



Natural Resources Committee Beaufort County, SC

This meeting will be held both in person at Executive Conference Room 100 Ribaut Road, Beaufort, and virtually through Zoom. Please be aware that there is limited seating available for the in-person meeting and attendees must practice social distancing

**Monday, August 09, 2021
2:30 PM**

MINUTES

1. **CALL TO ORDER**

Chairman Howard called the meeting to order at 2:40 PM

PRESENT

Committee Chair Alice Howard
Committee Vice-Chair Gerald Dawson
Council Member Joseph F. Passiment
Council Member D. Paul Sommerville
Council Member Stu Rodman
Council Member York Glover
Council Member Chris Hervocho
Council Member Mark Lawson
Council Member Logan Cunningham
Council Member Lawrence McElynn

ABSENT

Council Member Brian Flewelling

2. **PLEDGE OF ALLEGIANCE**

Chairman Howard led the Pledge of Allegiance.

3. **FOIA**

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**

Motion: It was moved by Council Member Sommerville, seconded by Council Member Rodman to approve the agenda. The motion was approved without objection.

5. **APPROVAL OF MINUTES**

Motion: It was moved by Council Member Sommerville, seconded by Council Member Rodman to approve minutes from June 7, 2021. The motion was approved without objection.

6. **CITIZEN COMMENTS**

Jean Beck provided a comment on the Community overlay district.

Andy Twisdale provided a comment on flood insurance pertaining to the overlay district.

Jessie White, Coastal Conservation League, provided a comment in support of Overlay and fill ordinance.

Janet Grisham, CEO of Beaufort Jasper County Association provided a comment on the disclosure ordinance detaining the covered properties in which is zoned.

EXECUTIVE SESSION

7. **Executive Session**

Motion: It was moved by Council Member Sommerville, seconded by Council Member Rodman to go into Executives Session. The motion was approved without objection.

12. **MATTERS ARISING OUT OF EXECUTIVE SESSION**

AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO A DEED OF PERPETUAL EASEMENT TO ALLOW FOR PUBLIC VEHICULAR ACCESS AND TO PROVIDE ADDITIONAL TERMS ON A PORTION OF THE PROPERTY WITH TMS NO. R600 021 000 0007 0000

AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE DOCUMENTS NECESSARY TO CONVEY A PORTION OF PROPERTY OWNED BY BEAUFORT COUNTY KNOWN AS OKATIE RIVER PARK WITH TMS NO. R600 021 000 0673 0000

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Sommerville to recommend the approval for items 7 and 8 to execute an amendment to the deed perpetual to the easement to present to County Council on August 23, 2021, for first reading. The motion passed.

Discussion: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/130150>

The Voting Yea: Committee Vice-Chair Dawson, Council Member Passiment, Council Member Sommerville, Council Member Rodman, Council Member Hervochon, Council Member Lawson, Council Member Cunningham. Voting Nay: Committee Chair Howard, Council Member Glover. The Vote 7:2

PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2): DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED SALE OR PURCHASE OF DEVELOPMENT RIGHTS ON REAL PROPERTY KNOWN AS LOBECO FARMS PDR

Motion: It was moved by Committee Vice-Chair Dawson, seconded by Council Member Glover to have Beaufort County Rural and Critical Lands and Open Land Trust to due diligence on 115-acre piece of

property known as Lobeco Farms PDR move forward to County Council for approval. The motion was approved without objection.

Discussion: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/130150>

The Vote: Committee Chair Howard, Committee Vice-Chair Dawson, Council Member Passiment, Council Member Sommerville, Council Member Rodman, Council Member Glover, Council Member Hervochoch, Council Member Lawson, Council Member Cunningham. The vote 9:0

PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2): DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED SALE OR PURCHASE OF DEVELOPMENT RIGHTS ON REAL PROPERTY KNOWN AS VILLAGE CREEKSIDE PDR

Motion: It was moved by Council Member Glover, Seconded by Council Member Sommerville to have Beaufort County Open Land Trust do due diligence on the property known as Village Creek PDR which encompasses about 23-acres of land to forward to County Council for approval. The motion was approved without objection.

Discussion: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/130150>

The Vote: Committee Chair Howard, Committee Vice-Chair Dawson, Council Member Passiment, Council Member Sommerville, Council Member Rodman, Council Member Glover, Council Member Hervochoch, Council Member Lawson, Council Member Cunningham. The vote 9:0

PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2): DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED SALE OR PURCHASE OF DEVELOPMENT RIGHTS ON REAL PROPERTY KNOWN AS TMS# R700 040 000 0001 0000 AND R700 030 000 0004 0000 AND ALSO KNOWN 2019 DALE PDR

Motion: It was moved by Council Member Sommerville, seconded by Council Member Glover to send back to staff for further negotiations with the involving property owners, our agent Open Land Trust and the Marine Corps Air Station to discuss docks, size of ponds, towers, and size and amount of new construction. The motion passed.

