMA 175 lbs/sq yd Type C	20190025	23430011-54939 C Fund	\$ 125,000.00	12/28/2018	2/8/2018	1/16/2018	Public Facilities	3/26/2018	NA	3/26/2018	5/22/2018	5/29/2018	9/1/2018	NA				
	PREFERRED MATERIALS, INC	RFP	2018 Road Resurfacing - STARFISH DR .06 miles Folly Field Rd - Sand Dollar Rd Mil 2'/HMA-220lbs/sq yd type B - PO 20190026	20190026	23430011-54939 C Fund	\$ 35,000.00	12/28/2018	2/8/2018	1/16/2018	Public Facilities	3/26/2018	NA	3/26/2018	5/22/2018	5/29/2018	9/1/2018	NA				
	PREFERRED MATERIALS, INC	RFP	2018 Road Resurfacing - WEXFORD DR. William Hilton Pkwy - traffic Circle Think Lift 125 lbs Type E - PO 20190308	20190308	23430011-54939 C Fund	\$ 20,000.00	12/28/2018	2/8/2018	1/16/2018	Public Facilities	3/26/2018	NA	3/26/2018	5/22/2018	5/29/2018	9/1/2018	NA				
	PREFERRED MATERIALS, INC	RFP	2018 Road Resurfacing - BLUFFTON PKWY 1.32 miles <i>Okatie Hwy - Hampton Pkwy</i> HMA-200lbs/sq yd Type B	20190027	23430011-54939 C Fund	\$ 710,000.00	12/28/2018	2/8/2018	1/16/2018	Public Facilities	3/26/2018	NA	3/26/2018	5/22/2018	5/29/2018	9/1/2018	NA				
	PREFERRED MATERIALS, INC	RFP	2018 Road Resurfacing - BLUFFTON PKWY 2 1.14 miles <i>Hampton Pkwy - Buckwalter Pkwy</i> Thin lift 125 lbs/sq yd Type E	20190028	23430011-54939 C Fund	\$ 305,000.00	12/28/2018	2/8/2018	1/16/2018	Public Facilities	3/26/2018	NA	3/26/2018	5/22/2018	5/29/2018	9/1/2018	CO #01 - 9/20/18 = \$21,645.00				
	PREFERRED MATERIALS, INC	RFP	2018 Road Resurfacing - BLUFFTON PKWY 3 .66 miles <i>Buck Island Rd - Simmonsville Rd.</i> Redamite or approved equal	20190029	23430011-54939 C Fund	\$ 20,000.00	12/28/2018	2/8/2018	1/16/2018	Public Facilities	3/26/2018	NA	3/26/2018	5/22/2018	5/29/2018	9/1/2018	NA				
	PREFERRED MATERIALS, INC	RFP	2018 Road Resurfacing - RED CEDAR .48 miles Bluffton Pkwy Northward for 2000 feet Redamite or approved equal	20190030	23430011-54939 C Fund	\$ 10,000.00	12/28/2018	2/8/2018	1/16/2018	Public Facilities	3/26/2018	NA	3/26/2018	5/22/2018	5/29/2018	9/1/2018	NA				
	PREFERRED MATERIALS, INC	RFP	2018 Road Resurfacing - MALPHRUS RD 1.07 miles Fording Island Rd - Pine Forest Rd HMA 200lbs/sq yd type B	20190031	23430011-54939 C Fund	\$ 225,000.00	12/28/2018	2/8/2018	1/16/2018	Public Facilities	3/26/2018	NA	3/26/2018	5/22/2018	5/29/2018	9/1/2018	CO #01 - 9/20/18 = \$74,800.00				
	PREFERRED MATERIALS, INC	RFP	2018 Road Resurfacing - BLUFFTON PKWY 4 Bluffton Pkwy & Buckingham Plantation intersection improvement design build determined by Design	20190032	23430011-54939 C Fund	\$ 75,000.00	12/28/2018	2/8/2018	1/16/2018	Public Facilities	3/26/2018	NA	3/26/2018	5/22/2018	5/29/2018	9/1/2018	NA				
	PREFERRED MATERIALS, INC	RFP	2018 Road Resurfacing - H.E. MCCRACKEN CIR 1.00 miles Buckwalter to Buckwalter HMA - 175lbs/sq yd type C	20190033	2342001T-54939 TAG Funds	\$ 275,000.00	12/28/2018	2/8/2018	1/16/2018	Public Facilities	3/26/2018	NA	3/26/2018	5/22/2018	5/29/2018	9/1/2018	CO #01 - 9/20/18 = \$3,150.00 CO #02 - 1/08/19 = \$14,310.00				
081317WE	CONSTRUCTION - CONTRACT 50WE	IFB	County Dirt Road Paving		TAG and C Funds	\$ 2,748,050.00	6/22/2017	8/3/2017	7/11/2017	See Below	9/25/2017	NA	9/25/2017	11/9/2017			See Below				
	PREFERRED MATERIALS, INC	606	Dirt Road Paving for Albertha Fields Circle	20190169	23430011-54764 C Fund	\$ 599,429.00	6/22/2017	8/3/2017	7/11/2017	Public Facilities	9/25/2017	NA	9/25/2017	11/9/2017	10/11/2017	10/18/2017	CO #01 - 04/06/18 = \$4,800.00 CO #02 - 04/06/18 = \$2,921.00 CO #03 - 10/24/18 = \$76,830.00 CO #04 - 10/24/18 = \$57,964.00 CO #05 - 1/08/19 = \$1,034.00	12/11/2018			
	PREFERRED MATERIALS, INC	607	Dirt Road Paving for Almond Drive	20190170	23430011-54765 C Fund	\$ 239,015.00	6/22/2017	8/3/2017	7/11/2017	Public Facilities	9/25/2017	NA	9/25/2017	11/9/2017	10/11/2017	10/18/2017	CO #1 - 1/08/19 = (\$6,400.00)				
	PREFERRED MATERIALS, INC	608	Dirt Road Paving for Coker Lane	20190171	23430011-54766 C Fund	\$ 303,233.00	6/22/2017	8/3/2017	7/11/2017	Public Facilities	9/25/2017	NA	9/25/2017	11/9/2017	10/11/2017	10/18/2017	CO #01 - 07/31/18 = \$1,939.50 CO #02 - 10/4/18 = (\$14,220.00) CO #03 - 10/4/18 = \$9,075.00 CO #04 - 11/8/19 = (\$5,132.00)	12/11/2018			
	PREFERRED MATERIALS, INC	609	Dirt Road Paving for Devonwood Drive	20190172	23430011-54767 C Fund	\$ 336,813.00	6/22/2017	8/3/2017	7/11/2017	Public Facilities	9/25/2017	NA	9/25/2017	11/9/2017	10/11/2017	10/18/2017	CO #01 - 08/22/18 = \$14,147.00 CO #02 - 9/5/18 = \$9,440.00				
	PREFERRED MATERIALS, INC	610	Dirt Road Paving for Mary Smalls Road	20190173	23430011-54768 C Fund	\$ 229,684.00	6/22/2017	8/3/2017	7/11/2017	Public Facilities	9/25/2017	NA	9/25/2017	11/9/2017	10/11/2017	10/18/2017	CO #1 - 11/07/18 = (\$4,881.00)	12/13/2018			
	PREFERRED MATERIALS, INC	611	Dirt Road Paving for Shiney Road	20190174	23430011-54769 C Fund	\$ 929,575.90	6/22/2017	8/3/2017	7/11/2017	Public Facilities	9/25/2017	NA	9/25/2017	11/9/2017	10/11/2017	10/18/2017	CO #1 - 10/29/18 = (\$51,888.00) CO #2 - 1/08/19 = (\$13,556.00)	12/13/2018			
	F&ME CONSULTANTS		CM/CEI for Dirt Road Paving of Albertha Fields, Almond, Coker, Devonwood, Mary Smalls and Shiney	20190166	2342001T-51160 TAG Funds	\$ 142,286.00	6/22/2017	8/3/2017	7/11/2017	NA	NA	NA	NA	NA			CO #1 - 10/13/17 = \$24,960.00				
010918E	US 278 TRAFFIC SIGNAL TIMING IMPROVEMENTS	RFP	CTC APPROVED 9/20/17 Stantec - Signal Timing Analysis & Implementation	20190107	23430011-54912 C Fund	\$ 73,486.00	12/5/2017	1/9/2018	NA	Public Facilities	NA	NA	2/21/2018	2/28/2018	2/21/2018	3/21/2018	NA				CTC Municipal Match program
	TOWN OF PORT ROYAL SIDEWALK PROJECT		CTC APPROVED US 21 & S-7-233 Sidewalk			\$ 39,451.00	N/A	N/A	N/A	11/16/2016	N/A	N/A	N/A	Pending							
	BC TRAFFIC SIGNAL REPLACEMENT & DATA COLLECTION		CTC APPROVED US 21/SC170 INTERSECTION			\$ 132,392.00	N/A	N/A	N/A	5/18/2016	N/A	N/A	N/A	Pending							
	MONOTUBE MAST ARMS		CTC APPROVED		23430011-54910	\$ 187,000.00	N/A	N/A	N/A	5/18/2016	6/5/2017	N/A	5/16/2017								
	POPE AVE RESURFACING		CTC APPROVED MUNICIPAL MATCH - Town of Hilton Head		23430011-54929 C Fund & Town of Hilton Head	\$ 850,000.00	N/A	N/A	N/A	9/17/2017	N/A	N/A	N/A	Pending	12/12/2017						

ENGINEERING DEPARTMENT ACTIVE PROJECT STATUS UPDATE																					
		SOLICITATION TYPE	DESCRIPTION		FUNDING SOURCE(S)	FUNDING AMOUNT(S)	SOLICITATION ADVERTISED	SOLICITATION DUE	PRE-BID MEETING	COMMITTEE APPROVAL	COUNCIL APPROVAL	ORDINANCE	BID AWARDED	CONTRACT DATE	NOTICE TO PROCEED	PROJECT START	CHANGE ORDERS	PROJECT COMPLETION	FINAL CONTRACT AMOUNT	WARRANTY EXPRATION	
BID NO.	PROJECT NAME	IFB, RFQ, RFP	A/E, D/B, CONST.	FY19 PO	ACCT NO.	ORIGINAL CONTRACT AMOUNT(S) W/ CONTIGENCY	DATE	DATE	DATE	COMMITTEE MEETING	DATE	ORD# DATE OF LAST READING	DATE	DATE	DATE	DATE	LIST # AMOUNT DATE PER CO	DATE	DATE	DATE	COMMENTS
	RESURFACING IMPROVEMENTS MISC.		CTC APPROVED MUNICIPAL MATCH - PHASE I RESURFACING IMPROVEMENTS MISC - City of Beaufort		23430011-54932 C-Fund	\$ 290,000.00	N/A	N/A	N/A	9/17/2017	N/A	N/A	N/A	Pending	12/12/2017						
	PARIS AVE SIGNAL UPGRADE		CTC APPROVED - Ribaut Rd. Intersection Signal Upgrade		23430011-54911 C-Fund	\$ 20,000.00				9/20/2018											
	BLUFFTON PKWY ROUNDABOUT MAST ARMS				23430011-54940	\$ 39,916.39	N/A	NA	NA		N/A	N/A	N/A				CO #01 - 10/17/18 = \$263.80				
102518E	2018 ROAD RESURFACING - YEAR 2 PROJECTS	IFB	2018 Resurfacing - Year 2: Hilton Head: Pembroke Dr. (William Hilton Pkwy to including Indigo Traffic Cr) Bluffton: Bluffton Pkwy (Buckwalter to Buck Isl. Rd.) Buckwalter Pkwy (Fording Island Rd. to May River Rd.)		TAG and C Funds	Pending	10/9/2018	11/5/2018	10/18/2018	11/26/2018	12/10/2018	N/A									



BEAUFORT COUNTY COUNCIL

Agenda Item Summary

Item Title:

That's MY Truck! Coloring Contest

Council Committee:

County Council

Meeting Date:

01/28/2019

Committee Presenter (Name and Title):

Eric Larson

Issues for Consideration:

The Beaufort County Stormwater Department would like to highlight it's recent public participation with all Beaufort County Schools, grades K-5, bringing awareness to what the program does for the residents of our area. The department received over 450 coloring contest entries, with grand prize winners at 3 local schools. Over 250 students participated in the award winner's visit days at Mossy Oaks Elementary, and Port Royal Elementary. A video of the contest winner's field visit can be seen here: <https://www.youtube.com/watch?v=BGvtPFru6jk>.

Points to Consider:

N/A

Funding & Liability Factors:

N/A

Council Options:

N/A

Recommendation:

N/A



BEAUFORT COUNTY COUNCIL

Agenda Item Summary

Item Title:

Building Codes Recognition

Council Committee:

County Council

Meeting Date:

January 28, 2019

Committee Presenter (Name and Title):

Phil Foot, Assistant County Administrator

Issues for Consideration:

N/A

Points to Consider:

Phil will like to recognize Building Codes Department for their work in obtaining the following ratings/classifications for County property owners:

- 1) FEMA National Flood Insurance Program
- 2) ISO (Insurance Services Office) classification

Funding & Liability Factors:

N/A

Council Options:

N/A

Recommendation:

N/A

RECEIVED

DEC - 3 2018

Beaufort County Staff Attorney



1000 BISHOPS GATE BLVD., SUITE 300 MT. LAUREL, NJ 08054 (856) 787-0412 (800) 444-4554

November 20, 2018

Mr. Thomas Keaveney, Interim County Administrator
100 Ribaut Road, P.O. Box 1228
Beaufort, SC 29901

RE: Building Code Effectiveness Grading Schedule Program
All Unincorporated Areas, Beaufort County, SC

Dear Mr. Keaveney:

ISO is in the process of evaluating building code enforcement departments throughout the United States. The legacy code organizations and the insurance industry worked cooperatively to develop ISO's Building Code Effectiveness Grading Schedule (BCEGS®) program in 1995. The advisory program assesses adopted building codes and the degree of enforcement of those codes, with a focus on natural hazard mitigation. That assessment translates into a classification of 1 to 10, with class 1 representing excellent code enforcement and adoption efforts.

ISO has completed an analysis of the building codes adopted by All Unincorporated Areas and the efforts put forth by Beaufort Co to enforce those codes. The resulting BCEGS Class 2 for commercial and industrial properties and Class 3 for one- and two-family residential properties will apply to your community.

Insurers may use the BCEGS classifications to help them determine premium credits. While individual insurers may use different credits or different effective dates to assess risk, the ISO BCEGS program will apply credits to new construction within All Unincorporated Areas where the building code department has issued a Certificate of Occupancy in the year 2018 and thereafter.

If you're planning on any future changes to your building codes or their enforcement, please advise us, as those changes may affect our analysis and your community's classification. If you have questions about the classifications that we developed, feel free to contact us at the phone number on our letterhead.

Sincerely,

National Processing Center
BCEGS Building Codes Department

NATURAL RESOURCES COMMITTEE

December 17, 2018

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

The Natural Resources Committee met Monday, December 17, 2018 beginning at 3:00 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 Tabor Vaux, and members Rick Caporale, Gerald Dawson, Steven Fobes, York Glover and Alice Howard present. Non-committee member, D. Paul Sommerville, also 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: Jim Beckert, Auditor, Eric Greenway, Director, Community Development Department; Patrick Hill, I.T. Director; Chris Inglese, Assistant County Attorney, Eric Larson, Division Director—Environmental Engineering and Land Management; Rob Merchant, Deputy Director, Community Development Department; Dan Morgan, Mapping and Application Director; Stephanie Nagid, Passive Parks Manager; Melissa Peagler, Long Range Planner; Dave Thomas, Purchasing Director; John Weaver Interim County Administrator.

Public: Bob Semmler, Beaufort County Planning Commission; Shelby Berry, Beaufort Conservation District; Denise Parsick, Beaufort Conservation District; Fred Leyda, Beaufort County Human Services.

Media: Joe Croley, *Lowcountry Inside Track*.

Committee Chairman Brian Flewelling chaired the meeting.

ACTION ITEMS

1. Approval of Agenda

Motion: It was moved by Mr. Fobes, seconded by Mr. Caporale, that Committee approve the Natural Resources Committee agenda dated December 17, 2018, as published. The motion passed by a unanimous vote of 7:0.

Status: Committee approved the Natural Resources Committee agenda dated December 17, 2018 as published.

2. Discussion / Text Amendment to the Beaufort County Community Development Code / Short Term Rentals: Article 3, Section 3.1.60 (Consolidated Use Table) and 3.1.70 (Land Use Definitions); Article 4, Section 4.1.360 (Specific to Use) to Add New Uses Called Limited Home Rental and Extended Home Rental

Discussion: Mr. Eric Greenway, Community Development Director, reviewed this item with the Committee. The purpose of this amendment is to address short-term rentals by introducing new uses that clarify the operational parameters, development standards, approval/permitting procedures and compliance processes for short-term rentals for properties within Beaufort County's jurisdiction. The code currently only allows such uses as bed and breakfast or inns and this amendment will clarify the definition of short-term rental(s) and replaces the use of bed and breakfast with Limited Home Rental and Inns with Extended Home Rentals.

At the Planning Commission's December 3, 2018 meeting, the Commission recommended Beaufort County Council adopt the proposed amendments to the Community Development Code (CDC). These amendments affect the following sections of the CDC – Section 3.1.60 Consolidated Use Table; Section 3.1.70 Land Use Definitions; Section 4.1.360 Limited Home Rental and Extended Home Rental.

Before the discussion, Mr. Flewelling recused himself from the matter and left the room.

Motion: It was moved by Mrs. Howard, no second, that Committee recommend Council approve text amendments to the Beaufort County Community Development Code / Short Term Rentals: Article 3, Section 3.1.60 (Consolidated Use Table) and 3.1.70 (Land Use Definitions); Article 4, Section 4.1.360 (Specific to Use) to add new uses called Limited Home Rental and Extended Home Rental amending Section E-1 from "... three or more occasions within a 12-month period to "...two or more..." Vote: YEAS –Mr. Vaux, Mr. Caporale, Mr. Dawson, Mr. Fobes, Mr. Glover, Mrs. Howard. The motion passed. Mr. Flewelling, recused himself.

Recommendation: Council approve text amendments, as amended, to the Beaufort County Community Development Code / Short Term Rentals: Article 3, Section 3.1.60 (Consolidated Use Table) and 3.1.70 (Land Use Definitions); Article 4, Section 4.1.360 (Specific to Use) to add new uses called Limited Home Rental and Extended Home Rental.

INFORMATION ITEMS

3. Updates

- **Previous Planning Commission Meeting**
- **Previous Southern Lowcountry Regional Planning Commission Meeting**

Discussion: Mr. Eric Greenway, Director, Community Development Department, provided the Committee with an update from the December 3, 2018 meeting of the Planning Commission. The Commission discussed the proposed text amendment to the Beaufort County

Community Development Code (CDC) for the section relating to Short Term Rentals. It was recommended to move forward for Council's adoption by a vote of 10:0.

Mr. Eric Greenway, Director, Community Development Department, provided the Committee an update on the last meeting of the Southern Lowcountry Regional Planning Commission (SOLOCO) meeting. At that meeting the Commission heard a presentation of the overview of the South Carolina State Statutes regarding impact fees. Tomorrow will be a presentation on the Affordable Housing Program.

Status: Information only.

4. Presentation / Beaufort Conservation District Annual Report

Discussion: Ms. Denise Parsick, Commissioner, Beaufort Soil & Water Conservation District, provided the Committee with an annual report on the Beaufort Conservation District. The report included an update on Crystal Lake Park, Education Programs, ECO Camp, Earth Day, and Festivals, Events & Cleanups. Information was also provided on the Water Quality Coalition, Trails Development, Blueway Paddling Trails and Partnerships. The Beaufort Soil & Water Conservation District (SWCD) provides an average of 251 programs, including festival hours each year, educated an average of over 6,000 children and adults each year and provides technical assistance, including meeting contacts, to an average of 1,450 citizens each year. The United States Department of Agriculture (USDA) – Natural Resources Conservation Service (NRCS) provides cost share for Best Management Practice (BMP) to help keep the waters clean and make the land more sustainable by reducing sediment into nearby waters, offering protection for threatened and endangered species, fighting invasive species and keeping livestock out of area waters. Through the Beaufort Conservation District, in partnership with USDA-NRCS, Beaufort County has received \$742,263 in cost share over the last 8 years, over \$5,700,000 of federal funds for farm easements totaling about 1600 acres and over \$2,000,000 for Emergency Watershed Protection Program to clean up damage from Hurricane Matthew.

Status: Information only.

5. Discussion / Resurrection of Corners Community Preservation District

Discussion: The original Corners Preservation Committee was appointed in 1999 to develop a plan. Once complete, the committee was silent. It was resurrected from 2009 until it completed the mapping project in 2014. In light of the Lady's Island Plan, there is an interest in resurrecting the Corners Community Preservation Committee. In the past appointments were informally made by the Council Members representing the districts. The Community Development Department will reach out to the past committee members for their interest in serving. If the committee seats cannot be filled, Mr. Glover and Mr. Sommerville will forward more names.

Status: Mr. Glover and Mr. Sommerville will forward names to fill committee seats if needed.

6. Discussion / Development Agreement Subcommittee for Osprey Point-Malind Bluff

Discussion: At the last County Council Meeting, Chairman Sommerville appointed Brian Flewelling and Stu Rodman to serve on a development agreement subcommittee for Malind Bluff / Osprey Point. Councilman Elect Joe Passiment will be appointed after his oath of office. It seems as though there may be an opportunity to resolve some of the issues regarding the development agreement that would end the litigation currently taking place.

Status: Information only.

Off-agenda update: Eric Greenway reported that there is now an impact fee consultant under contract and will begin the impact fee update study and the school impact fee study in January. Mr. Greenway also shared that denial of the permit for Osprey Cove Apartment Project has been appealed.

Official Proceedings
County Council of Beaufort County
January 2, 2019

The Oath of Office of the County Council of Beaufort County was held Wednesday, January 2, 2019 beginning at 10:01 a.m. in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

The purpose of the meeting was to administer the Oath of Office to four members of the County Council and to elect a Chairman and Vice Chairman of Council.

Interim County Administrator John Weaver chaired the meeting until the Chairman was elected.

ATTENDANCE

Council members Michael Covert, Gerald Dawson, Brian Flewelling and York Glover.

Council members-elect Chris Hervochon, Mark Lawson, Joseph Passiment and Stewart Rodman.

Council members Larry McElynn and Paul Sommerville took their Oath of Office on December 21, 2018.

Council member Alice Howard took her Oath of Office on the afternoon of January 2, 2019.

PLEDGE OF ALLEGIANCE

Mr. John Weaver, Interim County Administrator, led those present in the Pledge of Allegiance to the Flag.

INVOCATION

Reverend Kenneth Hodges, Tabernacle Baptist Church, gave the invocation.

APPROVAL OF AGENDA

It was moved by Mr. Flewelling, seconded by Mr. Dawson that council approve the January 2, 2019 agenda. The vote: YEAS – Mr. Covert, Mr. Dawson, Mr. Flewelling and Mr. Glover. The motion passed.

OATH OF OFFICE

The Honorable Marvin H. Dukes, III, Beaufort County Master-in-Equity, administered the oath of office to Council members-elect Chris Hervochon, Mark Lawson, Joseph Passiment and Stewart Rodman.

ELECTION OF CHAIRMAN

Mr. Weaver accepted nominations for Chairman of County Council.

It was moved by Mr. Covert, seconded by Mr. Dawson, to nominate Mr. Flewelling to serve as Chairman.

Motion to postpone: It was moved by Mr. Rodman, seconded by Mr. Passiment, that council postpone the election of chairman until January 7, 2019. The vote: YEAS - Mr. Glover, Mr. Lawson, Mr. Passiment and Mr. Rodman. NAYS - Mr. Covert, Mr. Dawson, Mr. Flewelling and Mr. Hervochon. ABSENT - Mrs. Howard, Mr. McElynn and Mr. Sommerville. The motion failed.

The vote: YEAS - Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Glover, Mr. Hervochon. NAY - Mr. Passiment. ABSTAINED - Mr. Lawson and Mr. Rodman. ABSENT - Mrs. Howard, Mr. McElynn and Mr. Sommerville. Mr. Flewelling was elected to serve as Chairman of the 2019 / 2020 Beaufort County Council.

PASSING OF THE GAVEL

The Interim County Administrator passed the gavel to the Chairman.

ELECTION OF VICE CHAIRMAN

Mr. Flewelling accepted nominations for Vice Chairman of County Council.

It was moved by Mr. Dawson, seconded by Mr. Hervochon, to nominate Mr. Covert to serve as Vice Chairman. The vote: YEAS – Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Glover and Mr. Hervochon. ABSTAINED - Mr. Lawson, Mr. Passiment and Mr. Rodman. ABSENT - Mrs. Howard, Mr. McElynn and Mr. Sommerville. Mr. Covert was elected to serve as Vice Chairman of the 2019 / 2020 Beaufort County Council.

ADJOURNMENT

Council adjourned at 10:14 a.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Stewart H. Rodman, Chairman

ATTEST:

Connie L. Schroyer, Clerk to Council
Ratified:

Official Proceedings
County Council of Beaufort County
January 7, 2019

A special session of the County Council of Beaufort County was held Monday, January 7, 2019 beginning at 5:00 p.m. in Council Chambers of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

The purpose of the meeting was to elect a Chairman and Vice Chairman of Council.

ATTENDANCE

Chairman Brian Flewelling, Vice Chairman Michael Covert, and Council members Gerald Dawson, York Glover, Chris Hervochon, Alice Howard, Mark Lawson, Larry McElynn, Joseph Passiment, Stewart Rodman and Paul Sommerville.

PLEDGE OF ALLEGIANCE

Chairman Flewelling led those present in the Pledge of Allegiance to the Flag.

INVOCATION

Chairman Flewelling gave the invocation.

APPROVAL OF AGENDA

It was moved by Mr. Rodman, seconded by Mr. Passiment, that council approve the January 7, 2019 agenda. The vote: YEAS – Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Glover, Mr. Hervochon, Mrs. Howard, Mr. Lawson, Mr. McElynn, Mr. Passiment, Mr. Rodman and Mr. Sommerville. The motion passed.

ELECTION OF CHAIRMAN

Chairman Flewelling stated the meeting held on January 2, 2019 failed to produce the results that are required by *Council's Rules of Procedures of 1985*, as amended, that the election of chairman and vice chairman requires a six vote majority. Mr. Flewelling later learned this stipulation from legal counsel Mr. Weaver, Interim County Administrator.

Eight of 11 council members attended the January 2, 2019 meeting that concluded with Mr. Flewelling and Mr. Covert elected as chairman and vice chairman, respectively. However, the votes were invalid because Mr. Flewelling and Mr. Covert received only five of the six votes required.

Mr. Flewelling said, as the elected chairman, he immediately called this meeting which brings us all here tonight.

Mr. Flewelling passed the gavel to Mr. Weaver.

Mr. Weaver accepted nominations for Chairman of County Council.

It was moved by Mr. Sommerville, seconded by Mrs. Howard, to nominate Mr. Rodman to serve as Chairman.

It was moved by Mr. Covert, seconded by Mr. Dawson, to nominate Mr. Flewelling to serve as Chairman.

The vote for Mr. Rodman to serve as Chairman: YEAS – Mrs. Howard, Mr. Lawson, Mr. McElynn, Mr. Passiment, Mr. Rodman and Mr. Sommerville. Mr. Rodman was elected to serve as Chairman of the 2019 / 2020 Beaufort County Council after garnering the six votes required to elect.

The vote for Mr. Flewelling to serve as Chairman: YEAS – Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Glover and Mr. Hervochon. Mr. Flewelling did not garner the six votes required to elect.

PASSING OF THE GAVEL

The Interim County Administrator passed the gavel to the Chairman.

ELECTION OF VICE CHAIRMAN

Mr. Rodman accepted nominations for Vice Chairman of County Council.

It was moved by Mrs. Howard, seconded by Mr. McElynn, to nominate Mr. Sommerville to serve as Vice Chairman.

It was moved by Mr. Flewelling, seconded by Mr. Dawson to nominate Mr. Covert to serve as Vice Chairman.

The vote for Mr. Sommerville to serve as Vice Chairman: YEAS – Mr. Glover, Mrs. Howard, Mr. Lawson, Mr. McElynn, Mr. Passiment, Mr. Rodman and Mr. Sommerville. Mr. Sommerville was elected to serve as Vice Chairman of the 2019 / 2020 Beaufort County Council after garnering the six votes required to elect.

The vote for Mr. Covert to serve as Vice Chairman: YEAS – Mr. Covert, Mr. Dawson, Mr. Hervochon and Mr. Flewelling. Mr. Covert did not garner the six votes required to elect.

ADJOURNMENT

Council adjourned at 5:15 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Stewart H. Rodman, Chairman

ATTEST:

Connie L. Schroyer, Clerk to Council

Ratified:

DRAFT

Minutes

Caucus, County Council of Beaufort County
Council Chambers, Administration Building, Beaufort County Government Robert Smalls
Complex, 100 Ribaut Road, Beaufort, South Carolina 29902

January 14, 2019

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

Attendance

Present: Chairman Stu Rodman, Vice Chairman Paul Sommerville, and Council Members
Michael Covert, Gerald Dawson, Brian Flewelling, York Glover, Chris Hervochon, Alice
Howard, Lawrence McElynn and Joe Passiment
Absent: Mark Lawson

Call to Order

Chairman Rodman called the meeting to order at 5:00 p.m.

Pledge of Allegiance

The Chairman led the Pledge of Allegiance.

Approval of Agenda

It was moved by Brian Flewelling, seconded by Michael Cover that council approve the agenda as presented. The motion passed by a unanimous vote of 10:0.

Discussion / Council Member Voting Privileges During Committee Meetings

Interim County Administrator John Weaver distributed a list of committee assignments, and two resolutions to be added to the January 14, 2019 regular session agenda

The first resolution defines the categories, duties and responsibilities of council committees. It was decided by the Chairman Rodman that each committee shall have (5) Council Members each. Non-committee Council Members in attendance will be entitled to vote. A non-committee member will not be counted as part of a quorum.

The second resolution defines the times and days of the committee meetings. The schedule was established by the Chairman considering the input of Council. All meetings will take place on Mondays.

Discussion / Various 2019 Council Matters

Council Members received an overview of various matters that will be heard before Council in the next few months.

Jenkins Island Project, Rob McFee, Director of Engineering. The County is working very closely on the widening project of the bridges to Hilton Head Island. Preliminary work has begun with the relocation of utilities and acquisition of right-of-ways. SCDOT will have feasible alternatives for the US 278 Corridor in August 2019.

Sales Tax Pathways, Rob McFee, Director of Engineering. The County is currently gathering district priorities and alignment surveys to produce a prioritized project list. Public meetings will be held to receive community input during the design phase. Once the designs are complete the projects can be advertised for construction bids.

Osprey Point Development Agreement, Tom Keaveny, County Attorney. Since 1993 Beaufort County has entered into (13) development agreements. The purpose is for certainty to developers and local governments about what can happen in a certain area over a long period of time. An agreement with Osprey Point has been in effect since 2008. The developer has changed hands several times and the current developer would like to modify the terms of the agreement, which is currently being negotiated. The county is also in the process of developing a standardized development agreement template.

Fire Districts, Alicia Holland, Assistant County Administrator, Finance. The county has (5) fire districts that fall under the budgeting category of Special Purpose Tax Districts. They are part of the county budget ordinance. Council approves both their annual millage rate and budget appropriation. That also means Council approves requests to issue debt. Sheldon Fire District has requested to borrow just under \$1M. More information regarding bond counsel and bid placement will be forthcoming.

Special Purpose Tax Districts, Jim Beckert, Auditor. There are (7) districts created by neighborhoods that agree to tax themselves for most commonly road maintenance. Only two districts are active. The rest are non-functioning and need to be removed from the books.

