



## County Council Meeting Beaufort County, SC

Burton Wells Recreation Center, 1 Middleton Recreation Drive, Beaufort 29906

**Monday, February 24, 2025  
6:00 PM**

### AGENDA

#### COUNCIL MEMBERS:

**ALICE HOWARD, CHAIR  
DAVID P. BARTHOLOMEW  
LOGAN CUNNINGHAM  
YORK GLOVER  
LAWRENCE MCELYNN  
THOMAS REITZ**

**ANNA MARIA TABERNIK, VICE CHAIR  
PAULA BROWN  
GERALD DAWSON  
MARK LAWSON  
JOSEPH PASSIMENT**

1. CALL TO ORDER: Alice Howard, Chair
2. PLEDGE OF ALLEGIANCE AND INVOCATION: Lawrence McElynn, Council Member
3. STATEMENT OF COMPLIANCE WITH FOIA: Alice Howard, Chair
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES - *January 8, 2025 County Council Workshop*
6. ADMINISTRATOR'S REPORT
7. **PUBLIC COMMENT PERIOD – 30 MINUTES TOTAL**
8. LIASION AND COMMITTEE REPORTS
  - Community Services Committee
  - Natural Resources Committee
  - Finance, Administration, and Economic Development Committee
  - Public Facilities Committee
9. APPROVAL OF CONSENT AGENDA
10. **ORDINANCES FOR 2nd READING:**
  - a. 2025/11 AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF S-859 LOCATED AT SC 462 AND SC 170, WHICH IS TO BE ABANDONED BY SCDOT  
*Vote at First Reading on February 10, 2025 - 9:0*  
*(Public Hearing at Third Reading on March 10th to comply with 15-day requirement)*

- b. [2025/12](#) AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE TRANSFER OF RIGHT OF WAY BACK TO PROPERTY OWNERS R110 008 000 0653 0000 OR TRACT 13, PARCEL R110 008 000 0654 0000 OR TRACT 12, PARCEL R100 008 000 0656 0000 OR TRACT 10, AND PARCEL R110 008 000 0658 0000 OR TRACT 8 AS SHOWN ON EXHIBIT "A" PAGES 1-4 ASSOCIATED WITH RIBAUT ROAD SIDEWALK PROJECT IN PORT ROYAL

*Vote at First Reading on February 10, 2025 - 9:0*

*(Public Hearing at Third Reading on March 10th to comply with 15-day requirement)*

**11. ORDINANCES FOR 1st READING:**

- a. [2025/13](#) AN ORDINANCE AMENDING THE ZONING MAP FOR 3.28 ACRES LOCATED AT 64 JAMES O CT (R600 036 000 0022 0000) FROM T3 EDGE (T3E) TO MAY RIVER COMMUNITY PRESERVATION (MRCP)

*Natural Resources Committee February 3, 2025: Motion to deny was approved without objection.*

**12. RESOLUTIONS**

- a. [2025/06](#) A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE DOCUMENTS NECESSARY AND TO PROVIDE FUNDS TO CONTRIBUTE TO THEIR PROCUREMENT, THE TOWN OF HILTON HEAD ISLAND, FOR FEE SIMPLE REAL PROPERTY LOCATED ON HILTON HEAD ISLAND, KNOWN AS THE BEACH CITY ROAD TRACT (PIN# R510 005 000 0202 0000), NOT TO EXCEED THE REQUESTED AMOUNT.
- b. [2025/07](#) A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE DOCUMENTS NECESSARY AND TO PROVIDE FUNDS TO CONTRIBUTE TO THEIR PROCUREMENT, OPEN LAND TRUST, FOR A FARMLAND PRESERVATION CONSERVATION EASEMENT ON PROPERTY LOCATED IN BEAUFORT COUNTY KNOWN AS ESSEX FARMS (PIN# R700 029 000 0054 0000), NOT TO EXCEED THE REQUESTED AMOUNT.
- c. [2025/14](#) JOINT RESOLUTION OF BEAUFORT COUNTY AND THE TOWN OF HILTON HEAD ISLAND TO REDEFINE THE US 278 CORRIDOR PROJECT (ALSO KNOWN AS THE WILLIAM HILTON PARKWAY GATEWAY CORRIDOR PROJECT) TO ALIGN WITH THE AVAILABLE FUNDING.

**13. ADJOURNMENT**

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## CONSENT AGENDA

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### Items Originating from the Natural Resources Committee

1. THE REAPPOINTMENT OF MARC FEINBERG TO THE STORMWATER MANAGEMENT UTILITY BOARD FOR A FOUR-YEAR TERM WITH THE EXPIRATION DATE OF FEBRUARY 2029.

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## END OF CONSENT AGENDA

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TO WATCH COMMITTEE OR COUNTY COUNCIL MEETINGS OR FOR A COMPLETE LIST OF AGENDAS AND  
BACKUP PACKAGES, PLEASE VISIT:

<https://beaufortcountysc.gov/council/council-committee-meetings/index.html>



## County Council Workshop Beaufort County, SC

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

Wednesday, January 08, 2025  
9:00 AM

### MINUTES

Watch the video stream available on the County's website to hear the Council's discussion of a specific topic or the complete meeting <https://beaufortcountysc.new.swagit.com/videos/325239>

#### 1. CALL TO ORDER

Chair Howard called the meeting to order at 9:00 am.

#### PRESENT

Chair Alice Howard  
Vice-Chair Anna Maria Tabernik  
Council Member Paula Brown  
Council Member Logan Cunningham  
Council Member Gerald Dawson  
Council Member York Glover  
Council Member Mark Lawson  
Council Member Joseph F. Passiment  
Council Member Thomas Reitz

#### 2. PLEDGE OF ALLEGIANCE

Chair Howard led the Pledge of Allegiance.

#### 3. STATEMENT OF ADHERENCE TO SOUTH CAROLINA FOIA

Chair Howard stated notice of this meeting has been published, posted and distributed in compliance with SC FOIA.

#### 4. APPROVAL OF AGENDA

**Motion:** It was moved by Vice-Chair Tabernik, Seconded by Council Member Reitz to approve the agenda.

**The Vote** - Motion was approved without objection.

#### 5. REMARKS FROM CHAIR HOWARD AND VICE-CHAIR TABERNIK

Chair Howard and Vice-Chair Tabernik provided remarks expressing appreciation for the hard work of the former Chair and Vice-Chair, as well as reviewed Council initiatives that were completed over the past two years. No formal action was taken.



Please watch the video stream on the county's website to hear the full report.

<https://beaufortcountysc.new.swagit.com/videos/325239>

**6. PRESENTATION FROM JOHN DELOACH, SOUTH CAROLINA ASSOCIATION OF COUNTIES**

John DeLoach from the South Carolina Association of Counties provided a presentation reviewing the Home Rule Act and the Council-Administrator form of government, outlining its structure, responsibilities, and the role of the County Council in policymaking and governance. No formal action was taken.

Please watch the video stream on the county's website to hear the full report.

<https://beaufortcountysc.new.swagit.com/videos/325239>

**7. DISCUSSION OF COUNCIL COMMITTEES REVISED FORMAT; AGENCIES, BOARDS, AND COMMISSIONS; AND EXTERNAL LIAISON PREFERENCES.**

Chair Howard led the discussion reviewing the revised format for Council Committees, the appointment process for Agencies, Boards, and Commissions, and preferences for External Liaison assignments. Members were asked to provide input on preferred assignments. No formal action was taken.

Please watch the video stream on the county's website to hear the full report.

<https://beaufortcountysc.new.swagit.com/videos/325239>

**8. REMARKS FROM THE COUNTY ADMINISTRATOR**

County Administrator Moore provided remarks, updating the Council on ongoing projects and operational matters. No formal action was taken.

Please watch the video stream on the county's website to hear the full report.

<https://beaufortcountysc.new.swagit.com/videos/325239>

**9. ADJOURNMENT**

The meeting adjourned at 11:31 am.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
Joseph F. Passiment, Jr., Chairman

ATTEST:

\_\_\_\_\_  
Sarah W. Brock, Clerk to Council  
Ratified:

NAME PLEASE PRINT

TOPIC

✓ Carol Crutchfield

item 11 on agenda

~~CHRISTOPHER CLIFFE~~~~item 12 2025/04~~

✓ William Smith

community

✓ Natasha Robinson

Library (Children's Events)



## BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 12.

<b>ITEM TITLE:</b>
Approval of an Ordinance Authorizing the County Administrator to execute any and all necessary documents for the acceptance of S-859 located at <i>SC 462 and SC 170 which is to be abandoned by SCDOT.</i>
<b>MEETING NAME AND DATE:</b>
Public Facilities & Safety Committee Meeting January 21, 2025
<b>PRESENTER INFORMATION:</b>
Jared Fralix, P.E., Assistant County Administrator, Infrastructure (5 Minutes)
<b>ITEM BACKGROUND:</b>
SC 859 is an unnamed road that is located near Beaufort Jasper Academy for Career Excellence bordered by SC 462 and SC 170. The County is requesting that SCDOT abandon this unused portion of the old SC 170 for future road improvement projects associated with SC 462 and SC 170.
<b>PROJECT / ITEM NARRATIVE:</b>
The requested section of road is part of the old location of SC 170 from SC 462 at the Beaufort/Jasper County line easterly to a dead-end shown on attached Exhibit "A". SCDOT has approved abandoning this old section of SC 170. Staff is moving forward with the ordinance process to formally accept S-859 from SCDOT to utilize for future improvement projects. This section of roadway adjoins the 2.81 ac referred to as "Cooler Tract B" that was recently purchased for future road improvements along SC 170.
<b>FISCAL IMPACT:</b>
<i>Transfer is Gratis, no funding is needed</i>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff Recommends approval of accepting SC 859 from SCDOT
<b>OPTIONS FOR COUNCIL MOTION:</b>
<i>Motion to approve/deny/amend</i> An Ordinance Authorizing the County Administrator to execute any and all necessary documents for the acceptance of S-859 located at <i>SC 462 and SC 170 to be abandoned by SCDOT.</i>
<b>Next Step – three readings and a public hearing from County Council</b>

**ORDINANCE NO. 2025/**

**AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THE ACCEPTANCE OF S-859 LOCATED AT SC 462 AND SC 170 WHICH IS TO BE ABANDONED BY SCDOT**

**WHEREAS**, S-859 is an unnamed road that is located near Beaufort Jasper Academy for Career Excellence bordered by SC 462 and SC 170. The County is requesting that SCDOT abandon this unused portion of the old SC 170 for future road improvement projects associated with SC 462 and SC 170; and

**WHEREAS**, the requested section of road is part of the old location of SC 170 from SC 462 at the Beaufort/Jasper Conty line easterly to a dead-end shown on attached Exhibit "A"; and

**WHEREAS**, SCDOT has approved abandoning this old section of SC 170 for the County to utilize for future road improvement projects; and

**WHEREAS**, Beaufort County Council believes that it is in the best interest of its citizens to accept S-859 an unnamed road shown on attached exhibit "A" from SCDOT.

**NOW, THEREFORE, BE IT ORDAINED** that Beaufort County Council hereby authorizes the County Administrator to execute any and all necessary documents for the acceptance of S-859 located at SC 462 and SC 170 to be abandoned by SCDOT.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2025.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
Alice Howard, Chair

ATTEST:

\_\_\_\_\_  
Sarah W. Brock, Clerk to Council

Third and Final Reading:

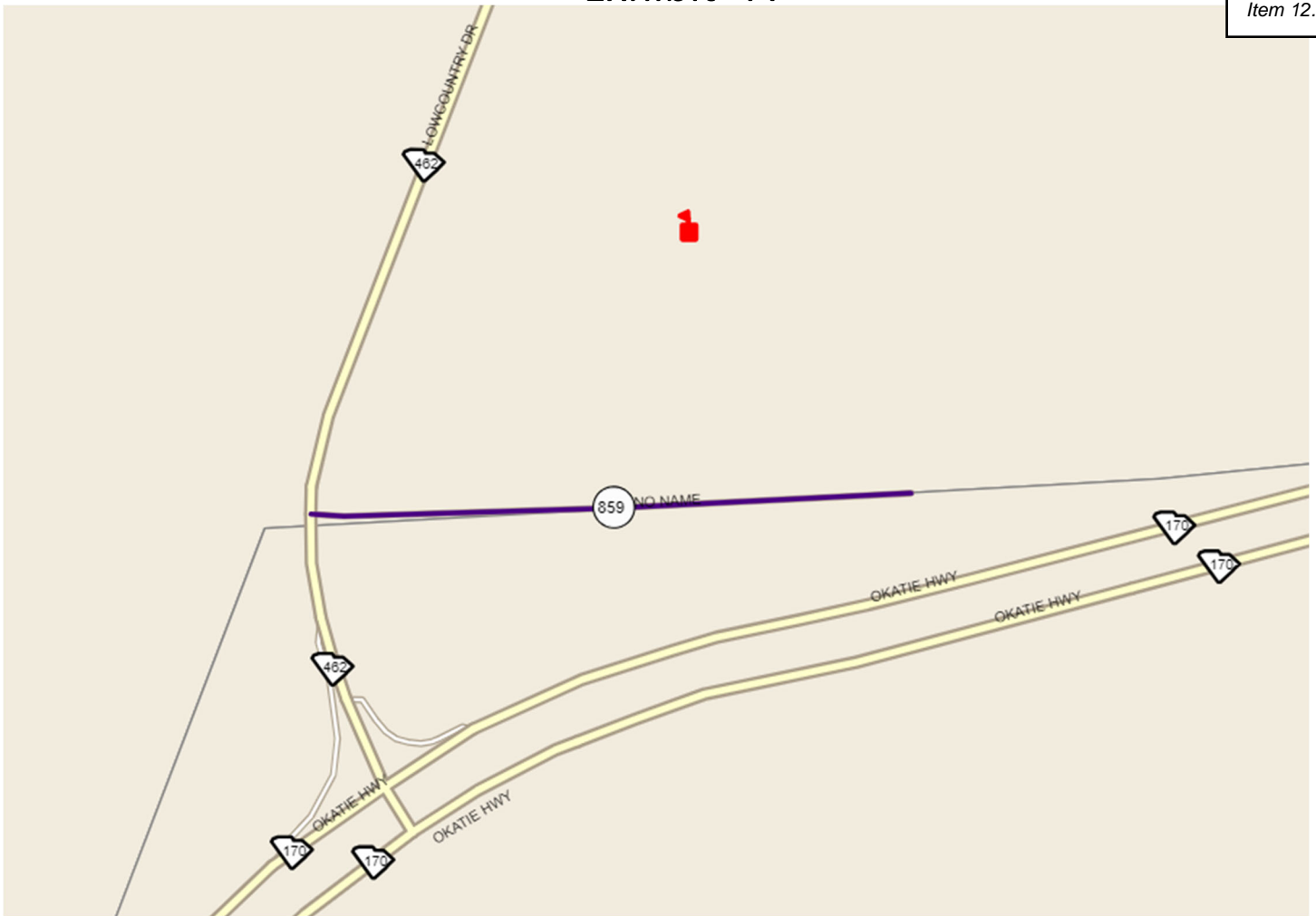
Public Hearing:

