



Community Services and Land Use Committee Beaufort County, SC

Council Chambers, Administration Building Beaufort County Government Robert Smalls
Complex 100 Ribaut Road, Beaufort

Monday, January 09, 2023
3:00 PM

MINUTES

Watch the video stream available on the County's Website to hear the whole discussion or presentation on a specific topic or the complete meeting. <https://beaufortcountysc.new.swagit.com/videos/196320>

1. CALL TO ORDER

Committee Chair Howard called the meeting to order at 3:00 PM.

PRESENT

Chairman Alice Howard
Vice-Chairman York Glover
Council Member Paula Brown
Council Member Thomas Reitz
Council Member Gerald Dawson
Ex-Officio Joseph F. Passiment
Anna Maria (Tab) Tabernik
Mark Lawson (arrived late)

ABSENT

Lawrence McElynn
David Bartholomew
Logan Cunningham

2. PLEDGE OF ALLEGIANCE

Committee Chair Howard led the Pledge of Allegiance.

3. FOIA

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

4. APPROVAL OF AGENDA

Please watch the video stream available on the County's website to view the entire discussion.

<https://beaufortcountysc.new.swagit.com/videos/196320?ts=244>

Committee Chair Howard informed the committee about item 12's proposal to amend the St. Helena Cultural Overlay Protection zone. When item 12 on the agenda is reached, Committee Chair Howard said she will ask for a motion to postpone consideration of the item until the April 10th meeting and to refer the matter to the Cultural Protection Overlay District Committee, which was formed in November 2022 to study the existing ordinance with the legal department and other outside entities of the committee's choosing and suggest provisions to reinforce the overlay's purpose and improve the protection provided. Committee Chair Howard also said that once the matter comes back from the CPO, it will be placed on the agenda and open for public comment. However, people can still comment on the measure during the meeting within the 15-minute limit provided on the agenda.

Motion: It was moved by Council Member Glover, seconded by Council Member Tabernik, to approve the agenda.

The Vote - The motion was approved without objection.

5. APPROVAL OF MINUTES

Motion: It was moved by Council Member Glover, seconded by Council Member Dawson, to approve the Natural Resource Committee minutes of October 10, 2022, and November 7, 2022.

The Vote - The minutes were approved without objection.

Committee Chair Howard read the names of the participants in the Cultural Overlay District Committee: Queen Quet, Jeffrey Gardner, Daryl Orage, Bernice Wright, Philander McDomick, Ethel Sumpter, Elaine Scott, and Mac Sanders. Committee Chair Howard announced that there would be another appointment at the Council meeting because Bob Semmler had resigned from the committee. She said that there would be another appointment to the Committee at the Council meeting because one of the members resigned.

6. CITIZEN COMMENTS

Please watch the video stream available on the County's website to view the full comments.

<https://beaufortcountysc.new.swagit.com/videos/196320?ts=358>

Tom Michael

Reverend Davis

Arnold L Brown

Janet Macaulay

Jack Sladson

Marie Gibbs

Marky Farrell

Queen Quet

7. BEAUFORT CONSERVATION DISTRICT ANNUAL REPORT

Please watch the video stream available on the County's website to view the entire report.

<https://beaufortcountysc.new.swagit.com/videos/196320?ts=1790>

Denise Parsick discussed the following topics:

- The establishment of conservation districts and the civilian conservation corps
- The mission of the Beaufort Soil and Water Conservation District
- Assistance provided to landowners, including cost sharing for best management practices, tree and shrub site preparation to extend the growing season, and pollinator habitat management

- Conservation and education outreach activities
- An organizational description of the Beaufort Conservation District and the time and location of board meetings time and location of the Beaufort Conservation District’s board meeting

8. RECOMMEND APPROVAL OF A BEAUFORT COUNTY GREEN SPACE PROGRAM APPLICATION PROCESS, GEOGRAPHIC DESIGNATIONS, AND TIMELINE FOR APPOINTING THE GREEN SPACE ADVISORY COMMITTEE AND ESTABLISHING GREEN SPACE PROGRAM

Please watch the video stream available on the County’s website to view the entire discussion.

<https://beaufortcountysc.new.swagit.com/videos/196320?ts=1793>

Robert Merchant, Director of Planning and Zoning, discussed the following topics:

- The outcome of the Green Space Program referendum, the timeline for program development, and the steps that need to be taken to establish the program and meet the requirements of the state statute and ordinance
- The Green Space Advisory Committee draft application and appointment process
- The creation of ordinances to determine the geographic boundaries, the terms of committee members, the program’s criteria, and the ranking system for projects

Council Member Passiment and County Attorney Keaveny discussed ordinance timelines.

Director Merchant provided additional information about the requirements and questions in the draft application.

Council Member Dawson asked if a current board member could apply for the committee. County Attorney Keaveny replied that at the application stage, an interested board member should only resign from the board position once selected by the committee.

County Attorney Keaveny commented on the application’s preamble and said the state statute and ordinance would be available on the green space website.

Council Member Tabernik asked if the language of the application should be changed so as to not prevent someone already on a board from applying.

County Attorney Keaveny commented that applicants for certain positions do not have to be residents of Beaufort County.

Council and County staff discussed whether to remove the question about service on County boards and commissions and decided to recommend the removal of the question.

Director Merchant discussed the map options to show geographical boundaries. Council Member Glover discussed his preference for option B and the need for parity.