Extra Grass Cuttings / A-Tax Funds, Rob McFee. The SCDOT program cuts the grass four times a year along HWY 278, SC 21, SC 46 and SC 170. Because of the long growing season, four additional cuts are needed at a county cost of \$110K.

DHEC Building, DHEC and VA Offices, John Weaver. The county is required to provide office space to DHEC which is currently housed in a county-owned facility that a developer may be interested in. There is an opportunity to move DHEC to a larger, nicer space at Beaufort City Hall for about \$6,600 a month. The VA Office is housed in a free city-owned facility, but rent payments of about \$1,200 will begin in July.

Pay and Positions, John Weaver and Suzanne Gregory, Employee Services Director. To be discussed for the upcoming budget are competitive pay, increases on the pay scale for long-term employees, hard-to-fill vacancies, adding a Budget Director position, consideration for a cost-of-living adjustment, and possible adjustments to leave time and holidays.

Organizational Chart, John Weaver. The chart is currently being revised.

Council Rules and Procedures, John Weaver. Working towards moving Council's Rules and Procedures into an ordinance.

County Transportation Committee (CTC), John Weaver. The CTC Chairman to present an overview of the CTC responsibilities and current projects.

Update / Administrator Search and Strategic Planning Retreat

These items were not discussed.

Adjournment

The meeting adjourned at 5:58 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Stewart H. Rodman, Chairman

ATTEST:

Connie L. Schroyer, Clerk to Council

Ratified:

Minutes

Regular Session, County Council of Beaufort County
Council Chambers, Administration Building, Beaufort County Government Robert Smalls Complex,
100 Ribaut Road, Beaufort, South Carolina 29902

January 14, 2019

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

Attendance

Present: Chairman Stu Rodman, Vice Chairman Paul Sommerville, and Council Members Michael Covert, Gerald Dawson, Brian Flewelling, York Glover, Chris Hervochon, Alice Howard, Lawrence McElynn and Joe Passiment
Absent: Mark Lawson

Call to Order

Chairman Rodman called the meeting to order at 6:00 p.m.

Pledge of Allegiance and Invocation – Councilman Gerald Dawson

Councilman Dawson led the Pledge of Allegiance and gave the invocation.

Approval of Agenda

The Interim County Administrator requested the following changes to the agenda:

- Add a resolution amending the Rules and Procedures of Council to add a schedule for Committee Meetings be held monthly
- Add a resolution to define the categories of memberships on Council Committees
- Remove item 6B: *1st Reading of an ordinance regarding a text amendment to the Local 3% Accommodations Tax Ordinance*
- Remove item 6C: *1st Reading of an ordinance regarding a text amendment to the Community Development Code (CDC) Short Term Rentals*

It was moved by Brian Flewelling, seconded by Chris Hervochon that council approve the agenda as amended. The motion passed by a unanimous vote of 10:0.

Public Comments

Paul Jernigan spoke against the proposed changes to the Community Development Code regarding short-term rentals.

Mare Baracco spoke regarding the former Interim County Administrator Josh Gruber's spending authority relating to real estate purchases.

Consent Agenda

At the direction of Chairman Rodman, the “Approval of Minutes” were approved singly allowing the vote to reflect the Council Members whom were present at the meetings.

Approval of Minutes

1. November 26, 2018 Special Session / Vote 7:0 / M. Covert, G. Dawson, B. Flewelling, Y. Glover, A. Howard, S. Rodman, P. Sommerville
2. December 10, 2018 Regular Session / Vote 7:0 / M. Covert, G. Dawson, B. Flewelling, Y. Glover, A. Howard, S. Rodman, P. Sommerville
3. December 10, 2018 Caucus / Vote 7:0 / M. Covert, G. Dawson, B. Flewelling, Y. Glover, A. Howard, S. Rodman, P. Sommerville
4. November 26, 2018 Public Facilities / Vote 6:0 / M. Covert, G. Dawson, Y. Glover, A. Howard, S. Rodman, P. Sommerville
5. December 3, 2018 Governmental Committee / Vote 3:0 / M. Covert, B. Flewelling, Y. Glover
6. December 10, 2018 Finance Committee / Vote 6:0 / M. Covert, G. Dawson, B. Flewelling, A. Howard, S. Rodman, P. Sommerville
7. December 17, 2018 Community Services Committee / Vote 5:0 / G. Dawson, B. Flewelling, Y. Glover, A. Howard, P. Sommerville

It was moved by Brian Flewelling, seconded by Alice Howard that council approve Consent Agenda Items B – I below. The motion passed by a unanimous vote of 10:0.

B. 2nd Reading of an ordinance regarding a supplemental expenditure for the funding of a Joint Shelter

Ordinance Title: *An Ordinance to Amend Beaufort County Ordinance 2018/24, for FY 2018-2019 Beaufort County Budget to Provide for Supplemental Expenditure in the Amount of \$245,585 for Funding of the Joint Emergency Shelter Between Beaufort County, Jasper County and Jasper County School District*

C. 2nd Reading of an ordinance to lease a portion of the Charles Lind Brown Center

Ordinance Title: *An Ordinance Authorizing the Interim County Administrator to Execute Documents Necessary to Lease a Portion of the Charles Lind Brown Center*

D. 2nd Reading of an ordinance regarding a text amendment to the Beaufort County Code of Ordinances, Chapter 78: Floods

Ordinance Title: *Text Amendments to the Beaufort County Code of Ordinances, Chapter 78: Floods*

E. 2nd Reading of an ordinance regarding a text amendment to the Community Development Code (CDC): Article 6, Section 6.1.30 Types and Subdivisions

Ordinance Title: *Text Amendment to the Community Development Code (CDC): Article 6, Section 6.1.30: Types and Subdivisions (To modify the requirements to allow commercial subdivisions in all zoning districts that allow commercial uses)*

- F. **2nd Reading of an ordinance regarding a text amendment to the Community Development Code (CDC): Article 4, Section 4.2.190 Water / Marine-Oriented Facilities**
Ordinance Title: *Text Amendment to the Community Development Code (CDC): Article 4, Section 4.2.190: Water / Marine-Oriented Facilities* (To provide a definition of small tidal creeks)
- G. **2nd Reading of an ordinance regarding a text amendment to the Community Development Code (CDC): Article 8, Section 8.3.40 Non-conforming Structures**
Ordinance Title: *Text Amendment to the Community Development Code (CDC): Article 8, Section 8.3.40: Non-Conforming Structures* (To clarify that structures damaged greater than 50% of value shall conform to current Building Code Standards but not Zoning Standards)
- H. **2nd Reading of an ordinance regarding a text amendment to the Community Development Code (CDC): Appendix B, Daufuskie Island Code**
Ordinance Title: *Text and Map Amendment to the Community Development Code (CDC): Appendix B, Daufuskie Island Code* (To amend the Daufuskie Island Plan)
- I. **2nd Reading of an ordinance regarding the development of a new Joint County Industrial and Business Park (Project Sky)**
Ordinance Title: *An Ordinance Authorizing and Approving (1) The Development of a New Joint County Industrial and Business Park Pursuant to Section 4-1-170 of the Code of Laws of South Carolina 1976, As Amended, In Conjunction With Jasper County (The “Park”) Such Park to be Geographically Located in Beaufort County and to Include the Aforementioned Property; (2) The Execution and Delivery of a Written Park Agreement with Jasper County as to the Requirement of Payments of Fee In Lieu of Ad Valorem Taxes With Respect to Park Property and the Sharing of the Revenues and Expenses of The Park; (4) The Distribution of Revenues from the Park Within Beaufort County; and (5) Other Matters Related Thereto (Project Sky)*
- J. **A resolution to amend the membership of the Board of Assessment Appeals**
Resolution Title: *A Resolution to Temporarily Amend the Membership and Composition of the Beaufort County Board of Assessment Appeals to Assist with the Volume of Assessment Appeals Resulting from the 2018 County Wide Reassessment*
- K. **A resolution to appropriate \$269,600 of budgeted economic development funds**
Resolution Title: *A Resolution to Appropriate \$269,600 from the Beaufort County Funds Provided in the Fiscal Year 2019 Budget for the Purpose of Economic Development Corporation’s Site Development and Job Retention Efforts*
- L. **A resolution affirming the result of a bond referendum, Fripp Island Public Service District**
Resolution Title: *A Resolution Declaring the Result of a Bond Referendum Conducted in the Fripp Island Public Service District, South Carolina on December 11, 2018*

Non-Consent Agenda

Public Hearing and 3rd Reading of an ordinance regarding a text amendment to the Beaufort County Code of Ordinances, Chapter 18, Article III, Business and Professional Licenses

Ordinance Title: *Text Amendment to the Beaufort County Code of Ordinances, Chapter 18 Article III, Business and Professional Licenses, Section 54(A), Deductions and Exemptions, by Deleting a Portion of the Current Ordinance Text*

Chairman Rodman opened the floor for the public hearing regarding a text amendment to the Beaufort County Code of Ordinances, Chapter 18, Article III, Business and Professional Licenses, Section 54(A), Deductions and Exemptions, by deleting a portion of the current ordinance text. No citizens came forward to speak. Chairman Rodman closed the public hearing.

It was moved by York Glover, seconded by Brian Flewelling, that council approve the 3rd and final reading of the ordinance titled “Text Amendment to the Beaufort County Code of Ordinances, Chapter 18 Article III, Business and Professional Licenses, Section 54(A), Deductions and Exemptions, by Deleting a Portion of the Current Ordinance Text.” The motion passed by a unanimous vote of 10:0.

1st Reading of an ordinance regarding a text amendment to the Local 3% Accommodations Tax Ordinance

Ordinance Title: *An Ordinance to Amend Beaufort County Code of Ordinances Section 66-26 et.seq. to Identify the Greater Bluffton Chamber of Commerce as a Recipient of Funds and to Provide for Transparency in Accounting Reports from Agencies Receiving Funds from the County Accommodations Taxes*

This item was removed during the Approval of the Agenda. It will be brought back to the Finance Committee for further discussion.

1st Reading of an ordinance regarding a text amendment to the Community Development Code (CDC) / Short Term Rentals

Ordinance Title: *Text Amendment to the Beaufort County Community Development Code (CDC) Short Term Rentals: Article 3, Section 3.1.60 (Consolidated Use Table) and Section 3.1.70 (Land Use Definitions); Article 4 Section 4.1.360 (Specific to Use) to Add New Uses Called Limited Home Rental and Extended Home Rental*

This item was removed during the Approval of the Agenda. It will be brought back to the Natural Resources Committee for further discussion.

A resolution recommending the construction of a new home for the DSN Department at 1 Bostick Circle

Resolution Title: *A Resolution Adopting the Findings of the Staff Attorney Memorandum Dated December 12, 2018 Acknowledging the Failure to Obtain Council Approval for the Purchase of Real Property Located at 1 Bostick Circle and Recommending to Proceed with Construction of a New Home for the Disabilities and Special Needs Department* – **Chris Inglese**

Much discussion ensued. Concerns were raised with how the land was acquired, the low-lying location, whether the lot is viable for construction and safety concerns for DSN residents.

County staff evaluated the acquisition and viability of the property and presented their findings at the Community Services Meeting on December 17, 2018. The findings were accepted by a vote of 5:0.

Chairman Rodman suggested deferring action until the four new council members could be brought up to speed on the matter.

It was moved by Lawrence McElynn, seconded by York Glover, that council postpone a decision allowing for a review of the matter at the Community Services Meeting on January 22, 2019. The motion passed by a vote of 9:1. YEAS: M. Covert, B. Flewelling, Y. Glover, C. Hervochon, A. Howard, L. McElynn and J. Passiment. NAYS: G. Dawson. ABSENT: M. Lawson.

A resolution amending the Rules and Procedures of Council to add a schedule for committee meetings be held monthly

Resolution Title: *A resolution to amend the Beaufort County Council Rules and Procedures, Chapter 2A so as to add thereto a schedule for committee meetings to be held monthly* – **John Weaver**

It was moved by Gerald Dawson, seconded by Brian Flewelling, that council adopt the resolution to amend the Beaufort County Council Rules and Procedures, Chapter 2A so as to add thereto a schedule for committee meetings to be held monthly. The motion passed by a unanimous vote of 10:0.

A resolution to define the categories of memberships on Council Committees

Resolution Title: *A resolution to define the categories of memberships on the Council Committees and to establish the duties and responsibilities of each member category* – **John Weaver**

It was moved by Brian Flewelling, seconded by Michael Covert, that council adopt the resolution to define the categories of memberships on the Council Committees and to establish the duties and responsibilities of each member category. The motion passed by a unanimous vote of 10:0.

Discussion and Action Items

Discussion Items:

Committee Reports

There were no committee reports.

Action Items:

Adoption of the 2019 Caucus and Regular Meeting Schedule

It was moved by Brian Flewelling, seconded by Gerald Dawson, to adopt the 2019 Caucus and Regular Meeting Schedule with the following amendments: add a meeting date of February 11, 2019 and delete the meeting date of March 11, 2019. The motion passed as amended by a unanimous vote of 10:0.

Nominations / Appointments to Boards and Commissions

- Appointment of Nancy Ludtke, Daufuskie Island Fire District
- Appointment of Seth Howard, Seabrook Point Special Purpose Tax District
- Nomination of Joseph Naughton, Drug and Alcohol Abuse Board, as recommended by the Community Services Committee

Nominations received from the floor:

Councilwoman Howard nominated Bruce Doneff to serve on the Board of Assessment Appeals.

Councilman Hervochon nominated Stephen Koch and William Kuttruff to serve on the Board of Assessment Appeals.

It was moved by Brian Flewelling, seconded by Gerald Dawson, to approve the appointments of Nancy Ludtke and Seth Howard and to accept the nominations of Joseph Naughton, Bruce Doneff, Stephen Koch and William Kuttruff. The motion passed by a unanimous vote of 10:0.

Per the Rules and Procedures, a two-week waiting period is required between a nomination and an appointment.

Public Comments

There were no public comments.

Adjournment

The meeting adjourned at 7:25 p.m.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Stewart H. Rodman, Chairman

ATTEST:

Connie L. Schroyer, Clerk to Council

Ratified:

Official Proceedings
County Council of Beaufort County
January 18, 2018

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

The Development Agreement Subcommittee of the Natural Resources Committee met Friday, January 18, 2018 beginning at 3:30 p.m. in the Executive Conference Room of the Administration Building, Beaufort County Government Robert Smalls Complex, 100 Ribaut Road, Beaufort, South Carolina.

ATTENDANCE

Subcommittee members Brian Flewelling, Joseph Passiment and Stu Rodman present. *Ex officio* members Alice Howard and Paul Sommerville present. (*Ex officio* committee members in attendance shall be entitled to have an equal vote on any issue that requires a recommendation to full Council.)

COUNTY STAFF

Eric Greenway, Director, Community Development Department; Chris Inglese, Assistant County Attorney; Tom Keaveny, County Attorney; Eric Larson, Division-Director, Engineering and Land Management; Rob Merchant, Assistant Director, Community Development Division; Brittney Ward, Paralegal; and John Weaver, Interim County Administrator.

APPROVAL OF AGENDA

There was no motion to approve the agenda.

CITIZEN COMMENTS

There were no comments.

CALL FOR EXECUTIVE SESSION

It was moved by Mr. Rodman, seconded by Mr. Sommerville, that Subcommittee go immediately into executive session to discuss contractual negotiations regarding an amendment to the Malind Bluff / Osprey Point Development Agreement. The vote: YEAS – Mr. Flewelling, Mrs. Howard, Mr. Passiment, Mr. Rodman and Mr. Sommerville. The motion passed.

EXECUTIVE SESSION

MATTERS ARISING OUT OF EXECUTIVE SESSION

There were no matters arising out of executive session.

ADJOURNMENT

Subcommittee adjourned at 4:45 p.m.

DRAFT

ORDINANCE 2019 / ____

AN ORDINANCE TO AMEND BEAUFORT COUNTY ORDINANCE 2018/24, FOR FY 2018-2019 BEAUFORT COUNTY BUDGET TO PROVIDE FOR SUPPLEMENTAL EXPENDITURE IN THE AMOUNT OF \$245,585 FOR FUNDING OF THE JOINT EMERGENCY SHELTER BETWEEN BEAUFORT COUNTY, JASPER COUNTY AND JASPER COUNTY SCHOOL DISTRICT

WHEREAS, the South Carolina Code of Laws, §4-9-30, provides authority for the county governments to enter into contractual intergovernmental agreements; and

WHEREAS; both Beaufort and Jasper County are located in a region of the Southeast which periodically is affected by hurricanes and other natural disasters requiring evacuation of the population for public safety concerns, and as a consequence of the hurricane season occurring during the seasons of the year when tourism visitation is highest, there is an enhanced need for an evacuation site which can accommodate these large numbers of people, some of which have medical needs or are accompanied by pets which may not be allowed at certain emergency shelters; and

WHEREAS, many areas of Beaufort County have public safety personnel who service many of the communities of Hilton Head and Bluffton that include private constables or security guards who must be readily available to reenter the evacuated areas prior to the general public being allowed back in those areas, necessitating an emergency shelter for these personnel relatively close to the areas evacuated; and

WHEREAS, Jasper County has applied for and been awarded a grant (No. 4166-070) from the South Carolina Emergency Management Division for the provision of a “universal shelter” using federal funds (based upon a 75% federal to 25% local match) which would be able to accommodate evacuees from multiple counties in the Lowcountry, providing a safe environment for evacuees, medical need evacuees, a place for public safety and first responder personnel to shelter prior to the evacuated areas becoming available for return, and accommodations for animal sheltering (“Joint Use Shelter Project” or “Project”), and

WHEREAS, a copy of the application and award has been made available to Beaufort County and the Jasper County School District;

WHEREAS, Beaufort County, the adjacent coastal county to Jasper County, would likely be evacuated to higher and safer ground West of I-95 prior to or simultaneous with an evacuation of Jasper County, requiring Beaufort County’s evacuees and public safety and first responder

personnel would be in need of a shelter in close proximity to Beaufort County in order to find safe haven prior to their return; and

WHEREAS, based upon the relative populations of the Counties, and past experiences, it is anticipated that approximately two-thirds of the evacuees will originate in Beaufort County; and

WHEREAS, the school district has an appropriate site at its Ridgeland campus, located at 250 Jaguar Trail, Ridgeland, South Carolina, which would be suitable for certain improvements to be made which would provide a safe evacuation shelter for approximately 5000 individuals; and

WHEREAS, the total amount needed for the Project totals \$1,637,232.00, with funding to consist of \$1,227,924.00 provided from federal funds, with a local match required of \$409,308.00 in (funds and in-kind); and

WHEREAS, the Project consists of two Phases, the first being engineering and design, and the second being generally described as the installation of electrical generators and hurricane shutters; and

WHEREAS, Jasper County has already placed for bid and awarded the contract for the engineering and design at a cost of \$125,000.00, comprised of a federal grant of \$93,750.00 and a local match of \$31,250.00; and

WHEREAS, there will also be on-going operational expenses for maintenance and repair on an annual basis; and

WHEREAS, as a result of negotiations and cooperation between Jasper County, Beaufort County, and the School District, an agreement has been reached by which funding required for the grant match can be provided, the improvements installed, funding for on-going operations and maintenance provided, and operational protocols and procedures created for the safe and successful provision of a joint use shelter for the citizens of the Lowcountry, and especially those of Jasper and Beaufort Counties; and

WHEREAS, this Agreement, upon its execution by the parties hereto shall be on file with the Clerks to the County Councils of Jasper and Beaufort County, and the School District Superintendent; and

WHEREAS, County Council approved a budget amendment to the County Council budget pursuant to Ordinance 2018/44 to increase its budget by \$10,000.

NOW, THEREFORE, BE IT ORDAINED, by Beaufort County Council that the FY 2018-2019 Beaufort County Budget Ordinance (Ordinance 2018/24) is hereby amended in the following manner:

1. Ordinance 2018/24 Section 4(I)(I) is hereby amended to include in the “County Council” budget an additional approved appropriation of \$245,585 so that the total budget for item “(I)(I)” equals \$886,982.00.

DONE this ____ day of _____, 2019.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Stewart H. Rodman, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Connie Schroyer, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:

ORDINANCE 2019 / _____

AN ORDINANCE AUTHORIZING THE INTERIM COUNTY ADMINISTRATOR TO EXECUTE DOCUMENTS NECESSARY TO LEASE A PORTION OF THE CHARLES LIND BROWN CENTER

WHEREAS, Beaufort County is the owner of Parcel Number R120 003 000 0040 with a street address of 1001 Hamar Street and generally known in the community as both the Charles Lind Brown Center and the Greene Street Gym (“Center”); and

WHEREAS, Beaufort County’s Parks and Recreation Department frequently uses the Center but, at times, does not use the entire Center; and

WHEREAS, the UNITED Community Task Force (“UCTF”) offers community programming (specifically Youth Athletic Skills Building Program, mentorship programs, and other youth-oriented programs) for the community at large; and

WHEREAS, UCTF would like to use certain portions of the Center for community programming and, after working with Parks and Recreation, the two parties have identified portions of the Center which are suited to UCTF’s needs; and

WHEREAS, the Interim County Administrator has negotiated a lease with UCTF for the use of the agreed upon portions of the Center; and

WHEREAS, in accordance with Beaufort County Code of Ordinances Section 2-514, it is necessary for County Council to provide prior approval to the County Administrator to lease property owned by the County; and

WHEREAS, County Council finds it is in the best interests of the community and Beaufort County to lease portions of the Center to UCTF.

NOW, THEREFORE, BE IT ORDAINED that Beaufort County Council, duly assembled, does hereby authorize the Interim County Administrator to execute any and all documents necessary to lease a portion of the Charles Lind Brown Center to the UNITED Community Task Force.

Adopted this ____ day of _____, 2019.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Stewart H. Rodman, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny II, County Attorney
County Attorney

ATTEST:

Connie L. Schroyer, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:

ORDINANCE 2019 /

**TEXT AMENDMENTS TO THE BEAUFORT COUNTY CODE OF ORDINANCES,
CHAPTER 78: FLOODS**

WHEREAS, added text is underscored and deleted text is ~~struck through~~.

Adopted this _____ day of _____ 2019.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Stewart H. Rodman, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Connie L. Schroyer, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:

Chapter 78 - FLOODS^[1]

Footnotes:

--- (1) ---

Cross reference— Environment, ch. 38; health and sanitation, ch. 46; buildings and building regulations, ch. 74; manufactured homes and trailers, ch. 86; planning, ch. 94; waterways, ch. 102; zoning and development standards, ch. 106; natural resource protection standards for flood hazard area, § 106-1848; subdivision and land development standards, § 106-2766 et seq.; flood control design criteria, § 106-2859.

ARTICLE I. - IN GENERAL

Secs. 78-1—78-25. - Reserved.

ARTICLE II. - FLOOD DAMAGE PREVENTION

DIVISION 1. - GENERALLY

Sec. 78-26. - Authority.

This article is adopted pursuant to the authority conferred by S.C. Code 1976, § 4-9-30(5) delegating the responsibility of local governments to adopt regulations designed to promote the public health, safety and general welfare.

Findings of Fact - The Special Flood Hazard Areas of Beaufort County are subject to periodic inundation, which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.

Furthermore, these flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

(Code 1982, § 5-110)

Sec. 78-27. - Purpose.

It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to accomplish the following:

- (1) Restrict and prohibit uses which are dangerous to health, safety, and property due to water or erosion or in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities serving such uses, be protected against flood damage at the time of initial construction;
- (3) Control filling, grading, dredging, and other development which may increase erosion or flood damage; and
- (4) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

(Code 1982, § 5-111)

Sec. 78-28. - Objectives.

The objectives of this article shall include but not be limited to, the following:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control project;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone, and sewer lines; streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of floodprone areas in such a manner as to minimize future flood blight areas; and
- (7) Ensure that potential homebuyers are notified that property is in a flood area.

(Code 1982, § 5-112)

Sec. 78-29. - Definitions.

Unless specifically defined in this section, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application. The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory structure means a structure, which is, located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Garages, carports and storage sheds are common urban accessory structures. Pole barns, hay sheds and the like qualify as accessory structures on farms, and may or may not be located on the same parcel as the farm dwelling or shop building.

Addition means an extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction, ~~unless the addition, renovation or reconstruction to any building that was constructed prior to the initial flood insurance study for that area, and the addition, renovation or reconstruction does not equal 50 percent of the present market value of the structure- regardless as to whether the addition is a substantial improvement or not.~~ Where a firewall or load-bearing wall is provided between the addition and the existing building, the addition shall be considered a separate building and must comply with the standards for new construction.

Agricultural structure means a structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Agricultural structures are not exempt from this article.

Appeal means a request for a review of the building official's interpretation of any section of this article or a request for variance.

Area of shallow flooding means a designated AO or VO zone on the community's flood insurance rate map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate and where velocity flow may be evident.

Area of special flood hazard means the land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year.

Base flood means the flood having a one-percent chance of being equalized or exceeded in any given year.

Basement means that portion of a building having its floor subgrade (below ground level) on all sides.

Building means any structure built for support, shelter, or enclosure for any occupancy or storage.

Coastal high hazard area means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along open coast and any other area subject to high velocity wave action caused by but not limited to hurricane wave wash or tsunamis; the area designated as V, VE and V1-30.

Critical development means development that is critical to the community's public health and safety, is essential to the orderly functioning of a community, store or produce highly volatile, toxic or water-reactive materials, or house occupants that may be insufficiently mobile to avoid loss of life or injury. Examples of critical development include jails, hospitals, schools, fire stations, nursing homes, wastewater treatment facilities, water plants and gas/oil/propane storage facilities.

Critical feature means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be comprised.

Development means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or permanent storage of materials or equipment.

Elevated building means a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundations, perimeter walls, pilings, columns, piers, or shear walls parallel to the flow of water.

E.O. 11988 means Executive Order 11988 which is a directive, issued by President Carter in 1977, that requires that no federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas unless there is no practical alternative.

Existing construction means, for the purposes of determining rates, a structure for which the start of construction commenced before the effective date of the FIRM or before January 1, 1975 for FIRM's effective before that date. The term "existing construction" may also be referred to as "existing structure."

Existing manufactured home park or subdivision means a parcel or contiguous parcels of land divided into two or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lot on which the manufactured home is to be affixed, including at a minimum the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets, is completed before the effective date of the ordinance from which this article derives. Reference Ordinance 77-17 adopted September 30, 1977.

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets. Any expansion is considered new construction.

Flood or flooding means a general temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; or
- (2) The unusual and rapid accumulation of runoff of surface water from any source.

Flood hazard boundary map (FHBM) means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as zone A.

Flood insurance rate map (FIRM) means an official map of a community on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood insurance study means the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the flood boundary-floodway map and the water surface elevation of the base flood.

Flood-resistant material means any building material capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage which requires more than low-cost cosmetic repair. Any material which is water soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood resistant. Pressure-treated lumber or naturally decay-resistant lumber are acceptable flooring materials. Sheet-type flooring coverings which restrict evaporation from below and materials which are impervious, but dimensionally unstable, are not acceptable. Materials which absorb or retain water after submergence are not flood resistant. Please refer to Technical Bulletin 2-93, Flood-Resistant Materials for Buildings Located in Special Flood Hazard Areas in Accordance with the National Flood Insurance Program, document number FLA-TB-2, dated April 1993, and available from the Federal Emergency Management Agency. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Functionally dependent use means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Highest adjacent grade means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.

Historic structure means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior; or
 - b. Directly by the Secretary of the Interior in states without approved programs.

Some structures or districts listed on the state or local inventories may not be historic as cited in subsections (3) and (4) of this definition but have been included on the inventories because it was believed that the structures or districts have the potential of meeting the historic structure criteria of the Department of the Interior. In order for these structures to meet National Flood Insurance Program historic structure criteria, it must be demonstrated and evidenced that the state department of archives and history has individually determined that the structure or district meets historic structure criteria of the Department of the Interior.

Increased Cost of Compliance applies to all new and renewed flood insurance policies effective on and after June 1, 1997. The NFIP shall enable the purchase of insurance to cover the cost of compliance with land use and control measures established under Section 1361. It provides coverage for the payment of a claim to help pay for the cost to comply with State or community floodplain management laws or ordinances after a flood event in which a building has been declared substantially or repetitively damaged.

Levee system means a good protection system which consists of a levee and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Limited Storage means an area used for storage and intended to be limited to incidental items that can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood resistant or breakaway material, void of utilities except for essential lighting and cannot be temperature controlled. If the area is located below the base flood elevation in an A, AE and A1-A30 zone it must meet the requirements of section 78-66(1) and (2) of this ordinance. If the area is located below the base flood elevation in a V, VE and V1-V30 zone it must meet the requirements of section 78-70 of this ordinance.

Lowest adjacent grade means the elevation of the lowest ground surface that touches any deck support, exterior walls of a building or proposed building walls.

Lowest floor means the top surface of an enclosed area in a building, including basement; i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor or a garage used solely for parking vehicles, building access or storage.

Manufactured home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a recreational vehicle.

Manufactured home park or subdivision means a parcel or contiguous parcels of land divided into two or more manufactured home lots for rent or sale.

Mean sea level means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

National Geodetic Vertical Datum (NGVD) means, as corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.

North American Vertical Datum (NAVD) of 1988 means vertical control, as corrected in 1988, used as the reference datum on Flood Insurance Rate Maps.

New construction means structures for which the start of construction commenced on or after the effective date of the ordinance from which this article derives.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed, including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads, is completed on or after the effective date of the ordinance from which this article derives. Reference Ordinance No. 77-17 dated September 30, 1977.

Recreational vehicle means a vehicle which is built on a single chassis; 400 square feet or less when measured at the largest horizontal projection; designed to be self-propelled or permanently towable by a light-duty truck; and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

Remedy a violation means to bring the structure or other development into compliance with state or local floodplain management regulations, or, if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protection of the structure or other affected development from flood damages, implementing the enforcement provisions of this article or other otherwise deterring future similar violations, or reducing federal financial exposure with regard to the structure or other development.

Repetitive loss means any building covered by a contract for flood insurance that has incurred flood-related damages on two occasions during a 10-year period ending on the date of the event for which a second claim is made, in which the cost of repairing the flood damage, and the average, equaled or exceeded 25% of the market value of the building at the time of each such flood event.

Sand dunes means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Start of construction, for other than new construction or substantial improvements under the Coastal Barrier Resources Act (PL 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

Section 1316 means section of the National Flood Insurance Act of 1968, as amended, which states that no new flood insurance coverage shall be provided for any property that FEMA finds has been declared by a duly constituted state or local zoning authority or other authorized public body to be in violation of state or local laws, regulations or ordinances that are intended to discourage or otherwise restrict land development or occupancy in floodprone areas.

Stable natural vegetation means the first place on the oceanfront where plants such as sea oats hold sand in place.

Structure means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other manmade facilities or infrastructures.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement means any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either: (i) Any project of improvement to a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to ensure safe living conditions (does not include Americans with Disabilities Act compliance standards); or (ii) any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure. Permits shall be cumulative for a period of ten years.

Substantially improved existing manufactured home parks or subdivisions means that the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

V zone. See *Coastal high hazard area*.

Variance means a grant of relief to a person from the requirements of this article which permits construction in a manner otherwise prohibited by this article where specific enforcement would result in unnecessary hardship.

Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in CFR section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

Water surface elevation means the height, in relation to the National Geodetic Vertical Datum of 1929 or other datum where specified, of floods of various magnitudes and frequencies in the floodplains of coastal or river areas.

(Code 1982, § 5-113)

Cross reference— Definitions generally, § 1-2.

Sec. 78-30. - Lands to which article applies.

This article shall apply to all unincorporated areas of special flood hazard within the jurisdiction of the county.

(Code 1982, § 5-114(a))

Sec. 78-31. - Basis for establishing areas of special flood hazard.