Discussion: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/130150>

Voting Yea: Committee Chair Howard, Council Member Passiment, Council Member Sommerville, Council Member Rodman, Council Member Glover, Council Member Hervochoch, Council Member Lawson, Council Member Cunningham. Voting Nay: Committee Vice-Chair Dawson. The vote 8:1

AGENDA ITEMS

13. **AN ORDINANCE AUTHORIZING THE ABANDONMENT OF AN EASEMENT ENCUMBERING PROPERTY IDENTIFIED AS TMS NO. R100 016 000 0199 0000.**

Patty Wilson stated all easements required for this regionally significant drainage system have been obtained with the exception of parcel R100 016 000 0006 0000 which is heirs' property and has been involved in condemnation actions. To settle this condemnation action the heirs have requested the County re-route the ditch and abandon an existing easement at parcel R100 016 000 0199 0000.

Motion: It was moved by Committee Vice-Chair Dawson, seconded by Council Member Glover to approve staff recommendation. The motion was approved without objection.

Discussion: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/130150>

The Vote: Committee Chair Howard, Committee Vice-Chair Dawson, Council Member Passiment, Council Member Sommerville, Council Member Rodman, Council Member Glover, Council Member Hervochoch, Council Member Lawson, Council Member Cunningham. The vote 9:0

14. **RESOLUTION AMENDING RESOLUTION 2020/21 FOR PUBLIC ACCESS AND PASSIVE RECREATION PROJECTS – PHASE II**

Stefanie Nagid stated R2019/49 and its amendment R2020/21 allocated \$1,000,000 to the Pinckney Point Preserve property for planning and construction of a passive park. This amendment to R2020/21 would instead allocate those funds to the Pineview tract and Bailey Memorial Park for the continued planning and construction for each property. No additional funding will be needed.

Motion: It was moved by Committee Vice-Chair Dawson, seconded by Council Member Cunningham recommend approval of the Resolution to amend R2020/21 to reallocate the \$1,000,000 Pinckney Point Preserve funding to the Pineview/Bailey Memorial Park for the planning and construction of a passive park and to move forward to County Council on August 23, 2021, for adoption. The motion was approved without objection.

Discussion: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/130150>

The Vote: Committee Chair Howard, Council Member Passiment, Council Member Sommerville, Council Member Rodman, Council Member Glover, Council Member Hervochoch, Council Member Lawson, Council Member Cunningham, Committee Vice-Chair Dawson, Council Member Lawrence McElynn. The vote 10:0

15. **OKATIE RIVER PARK CONCEPTUAL MASTER PLAN PRESENTATION**

Stefanie Nagid stated per the Joint Development Agreement, County staff have hired the Developers' engineering team to complete the conceptual master plan for the Okatie River Park. An online public survey was distributed in March 2021 and an in-person outdoor public open house was held in May 2021 in order to obtain feedback on the draft plan. The plan as presented includes the feedback from those two public sessions.

Status: Informational Purposes Only

Discussion: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/130150>

16. **CONTRACT APPROVAL WITH WITMER JONES KEEFER (WJK) IN THE AMOUNT OF \$149,350 FOR PHASE II PLANNING SERVICES FOR OKATIE RIVER PARK**

Stefanie Nagid stated per the Joint Development Agreement, County staff are required to hire the Developers' engineering team to complete the architect and engineered drawings for the construction of Okatie River Park. The County Capital Projects Manager will review the drawings for accuracy and oversee the construction of the park to ensure compliance with the plans. Phase II planning services include completion of the final site plans and construction documents, architect drawings, permitting, and construction oversight. If approved by County Council, the attached proposal will be provided to the County Purchasing Department to enter a contract with WJK in the amount of \$149,350. Phase II planning is anticipated to be completed and permitted by December 2021, with an anticipated construction start date is January 2022, assuming the roads and infrastructure for access to the County park property have been completed by that time.

Motion: It was moved by Council Member Passiment, Seconded by Council Member Glover recommend contract approval to Witmer Jones Keefer for Phase II planning services in the amount of \$149,350 for Okatie River Park to County Council on August 23, 2021. The motion was approved without objection.

Discussion: To see the full discussion click the link below:

<https://beaufortcountysc.new.swagit.com/videos/130150>

The Vote: Committee Chair Howard, Committee Vice-Chair Dawson, Council Member Passiment, Council Member Sommerville, Council Member Rodman, Council Member Glover, Council Member Hervochoch, Council Member Lawson, Council Member Cunningham. The vote 9:0

17. **COASTAL RESILIENCE OVERLAY DISTRICT ORDINANCE (AMENDMENT TO SECTION 3.4.90 OF THE COMMUNITY DEVELOPMENT CODE) TO REQUIRE REAL ESTATE DISCLOSURE WHEN PROPERTY IS TRANSFERRED IN LOW-LYING AREAS.**

Robert Merchant stated the Coastal Resilience Overlay Zone is established to provide for the general health, safety, and welfare by requiring notification at all real estate closings of the vulnerability of property in Zone X (shaded) to sea-level rise and coastal flooding. This provision is specifically designed to assist individuals in making decisions that involve investments that will last at least 30 years in light of projected coastal flooding conditions in that time frame. This ordinance applies to property in Zone X (shaded) on the Flood Insurance Rate Map for unincorporated Beaufort County.