Motion: It was moved by Council Member Glover, seconded by Council Member Tabernik, to recommend approval of a Beaufort County Green Space Program application process, geographic designations, and the timeline for appointing the Green Space Advisory Committee and establishing Green Space Program with the incorporation of more parity to the north and west of the boundary, the calendar for ordinance timelines, and the application recommendations made by County Attorney Keaveny.

The Vote – The motion was approved without objection.

9. APPROVAL OF A RESOLUTION TO INCLUDE THE OKATIE REGIONAL PRESERVE IN THE OLD GROWTH FOREST NETWORK PRIVATE FOREST REGISTRY AND ENTER INTO A MEMORANDUM OF AGREEMENT FOR THE PROPERTY TO REMAIN PERPETUALLY UNLOGGED

Please watch the video stream available on the County’s website to view the entire discussion.

<https://beaufortcountysc.new.swagit.com/videos/196320?ts=4092>

Stephanie Nagid, Passive Parks Manager, discussed the designation of old-growth native forests into the Old-Growth Forest Network, the determination that the Okatie Regional Preserve would be the best candidate for inclusion into the network, and the future public access plan.

Motion: It was moved by Council Member Glover, seconded by Council Member Reitz, to recommend approval of a resolution to include the Okatie Regional Preserve in the Old Growth Forest Network private forest registry and enter into a memorandum of agreement for the property to remain perpetually unlogged.

Council Member Glover asked if there were old-growth forests in the New River region, and Stephanie Nagid replied that the area is not county-owned and the forest is old silviculture.

The Vote - The motion was approved without objection.

10. RECOMMEND APPROVAL OF AN ORDINANCE TO AMEND THE SOUTHERN LOWCOUNTRY DESIGN MANUAL TO MEET THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PERMIT REQUIREMENTS

Neil Desai discussed the proposed text amendments to update and improve the manual.

Motion: It was moved by Council Member Dawson, seconded by Council Member Brown, to recommend approval of an ordinance to amend the Southern Lowcountry Design Manual to meet the Municipal Separate Storm Sewer System (MS4) Permit Requirements.

The Vote - The motion was approved without objection.

11. RECOMMEND APPROVAL OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 5.11.90.D (PENALTY FOR CLEAR CUTTING PRIOR TO DEVELOPMENT) TO INCREASE THE PENALTIES FOR CLEAR CUTTING PROPERTY AND PROVIDE GUIDANCE ON ACCEPTABLE FORESTRY PRACTICES.

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<https://beaufortcountysc.new.swagit.com/videos/196320?ts=4491>

Mark Davis, the Planning and Zoning Department Deputy Director, discussed how the text amendment would create alignment with state law regarding the penalty for clear-cutting.

Committee Chair Howard asked about penalty types and enforcement. Deputy Director Davis replied that the county does not accept site plans for this practice, so forestry management plans are used.

Council Member Glover asked if clear-cutting had been approved if someone owned the property and wanted to put up a house. Mr. Davis clarified that cutting trees needs to follow a certain procedure, or there would be a stay on the property.

Director Merchant discussed the threshold for a grand tree, a higher threshold for the permit for a developer, and that staff would research Council Member Glover's question.

Motion: It was moved by Council Member Glover, seconded by Council Member Tabernik, to recommend approval of an ordinance for a text amendment to the Community Development Code (CDC): Section 5.11.90.D (Penalty for Clear Cutting Prior to Development) to increase the penalties for clear-cutting property and provide guidance on acceptable forestry practices.

The Vote - The motion was approved without objection.

12. RECOMMEND APPROVAL OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 3.4.50 CULTURAL PROTECTION OVERLAY (CPO) ZONE STANDARDS

Council Member Glover recognized statements made during the citizen comments portion of the agenda and discussed the purpose of the St. Helena Cultural Overlay District and the Committee.

Motion to Postpone: It was moved by Council Member Glover, seconded by Council Member Dawson, to postpone this matter until our April meeting (April 10th) and to refer the matter to the St. Helena Cultural Protection Overlay District Committee to study the existing ordinance with our legal department and with other outside entities (of the committee's choosing) to suggest provisions which can be added to reinforce the overlay's purpose and to improve the protection it provided St. Helena and the surrounding islands.

The Vote - The motion was approved without objection.

13. FIRST READING OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): APPENDIX C.2 (ROBERT SMALLS PARKWAY (SC 170)) TO UPDATE ACCESS MANAGEMENT STANDARDS.

Please watch the video stream available on the County's website to view the entire discussion.

<https://beaufortcountysc.new.swagit.com/videos/196320?ts=5010>

Committee Chair Howard asked Mr. Fralix to discuss the number of planned apartments.

Jared Fralix described the development taking place in the SC 170 area, the City of Beaufort, and the Town of Port Royal, including the 528 apartments off Broad River Boulevard and the development of a commercial shopping center. ACA Fralix also discussed the establishment of two additional traffic signals and an extension for Joe Frazier Road.

Motion: It was moved by Council Member Passiment, seconded by Council Member Brown, to recommend approval of an ordinance for a text amendment to the Community Development Code (CDC): Appendix C.2 (Robert Smalls Parkway (SC 170)) to update access management standards.

The Vote - The motion was approved without objection.

14. ADJOURNMENT

Adjourned: 4:30 PM

Ratified: March 13, 2023