The areas of special flood hazard identified by the Federal Emergency Management Agency through a scientific and engineering report entitled "The Flood Insurance Study For The County of Beaufort," dated September 30, 1977, Federal Register Vol. 41, No. 207, pages 46962 through 46992, dated Tuesday, October 26, 1976, and subsequent supplement titled "Wave Height Analysis," dated June 4, 1984, with accompanying flood insurance rate maps and flood boundary maps, dated September 30, 1977, and subsequent maps adding wave height dated December 4, 1984 and September 29, 1986, November 4, 1992 and adopt current FIS and map of January 17, 1991.

(Code 1982, § 5-114(b); [Ord. No. 2009/2, 1-12-2009](#))

Sec. 78-32. - Establishment of development permit.

A development permit or building permit shall be required in conformance with this article prior to the commencement of any development activities.

(Code 1982, § 5-114(c))

Sec. 78-33. - Compliance.

No structure or land shall be located, extended, converted, or structurally altered without full compliance with the terms of this article and other applicable regulations.

(Code 1982, § 5-114(d))

Sec. 78-34. - Abrogation and greater restrictions.

This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(Code 1982, § 5-114(e))

Sec. 78-35. - Interpretation.

In the interpretation and application of this article, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the county council; and
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

(Code 1982, § 5-114(f))

Sec. 78-36. - Warning and disclaimer of liability.

The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This article does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the county or by any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

(Code 1982, § 5-114(g))

Sec. 78-37. - Penalties for violation.

Violation of this article or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this article or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$200.00 or imprisoned for not more than 30 days and, in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing contained in this section shall prevent the county from taking such other lawful action as is necessary to prevent or remedy any violation.

(Code 1982, § 5-114(h))

Sec. 78-38. - Administration.

- (a) *Designation of administrator.* ~~The building official is appointed to administer and implement this article. The County Administrator or his/her designee is appointed to administer and implement this article.~~
- (b) *Permit procedures.* Application for a development permit or building permit shall be made to the county on forms furnished by the county prior to any development activities, and may include but not be limited to the following plans, in duplicate, drawn to scale showing the nature, location, dimensions, and elevations of the area in question: existing or proposed structures, fill, storage of materials, drainage facilities, and the location of such. Specifically, the following information is required:

- (1) Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all structures;
- (2) Elevation in relation to mean sea level to which any nonresidential structure will be floodproofed;
- (3) Provide a certificate from a registered professional engineer or architect that the nonresidential floodproofed structure meets the floodproofing criteria in subsection 78-67;
- (4) A description of the extent to which any watercourse will be altered or relocated as a result of proposed development;
- (5) Provide a floor elevation or floodproofing certification after the lowest floor is completed or, when the structure is subject to the regulations applicable to coastal high hazard areas, after placement of the horizontal structural members of the lowest floor. It shall be the duty of the permit holder to submit to the floodplain manager a certification of the elevation of the lowest floor, floodproofed elevation, or the elevation of the lowest portion of the horizontal structural members of the lowest floor, whichever is applicable, as built, in relation to mean sea level, before vertical framing or in the case of slab construction before pouring the slab. The certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the surveyor or engineer. When floodproofing is utilized for a particular building, the certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by the engineer or architect. Any work done prior to submission of the certification shall be at the permit holder's risk. The floodplain manager shall review the flood elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make the corrections required shall be cause to issue a stop work order for the project; and

(6) As-built certification. Upon completion of the development a registered professional engineer, land surveyor or architect, in accordance with SC law, shall certify according to the requirements of subsection (b)(3) and (b)(5) of this section that the development is built in accordance with the submitted plans and previous pre-development certifications.

(c) *Administrative procedures.* Administrative procedures shall be as follows:

- (1) *Inspections of work in progress.* As the work pursuant to a permit progresses, the local administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to this article and the terms of the permit. In exercising this power, the administrator has a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction at any reasonable hour for the purposes of inspection or other enforcement action.
- (2) *Stop work orders.* Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this article, the administrator may order the work to be immediately stopped. The stop work order shall be in writing and directed to the person doing the work. The stop work order shall state the specific work to be stopped, the specific reasons for the stoppage, and the conditions under which the work may be resumed. Violation of a stop work order constitutes a misdemeanor.
- (3) *Revocation of permits.* The local administrator may revoke and require the return of the development permit by notifying the permit holder in writing, stating the reason for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of state or local laws; or for false statements or misrepresentations made in securing the permit. Any permit mistakenly issued in violation of an applicable state or local law may also be revoked.
- (4) *Periodic inspections.* The local administrator and each member of his inspections department shall have a right, upon presentation of proper credentials, to enter on any premises with the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.

- (5) *Violations to be corrected.* When the local administrator finds violations of applicable state and local laws, it shall be his duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law on the property he owns.
- (6) *Actions for failure to take corrective action.* If the owner of a building or property shall fail to take prompt corrective action, the administrator shall give him written notice, by certified or registered mail to his last known address or by personal service, that:
 - a. The building or property is in violation of this article;
 - b. A hearing will be held before the local administrator at a designated place and time, not later than ten days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
 - c. Following the hearing, the local administrator may issue such order to alter, vacate, or demolish the building or to remove fill as appears appropriate.
- (7) *Order to take corrective action.* If, upon a hearing held pursuant to the notice prescribed in subsection (c)(6) of this section, the administrator shall find that the building or development is in violation of this article, he shall make an order in writing to the owner, requiring the owner to remedy the violation within such period, not less than 60 days, that the administrator may prescribe; provided that where the administrator finds that there is imminent danger to life or other property, he may order that corrective action be taken in such lesser period as may be feasible.
- (8) *Appeal.* Any owner who has received an order to take corrective action may appeal from the order to the county council by giving notice of appeal in writing to the administrator and the clerk within ten days following issuance of the final order. In the absence of an appeal, the order of the administrator shall be final. The county council shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
- (9) *Failure to comply with order.* If the owner of a building or property fails to comply with an order to take corrective action from which no appeal has been taken or fails to comply with an order of the county council following an appeal, he shall be guilty of a misdemeanor and shall be punished in the discretion of the court.
- (10) Denial of flood insurance under the NFIP. If a structure is declared in violation of this ordinance and after all other penalties are exhausted to achieve compliance with this ordinance, then the local floodplain administrator shall notify the Federal Emergency Management Agency (FEMA) to initiate a Section 1316 of the National Flood Insurance Act of 1968 action against the structure upon the finding that the violator refuses to bring the violation into compliance with the ordinance. Once a violation has been remedied the local floodplain administrator shall notify FEMA of the remedy and ask that the Section 1316 be rescinded.
- (11) The following documents are incorporated by reference and may be used by the local floodplain administrator to provide further guidance and interpretation of this ordinance:
 - a) FEMA 55 Coastal Construction Manual
 - b) All FEMA Technical Bulletins
 - c) All FEMA Floodplain Management Bulletins
- (d) ~~Duties and responsibilities of the building official. Duties of the building official shall include but not limited to:~~ of the administrator. Duties of the administrator shall include but not be limited to:
 - (1) Review all building permits to ensure that the permit requirements of this article have been satisfied;
 - (2) Advise the permittee that additional federal or state permits may be required and, if specific federal or state permits are known, require that copies of such permits be provided and maintained on file with the building permit;

- (3) Notify adjacent communities and the South Carolina Department of Natural Resources, Land, Water and Conservation Division, State Coordinator for the National Flood Insurance Program, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency;
- (4) Ensure that maintenance is provided within the altered or relocated portion of the watercourse so that the flood-carrying capacity is not diminished;
- (5) Obtain from a registered professional land surveyor, architect or engineer the actual elevation, in relation to mean sea level, of the lowest floor, including basement, of all new or substantially improved structures, in accordance with subsection (b)(5) of this section;
- (6) Obtain from a registered professional land surveyor, architect or engineer the actual elevation, in relation to mean sea level, to which the new or substantially improved structures have been floodproofed, in accordance with subsection (b)(5) of this section;
- (7) In coastal high hazard areas obtain certification from a registered professional engineer or architect that the structure is securely anchored by adequately anchored pilings or columns in order to withstand velocity waters and hurricane wave wash;
- (8) In coastal high hazard areas, review plans for adequacy of breakaway screening or lattice in accordance with sections 78-66 and 78-67;
- (9) When floodproofing is utilized for a particular structure, obtain certification from a registered professional engineer or architect;
- (10) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided;
- (11) Where a map boundary showing an area of special flood hazard and field elevations disagree, the base flood elevations for flood protection elevations (as found on an elevation profile, floodway data table, etc.) shall prevail. The correct information should be submitted to FEMA as per the map maintenance activity requirements outlined in section 78-67 (a)(6)
- (12) Special Flood Hazard Area/ topographic boundaries conflict- When the exact location of boundaries of the areas special flood hazards conflicts with the current, natural topography information at the site, the site information takes precedence when the lowest adjacent grade is at or above the BFE. The property owner may apply and be approved for a Letter of Map Amendment (LOMA) by FEMA. The local floodplain administrator in the permit file will maintain a copy of the Letter of Map Amendment issued from FEMA;
- (13) Maintain all records pertaining to this article in the office of the building official, and the records shall be open for public inspection;
- (14) Submit a report to the administrator of the Federal Insurance Administration concerning the community participation in the program;
- (15) Use of best available data. When base flood elevation data or floodway data has been provided in accordance with section 78-31, obtain, review and reasonably utilize best available base flood elevation data and floodway data available from a federal, state, or other source;
- (16) Prevent encroachments within floodways unless the certification and flood hazard reduction provisions of section 78-67 (a)(5) are met;
- (17) Cooperate with neighboring communities with respect to the management of adjoining floodplains and/or flood-related erosion areas in order to prevent aggravation of existing hazards;
- (18) Notify adjacent communities prior to permitting substantial commercial developments and large subdivisions to be undertaken in areas of special flood hazard and/or flood-related erosion hazards;

- (19) Make on-site inspections of projects in accordance with the administrative procedures outlined in section 78-38 (c)(1);
- (20) Serve notices of violations, issue stop-work orders, revoke permits and take corrective actions in accordance with the administrative procedures in section 78-38 (c)(2-9);
- (21) Notify the South Carolina Department of Natural Resources Land, Water and Conservation Division, State Coordinator for the National Flood Insurance Program within six (6) months, of any annexations or detachments that include special flood hazard areas;
- (22) Perform an assessment of damage from any origin to the structure using FEMA's Residential Substantial Damage Estimator (RDSE) software to determine if the damage equals or exceeds 50 percent of the market value of the structure before the damage occurred and
- (23) Perform an assessment of permit applications for improvements or repairs to be made to a building or structure that equals or exceeds 50 percent of the market value of the structure before the start of construction. Cost of work counted for determining if and when substantial improvement to a structure occurs shall be cumulative for a period of five years. If the improvement project is conducted in phases, the total of all costs associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether "substantial improvement" will occur.

The market values shall be determined by one of the following methods:

- a) The current assessed building value as determined by the county's assessor's office or the value of an appraisal performed by a licensed appraiser at the expense of the owner within the past 6 months.
 - b) One or more certified appraisals from a registered professional licensed appraiser in accordance with the laws of South Carolina. The appraisal shall indicate actual replacement value of the building or structure in its pre-improvement condition, less the cost of site improvements and depreciation for functionality and obsolescence.
 - c) Real Estate purchase contract within 6 months prior to the date of the application for a permit.
- (e) Adoption of Letter of Map Revisions (LOMR). All LOMRs that are issued in the areas identified in section 78-30 of this ordinance are hereby adopted.

(Code 1982, § 5-115; [Ord. No. 2009/2, 1-12-2009](#))

Cross reference— Administration, ch. 2.

Sec. 78-39. - Variance procedures.

- (a) The county construction board of adjustments and appeals, as established by the county council, shall hear and decide appeals and requests for variances from the requirements of this article.
- (b) The construction board of adjustments and appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination of this article.
- (c) In passing upon such application, the construction board of adjustments and appeals shall consider all technical evacuations, all relevant factors, and all standards specified in other sections of this article.
- (d) Conditions for granting variances shall be as follows:

- (1) A variance shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; variances shall be only for land areas not exceeding one-half acre in size;
 - (2) Variances shall only be issued upon:
 - a. A showing of good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and
 - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety and extraordinary public expense, create nuisance, cause fraud on or victimization of the public or conflict with existing local laws or ordinances;
 - (3) Such variance shall be freely transferable with the land and shall not be personal to the applicant;
 - (4) Unless otherwise provided therein, a variance shall be valid for a period of one year after the date of its issuance. If construction has not commenced pursuant thereto within such time, the variance shall become void. Lapse of a variance by the passage of time shall not preclude subsequent application for variance; and
 - (5) A copy of the variance granted shall be affixed to the deed of the property in question and recorded with the register of deeds.
- (e) Upon consideration of the factors listed in subsection (d) of this section, the board may grant a variance but only per the following; the procedures described shall be the exclusive method for obtaining variances under this article:
- (1) Structures for which the start of construction commenced on or before September 30, 1977, and for those structures built between September 30, 1977 and December 4, 1984. No variance for an existing structure will be granted when such improvement would exceed 100 percent of the market value of the structure.
 - (2) For start of construction commencing on or after September 30, 1977, no variance will be granted for a structure which has been built in compliance with this article and subsequently is made to be in noncompliance with or without the knowledge of the owner. The owner shall be subject to the penalty described in section 78-37.
 - (3) Variances may be issued for the repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
 - (4) Variances may be issued to wet floodproof an agricultural structure in accordance with Technical Bulletin 7-93, Wet Flood Proofing Requirements for Structures Located in Special Flood Hazard Areas, in accordance with the National Flood Insurance Program, document number FIA-TB-7, dated December 93, and available from the Federal Emergency Management Agency. In order to minimize flood damages during the base flood and the threat to public health and safety, the structure must meet all of the conditions and considerations of this section, and the standards in division 2 of this article.
- (f) Any person aggrieved by the decision of the construction board of adjustments and appeals may appeal such decision to the county council and thereafter to the applicable court as so desired.

(Code 1982, § 5-116)

Secs. 78-40—78-65. - Reserved.

DIVISION 2. - FLOOD HAZARD REDUCTION

Sec. 78-66. - General standards.

: *In all areas of special flood hazard, the following are required:*

- (1) All permit applications shall be reviewed to determine whether proposed building sites will be reasonably safe from flooding.
- (2) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
- (3) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (4) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (5) All new replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems.
- (6) New and replacement sanitary sewer systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.
- (7) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (8) Electrical, ventilation, plumbing, heating and air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. This requirement does not preclude outdoor faucets for shower heads, sinks, hoses, etc., as long as cutoff devices and backflow devices are installed to prevent contamination to the service components and thereby minimize any flood damages to the building. No electrical distribution panel shall be allowed at an elevation lower than the base flood elevation.
- (9) Any alteration, repair, reconstruction, or improvement to a structure which is in compliance with this article shall meet the requirements of new construction as contained in this article.
- (10) Critical Development shall be elevated to the 500 year flood elevation or be elevated to the highest known historical flood elevation (where records are available), whichever is greater. If no data exists establishing the 500 year flood elevation or the highest known historical flood elevation, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates 500 year flood elevation data.
- (11) Non-conforming buildings or uses may not be enlarged, replaced, or rebuilt unless such enlargement or reconstruction is accomplished in conformance with the provisions of this ordinance. Provided, however, nothing in this ordinance shall prevent the repair, reconstruction, or replacement of an existing building or structure located totally or partially within the floodway, provided that the bulk of the building or structure below base flood elevation in the floodway is not increased and provided that such repair, reconstruction, or replacement meets all of the other requirements of this ordinance.

(b) Streams with established base flood elevations but without floodways. Along rivers and streams where Base Flood Elevation (BFE) data is provided but no floodway is identified for a Special Flood Hazard Area on the FIRM or in the FIS no encroachments, including fill, new construction, substantial improvements or other development shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

(Code 1982, § 5-117(a))

Sec. 78-67. - Specific standards.

(a) *Requirements.* In all areas of special flood hazard where base flood elevation data has been provided, as set forth in section 78-31, the following are required:

- (1) *Residential construction.* New construction or substantial improvement of any residential structure, including manufactured homes, shall have the lowest floor elevated no lower than the required base flood elevation (BFE). No basements are permitted. Should solid foundation perimeter walls be used to elevate a structure, openings shall be installed per section 78-69.
- (2) *Americans with Disabilities Act (ADA).* A building must meet the specific standards for floodplain construction outlined in this section as well as applicable ADA requirements. The ADA is not justification for issuing a variance or otherwise waiving these requirements. Also, the cost of improvements required to meet the ADA provisions shall be included in the costs of the improvements for calculating substantial improvement.
- (3) *Nonresidential construction.* New construction or substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated no lower than the level of the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed so that all areas of the structure below the required elevation shall be watertight and with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in subsection 78-38(b)(3).

(4) *Accessory structures.*

- a. *A detached accessory structure or garage, the cost of which is greater than \$3,000, must comply with the requirement as outlined in FEMA's Technical Bulletin 7-93 *Wet Floodproofing Requirements* or be elevated in accordance with section 78-67 (a)(1) and section 78-69 or dry floodproofed in accordance with section 78-67 (a)(3).*
- b. *If accessory structures of \$3,000 or less are to be placed in the floodplain, the following criteria shall be met:*
 1. *Accessory structures shall not be used for any uses other than the parking of vehicles and storage;*
 2. *Accessory structures shall be designed to have low flood damage potential;*
 3. *Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;*
 4. *Accessory structures shall be firmly anchored to prevent flotation, collapse and lateral movement of the structure;*
 5. *Service facilities such as electrical and heating equipment shall be installed in accordance with section 78-66 (a)(8);*
 6. *Openings to relieve hydrostatic pressure during a flood shall be provided below base flood elevation in conformance with section 78-69 of this ordinance, and*
 7. *Accessory structures shall be built with flood resistance materials in accordance with Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*, dated 8/08, and available from the Federal Emergency Management Agency. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.*

(5) Floodways. Located within areas of special flood hazard established in section 78-30 are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris and potential projectiles and has erosion potential. The following provisions shall apply within such areas:

- a. No encroachments, including fill, new construction, substantial improvements, additions, and other developments shall be permitted unless:
 - 1. It has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood. Such certification and technical data shall be presented to the local floodplain administrator.
 - 2. A Conditional Letter of Map revision (CLOMR) has been approved by FEMA. A Letter of Map Revision must be obtained upon completion of the proposed development.
- b. If subsection (a)(5)a of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of section 78-66 and 78-67
- c. No manufactured homes shall be permitted, except in an existing manufactured home park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring and the elevation standards of section 78-98 and the encroachment standards of subsection (a)(5)a are met, and
- d. Permissible uses within floodways may include: general farming, pasture, outdoor plant nurseries, horticulture, forestry, wildlife sanctuary, game farm, and other similar agricultural, wildlife, and related uses. Also, lawns, gardens, play areas, picnic grounds, and hiking and horseback riding trails are acceptable uses, provided that they do not employ structures or fill. Substantial development of a permissible use may require a no-impact certification. The uses listed in this subsection are permissible only if and to the extent that they do not cause any increase in base flood elevations or changes to the floodway configuration.

(6) Map Maintenance Activities. The National Flood Insurance Program (NFIP) requires flood data to be reviewed and approved by FEMA. This ensures that flood maps, studies and other data identified in section 78-30 accurately represent flooding conditions so appropriate floodplain management criteria are based on current data. The following map maintenance activities are identified:

- a. Requirement to Submit New Technical Data
 - 1. For all development proposals that impact floodway delineations or base flood elevations, the community shall ensure that technical or scientific data reflecting such changes be submitted to FEMA as soon as practicable, but no later than six months of the date such information becomes available. These development proposals include; but not limited to:
 - a) Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;
 - b) Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard area;
 - c) Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and

- d) Subdivision or large scale development proposals requiring the establishment of base flood elevations in accordance with section 78-71
 - 2. It is the responsibility of the applicant to have technical data, required in accordance with FEMA requirements, prepared in a format required for a Conditional Letter of Map Revision or Letter of Map Revision, and submitted to FEMA. Submittal and processing fees for these map revisions shall also be the responsibility of the applicant.
 - 3. The local floodplain administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:
 - a) Proposed floodway encroachments that increase the base flood elevation; and
 - b) Proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway.
 - 4. Floodplain development permits issued by the local floodplain administrator shall be conditioned upon the applicant obtaining a Letter of Map Revision from FEMA for any development proposal subject to section 78-67 (a)(6)
- b. Right to Submit New Technical Data - The floodplain administrator may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or planimetric details. Such a submission shall include appropriate supporting documentation made in writing by the local jurisdiction and may be submitted at any time.

(Code 1982, § 5-117(b))

Sec. 78-68. - Standards for manufactured homes and recreational vehicles.

- (a) All manufactured homes placed or substantially improved on individual lots or parcels, in expansions to existing manufactured home parks or subdivisions or in substantially improved manufactured home parks or subdivisions, must meet all the requirements for new construction, including elevation and anchoring.
- (b) All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that:
 - (1) The lowest floor of the manufactured home is elevated no lower than the required base flood elevation;
 - (2) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength, of no less than 36 inches in height above grade;
 - (3) The manufactured home must be securely anchored to the adequately anchored foundation system to resist flotation, collapse and lateral movement; and
 - (4) In an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as the result of a flood, any manufactured home placed or substantially improved must meet the standards of subsections (a) and (b)(3) of this section.
- (c) A recreational vehicle is ready for highway use if it is on wheels or a jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions. Recreational vehicles placed on any sites shall either be on site for fewer than 180

consecutive days and be fully licensed and ready for highway use or meet the requirements of subsections (a) and (b) of this section.

- (d) An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood-prone areas. This plan shall be filed with and approved by the local floodplain administrator and the local Emergency Preparedness Coordinator.

(Code 1982, § 5-118; [Ord. No. 2009/2, 1-12-2009](#))

Cross reference— Manufactured homes and trailers, ch. 86.

Sec. 78-69. - Enclosed area below base flood elevation in zones A1-30.

- (a) New construction or substantial improvements of elevated buildings that include fully enclosed areas that are usable solely for the parking of vehicles, building access, or storage in an area other than a basement and which are subject to flooding shall be designed to preclude finished living space and shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. All materials used below the base flood elevation must be flood resistant. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
- (1) Provide a minimum of two openings on different walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - (2) The bottom of all openings shall be no higher than one foot above grade;
 - (3) Only the portions of openings that are below the base flood elevation (BFE) can be counted towards the required net open area;
 - (4) Openings may be equipped with screens, louvers, valves, or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions; and
 - (5) Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one side of the building.
- (b) Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
- (c) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms, except to enclose storage areas.
- (d) No environmentally conditioned space is allowed below the required base flood elevation.
- (e) Hydrodynamic pressure must be considered in the design of any foundation system where velocity waters or the potential for debris flow exists. If flood velocities are excessive (greater than five feet per second), foundation systems other than solid foundation walls should be considered so that obstructions to damaging flood flows are minimized.

(Code 1982, § 5-119)

Sec. 78-70. - Coastal high hazard areas (V zones).

Located within the areas of special flood hazard established in section 78-31 are areas designated as coastal high hazard areas. These areas have special flood hazards associated with wave wash; therefore, the following shall apply:

- (1) All ~~buildings or structures~~ new construction and substantial improvements shall be located landward of the reach of the mean high tide, first line of stable natural vegetation and comply with all applicable Department of Health and Environmental Control (DHEC) Ocean and Coastal Resource Management (OCRM) setback requirements;
- (2) All ~~buildings or structures~~ new construction and substantial improvements shall be elevated so that the lowest supporting horizontal member, excluding pilings or columns, is located no lower than the base flood elevation level, with all space below the lowest supporting member open so as not to impede the flow of water. Open latticework or decorative screening may be permitted for aesthetic purposes only and must be designed to wash away if abnormal wave action occurs and in accordance with subsection (11) of this section;
- (3) All buildings or structures shall be securely anchored on pilings or columns; columns should be spaced so as not to impede the flood flow;
- (4) Pilings or columns used as structural support and the attached structure shall be designed and anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used are those associated with the base flood. Wind load values are those required by the Standard Building Code as adopted by the county;
- (5) Pool enclosures shall not be located below the base flood elevation in coastal high hazard areas;
- (6) Pools shall not be elevated above finished grade in coastal high hazard areas, so as to prevent increased flood flow to adjacent properties;
- (7) Compliance with subsections (3), (4) and (5) of this section shall be certified by a professional engineer or architect;
- (8) There shall be no fill used as structural support. Non-compacted fill may be used around the perimeter of a building for landscaping/aesthetic purposes provided the fill will wash out from storm surge, thereby rendering the building free of obstruction prior to generating excessive loading forces, ramping effects, or wave deflection. Only beach compatible sand may be used. The local floodplain administrator shall approve design plans for landscaping/ aesthetic fill only after the applicant has provided an analysis by an engineer, architect, and/or soil scientist that demonstrates that the following factors have been fully considered:
 - a. Particle composition fill material does not have a tendency for excessive natural compaction;
 - b. Volume and distribution of fill will not cause wave deflection to adjacent properties; and
 - c. Slope of fill will not cause wave run-up or ramping.
- (9) There shall be no alterations of sand dunes or mangrove stands which would increase potential flood damage;
- (10) Latticework or decorative screening shall be allowed below the base flood elevation provided they are not part of the structural support of the building and are designed so as to break away, under abnormally high tides or wave action, without damage to the structural integrity of the building on which they are to be used and provided the following design specifications are met:
 - a. No solid walls shall be allowed; and
 - b. Materials shall consist of wood or mesh screening only;
- (11) If aesthetic latticework or screening is utilized, such enclosed space shall not be used for human habitation;
- (12) Prior to construction, plans for any structure that will have latticework or decorative screening must be submitted to the building official for approval;
- (13) The placement of manufactured homes is prohibited, except existing manufactured homes;

- (14) Any alteration, repair, reconstruction or improvement to a new or existing structure shall not enclose the space below the lowest floor except for latticework or decorative screening, as provided for in section 78-69 and this section;
- (15) Access stairs attached to or beneath an elevated building must be constructed of flood-resistant materials and must be constructed as open staircases so they do not block flow underneath the structure in accordance with section 78-70(2).
- (16) Decks must meet the following requirements:
- a. If the deck is structurally attached to a building then the bottom of the lowest horizontal member must be at or above the elevation of the building's lowest horizontal member;
 - b. If the deck is to be built below the BFE then it must be structurally independent of the main building and must not cause an obstruction; and
 - c. If an at-grade, structurally independent deck is proposed then a design professional must evaluate the design to determine if it will adversely affect the building and nearby buildings;
- (17) Parking areas should be located on a stable grade under or landward of a structure. Any parking surface shall consist of gravel or aggregate; and
- (18) Electrical, ventilation, plumbing, heating and air conditioning equipment (including ductwork), and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of base flood event plus 1 foot. This requirement does not exclude the installation of outdoor faucets for shower heads, sinks, hoses, etc., as long as cut off devices and back flow prevention devices are installed to prevent contamination to the service components and thereby minimize any flood damages to the building. No utilities or components shall be attached to breakaway walls.

(Code 1982, § 5-120)

Sec. 78-71. - Standards for subdivision proposals.

- (a) All subdivision proposals shall be consistent with the need to minimize flood damage.
- (b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
- (c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (d) Base flood elevation data shall be provided for subdivision proposals and other proposed development.
- (e) Floodplain management criteria associated with the subdivision of land into lots, building sites or building units is contained within the county development standards in chapter 106 or any future ordinance regulating such development activity.

SPECIAL FLOOD HAZARD AREAS

Zone A-1 through 30		Yes	No
1.	Garage, residential	X	
2.	Storage rooms, residential (not for habitation)	X	
3.	Walls for enclosing items #1 and #2	X	

4.	Electrical outlets	X (Note 1)	
5.	Electric meters	X	
6.	Automatic washer		X
7.	Dryers		X
8.	Air conditioning equipment, etc.		X
9.	Heating equipment		X
10.	A second refrigerator in storage room or garage for cold storage		X

SPECIAL FLOOD HAZARD AREAS

<i>Zone V-1 through 30</i>		<i>Yes</i>	<i>No</i>
1.	Garage, residential	(Note 2)	
2.	Storage rooms, residential	(Note 2)	X
3.	Walls below base flood elevation	(Note 2)	X
4.	Electrical outlets	(Note 1)	
5.	Electrical meters		X
6.	Automatic washer		X
7.	Dryers		X
8.	Air conditioning equipment, etc.		X
9.	Heating equipment		X
10.	Hot water tank		X

11.	A second refrigerator in storage room or garage for cold storage		X
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Notes:

- (1) Only those outlets required by code will be allowed below, but should be located at the highest elevation to minimize damage.
- (2) No solid walls allowed. Only open lattice or insect screening.

(Code 1982, § 5-121)

Sec. 78-72. - Severability

If any section, subsection or any other part of this article is held for any reason to be unconstitutional or otherwise invalid, such holding will not affect the validity of the remaining portions of this article.

ORDINANCE 2019 / ____

**TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC):
ARTICLE 6, SECTION 6.1.30: TYPES AND SUBDIVISIONS (TO MODIFY THE
REQUIREMENTS TO ALLOW COMMERCIAL SUBDIVISIONS IN ALL ZONING
DISTRICTS THAT ALLOW COMMERCIAL USES)**

WHEREAS, added text is highlighted in yellow and deleted text is struck through.

Adopted this ____ day of _____ 2019.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Stewart H. Rodman, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Connie L. Schroyer, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:

Campground Standards

Section 4.1.190: Campground Standards: With an increasing trend in RV resort campgrounds, staff reviewed our existing campground regulations in relation to other areas across the country. While these large resort type campgrounds may be desirable in more commercial districts, it is the goal of the proposed amendment to limit the types and sizes of campgrounds located in the Natural Preserve District and the Rural District. The proposed amendment creates three distinct types of campgrounds as follows: Primitive, Semi-Developed and Developed. The amendment also requires parameters such as length of stay, buffers, and accessory structures.

Planning Commission Action – Kevin Hennelly made a Motion recommending the proposed amendments and Ed Pappas seconded the Motion. Motion carried with Randolph Stewart voting no.

4.1.190 Recreation Facility: Campgrounds

Campgrounds shall be defined as the following:

Primitive Campground –A campground accessible by walk-in, equestrian, motorized trail vehicles or vehicular traffic where basic facilities may be provided for the comfort and convenience of the campers. Primitive Campgrounds shall comply with the following:

A. Length of Stay. All campers are limited to a 14-day length of stay.

B. Zones – Primitive Campgrounds are allowed in the T1 Natural Preserve zone and all T2 Rural zones.

C. Buffers. Any tent sites shall be located no less than 30 feet from any property line.

D. No RV's motorized camping trailers, or camping trailers over 20 feet in length shall be allowed.

E. Tree Requirement. Existing Trees shall be left on site, when practical. If there are no trees between campsites at least two trees shall be planted between each campsite

F. Accessory Uses. Facilities for the comfort and convenience of the camper may be provided such as bathing facilities, flushing toilets, grills, tables, fire pits, fire circles, and refuse collection.

Semi- Developed Campground - A campground, with two or more campsites, for a camping unit, accessible by walk-in, pack-in, equestrian campers, motorized trail vehicles or vehicular traffic. Semi-Developed Campgrounds shall comply with the following:

A. Length of Stay. All camping units are limited to a 30-day length of stay.

B. Zones. Semi-Developed Campgrounds can be located within T2 Rural.

C. Buffers. This use shall be screened with a 100-ft wide, opaque, visual buffer next to all property lines.

D. Minimum RV Pad Size. If RV pads are provided they shall be a minimum of 1,600 square feet. This does not include tent only sites. A maximum number of 200 camp sites.

E. Tree Requirement. Existing trees shall be left between all campsites and/or RV Pads, to the maximum extent practicable. If there are no trees between campsites, tent sites or RV pads, at least two trees shall be planted between each campsite, tent site or RV Pad.

F. Accessory Uses. Recreational facilities and amenities shall be for the purpose of the camper enjoyment including sports facilities, equipment for amusement, playground facilities, swimming pools and a camp store/office. These amenities shall not be for general public use and shall not exceed 3,000 square feet.

