



**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

ERIC GREENWAY

Clerk to Council

SARAH W. BROCK

Staff Support

ERIC GREENWAY
EBONY SANDERS
DAN MORGAN

Administration Building

Beaufort County Government
Robert Smalls Complex
100 Ribaut Road

Contact

Post Office Drawer 1228
Beaufort, South Carolina 29901-1228
(843) 255-2180
www.beaufortcountysc.gov

Natural Resources Committee Minutes

Monday, November 02, 2020 at 2:00 PM

[This meeting is being held virtually in accordance with Beaufort County Resolution 2020-05]

PRESENT

Committee Vice-Chair Gerald Dawson
Committee Chair Alice Howard
Council Member Joseph F. Passiment
Council Member D. Paul Sommerville
Council Member Michael Covert
Council Member Brian Flewelling
Council Member Stu Rodman
Council Member York Glover
Council Member Chris Hervochoch

Absent

Council Member Lawson
Council Member McElynn

CALL TO ORDER

Chairman Howard called the meeting to order at 2 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 Flewelling, seconded by Committee Vice-Chair Dawson to approve agenda. The motion was approved without objection.

APPROVAL OF MINUTES

Motion: It was moved by Council Member Flewelling, seconded by Council Member Hervochoch to approve minutes for October 5, 2020. The motion is approved without objection.

CITIZEN COMMENTS

CITIZEN COMMENTS

CITIZEN COMMENTS AND PUBLIC HEARING COMMENTS WILL BE ACCEPTED IN WRITING AT PO DRAWER 1228, BEAUFORT SC 29901 OR BY WAY OF OUR PUBLIC COMMENT FORM AVAILABLE ONLINE AT WWW.BEAUFORTCOUNTYSC.GOV

No Comments

ACTION ITEMS

Consideration of an Ordinance Regarding a Text Amendment to The Community Development Code (CDC): Section 5.12.20 to Make Community Development Code Consistent with Pending Southern Lowcountry Stormwater Ordinance and Design Manual

Eric Greenway stated These amendments are proposed to accompany the pending Southern Lowcountry (SOLOCO) Stormwater Ordinance and Design Manual. The SOLOCO Stormwater Manual is currently in the process of being reviewed by County Council. If the manual is adopted, these proposed amendments will be necessary to make the Community Development Code consistent with the draft manual. Staff recommends that these amendments be timed so that they are adopted concurrently with the adoption of the SOLOCO Stormwater Manual.

Motion: It was moved by Council Member Flewelling, seconded by Committee Vice-Chair Dawson to adopt motion ordinance regarding a text amendment to the community development code CDC): Section 5.12.20 to Make Community Development Code Consistent with Pending Southern Lowcountry Stormwater Ordinance and Design Manual. The motion was approved without objection.

Southern Lowcountry Design Tech Manual and updates to Beaufort County Stormwater Ordinance

Neil Desai stated the Lowcountry of South Carolina experiences development pressures, Beaufort County recognized there is a need for consistent Stormwater design standards amongst the municipalities within Beaufort County and Jasper County. Beaufort County, and participating municipalities, contracted with the Center for Watershed Protection to design a regional Stormwater standard called the Southern Lowcountry Design Manual. Beaufort County Stormwater would like to replace the current Beaufort County Best Management Practices Manual and adopt the Southern Lowcountry Design Manual.

Council Member Flewelling asked if the new ordinance is going to be up to standards with the current ordinance.

Neil Desai stated the new ordinance will have a better standard than the current in both quality and quantity.

Council Member Flewelling asked what is the quantity standards?

Neil Desai stated it will still be 95th percentile retainment but also include more of what is actually coming into a development.

Council Member Glover asked if Southern Beaufort County will approve this manual.

Neil Desai stated yes he has heard from most except Hilton Head, Hardeeville and Jasper.

Chairman Howard stated next meeting we would like a update.

Motion: It was moved by Council Member Sommerville, seconded by Council Member Flewelling to approve Southern Lowcountry Design Tech Manual and updates to Beaufort County Stormwater Ordinance to move forward to County Council for approval. The motion was approved without objection.

Southern Lowcountry Design Manual and Updates to Beaufort County Stormwater Ordinance Chapter 99

Neil Desai stated the Lowcountry of South Carolina experiences development pressures, Beaufort County recognized there is a need for consistent Stormwater design standards amongst the municipalities within Beaufort County and Jasper County. Beaufort County Stormwater would like to replace the current Beaufort County Best Management Practices Manual and adopt the Southern Lowcountry Design Manual. To adopt the new manual, Beaufort County needs to update Chapter 99 of the Beaufort County Code of Ordinances to reflect changes within the manual.

Motion: It was moved by Council Member Flewelling, seconded by Council Member Covert to approve Southern Lowcounty Design Manual and Updates to Beaufort County Stormwater Ordinance Chapter 99 to move forward to County Council. The motion was approved without objection.