Second Reading:

First Reading:

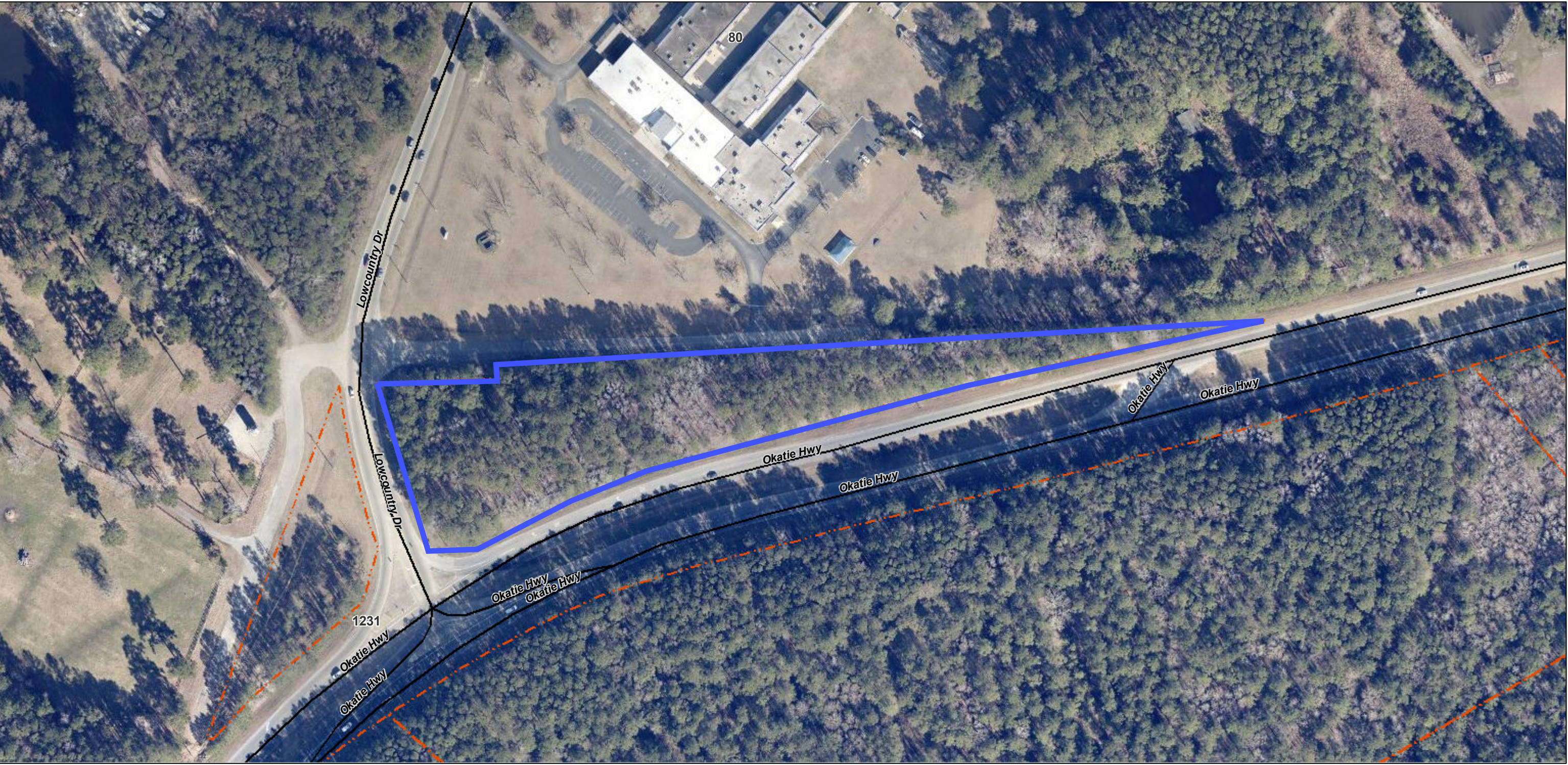
# Exhibit "A"

Item 12.



Beaufort S-7-859, No Name Rd





80

Lowcountry Dr

Lowcountry Dr

1231

Okatie Hwy  
Okatie Hwy

Okatie Hwy  
Okatie Hwy

Okatie Hwy

Okatie Hwy

Okatie Hwy

Okatie Hwy



<div>Print</div>		<div>Highway Logmile Report Information: Intersections, Functional Class As of 1/9/2025</div>							<div>Item 12.</div> <div>Close</div>	
Route	MP	Details								
S-859		07070085900N		(07)	BEAUFORT		DIST 6			
	0.000	NHS NONE			FUNCTIONAL.CLASS 09 URBAN.AREA		STUDY.AREA LATS		HPMS	*
	0.000	SC 462		0.010	CROSSES		LOWCOUNTRY DR			
	0.150	DEAD END			DEAD END					

**REQUEST FOR TRANSFER OF ROAD FROM STATE SECONDARY  
SYSTEM TO ANOTHER GOVERNMENTAL AGENCY**

Item 12.

(REVISED 06/27/2019)

**DESCRIPTION OF SECTION OF ROAD TO BE TRANSFERRED**

COUNTY: Beaufort ROAD NUMBER: S-07-859 ROAD NAME: No Name Street  
LENGTH TO BE TRANSFERRED: 0.15 MILES  
BEGINNING POINT: 0.00 ENDING POINT: 0.15

**DESCRIPTION:** (PLEASE ATTACH LOCATION MAP)

Beaufort County has requested the transfer of S-859, No Name Street, for planning and future expansion.

**ACCEPTANCE OF MAINTENANCE RESPONSIBILITY**

IT IS REQUESTED THAT THE ABOVE DESCRIBED ROAD BE REMOVED FROM THE STATE HIGHWAY SYSTEM. OWNERSHIP AND MAINTENANCE OF THIS ROAD WILL BECOME THE RESPONSIBILITY OF THE ENTITY LISTED BELOW. BY SIGNING BELOW, THE ENTITY ACKNOWLEDGES THAT THE ROAD MUST REMAIN OPEN TO THE PUBLIC UNLESS CLOSED PURSUANT TO APPROPRIATE LOCAL ROAD CLOSING PROCEDURES OR THE STATUTORY ROAD CLOSING PROCESS FOUND IN S. C. CODE SECTION 57-9-10, et seq.

GOVERNMENTAL AGENCY: \_\_\_\_\_  
PLEASE TYPE OR PRINT

NAME: \_\_\_\_\_  
PLEASE TYPE OR PRINT

TITLE: \_\_\_\_\_  
PLEASE TYPE OR PRINT

SIGNED: \_\_\_\_\_ DATE: \_\_\_\_\_

**NOTE TO DISTRICT ENGINEERING ADMINISTRATOR:**

THIS COMPLETED FORM AND MAP SHOULD BE FORWARDED TO:

SCDOT DIRECTOR OF ROAD DATA SERVICES  
955 PARK STREET - ROOM 515, P.O. BOX 191  
COLUMBIA, S.C. 29202



**BASIS FOR TRANSFER**  
**(TO BE COMPLETED BY SCDOT)**

Item 12.

CHECK ONE OF THE (2) TWO OPTIONS BELOW AND COMPLETE:

1. ☐ TRANSFER OF ROADS FROM THE SECONDARY SYSTEM (SWAP MILES ONLY)

ENTER DETAILS OF ROADS TO BE TRANSFERRED INTO THE ROAD SWAP DETAILS SPREADSHEET. PRINT AND ATTACH THE SPREADSHEET TO THIS FORM. IF THE SWAP INVOLVES MORE THAN ONE STATE ROUTE, ON PAGE 1 ENTER "ROAD SWAP" FOR THE ROAD NUMBER AND "SEE ATTACHED" FOR THE ROAD NAME. THE NUMBER OF LANE MILES ADDED TO THE STATE SYSTEM SHOULD NOT EXCEED THOSE REMOVED.

2. ☒ TRANSFER OF ROADS FROM THE SECONDARY SYSTEM (NO SWAP MILES)

TRANSFER CHECKLIST (CHECK APPROPRIATE BOXES BELOW)

- ☒ ROAD IS NOT REQUIRED FOR DEPARTMENT PURPOSES
- ☒ ROAD IS OF LOW TRAFFIC IMPORTANCE. LIST FUNCTIONAL CLASSIFICATION: Urban Local

THE RIGHT OF WAY LIMITS RETAINED AT THE INTERSECTING ROADS WILL BE ESTABLISHED AS FOLLOWS: <sup>1</sup>

SCDOT will retain Right of Way at the intersection of SC462 and S-859. S-859, No Name Street will be transferred in it's entirety.

ADDITIONAL COMMENTS: \_\_\_\_\_

<sup>1</sup> A COPY OF THE PLAN SHEET WITH THE NEW RIGHT OF WAY LIMITS SHOULD BE INCLUDED AS NEEDED.

REQUEST SUBMITTED BY: Raymond L Molinaroli DATE: \_\_\_\_\_

CONCURRENCE BY: Timothy R. Henderson DATE: \_\_\_\_\_  
(DEA or Director)

SIGNATURE REQUIRED BELOW ONLY FOR ROUTES ABOVE MAJOR COLLECTOR OR IF SWAP RESULTS IN ADDING LANE MILES TO THE STATE SYSTEM:

APPROVED: \_\_\_\_\_ DATE: \_\_\_\_\_  
DIRECTOR OF ROAD DATA SERVICES OR DESIGNEE



## BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 13.

**ITEM TITLE:**

An Ordinance Authorizing the County Administrator to execute any and all necessary documents for the transfer of Right of Way back to property owners of parcel R110 008 000 0653 0000 or tract 13, parcel R110 008 000 0654 0000 or tract 12, parcel R110 008 000 0656 0000 or tract 10, and parcel R110 008 000 0658 0000 or tract 8 as shown on Exhibit "A" Pages 1-4 associated with Ribaut Road Sidewalk project in Port Royal.

**MEETING NAME AND DATE:**

Public Facilities & Safety Committee Meeting 1-21-25

**PRESENTER INFORMATION:**

Bryan Bauer PE, ENV SP, Director of Engineering  
(5 Minutes)

**ITEM BACKGROUND:**

Per Resolution 2019/44 for the 2018 One Percent (1%) Transportation Sales and Use Tax which states "County Council authorizes the acquisition of all right-of-ways needed by way of negotiations by agents or administrators of Beaufort County and/or by way of eminent domain of such right-of-ways to complete the projects" which includes Ribaut Road as one of the Sidewalks and Multi-use Pathways. Upon completion of the project, SCDOT did not want the privacy fence included in the right of way to be transferred to them from Beaufort County. Now the County needs to deed the fence portion back to the associated parcels shown on attached Exhibit "A" pages 1-4 so it is not included in ROW transferred to SCDOT.

**PROJECT / ITEM NARRATIVE:**

Legal staff has requested this item go through the ordinance process prior to executing the Quit Claim Deeds with the property owners to transfer the right-of-ways for the privacy fence area for the parcels shown on EXHIBIT "A" Pages 1-4 associated with Ribaut Road Sidewalk project in Port Royal.