Developed Campground – A campground with two or more campsites, for a camping unit, accessible by walk-in, pack-in, equestrian campers, motorized trail vehicles or vehicular traffic. Sites may be substantially developed with tables, refuse containers, flush toilets, bathing facilities, and one or more service buildings. These campsites may have individual water, sewer, and electrical connections. Developed Campgrounds shall comply with the following:

A. Length of Stay. All Camping units are limited to a 30-day length of stay.

B. Zones. Developed Campgrounds can be located within T2 (only Rural Center Zone), C4 Community Center Mixed Use and C5 Regional Center Mixed Use.

C. Buffers. This use shall be screened with a 100-ft wide, opaque, visual buffer next to all property lines.

D. Minimum RV Pad Size. If RV pads are provided they shall be a minimum of 1,600 square feet. A maximum number of 400 camp sites.

E. Tree Requirement. Existing trees shall be left between all campsites and/or RV pads, to the maximum extent practical. If there are no trees between campsites or RV pads, at least two trees shall be planted between each campsite, tent site or RV Pad.

F. Accessory Uses. Recreational facilities and rural recreation businesses such as zip lines, horse riding trails, arcades, camp stores, small cafes, small offices, or a club house. Such businesses are intended to be of smaller size, intensity and scale than commercial uses, which would be more commonly found in commercial zoning districts. The amenities shall not be for public use.

comply with the following:

~~A. Buffers. This use shall be screened with a 100 ft. wide, opaque, visual buffer next to all property lines.~~

~~B. Minimum RV Pad Size. RV pads that shall be a minimum of 1,600 square feet.~~

~~C. Tree Requirement. Existing trees shall be left between all campsites and/or RV pads, to the maximum extent practicable. If there are no trees between campsites or RV pads, at least two trees shall be planted between each campsite or RV pad.~~

~~D. Accessory Uses. A camp store and entertainment area are allowed as accessory uses to a campground provided they do not exceed 3,000 square feet for every 200 camping spaces or RV pads, and are not advertised off site.~~

~~E. Pumpout Station. A pumpout station meeting SCDHEC requirements shall be provided for camping trailers and recreational vehicles.~~

Table 3.1.60. Consolidated Use Table (continued)

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
RECREATION, EDUCATION, SAFETY, PUBLIC ASSEMBLY																		
1. Recreation Facility: Golf Course	--	P	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--
2. Recreation Facility: Campground	S	C	--	--	--	<u>C</u>	--	--	--	--	--	--	--	--	--	<u>C</u>	<u>C</u>	--
3. Ecotourism	S	C	--	C	C	C	--	--	--	--	--	--	--	--	--	--	--	--

4. School: Public or Private	--	--	--	--	--	S	--	--	--	S	P	P	P	P	P	P	--	--
"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.																		

Vehicle Sales and Rental: Light

Section 3.1.60 Consolidated Use Table. The purpose of this amendment is to allow Vehicle Sales and Rental: Light as a conditional use in the T4 Hamlet Center District. The use is currently allowed as a conditional use in the T4 Hamlet Center Open District.

Planning Commission Action – Kevin Hennelly made a Motion to recommend denial of the change and Randolph Stewart seconded the Motion. Motion carried unanimously.

3.1.60 Consolidated Use Table

Table 3.1.60. Consolidated Use Table (continued)																		
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
RETAIL & RESTAURANTS (continued)																		
5. General Retail greater than 50,000 SF	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	P	--
6. General Retail with Drive-Through Facilities	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	C	C	C
7. Adult Oriented Business	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C
8. Bar, Tavern, Nightclub	--	--	--	--	--	P	--	--	--	--	--	--	P	P	--	P	P	--
9. Gas Station/Fuel Sales	--	S	--	--	--	C	--	--	--	--	C	C	C	C	C	C	C	C
10. Open Air Retail	--	--	--	--	--	P	--	--	--	--	--	--	--	--	--	--	P	--
11. Restaurant, Café, Coffee Shop	--	--	--	--	P	P	--	--	--	--	P	P	P	P	TCP	P	P	C
12. Restaurant, Café, Coffee Shop with Drive-Through Facilities	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	C	C	C
13. Vehicle Sales & Rental: Light	--	--	--	--	--	C	--	--	--	--	-- C	--	C	--	--	C	C	--
14. Vehicle Sales & Rental: Heavy	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P

Docks on Small Tidal Creeks

Section 4.2.190 Water/Marine-Oriented Facilities. The purpose of this amendment is to provide a definition of "small tidal creeks." The Community Development Code regulates docks on small tidal creeks beyond the state requirements as enforced by the SCDHEC Office of Coastal Resource Management (OCRM). Specifically, the CDC restricts the length of docks on small tidal creeks to a maximum of 300 feet. Newly subdivided lots must have a minimum lot width of 250 feet to have a dock. The ordinance also encourages community docks by allowing them to be longer than 300 feet (up to 500 feet) if certain lot width conditions are met.

The issue that the Community Development Department has run into is that the CDC defines small tidal creeks by referring to a map in Appendix F. There have been several cases where the map did not indicate a particular creek that otherwise should have met the definition of a small tidal creek. Therefore, staff recommends that the CDC provide a clear definition of small tidal creeks, and use the

maps as a reference tools. The maps already contain a disclaimer that puts the burden on applicants to verify the information on the map using other sources recognizing that conditions change.

SCDNR defines “tidal creeks” as those tidally influenced bodies of water that are 100 meters or less in width from marsh bank to marsh bank. Anything wider is defined by the State as “open water.” Staff recommends using the State’s definition.

Planning Commission Action – Diane Chmelik made a Motion to recommend approval of the new wording and Jason Hincer seconded the Motion. Motion carried unanimously.

4.2.190 Water / Marine-Oriented Facilities

Water/Marine-oriented facilities shall comply with the following standards:

- A. **Space as Far Apart as is Reasonably Feasible.** Water-oriented facilities should be spaced as far apart as is reasonably feasible.
- B. **Regulation of Navigable Structures or Aids.** The regulation of navigational structures or aids falls under the jurisdiction of the State of South Carolina Ocean and Coastal Resource Management Office (OCRM), or appropriate federal regulators.
- C. **Construction May Occur Before Principal Dwelling.** Water-oriented facilities may be constructed prior to the construction of the principal dwelling.
- D. **Docks on Small Tidal Creeks.** Private docks and community docks ~~located on are allowed in~~ small tidal creeks ~~shall meet the requirements of this Section. Small tidal creeks are defined as tidally influenced bodies of water that are 100 meters or less in width measured from marsh bank to marsh bank. , as shown on the~~ The Beaufort County Small Tidal Creek Delineation Maps (See Appendix F) ~~provide an inventory of small tidal creeks in Beaufort County. The Director may request a survey from a certified land surveyor to verify the width of a creek, if they comply with the following standards:~~

Commercial Subdivisions

6.1.30 Types of Subdivisions This amendment would allow Commercial Subdivisions to occur in any zoning district where commercial (retail, service, light industrial, etc.) uses are permitted.

The Commercial Subdivision is an option in the Community Development Code that addresses a trend among major national retailers in commercial shopping centers to want to own the land the stores reside upon and the parking areas that support the stores. Consequently, shopping center developers and their major retailers want the flexibility to use the subdivision and site plan review process to integrate the two processes together without creating conflicts between zoning standards and subdivision regulations. Often internal setback and buffer yard requirements would cancel out the unified site plan concept inherent in a commercial subdivision within a shopping center. The Commercial Subdivision provision is designed to remedy that problem.

The commercial subdivision was originally adopted as part of the Zoning and Development Standards Ordinance (ZDSO) in 2013. At that time, it was limited to the commercial regional, commercial suburban, and industrial zoning districts. When the CDC was adopted, this provision was included and limited to the analogous districts - C5 Regional Center Mixed-Use, C4 Community Center Mixed Use and S1 Industrial. However, the CDC has several transect zones that allow commercial uses such as T2 Rural Center, and the T4 districts. Staff believes that the exclusion of these transect zones was an oversight when the CDC was adopted. It is possible for developers to utilize the commercial subdivision and still

create a traditional development with a network of internal streets with on-street parking and sidewalks. Therefore, staff supports the following amendment:

Planning Commission Action – Ed Pappas made a Motion to recommend approval of the new wording and Caroline Fermin seconded the Motion. Motion carried unanimously.

6.1.30 Types of Subdivisions

There are three types of subdivisions allowed under this Development Code:

- A. **Minor Subdivision.** Minor subdivisions are land developments that consist of subdividing a tract or parcel of land into four lots or less, provided the subject land has not been previously subdivided within five years. Minor subdivisions shall comply with the procedures in Subsection 7.2.70.E, (Minor Subdivision Plat Procedure), the standards in this Article, and all other relevant provisions of this Development Code.
- B. **Major Subdivision.** Major subdivisions are land developments that consist of subdividing a tract or parcel of land into five or more lots. Major subdivisions shall comply with the procedures in Subsection 7.2.70.F (Major and Commercial Subdivision Plat Procedure), the standards in this Article, and all other relevant provisions of this Development Code.
- C. **Commercial Subdivision.** Commercial subdivisions are land developments that include master planning and subdividing into two or more lots any **commercial, industrial, or multi-family** tract or parcel of land **located in C4, C5, and S1 districts. These subdivisions are limited to commercial and/or industrial uses only.** Commercial subdivisions shall comply with the procedures in Subsection 7.2.70.F (Major and Commercial Subdivision Plat Procedure), the standards in this Article, and all other relevant provisions of this Development Code. This type of subdivision includes all of the following:
 - 1. Separate ownership of lots, coupled with undivided interest in common property;
 - 2. Restrictive land use covenants or easements that govern use of both the common area and separate ownership interests; and
 - 3. Management of common property and enforcement of restrictions by a property owners' association.

Non-Conforming Structures

8.3.40 Non-Conforming Structures: This amendment will clarify that structures damaged greater than 50% of value as a result of fire, storm, or flood is not required to meet current zoning standards when rebuilt. It is important to note that the structure would need to comply with current building codes and flood elevation standards.

Planning Commission Action – Caroline Fermin made a Motion to recommend approval of the new wording and Kevin Hennelly seconded the Motion. Motion carried unanimously

8.3.40 Reconstruction or Repair after Casualty Damage of Nonconforming Use or Structure

The reconstruction or repair of a nonconforming use or structure damaged as a result of a fire, natural disaster or other unforeseen and unpreventable accident or occurrence shall be subject to the following provisions.

- A. **Damage of 50 Percent or Less of Value.** If a nonconforming use or structure is damaged to an extent whereby the cost of restoring the use or structure to its before-damaged condition would be 50 percent or less of its market value before the damage, the use or structure may be reconstructed or repaired if:
1. The reconstruction or repair does not increase, expand, enlarge, or extend the degree of nonconformity beyond what is allowed in this Article; and
 2. The reconstruction begins within six months after the damage and is diligently pursued to completion.
- B. **Damage Greater than 50 Percent of Value.** Any nonconforming building or portion thereof may be replaced if razed by fire, natural causes, or other natural disasters, provided, the replacement does not increase the degree of nonconformity in any respect and a zoning compliance is issued within six months of the date of the damage. Any nonconforming building or portion thereof which is not razed by fire, natural causes, or other natural disasters will be required to conform to all applicable development standards upon reconstruction. If a nonconforming use or structure is damaged to an extent whereby the cost of restoring the use or structure to its before damaged condition would exceed 50 percent of its market value before the damage, the use or structure shall not be reconstructed or repaired except in conformity with the provisions of this Development Code, unless:
1. The structure is a single family residential use, in which case it may be rebuilt as long as it complies with all applicable building codes;
 2. It is rebuilt using the former building footprint and does not increase the nonconformity of the structure; and
 3. Substantial reconstruction is started within one year of the date of destruction, and completed in good faith.
- C. **Damage That Creates Unsafe Condition.** Regardless of the percent of damage to a nonconforming structure, any structure deemed unsafe by the Building Codes Official and is a threat to the life and safety of repair crews, the public, or neighbors, shall be demolished and terminated. Future structures then shall comply with the requirements of this Development Code.

2019 /

**TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC):
ARTICLE 4, SECTION 4.2.190: WATER / MARINE-ORIENTED FACILITIES (TO
PROVIDE A DEFINITION OF SMALL TIDAL CREEKS)**

WHEREAS, added text is highlighted in yellow and deleted text is struck through.

Adopted this ____ day of _____ 2019.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Stewart H. Rodman, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Connie L. Schroyer, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:

Campground Standards

Section 4.1.190: Campground Standards: With an increasing trend in RV resort campgrounds, staff reviewed our existing campground regulations in relation to other areas across the country. While these large resort type campgrounds may be desirable in more commercial districts, it is the goal of the proposed amendment to limit the types and sizes of campgrounds located in the Natural Preserve District and the Rural District. The proposed amendment creates three distinct types of campgrounds as follows: Primitive, Semi-Developed and Developed. The amendment also requires parameters such as length of stay, buffers, and accessory structures.

Planning Commission Action – Kevin Hennelly made a Motion recommending the proposed amendments and Ed Pappas seconded the Motion. Motion carried with Randolph Stewart voting no.

4.1.190 Recreation Facility: Campgrounds

Campgrounds shall be defined as the following:

Primitive Campground –A campground accessible by walk-in, equestrian, motorized trail vehicles or vehicular traffic where basic facilities may be provided for the comfort and convenience of the campers. Primitive Campgrounds shall comply with the following:

A. Length of Stay. All campers are limited to a 14-day length of stay.

B. Zones – Primitive Campgrounds are allowed in the T1 Natural Preserve zone and all T2 Rural zones.

C. Buffers. Any tent sites shall be located no less than 30 feet from any property line.

D. No RV's motorized camping trailers, or camping trailers over 20 feet in length shall be allowed.

E. Tree Requirement. Existing Trees shall be left on site, when practical. If there are no trees between campsites at least two trees shall be planted between each campsite

F. Accessory Uses. Facilities for the comfort and convenience of the camper may be provided such as bathing facilities, flushing toilets, grills, tables, fire pits, fire circles, and refuse collection.

Semi- Developed Campground - A campground, with two or more campsites, for a camping unit, accessible by walk-in, pack-in, equestrian campers, motorized trail vehicles or vehicular traffic. Semi-Developed Campgrounds shall comply with the following:

A. Length of Stay. All camping units are limited to a 30-day length of stay.

B. Zones. Semi-Developed Campgrounds can be located within T2 Rural.

C. Buffers. This use shall be screened with a 100-ft wide, opaque, visual buffer next to all property lines.

D. Minimum RV Pad Size. If RV pads are provided they shall be a minimum of 1,600 square feet. This does not include tent only sites. A maximum number of 200 camp sites.

E. Tree Requirement. Existing trees shall be left between all campsites and/or RV Pads, to the maximum extent practicable. If there are no trees between campsites, tent sites or RV pads, at least two trees shall be planted between each campsite, tent site or RV Pad.

F. Accessory Uses. Recreational facilities and amenities shall be for the purpose of the camper enjoyment including sports facilities, equipment for amusement, playground facilities, swimming pools and a camp store/office. These amenities shall not be for general public use and shall not exceed 3,000 square feet.

Developed Campground – A campground with two or more campsites, for a camping unit, accessible by walk-in, pack-in, equestrian campers, motorized trail vehicles or vehicular traffic. Sites may be substantially developed with tables, refuse containers, flush toilets, bathing facilities, and one or more service buildings. These campsites may have individual water, sewer, and electrical connections. Developed Campgrounds shall comply with the following:

A. Length of Stay. All Camping units are limited to a 30-day length of stay.

B. Zones. Developed Campgrounds can be located within T2 (only Rural Center Zone), C4 Community Center Mixed Use and C5 Regional Center Mixed Use.

C. Buffers. This use shall be screened with a 100-ft wide, opaque, visual buffer next to all property lines.

D. Minimum RV Pad Size. If RV pads are provided they shall be a minimum of 1,600 square feet. A maximum number of 400 camp sites.

E. Tree Requirement. Existing trees shall be left between all campsites and/or RV pads, to the maximum extent practical. If there are no trees between campsites or RV pads, at least two trees shall be planted between each campsite, tent site or RV Pad.

F. Accessory Uses. Recreational facilities and rural recreation businesses such as zip lines, horse riding trails, arcades, camp stores, small cafes, small offices, or a club house. Such businesses are intended to be of smaller size, intensity and scale than commercial uses, which would be more commonly found in commercial zoning districts. The amenities shall not be for public use.

comply with the following:

~~A. Buffers. This use shall be screened with a 100 ft. wide, opaque, visual buffer next to all property lines.~~

~~B. Minimum RV Pad Size. RV pads that shall be a minimum of 1,600 square feet.~~

~~C. Tree Requirement. Existing trees shall be left between all campsites and/or RV pads, to the maximum extent practicable. If there are no trees between campsites or RV pads, at least two trees shall be planted between each campsite or RV pad.~~

~~D. Accessory Uses. A camp store and entertainment area are allowed as accessory uses to a campground provided they do not exceed 3,000 square feet for every 200 camping spaces or RV pads, and are not advertised off site.~~

~~E. Pumpout Station. A pumpout station meeting SCDHEC requirements shall be provided for camping trailers and recreational vehicles.~~

Table 3.1.60. Consolidated Use Table (continued)

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
RECREATION, EDUCATION, SAFETY, PUBLIC ASSEMBLY																		
1. Recreation Facility: Golf Course	--	P	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--
2. Recreation Facility: Campground	S	C	--	--	--	<u>C</u>	--	--	--	--	--	--	--	--	--	<u>C</u>	<u>C</u>	--
3. Ecotourism	S	C	--	C	C	C	--	--	--	--	--	--	--	--	--	--	--	--

4. School: Public or Private	--	--	--	--	--	S	--	--	--	S	P	P	P	P	P	P	--	--
"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.																		

Vehicle Sales and Rental: Light

Section 3.1.60 Consolidated Use Table. The purpose of this amendment is to allow Vehicle Sales and Rental: Light as a conditional use in the T4 Hamlet Center District. The use is currently allowed as a conditional use in the T4 Hamlet Center Open District.

Planning Commission Action – Kevin Hennelly made a Motion to recommend denial of the change and Randolph Stewart seconded the Motion. Motion carried unanimously.

3.1.60 Consolidated Use Table

Table 3.1.60. Consolidated Use Table (continued)

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
RETAIL & RESTAURANTS (continued)																		
5. General Retail greater than 50,000 SF	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	P	--
6. General Retail with Drive-Through Facilities	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	C	C	C
7. Adult Oriented Business	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C
8. Bar, Tavern, Nightclub	--	--	--	--	--	P	--	--	--	--	--	--	P	P	--	P	P	--
9. Gas Station/Fuel Sales	--	S	--	--	--	C	--	--	--	--	C	C	C	C	C	C	C	C
10. Open Air Retail	--	--	--	--	--	P	--	--	--	--	--	--	--	--	--	--	P	--
11. Restaurant, Café, Coffee Shop	--	--	--	--	P	P	--	--	--	--	P	P	P	P	TCP	P	P	C
12. Restaurant, Café, Coffee Shop with Drive-Through Facilities	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	C	C	C
13. Vehicle Sales & Rental: Light	--	--	--	--	--	C	--	--	--	--	-- C	--	C	--	--	C	C	--
14. Vehicle Sales & Rental: Heavy	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P

Docks on Small Tidal Creeks

Section 4.2.190 Water/Marine-Oriented Facilities. The purpose of this amendment is to provide a definition of "small tidal creeks." The Community Development Code regulates docks on small tidal creeks beyond the state requirements as enforced by the SCDHEC Office of Coastal Resource Management (OCRM). Specifically, the CDC restricts the length of docks on small tidal creeks to a maximum of 300 feet. Newly subdivided lots must have a minimum lot width of 250 feet to have a dock. The ordinance also encourages community docks by allowing them to be longer than 300 feet (up to 500 feet) if certain lot width conditions are met.

The issue that the Community Development Department has run into is that the CDC defines small tidal creeks by referring to a map in Appendix F. There have been several cases where the map did not indicate a particular creek that otherwise should have met the definition of a small tidal creek. Therefore, staff recommends that the CDC provide a clear definition of small tidal creeks, and use the

maps as a reference tools. The maps already contain a disclaimer that puts the burden on applicants to verify the information on the map using other sources recognizing that conditions change.

SCDNR defines “tidal creeks” as those tidally influenced bodies of water that are 100 meters or less in width from marsh bank to marsh bank. Anything wider is defined by the State as “open water.” Staff recommends using the State’s definition.

Planning Commission Action – Diane Chmelik made a Motion to recommend approval of the new wording and Jason Hincer seconded the Motion. Motion carried unanimously.

4.2.190 Water / Marine-Oriented Facilities

Water/Marine-oriented facilities shall comply with the following standards:

- A. **Space as Far Apart as is Reasonably Feasible.** Water-oriented facilities should be spaced as far apart as is reasonably feasible.
- B. **Regulation of Navigable Structures or Aids.** The regulation of navigational structures or aids falls under the jurisdiction of the State of South Carolina Ocean and Coastal Resource Management Office (OCRM), or appropriate federal regulators.
- C. **Construction May Occur Before Principal Dwelling.** Water-oriented facilities may be constructed prior to the construction of the principal dwelling.
- D. **Docks on Small Tidal Creeks.** Private docks and community docks ~~located on are allowed in~~ small tidal creeks ~~shall meet the requirements of this Section. Small tidal creeks are defined as tidally influenced bodies of water that are 100 meters or less in width measured from marsh bank to marsh bank. , as shown on the~~ The Beaufort County Small Tidal Creek Delineation Maps (See Appendix F) ~~provide an inventory of small tidal creeks in Beaufort County. The Director may request a survey from a certified land surveyor to verify the width of a creek, if they comply with the following standards:~~

Commercial Subdivisions

6.1.30 Types of Subdivisions This amendment would allow Commercial Subdivisions to occur in any zoning district where commercial (retail, service, light industrial, etc.) uses are permitted.

The Commercial Subdivision is an option in the Community Development Code that addresses a trend among major national retailers in commercial shopping centers to want to own the land the stores reside upon and the parking areas that support the stores. Consequently, shopping center developers and their major retailers want the flexibility to use the subdivision and site plan review process to integrate the two processes together without creating conflicts between zoning standards and subdivision regulations. Often internal setback and buffer yard requirements would cancel out the unified site plan concept inherent in a commercial subdivision within a shopping center. The Commercial Subdivision provision is designed to remedy that problem.

The commercial subdivision was originally adopted as part of the Zoning and Development Standards Ordinance (ZDSO) in 2013. At that time, it was limited to the commercial regional, commercial suburban, and industrial zoning districts. When the CDC was adopted, this provision was included and limited to the analogous districts - C5 Regional Center Mixed-Use, C4 Community Center Mixed Use and S1 Industrial. However, the CDC has several transect zones that allow commercial uses such as T2 Rural Center, and the T4 districts. Staff believes that the exclusion of these transect zones was an oversight when the CDC was adopted. It is possible for developers to utilize the commercial subdivision and still

create a traditional development with a network of internal streets with on-street parking and sidewalks. Therefore, staff supports the following amendment:

Planning Commission Action – Ed Pappas made a Motion to recommend approval of the new wording and Caroline Fermin seconded the Motion. Motion carried unanimously.

6.1.30 Types of Subdivisions

There are three types of subdivisions allowed under this Development Code:

- A. **Minor Subdivision.** Minor subdivisions are land developments that consist of subdividing a tract or parcel of land into four lots or less, provided the subject land has not been previously subdivided within five years. Minor subdivisions shall comply with the procedures in Subsection 7.2.70.E, (Minor Subdivision Plat Procedure), the standards in this Article, and all other relevant provisions of this Development Code.
- B. **Major Subdivision.** Major subdivisions are land developments that consist of subdividing a tract or parcel of land into five or more lots. Major subdivisions shall comply with the procedures in Subsection 7.2.70.F (Major and Commercial Subdivision Plat Procedure), the standards in this Article, and all other relevant provisions of this Development Code.
- C. **Commercial Subdivision.** Commercial subdivisions are land developments that include master planning and subdividing into two or more lots any **commercial, industrial, or multi-family** tract or parcel of land **located in C4, C5, and S1 districts. These subdivisions are limited to commercial and/or industrial uses only.** Commercial subdivisions shall comply with the procedures in Subsection 7.2.70.F (Major and Commercial Subdivision Plat Procedure), the standards in this Article, and all other relevant provisions of this Development Code. This type of subdivision includes all of the following:
 - 1. Separate ownership of lots, coupled with undivided interest in common property;
 - 2. Restrictive land use covenants or easements that govern use of both the common area and separate ownership interests; and
 - 3. Management of common property and enforcement of restrictions by a property owners' association.

Non-Conforming Structures

8.3.40 Non-Conforming Structures: This amendment will clarify that structures damaged greater than 50% of value as a result of fire, storm, or flood is not required to meet current zoning standards when rebuilt. It is important to note that the structure would need to comply with current building codes and flood elevation standards.

Planning Commission Action – Caroline Fermin made a Motion to recommend approval of the new wording and Kevin Hennelly seconded the Motion. Motion carried unanimously

8.3.40 Reconstruction or Repair after Casualty Damage of Nonconforming Use or Structure

The reconstruction or repair of a nonconforming use or structure damaged as a result of a fire, natural disaster or other unforeseen and unpreventable accident or occurrence shall be subject to the following provisions.

- A. **Damage of 50 Percent or Less of Value.** If a nonconforming use or structure is damaged to an extent whereby the cost of restoring the use or structure to its before-damaged condition would be 50 percent or less of its market value before the damage, the use or structure may be reconstructed or repaired if:
1. The reconstruction or repair does not increase, expand, enlarge, or extend the degree of nonconformity beyond what is allowed in this Article; and
 2. The reconstruction begins within six months after the damage and is diligently pursued to completion.
- B. **Damage Greater than 50 Percent of Value.** Any nonconforming building or portion thereof may be replaced if razed by fire, natural causes, or other natural disasters, provided, the replacement does not increase the degree of nonconformity in any respect and a zoning compliance is issued within six months of the date of the damage. Any nonconforming building or portion thereof which is not razed by fire, natural causes, or other natural disasters will be required to conform to all applicable development standards upon reconstruction. If a nonconforming use or structure is damaged to an extent whereby the cost of restoring the use or structure to its before damaged condition would exceed 50 percent of its market value before the damage, the use or structure shall not be reconstructed or repaired except in conformity with the provisions of this Development Code, unless:
1. The structure is a single family residential use, in which case it may be rebuilt as long as it complies with all applicable building codes;
 2. It is rebuilt using the former building footprint and does not increase the nonconformity of the structure; and
 3. Substantial reconstruction is started within one year of the date of destruction, and completed in good faith.
- C. **Damage That Creates Unsafe Condition.** Regardless of the percent of damage to a nonconforming structure, any structure deemed unsafe by the Building Codes Official and is a threat to the life and safety of repair crews, the public, or neighbors, shall be demolished and terminated. Future structures then shall comply with the requirements of this Development Code.

ORDINANCE 2019 / ____

**TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC):
ARTICLE 8, SECTION 8.3.40: NON-CONFORMING STRUCTURES (TO CLARIFY
THAT STRUCTURES DAMAGED GREATER THAN 50% OF VALUE SHALL
CONFORM TO CURRENT BUILDING CODE STANDARDS BUT NOT ZONING
STANDARDS)**

WHEREAS, added text is highlighted in yellow and deleted text is struck through.

Adopted this ____ day of _____ 2019.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Stewart H. Rodman, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Connie L. Schroyer, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:

Campground Standards

Section 4.1.190: Campground Standards: With an increasing trend in RV resort campgrounds, staff reviewed our existing campground regulations in relation to other areas across the country. While these large resort type campgrounds may be desirable in more commercial districts, it is the goal of the proposed amendment to limit the types and sizes of campgrounds located in the Natural Preserve District and the Rural District. The proposed amendment creates three distinct types of campgrounds as follows: Primitive, Semi-Developed and Developed. The amendment also requires parameters such as length of stay, buffers, and accessory structures.

Planning Commission Action – Kevin Hennelly made a Motion recommending the proposed amendments and Ed Pappas seconded the Motion. Motion carried with Randolph Stewart voting no.

4.1.190 Recreation Facility: Campgrounds

Campgrounds shall be defined as the following:

Primitive Campground –A campground accessible by walk-in, equestrian, motorized trail vehicles or vehicular traffic where basic facilities may be provided for the comfort and convenience of the campers. Primitive Campgrounds shall comply with the following:

A. Length of Stay. All campers are limited to a 14-day length of stay.

B. Zones – Primitive Campgrounds are allowed in the T1 Natural Preserve zone and all T2 Rural zones.

C. Buffers. Any tent sites shall be located no less than 30 feet from any property line.

D. No RV's motorized camping trailers, or camping trailers over 20 feet in length shall be allowed.

E. Tree Requirement. Existing Trees shall be left on site, when practical. If there are no trees between campsites at least two trees shall be planted between each campsite

F. Accessory Uses. Facilities for the comfort and convenience of the camper may be provided such as bathing facilities, flushing toilets, grills, tables, fire pits, fire circles, and refuse collection.

Semi- Developed Campground - A campground, with two or more campsites, for a camping unit, accessible by walk-in, pack-in, equestrian campers, motorized trail vehicles or vehicular traffic. Semi-Developed Campgrounds shall comply with the following:

A. Length of Stay. All camping units are limited to a 30-day length of stay.

B. Zones. Semi-Developed Campgrounds can be located within T2 Rural.

C. Buffers. This use shall be screened with a 100-ft wide, opaque, visual buffer next to all property lines.

D. Minimum RV Pad Size. If RV pads are provided they shall be a minimum of 1,600 square feet. This does not include tent only sites. A maximum number of 200 camp sites.

E. Tree Requirement. Existing trees shall be left between all campsites and/or RV Pads, to the maximum extent practicable. If there are no trees between campsites, tent sites or RV pads, at least two trees shall be planted between each campsite, tent site or RV Pad.

F. Accessory Uses. Recreational facilities and amenities shall be for the purpose of the camper enjoyment including sports facilities, equipment for amusement, playground facilities, swimming pools and a camp store/office. These amenities shall not be for general public use and shall not exceed 3,000 square feet.

Developed Campground – A campground with two or more campsites, for a camping unit, accessible by walk-in, pack-in, equestrian campers, motorized trail vehicles or vehicular traffic. Sites may be substantially developed with tables, refuse containers, flush toilets, bathing facilities, and one or more service buildings. These campsites may have individual water, sewer, and electrical connections. Developed Campgrounds shall comply with the following:

A. Length of Stay. All Camping units are limited to a 30-day length of stay.

B. Zones. Developed Campgrounds can be located within T2 (only Rural Center Zone), C4 Community Center Mixed Use and C5 Regional Center Mixed Use.

C. Buffers. This use shall be screened with a 100-ft wide, opaque, visual buffer next to all property lines.

D. Minimum RV Pad Size. If RV pads are provided they shall be a minimum of 1,600 square feet. A maximum number of 400 camp sites.

E. Tree Requirement. Existing trees shall be left between all campsites and/or RV pads, to the maximum extent practical. If there are no trees between campsites or RV pads, at least two trees shall be planted between each campsite, tent site or RV Pad.