Consideration of an Ordinance regarding a Text Amendment to The Community Development Code (CDC): Section 7.3.70.B and 7.2.60.E to Clarify When a Subdivision Plan or Land Development Plan is Ripe for Appeal.

Eric Greenway stated the Community Development Code currently allows both concept and final plans to be appealed. It is staff's opinion that only after final plan approval and a development permit is issued, that an action is "ripe" for appeal. Limiting appeals to after a development permit is issued provides clarity to the ZBOA when it is evaluating appeals on what the facts of the case actually are. It also eliminates the possibility of an application being delayed before the applicant has had an opportunity to respond to all of staff's conditions and requirements.

Council Member Flewelling stated that this is in place to give the community to a opportunity to voice their opinion on what is happening in their community. This is taking away that and will not get approval from me.

Chairman Howard stated this will go back to staff to clarify language in code.

Consideration of an Ordinance Regarding a Text Amendment to The Community Development Code (CDC): Section 3.1.60; 3.1.70; 4.2.20.A; 4.2.30; 4.2.70; 10.1.70; and A.1.40.A to Clarify the Definition and Conditions for Accessory Dwelling Units and Guest Houses

Noah Kreeps stated currently, there are two separate uses in the CDC which allow secondary residential dwellings as an accessory to single-family detached dwelling units –these are Accessory Dwelling Units (ADUs) and Guest Houses. ADUs can be rented long-term to a third party, while Guest Houses are only for guests of the primary residents. The proposed amendment will simplify to one definition for Accessory Dwelling Unit. This minimal impact because each zoning district that currently allows a guest house also allows ADUs. The amendment would eliminate the possibility of the ordinance being interpreted that a primary residence could have both a guest house and an ADU, which could result in an adverse impact to surrounding residential properties.

Council Member Covert asked if there is addressing requirements.

Eric Greenway stated if there is separate utilities or meters there is an additional address issued for the property.

Motion: It was moved by Council Member Flewelling, seconded by Council Member Glover to approve ordinance to bring clarify for accessory dwelling units and guest houses to move forward to County Council for approval. The motion approved without objection.

Consideration of an Ordinance Regarding a Text Amendment to Beaufort County Ordinance, Chapter 78: Floods to Establish the Implementation Date of March 23, 2021

Chuck Atkinson stated this text amendment updates Beaufort County's flood ordinance with a new flood insurance rate map effective date and required verbiage as provided by FEMA and SC DNR. This change is mandatory and must be adopted in order for our county to continue participation in the National Flood Insurance Program beyond March 23, 2021.

*read PowerPoint Slide *

Motion: It was moved by Committee Vice-Chair Dawson, seconded by Council Member Flewelling to approve the ordinance ,chapter 78 move forward to County Council for approval. The motion was approved without objection.

EXECUTIVE SESSION

Executive Session

Motion: It was moved by Council Member Glover , seconded by Council Member Flewelling to go into executive session. The motion was approved without objection.

Rural and Critical Land Preservation Program Consulting Services (RFP# 052820) Award Recommendation

Matters Arising out of Executive Session: It was moved by Council Member Sommerville, seconded by Council Member Flewelling to rescind and revoke the current RFP representative for Rural and Critical lands and that there is a 3 month contract and during those 3 months rework and reissue the RFP to move forward to County Council. The motion was approved without objection.

BOARDS AND COMMISSIONS

CONSIDERATION OF THE REAPPOINTMENT OF PETER BROWER TO THE DESIGN REVIEW BOARD

Motion: It was moved by Council Member Flewelling, seconded by Council Member Passiment for reappointment to Peter Brower to be moved to county council for approval. The motion approved without objection.

CONSIDERATION OF THE FOLLOWING REAPPOINTMENTS TO SOUTHERN BEAUFORT COUNTY CORRIDOR BEAUTIFICATION BOARD.

Motion: It was moved by Council Member Flewelling, seconded by Council Member Passiment for Sallie Brach, Vice Chairman (Brach) (Council District 6), Stephen Brown (Council District 7), Roberta Cope-Foss (Council District 11), Carol J. Humphrey (Council District 10), Dennis J. Nielson (Hilton Head Island / Bluffton) be moved to county council for approval. The motion approved without objection.

CONSIDERATION OF THE REAPPOINTMENT OF WILLIAM MITCHELL AND MARK MCGINNIS TO ZONING BOARD OF APPEALS

Motion: It was moved by Council Member Flewelling, seconded by Council Member Passiment to move forward to county council for consideration of the reappointment of William Mitchell and Mark McGinnis to Zoning Board of Appeals. The motion approved without objection.

ADJOURNMENT

The meeting adjourned 3:36 pm

Ratified by Committee: