



**County Council of
Beaufort County
Natural Resources
Committee Meeting**

Chairman

ALICE HOWARD

Vice Chairman

GERLAD DAWSON

Council Members

MICHAEL E. COVERT
YORK GLOVER, SR.
CHRIS HERVOCHON

County Administrator

ASHLEY M. JACOBS

Clerk to Council

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Natural Resources Committee Minutes

Monday, August 10, 2020 at 2:00 PM

[This meeting is being held virtually in accordance with Beaufort County Resolution 2020-05] THIS MEETING WILL BE CLOSED TO THE PUBLIC. CITIZEN COMMENTS AND PUBLIC HEARING COMMENTS WILL BE ACCEPTED IN WRITING VIA EMAIL TO THE CLERK TO COUNCIL AT SBROCK@BCGOV.NET OR PO DRAWER 1228, BEAUFORT SC 29901. CITIZENS MAY ALSO COMMENT DURING THE MEETING THROUGH FACEBOOK LIVE

PRESENT

Chairman Howard
Vice Chairman Dawson
Council Member Covert
Council Member Glover
Council Member Rodman
Council Member Sommerville
Council Member Passiment
Council Member McElynn
Council Member Flewelling
Council Member Lawson

ABSENT

Council Member Hervochon

CALL TO ORDER

Chairman Howard called the meeting to order at 2:00 p.m.

PLEDGE OF ALLEGIANCE

Chairman Howard led the Pledge of Allegiance.

FOIA

Chairman Howard noted that public notification of this meeting had been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act.

APPROVAL OF AGENDA

Motion: It was moved by Council Member Passiment, seconded by Council Member Dawson, to amend agenda to go into executive session to receive a legal briefing regarding item# 10, Pepperhall. The vote: Council Member Sommerville, Council Member McElynn, Vice Chairman Dawson, Council Member Passiment, Council Member Covert, Council Member Lawson,

Chairman Howard, Council Member Glover, Council Member Rodman, and Council Member Flewelling. The motion passed. 10:0

Motion: It was moved by Vice Chairman Dawson, , seconded by Council Member Flewelling to amend agenda to reverse the order of item 8 and item 9. Approved by all without objection . The motion passed.

APPROVAL OF MINUTES

Motion: It was moved by Council Member Flewelling, seconded by Vice Chairman Dawson to approve minutes of the meeting held on July 6, 2020 and July 13, 2020. Approved by all without objection. The motion passed.

ACTION ITEMS

APPROVAL OF AN ORDINANCE AUTHORIZING THE ABANDONMENT AND RELOCATION OF AN EASEMENT ON HUSPAH COURT NORTH

Discussion: Neil Desai spoke regarding the abandonment and relocation of the easement on Huspah Court. Beaufort County was granted a drainage easement recorded in Deed Book 2725, Pages 714-716. Beaufort County Stormwater staff have determined that the easement location does not correspond with the existing drainage ditch location. The current property owners desire to abandon the aforementioned drainage easement in exchange for a relocated drainage easement.

Council Member Dawson inquired as to problems with the drainage on Huspah Court North. He asked if this could be an ongoing issue.

Neil Desai stated the stream for the drainage canal is outside the easement, which was established years ago prior to verification of existing conveyance. What is needed is to abandoned the easement recorded in DB2725/714-716 and ok the relocated drainage easement will clear up easement location discrepancies.

Motion: It was moved by Committee Vice-Chair Dawson, seconded by Council Member Flewelling, to approve the easement abandonment in exchange for the relocated easement. Approved without objection. The motion passed.

Approval of an Ordinance regarding a Text Amendment to The Community Development Code (CDC): Article 5, Section 5.3.20 Applicability– To Apply Architectural Standards and Guidelines to Two-Family (Duplex) Residential

Discussion: Rob Merchant stated Beaufort County Staff is requesting an amendment to Article 5, Section 5.3.20 of the Community Development Code (CDC), to require two-family residences (duplexes) to be subject to the Architectural Standards and Guidelines in Article 5, Division 5.3. Currently, the CDC exempts single-family and two-family residential uses from architectural requirements in the T2 and T3 Transect Zones, the Conventional Zones, Existing PUDs and in the Community Preservation Districts. This proposed amendment would change the text to only exempt single-family residential uses in those districts.

Council Member Flewelling stated he does not know where this item is going and inquired about the standards Planning and Zoning wishes to apply.

Rob Merchant stated there is concern about a neighborhood full of duplexes that can lead to issues within the community, such as parking.

Council Member Sommerville stated that duplexes have become more common and there is a need to have some control over the standards they use.

Motion: It was moved by Council Member Sommerville, seconded by Committee Vice-Chair Dawson, to move the proposal as written to county council for approval. Voting Yea: Committee Vice-Chair Dawson, Committee Chair Howard, Council Member Passiment, Council Member Sommerville, Council Member Glover, Council Member McElynn. Voting Nay: Council Member Flewelling, Council Member Rodman. The motion passed 8:2.