F. Accessory Uses. Recreational facilities and rural recreation businesses such as zip lines, horse riding trails, arcades, camp stores, small cafes, small offices, or a club house. Such businesses are intended to be of smaller size, intensity and scale than commercial uses, which would be more commonly found in commercial zoning districts. The amenities shall not be for public use.

comply with the following:

~~A. **Buffers.** This use shall be screened with a 100 ft. wide, opaque, visual buffer next to all property lines.~~

~~B. **Minimum RV Pad Size.** RV pads that shall be a minimum of 1,600 square feet.~~

~~C. **Tree Requirement.** Existing trees shall be left between all campsites and/or RV pads, to the maximum extent practicable. If there are no trees between campsites or RV pads, at least two trees shall be planted between each campsite or RV pad.~~

~~D. **Accessory Uses.** A camp store and entertainment area are allowed as accessory uses to a campground provided they do not exceed 3,000 square feet for every 200 camping spaces or RV pads, and are not advertised off site.~~

~~E. **Pumpout Station.** A pumpout station meeting SCDHEC requirements shall be provided for camping trailers and recreational vehicles.~~

Table 3.1.60. Consolidated Use Table (continued)

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
RECREATION, EDUCATION, SAFETY, PUBLIC ASSEMBLY																		
1. Recreation Facility: Golf Course	--	P	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	--
2. Recreation Facility: Campground	S	C	--	--	--	<u>C</u>	--	--	--	--	--	--	--	--	--	<u>C</u>	<u>C</u>	--
3. Ecotourism	S	C	--	C	C	C	--	--	--	--	--	--	--	--	--	--	--	--

4. School: Public or Private	--	--	--	--	--	S	--	--	--	S	P	P	P	P	P	P	--	--
"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.																		

Vehicle Sales and Rental: Light

Section 3.1.60 Consolidated Use Table. The purpose of this amendment is to allow Vehicle Sales and Rental: Light as a conditional use in the T4 Hamlet Center District. The use is currently allowed as a conditional use in the T4 Hamlet Center Open District.

Planning Commission Action – Kevin Hennelly made a Motion to recommend denial of the change and Randolph Stewart seconded the Motion. Motion carried unanimously.

3.1.60 Consolidated Use Table

Table 3.1.60. Consolidated Use Table (continued)																		
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
RETAIL & RESTAURANTS (continued)																		
5. General Retail greater than 50,000 SF	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	P	--
6. General Retail with Drive-Through Facilities	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	C	C	C
7. Adult Oriented Business	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C
8. Bar, Tavern, Nightclub	--	--	--	--	--	P	--	--	--	--	--	--	P	P	--	P	P	--
9. Gas Station/Fuel Sales	--	S	--	--	--	C	--	--	--	--	C	C	C	C	C	C	C	C
10. Open Air Retail	--	--	--	--	--	P	--	--	--	--	--	--	--	--	--	--	P	--
11. Restaurant, Café, Coffee Shop	--	--	--	--	P	P	--	--	--	--	P	P	P	P	TCP	P	P	C
12. Restaurant, Café, Coffee Shop with Drive-Through Facilities	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	C	C	C
13. Vehicle Sales & Rental: Light	--	--	--	--	--	C	--	--	--	--	-- C	--	C	--	--	C	C	--
14. Vehicle Sales & Rental: Heavy	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P

Docks on Small Tidal Creeks

Section 4.2.190 Water/Marine-Oriented Facilities. The purpose of this amendment is to provide a definition of "small tidal creeks." The Community Development Code regulates docks on small tidal creeks beyond the state requirements as enforced by the SCDHEC Office of Coastal Resource Management (OCRM). Specifically, the CDC restricts the length of docks on small tidal creeks to a maximum of 300 feet. Newly subdivided lots must have a minimum lot width of 250 feet to have a dock. The ordinance also encourages community docks by allowing them to be longer than 300 feet (up to 500 feet) if certain lot width conditions are met.

The issue that the Community Development Department has run into is that the CDC defines small tidal creeks by referring to a map in Appendix F. There have been several cases where the map did not indicate a particular creek that otherwise should have met the definition of a small tidal creek. Therefore, staff recommends that the CDC provide a clear definition of small tidal creeks, and use the

maps as a reference tools. The maps already contain a disclaimer that puts the burden on applicants to verify the information on the map using other sources recognizing that conditions change.

SCDNR defines “tidal creeks” as those tidally influenced bodies of water that are 100 meters or less in width from marsh bank to marsh bank. Anything wider is defined by the State as “open water.” Staff recommends using the State’s definition.

Planning Commission Action – Diane Chmelik made a Motion to recommend approval of the new wording and Jason Hincer seconded the Motion. Motion carried unanimously.

4.2.190 Water / Marine-Oriented Facilities

Water/Marine-oriented facilities shall comply with the following standards:

- A. **Space as Far Apart as is Reasonably Feasible.** Water-oriented facilities should be spaced as far apart as is reasonably feasible.
- B. **Regulation of Navigable Structures or Aids.** The regulation of navigational structures or aids falls under the jurisdiction of the State of South Carolina Ocean and Coastal Resource Management Office (OCRM), or appropriate federal regulators.
- C. **Construction May Occur Before Principal Dwelling.** Water-oriented facilities may be constructed prior to the construction of the principal dwelling.
- D. **Docks on Small Tidal Creeks.** Private docks and community docks ~~located on are allowed in~~ small tidal creeks ~~shall meet the requirements of this Section. Small tidal creeks are defined as tidally influenced bodies of water that are 100 meters or less in width measured from marsh bank to marsh bank. , as shown on the~~ The Beaufort County Small Tidal Creek Delineation Maps (See Appendix F) ~~provide an inventory of small tidal creeks in Beaufort County. The Director may request a survey from a certified land surveyor to verify the width of a creek, if they comply with the following standards:~~

Commercial Subdivisions

6.1.30 Types of Subdivisions This amendment would allow Commercial Subdivisions to occur in any zoning district where commercial (retail, service, light industrial, etc.) uses are permitted.

The Commercial Subdivision is an option in the Community Development Code that addresses a trend among major national retailers in commercial shopping centers to want to own the land the stores reside upon and the parking areas that support the stores. Consequently, shopping center developers and their major retailers want the flexibility to use the subdivision and site plan review process to integrate the two processes together without creating conflicts between zoning standards and subdivision regulations. Often internal setback and buffer yard requirements would cancel out the unified site plan concept inherent in a commercial subdivision within a shopping center. The Commercial Subdivision provision is designed to remedy that problem.

The commercial subdivision was originally adopted as part of the Zoning and Development Standards Ordinance (ZDSO) in 2013. At that time, it was limited to the commercial regional, commercial suburban, and industrial zoning districts. When the CDC was adopted, this provision was included and limited to the analogous districts - C5 Regional Center Mixed-Use, C4 Community Center Mixed Use and S1 Industrial. However, the CDC has several transect zones that allow commercial uses such as T2 Rural Center, and the T4 districts. Staff believes that the exclusion of these transect zones was an oversight when the CDC was adopted. It is possible for developers to utilize the commercial subdivision and still

create a traditional development with a network of internal streets with on-street parking and sidewalks. Therefore, staff supports the following amendment:

Planning Commission Action – Ed Pappas made a Motion to recommend approval of the new wording and Caroline Fermin seconded the Motion. Motion carried unanimously.

6.1.30 Types of Subdivisions

There are three types of subdivisions allowed under this Development Code:

- A. **Minor Subdivision.** Minor subdivisions are land developments that consist of subdividing a tract or parcel of land into four lots or less, provided the subject land has not been previously subdivided within five years. Minor subdivisions shall comply with the procedures in Subsection 7.2.70.E, (Minor Subdivision Plat Procedure), the standards in this Article, and all other relevant provisions of this Development Code.
- B. **Major Subdivision.** Major subdivisions are land developments that consist of subdividing a tract or parcel of land into five or more lots. Major subdivisions shall comply with the procedures in Subsection 7.2.70.F (Major and Commercial Subdivision Plat Procedure), the standards in this Article, and all other relevant provisions of this Development Code.
- C. **Commercial Subdivision.** Commercial subdivisions are land developments that include master planning and subdividing into two or more lots any **commercial, industrial, or multi-family** tract or parcel of land **located in C4, C5, and S1 districts. These subdivisions are limited to commercial and/or industrial uses only.** Commercial subdivisions shall comply with the procedures in Subsection 7.2.70.F (Major and Commercial Subdivision Plat Procedure), the standards in this Article, and all other relevant provisions of this Development Code. This type of subdivision includes all of the following:
 - 1. Separate ownership of lots, coupled with undivided interest in common property;
 - 2. Restrictive land use covenants or easements that govern use of both the common area and separate ownership interests; and
 - 3. Management of common property and enforcement of restrictions by a property owners' association.

Non-Conforming Structures

8.3.40 Non-Conforming Structures: This amendment will clarify that structures damaged greater than 50% of value as a result of fire, storm, or flood is not required to meet current zoning standards when rebuilt. It is important to note that the structure would need to comply with current building codes and flood elevation standards.

Planning Commission Action – Caroline Fermin made a Motion to recommend approval of the new wording and Kevin Hennelly seconded the Motion. Motion carried unanimously

8.3.40 Reconstruction or Repair after Casualty Damage of Nonconforming Use or Structure

The reconstruction or repair of a nonconforming use or structure damaged as a result of a fire, natural disaster or other unforeseen and unpreventable accident or occurrence shall be subject to the following provisions.

- A. **Damage of 50 Percent or Less of Value.** If a nonconforming use or structure is damaged to an extent whereby the cost of restoring the use or structure to its before-damaged condition would be 50 percent or less of its market value before the damage, the use or structure may be reconstructed or repaired if:
1. The reconstruction or repair does not increase, expand, enlarge, or extend the degree of nonconformity beyond what is allowed in this Article; and
 2. The reconstruction begins within six months after the damage and is diligently pursued to completion.
- B. **Damage Greater than 50 Percent of Value.** Any nonconforming building or portion thereof may be replaced if razed by fire, natural causes, or other natural disasters, provided, the replacement does not increase the degree of nonconformity in any respect and a zoning compliance is issued within six months of the date of the damage. Any nonconforming building or portion thereof which is not razed by fire, natural causes, or other natural disasters will be required to conform to all applicable development standards upon reconstruction. If a nonconforming use or structure is damaged to an extent whereby the cost of restoring the use or structure to its before damaged condition would exceed 50 percent of its market value before the damage, the use or structure shall not be reconstructed or repaired except in conformity with the provisions of this Development Code, unless:
1. The structure is a single family residential use, in which case it may be rebuilt as long as it complies with all applicable building codes;
 2. It is rebuilt using the former building footprint and does not increase the nonconformity of the structure; and
 3. Substantial reconstruction is started within one year of the date of destruction, and completed in good faith.
- C. **Damage That Creates Unsafe Condition.** Regardless of the percent of damage to a nonconforming structure, any structure deemed unsafe by the Building Codes Official and is a threat to the life and safety of repair crews, the public, or neighbors, shall be demolished and terminated. Future structures then shall comply with the requirements of this Development Code.

ORDINANCE 2019 / ____

TEXT AND MAP AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): APPENDIX B, DAUFUSKIE ISLAND CODE (TO AMEND THE DAUFUSKIE ISLAND PLAN)

WHEREAS, added text is highlighted in yellow and deleted text is struck through.

Adopted this ____ day of _____ 2019.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Stewart H. Rodman, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny, II, County Attorney

ATTEST:

Connie L. Schroyer, Clerk to Council

First Reading:

Second Reading:

Public Hearing:

Third and Final Reading:



DAUFUSKIE ISLAND COMMUNITY DEVELOPMENT CODE

Revised Draft– August 13, 2018

Appendix B: Daufuskie Island Community Development Code

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Division B.I: Transect Zones

Sections:

- B.1.10 Purpose
- B.1.20 Applicability
- B.1.30 Transect 1: Natural Preserve (D1) Standards
- B.1.40 Transect 2: Rural (D2R) Standards
 - Rural Historic (D2R-CP) Standards
 - Gullah Heritage (D2R-GH) Standards
- B.1.50 Transect 3: General Neighborhood (D3GN) Standards
- B.1.60 Transect 4: Mixed Use (D4MU) Standards
- B.1.70 Transect 5: Village Center (D5VC) Standards
- B.1.80 Transect 5: Gateway Corridor (D5GC) Standards

B.1.10 Purpose

This Division provides regulatory standards governing land use and building form within the transect zones. The Form-Based Code reflects the community vision for implementing the intent of the Comprehensive Plan to preserve Daufuskie Island's character and create livable and walkable places. These standards are intended to ensure that proposed development is compatible with existing character and future development on neighboring properties produces an environment of desirable character.

B.1.20 Applicability

The requirements of this Division shall apply to all proposed development within the transect zones and shall be considered in combination with the standards for specific uses in Article 4 (Specific to Use), if applicable, and the development standards in Article 5 of the Beaufort County Community Development Code (Supplemental to Zones). If there is a conflict between any standards, the provisions of Article 4 of the Beaufort County Community Development Code (Specific to Use) control over this Article 3 (Specific to Zones) and Article 5 (Supplemental to Zones).

B.I.30 Transect I: DI Natural Preserve (DINP) Standards

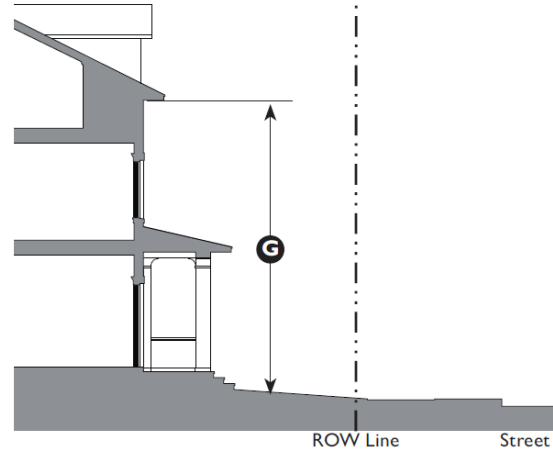
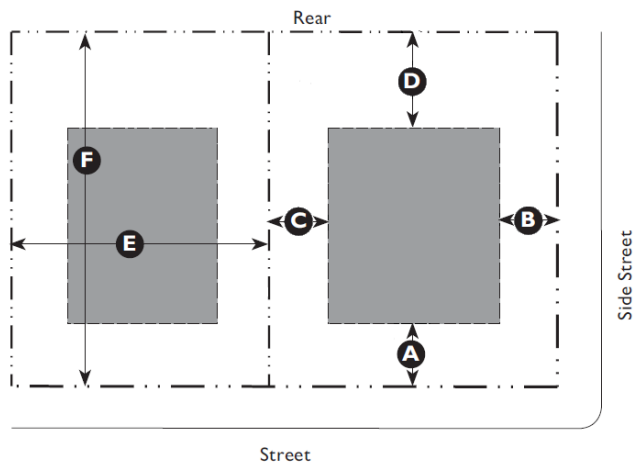


General note: the illustrations above are intended to provide a brief overview of the transect zone and are descriptive in nature.

A. Purpose

The Natural Preserve (DINP) Zone is intended to preserve areas that contain sensitive habitats, open space, and limited agricultural uses. This Zone typically does not contain buildings; however, single-family dwellings, small civic buildings or interpretive centers may be located within this zone if approved as a part of a conservation agreement.

Division B.I: Transect Zones
DI Natural Preserve



Key

- ROW / Property Line
- Setback Line
- Building Area
- ▨ Facade Zone

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	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.

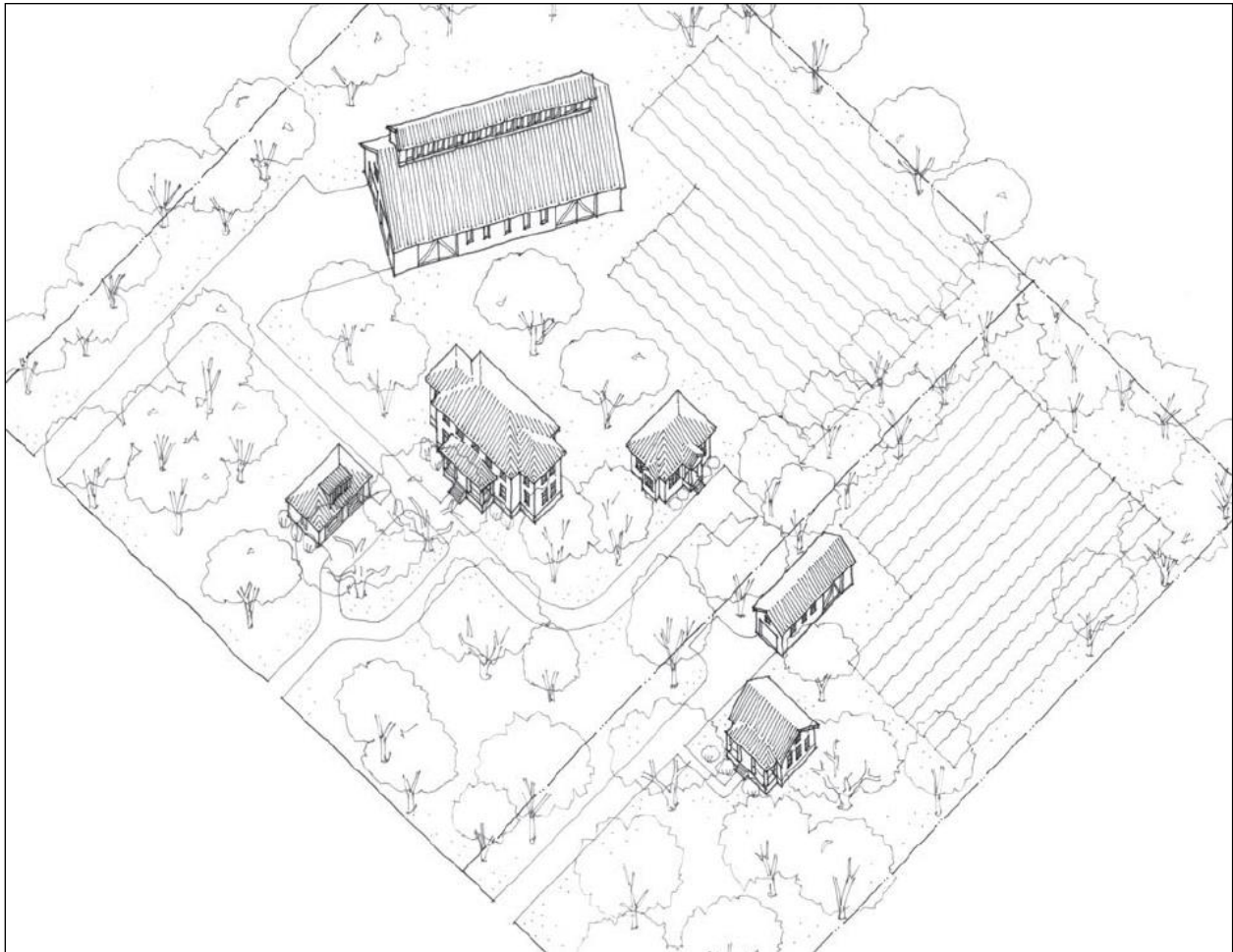
C. Building Form		
Building Height		
Main Building	35 feet / 2 stories max.	(G)
Ancillary Building	35 feet / 2 stories max.	
Ground Floor Finish Level ¹	No minimum	
Footprint		
Maximum Lot Coverage	n/a	
Lot coverage is the portion of a lot that is covered by any and all buildings including accessory buildings.		
Notes		

¹Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes

D. Gross Density ²	
Gross Density	0.1 d.u./acre

²Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)

B.I.40 Transect 2: D2 Rural (T2R) Standards



General Note: The illustration above is intended to provide a brief overview of the transect zone and is descriptive in nature.

A. Purpose

The zones within transect 2 are rural in character. This transect, and the zones included, implement the Comprehensive Plan goals of preserving the rural and historic character of Daufuskie Island.

The Rural (D2R) Zone is intended to preserve the rural character of Daufuskie Island. This Zone applies to areas that consist of sparsely settled lands in an open or cultivated state. It may include large lot residential, small commercial or restaurant uses, farms where animals are raised, or crops are grown, parks, woodland, grasslands, trails, and open space areas.

The D2R Rural Zone implements the Comprehensive Plan goals of preserving the rural and historic character of Daufuskie Island.

B. Subzones

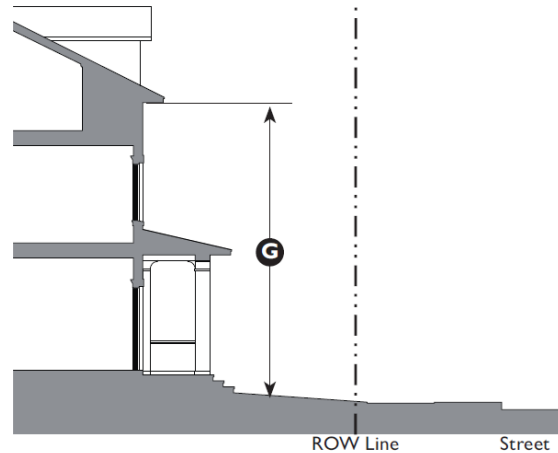
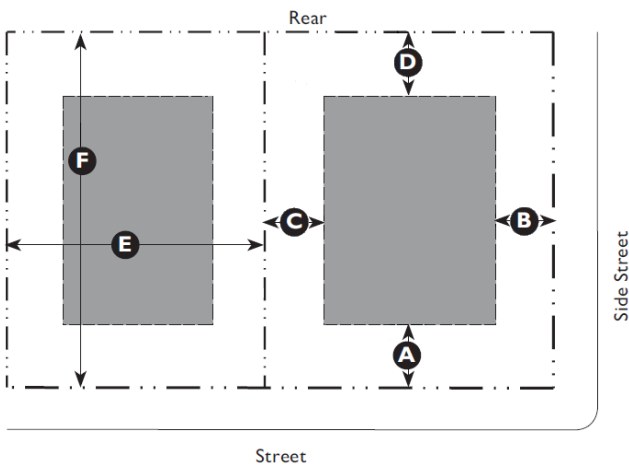
D2R-CP (Rural-Conventionally Platted)

The intent of the D2R-CP subzone is to provide a district that preserves the currently approved conventionally platted subdivisions within this area of Daufuskie Island. This subzone allows for smaller lots that have already been approved by Beaufort County, however no further subdivision or recombination of the existing lots is allowed without obtaining a special permit from Beaufort County.

D2R-GH (Rural-Gullah Heritage)

The intent of the D2R-GH subzone is to provide a district that preserves the Gullah heritage, while maintaining the rural character within this area of Daufuskie Island. This subzone preserves the Gullah heritage sites and ensures that new development is in character with the Gullah heritage.

Division B.1: Transect Zones
D2 Rural



Key

- ROW / Property Line
- Setback Line
- Building Area
- ▨ Facade Zone

C. Building Placement		
Setback (Distance from ROW/Property Line)		
Front	50' min.	A
Side Street	50' min.	B
Side		
Side, Main Building	20' min.	C
Side, Ancillary Building	20' min.	
Rear	50' min.	D
Lot Size (One Acre Minimum)		
Width	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.

D. Building Form	
Architectural Guidelines	
Although not required, the preferred architectural style in Transect 2 is Lowcountry Vernacular as illustrated in 5.3.40.B of the Beaufort County Community Development Code. Also allowed in Transect 2 is a style referred to as Everyday Island. The Everyday Island style of architecture includes a large group of structures and construction techniques for those not wanting the traditional local vernacular. This Everyday Island style also includes modular and prefab construction. These preferred building types and everyday island styles apply in all zones and subzones in Transect 2.	

D. Building Form (Continued)		
Building Height		
Main Building	2 stories max.	G
Ancillary Building	2 stories max.	
Ground Floor Finish Level ¹	No minimum	
Footprint		
Maximum Lot Coverage ²	n/a	

Miscellaneous

Loading docks, overhead doors, and other service entries may not be located on street-facing facades.

Notes

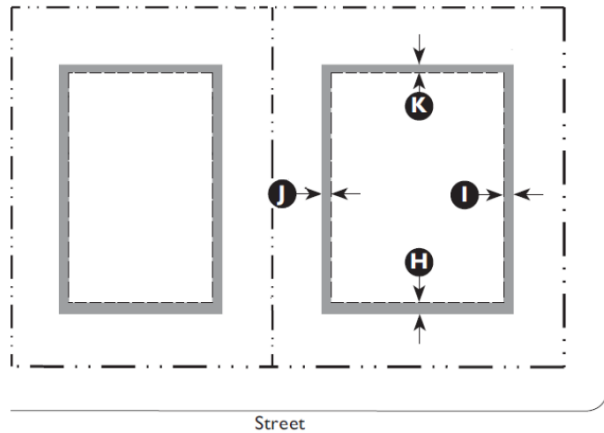
¹Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.

²Lot coverage is the portion of a lot that is covered by any and all buildings including accessory buildings.

E. Gross Density³

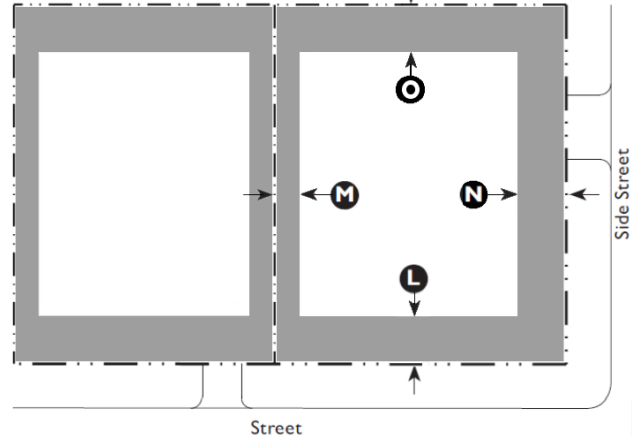
Gross Density	1.0 d.u. per acre
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³Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)



Key

--- ROW / Property Line ■ Encroachment Area
--- Setback Line



Key

--- ROW / Property Line ■ Allowed Parking Area
--- Setback Line

F. Encroachments and Frontage Types

Encroachments

Front	5' max.	H
Side Street	5' max.	I
Side	5' max.	J
Rear	5' max.	K

Encroachments are not allowed within a Street ROW/
Alley ROW, or across a property line.

G. Buffers

In both D2R and D2R-HC a buffer of natural vegetation and trees shall be retained when developed. If the buffer area has been cleared prior to development, or does not exist, a buffer consisting of natural vegetation and trees shall be installed. Minimum buffer requirements are:

Width of Buffer

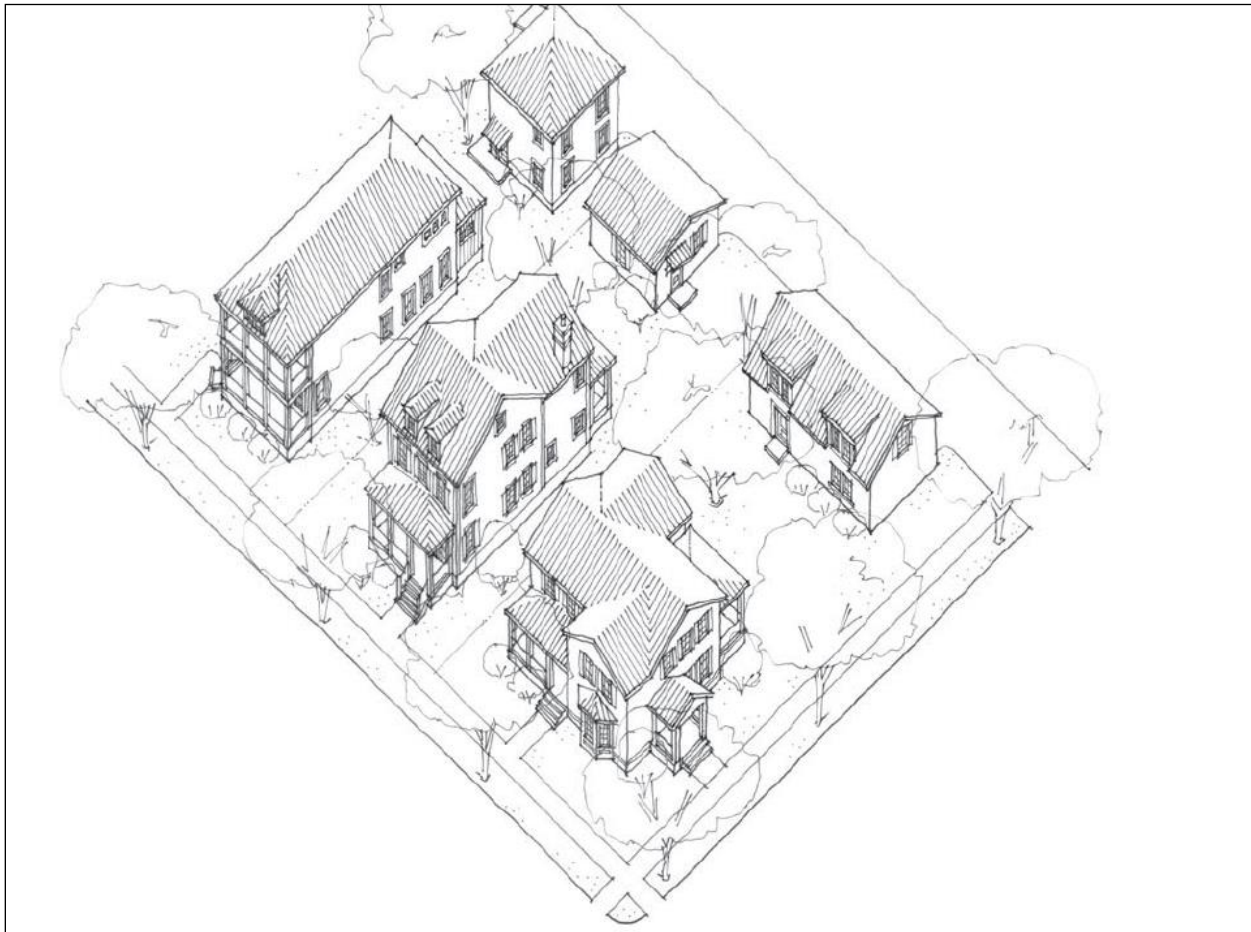
Front	20' min.	L
Side Street	20' min.	M
Side	10' min.	N
Rear	20' min.	O

Miscellaneous

All development in both D2R and D2R-HC abutting any street or road open and used by the public shall be subject to the requirements of the thoroughfare buffer for 2 or 3 lanes as described in Division 5.8.50 of the Beaufort County Community Development Code. These buffers do not apply to the CP and GH sub-districts, however if a property is located in one of these sub-districts and lies within the Heritage Corridor Overlay District, the buffers in the Overlay District shall apply.

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B.I.50 Transect 3: D3 General Neighborhood (D3GN) Standards



General note: The illustration above is intended to provide a brief overview of the transect zone and is descriptive in nature.

A. Purpose

The (D3GN) Zone is intended to preserve the historic character and natural environment of Daufuskie Island. The (D3GN) Zone is intended to provide a walkable, predominantly single-family neighborhood that integrates compatible multi-family housing types, such as duplexes and cottage courts within walking distance to village centers and commercial areas.

The D3GN Zone implements the Comprehensive Plan goals of preserving and building upon the walkable character of portions of Daufuskie Island.

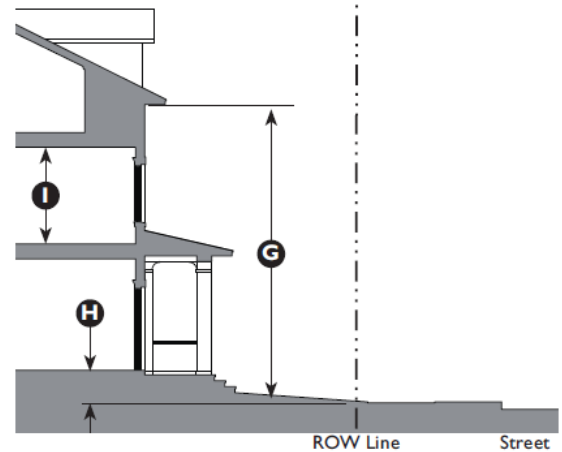
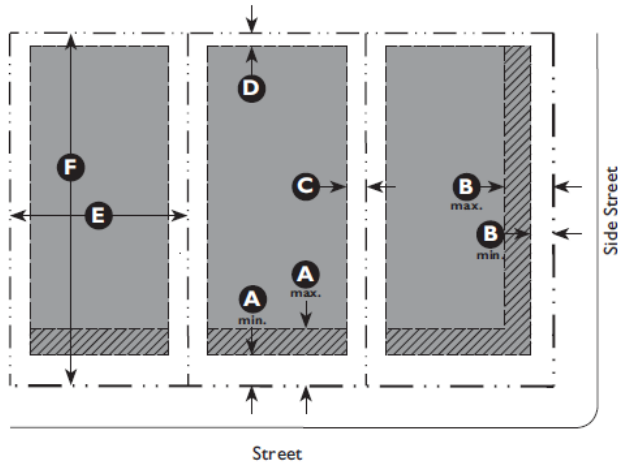
B. Allowed Building Types

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

Miscellaneous

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.