**FISCAL IMPACT:**

*Transfer is Gratis, no funding is needed*

**STAFF RECOMMENDATIONS TO COUNCIL:**

Staff recommends approval to needed to complete closeout process with SCDOT

**OPTIONS FOR COUNCIL MOTION:**

*Motion to approve/deny/amend* Ordinance Authorizing the County Administrator to execute any and all necessary documents for the transfer of Right of Way back to property owners of parcel R110 008 000 0653 0000 or tract 13, parcel R110 008 000 0654 0000 or tract 12, parcel R110 008 000 0656 0000 or tract 10, and parcel R110 008 000 0658 0000 or tract 8 as shown on Exhibit "A" Pages 1-4 associated with Ribaut Road Sidewalk project in Port Royal

**Next Step – three readings and a public hearing from County Council**

**ORDINANCE NO. 2025/**

**An Ordinance Authorizing the County Administrator to execute any and all necessary documents for the transfer of Right of Way back to property owners of parcel R110 008 000 0653 0000 or tract 13, parcel R110 008 000 0654 0000 or tract 12, parcel R110 008 000 0656 0000 or tract 10, and parcel R110 008 000 0658 0000 or tract 8 as shown on Exhibit “A” Pages 1-4 associated with Ribaut Road Sidewalk project in Port Royal**

**WHEREAS**, Beaufort County Council approved Resolution 2019/44 for the 2018 One Percent (1%) Transportation Sales and Use Tax that authorizes the acquisition of all right-of-ways needed by way of negotiations by agents or administrators by Beaufort County and/or by way of eminent domain of such right-of-ways needed to complete the projects which includes Ribaut Road one of the Sidewalks and Multi-use Pathways; and

**WHEREAS**, Beaufort County Council approved Resolution 2021/20, a Resolution establishing right of way acquisition policies associated with the implementation of 2018 One Cent Sales Tax Referendum Projects approved by voters November 6, 2018; and

**WHEREAS**, Beaufort County and its agents are acquiring the right of ways to the standards approved by Beaufort County, South Carolina Department of Transportation, and the Federal Highway Administration.; and

**WHEREAS**, Beaufort County and its agents acquired the right of ways for the properties as shown on Exhibit “A” Pages 1-4 for the Ribaut Road Sidewalk project ‘gratis’ as approved by Beaufort County; and

**WHEREAS**, Beaufort County is following the South Carolina Department of Transportation’s process for the project closeout and determined a portion of the acquired right of way, shown on Exhibit “A” Pages 1-4, should be transferred back to the property owners for ownership of the privacy fence; and

**WHEREAS**, Beaufort County determined the properties shown on Exhibit A Pages 1-4 were not the original property owners when the right of way was acquired ‘gratis’; and

**WHEREAS**, Beaufort County is transferring the area shown on Exhibit A Pages 1-4 to the new property owners by Quit Claim deed ‘gratis’; and

**WHEREAS**, Beaufort County Council believes that it is in the best interest of its citizens to transfer a portion of the County’s Right of Way interest in the properties on Exhibit “A” Pages

1-4 associated with the Ribaut Road Sidewalk project in Port Royal to the new property owners.

**NOW, THEREFORE, BE IT ORDAINED** that Beaufort County Council hereby authorizes the County Administrator to execute any and all necessary documents for the transfer of Right of Way back to property owners of parcel R110 008 000 0653 0000 or tract 13, parcel R110 008 000 0654 0000 or tract 12, parcel R110 008 000 0656 0000 tract 10, and parcel R110 008 000 0658 0000 or tract 8 as shown on Exhibit "A" Pages 1-4 associated with Ribaut Road Sidewalk project in Port Royal.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
Alice Howard, Chair

ATTEST:

\_\_\_\_\_  
Sarah W. Brock, Clerk to Council

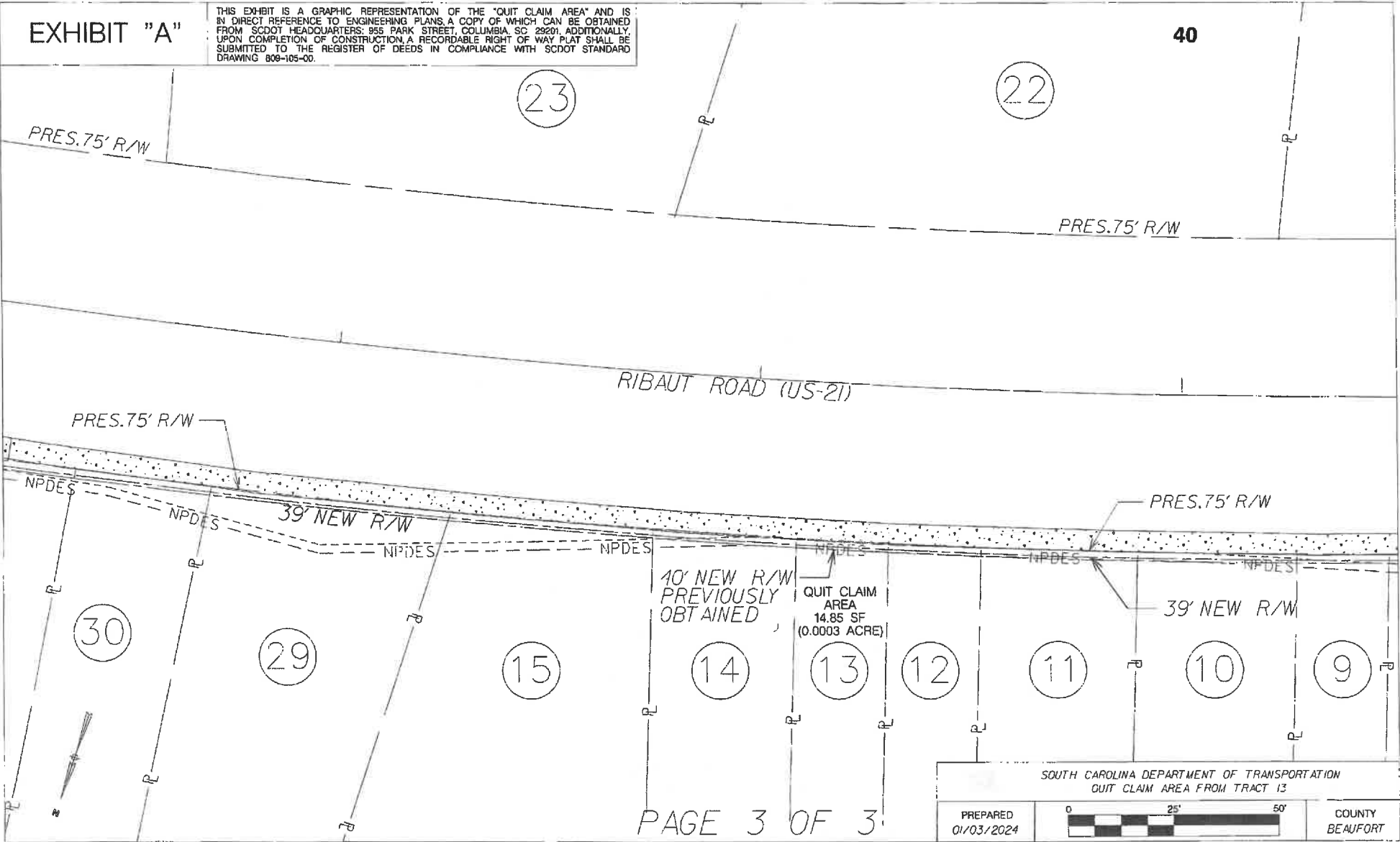
Third and Final Reading:

Public Hearing:

Second Reading:

First Reading:

EXHIBIT "A" page 1



## EXHIBIT "A" page 2

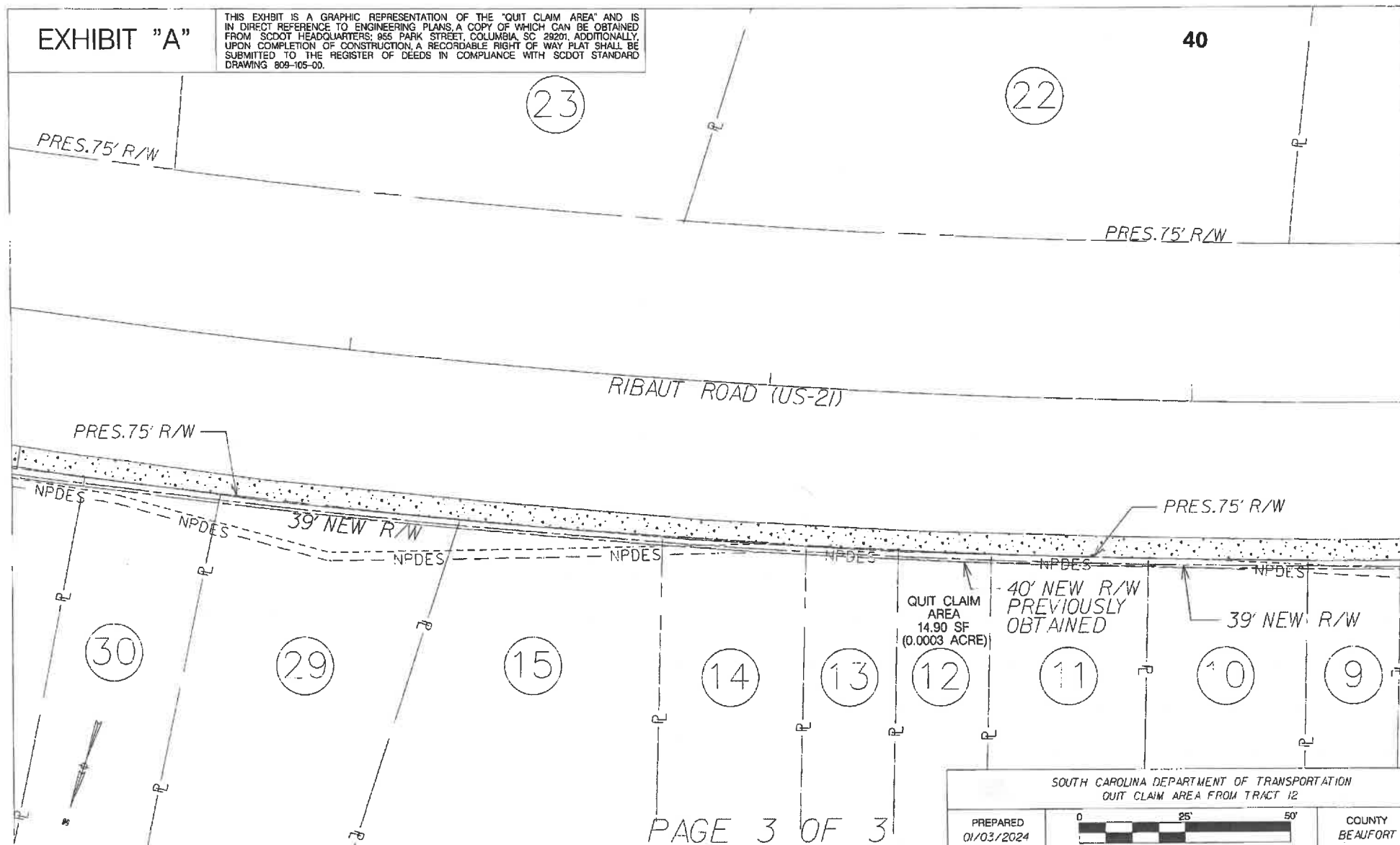


EXHIBIT "A"

THIS EXHIBIT IS A GRAPHIC REPRESENTATION OF THE "QUIT CLAIM AREA" AND IS IN DIRECT REFERENCE TO ENGINEERING PLANS, A COPY OF WHICH CAN BE OBTAINED FROM SCDOT HEADQUARTERS; 955 PARK STREET, COLUMBIA, SC 29201. ADDITIONALLY, UPON COMPLETION OF CONSTRUCTION, A RECORDABLE RIGHT OF WAY PLAT SHALL BE SUBMITTED TO THE REGISTER OF DEEDS IN COMPLIANCE WITH SCDOT STANDARD DRAWING 800-105-00.

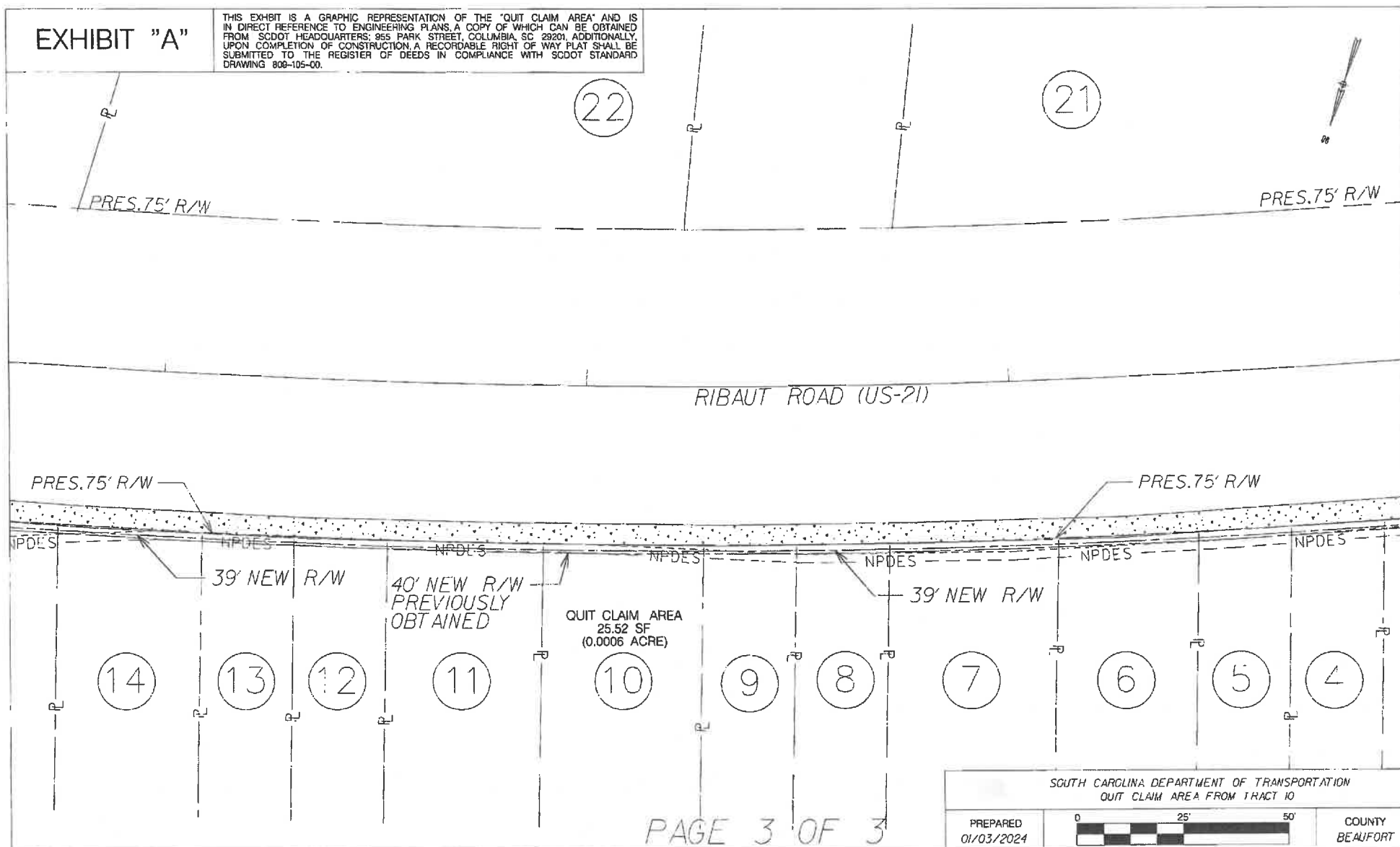
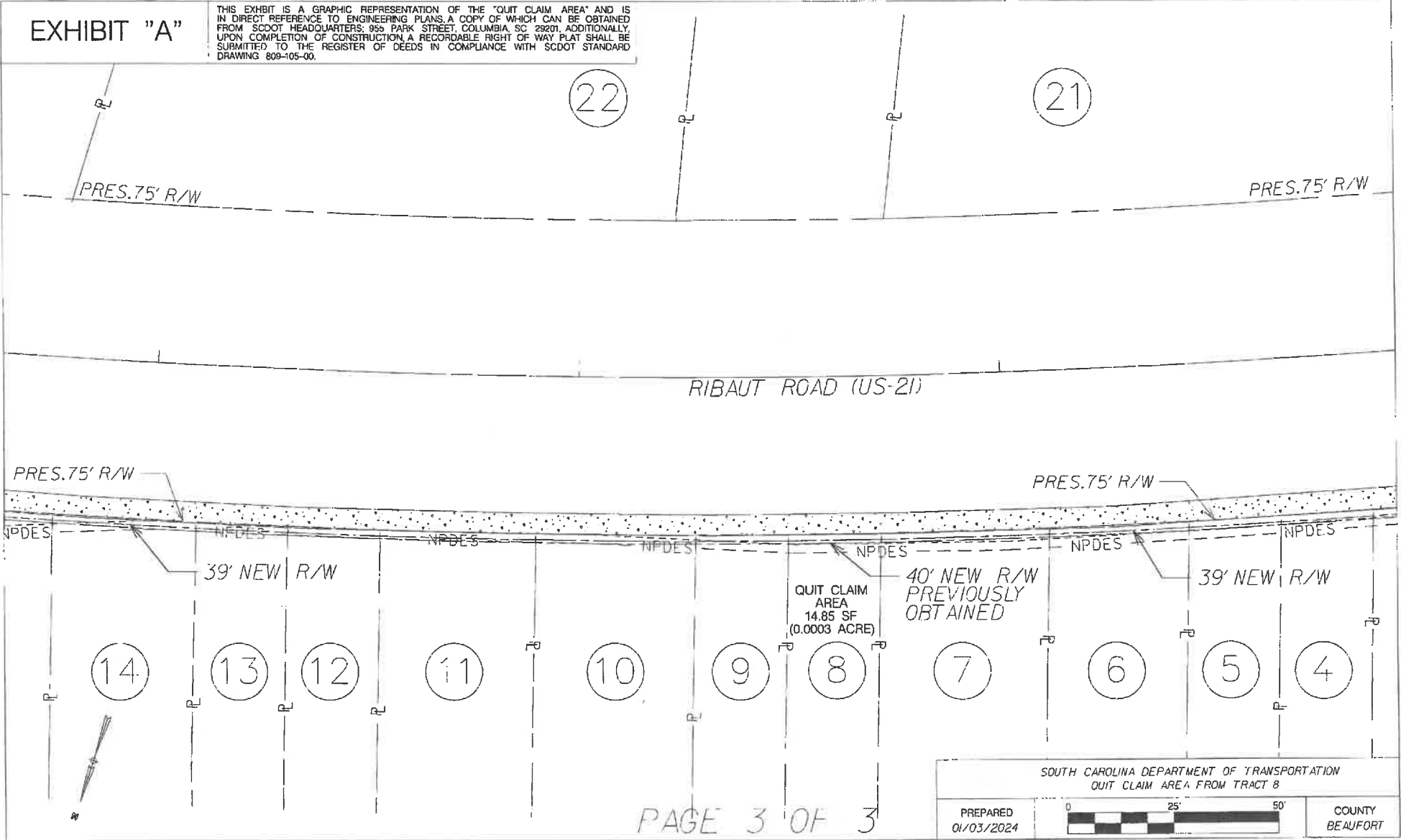


EXHIBIT "A" page 4





Location Map

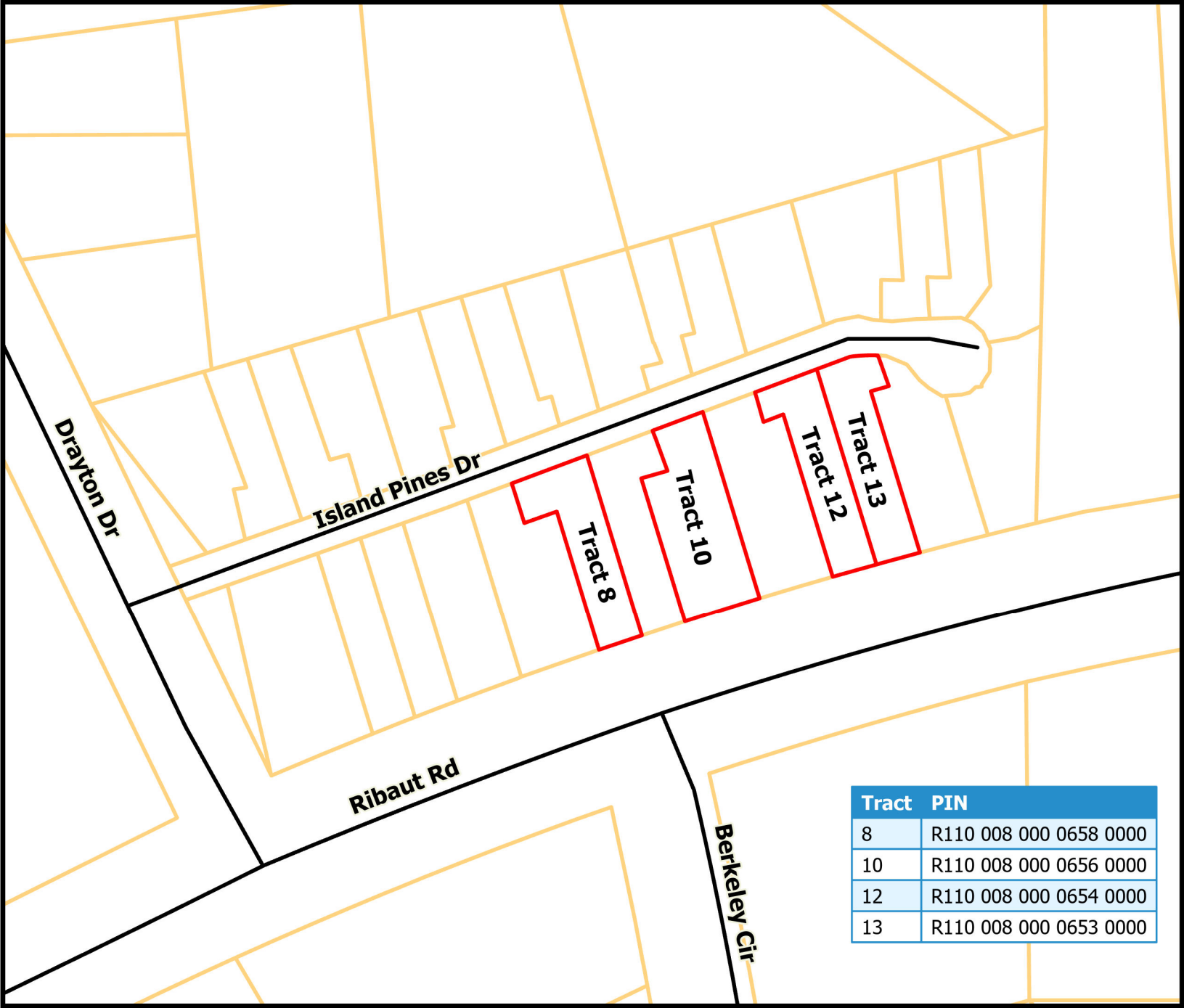
Location of  
Affected Tract  
Owners

Activity: Ribaut Rd  
Pathway Project

Township:  
Port Royal

Legend

- Parcel Tracts
- Parcels



Tract	PIN
8	R110 008 000 0658 0000
10	R110 008 000 0656 0000
12	R110 008 000 0654 0000
13	R110 008 000 0653 0000





# BEAUFORT COUNTY COUNCIL

## AGENDA ITEM SUMMARY

Item 15.

<b>ITEM TITLE:</b>
<i>CONSIDERATION OF AN ORDINANCE AMENDING THE ZONING MAP FOR 3.28 ACRES LOCATED AT 64 JAMES O CT (R600 036 000 0022 0000) FROM T3 EDGE (T3E) TO MAY RIVER COMMUNITY PRESERVATION (MRCP)</i>
<b>MEETING NAME AND DATE:</b>
<i>Natural Resources Committee Meeting, February 3, 2025</i>
<b>PRESENTER INFORMATION:</b>
<i>Robert Merchant, AICP, Director, Beaufort County Planning and Zoning (10 minutes needed for item discussion)</i>
<b>ITEM BACKGROUND:</b>
<i>This rezoning application went before the Beaufort County Planning Commission at their January 6, 2025, meeting. At that time, the Commission voted unanimously to recommend denial of the proposed amendment to County Council.</i>
<b>PROJECT / ITEM NARRATIVE:</b>
<i>The applicant is seeking to amend the zoning of a 3.28-acre parcel. It is currently zoned T3 Edge, and the applicant is requesting a zoning amendment to May River Community Preservation in order to accommodate agricultural use of animal production. The applicant is currently operating this use without a permit and is seeking this rezoning to rectify a violation.</i>
<b>FISCAL IMPACT:</b>
<i>Not applicable</i>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
<i>Staff supports this rezoning request as the County Comprehensive Plan recommends promoting the preservation and viability of agriculture and forestry. However, the Planning Commission needs to take into consideration the compatibility issues of the use with the surrounding residential neighbors as noise and odor pollution is a concern. Therefore, if the rezoning is granted, staff recommends that the CDC is concurrently amended to implement agriculture as a Conditional use in the MRCP district. The condition should state that a 50-foot buffer is required when animal production ("the raising, breeding, feeding, and/or keeping of animals for the principal purpose of commercially producing products for human use or consumption") abuts single-family residential parcels.</i>
<b>OPTIONS FOR COUNCIL MOTION:</b>
<i>Motion to approve, modify, or deny the application as submitted;*</i> <i>Approval of the application with a reduction in the area proposed to be rezoned;*</i> <i>Approval of a rezoning to a more restricted base zone than requested in the application;* or</i> <i>Denial of the application.*</i>

*\*Council's decision must be based on the standards in Section 7.3.40 C of the Community Development Code (Attachment A to this AIS) and must clearly state the factors considered in making its decision and the basis or rationale for the decision. (7.4.90 B.3). These factors are as follows:*

- 1. Is consistent with and furthers the goals, and policies of the Comprehensive Plan and the purposes of this Development Code. In areas of new development, a finding of consistency with the Comprehensive Plan shall be considered to meet the standards below, unless compelling evidence demonstrates the proposed amendment would threaten the public health, safety, and welfare if the land subject to the amendment is classified to be consistent with the Comprehensive Plan;*
- 2. Is not in conflict with any provision of this Development Code, or the Code of Ordinances;*
- 3. Addresses a demonstrated community need;*
- 4. Is required by changed conditions;*
- 5. Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land;*
- 6. Would not adversely impact nearby lands;*
- 7. Would result in a logical and orderly development pattern;*
- 8. Would not result in adverse impacts on the natural environment—including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and*
- 9. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).*

## **Attachment A.**

**CDC Section 7.3.40 B.7 Zoning Map Amendment (Rezoning) provides:**

The County Council's decision shall be based on the standards in Subsection 7.4.30 C and shall be one of the following:

1. Approval of the application as submitted;
2. Approval of the application with a reduction in the area proposed to be rezoned;
3. Approval of a rezoning to a more restricted base zone than requested in the application;
4. Denial of the application.

### **CDC Section 7.3.40 C. Zone Map Amendment Review Standards.**

The advisability of an amendment to the Official Zoning Map is a matter committed to the legislative discretion of the County Council and is not controlled by any one factor. In determining whether to adopt or deny a proposed Zone Map Amendment, the County Council shall weigh the relevance of and consider whether and the extent to which the proposed amendment:

1. Is consistent with and furthers the goals, and policies of the Comprehensive Plan and the purposes of this Development Code. In areas of new development, a finding of consistency with the Comprehensive Plan shall be considered to meet the standards below, unless compelling evidence demonstrates the proposed amendment would threaten the public health, safety, and welfare if the land subject to the amendment is classified to be consistent with the Comprehensive Plan;
2. Is not in conflict with any provision of this Development Code, or the Code of Ordinances;
3. Addresses a demonstrated community need;

4. Is required by changed conditions;
5. Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land;
6. Would not adversely impact nearby lands;
7. Would result in a logical and orderly development pattern;
8. Would not result in adverse impacts on the natural environment—including, but not limited to, water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment; and
9. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities).

**CDC Section 7.4.90 B.3** provides:

County Council's decision shall clearly state the factors considered in making the decision and the basis or rationale for the decision.

## REZONING REQUESTS

I MOVE THAT WE GRANT/ (DENY) THE REQUEST FOR REZONING FOR THE FOLLOWING REASONS (**STATE ALL THAT SUPPORT YOUR MOTION**).

