



Community Services and Land Use Committee Beaufort County, SC

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

Monday, June 12, 2023
3:00 PM

AGENDA

COMMITTEE MEMBERS:

ALICE HOWARD, CHAIR
GERALD DAWSON
THOMAS REITZ

YORK GLOVER, VICE-CHAIRMAN
PAULA BROWN
JOSEPH PASSIMENT, EX-OFFICIO

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. 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
- [5.](#) APPROVAL OF MINUTES - April 10, 2023
- [6.](#) **CITIZEN COMMENT PERIOD- 15 MINUTES TOTAL**

Anyone who wishes to speak during the Citizen Comment portion of the meeting will limit their comments and speak no longer than three (3) minutes. Speakers will address Council in a respectful manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, or obscene language.

AGENDA ITEMS

7. PRESENTATION ON B.E.A.D AND BROADBAND EQUITY- CHAD CHADWICK, FEDERAL PROGRAM OFFICER, SOUTH CAROLINA, NATIONAL TELECOMMUNICATIONS, AND INFORMATION ADMINISTRATION
8. GREEN SPACE ADVISORY COMMITTEE UPDATE
- [9.](#) RECOMMEND APPROVAL TO UNDERTAKE DUE DILIGENCE AND DISCUSSION/NEGOTIATIONS FOR THE PROPOSED FEE SIMPLE PURCHASE OF REAL PROPERTY (2935 AND 2729 BOUNDARY STREET)
- [10.](#) RECOMMEND APPROVAL TO UNDERTAKE DUE DILIGENCE AND DISCUSSION/NEGOTIATIONS FOR THE PROPOSED FEE SIMPLE PURCHASE OF REAL PROPERTY KNOWN AS BARRELL LANDING

- [11.](#) RECOMMEND APPROVAL OF AN ORDINANCE APPROPRIATING PROCEEDS AND INTEREST FROM THE 2017 GENERAL OBLIGATION BOND ANTICIPATION NOTE TO DESIGN, ENGINEER, CONSTRUCT, AND EQUIP A JOINT FIRE/EMS STATION IN SUN CITY AND TO DEFRAY COSTS ASSOCIATED WITH THE ESTABLISHMENT OF PERMANENT EMBARKATION LOCATIONS FOR THE DAUFUSKIE ISLAND FERRY AND OTHER MATTERS RELATED THERETO
- [12.](#) RECOMMEND APPROVAL OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS FOR THE SALE OF REAL PROPERTY WITH TMS NO. R600-009-000-0003-0000, ALSO KNOWN AS CAMP ST. MARY’S, TO THE BEAUFORT COUNTY RURAL AND CRITICAL LANDS PROGRAM
- [13.](#) RECOMMEND APPROVAL OF AN ORDINANCE FOR A ZONING MAP AMENDMENT/REZONING REQUEST FOR 21 ACRES (R100 025 000 068A 0000, R100 025 000 068B 0000, AND R100 025 000 0068 0000) LOCATED AT LAUREL BAY ROAD AND ROSEIDA ROAD EXTENSION FROM T2 RURAL (TR2) TO INDUSTRIAL (SI)
- [14.](#) RECOMMEND APPROVAL OF AN ORDINANCE FOR A ZONING MAP AMENDMENT/REZONING REQUEST FOR 502 ACRES (R300-012-000-0001-0000, R300-012-000-0254-0000, R300-007-000-0002-0000, R300-012-000-0255-0000, AND R300-012-000-0256-0000) LOCATED AT 288 DULAMO ROAD TO BE REMOVED FROM THE CULTURAL PROTECTION OVERLAY (CPO) BOUNDARY
- [15.](#) RECOMMEND APPROVAL OF A RESOLUTION AUTHORIZING THE UNINCORPORATED PARTS OF BEAUFORT COUNTY TO JOIN WITH THE TOWN OF PORT ROYAL AND THE CITY OF BEAUFORT TO CONTINUE MEMBERSHIP IN THE LOWCOUNTRY AREA TRANSPORTATION STUDY (LATS) METROPOLITAN PLANNING ORGANIZATION (MPO) AND TO ADOPT THE GEOGRAPHICAL BOUNDARIES
- [16.](#) RECOMMEND APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A TEMPORARY CUSTODY AGREEMENT WITH THE TOWN OF SULLIVAN’S ISLAND FOR AN ORDINANCE DELIVERY TABLE TO BE INSTALLED AND DISPLAYED AT FORT FREMONT PRESERVE
- [17.](#) RECOMMEND APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE BEAUFORT COUNTY OPEN LAND TRUST FOR MAINTENANCE OF COUNTY OWNED PROPERTY KNOWN AS THE BLOCKER FIELD EXTENSION (R300 015 000 076B 0000)
- [18.](#) RECOMMEND APPROVAL OF A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO INITIATE THE BE-CAT3 GRANT PROGRAM TO ASSIST WITH BROADBAND EFFORTS IN BEAUFORT COUNTY
- [19.](#) RECOMMEND APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE FEE SIMPLE PURCHASE OF TAX MAP SERIAL NUMBER R710 012 000 0001 0000 AND R710 012 000 0072 0000 ALSO KNOWN AS COTTON HALL

EXECUTIVE SESSION

20. PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2): DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED SALE OF LAND (BEAUFORT COMMERCE PARK).
21. MATTERS ARISING OUT OF EXECUTIVE SESSION
22. ADJOURNMENT

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>



Community Services and Land Use Committee Beaufort County, SC

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

Monday, April 10, 2023
3:00 PM

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/223601>

1. CALL TO ORDER

Committee Chair Howard called the meeting to order at or around 3:10 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
Council Member Mark Lawson
Council Member Logan Cunningham
Council Member Anna Maria Tabernik
Council Member David P. Bartholomew
Council Member Lawrence McElynn

2. PLEDGE OF ALLEGIANCE

Committee Chair Howard led the Pledge of Allegiance.

3. FOIA

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

4. APPROVAL OF AGENDA

Motion: It was moved by Committee Vice Chair Glover, seconded by Council Member Brown, to approve the agenda.

The Vote - The motion was approved without objection.

5. APPROVAL OF MINUTES

Motion: It was moved by Council Member Dawson, seconded by Council Member Lawson, to approve the minutes of February 13, 2023.

The Vote - The motion was approved without objection.

6. CITIZEN COMMENT PERIOD

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

<https://beaufortcountysc.new.swagit.com/videos/223601?ts=72>

1. Representative Michael Rivers
2. Pastor Kenneth Doe
3. Sara Reynolds Green
4. Pastor Henry Chisholm
5. Carrie Major
6. Jameah Moore

7. RECOMMEND APPROVAL OF AN ORDINANCE FOR TEXT AMENDMENTS TO THE COMMUNITY DEVELOPMENT CODE ("CDC"): ARTICLE 3, DIVISION 3.1, SECTION 3.1.70 LAND USE DEFINITIONS, DIVISION 3.4, SECTIONS 3.4.10- OVERLAY ZONES PURPOSE AND 3.4.50- CULTURAL PROTECTION OVERLAY (CPO) ZONE STANDARDS TO UPDATE LAND USE DEFINITIONS, RECREATION FACILITY: GOLF COURSE; TO UPDATE DEFINITIONS, REGULATIONS, AND STANDARDS IN THE CULTURAL PROTECTION OVERLAY ZONE

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

<https://beaufortcountysc.new.swagit.com/videos/223601?ts=1100>

Motion: It was moved by Vice Chair Glover, seconded by Council Member Reitz, to recommend approval of an ordinance for text amendments to the Community Development Code (CDC): Article 3, Division 3.1, Section 3.1.70 Land Use Definitions, Division 3.4, Sections 3.4.10 - Overlay Zones Purpose and 3.4.50- Cultural Protection Overlay (CPO) Zone Standards to Update Land Use Definitions, Recreation Facility: Golf Course; to Update Definitions, Regulations, and Standards in the Cultural Protection Overlay Zone.

Discussion: Committee Chair Howard thanked the CPO Committee for their work on the text amendments.

Director Merchant (Planning and Zoning Department) discussed the history and purpose of the CPO and the changes to be made by the text amendments to revise the CPO purpose statement and certain definitions to prohibit golf courses, resorts, and gated communities.

Council Member Cunningham asked about the decision process for this item since it is included in the County Council April 10th meeting agenda.

Motion to Enter Executive Session: It was moved by Council Member Cunningham, seconded by Council Member Tabernik, to enter into an executive session to receive legal advice on this item.

Discussion: Committee Vice Chair Glover asked for the item to be discussed in an open session, and Council Member Cunningham replied that he wanted advice from the County's attorneys on the ramifications for if the item moves forward or not.

Committee Vice Chair Glover said the changes are meant to clarify the intent of the overlay district.

The Vote: Voting Yea: Council Member Cunningham, Council Member Tabernik, Council Member Brown, Council Member Lawson, Council Member Passiment, and Council Member McElynn. Voting Nay: Council

Member Bartholomew, Council Member Dawson, Council Member Reitz, Committee Vice Chair Glover, and Committee Chair Howard. The motion passed by 6:5.

Discussion: Committee Chair Howard stated there was nothing to report from the executive session.

County Administrator Greenway commented that the text amendments for the CPO are minor changes and that there is community interest in not having development on Pine Island. County Administrator Greenway also presented the zoning, property acreage, and potential development of Pine Island, since the County cannot force the sale of land for conservation purposes.

Council Member Passiment and County Administrator Greenway discussed the number of lots that could be developed.

Committee Vice Chair Glover and County Administrator Greenway discussed a potential traffic impact analysis.

The Vote - Voting Yea: Council Member Reitz, Council Member Bartholomew, Council Member Brown, Council Member Lawson, Council Member Tabernik, Council Member McElynn, Council Member Passiment, Committee Vice Chair Glover, and Committee Chair Howard. Voting Nay: Council Member Cunningham. The motion passed by 10:1.

8. RECOMMEND APPROVAL OF AN ORDINANCE TO ACCEPT AND TO ALLOCATE FUNDS RECEIVED FROM THE SOUTH CAROLINA OPIOID RECOVERY FUND (\$612,733.00)

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

<https://beaufortcountysc.new.swagit.com/videos/223601?ts=2611>

Motion: It was moved by Council Member Passiment, seconded by Council Member Cunningham, to take items 8 and 9 as one single motion.

Discussion: Director Donaldson (Beaufort Alcohol and Drug Abuse Department) briefed the Committee on funding applications submitted to programs and prevention campaigns.

Council Member Tabernik asked whether the program offered in December 2022 providing Narcan would be continued. Director Donaldson replied that the project falls under a different funding source and will occur again in April.

Motion: It was moved by Council Member Passiment, seconded by Council Member Cunningham, to recommend approval of an ordinance to accept and to allocate funds received from the South Carolina Opioid Recovery Fund (\$612,733.00) and to recommend approval of an ordinance to accept and to allocate funds received from the South Carolina Opioid Recovery Fund (\$299,376.00).

The Vote - The motion was approved without objection.

9. RECOMMEND APPROVAL OF AN ORDINANCE TO ACCEPT AND TO ALLOCATE FUNDS RECEIVED FROM THE SOUTH CAROLINA OPIOID RECOVERY FUND (\$299,376.00)

Items 8 and 9 were taken as one motion.

10. RECOMMEND APPROVAL OF A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE A LEASE AGREEMENT ENCUMBERING PROPERTY OWNED BY BEAUFORT COUNTY KNOWN AS A PORTION OF THE CRYSTAL LAKE PARK OFFICE BUILDING

County Administrator Greenway commented that this item is a standard lease renewal.

Motion: It was moved by Council Member Tabernik, seconded by Council Member Bartholomew, to recommend approval of a resolution authorizing the County Administrator to execute a lease agreement encumbering property owned by Beaufort County known as a portion of the Crystal Lake Park Office Building.

The Vote - The motion was approved without objection.

11. RECOMMEND APPROVAL TO UNDERTAKE DUE DILIGENCE AND DISCUSSIONS/NEGOTIATIONS FOR PROPOSED FEE SIMPLE PURCHASE OF A SMALL PORTION OF REAL PROPERTY KNOWN AS COTTON HALL

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

<https://beaufortcountysc.new.swagit.com/videos/223601?ts=2886>

County Administrator Greenway discussed the acquisition of property to allow public access to the Ace Basin, plans to work with SC DNR to create a wildlife management area, and the request to move forward with due diligence.

Motion: It was moved by Council Member Dawson, seconded by Vice Chair Glover, to recommend approval to undertake due diligence and discussions/negotiations for proposed fee simple purchase of a small portion of real property known as Cotton Hall.

Discussion: Council Member Glover and County Administrator Greenway discussed a visit to the property.

The Vote - The motion was approved without objection.

12. A RESOLUTION AUTHORIZING THE DEMOLITION OF STRUCTURES ON COUNTY OWNED PROPERTY NOW KNOWN AS CHERRY POINT PRESERVE LOCATED ON HIGHWAY 170

Motion: It was moved by Council Member Cunningham, seconded by Council Member Bartholomew, to approve a resolution authorizing the demolition of structures on County-owned property known as Cherry Point Preserve located on Highway 170.

The Vote - The motion was approved without objection.

13. RECOMMEND APPROVAL OF A CONTRACT AWARD TO JH HIERS FOR THE CHURCH OF GOD DRAINAGE IMPROVEMENT PROJECT (\$209,000.00)

Motion: It was moved by Council Member Cunningham, seconded by Vice Chair Glover, to take 13 and 14 together as one item.

Motion: It was moved by Council Member Cunningham, seconded by Vice Chair Glover, to recommend approval of a contract award to JH Hiers for the Church of God Drainage Improvement Project (\$209,000.00) and to recommend approval of a contract award to JH Hiers for the Hupsah CT N Drainage Improvement Project (\$368,000.00).

The Vote - The motion was approved without objection.

14. RECOMMEND APPROVAL OF A CONTRACT AWARD TO JH HIERS FOR THE HUPSAH CT N DRAINAGE IMPROVEMENT PROJECT (\$368,000.00)

Items 13 and 14 were taken as one motion.

15. ADJOURNMENT

Adjourned: at or around 4:30 PM.

Ratified:

CITIZEN COMMENTS

Community Service and Land Use Committee Meeting
June 12, 2023

FULL NAME (print only)

Agenda Topic

FULL NAME (print only)	Agenda Topic
1) Ty O'Farrell	14
2) Darrell Orage pro	14
3) Queen Quet	14
4) Willie Tural pro Lauren Pines Pia	14
Arnold Brown	#14 A/B
5) William Cook	#14
6) Arnold L Brown	#14
Courtney Wilson	#14
Paula Galane	#14
Henry Brandt - ^{will speak} _{during}	14
Mike M-Shave - Green space	#12, 19
TRAVIS STEWART	14
Jack Ladsos	#14 45 Ladsos Rd St Helena TSSC

Queen Zuet
Chiefess of the Gullah/Geechee Nation
Post Office Box 1109
St. Helena Island SC 299290
GullGeeCo@aol.com • (843)838-1171

June 12, 2023

Re: Rezoning Request and Pine Island Golf Course Appeal, 288 Dulamo Road

To Beaufort County Council:

I am writing you on behalf of the citizens of the Gullah/Geechee Nation, the ***Gullah/Geechee Sea Island Coalition, the Gullah/Geechee Sustainability Think Tank*** and the ***Gullah/Geechee Fishing Association***. We support the work that has been done by the Cultural Protection Overlay District Committee to strengthen the language of the original Purpose, District Boundaries, Site Design and Use Limitation that pertain to the CPO. We thank those of you that voted to approve and affirm the work that this committee has already accomplished and pray that all of you support their continued efforts in this regard.

Given the update to the Cultural Protection Overlay District Ordinance, the Action Plan work underway to enact items in the "Spotlight on St. Helena" section of the 2040 Comprehensive Plan, the growth boundaries agreed upon by Beaufort County and the numerous incorporated areas of Beaufort County and the recent designation of the Lowcountry Sentinel Landscape, I am writing to join in supporting the unanimous vote taken by the Beaufort County Planning Commissioner last week to OPPOSE any zoning changes of properties on historic St. Helena Island, Pine Island or St. Helenaville to base zoning and the rejection of the appeal for three Pine Island golf courses. I call on you to listen to the eloquently presented legal reasons and accurate timeline of activities that were presented by the attorney which allowed the planning commissioners to come to the appropriate conclusion on these matters.

All properties on St. Helena Island, Pine Island and St. Helenaville should remain under the Cultural Protection Overlay District zoning that they have been included in since 1999. The 2040 Comprehensive Plan was created due to countywide citizen input and residents of St. Helena Island have overwhelmingly supported remaining a rural area. Since December 2022, St. Helena Islanders have spoken out at numerous meetings and a rally to make it clear that they do NOT want resorts, gated areas, golf courses and rapid infill/planned unit developments placed within the boundaries of the CPO. Therefore, the appeal to place any and all such land uses on Pine Island and/or St. Helenaville should be DENIED. The correct decision was already made twice in regard to this matter. Golf courses, gated areas, resorts, and planned unit developments are INCOMPATIBLE USES within the Cultural Protection Overlay District. This was made abundantly clear by the staff:

"Staff recommends denial of the proposed zoning amendment. The location and extent of the CPO boundaries were purposefully delineated to support and implement the Comprehensive Plan and the purpose statement of the CPO. To move the boundaries for the purpose of excluding certain parcels erodes the effectiveness of the CPO by allowing the very uses that have been identified as posing the greatest threat to the character and stability of the island community.

In sum, the proposed rezoning is inconsistent with and seeks to defeat the goals and policies of the Comprehensive Plan and the purposes of the Development Code; is in direct conflict with provisions of the Development Code; is in direct conflict with the demonstrated needs of the community which led to the creation of the CPO; is not required by changing conditions; is incompatible with existing and proposed uses surrounding the land and is not an appropriate zone or use for the land; is likely to adversely impact nearby lands; will conflict with anticipated logical and orderly development patterns; will likely have an adverse impact on the natural environment; will likely result in increased strain and stress on public facilities."

The Beaufort County Comprehensive Plan and the current zoning ordinance clearly state: **"The Cultural Protection Overlay zone is established to provide for the long term protection of the culturally significant resources found on St. Helena Island. The CPO zone acknowledges St. Helena's historic cultural landscape and its importance as a center of Beaufort County's most notable concentration of Gullah culture."**

The Comprehensive Plan's *"Spotlight: St. Helena"* states that gentrification *"would result in a greater demand for services and higher property values, making it more difficult and costly to maintain the traditional rural lifestyle on the island....Beaufort County's Gullah/Geechee community makes evident that the region's cultural resources are not just the historic sites, waterways, sacred grounds, farmlands, open spaces, hunting grounds, and the land on which traditional events have occurred. The most important cultural resource is the people themselves."*

The National Register of Historic Preservation listing regarding the properties that you are deliberating about this evening clearly fit all of the aforementioned things-historic sites, waterways, sacred grounds, farmlands, open spaces, hunting grounds, and the land on which traditional events have occurred. It is the Gullah/Geechee tradition to keep land open space with minimal amounts of housing and other buildings on it. It is the Gullah/Geechee tradition to farm. It is the Gullah/Geechee tradition to hunt. It is the Gullah/Geechee tradition to navigate the local waterways. It is the Gullah/Geechee tradition to bury near the waterways. Waterways are sacred areas to us. In order to protect these sacred areas while also improving the water quality of our region, the Gullah/Geechee Nation is collaborating with SERPPASS on the South Atlantic Salt Marsh Initiative (SASMI) to restore and protect 1 million acres of salt marsh in the Southeast. This includes the salt marsh of Beaufort County. One critical area for this has been identified as historic St. Helena Island. I also just returned from launching National Ocean Month in Washington DC where we celebrated more federal funding being allocated to make coastal communities more resilient. The recent stormwater report summary done by the County goes hand in hand with these efforts. It also concludes supporting the CPO. However, building multiple buildings, resorts and/or golf courses on areas such as St. Helenaville and Pine Island are in direct contradiction with resilience plans and to improving the environmental health and quality of life for those not only on St. Helena Island, but within our county and our region.

St. Helenaville and Pine Island share the watershed with Morgan Island and abut the ACE Basin. According to the website for the ACE Basin National Estuarine Research Reserve (NERR): “The ACE Basin National Estuarine Research Reserve lies in one of the largest undeveloped estuaries on the east coast of the United States. Its nearly 100,000 acres are home not only to wildlife, including shortnose sturgeon, loggerhead sea turtles, diamondback rattlesnakes and bald eagles, but also to cultural and archaeological resources that tell the complex history of this land. The Reserve serves as a community hub for coastal science and learning in the heart of the ACE Basin.”

Pine Island and St. Helenaville are prime examples of “cultural and archaeological resources that tell the complex history of this land.” We need not make the story any more complicated by allowing a project to disrupt these properties and the lives of the people of St. Helena Island. To that end, I again remind you that the Beaufort County 2040 Comprehensive Plan places great value in preserving the rural character of St. Helena and in continuing the natural, cultural, and historic qualities of St. Helena Island.

The Comprehensive Plan identifies land development as the primary threat to the Island’s rural qualities and its existing culture. It is important to note that the Comprehensive Plan supports steady incremental growth that enhances the Island’s existing character and provides services and economic opportunities to the rural community. However, large-scale, rapid, and/or suburban growth, such as gated, master planned communities, golf courses and resort destinations, conflicts with the Island’s character and presents the greatest threat to the character and stability of the Island community. Rapid suburban growth would not only change the character of the area and threaten the natural, cultural and historic qualities of St. Helena, it would likely bring with it disproportionate and unsustainable short and long-term demands for urban services and infrastructure and eventually lead to urbanization or suburbanization of the Island, the loss of natural qualities which have sustained generations of islanders and which has resulted in the culture and history of the Island. Therefore, the Cultural Protection Overlay District is designed to complement the underlying zoning districts on St. Helena Island by limiting large-scale development such as large master planned communities and resort destinations, that would substantially alter the rural character and natural landscape, would generate high traffic volume, and/or would otherwise be incompatible with the culture of St. Helena Island.

With this in mind, I call on you to again uphold the Cultural Protection Overlay District by voting in the manner that the Beaufort County Planning Commission has done. Vote to DENY the request to change the zoning of 502 acres located at 288 Dulamo Road on St. Helena Island, SC. Keep that property within the Cultural Protection Overlay District. I also call on you to DENY the appeals for the three Pine Island Golf Courses and to stand with the Planning Commissioners to uphold the planning director’s decision to DENY the building of these golf courses due to the fact that they are incompatible uses within the Cultural Protection Overlay District.

I look forward to you upholding the intent, spirit and letter of the Cultural Protection Overlay District Ordinance. I thank you in advance for preventing the building of resorts, gated areas and planned unit developments on St. Helena Island.

Peace,

Queen Zuet

Chieftess of the Gullah/Geechee Nation
Founder, Gullah/Geechee Sea Island Coalition
Secretary, Gullah/Geechee Fishing Association

From: Will Cook <will@culturalheritagepartners.com>

Date: Monday, June 12, 2023 at 9:28 AM

To: Howard, Alice G. <ahoward@bcgov.net>, Glover, York <yglover@bcgov.net>, Dawson, Gerald <gdawson@bcgov.net>, Brown, Paula <paula.brown@bcgov.net>, Reitz, Thomas <thomas.reitz@bcgov.net>, Passiment, Joseph <jpassiment@bcgov.net>, McElynn, Lawrence <lawrencem@bcgov.net>, Tabernik, Anna <anna.tabernik@bcgov.net>, Lawson, Mark <markl@bcgov.net>, Bartholomew, David <dbartholomew@bcgov.net>, Cunningham, Logan <logan.cunningham@bcgov.net>, dbartholomew@bcgov.net <dbartholomew@bcgov.net>

Cc: Brock, Sarah <sbrock@bcgov.net>, Greenway, Eric <egreenway@bcgov.net>, Merchant, Robert <robm@bcgov.net>, Keaveny, Thomas <tkeaveny@bcgov.net>

Subject: Deny proposed rezoning of Pine Island Plantation

[EXTERNAL EMAIL] Please report any suspicious attachments, links, or requests for sensitive information to the Beaufort County IT Division at helpdesk@bcgov.net or to 843-255-7000.

Dear Councilwoman Howard and Members of the Council:

For your consideration and the benefit of the public record, I write to offer comments regarding Agenda Item 14 before the Community Services and Land Use Committee scheduled for 3 PM this afternoon. I am a Beaufort County resident, law professor, and attorney who focuses on historic preservation and cultural heritage.

Jessie White's excellent letter on behalf of the South Carolina Coastal Conservation League offers a comprehensive analysis of the numerous reasons in support of denial, so I won't restate all of those reasons here but commend her letter to you and the County's legal counsel.

Approving the ludicrous proposal to rezone Pine Island would undermine the Cultural Protection Overlay and our rural zoning law. It's telling that the only person seeking to change the zoning is a

developer from out-of-state with a profit motive, who keeps coming back for repeated bites at the apple after repeatedly being told "no." The developer bought the Pine Island property knowing what the zoning allowed and didn't allow.

This Committee should reject the developer's proposal to rezone the Pine Island property to remove it from the Cultural Protection Overlay, thus radically altering the existing zoning. Arguments that the rezoning would honor an existing use is nothing more than a poor attempt at gaslighting.

Rezoning Pine Island would amount to a textbook case of unconstitutional spot zoning because it would amount to a benefit for a single property owner, to the detriment of adjacent property owners, and that is inconsistent with Beaufort County's comprehensive plan. It would also result in zoning totally inconsistent with the surrounding Cultural Protection Overlay because it would permit exactly what the Cultural Protection Overlay prohibits: a gated golf course community. Allowing the requested rezoning will create immediate and unnecessary litigation risk to Beaufort County. If you have any doubt about this threat, please refer your legal counsel to the South Carolina Supreme Court's decisions in Historic Charleston Foundation v. City of Charleston, 400 S.C. 181, 734 S.E.2d 306 (2012), Knowles v. City of Aiken, 305 S.C. 219, 407 S.E.2d 639 (1991), and Bob Jones Univ. v. City of Greenville, 343 S.C. 351, 133 S.E.2d 843 (1963).

In addition, in case the threat is made, no regulatory taking would occur if Beaufort County rejects the proposed rezoning. Regulatory takings occur only if a property owner is deprived of all reasonable, beneficial use of his property rights, which would never occur in this case, as evidenced by its high fair market value.

In closing, Beaufort County is dealing with a developer who purchased a property, who knew or should have known about applicable legal requirements, including the Cultural Protection Overlays's prohibitions on gated golf course communities, and who now seeks to set zoning aside to suit his and his investors' personal interests and not those of Beaufort County's citizens. Send the public a message that Beaufort County respects the rule of law and will uphold existing zoning, including the Cultural Protection Overlay.

/s/ William J. Cook
34A Mobley Oaks Lane
Okatie, SC

--

William J. Cook, Partner
Cultural Heritage Partners, PLLC
Direct/Text: 843-801-3366

This email is confidential and may be privileged. If you are not the intended recipient, please notify us immediately by replying to this message and destroy all copies of this message and any attachments. Thank you.



ITEM TITLE:
Recommend approval to undertake due diligence and discussions/negotiations for the proposed fee simple purchase of real property known as Boundary Street Logan
MEETING NAME AND DATE:
Land Use and Community Services Committee, June 12 2023
PRESENTER INFORMATION:
Ms. Kate Schaefer, Director of Land Protection, Beaufort County Open Land Trust - RCLP Program (5 minutes)
ITEM BACKGROUND:
Rural and Critical Land Preservation Board recommended to pursue due diligence on 5/11/23
PROJECT / ITEM NARRATIVE:
Due Diligence on the Boundary Street Logan Fee would enable the fee purchase of a 1-acre property on Upper Boundary Street to begin viewshed/corridor improvement project.
FISCAL IMPACT:
Up to \$8,000-due diligence fees Beaufort County Rural and Critical Land Preservation Program Bond Referendum (Account # 4500)
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommended approval.
OPTIONS FOR COUNCIL MOTION:
Motion to approve due diligence for Boundary Street Logan Fee Motion to modify due diligence for Boundary Street Logan Fee Motion to reject due diligence for Boundary Street Logan Fee

Beaufort County
Rural & Critical **LAND**
PRESERVATION
PROGRAM

Project Analysis: Boundary Street Logan Fee

PROPOSAL FOR: Due Diligence on Fee Purchase

- PROPERTY ID: TMS# R100 026 00A 0260 0000, 0261 0000
- OWNER: Thomas Logan
- ACREAGE: 1 acre
- PARTNERS: pending
- TOTAL PRICE: Unknown
- PRICE Negotiated/Acre: Unknown
- RCLPP FUNDS: Unknown
- APPRAISED VALUE: Unknown
- ZONING: Highway Regional Commercial
- COUNCIL DISTRICT: 2 (*Bartholomew*)
- LOCATION: 2935 Boundary Street, 2729 Boundary Street

Project Location and Attributes:

- Property is along Boundary Street
- Property is envisioned for a future passive park / scenic vista
- Purchase would improve access management in the corridor

Purchase and Cost Structure:

- Fee simple purchase proposed





ITEM TITLE:
Recommend approval to undertake due diligence and discussions/negotiations for the proposed fee simple purchase of real property known as Barrell Landing Orr
MEETING NAME AND DATE:
Land Use and Community Services Committee, June 12 2023
PRESENTER INFORMATION:
Ms. Kate Schaefer, Director of Land Protection, Beaufort County Open Land Trust - RCLP Program (5 minutes)
ITEM BACKGROUND:
Rural and Critical Land Preservation Board recommended to pursue due diligence on 5/11/23
PROJECT / ITEM NARRATIVE:
Due Diligence on the Barrell Landing Orr Fee would enable the fee purchase of a 1.82 acre inholding in the current Barrell Landing Road park.
FISCAL IMPACT:
Up to \$8,000-due diligence fees Beaufort County Rural and Critical Land Preservation Program Bond Referendum (Account # 4500)
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommended approval.
OPTIONS FOR COUNCIL MOTION:
Motion to approve due diligence for Barrell Landing Orr Fee Motion to modify due diligence for Barrell Landing Orr Fee Motion to reject due diligence for Barrell Landing Orr Fee

Beaufort County
Rural & Critical **LAND**
PRESERVATION
PROGRAM

Project Analysis: Barrell Landing Orr

PROPOSAL FOR: Due Diligence on Fee Purchase

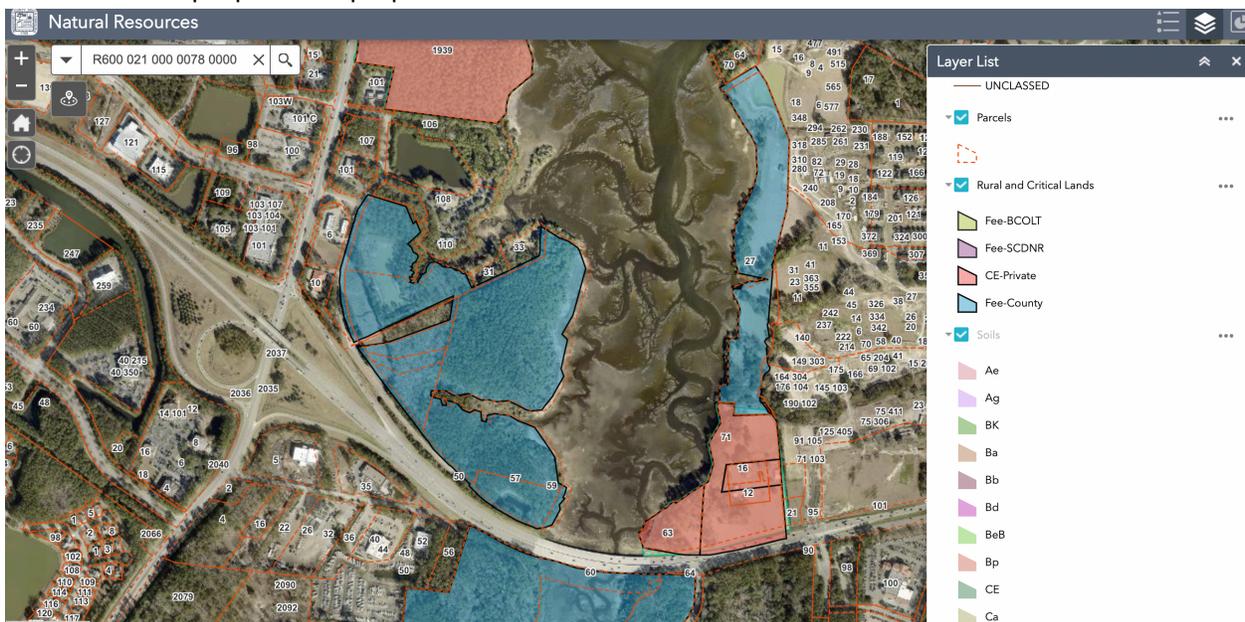
- PROPERTY ID: TMS# R600-021-000-0078-0000
- OWNER: Michael Orr
- ACREAGE: 1.82 acres
- PARTNERS:
- TOTAL PRICE: Unknown
- PRICE Negotiated/Acre: Unknown
- RCLPP FUNDS: Unknown
- APPRAISED VALUE: Unknown
- ZONING: Community Center Mixed Use
- COUNCIL DISTRICT: 5 (Passiment)
- LOCATION: 20 Barrell Landing Road, Bluffton

Project Location and Attributes:

- Property is located off of Barrell Landing Road
- Property is completely surrounded by County Owned property

Purchase and Cost Structure:

- Fee simple purchase proposed



Beaufort County
Rural & Critical

**LAND
PRESERVATION
PROGRAM**





BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
AN ORDINANCE APPROPRIATING PROCEEDS AND INTEREST FROM THE 2017 GENERAL OBLIGATION BOND ANTICIPATION NOTE TO DESIGN, ENGINEER, CONSTRUCT, AND EQUIP A JOINT FIRE/EMS STATION IN SUN CITY AND TO DEFRAY COSTS ASSOCIATED WITH THE ESTABLISHMENT OF PERMANENT EMBARKATION LOCATIONS FOR THE DAUFUSKIE ISLAND FERRY AND OTHER MATTERS RELATED THERETO
MEETING NAME AND DATE:
Community Services and Land Use Committee; June 12, 2023
PRESENTER INFORMATION:
R. Hayes Williams, Chief Financial Officer, Beaufort County; 10 Minutes
ITEM BACKGROUND:
In 2017 County Council authorized the issuance of a general obligations bond anticipation note in the amount of \$35MM. These funds were to be used for (i) purposes related to recovery from Hurricane Matthew; (ii) paying costs of issuance of the Notes; and (iii) such other lawful purposes as the County Council shall determine. Currently, there remains approximately \$8.3 of bond proceeds and interest. Administration seeks to utilize these untapped funds to address the following needs of the County: (1) \$5MM to design, engineer, construct and partially equip a joint fire/EMS station in Sun City; (2) \$700,000 toward costs incurred in establishing permanent locations for the Daufuskie Island Ferry Service on the mainland and Daufuskie Island.
PROJECT / ITEM NARRATIVE:
See Above
FISCAL IMPACT:
Appropriation of \$5.7MM
STAFF RECOMMENDATIONS TO COUNCIL:
Staff Recommends Council Appropriate these Funds to Address the Needs of Beaufort County
OPTIONS FOR COUNCIL MOTION:
Motion to approve/deny staff request for an ordinance appropriating \$5.7MM of bond proceeds and interest from the 2017 General Obligation Bond Anticipation Note First Reading of An Ordinance June 12, 2023

ORDINANCE 2023/____

AN ORDINANCE APPROPRIATING PROCEEDS AND INTEREST FROM THE 2017 GENERAL OBLIGATION BOND ANTICIPATION NOTE TO DESIGN, ENGINEER, CONSTRUCT, AND EQUIP A JOINT FIRE/EMS STATION IN SUN CITY AND TO DEFRAY COSTS ASSOCIATED WITH THE ESTABLISHMENT OF PERMANENT EMBARKATION LOCATIONS FOR THE DAUFUSKIE ISLAND FERRY AND OTHER MATTERS RELATED THERETO

WHEREAS, on or about May 8, 2017, Beaufort County Council adopted Ordinance No. 2027/12 which authorized the issuance and sale of not exceeding \$35MM general obligations bond anticipation notes. The proceeds of the bond were/are to be used (i) to assist the County with costs related to the recovery from Hurricane Matthew, (ii) to pay the costs of issuing the noted, and (iii) for such other lawful purposes as County Council shall determine; and

WHEREAS, the County currently has approximately \$8MM in unspent and unappropriated proceeds and interest from the 2017 bond issuance; and

WHEREAS, County Council has determined that it is necessary and proper to appropriate \$5MM to the design, engineering, construction, and equipment of a joint fire/EMS station in Sun City and \$700,000 toward the costs associated with the establishment of permanent embarkation locations for the Daufuskie Island Ferry (mainland and on-island); and

WHEREAS, Council finds that these appropriations are lawful purposes and that they satisfy the requirements of the bond.

NOW, THEREFORE, BE IT ORDAINED, by Beaufort County Council that the following proceeds and interest are hereby appropriated from the 2017 General Obligations Bond Anticipation Notes:

1. The sum of \$5MM for the design, engineering, construction and equipment of a joint fire/EMS station in Sun City;
2. The sum of \$700,000 to defray costs associated with the establishment of permanent embarkation points for the Daufuskie Island Ferry, both mainland and on-island locations.

DONE this _____ day of July, 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman

ATTEST:

Sarah Brock, Clerk to Council

First Reading:
Second Reading:
Public Hearing:
Third Reading



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
RECOMMEND APPROVAL OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS FOR THE SALE OF REAL PROPERTY WITH TMS NO. R600-009-000-0003-0000, ALSO KNOWN AS CAMP ST. MARY’S, TO THE BEAUFORT COUNTY RURAL AND CRITICAL LANDS PROGRAM
MEETING NAME AND DATE:
COMMUNITY SERVICES AND LAND USE COMMITTEE; 6/12/23 @ 3:00PM
PRESENTER INFORMATION:
ROB MERCHANT, PLANNING DIRECTOR 10 MINUTES
ITEM BACKGROUND:
IN 1997, PRIOR TO THE CREATION OF THE BEAUFORT COUNTY RURAL AND CRITICAL LANDS PROGRAM, BEAUFORT COUNTY PURCHASED THE REAL PROPERTY CURRENTLY IDENTIFIED AS R600-009-000-0003-0000 CONSISTING OF APPROXIMATELY EIGHT (8) ACRES AND IS ALSO KNOWN AS CAMP ST. MARY’S. ON 6/8/23 THE RCL BOARD RECOMMENDED DISAPPROVAL OF THE SALE OF CAMP ST MARYS TO THE RCL PROGRAM.
PROJECT / ITEM NARRATIVE:
SINCE 2000, THE RURAL AND CRITICAL LANDS PROGRAM HAS ACQUIRED REAL PROPERTY FOR CONSERVATION, CREATION OF PASSIVE PARKS, AND FOR THE PRESERVATION OF VALUABLE ECONOMIC AND NATURAL RESOURCES. THE CAMP ST. MARY’S PROPERTY IS LOCATED IN UNINCORPORATED BEAUFORT COUNTY AND MEETS THE RURAL AND CRITICAL LANDS PROGRAMS CRITERIA FOR INCLUSION IN THE PROGRAM, HAS DOCK ACCESS TO DEEP WATER, AND COULD BE DEVELOPED INTO A PASSIVE PARK FOR THE PUBLIC TO ENJOY.
FISCAL IMPACT:
THE COUNTY HAS OBTAINED AN APPRAISAL FROM A LICENSED APPRAISER THAT SETS THE PROPERTY’S FAIR MARKET VALUE AT TWO MILLION DOLLARS (\$2,000,000). THE TOTAL COST TO THE RURAL AND CRITICAL LANDS PROGRAM WOULD BE THE PROPERTY’S APPRAISED VALUE PLUS CLOSING COSTS.
STAFF RECOMMENDATIONS TO COUNCIL:
STAFF RECOMMENDS APPROVAL
OPTIONS FOR COUNCIL MOTION:
MOTION TO APPROVE OR DENY APPROVAL OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS FOR THE SALE OF REAL PROPERTY WITH TMS NO. R600-009-000-0003-0000, ALSO KNOWN AS CAMP ST. MARY’S, TO THE BEAUFORT COUNTY RURAL AND CRITICAL LANDS PROGRAM

ORDINANCE 2023/_____

AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS FOR THE SALE OF REAL PROPERTY WITH TMS NO. R600-009-000-0003-0000, ALSO KNOWN AS CAMP ST. MARY’S, TO THE BEAUFORT COUNTY RURAL AND CRITICAL LANDS PROGRAM

WHEREAS, in 1997, prior to the creation of the Beaufort County Rural and Critical Program (“RCLP”), Beaufort County (“County”) purchased the real property currently identified as R600-009-000-0003-0000 consisting of approximately eight (8) acres and also known as Camp St. Mary’s, collectively hereinafter the “Property”; and

WHEREAS, since 2000, the RCLP has acquired real property for conservation, creation of passive parks, and for the preservation of valuable economic and natural resources; and

WHEREAS, the Property is located in unincorporated Beaufort County, meets the critical lands criteria of the RCLP, has dock access to deep water, and could be developed into a passive park for the public to enjoy the unique views of the waterway; and

WHEREAS, the County desires to sell the Property to RCLP in order to further protect the Property from development and provide the public with an additional passive park; and

WHEREAS, the County has obtained an appraisal from a licensed appraiser and agrees to sell the Property to the RCLP at the fair market value of Two Million (\$2,000,000) Dollars plus closing costs; and

WHEREAS, Beaufort County Council finds that it is in the best interest of the citizens, residents, and visitors of Beaufort County for the County Administrator to execute the necessary documents for the sale of Camp St. Mary’s to the Rural and Critical Lands Program.

NOW, THEREFORE, BE IT RESOLVED that Beaufort County Council, duly assembled, does hereby authorize the County Administrator to execute the necessary documents for the sale of real property with TMS No. R600-009-000-00003-0000, also known as Camp St. Mary’s, to the Beaufort County Rural and Critical Lands Program.

DONE this ____ day of _____, 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council

2304-01

**UPDATED APPRAISAL
SUMMARY REPORT**

OF

**CAMP ST. MARY'S PROPERTY - 8.00 ACRES
121 CAMP ST. MARY'S ROAD, OFF OKATIE HIGHWAY
BEAUFORT COUNTY, SC**

FOR

**STEFANIE M. NAGID
BEAUFORT COUNTY PASSIVE PARKS MANAGER
124 LADY'S ISLAND DRIVE
BEAUFORT, SC 29907
snagid@bcgov.net**

**EFFECTIVE DATE OF APPRAISAL
AS OF: APRIL 7, 2023**

BY

**GEORGE R. OWEN, MAI
CERTIFIED GENERAL APPRAISER
7 CLAIRE'S POINT RD.
BEAUFORT, SC 29907**

DATE REPORT ISSUED: APRIL 10, 2023

April 10, 2023

STEFANIE M. NAGID
BEAUFORT COUNTY PASSIVE PARKS MANAGER
124 LADY'S ISLAND DRIVE
BEAUFORT, SC 29907
snagid@bcgov.net

RE: Land, with miscellaneous improvements, deepwater dock in place
121 Camp St. Mary's Rd., off Okatie Highway
Beaufort County, SC
Parcel ID R600 009 000 0003 0000

Dear Ms. Nagid:

In accordance with your request, I have completed an updated appraisal of market value of the referenced property as of the date of latest field inspection, April 7, 2023. It is my intent that this appraisal conform to the Appraisal Standards for Federally Related Transactions as set out in the regulations of the Office of the Comptroller of the Currency. To the best of my knowledge, this appraisal also conforms to the current requirements prescribed by the Uniform Standards of Professional Appraisal Practice adapted by the Appraisal Standards Board of the Appraisal Foundation. Market value is defined in the attached report.

I have utilized the sales comparison approach in estimating the value of the subject land as it exists today. The results produced by the analysis of the sales presented, and the market in general resulted in a final estimate of as-is market value of the fee simple interest, as outlined below:

\$2,000,000 (TWO MILLION DOLLARS).

The property included in the appraised value comprises land plus dock in place. No other improvements are included, as they are not judged to contribute materially to value.

Ms. Stefanie Nagid

April 10, 2023
Page 2

Inspection of the subject property did not reveal any obvious environmental hazards. However, it must be recognized that the appraiser is not an expert in environmental matters; a qualified expert should be retained in the event that an environmental analysis is required. The subject property is located within a low risk designated flood hazard zone, lying at elevation about 14' above sea level.

There is additional information regarding the subject property and the market, which is retained in the appraiser's work file, which is incorporated herein by reference. This report is made subject to the assumptions and limiting conditions summarized on the pages following the main text of the report.

I urge a careful reading of the appraisal report. My invoice for services rendered is sent separately. I appreciate this opportunity to be of service.

Sincerely,



George R. Owen, MAI
Certified General Appraiser
South Carolina License #5064

*Electronically signed for e-mail transmission

IDENTIFICATION OF PROPERTY

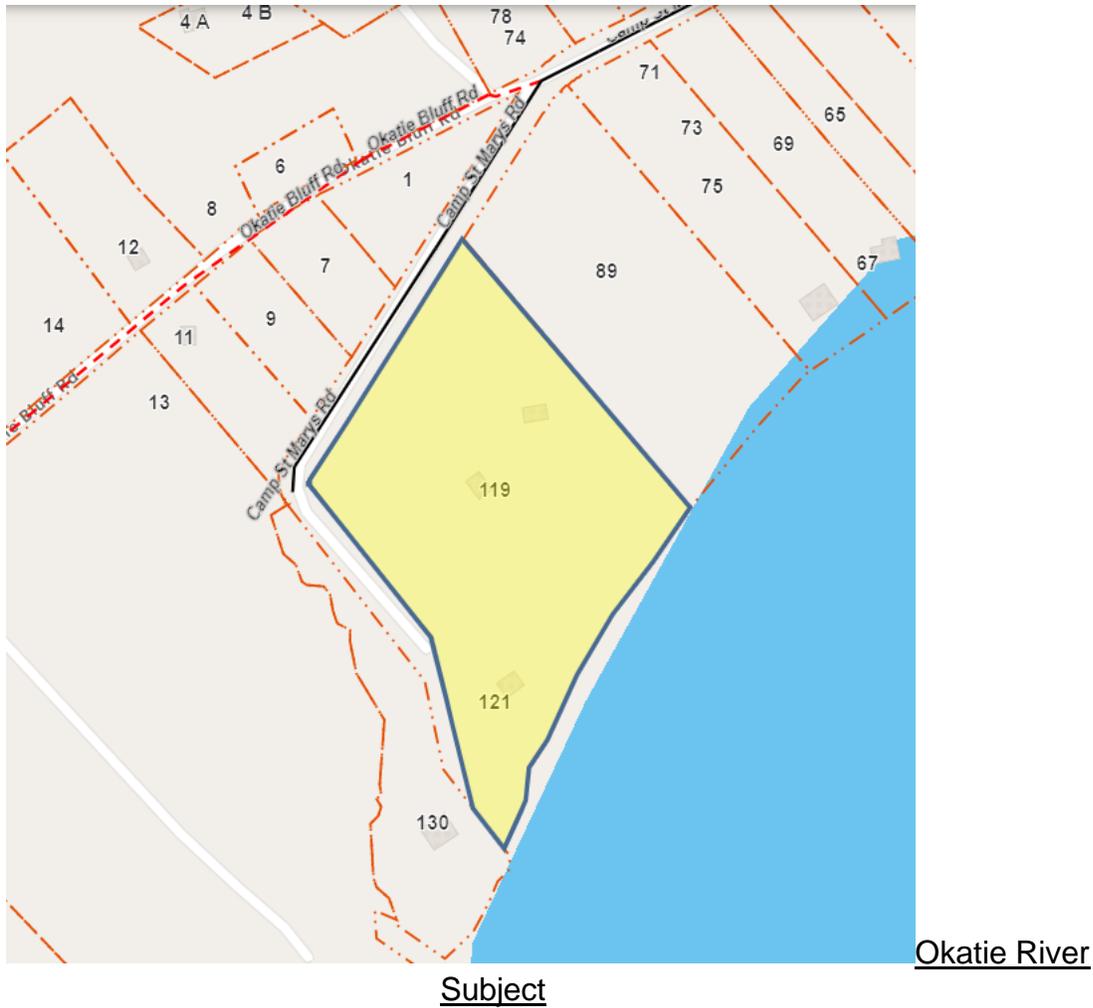


Aerial view

The property being appraised, hereinafter known as the subject property of this report, comprises a 8.00 acre parcel of partially wooded land located at 121 Camp St. Mary's Road off Okatie Highway (aka SC Highway #170) as shown above, in Beaufort County, South Carolina. The subject's parcel ID is

R600 009 000 0003 0000

Subject photographs, legal description, and other pertinent information are included in the body or Appendix of this report.



PRIOR TRANSFER INFORMATION/HISTORY

The last recorded transfer of the subject property was on 7/28/1997, wherein the property was conveyed by Low Country Human Development Center to the County of Beaufort, South Carolina, this being an arms-length transaction for a monetary consideration of \$500,000, as recorded in Deed 962/2217. A copy is included in the Appendix.

INTENDED USE /INTENDED USER OF THIS APPRAISAL

This appraisal is reportedly to be used by the client, Beaufort County Passive Parks Department, for the purpose of internal evaluation.

PURPOSE OF APPRAISAL

The purpose of this appraisal is to estimate market value, as defined, as of April 7, 2023, the date of latest field inspection. Market value is defined as the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised, and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars, or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

OWNERSHIP INTEREST APPRAISED

The property rights being appraised are fee simple. Fee simple is defined as "an absolute fee without limitations to any particular class of heirs or restrictions, but

subject to the limitations of eminent domain, escheat, police power and taxation. An inheritable estate."

The above definition is from the Sixth Edition of The Dictionary of Real Estate Appraisal, published by the Appraisal Institute, Chicago.

TAX ANALYSIS

On the following pages, the appraiser has presented the most recent information available from the Beaufort County Property Assessor, obtained through our on-line information service. The subject property's Parcel ID's, appraisal breakdown, assessment and physical information are all shown. Other data is included, which may or may not be entirely accurate. The information is presented for reference, but assessor data is not utilized as the basis for property valuation.

The appraisal for tax purposes is \$1,945,200. The taxes for 2022 amounted to \$290.00, and County records indicate that they have been paid. Basically the property is tax-exempt.

4/5/23, 2:53 PM Beaufort County, South Carolina



Beaufort County, South Carolina

generated on 4/5/2023 2:53:50 PM EDT

Property ID (PIN)	Alternate ID (AIN)	Parcel Address	Data refreshed as of	Assess Year	Pay Year
R600 009 000 0003 0000	00491319	121 CAMP ST MARYS RD,	3/31/2023	2023	2022

Current Parcel Information

Owner	COUNTY OF BEAUFORT S C	Property Class Code	Recr&CultImp Resort&GroupCamp
Owner Address	100 RIBAUT RD BEAUFORT SC 29902	Acreage	8.0000
Legal Description	EXEMPT		

Historic Information

Tax Year	Land	Building	Market	Taxes	Payment
2022	\$1,400,000	\$545,200	\$1,945,200	\$290.00	\$290.00
2021	\$1,400,000	\$545,200	\$1,945,200	\$290.00	\$298.70
2020	\$1,400,000	\$545,200	\$1,945,200	\$290.00	\$290.00
2019	\$1,400,000	\$545,200	\$1,945,200	\$290.00	\$290.00
2018	\$1,400,000	\$545,200	\$1,945,200	\$265.00	\$265.00
2017	\$1,920,000	\$548,200	\$2,468,200	\$265.00	\$265.00
2016	\$1,920,000	\$548,200	\$2,468,200	\$261.00	\$261.00
2015	\$1,920,000	\$548,200	\$2,468,200	\$976.00	\$1,005.28
2014	\$1,920,000	\$548,200	\$2,468,200	\$136.15	\$136.15
2013	\$1,920,000	\$548,200	\$2,468,200	\$136.15	\$136.15

Sales Disclosure

Grantor	Book & Page	Date	Deed	Vacant	Sale Price
LOW COUNTRY HUMAN DEVELOPMENT CENTER INC	962 2217	7/28/1997	Fu		\$500,000
CAMP ST MARYS XXXXXXXXXX	962 2213	7/22/1997	Fu		\$300,000
UNKNOWN OWNER 00491319		12/31/1776	Or		\$0
		12/31/1776	Or		\$0

Improvements

Building	Type	Use Code Description	Constructed Year	Stories	Rooms	Square Footage	Improvement Size
No improvements listed.							

so-beaufort-county.government.com/svc/agency/so-beaufort-county/tab_summary_report.asp?PrintView=True&_nm=tab_report&_w=-%7Cparcid%... 1/2

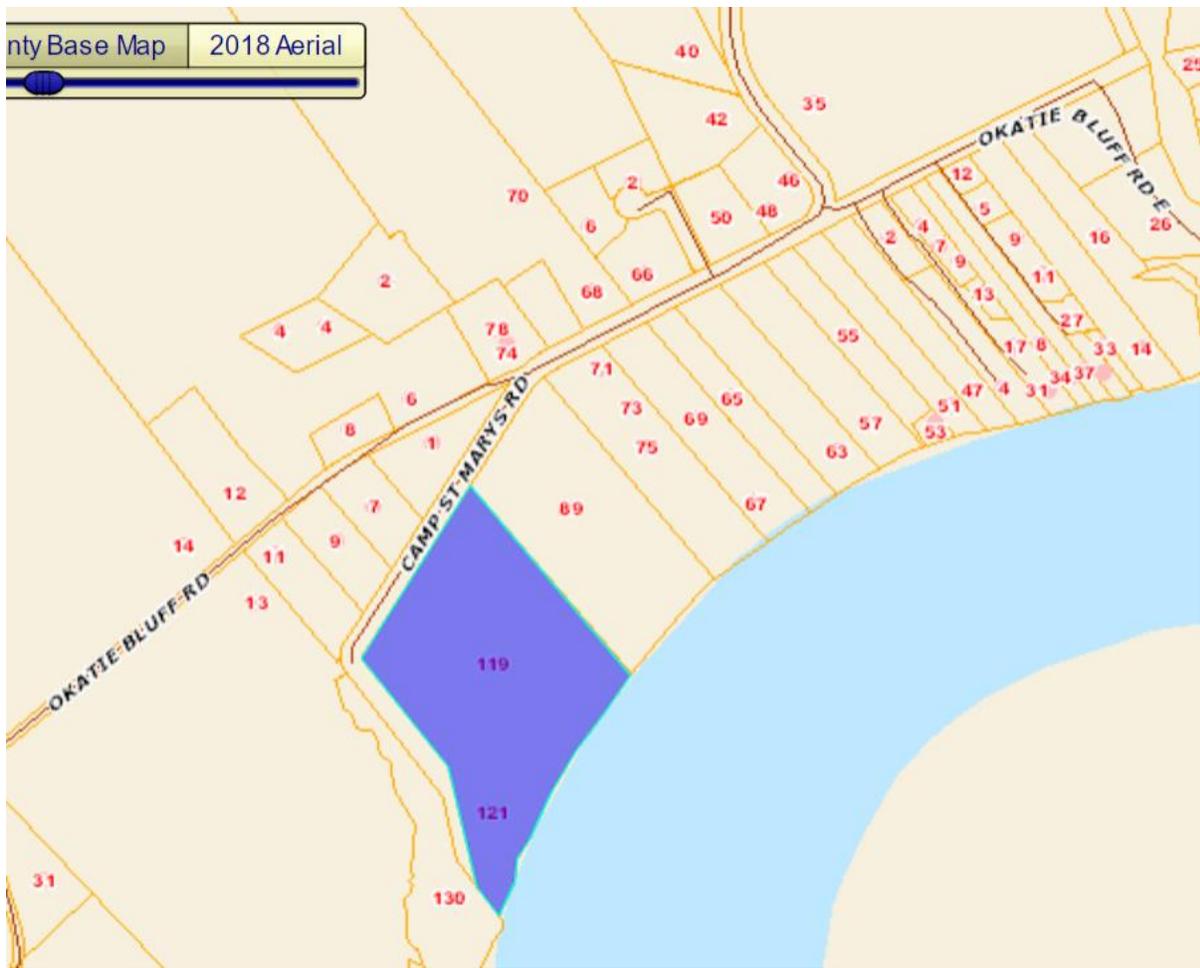
4/5/23, 2:53 PM

Beaufort County, South Carolina

R01	DWELL	Dwelling	1900	1.0	01	1,300	
C01	GENOFF	Office	1900	0	0	1,926	
C02	ELEMSCH	Elementary School - Entire	1900	0	0	1,380	
C03	ELEMSCH	Elementary School - Entire	1900	0	0	1,380	
C04	ELEMSCH	Elementary School - Entire	1900	0	0	1,480	
C05	ELEMSCH	Elementary School - Entire	1900	0	0	1,480	
C06	ELEMSCH	Elementary School - Entire	1900	0	0	1,480	
C07	ELEMSCH	Elementary School - Entire	1900	0	0	1,480	
C08	CHURCH	Church	1900	0	0	1,884	
C09	ELEMSCH	Elementary School - Entire	1900	0	0	4,000	
C10	ELEMSCH	Elementary School - Entire	1900	0	0	1,380	
C11	ELEMSCH	Elementary School - Entire	1900	0	0	1,380	
C12	GENOFF	Office	1900	0	0	1,032	
C13	TOOLSHD	Tool Shed	1900	0	0	72	
C14	MTRLSHEL	Material Shelter	1900	0	0	900	
C14	COMPPOOL	Commercial Swimming Pool	1900	0	0		2,304
R02	MACHINE	General Purpose Bldg x Other	1900	0	0		96
C14	CONCAPRN	Residential Concrete Apron	1900	0	0		1,920
R03	MACHINE	General Purpose Bldg x Other	1900	0	0		750
C14	PIER	Waterfront Pier	1900	0	0		612
R04	MACHINE	General Purpose Bldg x Other	1995	0	0		341
C14	UTLSHED	Residential Shed - Small Util	1900	0	0		300
R04	MISC	Miscellaneous	1995	0	0		620
C14	BOATD	Waterfront Boat Dock	1900	0	0		450
R04	MISC	Miscellaneous	1995	0	0		651
C14	HAYCOVER	Storage - Hay Cover	1900	0	0		1,000
R04	MISC	Miscellaneous	1995	0	0		930
C14	PIER	Waterfront Pier	1900	0	0		352

(Some of the above info may be outdated)

sc-beaufort-county.gov/mmex.com/svc/agency/sc-beaufort-county/tab_summary_report.asp?PrintView=True&_rim=tab_report&_wc=%7Cparcelid%... 2/2



Assessor's plat map

SCOPE OF THE APPRAISAL

The scope of this appraisal focused upon the collection, confirmation and analysis of data to update market value for the subject property. This report is an update of the earlier appraisal made by this appraiser in March 2019. The appraiser made an overview of the real estate market in the immediate and general neighborhood of the subject property. Public records and the appraiser's private data sources were researched to identify neighborhood trends, land sales, listings, new developments, as appropriate. The appraiser also took into account the market situation affecting the wider area, including the city/county and the region in general.

NEIGHBORHOOD DESCRIPTION



The subject is located in the Okatie area (unincorporated) of Beaufort County. Highway 170, known as Okatie Highway, traverses the area in a generally east-west direction as shown. A recent description of the Okatie area follows.

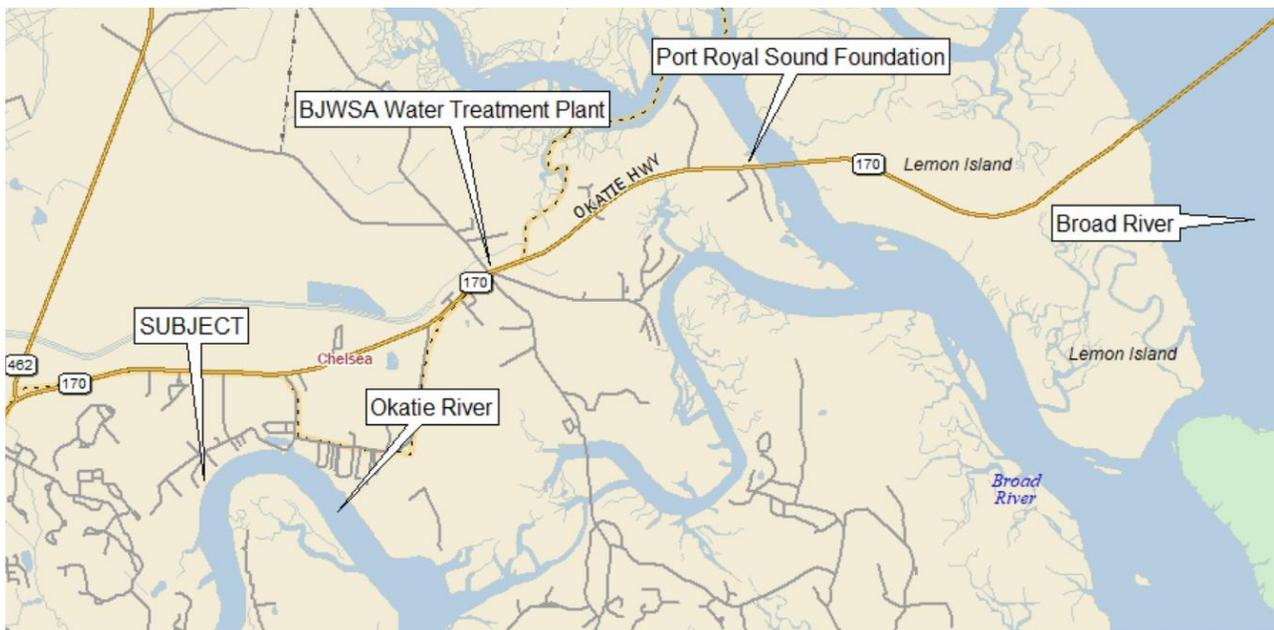
Okatie is an unincorporated area along Highway 170 which lies partly in Beaufort County and partly in Jasper County; in some places the highway defines the dividing line between the counties. The area extends from the Chechessee River on the east, westwardly to the Cherry Point area, and southwardly to the area of the Highway 278 intersection. Okatie Highway, is the connecting route between Beaufort and Bluffton and Hilton Head. It also serves as the “back road” to Savannah.

Okatie is sparsely developed in general, except for gated planned communities such as Callawassie Island and Spring Island. It has long been the desire of the Beaufort County Open Land Trust to keep this gateway area leading into Beaufort free from excessive development. BCOLT has already preserved some significant tracts of land in the immediate area, and has identified others for preservation or outright fee acquisition. These areas are shown on the map on the next page. Not shown on the map are the Widgeon Point preservation area near the Broad River bridge, the Lemon Island Preserve, and also the 100+ acre Mobley property.

One of the focal points of the neighborhood is the Beaufort-Jasper Water Authority (BJWSA) Treatment Plant located at the intersection of Okatie Highway and Snake Road. A canal conducts water from the Savannah River to the treatment plant which

supplies most of the water needs for all of Beaufort and Jasper Counties.

Another important neighborhood factor is the Port Royal Sound Maritime Center, the site of the former Lemon Island Marina. The center was founded about 12 years ago to serve as an education center, museum and demonstration facility to promote the preservation of the ecology of the Port Royal Sound estuary system. The center is located on the north side of Highway 170 at the Chechessee River bridge. A Beaufort County public boat landing is located across the highway.



Neighborhood Map

The City of Beaufort is located across the Broad River to east, off the map. The area of the subject is a 20-minute drive from downtown Beaufort.

On the water side along Camp St. Mary's Road near the subject are several estate-

type homes which have sold in the \$1.2 to \$2.75 million value range. This is an exclusive quiet enclave for gracious riverfront living.

PROPERTY DESCRIPTION

It is appropriate to summarize the salient legal and physical characteristics, as these are pertinent to the valuation, and to the overall utility of the property. The following comments apply to the subject being appraised. The subject is an irregular acreage parcel which is situated on the Okatie River, which is part of the salt water estuary system connecting to the Port Royal Sound. The tract contains 8.00 acres of land according to the Assessor; only a 1924 survey was available. The legal description from the most recent conveyance follows.

All that certain piece, parcel or tract of land lying and being in Beaufort County, South Carolina generally known and described as the Camp St. Mary's Tract and also known as Lot Nos. 1, 2, 3, 4, 5, 6 and 7 as shown on a map of a subdivision of the Bonnie Doon Plantation made by w. R. Mew for Henry C. Walthour dated November , 1924, which plat is on file in the RMC Office for Beaufort County in Plat Book 3 at Page 18.

The property intended to be conveyed herein is the same property conveyed to Emmet M. Walsh, Bishop of Charleston, a corporation sole, by Deed dated March 15, 1935, and recorded in the Office of the Register of Mesne Conveyances for Beaufort County, South Carolina, in Book 48 at Page 283, on March 18, 1935, as it relates to Lots 4-7, and by Deed dated November 4, 1934 and recorded in the Office of the Register of Mesne Conveyances for Beaufort County, South Carolina in Book 48 at Page 273 on November 4, 1934 (a portion of Lot 1 and Lots 2 and 3)..

The legal description does not specify the acreage. The appraiser recommends that a current survey be prepared, as the configuration of the acreage shown on the survey below does not quite match the configuration on the Assessor's records. The Appraiser hereby reserves the right to amend the value estimate if a new survey reveals an acreage materially different from the 8.0 acres used in this report.

Municipal Services

The site is currently served by public utilities (electricity). Fire and police protection are provided by the County. Water and sewer service are currently provided by a well and septic system, although it is not known whether the well is operative.

Topography/Drainage

The site is on a high bluff which is partly wooded with a variety of trees and vegetation typical of the lowcountry. A few nice “specimen” live oak trees were observed.

Topography is level. There are no observed areas of problem drainage on this high ground. Soil conditions are judged favorable to support the existing and any future improvements. The elevation above sea level is as much as 14 feet.

Flood Considerations

The site is shown on the FEMA flood map to be in a flood area (zone A8), as indicated on FEMA Map 450025, panel 55D, elevation 14'. As a practical matter, this location on a high riverbluff is not believed to be prone to flooding at any time.

Flood hazard areas identified on the Flood Insurance Rate Map are identified as a Special Flood Hazard Area (SFHA). SFHA are defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The 1-percent annual chance flood is also referred to as the base flood or 100-year flood. SFHAs are labeled as Zone A, Zone AO, Zone AH, Zones A1-A30, Zone AE, Zone A99, Zone AR, Zone AR/AE, Zone AR/AO, Zone AR/A1-A30, Zone AR/A, Zone V, Zone VE, and Zones V1-V30. Moderate flood hazard areas, labeled Zone B or Zone X (shaded) are also shown on the FIRM, and are the areas between the limits of the base flood and the 0.2-percent-annual-chance (or 500-year) flood. The areas of minimal flood hazard, which are the areas outside the SFHA and higher than the elevation of the 0.2-percent-annual-chance flood, are labeled Zone C or Zone X (unshaded).

Wetlands

There are not known to be any wetland areas on the site. No standing water was observed on the day of inspection.

Easements

There are obviously easements for the purposes of installing and maintaining electric service. The electric service, on overhead lines, crosses the property and serves the nearby homes on Camp St. Mary's Road. The electric lines formerly serving the various buildings onsite have been removed.

Zoning

Zoning of the site is Beaufort County T2 Rural which permits only low density residential uses. The zoning ordinance is available upon request.



The subject is in the light green zone which denotes T2 Rural zoning



any and all buildings including accessory buildings.

E. Gross Density ³		
	T2 Rural	T2 Rural-Low
Gross Density	0.34 d.u./acre	0.20 d.u./acre

³Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)

Remarks

The subject tract would be a nice parcel of potential development ground. The subject property is in a good but somewhat out-of-the-way location in Beaufort County. The presence of electric, and (future) water and sewer service is a positive. The property is valued as undeveloped land, but with existing deepwater dock, and utility services in place.

The numerous old and rather dilapidated buildings and other structures on the site have little contributory value (see photographs in Appendix). It was reported that some of the buildings may contain asbestos. The buildings have been securely boarded up. For this reason, no detailed enumeration or discussion of these is presented. The old lodge could conceivably be renovated to its former use. The concrete block well house appears to have some utility, as do the 2 open-sided pole barns for equipment storage. Photos of these structures are provided in the Appendix.

HIGHEST AND BEST USE

A fundamental premise on which value estimates are based is that market value reflects the most profitable use to which a property is likely to be put. Therefore, it is good appraisal practice to value and analyze a site in terms of its highest and best use. The best use of land may be defined as "that use which will tend to produce the highest net return over a given period of time, or (alternatively) that use which will produce the highest present value". It is generally the analyst's goal to analyze which program of future utilization will develop the highest net return to the land over a period of time.

The generally accepted definition of highest and best use, as given by The Dictionary of Real Estate Appraisal, Fifth Edition (Chicago: The Appraisal Institute), is as follows: "The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible and that results in the highest value." In analyzing the highest and best use of the site, it is necessary to consider four factors. These include:

1. Legality of Use: What uses are permissible considering zoning, deed restrictions, etc. on the site in question?
2. Physical adaptability: To what uses can the site physically be put? A parcel's size, shape and topography affect the uses to which it can be put. Also, adequacy of public utilities may impose a restriction on site utilization.
3. Feasibility of use: Which of the permissible and physically possible uses will produce a positive net return to the owner? That is, sufficient income to meet operating expenses and debt service, plus yield a reasonable return on equity.

4. Highest and best use: Among the feasible uses, which will likely represent the most profitable use (i.e., the highest net return or highest present value)?

Legality of use is not a limiting factor in this analysis. The property is currently zoned for low density residential use, as discussed above. A number of alternate uses would be permitted, within the zoning regulations. Any use which would be feasible would likely be a permissible use, with the exception of identified non-permitted uses such as commercial. It is conceivable that the property could be upzoned; but it is certain that the neighbors would oppose any high density development.

Neither is physical adaptability a limiting factor. The site has adequate ingress and egress, and the size and shape of the site are physically adequate for numerous alternatives. The public utilities will be adequate to support any proposed improvements. BJWSA and SCE&G potentially serve the site. The long deepwater river frontage adds value, and the good dock in place. Therefore, there are certain unique physical factors which are considered in the valuation.

Feasibility of use was considered. The subject property is being valued with its as-is configuration and zoning, presuming that the neighborhood will continue its slow but orderly pattern of development.

The highest and best use of this site will only emerge when a proposed specific development plan is approved and implemented. One likely use would be for

preservation from development via an outright purchase of the property, or a conservation easement by a governmental agency (i.e. Beaufort County Open Land Trust). Another potential use would be a passive neighborhood park.

VALUATION METHODOLOGY

In estimating the value of real property, consideration is usually given to the three traditionally accepted methods of evaluating real estate. In this case involving vacant land, however, only the market approach was judged applicable. The appraiser made a comprehensive search of land sales records within the recent past, focusing on properties having similar use to the subject. Some sales were rejected due to noncomparability, or other factors which caused the sale to sell for a price outside of the representative range for this type of property.

The following sales of tracts of land deemed sufficiently comparable to the subject have been identified and presented in tabular form for analysis. This group of sales is from the 2019 appraisal.

The 6 selected sales from the 2019 appraisal are tabulated below for comparison.

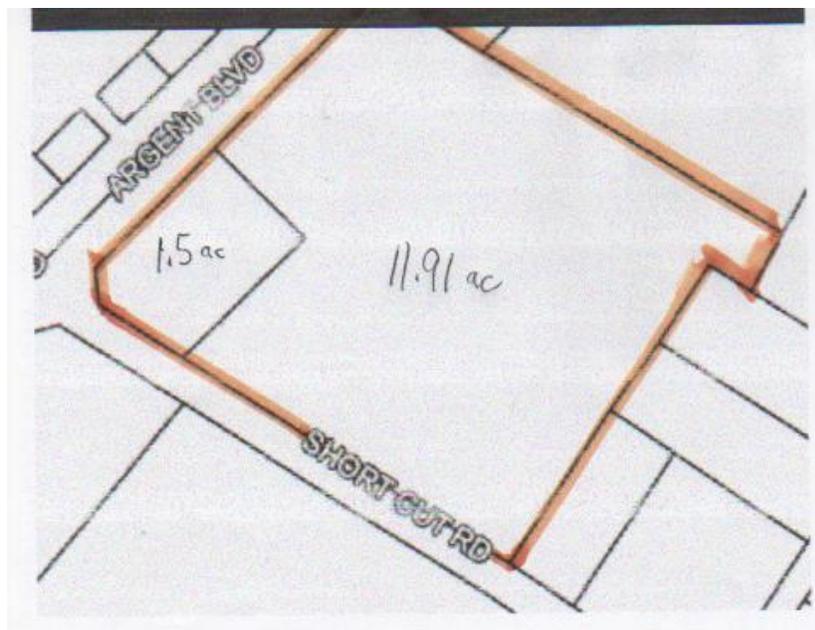
<u>Land Sales pertinent to the Valuation of the Camp St. Mary's Tract</u>					
<u>Location</u>	<u>Deed Ref.</u>	<u>Sold Price</u>	<u>Acres</u>	<u>Price/acre</u>	<u>Remarks</u>
1. 25 Blueberry Lane	3599/1812	\$979,000 8/15/2017	6.62	\$147,885	Two lots, one with old concrete block foundation on lane off Old Bailey Rd. Iron entrance gate with fine old cedar trees 
2. 261 Old Bailey's Rd.	3589/2692	\$550,000 7/10/2017	2.2	\$250,000	Vacant riverfront lot on bluff of Okatie River New home is under construction
3. 94 Rawstrom Dr.	3505/2877	\$135,000 8/11/2016	1.09	\$123,853	Vacant lot on marsh of Okatie River; restrictions for no industrial use, no mobile homes, etc. Sloping topography, not deepwater
4. Water St./Huguenin Dr. Beaufort	3393/614	\$1,338,000 4/7/2015	12.18	\$109,852	Wooded site developed with residential subdivision good proximity to downtown Beaufort
5. 33 Lynes Rd. off Rawstrom Drive	3670/25	\$350,000 5/23/2018	2.09	\$167,464	Sale of sloping lot with tidal creek dock, improved with 864sf residence on piers
6. Sunset Blvd., frontage on Factory Creek	3398/1583	\$579,999 5/11/2015	2.002	\$289,710	Senior living site, located on deepwater on Lady's Island; high density zoning

*The deeds and plats for these sold properties are retained in my files

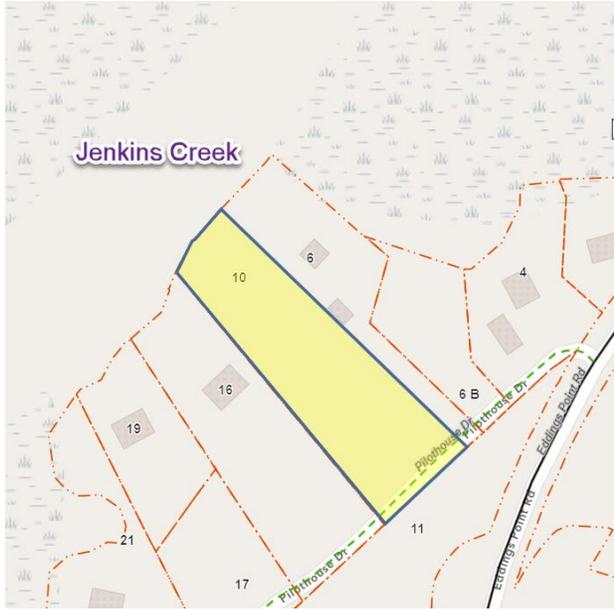
Additional Land Sales

The appraiser has presented below several selected "new" land sales made since the date of the earlier appraisal. These are shown below.

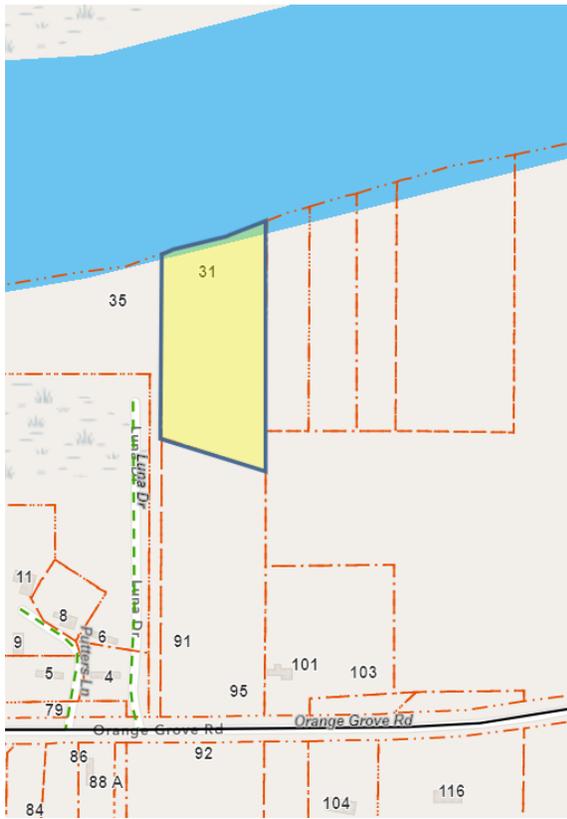
Selected updated land sales for Camp St. Mary's						
Location	Deed	# acres	Price	Date	Price/ acre	Remarks
1. 3370 Argent Blvd. Okatie (JasperCo.)	1099/1015 1105/680	13.43 sold in 2 deeds	\$2,675,000	6/1/2022	\$199,181	Site for future res. development corner Short Cut Rd.
2. 10 Pilot House Rd. St. Helena Island	4169/1274	1.83	\$490,000	3/29/2023	\$267,760	Deepwater lot on Jenkins Creek dock in place
3. 31 Luna Dr. St. Helena Island	4152/3109	3.12	\$775,000	6/6/2022	\$248,397	Deepwater lot on Capers Creek dock in place
4. 8 Old Ferry Cove Beaufort/Lady's Island	4222/487	1.04	\$817,000	3/1/2023	\$785,577	Deepwater lot on Factory Creek 100' creek frontage
5. 89 Camp St. Mary's Rd.	4103/907	7.66	\$2,750,000	1/7/2022	\$359,008	Price inclusive of residence and other imprvts (next door to subject)
		estimated land only	\$1,950,000	1/7/2022	\$254,569	Abstracted land value per acre



plat for 3370 Argent Blvd. (Jasper County)



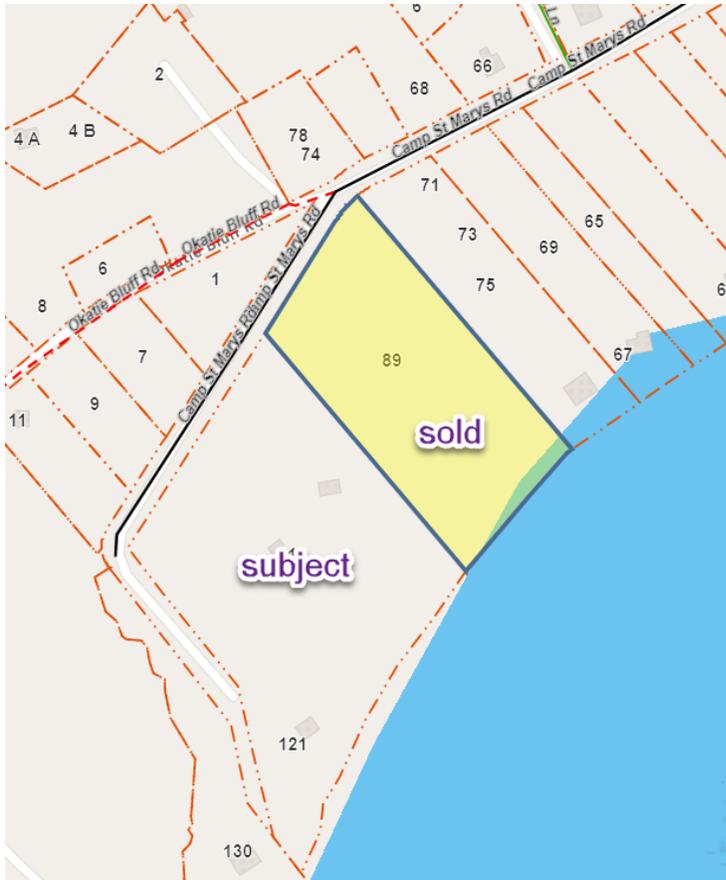
plat for 10 Pilot House Rd.



plat for 31 Luna Dr. on Capers Creek



plat for 8 Old Ferry Cove



plat for 89 Camp St. Mary's Rd.

Discussion

The 6 older sales indicate a fairly wide range of prices on a per-acre basis, from a low of \$110,000 per acre to a high of \$290,000 per acre. The sales comparison process involved analyzing each sold property compared against the subject. The unadjusted average price indication for the 6 sales was about \$181,000 per acre. The size of the subject, with 8.0 acres, is bracketed by the size of the sold tracts.

The 5 newer sales indicate generally higher price parameters. Sale 4 in the second table appears to be an anomaly. A valuation of \$250K per acre appears to be appropriate for the subject. This parameter would be inclusive of the value of the dock in place, plus the value, if any, of building improvements.

Conclusion

8.0 acres valued @ \$250,000 per acre = \$2,000,000

(Inclusive of value, if any, of building improvements)

Photos taken 4/7/2023



Views of Property





View of Okatie River



Old Lodge



Dock, observed to be in good condition
Note metal surfacing, aluminum railings

ASSUMPTIONS AND LIMITING CONDITIONS

1. This appraisal is made under the assumption that title to the property is merchantable. Easements, restrictions, encroachments or other limitations upon value not mentioned in the report have not been considered.

2. Information regarding sales of comparable properties was obtained from reliable sources and is believed by the appraiser to be accurate. Reliability of such information cannot, however, be guaranteed.

3. Plats and other drawings, if included, are to assist the reader in visualizing the property, and while they are believed to be accurate, their correctness cannot be guaranteed.

4. Information concerning taxes and other financial data was supplied to the appraiser by others. It is believed to be reliable and accurate but cannot be guaranteed by the appraiser.

5. Disclosure of the contents of this appraisal report is governed by the By-Laws and Regulations of the Appraisal Institute.

6. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute or to the MAI designation) shall be disseminated to the public through advertising media, public relations media, news media, sales media or any other public means of communication without the prior written consent and approval of the undersigned.

7. Inherent in the approaches to value is the assumption that the property will enjoy prudent management, with appropriate financial strength and skills, and that information provided to the appraiser by the owners concerning financial projections are reasonably accurate. The appraiser assumes that existing tax legislation will remain the same as it is on the date of the appraisal unless changes are specifically discussed in the body of the report.

8. The value estimate includes all building improvements and land. Excluded are all inventory, spare parts, office equipment and furniture, and all other items considered to be personal property.

9. The appraisal assumes, for purposes of valuation, that all land is held in fee simple ownership, unencumbered. No leases or bond-financing arrangements were considered in value.

10. The appraiser is not required to testify or appear in court on matters discussed herein, unless subsequent agreement is made for such services.

11. The Americans with Disabilities Act ("ADA") became effective January 26, 1992. We have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property, together with a detailed analysis of the requirements of the ADA, could reveal that the property is not in compliance with one or more of the requirements of the Act. If so, this fact could have a negative effect upon the value of the property. Since we have no direct evidence relating to this issue, we did not consider possible noncompliance with the requirements of ADA in estimating the value of the property.

CERTIFICATION OF APPRAISER

I certify that, to the best of my knowledge and belief:

1. That statements of fact contained in this report are true and correct.
2. The reported analyses, opinions and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial and unbiased professional analyses, opinions and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
4. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
6. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Appraisal Ethics & Standards of Professional Practice of the Appraisal Institute, which include the Uniform Standards of Professional Practice.
8. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
9. I have made a personal inspection of the property that is the subject of this report.
10. No one provided significant real property appraisal assistance to the person signing this report.
11. As of the date of this report, I have completed the continuing education program of the Appraisal Institute.
12. My license status is active in the State in which the subject property is located.

George R. Owen, MAI



Date: April 10, 2023

QUALIFICATIONS OF GEORGE R. OWEN, MAI
REAL ESTATE APPRAISER AND CONSULTANT
LICENSED/CERTIFIED GENERAL APPRAISER

Experience

Principal, George R. Owen, Certified General Appraiser, 7 Claire's Point Rd., Beaufort, SC 29907. Practicing in Beaufort since 2004. Previously 32 years experience in Memphis, Tennessee. Assignments have included appraisals for mortgage loan purposes, appraisals for court testimony, condemnation appraisals, and appraisals for a large variety of institutional, individual and corporate clients. My practice excludes single family residential. I am currently licensed in South Carolina.

Types of properties appraised include:

Shopping Centers
 Commercial Fast-food Operations
 Service Stations/Convenience Stores
 Warehouses/Industrials
 Service/Showroom
 Office Buildings

Nursing Homes/Congregate Care
 Subsidized Housing
 Vacant Land
 Subdivisions
 Heavy and Light Industrials
 Savings & Loan Institutions

Large & Small Apartment Projects

Bank Properties

Downtown Rehab Projects
 Truck Terminals
 Carwashes

Mobile Home Parks
 Condemnations, partial takings, etc.
 Church Properties

Appraisal clients served include:

Corporate

Anheuser-Busch
 AutoZone, Inc.
 Bemis Corporation
 Burger King
 Care Inns, Inc
 Cargill, Inc
 Clopay Corporation
 Digital Equipment Company
 Exxon Corporation
 Graceland/Elvis Presley Enterprises
 Holiday Inns
 JiffyLube Corporation

Krispy Kreme Division,
 Beatrice Foods Corporation
 Kemmons Wilson, Inc
 Loeb Properties
 McDonald's Corporation
 Railroad
 Ralston-Purina Corporation
 Sanyo Corporation
 SPL Corporation
 Sprint Petroleum

Banks

Bank of America
 South Carolina Bank & Trust
 Lowcountry National Bank
 Wachovia Bank
 First Commercial Bank
 First Tennessee Bank
 Financial Federal Savings Bank
 Bank of America (Atlanta)
 Regionsbank
 National Bank of Commerce
 NationsBank
 Nat. City Bank, St. Louis, MO
 Woodlands Bank

Palmetto Federal Bank
 Ameris Bank
 Sunburst Bank
 SunTrust Bank (Nashville)
 Third National Bank (Nashville)
 Islands Community Bank
 Union Planters National Bank
 Huntington Bank, Cleveland, OH
 BankOne (New Orleans)
 BB&T

George R Owen, MAI

Page 2

Developers/Entrepreneurs

Alco Properties
Aldrich Investment Company

Ampco, Inc.
Belz Enterprises
Boyle Investment Company
Culp & Assoc., Knoxville, TN
Fogelman Companies
H. Lance Forsdick Properties
Henry Turley Company
Jetero Properties
Joyner, Heard & Jones
Kemmons Wilson Companies
Loeb Enterprises
McCullar Realty

McNeil Investment Co

Patterson Construction
Patton & Taylor

Peck Industries

Syncorp
Tesco Development
Trammell Crow Companies
Trezevant Properties
Gibson Builders

Institutional

West TN Business College
Rhodes College
Grace - St. Luke's Episcopal Church
The Trust for Public Land

Law Firms

Burch, Porter & Johnson
Hardison, McCarroll, Cook & Cannon
Heiskell, Donelson, Bearman, Adams
Williams & Kirsch
Lawler, Humphreys, Dunlap & Wellford
Stokes, Kimbrough, Grusin & Kiser
Blanchard Tual, Attorney
Waring Cox Attorneys
Harvey & Battey, Attorneys

Governmental

City of Beaufort, SC
City of Germantown, TN

City of Memphis/ R.O.W. Dept
Federal Deposit Ins. Corp .
Federal Sav. & Loan Ins. Corp
Resolution Trust Corporation
Memphis Light, Gas & Water
Shelby County R.O.W. Dept
State of TN R.O.W. Dept
U. S. Postal Service
Veterans Administration
Tennessee Valley Authority
U.S. Department of the Navy
U.S. Federal Receiver

Beaufort County

Loan Underwriting

Connecticut General Life Ins

Federal National Mtg. Association
F.M. Crump & Co.
Holliday, Fenoglio & Tyler
The Latham Company
Lexington Properties
Mortgage Guaranty Ins. Corp
Ward & Company
Washington National Ins. Co.
Fogelman-Beaty Mortgage Co.
The Money Store

Insurance Companies

Capital Holding Company
Connecticut General Life Insurance
Delta Life & Annuity
Mutual of New York - Real Estate
Ohio National Life Insurance Co
Jefferson Pilot Life Insurance Co
Southern Farm Bureau Insurance
Washington National Insurance
Safeco Life Insurance Company
Protective Life Corporation

Organizations

MAI, Member of Appraisal Institute *Currently Certified (Certif. No. 6189)
Past President, Memphis Chapter #51, Appraisal Institute.

Licenses

SC: Certified General Appraiser (No. 5064) Certified through 6/30/2024

Education

Master of Business Administration, 1971, University of Virginia
Master of Science, 1966, Rice University
Bachelor of Science, 1964, Vanderbilt University
Continuing Ed Program of Appraisal Institute - recertified through 12/31/2022
Lifetime commitment to continuing education at local universities

Additional Assignments (partial list)

Residence Inn, Spartanburg, SC; Ramada Inn, Rock Hill, SC
Holiday Inns, Grenada, MS; Frankfort, KY; Franklin, TN
Lagniappe Inns, Cincinnati, OH; Columbus, OH; Nashville, TN
La Quinta Inns, Nashville, TN; Lexington, KY; other locations in GA, TX, and OK
Potential development property, Back Bay, Biloxi, MS
Automobile Dealerships, Vicksburg, MS; Jackson, TN
Condominium feasibility study, Indianapolis, IN
Limited condominium feasibility study, Birmingham, AL
Apartment Project, Birmingham, AL
Old English Inn; West Tennessee Business College; Jackson, TN
Industrial Plants, various towns in west Tennessee, north Mississippi, Arkansas, South Carolina
Louisville Freezer/American Cold Storage, Louisville, KY
Haygood Truck & Trailer Parts, Chattanooga TN & Birmingham, AL

Contact Information

Cell 843 271 2481

E-mail: georgeowen84@gmail.com

EXHIBITS

A. PHOTOGRAPHS

B. PRIOR SALE DEED

SUBJECT PHOTOGRAPHS from 2019 report



Dock, in good usable condition



Pole barn, one of two



Historic Chapel



Cafeteria



Administration Building (old lodge)





Open acreage



View east on Camp St. Mary's Rd., subject on right



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
<i>ZONING MAP AMENDMENT/REZONING REQUEST FOR 21 ACRES (R100 025 000 068A 0000, R100 025 000 068B 0000, AND R100 025 000 0068 0000) LOCATED AT LAUREL BAY ROAD AND ROSEIDA ROAD EXTENSION FROM T2 RURAL (T2R) TO INDUSTRIAL (SI).</i>
MEETING NAME AND DATE:
<i>Community Services and Land Use Committee Meeting, June 12, 2023</i>
PRESENTER INFORMATION:
<i>Robert Merchant, AICP, Director, Beaufort County Planning and Zoning (10 minutes needed for item discussion)</i>
ITEM BACKGROUND:
<i>This rezoning application went before the Beaufort County Planning Commission at their June 5, 2023, meeting. At that time the Commission voted unanimously to recommend denial of the proposed amendment to County Council.</i>
PROJECT / ITEM NARRATIVE:
<i>The applicant is requesting to rezone three parcels located off Laurel Bay Road to accommodate an Industrial use. The 21 acres are currently undeveloped and in proximity to single-family detached residences. The three parcels are currently zoned T2 Rural (T2R). The parcel that abuts Laurel Bay (R100 025 000 068A 0000) is currently located in Air Installations Compatible Use Zone (AICUZ) Airport Hazard Zone 1 (APZ1). This carries some use restrictions toward the front of that parcel. All three parcels are located in the AICUZ Noise Zone 3 (DNL 75 and above). The parcels currently neighbor multiple single-family dwelling units of the T2 Rural Neighborhood zoning district.</i>
FISCAL IMPACT:
<i>Not applicable</i>
STAFF RECOMMENDATIONS TO COUNCIL:
<i>Staff recommends denial of the proposed zoning amendment.</i>
OPTIONS FOR COUNCIL MOTION:
<i>To approve or deny the zoning amendment for R100 025 000 068A 0000, R100 025 000 068B 0000, and R100 025 000 0068 0000 from T2 Rural to S1 Industrial.</i>

ORDINANCE 2023/_____

**ZONING MAP AMENDMENT/REZONING REQUEST FOR 21 ACRES
(R100 025 000 068A 0000, R100 025 000 068B 0000, AND R100 025 000 0068
0000) LOCATED AT LAUREL BAY ROAD AND ROSEIDA ROAD
EXTENSION FROM T2 RURAL (T2R) TO INDUSTRIAL (SI).**

WHEREAS, the property located at the intersection of Laurel Bay Road and Roseida Road Extension (R100 025 000 068A 0000, R100 025 000 068B 0000, AND R100 025 000 0068 0000) is currently zoned T2 Rural; and

WHEREAS, the owner of the property has requested to change to zoning of the property to S1 Industrial; and

WHEREAS, the Beaufort County Planning Commission considered the request on June 5, 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 T2 Rural to S1 Industrial

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

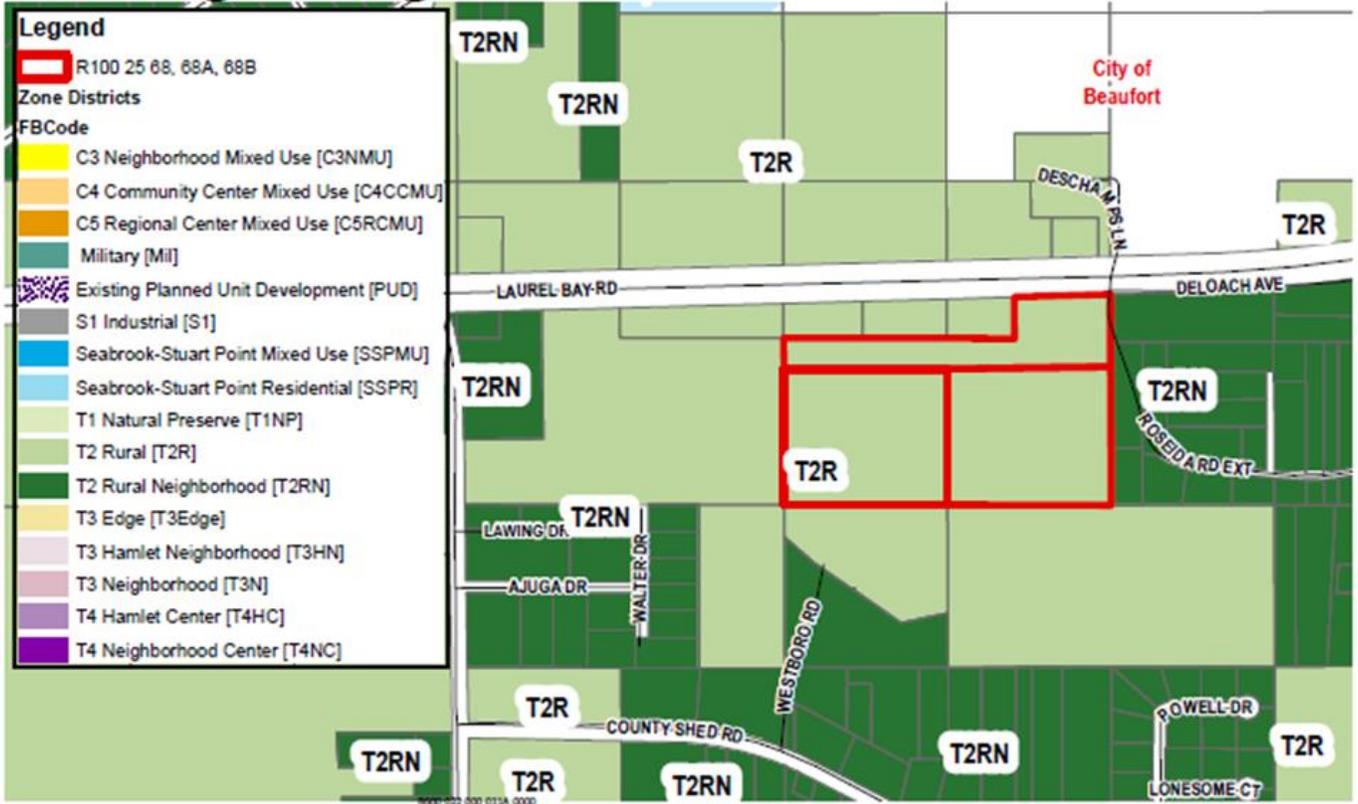
The zoning map of the County is hereby amended to change the zoning of the property located at the intersection of Laurel Bay Road and Roseida Road Extension (R100 025 000 068A 0000, R100 025 000 068B 0000, AND R100 025 000 0068 0000) from T2 Rural to S1 Industrial

Ordained this ____ day of _____, 2023

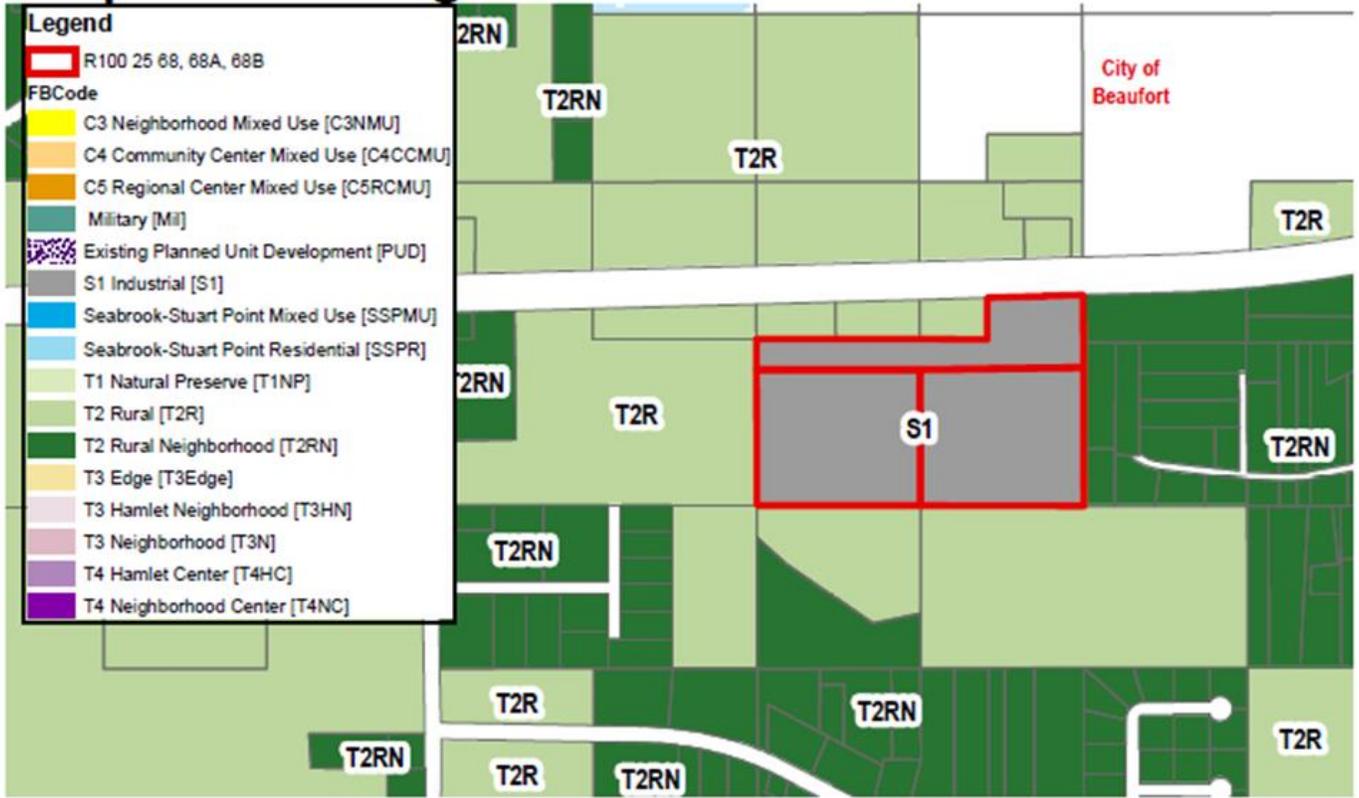
Joseph Passiment, Chairman

Sarah Brock, Clerk to Council

Existing Zoning



Proposed Zoning





MEMORANDUM

TO: Alice Howard, Chair, Community Services and Land Use Committee of County Council

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

DATE: June 12, 2023

SUBJECT: ZONING MAP AMENDMENT/REZONING REQUEST FOR 21 ACRES (R100 025 000 068A 0000, R100 025 000 068B 0000, AND R100 025 000 0068 0000) LOCATED AT LAUREL BAY ROAD AND ROSEIDA ROAD EXTENSION FROM T2 RURAL (T2R) TO INDUSTRIAL (SI).

STAFF REPORT:

A. BACKGROUND:

Case No. CDPA-000029-2023

Owner: Blake Kennedy

Property Location: Located at the Intersection of Laurel Bay Road and Roseida Road Extension

District/Map/Parcel: R100 025 000 068A 0000
R100 025 000 068B 0000
R100 025 000 0068 0000

Property Size: 21 Acres

Current Future Land Use Designation: Neighborhood/Mixed-Use

Current Zoning District: T2 Rural

Proposed Zoning District: S1 Industrial

B. SUMMARY OF REQUEST:

The applicant is requesting to rezone three parcels located off Laurel Bay Road to accommodate an Industrial use. The 21 acres are currently undeveloped and in proximity to single-family detached residences.

- C. EXISTING ZONING:** The three parcels are currently zoned T2 Rural (T2R), which permits residential development at a density of one dwelling unit per three acres. T2 Rural also permits very limited non-residential uses. The parcel that abuts Laurel Bay (R100 025 000 068A 0000) is currently located in Air Installations Compatible Use Zone (AICUZ) Airport Hazard Zone 1 (APZ1). This carries some use restrictions toward the front of that parcel. All three parcels are located in the AICUZ Noise Zone 3 (DNL 75 and above). In this Noise Zone, gross density shall not exceed one unit per three acres (same as existing zoning district T2R) and there are restrictions that do not allow specific uses such as Multi-family dwelling, Restaurant, Lodging, and Medical Services. The parcels currently neighbor multiple single-family dwelling units of the T2 Rural Neighborhood zoning district.
- D. PROPOSED ZONING:** The CDC states: “The Industrial (S1) Zone permits office, manufacturing, industrial, warehousing, and uses that support them. The Zone shall also be designed to permit small businesses and incubator businesses. Moderate to high intensities are permitted to achieve maximum land utilization. Such practices will maximize the land's use and accommodate small businesses and start-up or incubator businesses.” Businesses such as Vehicle Sales & Rental; Body Branding, Piercing, Tattooing; and Manufacturing, Processing, and Packaging are some of the permitted/conditional uses allowed in S1. The maximum height for a structure in S1 is 4 stories and shall not exceed 50 feet above finished grade level. The proposed 21 acres could potentially yield a .48 Floor Area Ratio. Base Site Area has yet to be determined. However, after reviewing aerial views and the surrounding lands, a majority of the land seems to be wetland due to proximity to Salt Creek.
- E. COMPREHENSIVE PLAN FUTURE LAND USE MAP:** The future land use is Neighborhood Mixed-Use: “Moderate-density residential is the primary use, with some supporting neighborhood retail establishments. New development is encouraged to be pedestrian-friendly, have a mix of housing types, a mix of land uses and interconnected streets. The maximum gross residential density is approximately two dwelling units per acre with some denser pockets of development.” The AICUZ overlay is described in the Comprehensive Plan as: “Residential development and places of assembly (e.g., churches, schools, etc.) should be highly limited in these areas. Light industrial, commercial, and agricultural uses are considered appropriate to this area.” Although a light industrial use is one of those deemed appropriate for parcels within the AICUZ, a zoning district that allows Heavy Industrial and Salvage Operations is not appropriate for these three parcels. The future land use map identifies the areas that are located within the AICUZ where Industrial would be most appropriate; these proposed parcels are not located within that area.
- F. 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.” In consideration of the amount of wetland on the three parcels, the proposed zoning will most likely not accommodate a use that will trigger a TIA. If one is, a TIA will be required at the development stage.

G. SCHOOL CAPACITY IMPACTS: The proposed zoning will not accommodate a use that will trigger a measurable school capacity impact.

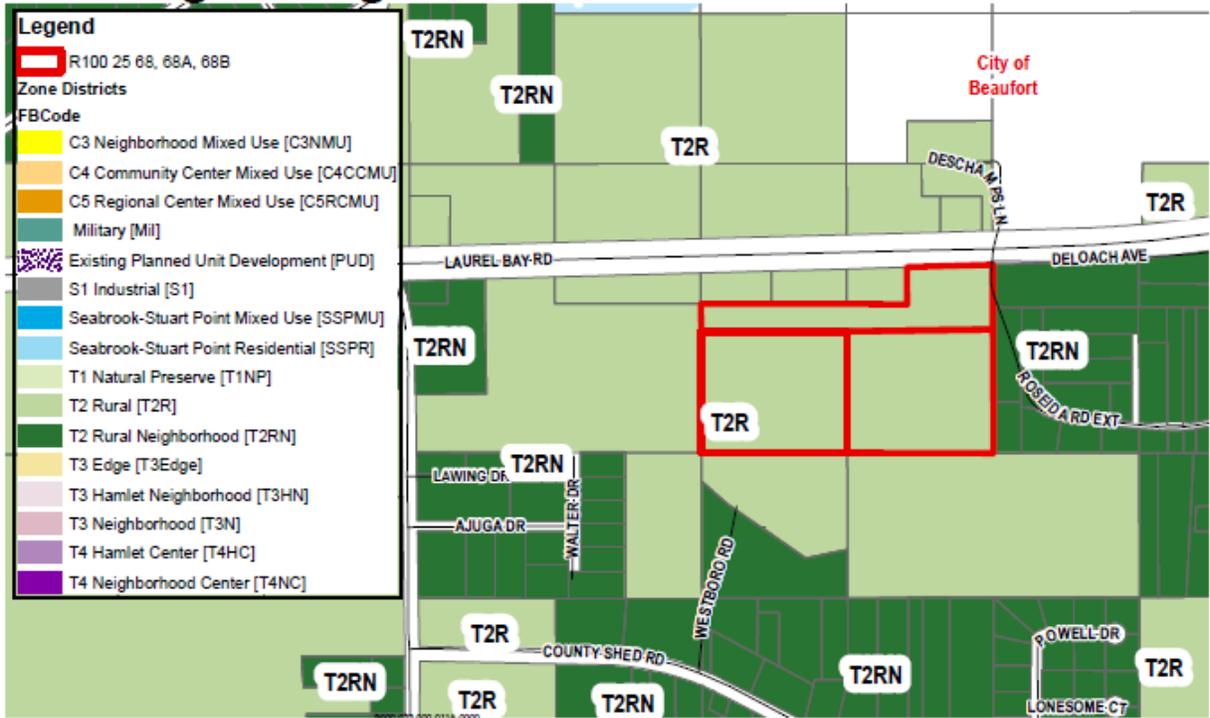
H. STAFF RECOMMENDATION: Staff recommends denial.

I. PLANNING COMMISSION RECOMMENDATION: This rezoning application went before the Beaufort County Planning Commission at their June 5, 2023, meeting. At that time the Commission voted unanimously to recommend denial of the proposed amendment to County Council.

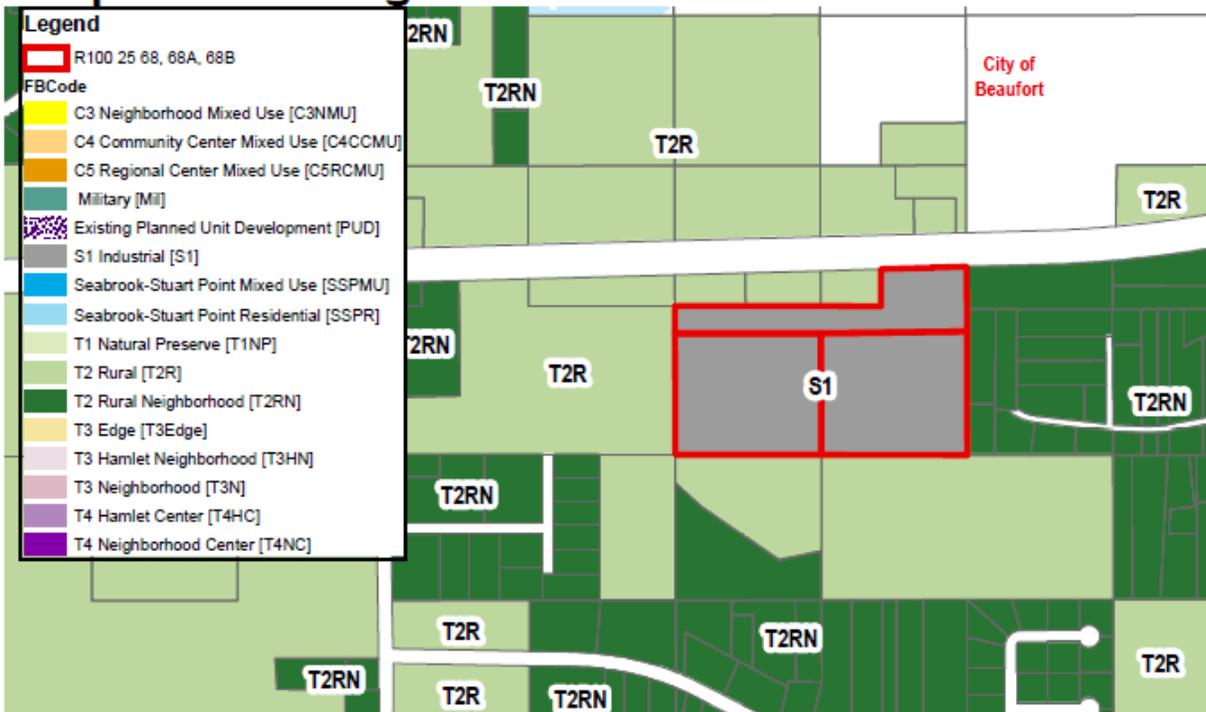
J. ATTACHMENTS

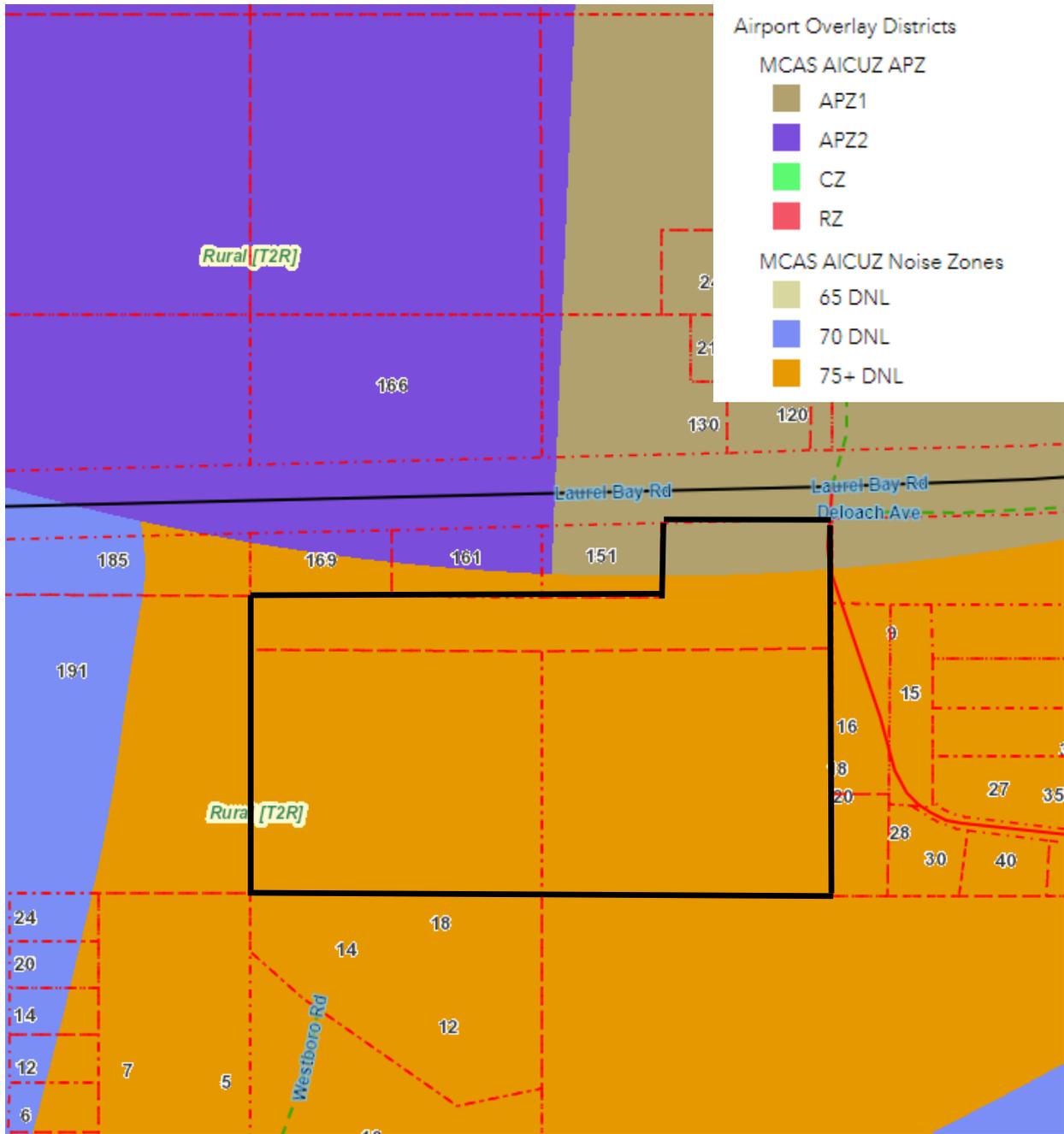
- Zoning Map (existing and proposed)
- AICUZ Map

Existing Zoning



Proposed Zoning







BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
<i>ZONING MAP AMENDMENT/REZONING REQUEST FOR 502 ACRES (R300-012-000-0001-0000, R300-012-000-0254-0000, R300-007-000-0002-0000, R300-012-000-0255-0000, AND R300-012-000-0256-0000) LOCATED AT 288 DULAMO ROAD TO BE REMOVED FROM THE CULTURAL PROTECTION OVERLAY (CPO) BOUNDARY</i>
MEETING NAME AND DATE:
<i>Community Services and Land Use Committee Meeting, June 12, 2023</i>
PRESENTER INFORMATION:
<i>Robert Merchant, AICP, Director, Beaufort County Planning and Zoning (10 minutes needed for item discussion)</i>
ITEM BACKGROUND:
<i>This rezoning application went before the Beaufort County Planning Commission at their June 5, 2023, meeting. At that time the Commission voted unanimously to recommend denial of the proposed amendment to County Council.</i>
PROJECT / ITEM NARRATIVE:
<i>The applicant is requesting to remove the five parcels that make up 288 Dulamo Road (Pine Island) from the Cultural Protection Overlay (CPO) District. The Cultural Protection Overlay (CPO) Zone has been established land use policy in Beaufort County since 1999. The CPO was originally adopted on April 26, 1999, when the County adopted its Zoning and Development Standards Ordinance following an extensive community process. The stated purpose of the district was to “provide opportunities to protect natural and/or cultural resources found on St. Helena Island.” The CPO was referenced in the 2010 Beaufort County Comprehensive Plan stating that staff should “continue to enforce the Cultural Preservation Overlay” and “determine if additional policies and regulations are needed for the overlay to better implement its purpose.” In 2014, the CPO was retained as policy and incorporated into the Community Development Code (CDC). On November 8, 2021, County Council adopted the 2040 Comprehensive Plan which further upheld the CPO as policy. Following this recommendation from 2040 Comprehensive Plan, County Council appointed the Cultural Protection Overlay District Committee on November 14, 2022. The CPO Committee met four times in early 2023 focusing on the purpose statement and definitions and evaluated the language of the CPO in its entirety. On March 21, 2023, the CPO Committee voted unanimously to recommend to County Council amendments to the CPO. These amendments were adopted by County Council on May 8, 2023.</i>
FISCAL IMPACT:
<i>Not applicable</i>
STAFF RECOMMENDATIONS TO COUNCIL:
<i>Staff recommends denial of the proposed zoning amendment.</i>
OPTIONS FOR COUNCIL MOTION:
<i>To approve or deny the zoning amendment for the five parcels that make up 288 Dulamo Road to be removed from the Cultural Protection Overlay (CPO) Boundary.</i>