Division D.I: Transect Zones
D3 General Neighborhood

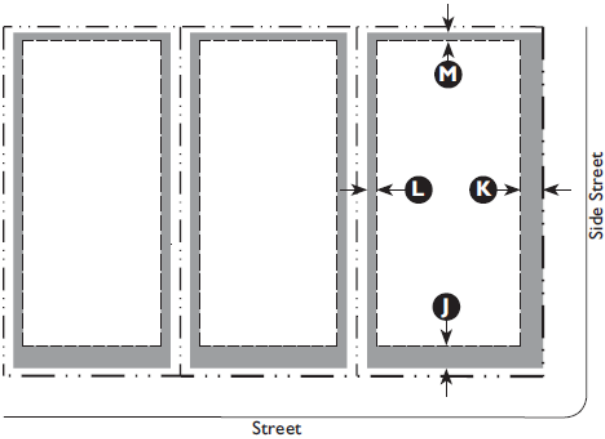


Key

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

C. Building Placement		
Setback (Distance from ROW/Property Line)		
Front	15' min., 50' max.	A
Side Street	10' min., 50' max.	B
Side:		
Side, Main Building	7 1/2' min.	C
Side, Ancillary Building	5' min.	
Rear		
Rear, Main Building	15' min.	D
Rear, Ancillary Building	5' min.	
Façade within Façade Zone:		
Front	75%	
Side Street	50%	
Lot Size (43,560 SF Maximum)		
Width	100' max.	E
Depth	200' 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		

D. Building Form		
Building Height		
Main Building	2 stories max.	G
Ancillary Building	2 stories max.	
Ground Floor Finish Level ¹	18" min.	H
Upper Floors(s) Ceiling	8' min. clear	I
Footprint		
Maximum Lot Coverage ²	30% of lot area	
Miscellaneous		
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 Lot coverage is the portion of a lot that is covered by any and all buildings including accessory buildings.		
E. Gross Density ¹		
Gross Density	3.0 d.u. per acre	
¹ Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)		



Key

- ROW / Property Line
- Setback Line
- Encroachment Area

F. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	J
Side Street	5' max.	K
Side	3' max.	L
Rear	5' max.	M
Encroachments are not allowed within a Street ROW/Alley ROW, buffers, or across a property line.		
See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting	Porch: Side Yard	

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B.I.60 Transect 4: D4 Mixed Use (D4MU) Standards



General note: The illustration above is intended to provide a brief overview of the transect zone and is descriptive in nature.

A. Purpose

The Mixed Use (D4MU) Zone is intended to integrate vibrant residential, commercial and retail environments, providing access to day-to-day amenities within walking distance within the zone as well as to the village centers.

The Mixed Use Zone implements the Comprehensive Plan goals of creating areas of higher intensity residential and commercial uses for Daufuskie Island.

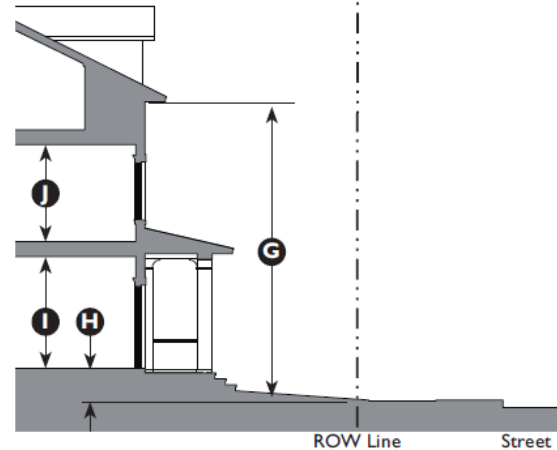
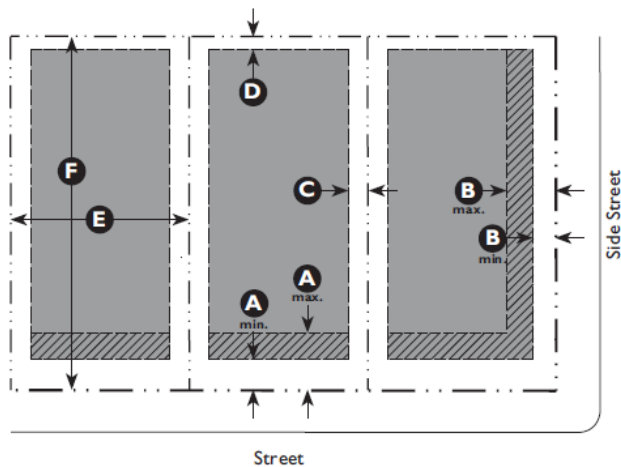
B. Allowed Building Types

Building Type	Specific Regulations
Carriage House	5.1.40
Village House	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

Miscellaneous

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.

Division B.I: Transect Zones
D4 Mixed Use

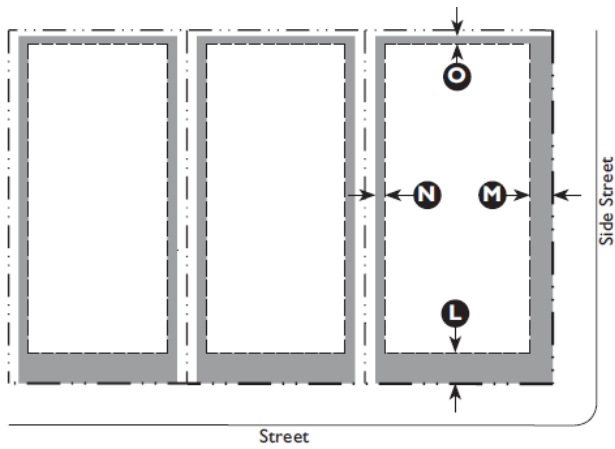


Key

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

C. Building Placement		
Setback (Distance from ROW/Property Line)		
Front	15' min., 30' max.	(A)
Side Street	10' min., 30' max.	(B)
Side:		
Side, Main Building	7 ½' min.	(C)
Side, Ancillary Building	5' min.	
Rear:		
Rear, Main Building	15' min.	(D)
Rear, Ancillary Building	5' min.	
Lot Size (20,000 SF Maximum)		
Width	100 ft. max.	(E)
Depth	200 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.		

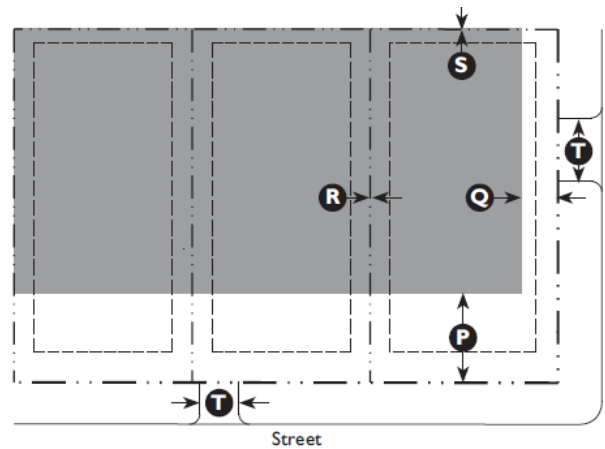
D. Building Form		
Building Height		
Main Building	2 stories max.	(G)
Ancillary Building	2 stories max.	
Ground Floor Finish Level: ¹	18" min.	(H)
Ground Floor Ceiling:	10' min.	(I)
Upper Floor(s) Ceiling	8' min.	(J)
Ground Floor lobbies and Common areas in multi-unit buildings may have a 0" to 6" ground floor finish level.		
Footprint		
Maximum Lot Coverage ²	30% of lot area	
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 Lot coverage is the portion of a lot that is covered by any And all buildings, including accessory buildings.		
E. Gross Density ¹		
Base site area less than 5 ac.	8.0 d.u. per acre	
Base site area greater than 5 ac.	4.0 d.u. per acre	
¹ Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)		



Key

---- ROW / Property Line ■ Encroachment Area
 ——— Setback Line

F. Encroachments and Frontage Types		
Encroachments		
Front	12' max.	L
Side Street	12' max.	M
Side	3' max.	N
Rear	5' max.	O
Encroachments are not allowed within a street ROW, 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		



Key

---- ROW / Property Line ■ Allowed Parking Area
 ——— Setback Line

G. Parking		
Location (Setback from Property Line)		
Front	5' behind front façade of main building	P
Side Street	5' behind front façade of main building	Q
Side	0' min.	R
Rear	5' min.	S

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B.I.70 Transect 5: Village Center (D5VC) Standards



General note: The illustration above is intended to provide a brief overview of the transect zone and is descriptive in nature.

A. Purpose

The zones within transect 5 are the most urban in character. This transect, and the zones included, implement the Comprehensive Plan goals of preserving the character of Daufuskie Island while providing for the commercial needs of the island.

The Village Center (D5VC) Zone is intended to integrate vibrant main-street commercial and retail environments, providing access to day-to-day amenities within walking distance, creating potential for water ferry embarkation points, and serving as a focal point for Daufuskie Island.

The Village Center Zone implements the Comprehensive Plan goals of creating areas of higher intensity residential and commercial uses for Daufuskie Island.

B. Allowed Building Types

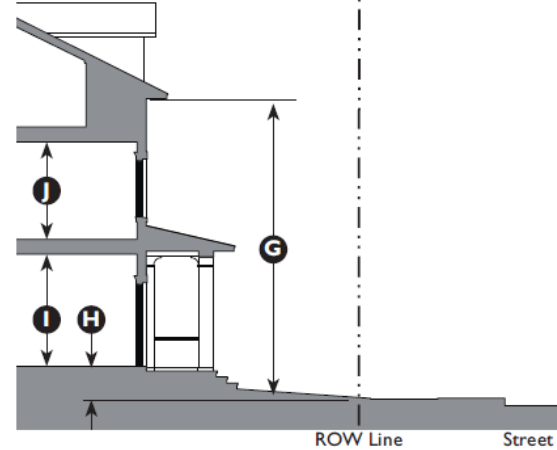
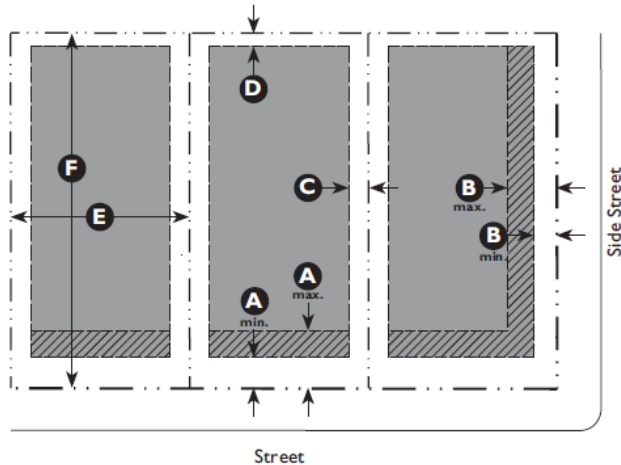
Building Type	Specific Regulations
Carriage House	5.1.40
Small Lot House	5.1.70
Cottage Court	5.1.80
Duplex	5.1.90
Townhouse	5.1.100
Mansion Apartment	5.1.110
Apartment House	5.1.120
Main Street Mixed Use	5.1.130
Industrial/Agricultural	5.1.140

Miscellaneous

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.

Division D.I: Transect Zones

D5 Village Center



Key

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

C. Building Placement

Setback (Distance from ROW/Property Line)

Front	5' min., 20' max.	A
Side Street	5' min., 20' max	B
Side:		C
Main Building	7 1/2' min.	
Ancillary Building	5' min.	
Rear		D
Main Building	15' min.	
Ancillary Building	5' min.	

Lot Size (20,000 SF Maximum)

Width	100' max.	E
Depth	200' 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.

Maximum lot size does not apply to Recreation, Education, Safety, Public Assembly uses, and buildings with a footprint exceeding 20,000 square feet.

D. Building Form

Building Height

Main Building	2 1/2 stories max.	G
Ancillary Building	2 stories max.	
Ground Floor Finish Level: ¹		H
Residential	18" min.	
Commercial	6" max.	
Ground Floor Ceiling:	10' min.	I
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.

Footprint

Maximum Lot Coverage ²	30% of lot area
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Miscellaneous

Loading docks, overhead doors, and other service entries may not be located on street-facing facades.

Notes

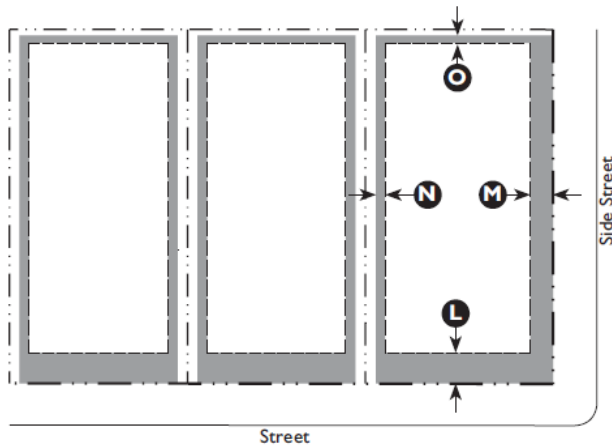
¹Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.

²Lot coverage is the portion of a lot that is covered by any and all buildings, including accessory buildings.

E. Gross Density

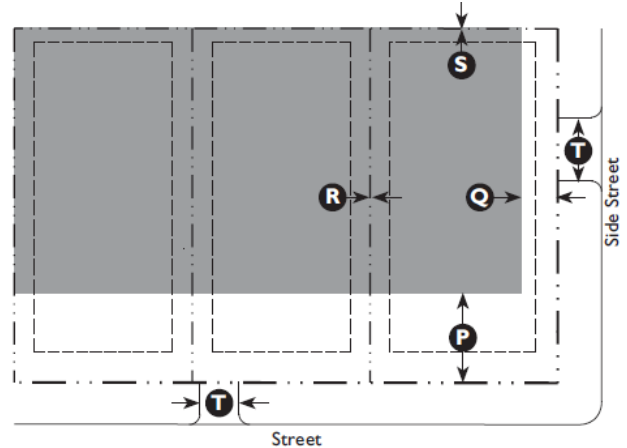
Gross Density ¹	8.0 d.u. per acre
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¹Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)



Key

--- ROW / Property Line ■ Encroachment Area
— Setback Line



Key

--- ROW / Property Line ■ Allowed Parking Area
— Setback Line

F. Encroachments and Frontage Types

Encroachments

Front	12' max.	L
Side Street	12' max.	M
Side	3' max.	N
Rear	5' max.	O

Encroachments are not allowed within a street ROW, Alley ROW, or across a property line.

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Awnings, Galleries and Arcades may encroach further into the street ROW to within 2' of the face of curb. Eaves may encroach up to 3' into the street ROW. All other encroachments are not allowed within street ROW.

Allowed Frontage Types

Porch: Projecting	Dooryard
Porch: Engaged	Porch: Side Yard
Stoop	Shopfront
Forecourt	Terrace

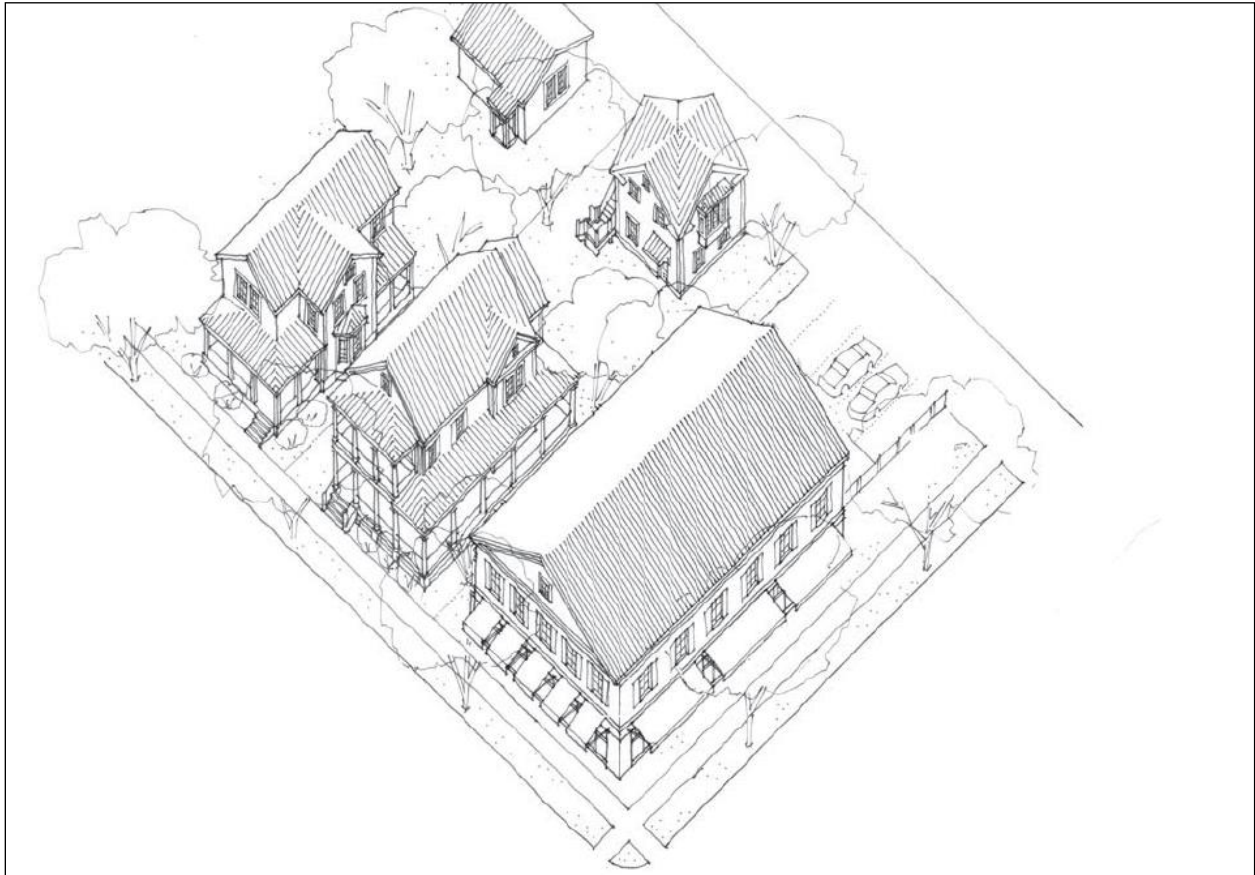
G. Parking

Location (Setback from Property Line)

Front	40' min.	P
Side Street	15' min.	Q
Side	0' min.	R
Rear	5' min.	S

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B.I.80 Transect 5: Gateway Corridor (D5GC) Standards



General note: The illustration above is intended to provide a brief overview of the transect zone and is descriptive in nature.

A. Purpose

The zones within transect 5 are the most urban in character. This transect, and the zones included, implement the Comprehensive Plan goals of preserving the character of Daufuskie Island while providing for the commercial needs of the island.

The Gateway Corridor (D5GC) Zone is intended to extend the concept of a vibrant main-street commercial and retail environments from the Village Center to public places in the Gateway Corridor, providing access to day-to-day amenities within walking distance, creating, and serving as a focal point for public space for Daufuskie Island.

The Gateway Corridor Zone implements the Comprehensive Plan goals of creating areas of higher intensity residential and commercial uses for Daufuskie Island and provide for public and civic uses.

B. Allowed Building Types

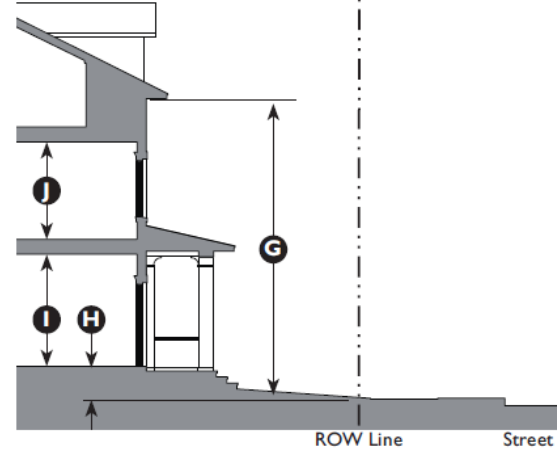
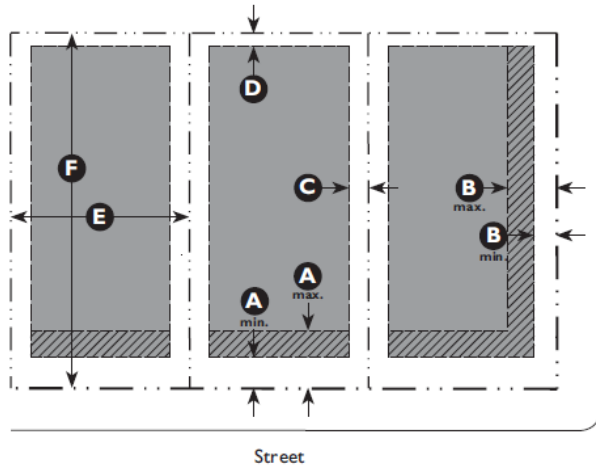
Building Type	Specific Regulations
Carriage House	5.1.40
Small Lot House	5.1.70
Cottage Court	5.1.80
Duplex	5.1.90
Townhouse	5.1.100
Mansion Apartment	5.1.110
Apartment House	5.1.120
Main Street Mixed Use	5.1.130
Industrial/Agricultural	5.1.140

Miscellaneous

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.

Division D.I: Transect Zones

D5 Gateway Corridor



Key

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

C. Building Placement

Setback (Distance from ROW/Property Line)

Front	15' min., 30' max.	A
Side Street	10' min., 30' max	B
Side:		C
Main Building	7 1/2' min.	
Ancillary Building	5' min.	
Rear		
Main Building	15' min.	D
Ancillary Building	5' min.	

Lot Size (20,000 SF Maximum)

Width	100' max.	E
Depth	200' 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.

Maximum lot size does not apply to Recreation, Education, Safety, Public Assembly uses, and buildings with a footprint exceeding 20,000 square feet.

D. Building Form

Building Height

Main Building	2 stories max.	G
Ancillary Building	2 stories max.	
Ground Floor Finish Level: ¹		H
Residential	18" min.	
Commercial	6" max.	
Ground Floor Ceiling:	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.

Footprint

Maximum Lot Coverage ²	30% of lot area
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Miscellaneous

Loading docks, overhead doors, and other service entries may not be located on street-facing facades.

Notes

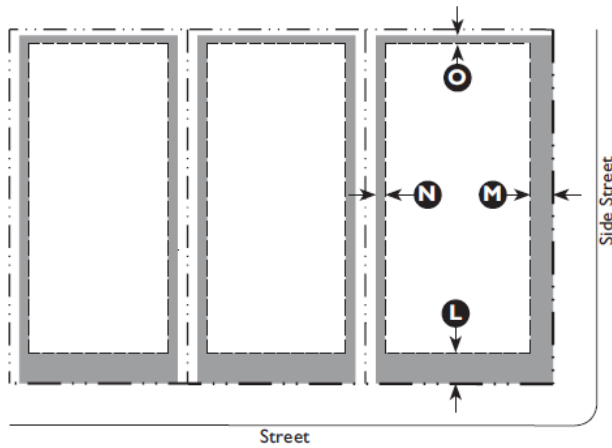
¹Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.

²Lot coverage is the portion of a lot that is covered by any and all buildings, including accessory buildings.

E. Gross Density

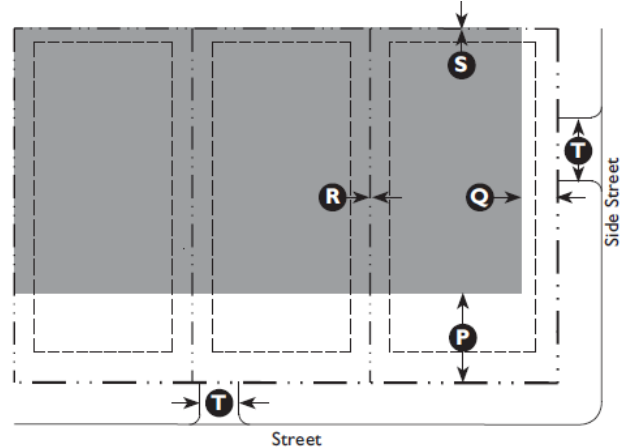
Gross Density ¹	4.0 d.u. per acre
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¹Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)



Key

--- ROW / Property Line ■ Encroachment Area
— Setback Line



Key

--- ROW / Property Line ■ Allowed Parking Area
— Setback Line

F. Encroachments and Frontage Types

Encroachments

Front	12' max.	L
Side Street	12' max.	M
Side	3' max.	N
Rear	5' max.	O

Encroachments are not allowed within a street ROW, Alley ROW, or across a property line.

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Awnings, Galleries and Arcades may encroach further into the street ROW to within 2' of the face of curb. Eaves may encroach up to 3' into the street ROW. All other encroachments are not allowed within street ROW.

Allowed Frontage Types

Porch: Projecting	Dooryard
Porch: Engaged	Porch: Side Yard
Stoop	Shopfront
Forecourt	Terrace

G. Parking

Location (Setback from Property Line)

Front	40' min.	P
Side Street	15' min.	Q
Side	0' min.	R
Rear	5' min.	S

Division B.2: Overlay Zones

Sections:

- B.2.10 Purpose
- B.2.20 Applicability
- B.1.30 Heritage Corridor Overlay (HCO) Standards

B.1.10 Purpose

This Division provides regulatory standards governing land use and building form within special overlay zones. These zones are typically applied to certain areas of the County on Daufuskie Island where extreme physical or cultural constraints need increased planning guidelines and consideration.

B.1.20 Applicability

The requirements of this Division shall apply to all proposed development within the overlay zones and shall be considered in combination with the standards for specific uses in Article 4 (Specific to Use), if applicable, and the development standards in Article 5 (Supplemental to Zones) of the Beaufort County Community Development Code. If there is a conflict between any standards, the provisions of Article 4 (Specific to Use) control over Article 3 (Specific to Zones) and Article 5 (Supplemental to Zones).

B.1.30 Heritage Corridor Overlay (HCO) Standards

- A. Purpose.** The Heritage Corridor Overlay (HCO) zone is established to provide for the long-term protection of the culturally significant resources found on Daufuskie Island. The zone acknowledges Daufuskie Island's historic cultural landscape and its importance to Daufuskie Island and Beaufort County's most notable concentration of Gullah culture.
- B. District Boundaries.** The boundaries of the HCO zone on Daufuskie Island are depicted on the Beaufort County Official Zoning Map. The Overlay District extends 200 feet from the centerline of each street that is identified on the Zoning Map, and any parcel that abuts the defined boundary shall be considered to be included within the overlay corridor and its standards. Where the zone applies, the permitted uses shall be limited to the base zoning in D2R, except where additional limitations are established within the overlay zone.
- C. Site Design and Architecture.** Design features that impact other culturally significant locations, and franchise design are prohibited. All development within 200 feet of the streets of roads that define the district boundary in this zone shall be reviewed by the Beaufort County Design Review Board for both the site design and building style. Any development outside of this 200-foot standard shall not require review by the Design Review Board. All design and buildings shall meet the requirements of Lowcountry Vernacular design architectural style as set forth in Division 5.3 of the Beaufort County Community Development Code.
- D. Use Limitations.** The following specific uses are deemed to be incompatible with the DI-HC-O zone; and therefore, are prohibited:

1. **Restricted Access (Gated Communities).** An intentionally designed, secured bounded area with designated and landscaped perimeters, usually walled or fenced, that are designed to prevent access by non-residents.
 2. **Resorts.** This use includes lodging that serves as a destination point for visitors and designed with some combination of recreation uses or natural areas. Typical types of activities and facilities include marinas, beaches, pools, tennis, golf, equestrian, restaurants, shops, and the like. This restriction does not apply to ecotourism or its associated lodging.
 3. **Golf Courses.** This use includes regulation and par three golf courses having nine or more holes.
- E. **Buffers.** A buffer of natural vegetation and trees shall be retained when developed. If the buffer area has been cleared prior to development, or does not exist, a buffer consisting of natural vegetation and trees shall be installed. Minimum buffer requirements are in Table B.1.30.E.

Table B.1.30.E: Heritage Corridor Overlay District Buffer Requirements	
Buffer	Width
Front	50 feet minimum
Side Street	20 feet minimum
Side	10 feet minimum
Rear	20 feet minimum

All development shall be subject to the requirements of the thoroughfare buffer for 2 or 3 lanes as described in Division 5.8.50 of the Beaufort County Community Development Code.

Division B.3: Permitted Uses and Definitions

Sections:

- B.3.10 Purpose
- B.3.20 Consolidated Land Use Table and Land Use Definitions

B.1.10 Purpose

This Division establishes the land uses allowed in all zones within the County on Daufuskie Island and defines each of the land uses.

B.1.20 Consolidated Land Use Table and Land Use Definitions

The following table shown in B.3.20 defines the land uses that are allowed in each zone on Daufuskie Island. The uses are indicated as:

- **Permitted Use.** A use that is permitted by right in a zone.
- **Conditional Use.** A use that is permitted in a zone subject to the standards specified for that use being met, as determined by the Planning Commission.
- **Special Use.** A use that may be permitted within a zone upon approval of a special use permit by the Zoning Board of Appeals (ZBOA). See Section 7.2.130 (Special Use Permits).
- **Not Permitted Use.** A use that is not allowed or permitted in a zone.

The following table also B.3.20 defines the land use types for Daufuskie Island.

Table B.3.20. Consolidated Use Table

Land Use Type	D1 NP	D2 R	D2 CP	D2 GH	D3 GN	D4 MU	D5 VC	D5 GC	Definition
AGRICULTURE									
1. Agriculture & Crop Harvesting	P	P	--	P	P	--	--	--	A nursery, orchard, or farm, greater than 10,000 SF, primarily engaged in the growth and harvesting of fruits, nuts, vegetables, plants, or sod. The premises may include agricultural accessory structures, plant nurseries, and secondary retail or wholesale sales.
2. Agricultural Support Services	P	P	--	P	P	--	--	--	Nursery, orchard, forestry, or farm supply and support services including, but not limited to: equipment dealers, support uses for agricultural, harvesting, and/or animal production, seasonal packing sheds, etc.
3. Animal Production	--	C	--	C	C	--	--	--	The raising, breeding, feeding, and/or keeping of animals for the principal purpose of commercially producing products for human use or consumption, including, but not limited to: cattle, pigs, sheep, goats, fish (aquaculture), bees, rabbits, and poultry. This does not include "Factory Farming" operations.
4. Animal Production: Factory Farming	--	S	--	S	S	--	--	--	The raising, breeding, feeding, and/or keeping of livestock (typically cows, pigs, turkeys, or chickens) in confinement at high stocking density for the purpose of commercially producing meat, milk, or eggs for human consumption.
5. Seasonal Farmworker Housing/ Construction Worker Housing	--	S	--	S	S	S	S	S	Housing designated for temporary occupancy for workers during seasonal farming or construction activity.
6. Forestry	P	P	P	P	P	P	P	P	Perpetual management, harvesting, replanting, and enhancement of forest resources for ultimate sale or use of wood products, subject to S.C. Forestry Commission BMPs.
7. Commercial Stables	--	C	--	C	C	--	--	--	Stabling, training, feeding of horses, mules, donkeys, or ponies, or the provision of riding facilities for use other than by the resident of the property, including riding academies. Also includes any structure or place where such animals are kept for riding, driving, or stabling for compensation or incidental to the operation of any club, association, ranch or similar purpose.
RESIDENTIAL									
1. Dwelling: Single Family Detached Unit	--	P	P	P	P	P	P	P	A structure containing one dwelling unit on a single lot.
2. Dwelling: Single Family Attached Unit	--	--	--	--	--	P	P	P	A structure containing one dwelling unit on a single lot and connected along a property line to another dwelling unit on an adjoining lot by a common wall or other integral part of the principal building such as a breezeway or carport.
3. Dwelling: Two Family Unit (Duplex)	--	--	--	--	--	P	P	P	A structure containing two dwelling units on a single lot.
4. Dwelling: Multi-Family Unit	--	--	--	--	--	P	P	P	A structure containing three or more dwelling units on a single lot.
5. Dwelling: Accessory Unit	--	P	P	P	P	P	P	P	An auxiliary dwelling unit, no larger than 800 SF attached to a principal dwelling unit or located within an accessory structure on the same lot.
6. Dwelling: Family Compound	--	P	--	P	--	--	--	--	A form of traditional rural development which provides for the placement of additional single-family detached dwelling units on, and/or subdivisions of, a single parcel of land owned by the same family for at least 50 years.