Motion: It was moved by Council Member Sommerville, seconded by Council Member Passiment to move forward to County Council for approval. The motion passed.

Discussion: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/130150>

The Voting Yea: Committee Chair Howard, Committee Vice-Chair Dawson, Council Member Passiment, Council Member Sommerville, Council Member Glover, Council Member Cunningham. Voting Nay: Council Member Hervochoch. The vote 6:1

18. **FILL ORDINANCE (AMENDMENT TO DIVISION 5.13 OF THE COMMUNITY DEVELOPMENT CODE) TO LIMIT FILL IN LOW-LYING AREAS.**

Robert Merchant stated the proposed amendment is designed to promote public health, safety, and general welfare by preserving Beaufort County's natural floodplain and drainage patterns to minimize the impacts of development within the floodplain on neighboring properties. The ordinance applies to property situated in the special flood hazard areas delineated in the FEMA Flood Insurance Rate Maps and limits fill to 3 feet.

Motion: It was moved by Council Member Sommerville, seconded by Council Member Glover to move forward to County Council for approval. The motion passed.

Discussion: To see the full discussion click the link below:

<https://beaufortcountysc.new.swagit.com/videos/130150>

Voting Yea: Committee Chair Howard, Committee Vice-Chair Dawson, Council Member Passiment, Council Member Sommerville, Council Member Glover, Council Member Hervochon. Voting Nay: Council Member Cunningham. The Vote 6:1

19. **TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 5.5.30.B.1 (GENERAL PARKING STANDARDS, OFF-SITE/PREMISES PARKING) TO PROVIDE ADDITIONAL FLEXIBILITY**

Eric Greenway stated the Community Development Code (CDC) allows required vehicle parking to be provided off-site under certain conditions as outlined in Section 5.5.30.B. Currently, off-site parking can be located no more than 600' from the subject property and must be permanently linked to the site by a recorded covenant. The distance restriction limits, or effectively prevents, remote shuttle parking. The requirement for a restrictive covenant presents time, cost, and legal concerns that discourage property owner participation. The Beaufort County Planning Commission reviewed this proposed amendment at their July 8, 2021 meeting. They unanimously recommended approval.

Motion: It was moved by Council Member Cunningham, Seconded by Council Member Sommerville to approve the amendment or Deny the amendment. to the Community Development Code (CDC): Section 5.5.30.B.1 (General Parking Standards, Off-Site/Premises Parking) to provide additional flexibility. The motion passed.

Discussion: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/130150>

Voting Yea: Committee Chair Howard, Committee Vice-Chair Dawson, Council Member Passiment, Council Member Sommerville, Council Member Glover, Council Member Hervochon, Council Member Cunningham. The vote 7:0

20. **ZONING MAP AMENDMENT/REZONING REQUEST FOR 3.09 ACRES OF PROPERTY IDENTIFIED AS R100 024 000 0423 0000 LOCATED AT 24 ZEHL LANE, FROM S1 INDUSTRIAL TO C3 NEIGHBORHOOD MIXED USE DISTRICT**

Robert Merchant stated the applicant seeks to change the zoning of property they own just east of the intersection of Laurel Bay Road and Bay Pines Road. The lot is currently zoned S1 Industrial. The applicant seeks C3 Neighborhood Mixed Use zoning to facilitate the residential development of the lot.

Motion: It was moved by Committee Vice-Chair Dawson, Seconded by Council Member Glover to approve the zoning amendment for 24 Zehm Lane from S1 Industrial to C3 Neighborhood Mixed-Use District to move forward to County Council for approval. The motion passed.

Discussion: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/130150>

Voting Yea: Committee Chair Howard, Committee Vice-Chair Dawson, Council Member Passiment, Council Member Sommerville, Council Member Glover, Council Member Hervochon, Council Member Cunningham. The vote 7:0

21. **RECOMMENDATION TO COUNTY COUNCIL FOR THE APPOINTMENT OF THOMAS MURRAY TO RURAL AND CRITICAL LANDS PRESERVATION BOARD - DISTRICT 6.**

Motion: It was moved by Council Member Passiment, Seconded by Council Member Glover to move forward to County Council for approval. The motion passed.

Discussion: To see the full discussion click the link below.

<https://beaufortcountysc.new.swagit.com/videos/130150>

Voting Yea: Committee Chair Howard, Committee Vice-Chair Dawson, Council Member Passiment, Council Member Sommerville, Council Member Glover, Council Member Hervochon, Council Member Cunningham. The vote 7:0

22. **NATURAL RESOURCES VACANCIES**

Status: Informational Purposes Only

23. **ADJOURNMENT**

Meeting adjourned at PM.