ORDINANCE 2023/_____

ZONING MAP AMENDMENT/REZONING REQUEST FOR 502 ACRES (R300-012-000-0001-0000, R300-012-000-0254-0000, R300-007-000-0002-0000, R300-012-000-0255-0000, AND R300-012-000-0256-0000) LOCATED AT 288 DULAMO ROAD TO BE REMOVED FROM THE CULTURAL PROTECTION OVERLAY (CPO) BOUNDARY

WHEREAS, the property located at 288 Dulamo Road (R300-012-000-0001-0000, R300-012-000-0254-0000, R300-007-000-0002-0000, R300-012-000-0255-0000, and R300-012-000-0256-0000) is currently zoned as T2 Rural with the Cultural Protection Overlay (CPO) Zone; and

WHEREAS, the owner of the property has requested to remove the property from the Cultural Protection Overlay (CPO) Zone; and

WHEREAS, the Beaufort County Planning Commission considered the request on June 5, 2025, voting unanimously to recommend that County Council deny the request; and

WHEREAS, County Council now wishes to amend the zoning map to remove the property from the Cultural Protection Overlay (CPO) Zone;

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

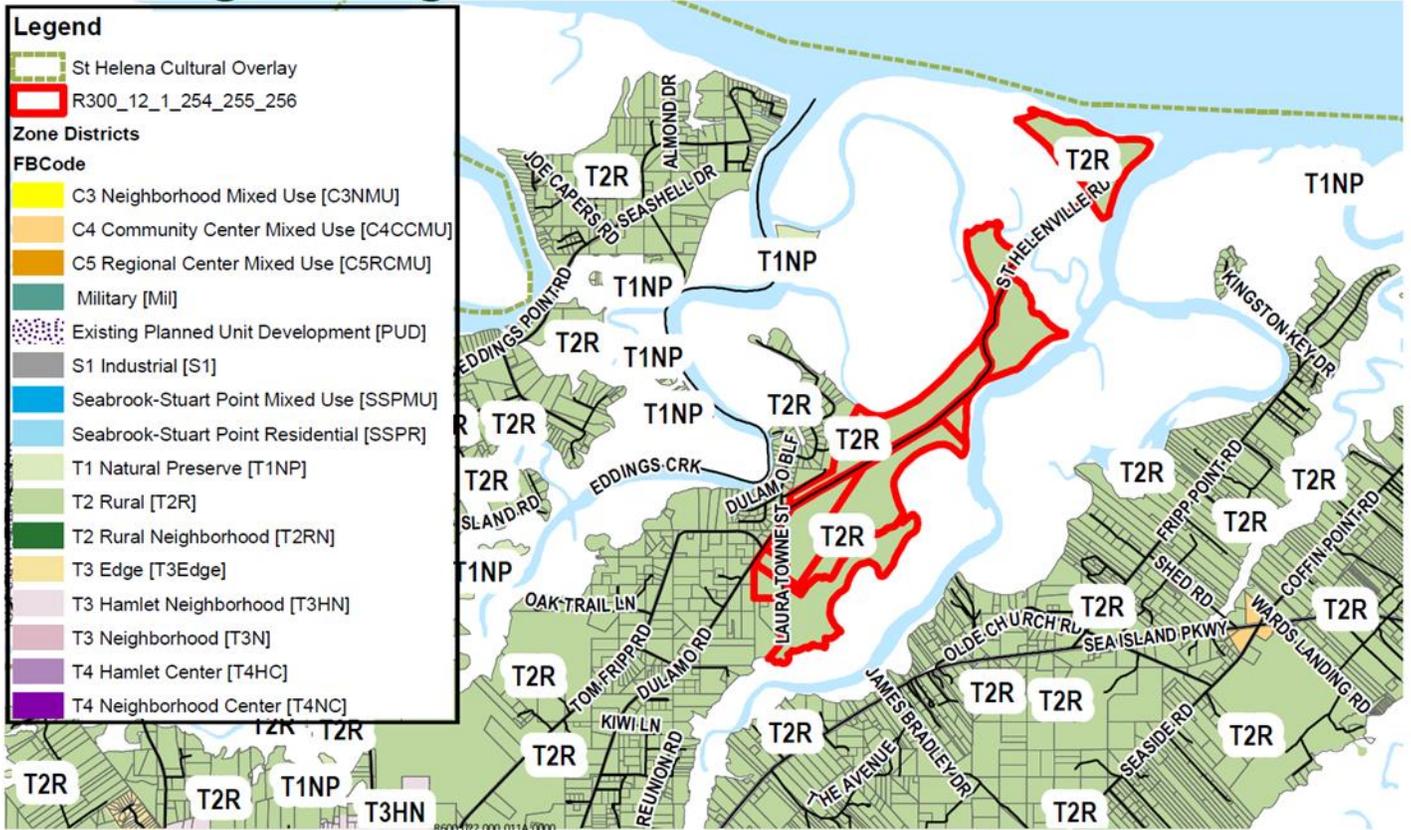
The zoning map of the County is hereby amended to remove the property located at 288 Dulamo Road (R300-012-000-0001-0000, R300-012-000-0254-0000, R300-007-000-0002-0000, R300-012-000-0255-0000, and R300-012-000-0256-0000) from the Cultural Protection Overlay (CPO) Zone

Ordained this ____ day of _____, 2023

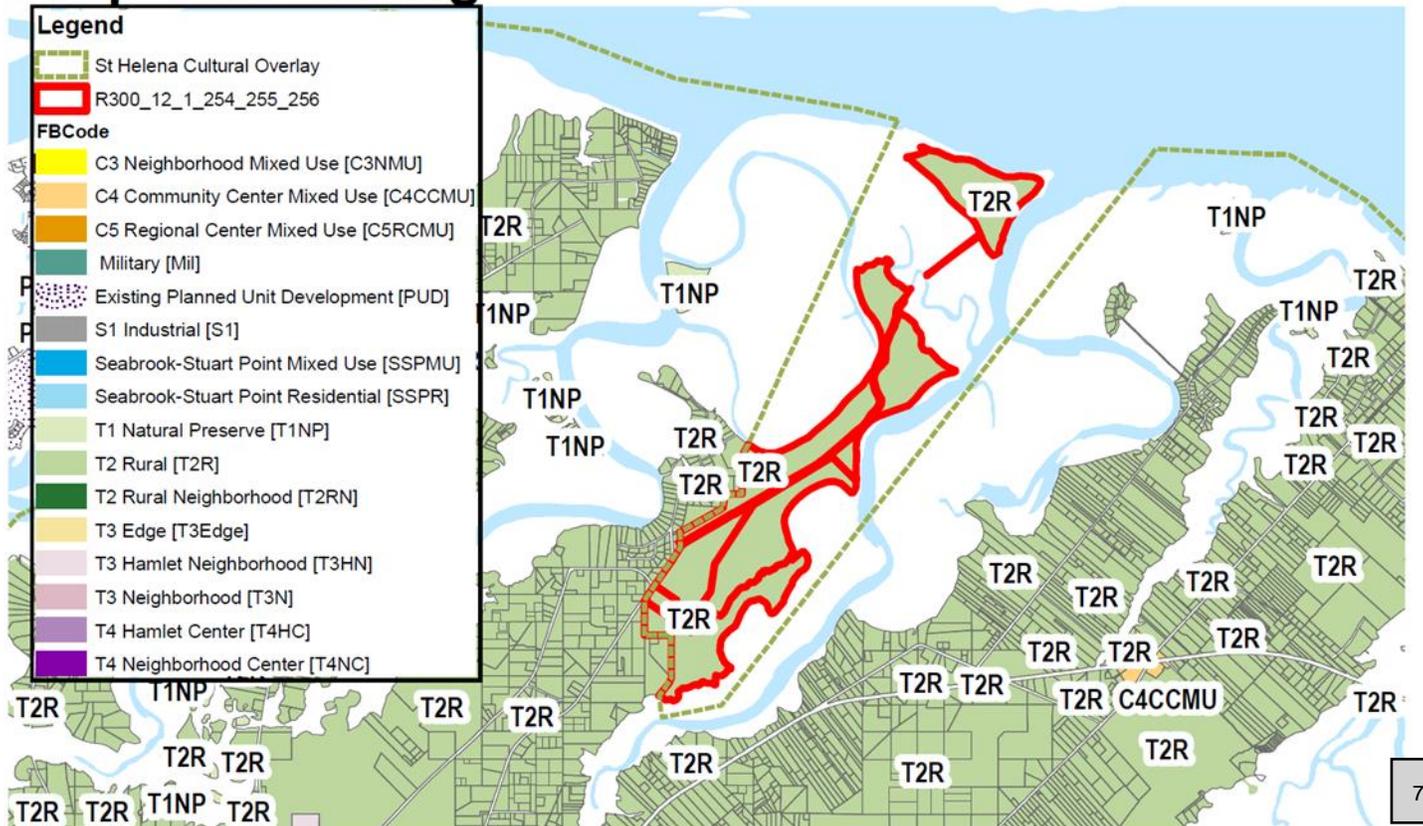
Joseph Passiment, Chairman

Sarah Brock, Clerk to Council

Existing Zoning



Proposed Zoning





MEMORANDUM

TO: Alice Howard, Chair, Community Services and Land Use Committee of County Council

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

DATE: June 6, 2023

SUBJECT: Zoning Map Amendment/Rezoning Request for 502 acres (R300-012-000-0001-0000, R300-012-000-0254-0000, R300-007-000-0002-0000, R300-012-000-0255-0000, and R300-012-000-0256-0000) Located at 288 Dulamo Road to be Removed from the Cultural Protection Overlay (CPO) Boundary

STAFF REPORT:

A. BACKGROUND:

Case No. CDPA-000030-2023

Owner/Applicant: Elvio Tropeano

Property Location: Located at 288 Dulamo Road on St. Helena Island in northern Beaufort County

District/Map/Parcel: R300-012-000-0001-0000, R300-012-000-0254-0000, R300-007-000-0002-0000, R300-012-000-0255-0000, and R300-012-000-0256-0000

Property Size: 502 acres

Current Future Land Use Designation: Rural

Current Zoning District: T2 Rural with the Cultural Protection Overlay (CPO) Zone

Proposed Zoning District: T2 Rural without the Cultural Protection Overlay (CPO) District

B. SUMMARY OF REQUEST: The applicant is requesting to remove the five parcels that make up Pine Island from the Cultural Protection Overlay (CPO) District.

- C. EXISTING ZONING:** Pine Island is currently zoned T2 Rural (T2R), which permits residential development at a density of one dwelling unit per 3 acres. T2 Rural also permits very limited non-residential uses. The Rural (T2R) Zone is intended to preserve the rural character of Beaufort County. This Zone applies to areas that consist of sparsely settled lands in an open or cultivated state. It may include large lot residential, farms where animals are raised or crops are grown, parks, woodland, grasslands, trails, and open space areas.

Pine Island also falls within the Cultural Protection Overlay (CPO) Zone. Overlay Zones impose a set of requirements or relax a set of requirements imposed by the underlying zoning district when there is a special public interest in a particular geographic area that does not coincide with the underlying zone boundaries. Specifically, the CPO restricts franchise architecture and prohibits restricted access (gated) communities, resorts, and golf courses which were deemed to be incompatible with cultural protection.

- D. CULTURAL PROTECTION OVERLAY (CPO) ZONE:** The Cultural Protection Overlay (CPO) Zone has been established land use policy in Beaufort County since 1999. The CPO was originally adopted on April 26, 1999, when the County adopted its Zoning and Development Standards Ordinance following an extensive community process. The stated purpose of the district was to “provide opportunities to protect natural and/or cultural resources found on St. Helena Island.” The purpose statement goes on to say the following:

“Although, the intent of the CPO district is to protect St. Helena and the Gullah culture from encroaching development pressures, growth is not discouraged. However, the quality and rate of growth is of concern in these areas. Rapid in-migration would substantially alter the traditional social and cultural character of this area, as new residents represent different values and customs. The gentrification of the island would result in greater demand for urban services and eventually to the urbanization of the island. This can be particularly acute on St. Helena where maintaining the traditional lifestyle becomes cost prohibitive because of the value of land of development”

The CPO was referenced in the 2010 Beaufort County Comprehensive Plan stating that staff should “continue to enforce the Cultural Preservation Overlay” and “determine if additional policies and regulations are needed for the overlay to better implement its purpose.”

In 2014, the CPO was retained as policy and incorporated into the Community Development Code (CDC).

On November 8, 2021, County Council adopted the 2040 Comprehensive Plan which further upheld the CPO as policy recommending the following:

“Reevaluate the CPO District by assessing whether additional land use restrictions are necessary to meet the intent of the district. Consider the addition of specific design standards that reinforce historic Gullah/Geechee development patterns and character.

Include diverse representation on the steering committee that may be formed to guide the process. Ensure public input from all segments of the community.”

Following this recommendation from 2040 Comprehensive Plan, County Council appointed the Cultural Protection Overlay District Committee on November 14, 2022. The CPO Committee was given further direction by the Community Services and Land Use Committee on January 9, 2023 to study the existing CPO ordinance with the County’s legal department and with other outside entities of the Committee’s choosing to suggest revisions that can be added to reinforce the Overlay’s purpose and to improve the protection it provides to St. Helena and the surrounding islands. As a result of this direction, the CPO Committee met four times in early 2023 focusing on the purpose statement and definitions and evaluated the language of the CPO in its entirety. On March 21, 2023, the CPO Committee voted unanimously to recommend to County Council amendments to the CPO. These amendments were adopted by County Council on May 8, 2023.

- E. CULTURAL PROTECTION OVERLAY (CPO) ZONE BOUNDARIES:** The boundaries of the CPO apply to all of St. Helena Island with the exception of Fripp, Harbor, Hunting, Dataw Islands and the unbridged barrier islands including Pritchard, Capers, St. Phillips and Bay Point Islands. The applicability statement in the original CPO (1999) states that “the CPO District requirements apply to new uses; it is not the intent of this section to create nonconforming use of existing uses. Subdivisions, PUDs and other developments approved prior to the adoption of the 1999 Zoning Development Standards Ordinance (ZDSO) are exempt from the requirements of this section.” In 1999, Fripp, Harbor and Dataw Islands had well established development patterns and were excluded from the CPO to avoid rendering these communities nonconforming. The originally established boundary of the CPO remained unchanged when the CPO was adopted as part of the Community Development Code in 2014.
- F. ANALYSIS:** Section 7.3.40 of the Community Development Code states that a zoning map amendment may be approved if the proposed amendment meets the following criteria:
- 1. *Is consistent with and furthers the goals and policies of the Comprehensive Plan and the purposes of this Development Code.***

As stated above, the 2040 Comprehensive Plan places great value in protecting the natural and cultural resources of St. Helena Island. The Plan recognizes challenges facing St. Helena Island and devotes an entire “Spotlight” section to the island. The Plan provides that “Beaufort County’s Gullah/Geechee community makes evident that the region’s cultural resources are not just the historic sites, waterways, sacred grounds, farmlands, open spaces, hunting grounds, and the land on which traditional events have occurred. The most important cultural resource is the people themselves.” The Plan further observes that “the primary threat to the long-term viability of Beaufort County’s Gullah/Geechee communities is land development. Implementing land use policies that

concentrate growth in urban areas and protect rural land from suburban development are the most important actions the County can take to protect its unique Gullah/Geechee heritage.” As both a strategy and an action, the Plan calls for County Council to “reevaluate the CPO District by assessing whether additional land use restrictions are necessary to meet the intent of the district.”

Upon guidance of the 2040 Comprehensive Plan and the CPO Committee, the purpose statement of the CPO, as amended by County Council on May 8, 2023 provides greater emphasis to the threats facing St. Helena Island’s natural and cultural environment stating the following:

“large-scale, rapid, and/or suburban growth, such as gated, master planned communities, golf courses and resort destinations, conflicts with the Island’s character and presents the greatest threat to the character and stability of the Island community. Rapid suburban growth would not only change the character of the area and threaten the natural, cultural and historic qualities of St. Helena, it would likely bring with it disproportionate and unsustainable short and long-term demands for urban services and infrastructure and eventually lead to urbanization or suburbanization of the Island, the loss of natural qualities which have sustained generations of islanders and which has resulted in the culture and history of the Island. Therefore, the Cultural Protection Overlay District is designed to complement the underlying zoning districts on St. Helena Island by limiting large-scale development such as large master planned communities and resort destinations, that would substantially alter the rural character and natural landscape, would generate high traffic volume, and/or would otherwise be incompatible with the culture of St. Helena Island.”

It is clearly established that the location and extent of the CPO boundaries were purposefully delineated to support and implement the Comprehensive Plan and the purpose statement of the CPO. To move the boundaries for the purpose of excluding certain parcels erodes the effectiveness of the CPO by allowing the very uses that have been identified as posing the greatest threat to the character and stability of the island community. The magnitude of the proposed rezoning (502 acres) only increases the potential impact of this rezoning.

2. *Is not in conflict with any provision of this Development Code, or the Code of Ordinances.*

Upon guidance of the 2040 Comprehensive Plan and the CPO Committee, the purpose statement of the CPO, as amended by County Council on May 8, 2023 provides greater emphasis to the threats facing St. Helena Island’s natural and cultural environment stating the following:

“large-scale, rapid, and/or suburban growth, such as gated, master planned communities, golf courses and resort destinations, conflicts with the Island’s character and presents the greatest threat to the character and stability of the Island community. Rapid suburban growth would not only change the character of the area and threaten the natural, cultural and historic qualities of St. Helena, it would likely bring with it disproportionate and unsustainable short and long-term demands for urban services and infrastructure and eventually lead to urbanization or suburbanization of the Island, the loss of natural qualities which have sustained generations of islanders and which has resulted in the culture and history of the Island. Therefore, the Cultural Protection Overlay District is designed to complement the underlying zoning districts on St. Helena Island by limiting large-scale development such as large master planned communities and resort destinations, that would substantially alter the rural character and natural landscape, would generate high traffic volume, and/or would otherwise be incompatible with the culture of St. Helena Island.”

It is clearly established that the location and extent of the CPO boundaries were purposefully delineated to support and implement the Comprehensive Plan and the purpose statement of the CPO. To move the boundaries for the purpose of excluding certain parcels erodes the effectiveness of the CPO by allowing the very uses that have been identified as posing the greatest threat to the character and stability of the island community. The magnitude of the proposed rezoning (502 acres) only increases the potential impact of this rezoning.

3. *Addresses a demonstrated community need.*

This proposed rezoning does not address any known community need in the Cultural Protection Overlay Zone of St. Helena Island.