Table B.3.20. Consolidated Use Table (continued)

Land Use Type	D1 NP	D2 R	D2 CP	D2 GH	D3 GN	D4 MU	D5 VC	D5 GC	Definition
RESIDENTIAL (continued)									
7. Dwelling: Cluster Compound	--	P	--	P	P	--	--	--	A form of development which provides for the placement of small, single family detached dwelling units on, and/or subdivisions of, a single parcel of land. Central facilities that provide services to the residents of the cluster compound may be included.
8. Dwelling: Group Home	--	P	P	P	P	P	P	P	Residential facility for nine or fewer mentally or physically handicapped persons providing care on a 24-hour basis and licensed by a state agency or department, or is under contract with a state agency or department, for that purpose.
9. Community Residence (dorms, convents, assisted living, temporary shelters)	--	S	--	S	S	S	S	S	<p>1. Dormitory: A building, or portion thereof, which contains living quarters for five or more students, staff, or members of a college, university, primary or secondary boarding school, theological school, or other comparable organization, provided that such building is either owned or managed by such organization, or is under contract with such organization for that purpose.</p> <p>2. Convent or Monastery. The living quarters or dwelling units for a religious order or for the congregation of persons under religious vows.</p> <p>3. Assisted Living Facility: A state-licensed facility for long-term residence exclusively by seniors and persons with disabilities who require assistance with daily activities, and which may include, without limitation, common dining, social and recreational features, special safety and convenience features designed for the needs of the elderly or disabled, such as emergency call systems, grab bars and handrails, special door hardware, cabinets, appliances, passageways, and doorways designed to accommodate wheelchairs, and the provision of social services for residents which must include at least two of the following: meal services, transportation, housekeeping, linen, and organized social activities. May include an accessory skilled nursing component.</p> <p>4. Group Home (more than 9 persons). A state-licensed residential facility for more than 9 mentally or physically handicapped persons providing care on a 24-hour basis.</p> <p>Temporary Shelter: A supervised publicly or privately operated shelter and services designed to provide temporary living accommodations to individuals or families who lack a fixed, regular and adequate residence. This does not include residential substance abuse facilities or halfway houses (see "Community Care Facility").</p>
10. Home Office	--	P	P	P	P	P	P	P	An office use carried out for gain by a resident and conducted entirely within the resident's home. This use permits the employment of one individual who does not live in the home.

Table B.3.20. Consolidated Use Table (continued)

Land Use Type	D1 NP	D2 R	D2 CP	D2 GH	D3 GN	D4 MU	D5 VC	D5 GC	Definition
RESIDENTIAL (continued)									
11. Home Business	--	P	P	P	P	P	P	P	An office or service use carried out for gain by a resident and conducted entirely within the resident's home and/or accessory structures. This use permits the employment of up to three individuals who do not reside on the premises.
12. Cottage Industry	--	P	S	P	S	--	S	S	Light industrial uses and boat, small engine (e.g. lawn mowers, but not vehicles), and farm equipment repair services carried out for gain by a resident and conducted on, or adjacent to, the property that contains the operator's residence. This use permits the employment of up to six individuals who do not reside on the premises.
13. Live/Work	--	P	C	P	C	P	P	P	An integrated housing unit and working space, occupied and utilized by a single household in a structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes: complete kitchen, living, and sleeping space and sanitary facilities in compliance with the Building Code, and working space reserved for and regularly used by one or more occupants of the unit. Workspace is limited to a maximum fifty percent (50%) of the structure and located on the first floor with living space located to the rear or above. Activities are limited to those uses permitted in the underlying Zone in which the Live/Work unit is located.
RETAIL AND RESTAURANTS									
1. General Retail 3,500 SF or less	--	P	--	P	P	P	P	P	Stores and shops that sell and/or rent goods and merchandise to the general public. This category does not include "Open Air Retail," "Vehicle Sales and Rental," or "Gas Stations/Fuel Sales."
2. General Retail 10,000 SF or less	--	S	--	--	--	--	P	P	
3. General Retail over 10,000 SF	--	--	--	--	--	--	S	S	
4. Bars, Taverns and Nightclubs	--	--	--	--	--	S	P	P	1. Bar, Tavern. A business where alcoholic beverages are sold for on-site consumption that is not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May also include beer brewing as part of a micro brewery ("brew-pub"), and other beverage tasting facilities. 2. Night Club. A facility serving alcoholic beverages for on-site consumption, and providing entertainment, examples of which include live music and/or dancing, comedy, etc. Does not include adult oriented businesses.
5. Gas Stations and Fuel Sales	--	--	--	--	--	P	P	P	An establishment where petroleum products are dispensed for retail sale. This use may include a retail convenience store and/or a single bay carwash. It does not include towing, vehicle body or engine repair (see "Vehicle Services"), or overnight vehicle storage.
6. Open Air Retail	--	P	--	P	P	P	P	P	A retail sales establishment operated substantially in the open air including, but not limited to: flea markets, monument sales, beach recreation rentals, and the like. Does not include "Vehicle Sales and Rental", agricultural equipment sales and rental (see "Agricultural Support Services"), plant nurseries (see "Agriculture and Crop Harvesting"), or roadside stands and farmers markets (see "Temporary Uses").

Table B.3.20. Consolidated Use Table (continued)

Land Use Type	D1 NP	D2 R	D2 CP	D2 GH	D3 GN	D4 MU	D5 VC	D5 GC	Definition
RETAIL AND RESTAURANTS (continued)									
7. Restaurant, Café, Coffee Shop: Less than 40 seats in structure	--	P	--	P	P	P	P	P	A retail business selling ready-to-eat food and/or beverages for on- or off-premise consumption. These include eating establishments where customers are served from a walk-up ordering counter for either on- or off-premise consumption ("counter service"); and establishments where customers are served food at their tables for on-premise consumption ("table service"), that may also provide food for take-out, but does not include drive-through services, which are separately defined and regulated. This use includes all mobile kitchens.
8. Restaurant, Café, Coffee Shop: 40 seats or more in structure	--	--	--	--	--	P	P	P	
9. Vehicle Sales and Rental - Light	--	--	--	--	--	S	P	P	A retail or wholesale establishment selling and/or renting automobiles, light trucks (less than 2-ton load capacity), vans, trailers, boats, and/or any other motorized or non-motorized vehicles (e.g. scooters, jet skies, golf carts, motorcycles) that includes outdoor display. May also include repair shops and the sales of parts and accessories incidental to vehicle dealerships. Does not include businesses dealing exclusively in selling used parts, auto wrecking and/or salvage (see "Salvage Operations"); the sale of auto parts/accessories separate from a vehicle dealership (see "General Retail"); or service stations (see "Vehicle Services").
OFFICES & SERVICES									
1. General Offices and Services 3,500 SF or less	--	C	--	C	C	P	P	P	<p>1. <u>Bank/Financial Services.</u> Financial institutions, including, but not limited to: banks, credit agencies, investment companies, security and commodity exchanges, ATM facilities.</p> <p>2. <u>Business Services.</u> Establishments providing direct services to consumers, including, but not limited to: employment agencies, insurance agent offices, real estate offices, travel agencies, landscaping and tree removal companies, exterminators, carpet cleaners, and contractors' offices without exterior storage.</p> <p>3. <u>Business Support Services.</u> Establishments providing services to other businesses, including, but not limited to: computer rental and repair, copying, quick printing, mailing and mailbox services.</p> <p>4. <u>Personal Services.</u> Establishments providing non-medical services to individuals, including, but not limited to: barber and beauty shops, dry cleaners, small appliance repair, laundromats, massage therapists, pet grooming with no boarding, shoe repair shops, tanning salons, funeral homes. These uses may include incidental retail sales related to the services they provide.</p> <p>5. <u>Professional and Administrative Services.</u> Office-type facilities occupied by businesses or agencies that provide professional or government services, or are engaged in the production of intellectual property.</p>
2. General Offices and Services 10,000 SF or less	--	--	--	--	--	P	P	P	
3. Animal Services: Clinic/Hospital	--	--	--	--	--	C	P	P	An establishment used by a veterinarian where animals are treated. This use may include boarding and grooming as accessory uses.

Table B.3.20. Consolidated Use Table (continued)

Land Use Type	D1 NP	D2 R	D2 CP	D2 GH	D3 GN	D4 MU	D5 VC	D5 GC	Definition
OFFICES & SERVICES (continued)									
4. Animal Services: Kennel	--	C	--	C	C	C	P	P	A commercial facility for the boarding, breeding, and/or maintaining of animals for a fee that are not owned by the operator. This use includes pet day care facilities, animal training facilities (except horses – see “Commercial Stables”), and may include grooming as an accessory use. This use includes the breeding of animals in outdoor structures, cages or pens for sale, but does not include animals for sale in pet shops (see “General Retail”).
5. Body Branding, Piercing, Tattooing	--	--	--	--	--	S	S	S	An establishment whose principal business is the one or more of the following: any invasive procedure in which a permanent mark is burned into or onto the skin using either temperature, mechanical or chemical means; creation of an opening in the body for the purpose of inserting jewelry or other decorations (not including ear piercing); and/or placing designs, letters, figures, symbols or other marks upon or under the skin of any person using ink or other permanent coloration.
6. Day Care: Family Home (up to 8 clients)	--	C	--	C	C	C	S	S	A state-licensed facility in a private home where an occupant of the residence provides non-medical care and supervision for up to 8 unrelated adults or children, typically for periods of less than 24 hours per day for any client.
7. Day Care: Commercial Center (9 or more clients)	--	--	--	--	--	C	S	S	A state-licensed facility that provides non-medical care and supervision for more than 8 adults or children, typically for periods of less than 24 hours per day for any client. Facilities include, but are not limited to: nursery schools, preschools, after-school care facilities, and daycare centers.
8. Lodging: Bed and Breakfast (5 rooms or less)	--	C	--	C	C	P	P	P	The use of a single residential structure for commercial lodging purposes, with up to 5 guest rooms used for the purpose of lodging transient guests and in which meals may be prepared for them, provided that no meals may be sold to persons other than such guests, and where the owner resides on the property as his/her principal place of residence.
9. Lodging: Inn (up to 24 rooms)	--	--	--	--	S	P	P	P	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.
10. Lodging: Hotel (25 to 50 rooms)	--	--	--	--	--	S	P	P	A lodging establishment of 25 or more rooms in a building or group of buildings offering transient lodging accommodations on a daily rate to the general public.
11. Residential Storage Facility	--	--	--	--	--	S	S	S	A building or buildings consisting of individual, small, self-contained units that are leased or owned for the storage of household goods. Outdoor storage of boats, trailers, and vehicles may be provided as an accessory use.
12. Medical Service: Hospital	--	--	--	--	--	S	P	P	An institution licensed by the State, where people, including inpatients, receive medical, surgical or psychiatric treatment and nursing care.

Table B.3.20. Consolidated Use Table (continued)

Land Use Type	D1 NP	D2 R	D2 CP	D2 GH	D3 GN	D4 MU	D5 VC	D5 GC	Definition
OFFICES & SERVICES (continued)									
13. Medical Service: Clinics/Offices	--	--	--	--	--	P	P	P	<p>1. <u>Clinic</u>. A facility other than a hospital where medical, mental health, surgical and other personal health services are provided on an outpatient basis. Examples of these uses include: Medical offices with five or more licensed practitioners and/or medical specialties, outpatient care facilities, urgent care facilities, other allied health services. These facilities may also include incidental medical laboratories and/or pharmacies. Counseling services by other than medical doctors or psychiatrists are included under "General Services - Professional/Administrative."</p> <p>2. <u>Medical Office</u>. A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis, and that accommodates no more than four licensed primary practitioners (for example, chiropractors, medical doctors, psychiatrists, etc., other than nursing staff) within an individual office suite. A facility with five or more licensed practitioners is classified under "Medical Services – Clinic." Counseling services by other than medical doctors or psychiatrists are included under "General Services – Professional / Administrative."</p>
14. Vehicle Services: Minor Maintenance and Repair	--	C	--	C	C	P	P	P	Incidental minor repairs to include replacement of parts and service to passenger cars and light trucks, but not including any operation defined as "Vehicle Services - Major Maintenance and Repair" or any other operation similar thereto. Examples include quick service oil, tune-ups, tires, brake and muffler shops. This use also includes car washes and detailing businesses as a principal use.
15. Vehicle Services; Major Maintenance and Repair	--	--	--	--	--	S	S	S	General repair, rebuilding or reconditioning of boats and/or motor vehicles; collision service including body or frame straightening or repair; vehicle paint shops; auto wrecker services.
RECREATION, EDUCATION, SAFETY, PUBLIC ASSEMBLY									
1. Community Oriented Cultural Facility (less than 5,000 SF)	--	C	--	C	C	P	P	P	Public or non-profit facilities that provide educational and cultural experiences for the general public, examples of which include: aquariums, arboretums, art galleries, botanical gardens, libraries, museums, planetariums, civic centers and theaters predominantly used for live performances, and zoos. May also include accessory retail uses such as a gift/book shop, restaurant, etc.
2. Community Oriented Cultural Facility (5,000 SF or greater)	--	C	--	C	C	C	P	P	Public or non-profit facilities that provide educational and cultural experiences for the general public, examples of which include: aquariums, arboretums, art galleries, botanical gardens, libraries, museums, planetariums, civic centers and theaters predominantly used for live performances, and zoos. May also include accessory retail uses such as a gift/book shop, restaurant, etc.
3. Community Public Safety Facility	--	P	P	P	P	P	P	P	A public safety facility operated by a public agency including fire stations, other fire preventive and fire fighting facilities, police and sheriff substations and headquarters, including interim holding facilities. May include ambulance dispatch on the same site. Does not include "Detention Facilities."

Table B.3.20. Consolidated Use Table (continued)

Land Use Type	D1 NP	D2 R	D2 CP	D2 GH	D3 GN	D4 MU	D5 VC	D5 GC	Definition
RECREATION, EDUCATION, SAFETY, PUBLIC ASSEMBLY (continued)									
4. Institutional Care Facility	--	--	--	--	S	S	S	S	Facilities licensed by the State that provide living, sleeping, and sanitation accommodations in coordination with the provision of social, rehabilitative and/or medical services in a protective living environment for persons residing voluntarily, by court placement, or under protective control of the federal, state or county government; including, but not limited to, post-correctional facilities, residential substance abuse treatment facilities, residential treatment facilities for the mentally ill, skilled nursing homes not part of an assisted living or continuing care facility (see "Community Residence").
5. Detention Facility	--	--	--	--	S	S	S	S	A facility operated by a public agency, or is under contract with a public agency, that houses persons convicted of, or being held for, a crime. Such facilities include: prisons, detention facilities, work-release facilities, work camps, etc.
6. Meeting Facility/Place of Worship (less than 15,000 SF)	--	P	--	P	P	P	P	P	A facility for public or private meetings, including: community centers, places of worship (e.g., churches, mosques, synagogues, etc.), meeting halls for clubs and other membership organizations, etc. This use includes all cemeteries.
7. Meeting Facility/Place of Worship (15,000 SF or greater)	--	C	--	C	C	P	P	P	
8. Park, Playground, Outdoor Recreation Areas	S	P	P	P	P	P	P	P	An outdoor recreation facility that may provide a variety of recreational opportunities including playground equipment, playing fields, outdoor tennis and basketball courts, outdoor swimming pools, boat ramps and fishing piers; and areas for passive recreation such as hiking trails, picnic areas and bird blinds.
9. Recreation Facility: Community Based	--	P	--	P	P	P	P	P	A community recreation center that may include one or more of the following: gymnasium; indoor swimming pool; indoor tennis, racquetball, and/or handball courts, and other indoor sports activities. This use includes all not-for-profit organizations chartered to provide community-based recreation services. Does not include commercial health/fitness facilities, which are included under "General Offices and Services."
10. Recreation Facility: Commercial Indoor	--	--	--	--	S	P	P	P	An establishment providing indoor amusement and entertainment services, often for a fee or admission charge, including, but not limited to : bowling alleys, coin-operated amusement arcades, movie theaters, electronic game arcades (video games, pinball, etc.), indoor ice skating and roller skating rinks, pool and billiard rooms as primary uses. Does not include adult-oriented businesses. May include bars and restaurants as accessory uses. Any establishment with four or more electronic games or amusement devices (e.g., pool or billiard tables, pinball machines, etc.) or a premise where 50 percent or more of the floor area is occupied by electronic games or amusement devices is considered an indoor recreation facility; three or fewer machines or devices are not considered a use separate from the primary use of the site.

Table B.3.20. Consolidated Use Table (continued)

Land Use Type	D1 NP	D2 R	D2 CP	D2 GH	D3 GN	D4 MU	D5 VC	D5 GC	Definition
RECREATION, EDUCATION, SAFETY, PUBLIC ASSEMBLY (continued)									
11. Recreation Facility: Commercial Outdoor	--	--	--	--	S	P	P	P	A facility for outdoor recreational activities where a fee is often charged for use. Examples include, but are not limited to, amusement and theme parks; go-cart tracks; golf driving ranges; miniature golf courses; marinas; watercraft rentals; and water parks. May also include commercial facilities customarily associated with the above outdoor commercial recreational uses, including bars and restaurants, video game arcades, etc. Marinas may include marine-related retail (bait and tackle, boat supplies), fuel sales, minor boat repair, and boat storage. This use does not include golf courses or campgrounds.
12. Recreation Facility: Campground	--	S	--	S	S	S	S	S	Form of lodging where guests bring tents, travel trailers, campers, or other similar forms of shelter to experience natural environments. Campgrounds rent two (2) or more pads or spaces to guests. May also include accessory uses such as a camp store, shower/bathroom facilities, and recreational facilities.
13. Ecotourism	S	C	--	C	P	P	P	P	Organized, educational and mainly outdoor recreation with or without lodging that invites participants to learn about and promote ecological preservation, conservation, and sustainability. This use shall include at least two of the following characteristics: 1. Located near or within a wilderness setting, park, or protected area; 2. Interpretive educational program with or without guides; 3. Outdoor activities; or Cultural experiences.
14. School: Public or Private	--	C	--	C	S	P	P	P	A public or private academic educational institution, including elementary (kindergarten through 6th grade), middle and junior high schools (7th and 8th grades), secondary and high schools (9th through 12th grades), and facilities that provide any combination of those levels. May also include any of these schools that also provide room and board.
15. School: Specialized Training/ Studios	--	S	--	S	S	P	P	P	Small-scale facilities that provide individual and group instruction, education and/or training, including tutoring and vocational training in limited subjects, including, but not limited to: the arts, dance, photography, martial arts training, gymnastics instruction, production studios for individual musicians, painters, sculptors, photographers, and other artists, business and vocational schools, and driver education schools.
16. School: College or University	--	--	--	--	S	S	S	S	A facility for post-secondary education that grants associates, bachelors, masters, or doctoral degrees, and may include research functions. Includes professional schools (law, medicine, etc.) and technical colleges.
INFRASTRUCTURE, TRANSPORTATION, COMMUNICATIONS									
1. Airport, Aviation Services	--	S	--	--	--	--	--	--	An airport, runway, landing strip, seaport, or heliport providing accommodations by public, private, or not-for-profit entities for the conveyance of persons from one location to another by airplane, seaplane, helicopter, or other means of aviation. Includes facilities for loading and unloading areas.

Table B.3.20. Consolidated Use Table (continued)

Land Use Type	D1 NP	D2 R	D2 CP	D2 GH	D3 GN	D4 MU	D5 VC	D5 GC	Definition
INFRASTRUCTURE, TRANSPORTATION, COMMUNICATIONS (continued)									
2. Infrastructure and Utilities: Regional (Major)	--	C	--	S	C	C	C	C	Utility facilities that provide County-wide or regional service. Examples include public utility substations; water towers; waste treatment plants; and electrical substations.
3. Parking Facility: Public or Commercial	--	--	--	--	S	P	P	P	A public or commercial parking lot or structure providing parking either for free or for a fee. Does not include towing impound and storage facilities.
4. Transportation Terminal	--	--	--	--	S	P	P	P	A public or commercial site or structure providing access via water ferry or aviation, such as helicopter, to transport people or goods to a mainland location. Parking facilities either for free or for a fee may be included.
5. Waste Management: Community Collection and Recycling	--	C	--	S	C	C	S	S	A site, location, tract of land, or building that may be used for the purpose of collecting all types of residential waste and recyclables that are generated "off site" in the local community to be transported by public or private companies to a waste recycling, transfer or disposal/recovery facility, permitted by South Carolina Department of Health and Environmental Control (SCDHEC) as required. This use includes county collection (convenience) centers.
6. Waste Management: Regional Waste Transfer and Recycling	--	S	--	S	S	S	S	S	Disposal uses including sanitary landfills, construction waste and debris landfills, sludge disposal or storage; and resource recovery facilities, excluding disposal of industrial or radioactive waste materials.
7. Wireless Communication Facility	--	S	S	S	S	S	S	S	Public, commercial and private electromagnetic and photoelectric transmission, broadcast, repeater and receiving stations for radio, television, telephone, data network, and wireless communications, including commercial earth stations for satellite-based communications. Includes antennas, commercial satellite dish antennas, and equipment buildings. Does not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections.
INDUSTRIAL									
1. Manufacturing, Processing, and Packaging – Light (Less than 15,000 SF)	--	C	--	--	S	P	P	P	A facility accommodating manufacturing processes involving less intense levels of fabrication and/or production such as the assembly, fabrication, and conversion of already processed raw materials into products, where the operational characteristics of the manufacturing processes and the materials used are unlikely to cause significant impacts on surrounding land uses or the community. The premises may include secondary retail or wholesale sales. Examples of light manufacturing uses include: artisan / craft product manufacturing; clothing and fabric product manufacturing; furniture and fixtures manufacturing, cabinet shop, media production, photo/film processing lab not accessory to a retail business, printing & publishing, food preparation and packaging, winery, micro-brewery.
2. Manufacturing, Processing, and Packaging – Light (15,000 SF or greater)	--	S	--	--	S	S	S	S	
3. Mining & Resource Extraction	--	S	--	S	S	S	S	S	Extractive uses such as surface mining for sand, gravel, clay and topsoil and any other such use. Quarrying is not permitted.

Table B.3.20. Consolidated Use Table (continued)

Land Use Type	D1 NP	D2 R	D2 CP	D2 GH	D3 GN	D4 MU	D5 VC	D5 GC	Definition
INDUSTRIAL (continued)									
4. Outdoor Maintenance / Storage Yard	--	S	--	S	S	S	S	S	An outdoor storage area for large equipment, vehicles, and/or other materials used by a public agency or a general or specialty contractor; lumberyards; and other industrial outdoor storage uses, excluding salvage operations. May include an accessory office.
5. Warehousing	--	--	--	--	S	S	P	P	Facilities for the storage of furniture, household goods, or other commercial goods of any nature. May include an outdoor storage component, provided that the outdoor storage is not the primary use. Does not include mini-storage facilities offered for rent or lease to the general public (see "Residential Storage Facility") or warehouse facilities primarily used for wholesaling and distribution (see "Wholesaling and Distribution").
6. Wholesaling and Distribution	--	--	--	--	S	S	P	P	An establishment engaged in selling merchandise in bulk quantities to retailers; to contractors, industrial, commercial, agricultural, institutional, or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies.

Division B.4: Developments Within Rural Areas

Sections:

- B.4.10 Purpose
- B.4.20 Applicability
- B.4.30 Small Lot Cottage Court Subdivisions
- B.4.40 Family Compound Standards

B.4.10 Purpose

The purpose of this Division is to:

- A. Provide standards for the subdivision of rural lands on Daufuskie Island that maintain the character and heritage of the rural lands while allowing to opportunity to provide for small dwellings in a Cottage Court design in Cluster Compounds to provide for affordable housing and housing that will allow the elderly to remain on Daufuskie Island.
- B. Allow long-time rural residents to protect a traditional way of life and provide affordable housing for family members that in turn helps stabilize and preserve the Island's traditional rural communities.

B.4.20 Applicability

The standards found in this Division apply to zones and subzones within D2R district of Transect 2 on Daufuskie Island.

B.4.30 Small Lot Cottage Court Subdivision

- A. **Intent.** The rural small lot subdivision, or also known as the cottage close type of development, is designed to allow landowners of rural lots greater flexibility to subdivide land that is generally not allowed to be subdivided under this Development Code because of the density limitations in the D2R Zone to provide for Cluster Compound developments.
- B. **Applicability.** Use of the rural small lot cottage court subdivision option is limited as identified in Table 2.1.30.A and cannot be transferred to any other parcel.
- C. **Minimum Development Standards for Rural Small Lot Cottage Court Subdivisions.** Rural small lot cottage court subdivisions shall comply with the following:
 - 1. **Parent Parcel.** The parent parcel constitutes the total site. Any development of this type shall require a minimum of a four-acre parent parcel with a maximum parent parcel of eight acres. All residential units or parcels shall be clustered around a courtyard or small access street, and the area not developed shall be preserved and all significant tress saved.
 - 2. **Residential Units or Lots.** The number of lots or units allowed in a rural small lot subdivision is established in Table B.4.30.C. All lots or residential structures shall be clustered within a one or two-acre envelope as shown in Table 2.1.30.A

Table B.4.30.C: Maximum Number of Lots that can be Subdivided from a Parcel of Record Utilizing the Small Lot Cottage Court Subdivision

Parent Parcel Size	Maximum Number of Residential Units	Maximum Area or Envelope to be Developed
4 acres	6	1 acre
6 acres	8	1 ½ acres
8 acres	12	2 acres

- D. Restrictions on Future Subdivisions.** A note shall appear on all plats for rural small lot cottage court subdivisions specifying the number of remaining by-right lots that can be subdivided from the parent tract should the maximum lots or residential units defined in Table 2.1.30.A not be developed initially. If all by-right lots are subdivided or units constructed, the note shall state that no subdivisions of the parent parcel shall be allowed.

B.4.40 Family Compound Standards

Family compounds shall comply with the following standards

- A. Fifty (50) Years of Ownership.** A single member of the family, multiple members of the family, or an unbroken succession of family members shall own a family compound property for no less than 50 years. All owners of the property shall request the family compound.
- B. Familial Relationship of those Receiving Property and/or Dwelling Unit.** The person(s) for whom the family dwelling units are built, and/or the property subdivided shall be related to the owner of the property by blood, marriage, or adoption.
- 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.
- D. Family Compound Design.** The family compound shall be designed as follows:
1. Lots or dwelling units may be designed in a conventional form, or as a traditional cluster. For the purposes of this Section, traditional cluster means there must be a minimum of two dwelling units on the parcel and the average distance between dwelling units is no greater than 50 feet.
 2. The maximum density that may be achieved on family compounds is outlined in Table 2.1.40.A (Maximum Densities of Family Compounds). This maximum density includes dwelling units and accessory dwelling units.
 3. For family compounds that are clustered:
 - a. There is no minimum lot area;
 - b. The minimum separation between dwelling units is 15 feet; and
 - c. A land development plan shall be submitted for approval. See Section 7.2.60 (Land Development Plan). The land development plan shall be drawn to scale

and clearly indicate all property lines and the location of all existing and proposed structures.

4. For family compounds that are not clustered the minimum lot area is one-half acre.

- E. Covenants Required.** 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.
- F. Septic Systems and Reserve Areas.** No family dwelling unit shall be built unless the appropriate agency has determined that septic systems and reserve areas in the family compound are sufficient to serve all units in the compound.
- G. Leasing.** No family dwelling unit shall be leased for five years from the date of approval unless the lessee is related to the property owner by blood, marriage, or adoption.
- H. Conveyance of Land Approved as Family Compound.** No portion of a tract of land approved as a family compound in accordance with this Section shall be conveyed for five years from the date of approval of the family compound unless the grantee is related to the property owner by blood, marriage, or adoption. This limitation on conveyance shall:
 - 1. Be recorded on the plat of the property, on the plats of any property subdivided and conveyed by the landowner(s) under this Section, and in a database accessible to county staff.
 - 2. Not operate to prohibit actions in foreclosure brought by lenders that are participating in the secondary mortgage market.
 - 3. Not operate to prohibit sale by the county of the entire tract or a portion of it for nonpayment of property taxes.
- I. Affidavit Required.** Applicants must submit a sworn affidavit recorded in the Register of Deeds Office with the following information:
 - 1. There has been no intentional misrepresentation during the application process;
 - 2. There shall be no lease of a family dwelling unit to a nonfamily member within five years of approval; or
 - 3. There shall be no conveyance of any portion of a tract of land granted a dwelling unit or lot under this section to a nonfamily member within five years of approval.
- J. Violations and Enforcement.**
 - 1. A violation of this section shall consist of the following:
 - a. Intentional misrepresentation during the application process;
 - b. Lease of a family dwelling unit to a nonfamily member within five years of approval; or
 - c. Conveyance of any portion of a tract of land granted a dwelling unit or lot under this section to a nonfamily member within five years of approval.
 - 2. Penalties may be waived by the Director if it can be shown that lease or conveyance to a nonfamily member was absolutely necessary to avoid foreclosure on either a family dwelling unit or any portion of a tract granted a dwelling unit under this section.

3. Until the violation has been addressed in accordance with Article 9 (Enforcement), the Director shall not permit additional dwelling units on the family compound or further subdivision under this section in the violator's family compound.
4. As a condition of approval, the applicant and the person(s) for whom the family dwelling unit is to be built or the property subdivided shall read and sign disclosure forms describing any violations of this section and applicable penalties.
5. A violation shall not have the effect of clouding the title of a parcel subdivided under this Section.