### THE REQUEST:

1. IS/ (IS NOT) CONSISTENT WITH THE GOALS AND POLICIES OF THE COMPREHENSIVE CODE AND THE PURPOSES OF THE DEVELOPMENT CODE; \_\_\_\_\_
2. IS NOT/ (IS) IN CONFLICT WITH PROVISIONS OF THE DEVELOPMENT CODE AND OR OUR CODE OF ORDINANCES; \_\_\_\_\_
3. DOES/ (DOES NOT) ADDRESS A DEMONSTRATED COMMUNITY NEED; \_\_\_\_\_
4. IS/ (IS NOT) REQUIRED BY CHANGED CONDITIONS; \_\_\_\_\_
5. IS/ (IS NOT) COMPATIBLE WITH EXISTING AND PROPOSED USE OF LAND SURROUNDING THIS LAND; \_\_\_\_\_
6. WOULD NOT/ (WOULD) ADVERSELY AFFECT NEARBY LAND; \_\_\_\_\_
7. WOULD/ (WOULD NOT) RESULT IN LOGICAL AND ORDERLY DEVELOPMENT PATTERNS; \_\_\_\_\_
8. WOULD NOT/ (WOULD) RESULT IN ADVERSE IMPACT ON THE NATURAL ENVIRONMENT (WATER, AIR, NOISE, STORMWATER MANAGEMENT, WILDLIFE, VEGETATION, WETLANDS, AND THE NATURAL FUNCTIONING OF THE ENVIRONMENT); \_\_\_\_\_
9. WOULD/ (WOULD NOT) RESULT IN DEVELOPMENT THAT IS ADEQUATELY SERVED BY PUBLIC FACILITIES (STREETS, POTABLE WATER, SEWER, STORMWATER MANAGEMENT, SOLID WASTE COLLECTION AND DISPOSAL, SCHOOLS, PARKS, POLICE, FIRE, EMERGENCY MEDICAL FACILITIES). \_\_\_\_\_

**ORDINANCE 2025/\_\_\_\_\_****AN ORDINANCE AMENDING THE ZONING MAP FOR 3.28ACRES LOCATED AT 64 JAMES O CT (R600 036 000 0022 0000) FROM T3 EDGE (T3E) TO MAY RIVER COMMUNITY PRESERVATION (MRCP)**

**WHEREAS**, the property located at 64 James O Court (R600 036 000 0022 0000) is currently zoned T3 Edge; and

**WHEREAS**, the owner of the property has requested to change the zoning of the property to May River Community Preservation to accommodate agricultural use of animal production; and

**WHEREAS**, the Beaufort County Comprehensive Plan promotes the preservation and viability of agriculture and forestry; and

**WHEREAS**, the Beaufort County Planning Commission considered the request on January 6, 2025, voting unanimously to recommend that County Council deny the request; and

**WHEREAS**, County Council now wishes to amend the zoning map to change the zoning of the property from T3 Edge to May River Community Preservation.

**NOW, THEREFORE** be it ordained by County Council in a meeting duly assembled as follows:

To adopt an ordinance amending the zoning map for 3.28 acres (R600 036 000 0022 0000) located at 64 James O Court from T3 Edge (T3E) to May River Community Preservation (MRCP).

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2025

\_\_\_\_\_  
Alice Howard, Chair

\_\_\_\_\_  
Sarah Brock, Clerk to Council



## MEMORANDUM

**TO:** York Glover, Chair, Natural Resources Committee of County Council

**FROM:** Robert Merchant, AICP, Beaufort County Planning and Zoning Department

**DATE:** February 3, 2025

**SUBJECT:** CONSIDERATION OF AN ORDINANCE AMENDING THE ZONING MAP FOR 3.28 ACRES LOCATED AT 64 JAMES O CT (R600 036 000 0022 0000) FROM T3 EDGE (T3E) TO MAY RIVER COMMUNITY PRESERVATION (MRCP)

### STAFF REPORT:

#### A. BACKGROUND:

<b>Case No.</b>	CDPA-000045-2024
<b>Owner:</b>	Ana Rebeca Alvarado Ortega
<b>Property Location:</b>	64 James O Ct
<b>District/Map/Parcel:</b>	R600 036 000 0022 0000
<b>Property Size:</b>	3.28 Acres
<b>Current Future Land Use Designation:</b>	Neighborhood/Mixed-Use
<b>Current Zoning District:</b>	T3 Edge
<b>Proposed Zoning District:</b>	May River Community Preservation (MRCP)

**B. SUMMARY OF REQUEST:** The applicant is requesting to rezone a parcel to accommodate agricultural use of animal production.

**C. EXISTING ZONING:** The lot is currently zoned T3 Edge, which permits residential lots at 75' width and 150' depth minimums (11,250 sqft lot size minimum). It is intended to reinforce established neighborhoods, to maintain neighborhood stability, and provide a transition between the walkable neighborhood and Natural Preserves and Waterways.

**D. PROPOSED ZONING:** The proposed zoning district is May River CP. The Community Development Code (CDC) defines the May River CP district as "intended to promote low

intensity rural development patterns comprised primarily of residential uses; while encouraging and allowing more urban development to locate outside the district at either end of the corridor.”

- E. TRAFFIC IMPACT ANALYSIS (TIA):** According to Section 6.3.20.D of the CDC, *“An application for a rezoning shall include a TIA where the particular project or zoning district may result in a development that generates 50 trips during the peak hour or will change the level of service of the affected street.”* The application does not require a TIA.
- F. ZONING MAP AMENDMENT REVIEW STANDARDS:** In determining whether to adopt or deny a proposed Zone Map Amendment, the County Council shall weigh the relevance of and consider whether and the extent to which the proposed amendment:
1. **Is consistent with and furthers the goals, and policies of the Comprehensive Plan and the purposes of this Development Code;**  
Yes, it helps further the goal C4 of the 2040 Comprehensive Plan which states to “promote the preservation and viability of agriculture and forestry.” This rezoning would permit the use of crop and animal production.
  2. **Is not in conflict with any provision of this Development Code, or the Code of Ordinances;**  
No, it is not.
  3. **Addresses a demonstrated community need;**  
Yes, active agriculture and animal raising is a community need as suggested in 1.
  4. **Is required by changed conditions;**  
No, it is not.
  5. **Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zone and uses for the land;**  
Yes, the property adjoins land that is zoned May River CP district and would further the rural nature of the area.
  6. **Would not adversely affect nearby lands;**  
Yes, this would not adversely affect nearby lands. The rezoning would be considered a down zoning. There are concerns that agricultural use would cause a disturbance. Staff recommends that the CDC is amended to state that a 50-foot buffer is required in the MRCP district when animal production abuts single-family residential land.
  7. **Would result in a logical and orderly development pattern;**  
Yes, see 5 and 6



8. **Would not result in adverse impacts on the natural environment – including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment:**

Any development on the site would be required to adhere to the natural resource protection, tree protection, wetland protection, and stormwater standards in the Community Development Code and the Stormwater BMP Manual.

9. **Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities:**

The development would not affect schools. Stormwater will be reviewed by SC Department of Environmental Services as it is exempt from County review (MS4 permit).

#### **G. STAFF RECOMMENDATION:**

Staff supports this rezoning request as the County Comprehensive Plan recommends promoting the preservation and viability of agriculture and forestry. However, the Planning Commission needs to take into consideration the compatibility issues of the use with the surrounding residential neighbors as noise and odor pollution is a concern. Also, the future land use designation for the parcel is Neighborhood/ Mixed-Use.

Therefore, if the rezoning is granted, staff recommends that the CDC is concurrently amended to implement agriculture as a Conditional use. The condition should state that a 50-foot buffer is required when animal production (“the raising, breeding, feeding, and/or keeping of animals for the principal purpose of commercially producing products for human use or consumption”) abuts single-family residential parcels.

#### **H. PLANNING COMMISSION RECOMMENDATION:**

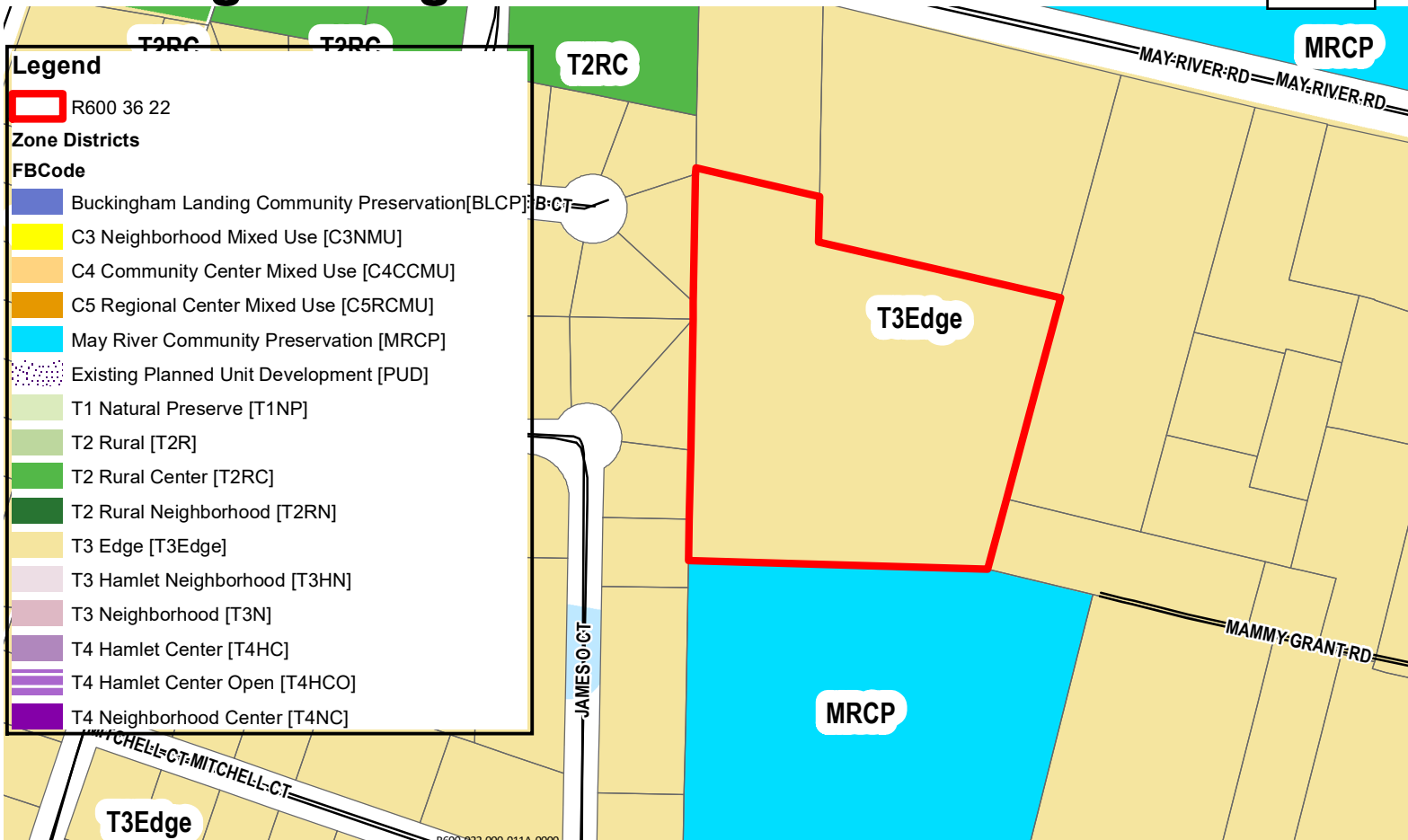
At their January 6, 2025 meeting, the Planning Commission unanimously recommended denial of the rezoning.

#### **I. ATTACHMENTS**

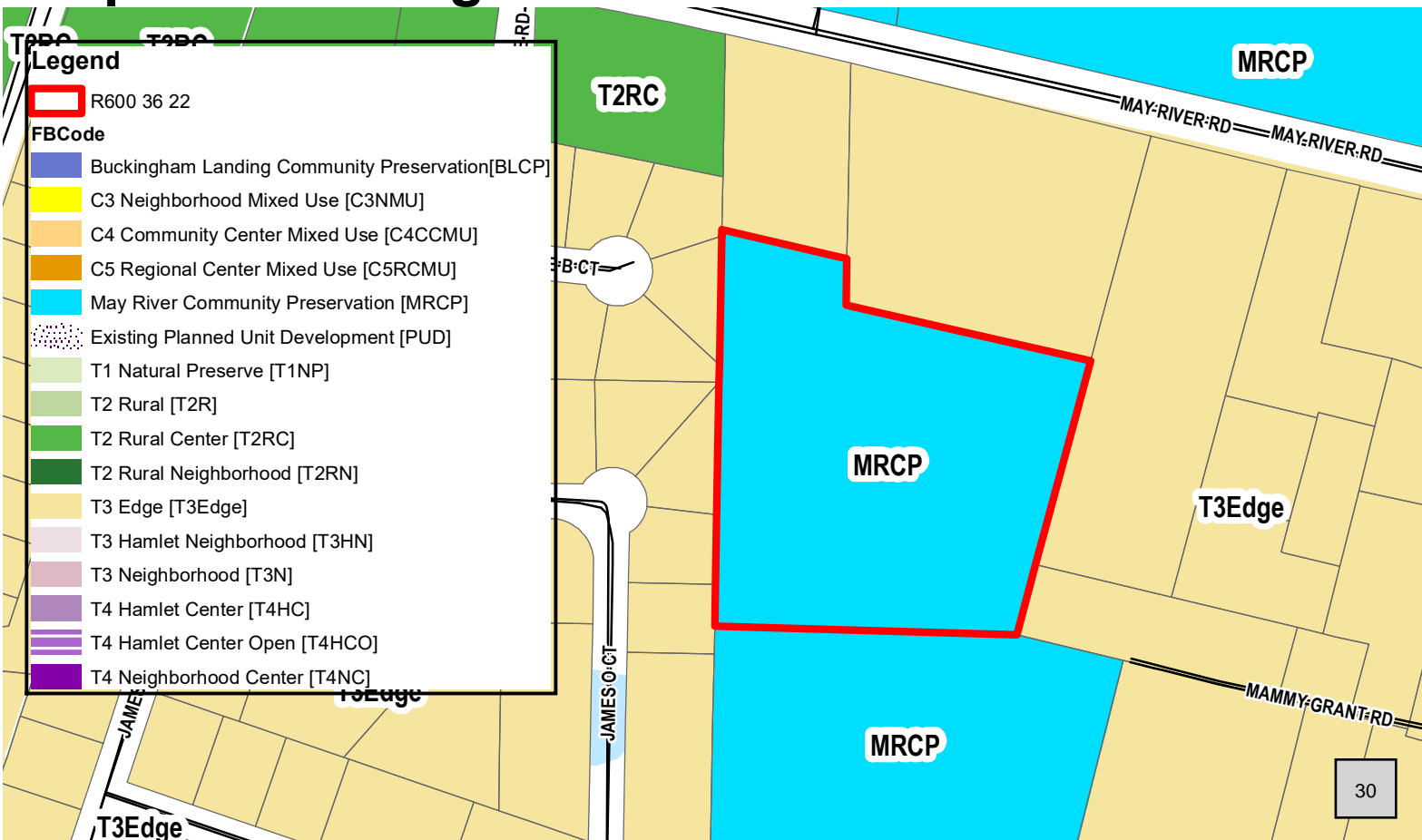
- Zoning Map (existing and proposed)
- Application

# Existing Zoning

Item 15.