Consideration of an ordinance of the County Council of Beaufort County, South Carolina ("Council") establishing and adopting a Public Education Facilities Impact Fee ("Impact Fee") to be imposed on all new residential development in the Beaufort County School District for the service area South of the Broad River pursuant to ordinance no. ____: impact fee procedures, and the intergovernmental agreement between Beaufort County ("County"), and The Beaufort County School District to ensure that Public Education Facilities will be available and adequate to accommodate the need For Public Education Facilities expected to be generated from the school children in new residential developments in the school district for the service area South of the Broad River, based on the district's level of service standards and capital improvements plan, and to assign the costs of such public education facilities on a proportionate share basis to new residential development South of the Broad River service area.

Discussion: Colin McAweeney * read presentation *

Council Member Passiment asked if the developer would be required to have an impact fee for all schools that are surrounding the development.

Colin McAweeney responded the developer will pay the \$9,500 impact fee for the full service area.

Council Member Covert asked what parties will get an impact fee applied the builders.

Colin McAweeney stated the impact fee goes to any new housing unit. When the permit is pulled is when the fee will be charged.

Council Chairman Howard asked about the growth on Lady's Island and if the capacity is there for the schools.

Carol stated there are opportunities for growth within the schools.

Council Member Passiment asked could a developer request the fees to be waived.

Eric Greenway responded there are options already on the ordinance for affordable housing in which council would need to make a decision on this.

Council Member McElynn asked what other fees would impact single-family and multi-family homes.

Eric Greenway stated the homes would have to pay a transportation fee, library fee, parks and recreation fee for unincorporated Beaufort County and some municipalities, as well as a fire impact fee.

Motion: It was moved by Council Member Sommerville, seconded by Council Member McElynn, to approve the school impact fee as recommended by the school district and forward to council for approval. Voting Yea: Committee Vice-Chair Dawson, Committee Chair Howard, Council Member Passiment, Council Member Sommerville, Council Member Covert, Council Member Lawson, Council Member McElynn. Voting Nay: Council Member Flewelling, Council Member Rodman, Council Member Glover. The motion passed 7:3.

Impact Fee Update and Study for existing and proposed impact fees covering Transportation, Parks and Recreation, Libraries, Fire, Solid Waste, and EMS.

Colin McAweeney * read presentation *

Council Member Flewelling stated this needs to be deferred for another day.

Committee Chairman Howard stated that each fee needs to be looked into and voted separately.

Eric Greenway stated this issue has no rush; however, suggested doing a workshop on these fees.

Chairman Howard agreed to a workshop.

Motion: It was moved by Council Member Flewelling to wait until there is a meeting in person. The motion failed for lack of a second.

Motion: It was moved by Council Member Sommerville, seconded by Council Member Covert, to conduct a workshop and then move on to County Council. Adopted main motion without objections. The motion passed.

Amendment to Motion: It was moved by Council Member Passiment, seconded by Vice Chairman Dawson to hold the Impact Fee Workshop August 27, 2020 at 5:00 pm. Adopted amended motion without objection. The motion passed.

DISCUSSION ITEMS

CONSIDERATION OF AN ORDINANCE REGARDING AN AMENDMENT TO THE PEPPER HALL AND OKATIE RIVER PARK JOINT DEVELOPMENT AGREEMENT

EXECUTIVE SESSION

Motion: It was moved by Council Member Flewelling, seconded by Council Member Sommerville, to go into executive session to discuss the development agreement with Pepperhall. Approved without objection. The motion passed.

Matter arising out of executive session

Motion: It was moved by Council Member Passiment, seconded by Council Member Flewelling, to move to County Council an ordinance under first reading for an amendment to Okatie River/ Pepper Hall development agreement and engage Mr. Ben Johnson to help draft an ordinance by title only. Approved without objection. The motion passed.

OKATIE RIVER IMPROVEMENT DISTRICT

Chairman Howard deferred this item because it cannot be looked into without more details.

BOARDS AND COMMISSIONS

Consideration of the appointment of Lynne Hoos or Thomas Gasparini to the Zoning Board of Appeals.

Chairman Howard deferred this item until the next Natural Resource meeting.

CITIZEN COMMENTS

Sea Island Corridor Coalition submitted a letter regarding the Community Development Code for Architectural Standards and Guidelines.

Home Builders Association submitted a letter regarding the home builders impact fees.

Brian Cooley submitted comment about the builder's impact fee

Mr. Quinn submitted comment about the builder's impact fee.

Account Manager of Port Royal submitted a comment in reference to internet infrastructure.

ADJOURNMENT

The meeting adjourned at 5:45 p.m.

Ratified by Committee: September 17, 2020