Table B.4.40.D: Maximum Densities of Family Compounds

Minimum Site Area (in Acres)	Maximum Number of Units (with Clustering)	Maximum Number of Units (without Clustering)
Up to 1.00	3	2
2	4	3
3	6	4
4	8	6
5	10	8
6	12	10
7	14	12
8	16	14
9	18	16
10	20	18
Greater than 10	2.0 units per acre	1.8 units per acre

Division B.5: Applicability of the Community Development Code

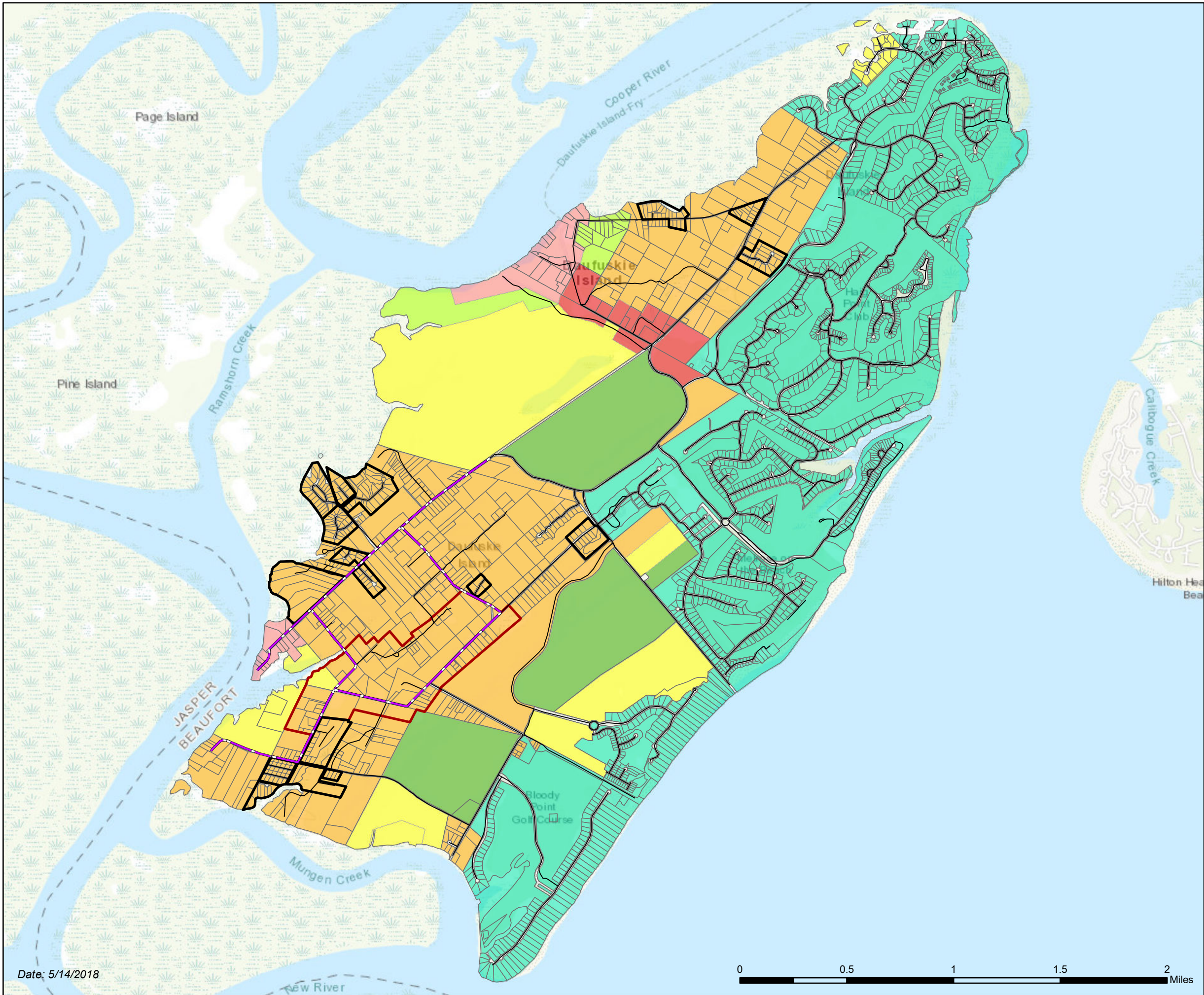
Sections:

B.5.10 Applicability of the Community Development Code

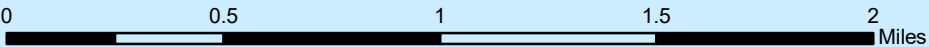
B.5.10 Applicability of the Community Development Code

Table B.5.10 provides a listing of each of the relevant articles and sections of the CDC and their applicability to Appendix B.

Table B.5.10: Applicability of the Community Development Code	
Article or Division	Applicability to Appendix B
Article 1: General Provisions	Applicable
Article 2: Multi-lot Single-Lot Community Scale Development	Limited Applicable (see below)
Division 2.1: Overview	Applicable
Division 2.2: General to Community Design	Applicable
Division 2.3: Traditional Community Plans	Not Applicable
Division 2.4: Multi-Family Oriented Communities	Not Applicable
Division 2.5: Manufactured Home Communities	Not Applicable
Division 2.6: Commercial Oriented Communities	Not Applicable
Division 2.7: Developments within Rural Areas	Not Applicable
Division 2.8: Civic and Open Space Standards	Applicable
Division 2.9: Thoroughfare Standards	Applicable
Division 2.10: Transfer of Development Rights	Not Applicable
Article 3: Specific to Zones	Not Applicable
Article 4: Specific to Use	Limited Applicable (see below)
Division 4.1: Specific to Use	Applicable
Division 4.2: Accessory Uses and Structures	Applicable
Division 4.3: Temporary Uses and Structures	Not applicable
Article 5: Supplemental to Zones	Limited Applicable (see below)
Division 5.1: Building Type Standards	Applicable
Division 5.2: Private Frontage Standards	Applicable
Division 5.3: Architectural Standards and Guidelines	Section 5.3.30.B is applicable.
Division 5.4: Fences and Walls	Applicable
Division 5.5: Off-Street Parking	Applicable
Division 5.6: Sign Standards	Applicable
Division 5.7: Exterior Lighting	Applicable
Division 5.8: Landscaping, Buffers, and Screening Standards	Applicable
Division 5.9: Neighborhood Compatibility Standards	Not Applicable
Division 5.10: Historic Preservation	Applicable
Division 5.11: Resource Protection Standards	Applicable
Division 5.12: Stormwater Standards	Applicable
Article 6: Subdivision and Land Development	Applicable
Article 7: Procedures	Applicable
Article 8: Nonconformities	Applicable
Article 9: Enforcement	Applicable
Article 10: Definitions	Applicable



Date: 5/14/2018



Zoning Classifications

Daufuskie Island, SC

Zoning Classifications

- DI-2R
- DI-3E
- DI-4SU
- DI-5GC
- DI-5VC
- DI-6PUD
- DI-IP

Subzones

- DI-2R-GH
- DI-2R-CP
- DI-HCO Overlay District

Legend

- Roads
- Parcels



Note: All platted subdivisions approved by Beaufort County may not be shown



ORDINANCE NO. 2019/____
(PROJECT SKY MULTI-COUNTY PARK)

AN ORDINANCE AUTHORIZING AND APPROVING (1) THE DEVELOPMENT OF A NEW JOINT COUNTY INDUSTRIAL AND BUSINESS PARK PURSUANT TO SECTION 4-1-170 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN CONJUNCTION WITH JASPER COUNTY (THE "PARK") SUCH PARK TO BE GEOGRAPHICALLY LOCATED IN BEAUFORT COUNTY AND TO INCLUDE THE AFOREMENTIONED PROPERTY; (2) THE EXECUTION AND DELIVERY OF A WRITTEN PARK AGREEMENT WITH JASPER COUNTY AS TO THE REQUIREMENT OF PAYMENTS OF FEE IN LIEU OF *AD VALOREM* TAXES WITH RESPECT TO PARK PROPERTY AND THE SHARING OF THE REVENUES AND EXPENSES OF THE PARK; (4) THE DISTRIBUTION OF REVENUES FROM THE PARK WITHIN BEAUFORT COUNTY; AND (5) OTHER MATTERS RELATED THERETO

WHEREAS, pursuant to Article VIII, Section 13(D) of the South Carolina Constitution and Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended (collectively, the "Multi-County Park Act"), Beaufort County, South Carolina ("Beaufort County") and Jasper County, South Carolina ("Jasper County"), in order to promote economic development and thus encourage investment and provide additional employment opportunities, Beaufort County and Jasper County, as authorized under the Multi-County Park Act, now propose to establish jointly a multi-county industrial/business park (the "Park"); and

WHEREAS, Beaufort County and Jasper County have agreed to the specific terms and conditions of such arrangement as set forth in that certain Agreement for Establishment of a Multi-County Industrial/ Business Park (Project Sky) proposed to be entered into by and between Beaufort County and Jasper County as of such date as may be agreed to by Beaufort County and Jasper County (the "Project Sky Multi-County Park Agreement"), a form of which Project Sky Multi-County Park Agreement has been presented to this meeting; and

WHEREAS, it appears that the Project Sky Multi-County Park Agreement now before this meeting is in appropriate form and is an appropriate instrument to be executed and delivered by Beaufort County for the purposes intended.

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

Section 1. Establishment of Project Sky Multi-County Park; Approval of the Project Sky Multi-County Park Agreement. There is hereby authorized to be established, in conjunction with Jasper County, a multi-county industrial/business park to be known as the Project Sky Multi-County Park and to include therein the Project Sky Property as more particularly described on Exhibit A. The form, provisions, terms and conditions of the Project

Sky Multi-County Park Agreement now before this meeting and filed with the Clerk to Beaufort County Council be and they are hereby approved, and all of the provisions, terms and conditions thereof are hereby incorporated herein by reference as if the Project Sky Multi-County Park Agreement were set out in this Ordinance in its entirety. The Chairman of Beaufort County Council is hereby authorized, directed, and empowered to execute the Project Sky Multi-County Park Agreement in the name and on behalf of Beaufort County; the Clerk to Beaufort County Council is hereby authorized, directed, and empowered to attest the same; and the Chairman of Beaufort County Council is further authorized, directed, and empowered to deliver the Project Sky Multi-County Park Agreement to Jasper County.

The Project Sky Multi-County Park Agreement is to be in substantially the form now before this meeting and hereby approved, or with such changes therein as shall not materially adversely affect the rights of Beaufort County thereunder and as shall be approved by the officials of Beaufort County executing the same, their execution thereof to constitute conclusive evidence of their approval of any and all changes or revisions therein from the form of the Project Sky Multi-County Park Agreement now before this meeting.

The Chairman of Beaufort County Council, the County Administrator of Beaufort County, and the Clerk to the Beaufort County Council, for and on behalf of Beaufort County, are hereby each authorized and empowered to do any and all things necessary or proper to effect the development of the Project Sky Multi-County Park and the performance of all obligations of Beaufort County under and pursuant to the Project Sky Multi-County Park Agreement and to carry out the transactions contemplated thereby and by this Ordinance.

Section 2. Payment of Fee in Lieu of Tax. The businesses and industries located in the Project Sky Multi-County Park must pay a fee in lieu of *ad valorem* taxes as provided for in the Project Sky Multi-County Park Agreement. The fee paid in lieu of *ad valorem* taxes shall be paid to the Treasurer of Beaufort County. That portion of the fee allocated pursuant to the Project Sky Multi-County Park Agreement to Jasper County shall, upon receipt by the Treasurer of Beaufort County, be paid to the Treasurer of Jasper County in accordance with the terms of the Project Sky Multi-County Park Agreement. Payments of fees in lieu of *ad valorem* taxes will be made on or before the due date for taxes for a particular year. Penalties for late payment will be at the same rate as late tax payment. Any late payment beyond said date will accrue interest at the rate of statutory judgment interest. Beaufort County and Jasper County, acting by and through the Treasurer of Beaufort County, shall maintain all liens and rights to foreclose upon liens provided for counties in the collection of *ad valorem* taxes. Nothing herein shall be construed to prohibit Beaufort County from negotiating and collecting reduced fees in lieu of taxes pursuant to Title 4, Chapter 29 or Chapter 12, or Title 12, Chapter 44 of the Code of Laws of South Carolina 1976, as amended, or any similar provision in South Carolina law.

The provisions of Section 12-2-90 of the Code of Laws of South Carolina 1976, as amended, or any successor statutes or provisions, apply to the collection and enforcement of the fee in lieu of *ad valorem* taxes.

Section 3. Sharing of Expenses and Revenues. Sharing of expenses and revenues of the Project Sky Multi-County Park by Beaufort County and Jasper County shall be as set forth in the Project Sky Multi-County Park Agreement.

Section 4. Distribution of Revenues within Beaufort County. Revenues generated from industries and businesses located in the Project Sky Multi-County Park and received by Beaufort County shall be distributed by Beaufort County in accordance with an ordinance to be passed by Beaufort County Council.

Section 5. Governing Laws and Regulations. The ordinances of Beaufort County, as applicable, concerning zoning, health and safety regulations, and building code requirements will apply for the entire Project Sky Multi-County Park.

Section 6. Law Enforcement Jurisdiction. Jurisdiction to make arrests and exercise all authority and power within the boundaries of the Project Sky Multi-County Park properties is vested with the Sheriff's Department of Beaufort County. If any of the Project Sky Multi-County Park properties are within the boundaries of a municipality, then jurisdiction to make arrests and exercise law enforcement jurisdiction is vested with the law enforcement officials of the municipality.

Section 7. Conflicting Provisions. To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Beaufort County Code or other Beaufort County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 8. Severability. If any section of this ordinance is, for any reason, determined to be void or invalid by a court of competent jurisdiction, it shall not affect the validity of any other section of this ordinance which is not itself void or invalid.

Section 9. Effectiveness. This Ordinance shall be effective upon third and final reading.

[End of Ordinance - Signature page to follow]

Enacted and approved, in meeting duly assembled, this ____ day of _____, 2019

BEAUFORT COUNTY, SOUTH CAROLINA

By: _____
Stewart H. Rodman, Chairman, County Council,
Beaufort County, South Carolina

[SEAL]

Attest:

By: _____
Connie L. Schroyer, Clerk to County Council,
Beaufort County, South Carolina

First Reading:	December 10, 2018
Second Reading:	_____, 2019
Public Hearing:	_____, 2019
Third Reading:	_____, 2019

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT) **AGREEMENT FOR THE ESTABLISHMENT OF**
) **MULTI-COUNTY INDUSTRIAL/BUSINESS PARK**
) **(PROJECT SKY)**
COUNTY OF JASPER)

THIS AGREEMENT FOR THE ESTABLISHMENT OF MULTI-COUNTY INDUSTRIAL/BUSINESS PARK (PROJECT SKY) for the establishment of a multi-county industrial/business park to be located within Beaufort County and Jasper County is made and entered into as of [_____] , 2019, by and between Beaufort County, South Carolina (“Beaufort County”) and Jasper County, South Carolina (“Jasper County”).

RECITALS

WHEREAS, Beaufort County and Jasper County are contiguous counties which, pursuant to Ordinance No. [____], enacted by Beaufort County Council on [____], 2019, and Ordinance No. [____] enacted by Jasper County Council on [____], 2019, have each determined that, in order to promote economic development and thus encourage investment and provide additional employment opportunities within both of said counties, there should be established in Beaufort County a multi-county industrial/business park (the “Park”), to be located upon property more particularly described in Exhibit A (Beaufort); and

WHEREAS, as a consequence of the establishment of the Park, property comprising the Park and all property having a situs therein is exempt from *ad valorem* taxation pursuant to Article VIII, Section 13(D) of the South Carolina Constitution, but the owners or lessees of such property shall pay annual fees in an amount equivalent to the property taxes or other in-lieu-of payments that would have been due and payable except for such exemption.

NOW, THEREFORE, in consideration of the mutual agreement, representations and benefits contained in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Binding Agreement.** This Agreement serves as a written instrument setting forth the entire agreement between the parties and shall be binding on Jasper County and Beaufort County, their successors and assigns.
2. **Authorization.** Article VIII, Section 13(D) of the South Carolina Constitution provides that counties may jointly develop an industrial or business park with other counties within the geographical boundaries of one or more of the member counties, provided that certain conditions specified therein are met and further provided that the General Assembly of the State of South Carolina provides by law a manner in which the value of property in such park will be considered for purposes of bonded indebtedness of political subdivisions and school districts and for purposes of computing the index of taxpaying ability pursuant to any provision of law which measures the relative fiscal capacity of a school district to support its schools based on the assessed valuation of taxable property in the district as compared to the assessed valuation of taxable property in all school districts in South Carolina. The Code of Laws of South Carolina, 1976, as amended (the “Code”) and particularly, Section 4-1-170 thereof, satisfies the conditions imposed by Article VIII, Section 13(D) of the South Carolina Constitution and provides the statutory vehicle whereby a multi-county industrial or business park may be created.
3. **Location of the Park.**

- (A) The Park consists of property that is located in Beaufort County and which now or will be owned and/or operated by Project Sky one or more affiliates, and/or other project sponsors, as more particularly described in Exhibit A hereto. It is specifically recognized that the Park may from time to time consist of non-contiguous properties within Beaufort County. The boundaries of the Park may be enlarged or diminished from time to time as authorized by ordinance of the county council of Beaufort County and resolution of the county council of Jasper County. If any property proposed for inclusion in the Park is located, at the time such inclusion is proposed, within

the boundaries of a municipality, then the municipality must give its consent prior to the inclusion of the property in the Park.

(B) In the event of any enlargement or diminution of the boundaries of the Park, this Agreement shall be deemed amended and there shall be attached hereto a revised Exhibit A which shall contain a legal description of the boundaries of the Park as enlarged or diminished, together with a copy of the ordinance of Beaufort County Council and resolution of Jasper County Council pursuant to which such enlargement or diminution was authorized.

(C) Prior to the enactment by Beaufort County Council of its ordinance authorizing the diminution of the boundaries of the Park, a public hearing shall first be held by Beaufort County Council. Notice of such public hearing shall be published in a newspaper of general circulation in Beaufort County, at least once and not less than fifteen (15) days prior to such hearing. Notice of such public hearing shall also be given by certified mail that is deposited with the U.S. Postal Service at least fifteen (15) days prior to such public hearing upon the owner and, if applicable, the lessee of any property which would be excluded from the Park by virtue of the diminution.

4. **Fee in Lieu of Taxes.** Pursuant to Article VIII, Section 13(D) of the South Carolina Constitution, all property located in the Park is exempt from all *ad valorem* taxation. The owners or lessees of any property situated in the Park shall pay in accordance with this Agreement an amount (referred to as fees in lieu of *ad valorem* taxes) equivalent to the *ad valorem* taxes or other in-lieu-of payments that would have been due and payable but for the location of such property within the Park.

5. **Allocation of Expenses.** Beaufort County and Jasper County shall bear expenses incurred in connection with the Park, including, but not limited to, those incurred in the administration, development, operation, maintenance and promotion of the Park, in the following proportions:

A. Beaufort County	100%
B. Jasper County	0%

6. **Allocation of Revenues.** Beaufort County and Jasper County shall receive an allocation of all revenues generated by the Park through payment of fees in lieu of *ad valorem* taxes in the following proportions:

A. Beaufort County	99%
B. Jasper County	1%

Any payment from Beaufort County to Jasper County of Jasper County's allocable share of Park revenues: (I) shall be made and accompanied by a statement showing the manner in which total payment and each County's share were calculated. If any Park revenues are received by Beaufort County through payment by any owner, or any lessee/tenant, or any other taxpayer is made under protest, or otherwise as part of a dispute, then Beaufort County is not obligated to pay Jasper County more than Jasper County's share of the undisputed portion of the Park revenues until thirty (30) days after the final resolution of the protest or dispute.

7. **Revenue Allocation within Each County.** Park revenues generated shall be distributed to and within the County as follows:

(A) Revenues generated by the Park through the payment of fees in lieu of *ad valorem* taxes shall be distributed to Beaufort County and to Jasper County, as the case may be, according to the proportions established by this Agreement. With respect to revenues allocable to Beaufort County by way of fees in lieu of *ad valorem* taxes generated from properties within the Park, such revenue shall be distributed within Beaufort County in the manner provided by ordinance of the county council of Beaufort County; provided, that (i) each taxing entity which overlaps the applicable revenue-generating portion of the Park shall receive at least some portion of the revenues generated from such revenue-generating portion, (ii) with respect to amounts received in any fiscal year by a taxing entity, the governing body of such taxing entity shall allocate the revenues received to operations and/or debt service of such entity, and (iii) all taxing entities other than the foregoing shall receive zero percent (0%) of such revenues.

(B) Revenues allocable to Jasper County by way of fees in lieu of *ad valorem* taxes generated from properties located in the Beaufort County portion of the Park shall be distributed solely to Jasper County.

8. **Fees in Lieu of *Ad Valorem* Taxes Pursuant to Title 4 or Title 12 of the Code.** It is hereby agreed that the entry by Beaufort County into any one or more fee in lieu of *ad valorem* tax agreements pursuant to Title 4 or Title 12 of the Code or any successor or comparable statutes (“Negotiated Fee in Lieu of Tax Agreements”), with respect to property located within the Park and the terms of such agreements shall be at the sole discretion of Beaufort County.

9. **Assessed Valuation.** For the purpose of calculating the bonded indebtedness limitation and for the purpose of computing the index of taxpaying ability pursuant to Section 59-20-20(3) of the Code, allocation of the assessed value of property within the Park to Beaufort County and Jasper County and to each of the taxing entities within the participating counties shall be in accordance with the allocation of revenue received and retained by each of the counties and by each of the taxing entities within the participating counties, pursuant to **Sections 6 and 7** herein.

10. **Governing Laws and Regulations.** Any applicable ordinances and regulations of Beaufort County including those concerning zoning, health and safety, and building code requirements shall apply to the Park properties located in the Beaufort County portion of the Park unless any such property is within the boundaries of a municipality in which case, the municipality’s applicable ordinances and regulations shall apply.

11. **South Carolina Law Controlling.** This Agreement has been entered into in the State of South Carolina and shall be governed by, and construed in accordance with South Carolina law.

12. **Severability.** In the event and to the extent (and only to the extent) that any provision or any part of a provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable the remainder of that provision or any other provision of this Agreement.

13. **Counterpart Execution.** This Agreement may be executed in multiple counterparts.

14. **Additional Parties.** This Agreement may be amended from time to time to add additional counties located in South Carolina, subject to Article VIII, Section 13(D) of the Constitution of South Carolina and Title 4, Chapter 1 of the Code, by ordinance of the county council of Beaufort County, and by resolution of the county council of Jasper County; provided, however, that to the extent permitted by law, additional counties may be added as parties hereto with only the enactment of an ordinance of the county council of Beaufort County only in the event that such additional county’s allocation of Park Revenues hereunder shall be allocated solely out of Jasper County’s residual net share of the Park Revenues provided for its use and distribution pursuant to **Section 7** hereof.

15. **Term; Termination.** Except as specifically provided in this **Section 15**, Beaufort County and Jasper County agree that this Agreement may not be terminated in its entirety by any party and shall remain in effect for a period equal to the shorter of (i) twenty-one (21) years commencing with the effective date of this Agreement or (ii) a period of time of sufficient length to facilitate any special source revenue credits due with respect to Park property; provided, however, that this Agreement shall automatically terminate in its entirety on the 30th day after provision or payment in full, or termination, of all special source revenue credits or due with respect to Park property. Notwithstanding anything in this Agreement to the contrary, this Agreement may not be terminated to the extent that Beaufort County has outstanding contractual commitments to any owner or in the event the County is the owner pursuant to a negotiated fee-in-lieu-of-tax agreement under Title 4, Chapter 29 or Chapter 12 of the Code, lessee/tenant, or other taxpayer of or with respect to Park property requiring designation of such property as part of a multi-county industrial/business park pursuant to Article VIII, Section 13(D) of the Constitution of South Carolina and/or Title 4, Chapter 1 of the Code (the “Act”), unless Beaufort County shall first (i) obtain the written consent of such owner, lessee/tenant, or other taxpayer or (ii) designate such parcel as part of another multi-county industrial/business park pursuant to the Act effective immediately upon termination of this Agreement. Additionally, in the event that Beaufort County complies with the preceding sentence, Beaufort County may terminate this Agreement upon providing thirty (30) days notice to Jasper County and any owner or in the event the County is the owner pursuant to a negotiated fee-in-lieu-of-tax agreement under Title 4, Chapter 29 or Chapter 12 of the Code, lessee/tenant, or other taxpayer of or with respect to Park property.

16. **Law Enforcement Jurisdiction.** Jurisdiction to make arrests and exercise all authority and power within the boundaries of the Park properties is vested with the Sheriff’s Office of Beaufort County, for matters

within their jurisdiction. If any of the Park properties are within the boundaries of a municipality, then jurisdiction to make arrests and exercise law enforcement jurisdiction is also vested with the law enforcement officials of the municipality for matters within their jurisdiction.

[End of Agreement – Execution Page to Follow]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement to be effective as of the day and the year first above written.

BEAUFORT COUNTY, SOUTH CAROLINA

By: _____
Stewart H. Rodman, Chairman County Council
Beaufort County, South Carolina

[SEAL]
Attest:

By: _____
Connie L. Schroyer, County Council Clerk,
Beaufort County, South Carolina

JASPER COUNTY, SOUTH CAROLINA

By: _____
D. T. Johnson, Jr., Chairman, County Council
Jasper County, South Carolina

[SEAL]

Attest:

By: _____
County Council Clerk
Jasper County, South Carolina

Exhibit A (Beaufort)

PARK PROPERTY

Property ID No. R700 020 000 0008 000, located at 1236 Trask Parkway, consisting of approximately 8.970 acres

The remainder of this page intentionally left blank.

Exhibit B (Jasper)

JASPER COUNTY PROPERTY

None.

The remainder of this page intentionally left blank.



BEAUFORT COUNTY COUNCIL

Agenda Item Summary

Item Title:

Resolution to approve A-Tax appropriations as recommended by the A-Tax Board

Council Committee:

Finance

Meeting Date:

December 10, 2018

Committee Presenter (Name and Title):

Alicia Holland

Issues for Consideration:

None.

Points to Consider:

None.

Funding & Liability Factors:

None.

Council Options:

Approve the recommended appropriations. Modify the recommended appropriations. Deny the recommended appropriations.

Recommendation:

Approve as recommended by the Finance Committee and by the A-Tax Board.

RESOLUTION 2019 / ____

A RESOLUTION TO APPROPRIATE \$490,000 FROM THE BEAUFORT COUNTY STATE 2% ACCOMMODATIONS TAX FUNDS PROVIDED IN THE FISCAL YEAR 2019 BUDGET AS RECOMMENDED BY THE STATE ACCOMMODATIONS TAX BOARD

WHEREAS, the State Accommodations Tax Board met Tuesday, October 16, 2018 to consider grant awards and recommends allocation of funds as provided in the attached spreadsheet; and

WHEREAS, Beaufort County Finance Committee considered the recommendations of the Board at the December 10, 2018 meeting and recommends to County Council approval of the Board's list of grant recipients and the amounts provided in the attached spreadsheet.

NOW THEREFORE, BE IT RESOLVED, that the County Council of Beaufort County hereby adopts this resolution as follows:

Section 1. The above recitals are true and correct and incorporated into this Resolution herein by reference.

Section 2. The County administrator is authorized to release the appropriated funds of \$490,000.00 to the grant recipients as provided in the attached spreadsheet.

Adopted this _____ day of _____ 2019.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Stewart H. Rodman, Chairman

APPROVED AS TO FORM:

Thomas J. Keaveny II, Staff Attorney

ATTEST:

Connie Schroyer, Clerk to Council

ACCOMMODATIONS TAX RECOMMENDATIONS

Plan Year 2018-19

#	Organization	Event/Project	Amt. Requested	Rec. Last Yr.	Amt. Recom	% of Ask	Name
1	Santa Elena Foundation	Out of Market	\$9,225	\$1,800	\$5,000	54.20%	Andrew J. Beall
2	Beaufort County Heritage Tourism Corporation	Heritage Tourism Marketing and Attraction Review	\$20,000	\$0	\$0	0.00%	Dr. Andy Beall
3	Public Art Fund of Community Foundation of the Lowcountry	2018 Public Art Exhibition on Hilton Head Island	\$3,000	\$5,000	\$1,500	50.00%	Jean Heyduck
4	Beaufort County Black Chamber of Commerce	Cultural Tourism Marketing	\$125,000	\$81,000	\$64,000	51.20%	Larry Holman
5	Lean Ensemble Theater	Marketing, Lean Ensemble Theater 2018/19 Season	\$6,000	\$1,800	\$1,800	30.00%	Blake White
6	Port Royal Sound Foundation	Renovation of Main Gallery Exhibit	\$42,200	\$0	\$8,300	19.67%	Jody Hayward
7	Greater Beaufort-Port Royal CVB	Tourism Marketing FY 2018-2019	\$120,000	\$100,000	\$100,000	83.33%	Rob Wells
8	Child Abuse Prevention Association & Exchange Club	Ghost Tours	\$1,500	\$500	\$500	33.33%	Jessie Chapman
9	SC Lowcountry & Resort Islands Tourism Commission	Promotion of Beaufort County and the Lowcountry	\$46,000	\$35,000	\$35,000	76.09%	Peach Morrison
10	Coastal Discovery Museum	Cultural and Eco-tourism Programs	\$32,000	\$20,000	\$20,000	62.50%	Natalie Hefter
11	Coastal Discovery Museum	HH Invitational Disc Golf Tournament	\$11,000	\$11,000	\$8,500	77.27%	Rex Garniewicz
12	Bluffton Historical Preservation Society	Heyward House Museum and Welcome Center	\$15,000	\$15,000	\$10,000	66.67%	Katie Epps
13	Hilton Head Hospitality Association	Hilton Head Wine and Food Festival	\$10,000	\$6,000	\$6,000	60.00%	Jeff Gerber
14	Hilton Head Choral Society	Marketing Outreach for Tourism Development	\$5,000	\$3,000	\$3,000	60.00%	Dan Castro
15	Arts Center of Coastal Carolina	Tourism Marketing of the Unincorporated Areas of Beaufort County	\$12,000	\$10,000	\$9,000	75.00%	Linda Bloom
16	Hilton Head Symphony Orchestra	Digital and Television Advertising	\$20,000	\$7,000	\$7,000	35.00%	Mary Briggs
17	Friends of the Savannah Coastal Wildlife Refuges, Inc.	Self-Guided Tour Application for Pinckney Island National Wildlife Refuge	\$5,787	\$0	\$0	0.00%	Rick Shields
18	Friends of Fort Fremont Historic Preserve	Panel Boards for the new Interpretive Center	\$11,500	\$7,000	\$6,900	60.00%	Kathryn Sommerville Mixon
19	Historic Bluffton Arts & Seafood Festival, Inc.	Historic Arts & Seafood Festival	\$10,000	\$10,000	\$7,000	70.00%	MaryAnn O'Neill
20	Daufuskie Island Foundation	Daufuskie Day	\$15,000	\$5,500	\$5,000	33.33%	Ervin Simmons
21	Embrella Visionz, Inc.	1st Annual Gullah Hair Show	\$15,000	\$0	\$0	0.00%	Andrea Murray
22	Friends of Hunting Island	Murals & Sculptures at Visitors Center	\$47,200	\$0	\$36,000	76.27%	Barbara Temple
23	The Gullah Museum of Hilton Head Island	Permanet Exhibit Renovation Project	\$38,330	\$8,000	\$13,500	35.22%	Andrea Murray
24	Gullah Festival, Shrimp Festival, Taste of Beaufort	Beaufort Festivals & Events Advertising FY 2018-2019	\$45,000	\$31,150	\$32,500	72.22%	Thomas Hicks
25	Mitchelville Preservation Project	Various Events	\$80,000	\$27,500	\$20,000	25.00%	Ahmad Ward
26	Hilton Head Island Concours d'Elegance, Inc.	HHI Concours d'Elegance & Motoring Festival	\$40,000	\$26,000	\$26,000	65.00%	Carolyn Vanagel, Lindsey Harrell
27	Lowcountry Golf Course Owners Association	Golf Tourism Broadcast Campaign	\$25,000	\$10,000	\$10,000	40.00%	Robbie Wooten
28	Beaufort Film Society	Beaufort International Film Festival (13th)	\$20,000	\$15,000	\$15,000	75.00%	Ron Tucker
29	Hilton Head Island-Bluffton Chamber of Commerce and Visitor & Convention Bureau	Accolade Marketing and Destination Photo/Video Shoot	\$35,000	\$21,000	\$10,000	28.57%	Ariana Pernice
30	Greater Bluffton Chamber of Commerce & CVB, Inc.	Lowcountry Guide	\$37,500	\$10,000	\$0	0.00%	Shellie West
31	Haig Point Foundation	Daufuskie Island Vibes & Tides	\$16,600	\$0	\$0	0.00%	Kelly Smith
32	David M Carmines Foundation	Hilton Head Island Seafood Festival	\$15,500	\$10,000	\$5,500	35.48%	Kelly Smith
33	NIBCAA	Hilton Head Island Gullah Celebration	\$ 41,500	\$ 23,000	\$23,000	55.42%	Courtney Young

TOTAL: \$490,000 \$976,842 \$501,250 \$490,000 45.63%

\$490,000 Amount Remaining: \$0