# Proposed Zoning



**BEAUFORT COUNTY, SOUTH CAROLINA  
COMMUNITY DEVELOPMENT CODE (CDC) ZONING MAP AMENDMENT**

TO: Beaufort County Council

The undersigned hereby respectfully requests that the Community Development Code (CDC) be amended as described below:

<b>GENERAL INFORMATION</b>
OWNER'S NAME(S)*: Ana Rebeca Alvarado Ortega
MAILING ADDRESS: 93 Davis Rd Bluffton SC 29910
PHONE: 843-305-0303
EMAIL:
NAME OF APPLICANT (IF DIFFERENT FROM OWNER):
MAILING ADDRESS:
PHONE:
EMAIL:

\*Only property owners or their authorized representative/agent can sign this application. If there are multiple owners, each property owner must sign an individual application and all applications must be submitted simultaneously. If a business entity is the owner, the authorized representative/agent of the business must attach: 1- a copy of the power of attorney that gives him the authority to sign for the business, and 2- a copy of the articles of incorporation that lists the names of all the owners of the business.

<b>PROPERTY INFORMATION</b>
PARCEL NUMBER(S) (TMS): R600 036 000 0022 0000
ADDRESS OF SUBJECT PARCEL(S): 64 James O Ct
SIZE OF SUBJECT PROPERTY: 3.28 Acres
PRESENT ZONING CLASSIFICATION (AND ANY APPLICABLE OVERLAY DISTRICTS): T3 Edge
REQUESTED ZONING CLASSIFICATION: May River CP
REASON FOR REQUEST: To have animals.
ATTACH TRAFFIC IMPACT ANALYSIS (TIA) (IF APPLICABLE)**

\*\*The applicant should address and attach a Traffic Impact Analysis per Division [6.3.20\(D\)](#) if a particular project or zoning district may result in a development that generates 50 trips during the peak hour or will change the level of service of the affected street.

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proof for the proposed rezoning rests with the owner.

Ana R. Alexander O.

Signature of Owner

Date

UPON RECEIPT OF APPLICATIONS, THE STAFF HAS **THREE (3)** WORKDAYS TO REVIEW ALL APPLICATIONS FOR COMPLETENESS. THE COMPLETED APPLICATIONS WILL BE REVIEWED FIRST BY THE BEAUFORT COUNTY PLANNING COMMISSION SUBCOMMITTEE RESPONSIBLE FOR THE AREA WHERE YOUR PROPERTY IS LOCATED. MEETING SCHEDULES ARE LISTED ON THE APPLICATION PROCESS (ATTACHED). COMPLETE APPLICATIONS MUST BE SUBMITTED BY **NOON FIRST MONDAY OF THE MONTH** PRIOR TO THE APPLICABLE PLANNING COMMISSION MEETING DATE.

***SUBMISSION OF APPLICATION.*** ALL APPLICATIONS SHALL BE SUBMITTED TO THE APPROPRIATE COUNTY DEPARTMENT. NO APPLICATION WILL BE ACCEPTED UNLESS ACCOMPANIED BY THE REQUIRED FEE. APPLICATIONS RECEIVED BEFORE 12:00 P.M. SHALL BE DATED THE SAME WORKING DAY. APPLICATIONS RECEIVED AFTER 12:00 P.M. SHALL BE DATED THE NEXT WORKING DAY.

FOR MAP AMENDMENT REQUESTS, THE PLANNING OFFICE WILL POST A NOTICE ON THE AFFECTED PROPERTY AS OUTLINED IN DIV. [7.4.50](#) OF THE COMMUNITY DEVELOPMENT CODE.

CONTACT THE PLANNING DEPARTMENT AT (843) 255-2140 FOR EXACT APPLICATION FEES.

## REZONING REQUESTS

I MOVE THAT WE GRANT/ (DENY) THE REQUEST FOR REZONING FOR THE FOLLOWING REASONS (**STATE ALL THAT SUPPORT YOUR MOTION**).

### THE REQUEST:

1. IS/ (IS NOT) CONSISTENT WITH THE GOALS AND POLICIES OF THE COMPREHENSIVE CODE AND THE PURPOSES OF THE DEVELOPMENT CODE; \_\_\_\_\_
2. IS NOT/ (IS) IN CONFLICT WITH PROVISIONS OF THE DEVELOPMENT CODE AND OR OUR CODE OF ORDINANCES; \_\_\_\_\_
3. DOES/ (DOES NOT) ADDRESS A DEMONSTRATED COMMUNITY NEED; \_\_\_\_\_
4. IS/ (IS NOT) REQUIRED BY CHANGED CONDITIONS; \_\_\_\_\_
5. IS/ (IS NOT) COMPATIBLE WITH EXISTING AND PROPOSED USE OF LAND SURROUNDING THIS LAND; \_\_\_\_\_
6. WOULD NOT/ (WOULD) ADVERSELY AFFECT NEARBY LAND; \_\_\_\_\_
7. WOULD/ (WOULD NOT) RESULT IN LOGICAL AND ORDERLY DEVELOPMENT PATTERNS; \_\_\_\_\_
8. WOULD NOT/ (WOULD) RESULT IN ADVERSE IMPACT ON THE NATURAL ENVIRONMENT (WATER, AIR, NOISE, STORMWATER MANAGEMENT, WILDLIFE, VEGETATION, WETLANDS, AND THE NATURAL FUNCTIONING OF THE ENVIRONMENT); \_\_\_\_\_
9. WOULD/ (WOULD NOT) RESULT IN DEVELOPMENT THAT IS ADEQUATELY SERVED BY PUBLIC FACILITIES (STREETS, POTABLE WATER, SEWER, STORMWATER MANAGEMENT, SOLID WASTE COLLECTION AND DISPOSAL, SCHOOLS, PARKS, POLICE, FIRE, EMERGENCY MEDICAL FACILITIES). \_\_\_\_\_



## BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 16.

**ITEM TITLE:**

**RECOMMEND COUNCIL APPROVE A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE DOCUMENTS NECESSARY AND TO PROVIDE FUNDS TO CONTRIBUTE TO THEIR PROCUREMENT, THE TOWN OF HILTON HEAD ISLAND, FOR FEE SIMPLE REAL PROPERTY LOCATED ON HILTON HEAD ISLAND, KNOWN AS THE BEACH CITY ROAD TRACT (PIN# R510 005 000 0202 0000), NOT TO EXCEED THE REQUESTED AMOUNT (\$250,000)**

**MEETING NAME AND DATE:**

Natural Resources Committee, Monday, February 3, 2025

**PRESENTER INFORMATION:**

Mr. Mike McShane, Chair of the Green Space Advisory Committee (15 minutes)

**ITEM BACKGROUND:**

The Town of Hilton Head Island submitted a Green Space Program Fee Simple application for consideration. On January 13, 2025, the Natural Resources Committee approved due diligence and negotiations of the application. On January 30, 2025, the Green Space Advisory Committee (GSAC) met, reviewed existing due diligence provided by the applicant, and voted to recommend approval for the contribution of funds not to exceed the requested amount of \$250,000. The (GSAC) vote was unanimous.

**PROJECT / ITEM NARRATIVE:**

The Beach City Road Tract is a 1.89 +/- acre property located on Hilton Head Island directly across the street from Historic Mitchelville Freedom Park. After the Town of Hilton Head placed the property under contract for \$1,190,000, the Town applied to the Green Space Program requesting a partial reimbursement of \$250,000, offering municipal match/partnership contribution in the amount of \$940,000. A preservation outcome for this property would achieve several goals of the Green Space Program, including preservation of an intact natural habitat for plants and animals, protection of water quality, preservation of an established intact tree canopy, and protection of areas with known cultural significance.

**FISCAL IMPACT:**

(\$250,000) from the Green Space Program Fund Account #4706-10-0000-54400 (Land Acquisition)

**RECOMMENDATION TO COUNCIL:**

Green Space Advisory Committee (GSAC) recommends approval to fund the application, not to exceed the requested reimbursement amount of \$250,000.

**OPTIONS FOR COUNCIL MOTION:**

Motion to approve, modify, or deny a Resolution to expend funds in the amount of (\$250,000) from the Green Space Program Fund to contribute to the procurement of a fee simple acquisition of the Beach City Road Tract located on Hilton Head Island.

**RESOLUTION 2025/\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE DOCUMENTS NECESSARY AND TO PROVIDE FUNDS TO CONTRIBUTE TO THE TOWN OF HILTON HEAD ISLAND'S PROCUREMENT OF FEE SIMPLE REAL PROPERTY LOCATED ON HILTON HEAD ISLAND, KNOWN AS THE BEACH CITY ROAD TRACT (PIN# R510 005 000 0202 0000), NOT TO EXCEED THE REQUESTED AMOUNT (\$250,000)**

**WHEREAS**, the Beach City Road Tract (the "Property") is located on Hilton Head Island adjacent to Historic Mitchelville Freedom Park and is undeveloped in nature; and

**WHEREAS**, the Property possesses intact tree canopy, providing naturally occurring water quality and other ecosystem services associated with these habitats; and

**WHEREAS**, the Property is located in a culturally important area where existing conservation efforts have preserved nearby culturally significant lands; and

**WHEREAS**, the Beaufort County Council recognizes the need to preserve land that provides scenic, natural, environmental, recreational, rural, and open space character which is deemed essential to the County's economic viability, environmental resilience, and overall quality of life; and

**WHEREAS**, the Beaufort County staff received a Fee Simple Application from the Town of Hilton Head Island requesting \$250,000 from the Green Space Program to partially fund a fee simple procurement which was presented to the Green Space Advisory Committee at their December 6, 2024 meeting, where the Green Space Advisory Committee voted unanimously to recommend due diligence and negotiations to the Natural Resources Committee; and

**WHEREAS**, the Beaufort County Natural Resources Committee authorized staff to engage in due diligence and negotiations during their January 13, 2025 meeting; and

**WHEREAS**, the Beaufort County staff gathered and reviewed the due diligence provided by the applicant to further evaluate the property and application against the Beaufort County Green Space Program Criteria to calculate the procurement benefits and overall value; and

**WHEREAS**, the Beaufort County staff presented the existing due diligence documents and their evaluation to the Green Space Advisory Committee during their January 30, 2025 meeting; and

**WHEREAS**, the Green Space Advisory Committee met, reviewed the staff evaluation and existing due diligence, and unanimously voted to recommend approval for the contribution of funds not to exceed the requested amount of \$250,000; and

**WHEREAS**, the Beaufort County Council finds that it is in the best interest of the citizens and residents of Beaufort County for the County Administrator to execute the documents necessary to contribute to funding for the procurement of a government owned fee simple acquisition of real property for the purposes of purchasing development rights and providing public benefit through preserved open space, natural habitats, ecosystem services and culturally significant areas in perpetuity.

**NOW, THEREFORE, BE IT RESOLVED** that Beaufort County Council, duly assembled, does hereby authorize the County Administrator to execute the documents necessary and to provide funds to contribute to the procurement by the Applicant, the Town of Hilton Head Island, for fee simple real property located on Hilton Head Island, known as the Beach City Road Tract (PIN# R510 005 000 0202 0000), not to exceed \$250,000.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_

Alice Howard, Chairman

ATTEST: \_\_\_\_\_

Sarah W. Brock, Clerk to Council



# BEACH CITY RD TRACT – FEE SIMPLE

APPLICANT – TOWN OF HILTON HEAD ISLAND

1.89 +/- Acres

Item 16.





# BEACH CITY RD TRACT – FEE SIMPLE

APPLICANT – TOWN OF HILTON HEAD ISLAND

1.89 +/- Acres

Item 16.







## BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 17.

### ITEM TITLE:

**RECOMMEND COUNCIL APPROVE A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE DOCUMENTS NECESSARY AND TO PROVIDE FUNDS TO CONTRIBUTE TO THEIR PROCUREMENT, THE OPEN LAND TRUST, FOR A FARMLAND PRESERVATION CONSERVATION EASEMENT ON PROPERTY LOCATED IN BEAUFORT COUNTY KNOWN AS ESSEX FARMS (PIN# R700 029 000 0054 0000), NOT TO EXCEED THE REQUESTED AMOUNT (\$560,000)**

### MEETING NAME AND DATE:

Natural Resources Committee, Monday, February 3, 2025

### PRESENTER INFORMATION:

Mike McShane, Chairman of the Green Space Advisory Committee (15 minutes)

### ITEM BACKGROUND:

The Open Land Trust submitted a Green Space Program Farmland Preservation application on behalf of the landowners for consideration. On June 10, 2024, the Community Services and Land Use Committee approved due diligence and negotiations of the application. On January 30, 2025, the Green Space Advisory Committee (GSAC) met, reviewed existing due diligence provided by the applicant, and voted to recommend approval for the contribution of funds not to exceed the requested amount of \$560,000. The (GSAC) vote was unanimous.

### PROJECT / ITEM NARRATIVE:

Essex Farms is a privately owned 900 +/- acre property located in Beaufort County off Kinloch Road and Wimbee Landing Road actively being used for silviculture operations. The Open Land Trust (Applicant) is working with the property owners to place a conservation easement over the entire property that would allow for a maximum of five (5) total parcels. The appraised value for the conservation easement is approximately \$3,726,600. To help achieve this, the Open Land Trust has been working with several partners to source funding opportunities. The partners include the Department of Defense via the REPI Challenge (\$1,860,000), the SC Conservation Bank (\$560,000), the Green Space Program (\$560,000), and landowner donation (\$746,600). The conservation easement will be held and managed by the Open Land Trust and will protect this property in perpetuity. A preservation outcome for this property would achieve several goals of the Green Space Program, including preservation of intact natural habitats for plants and animals, protection of water quality, preservation of soils of statewide importance for silviculture and agriculture, maintained environmental resilience, and preservation of scenic corridors along rural county and state roadways.

### FISCAL IMPACT:

(\$560,000) from the Green Space Program Fund Account #4706-10-0000-54400 (Land Acquisition)

### RECOMMENDATION TO COUNCIL:

Green Space Advisory Committee (GSAC) recommends approval to fund the application, not to exceed the requested amount of (\$560,000).

### OPTIONS FOR COUNCIL MOTION:

Motion to approve, modify, or deny a Resolution to expend funds in the amount of (\$560,000) from the Green Space Program Fund to contribute to the procurement of a farmland preservation conservation easement for Essex Farms located in Beaufort County.

**RESOLUTION 2025/\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE DOCUMENTS NECESSARY AND TO PROVIDE FUNDS TO CONTRIBUTE TO PROCUREMENT BY THE OPEN LAND TRUST FOR A FARMLAND PRESERVATION CONSERVATION EASEMENT ON PROPERTY LOCATED IN BEAUFORT COUNTY KNOWN AS ESSEX FARMS (PIN# R700 029 000 0054 0000), NOT TO EXCEED THE REQUESTED AMOUNT (\$560,000)**

**WHEREAS**, Essex Farms (the “Property”) is located in northern Beaufort County within the ACE Basin along the banks of Barnwell, Briars, and Wimbee Creeks and is undeveloped in nature, operating as a timber farm; and

**WHEREAS**, the Property possesses freshwater wetlands, marsh edges, and intact tree canopy, providing considerable naturally occurring water quality and other ecosystem services associated with these habitats; and

**WHEREAS**, the Property supports improved resilience of the immediate area by providing space for marsh migration and capacity to absorb sea level rise; and

**WHEREAS**, the Property is located in the vicinity of the Marine Corps Air Station (MCAS) Beaufort, and incompatible development would produce undesirable impacts to the mission of the installation; and

**WHEREAS**, the Beaufort County Council recognizes the need to preserve land that provides scenic, natural, environmental, recreational, rural, and open space character which is deemed essential to the County’s economic viability, environmental resilience, and overall quality of life; and

**WHEREAS**, the Beaufort County staff received a Farmland Preservation Application from the Open Land Trust requesting \$560,000 in funding from the Green Space Program to partially fund a conservation easement which was presented to the Green Space Advisory Committee at their June 3, 2024 meeting, where the Green Space Advisory Committee voted unanimously to recommend due diligence and negotiations to the Community Services and Land Use Committee; and

**WHEREAS**, the Beaufort County Community Services and Land Use Committee authorized staff to engage in due diligence and negotiations during their June 10, 2024 meeting; and

**WHEREAS**, the Beaufort County staff began conducting due diligence and negotiations to further evaluate the property and application against the Beaufort County Green Space Program Criteria to calculate the procurement benefits and overall value; and

**WHEREAS**, the Beaufort County staff presented the existing due diligence documents and their project evaluation and recommendation to the Green Space Advisory Committee during their January 30, 2025 meeting; and

**WHEREAS**, the Green Space Advisory Committee (GSAC) met, reviewed the staff evaluation and existing due diligence, and unanimously voted to recommend approval for the contribution of funds not to exceed the requested amount of \$560,000; and

**WHEREAS**, the Beaufort County Council finds that it is in the best interest of the citizens and residents of Beaufort County for the County Administrator to execute the documents necessary to contribute to funding for a farmland preservation conservation easement for the purposes of purchasing development rights and providing public benefits through preserved open space, natural habitats, scenic road corridors, and ecosystem services in perpetuity.

**NOW, THEREFORE, BE IT RESOLVED** that Beaufort County Council, duly assembled, does hereby authorize the County Administrator to execute the documents necessary and to provide funds from the Green Space Program Fund to contribute to the procurement by the applicant, the Open Land Trust, for a farmland preservation conservation easement on property located in Beaufort County known as Essex Farms (PIN# R700 029 000 0054 0000), not to exceed \$560,000.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_

Alice Howard, Chairman

ATTEST: \_\_\_\_\_

Sarah W. Brock, Clerk to Council

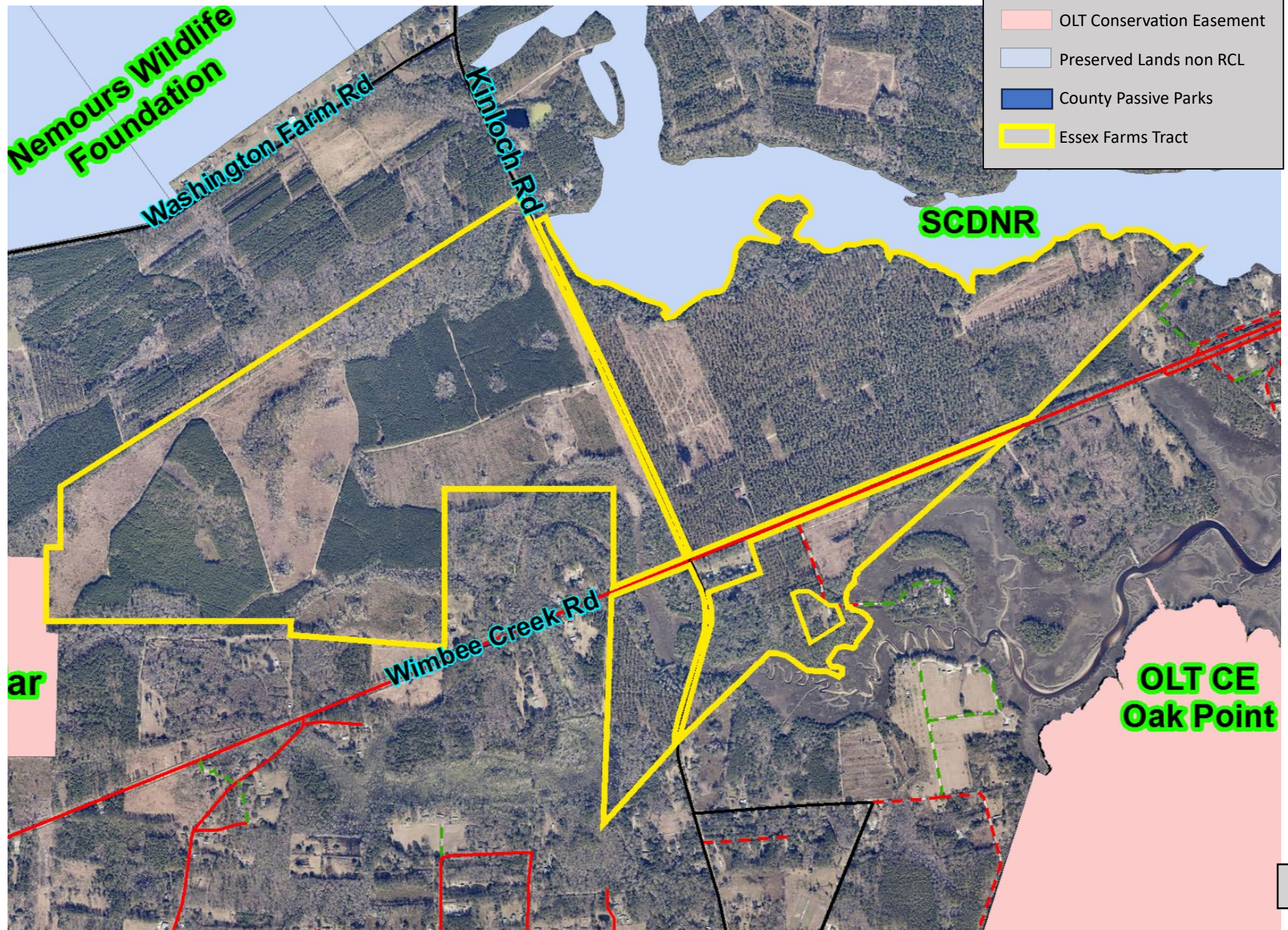


# ESSEX FARMS TRACT – FARMLAND PRESERVATION

Item 17.

APPLICANT – OPEN LAND TRUST

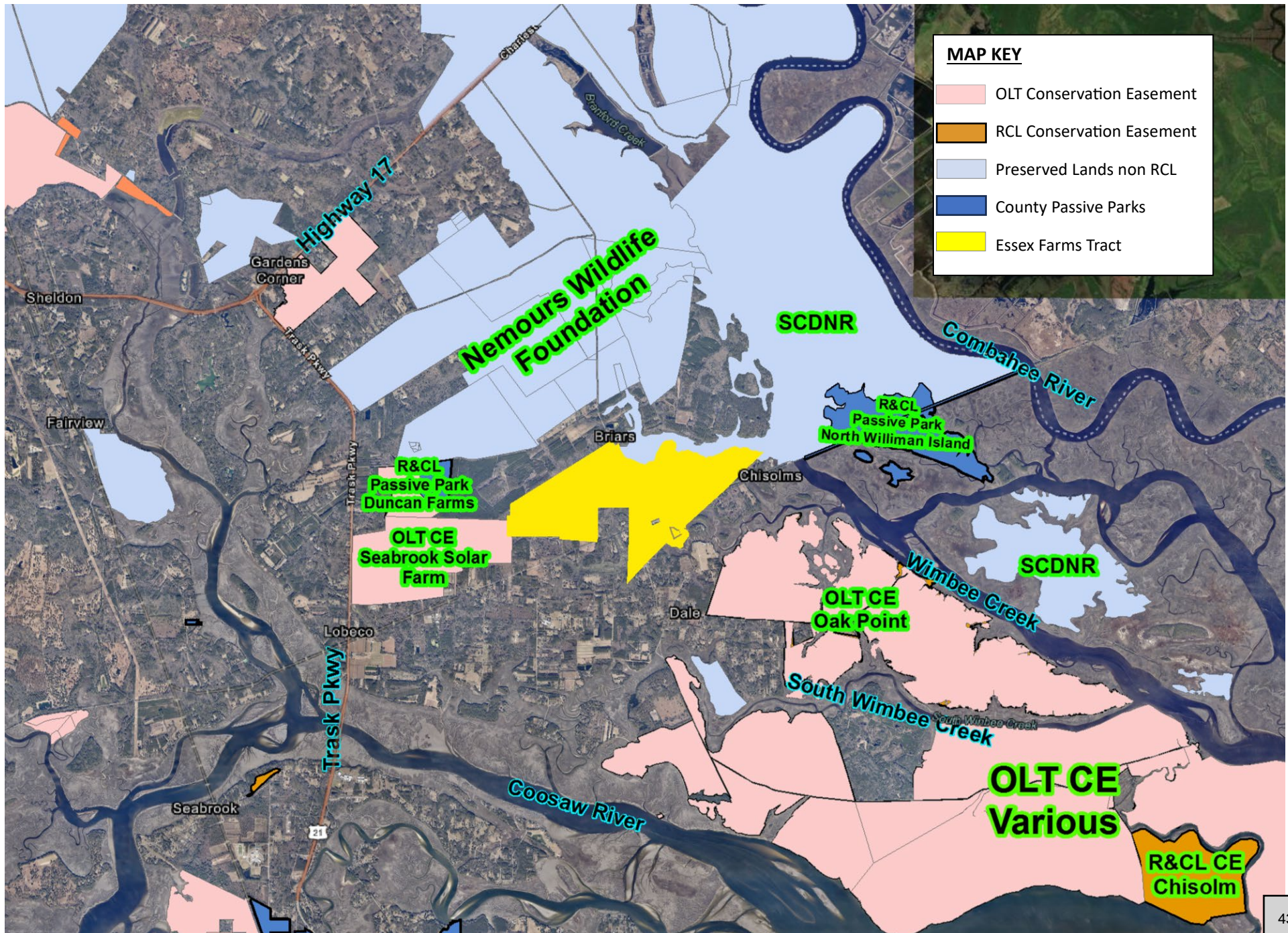
900 +/- Acres





# ESSEX FARMS TRACT – FARMLAND PRESERVATION

Item 17.







## BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 18.

<b>ITEM TITLE:</b>
RECOMMEND APPROVAL OF JOINT RESOLUTION OF BEAUFORT COUNTY AND TOWN OF HILTON HEAD ISLAND TO REDEFINE THE US 278 CORRIDOR PROJECT (ALSO KNOWN AS THE WILLIAM HILTON PARKWAY GATEWAY CORRIDOR PROJECT) TO ALIGN WITH THE AVAILABLE FUNDING
<b>MEETING NAME AND DATE:</b>
County Council meeting – February 24, 2025
<b>PRESENTER INFORMATION:</b>
Jared Fralix, P.E. - Assistant County Administrator of Infrastructure 10 minutes
<b>ITEM BACKGROUND:</b>
The estimated cost of the originally proposed US 278 Corridor Project has increased to \$488 million—exceeding available funding by \$190 million. Following the failure of the transportation sales tax referendum, no local funds are available to cover the shortfall. The State Infrastructure Bank (SIB) has set a deadline of March 31, 2025, for the County to submit a revised project plan addressing this funding gap.
<b>PROJECT / ITEM NARRATIVE:</b>
<p>In coordination with Senator Davis, other state representatives, and the South Carolina Department of Transportation (SCDOT), the County and the Town of Hilton Head Island have developed a revised project plan that fits within the available budget. The proposed plan, outlined in the joint resolution, focuses on a bridge-only project to replace the two existing eastbound bridges.</p> <ul style="list-style-type: none"><li>• The new bridge will be constructed as a three-lane structure but initially striped for two lanes.</li><li>• The joint resolution will be submitted as part of the County's formal response to the State Infrastructure Bank.</li></ul>
<b>FISCAL IMPACT:</b>
The revised project plan remains within the available funding, ensuring financial feasibility.
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff recommends the approval of the joint resolution to proceed with the updated project within the available budget.
<b>OPTIONS FOR COUNCIL MOTION:</b>
Approve/Deny the joint resolution of Beaufort County and Town of Hilton Head Island to redefine the US 278 Corridor Project (also known as the William Hilton Parkway Gateway Corridor Project) to align with the available funding



## RESOLUTION 2025 /\_\_

### A JOINT RESOLUTION OF BEAUFORT COUNTY & TOWN OF HILTON HEAD ISLAND TO REDEFINE THE US 278 CORRIDOR PROJECT (ALSO KNOWN AS THE WILLIAM HILTON PARKWAY GATEWAY CORRIDOR PROJECT) TO ALIGN WITH THE AVAILABLE FUNDING

**WHEREAS**, the current proposed 278 Corridor Project (also known as the William Hilton Parkway Gateway Corridor Project[("Project")]) includes a six-lane bridge with a multi-use pathway and roadway improvements spanning from Moss Creek Drive to Spanish Wells Road; and

**WHEREAS**, any Funds expended from the 2018 Referendum as per the referendum will solely be expended within the originally defined project area from Moss Creek Drive to Squire Pope Road, and funds spent for improvements between Squire Pope Road and Spanish Wells Road will be sourced solely from Local Impact Fee Revenue; and

**WHEREAS**, the current available funding for the Project totals \$298.85 million, consisting of \$101 million from Beaufort County (sales tax and impact fees), \$3.35 million from the Town of Hilton Head Island (right-of-way donations), \$74.5 million from the South Carolina Department of Transportation (SCDOT), and \$120 million from the State Infrastructure Bank (SIB); and

**WHEREAS**, in February 2024, SCDOT provided an updated Project cost estimate, increasing the projected Project cost from \$305 million to \$488 million; and

**WHEREAS**, this updated Project cost estimate was reflected in our following quarterly report to the SIB, and upon receipt, the SIB requested a meeting with the County to address the project status and funding shortfall; and

**WHEREAS**, at a meeting on May 29, 2024, between SIB, SCDOT, state representatives, and Beaufort County, the County proposed a pro-rata cost-sharing arrangement between SIB, SCDOT, and the County to cover the \$190 million Project funding shortfall; and

**WHEREAS**, in a follow-up letter to SIB dated July 3, 2024, the County formally requested \$90 million from SIB to match a \$90 million contribution from the County, contingent upon voter approval of a proposed Transportation Sales Tax Referendum in November 2024; and

**WHEREAS**, on November 5, 2024, the Transportation Sales Tax Referendum did not receive voter approval thereby rendering the County's proposed match unavailable; and

**WHEREAS**, on November 7, 2024, SIB issued a letter to the County requesting a response within 15 days regarding the County's plan to address the \$190M Project funding shortfall; and

**WHEREAS**, at its November 12, 2024, County Council meeting, the Council voted not to allocate additional funds to the Project; and

**WHEREAS**, in a letter to Beaufort County dated November 18, 2024, SCDOT reiterated the deteriorating condition of the eastbound Mackay Creek Bridge, stating that its current condition is rated a 4 out of 10, and emphasized that a decision on a viable project must be made by March 31, 2025, to proceed with construction by 2027; and

**WHEREAS**, at the November 20, 2024, SIB meeting, an extension was granted to Beaufort County until March 31, 2025, for the County to provide a revised funding plan for the Project; and

**WHEREAS**, on January 9, 2025, Senator Tom Davis, with support from the state delegation, presented a proposal to redefine the Project to match available funding; and

**WHEREAS**, SCDOT has provided six project options along with cost estimates for each option, including the proposal endorsed by Senator Tom Davis; and

**WHEREAS**, only two of the six options, (excluding the standalone Mackay Creek Bridge replacement) fall within the available \$298.85 million budget; and

**WHEREAS**, a joint meeting of the Beaufort County Council and the Hilton Head Town Council was held on February 12, 2025 to discuss the options for the Project presented by SCDOT and the funding for the Project ~~therefore~~.

**NOW THEREFORE, BE IT RESOLVED THAT THE COUNTY COUNCIL OF BEAUFORT COUNTY, SOUTH CAROLINA, AND THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA**, hereby adopt a revised scope for the Project to align with the available funds. The revised Project includes the following elements:

**Revised Project Scope:**

1. \* Demolition of the existing eastbound bridge over Mackay Creek, construction of a new bridge extending from the mainland to Jenkins Island (“New Bridge”), and retaining the existing two lane eastbound bridge over Skull Creek and the two existing two lane westbound bridges over Mackay Creek and Skull Creek.\* Construction of the New Bridge will be a three-lane eastbound lifeline bridge without a multi-use pathway.
2. \* Striping the New Bridge for two lanes, with only necessary road tie-ins included.
3. Designing the New Bridge width to accommodate temporary four-lane use in the future if westbound bridge replacement is required.
4. \* The New Bridge will be designed so that there is no access to Pinkney Island from the New Bridge. The existing Skull Creek bridge, either the eastbound or westbound lanes, will be repurposed for two-way access to Pinkney Island.
5. \* Construction of a Hog Island connector road/bridge to provide access to Mariner’s Cove, Blue Heron Point, and Hog Island, linking back to US 278 at the Windmill Harbor intersection.
6. \* Retention and improvement of the Windmill Harbor traffic signal with mast arms.
7. The Town of Hilton Head Island and Beaufort County agree to work cooperatively on the following:
  - i. Transfer ownership of Windmill Harbor Traffic Signal to the Town of Hilton Head Island. Funding for mast arms and installation of adaptive technology consistent with

- that installed on existing Town of Hilton Head Island Signals will be eligible for the use of Reserve Funds if they remain at the end of the bridge project.
- ii. Explore providing a bike/pedestrian lane on the new eastbound bridge structure, as part of the built third lane, until the third lane is needed for traffic operations.
  - iii. Request that DOT reconsider the reduction of the speed limit of the William Hilton Parkway Corridor to 40mph.

\*These project elements are identified in SCDOT's "Option 1," attached as Exhibit A.

#### **Funding Elements:**

<b>Funding Source</b>	<b>Amount (in millions)</b>
Current Project Funding (SIB, DOT, Local)	\$295.50M
Additional SCDOT Funding (DOT, Local)	\$ 16.10 M
<u>Spent to Date (DOT, Local)</u>	<u>- \$ 13.07 M</u>
Total Available Funding	\$298.53M

<b>Planned Project Costs</b>	<b>Amount (in millions)</b>
Revised Project Costs (SIB, DOT, Local)	\$257.70M
Remaining Engineering Costs (DOT, Local)	\$ 15.00M
Reserve Funds (Local)	\$ 14.33M
PSD Relocation Funds (Local)	\$ 6.50M
<u>Stoney Historic Community Safety Projects (Local)</u>	<u>\$ 5.00M</u>
Total Costs	\$298.53M

#### **Use of Local Funds:**

1. Reserve Funds will cover potential project overruns.
2. The Project will fund the replacement of the 24" waterline up to the limits defined in State Act 36, plus the allocated \$6.5 million in Local Funds Costs for the waterline relocation not covered by the combination of State Act 36 and Local Funds will be funded using Reserve Funds as the top priority.
3. To address immediate safety concerns in the Stoney Historic Community, a minimum of \$5.0 million in Local Funds will be allocated to a local road project, with the Town overseeing design and construction, prioritized as follows:
  - i. Squire Pope intersection enhancements – (pedestrian safety, turn movements, etc.)
  - ii. Sidewalk enhancements
  - iii. Spanish Wells intersection enhancements – (pedestrian safety, turn movements, etc.)
  - iv. Signage – safety/wayfinding
4. Any remaining Reserve Funds, not spent on the above, shall be used for other local road improvements along the corridor between Moss Creek Drive and Spanish Wells Road.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
Alice Howard, Chairman

ATTEST:

\_\_\_\_\_  
Sarah W. Brock, Clerk to Council

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.

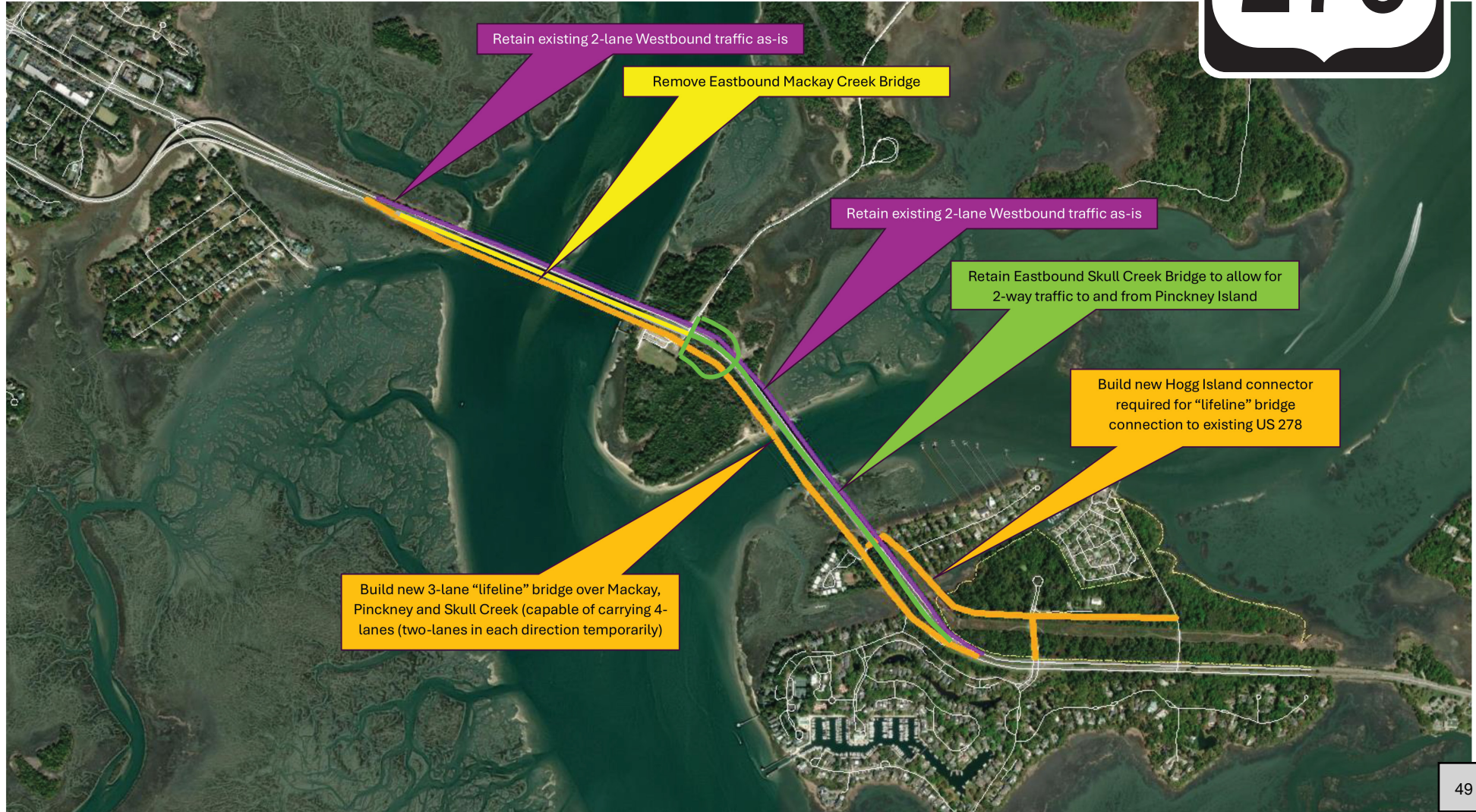
COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
Alan Perry, Mayor

ATTEST:

\_\_\_\_\_  
Kimberly Gammon, Clerk to Council

3-lane Bridge (capable of accommodating 4<sup>th</sup> lane) with using portion of Westbound bridge for off island and one of the old Skull Creek for access to Pinckney Island



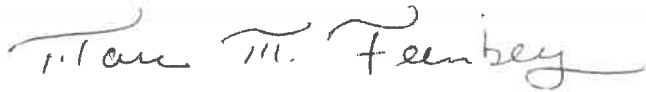
**LETTER OF INTENT**

Marc Feinberg  
39 Lexington Drive  
Bluffton, SC 29910  
01/31/2025

To Whom it may concern:

This is a statement to verify the intention that I, **Marc Feinberg**, am seeking REAPPOINTMENT for the **Stormwater Board**. This will go into effect on **02/2025**.

Sincerely,

A handwritten signature in black ink that reads "Marc M. Feinberg". The signature is written in a cursive style with a large, stylized 'M' and 'F'.

**Marc Feinberg, Stormwater Chair**