4. *Is required by changing conditions.*

There are no known changing conditions to require this rezoning.

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.*

Moving the boundaries of the CPO would introduce land uses to St. Helena Island which have been identified as posing the greatest threat to the character and stability of the island community.

6. *Would not adversely impact nearby lands.*

Moving the boundaries of the CPO would introduce land uses to St. Helena Island which have been identified as posing the greatest threat to the character and stability of the island community.

7. *Would result in a logical and orderly development pattern.*

Moving the boundaries of the CPO would introduce land uses to St. Helena Island which have been identified as posing the greatest threat to the character and stability of the island community.

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.*

Any future development would need to meet the County’s natural resources protection and stormwater requirements regardless of the zoning of the property.

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

There is not enough information to fully determine whether the development would be served by public facilities. Development is in proximity to public water (BJWSA). The site is served by Dulamo Road, a paved 2-lane state road approximately 1.9 miles from US 21 (Sea Island Parkway).

I. STAFF RECOMMENDATION:

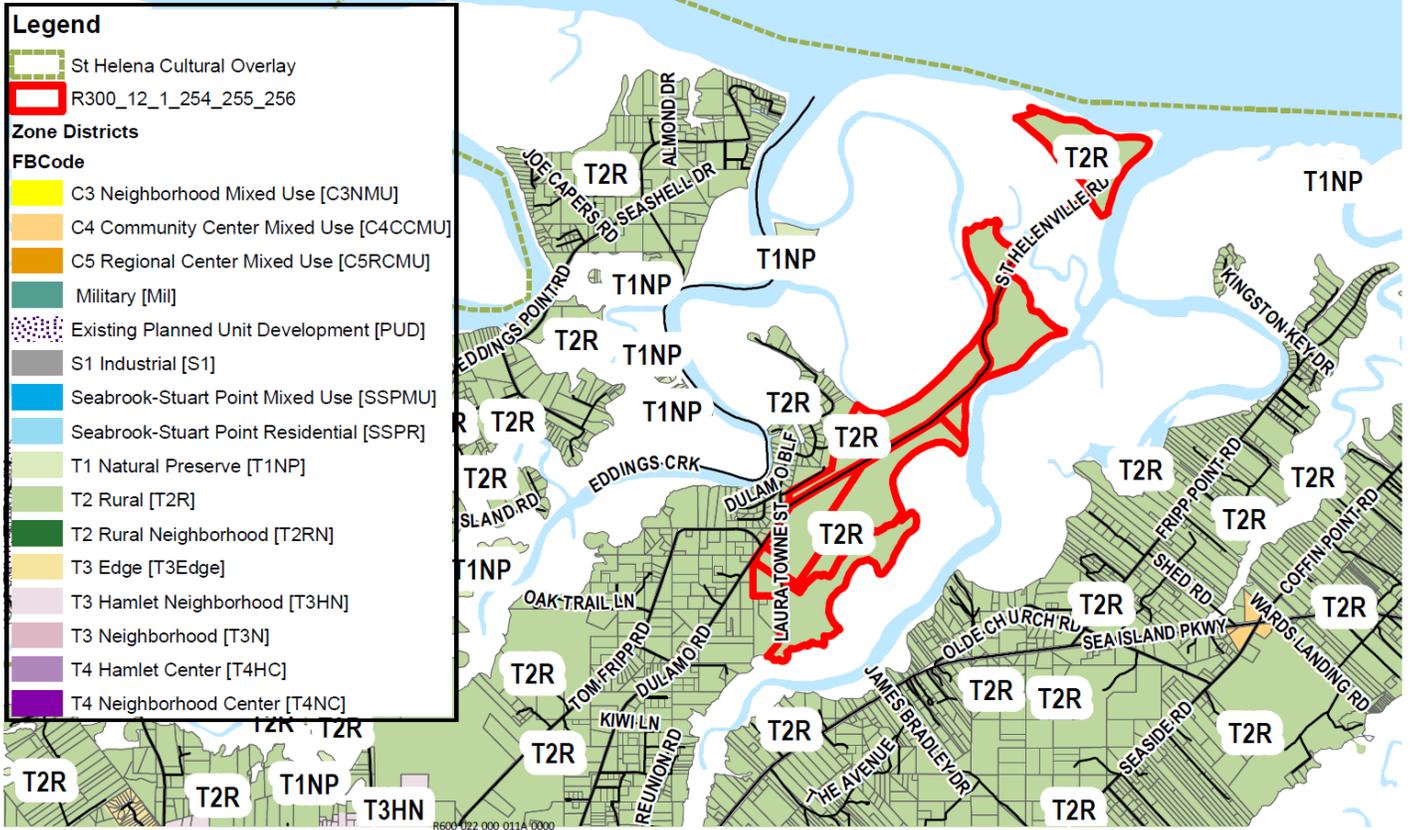
Staff recommends denial of the proposed zoning amendment. The location and extent of the CPO boundaries were purposefully delineated to support and implement the Comprehensive Plan and the purpose statement of the CPO. To move the boundaries for the purpose of excluding certain parcels erodes the effectiveness of the CPO by allowing the very uses that have been identified as posing the greatest threat to the character and stability of the island community.

In sum, the proposed rezoning is inconsistent with and seeks to defeat the goals and policies of the Comprehensive Plan and the purposes of the Development Code; is in direct conflict with provisions of the Development Code; is in direct conflict with the demonstrated needs of the community which led to the creation of the CPO; is not required by changing conditions; is incompatible with existing and proposed uses surrounding the land and is not an appropriate zone or use for the land; is likely to adversely impact nearby lands; will conflict with anticipated logical and orderly development patterns; will likely have an adverse impact on the natural environment; will likely result in increased strain and stress on public facilities.

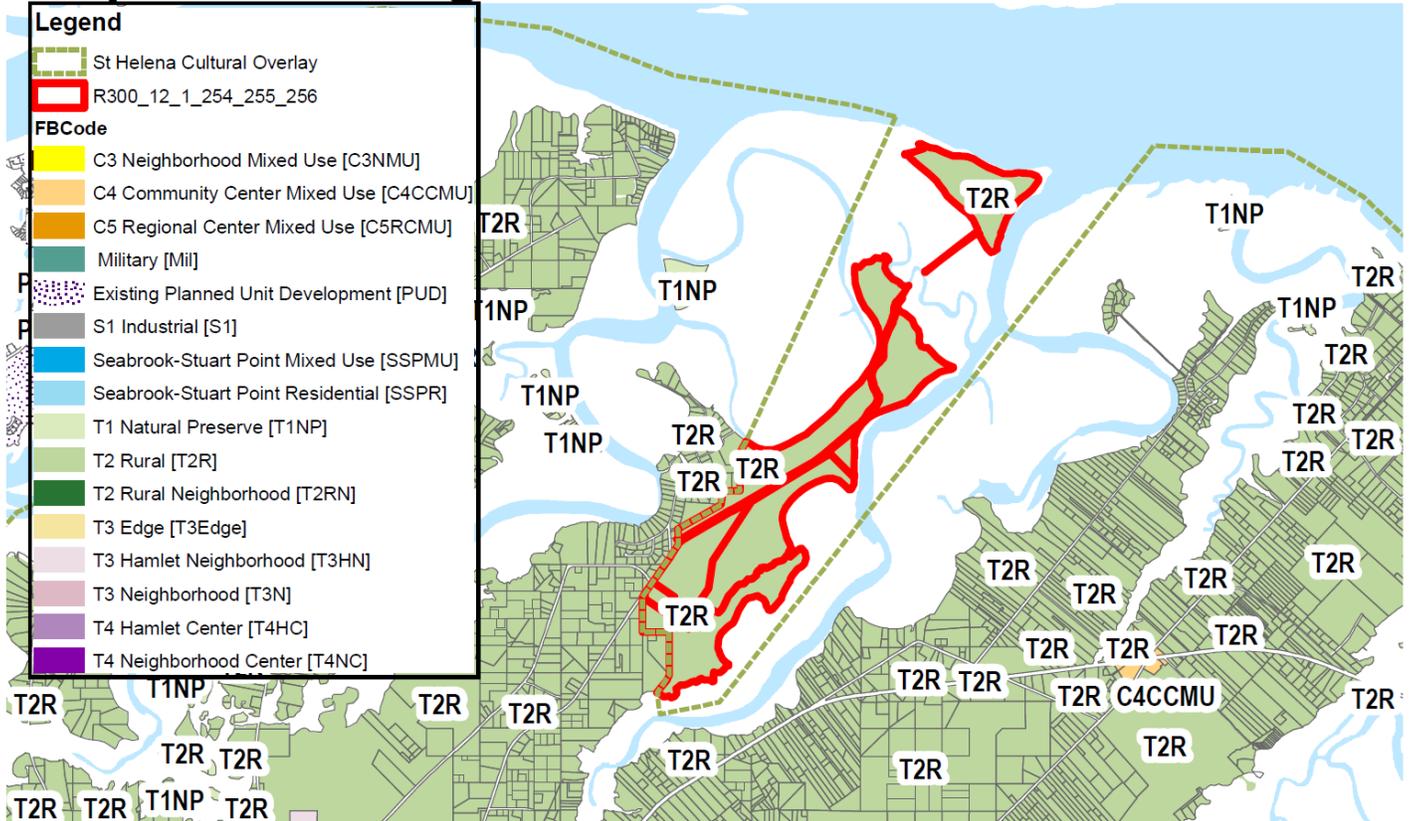
J. PLANNING COMMISSION RECOMMENDATION:

At the June 5, 2023 meeting of the Beaufort County Planning Commission, the Commission recommended unanimously to deny the application to remove the five parcels that make up Pine Island from the Cultural Protection Overlay (CPO) District.

Existing Zoning



Proposed Zoning





BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Resolution of the Town Council of the Town of Port Royal to continue membership with the Lowcountry Area Transportation Study (LATS) Metropolitan Planning Organization and to adopt the geographical boundaries for LATS
MEETING NAME AND DATE:
Community Service and Land Use Committee June 12, 2023
PRESENTER INFORMATION:
Jared Fralix, P.E. – Assistant County Administrator – Infrastructure 5 minutes
ITEM BACKGROUND:
This item was discussed at the recent June 2, 2023 , LATS policy committee. The committee supported the continued single MPO for the area and provided a letter of support to each of the three jurisdictions.
PROJECT / ITEM NARRATIVE:
Per the latest census, a new urbanized area was identified and established in Northern Beaufort County that includes the City of Beaufort, the Town of Port Royal, and portions of unincorporated Beaufort County. SCDOT has requested that a decision be made from the affected jurisdictions on whether they will remain in the existing MPO or establish a new MPO. A decision is needed prior to August 15, 2023.
FISCAL IMPACT:
N/A
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval of the Resolution of the Town Council of the Town of Port Royal to continue membership with the Lowcountry Area Transportation Study (LATS) Metropolitan Planning Organization and to adopt the geographical boundaries for LATS
OPTIONS FOR COUNCIL MOTION:
Motion to approve the resolution of the Town Council of the Town of Port Royal to continue membership with the Lowcountry Area Transportation Study (LATS) Metropolitan Planning Organization and to adopt the geographical boundaries for LATS.



June 2nd, 2023

Mayor Stephen Murray, City of Beaufort
Mayor Joe DeVito, Town of Port Royal
Joe Passiment, Chairman Beaufort County Council

Re: Support for urban areas to remain one Metropolitan Planning Organization

Dear Mayor Murray, Mayor DeVito and Chairman Passiment,

The Lowcountry Area Transportation Study (LATS) Metropolitan Planning Organization (MPO) Policy Committee strongly supports that the newly designated urban area of Beaufort – Port Royal remain with LATS as a single MPO. The LATS MPO was formed as a result of the designation of the Bluffton – Hilton Head Island Urban Area following the 2010 Decennial Census. An MPO oversees the transportation planning process for a Metropolitan Planning Area, which encompasses the existing Census designated urbanized area and the area expected to become urbanized in the next 20 years. At the time the LATS study was created it was anticipated that the Beaufort – Port Royal area population would become urbanized and thereby was incorporated into the LATS study boundary.

The federal government requires MPOs to establish a regional planning process that is Comprehensive, Continuing, and Cooperative (the three Cs of transportation planning). This includes the development of several key planning documents including the metropolitan long-range transportation plan and a transportation improvement program that encourages and promotes the safe and efficient development, management, and operation of surface transportation systems to serve the mobility needs of people and freight. This regional planning process has been in place in the Lowcountry since the creation of LATS in 2013.

In the spirit of comprehensive, continuing, and cooperative regional planning we encourage the Town of Port Royal, the City of Beaufort and Unincorporated Beaufort County to remain a part of the LATS MPO to most efficiently and effectively continue carry out regional transportation planning.

c/o Lowcountry Council of Governments

Main: 843.473.3990 Planning: 843.473.3958 Fax: 843.726.5165



If you have questions please contact Stephanie Rossi, at srossi@lowcountrycog.org or (843) 473-3958.

Thank you,

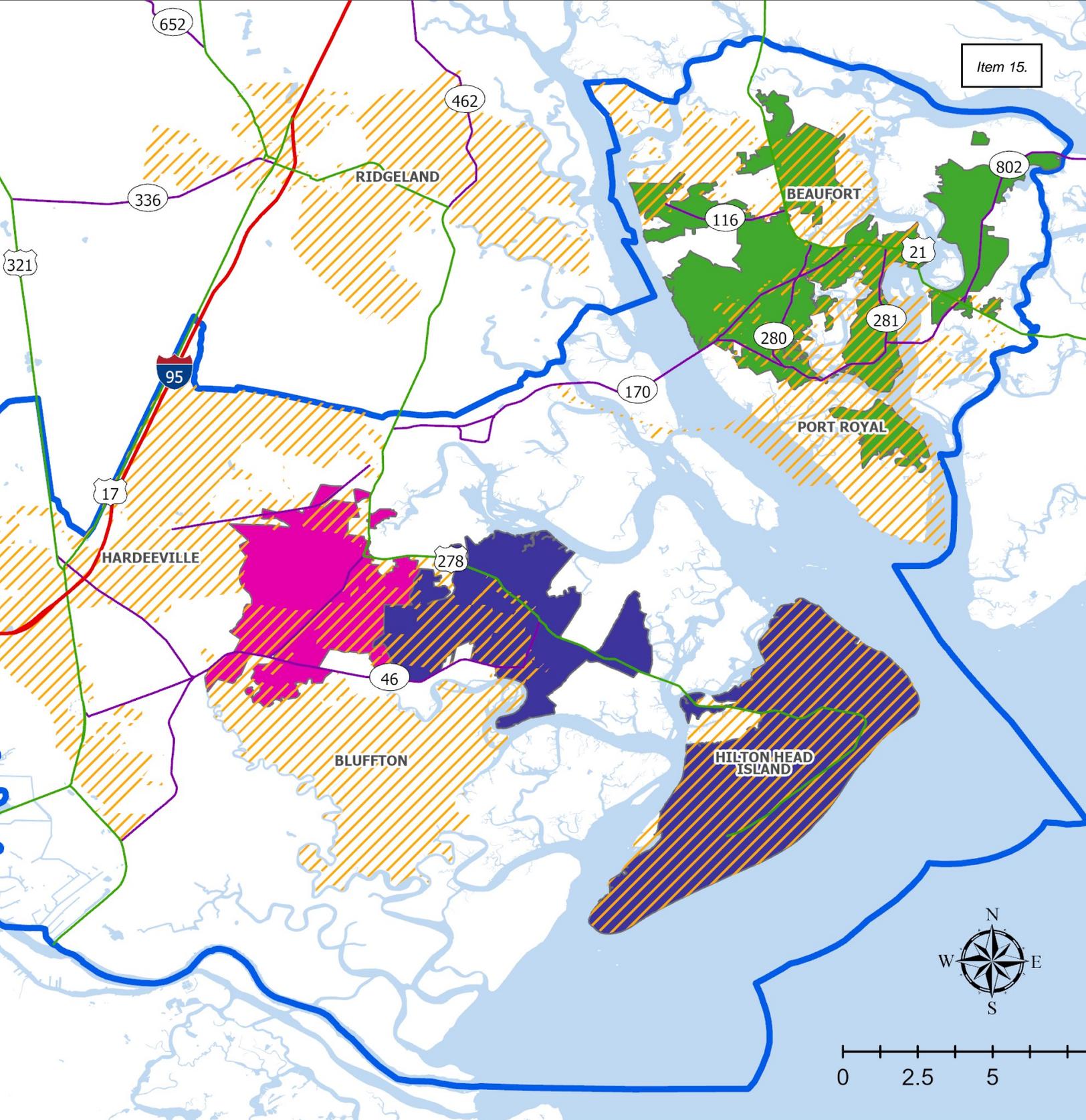
A handwritten signature in black ink that reads 'Lisa Sulka'. The signature is fluid and cursive, with the first name 'Lisa' and last name 'Sulka' clearly distinguishable.

Mayor Lisa Sulka, Town of Bluffton
LATS Policy Committee Chair

CC: Lowcountry Area Transportation Study Policy Committee
LATS Technical Committee
City and Town Managers
Beaufort County Administrator

c/o Lowcountry Council of Governments

Main: 843.473.3990 Planning: 843.473.3958 Fax: 843.726.5165



Lowcountry MPO

 **Lowcountry MPO Boundary**

 **Municipal Boundary**

 **Interstate**

 **SC Highways**

 **US Highways**

Urban Cluster

 **Beaufort - Port Royal**

 **Bluffton East - Hilton Head Island**

 **Bluffton West**

RESOLUTION 2023/_____

A RESOLUTION TO CONTINUE MEMBERSHIP WITH THE LOWCOUNTRY AREA TRANSPORTATION STUDY METROPOLITAN PLANNING ORGANIZATION AND TO ADOPT THE GEOGRAPHICAL BOUNDARIES FOR THE LOWCOUNTRY AREA TRANSPORTATION STUDY

WHEREAS, in March 2012, the Bureau of the Census defined a new Urbanized Area, based on the 2010 Census, when the combined population of the Town of Hilton Head Island, the Town of Bluffton, and parts of unincorporated Beaufort County reached over 50,000; and

WHEREAS, 23 CFR Section 450.310(a) requires that a Metropolitan Planning Organization (MPO) be designated for each Urbanized Area with a population of more than 50,000 individuals as determined by the Bureau of the Census; and

WHEREAS, The Lowcountry Area Transportation Study (LATS) Metropolitan Planning Organization (MPO) was formed in 2013 for the purpose of carrying out a continuing, cooperative, and comprehensive multimodal transportation planning process, including the development of a metropolitan transportation plan and a transportation improvement program that encourages and promotes the safe and efficient development, management, and operation of surface transportation systems to serve the mobility needs of people and freight (including accessible pedestrian walkways and bicycle transportation facilities) and foster economic growth and development, while minimizing transportation-related fuel consumption and air pollution; and

WHEREAS, the MPO is a policy board of the organization created and designated to carry out the metropolitan transportation planning process and act as the forum for cooperative decision making by the principal elected officials of the units of general purpose local government; and

WHEREAS, this Policy Board is governed by its own bylaws and shall consist of the following voting members:

- Town of Hilton Head Island Mayor (1)
- Town of Bluffton Mayor (1)
- Town of Port Royal Mayor (1)
- City of Beaufort Mayor (1)
- City of Hardeeville Mayor (1)
- Beaufort County Council Chairman (1)
- Jasper County Council Chairman (1)
- Beaufort County Legislative Delegation Representative (1)
- Jasper County Legislative Delegation Representative (1)
- LRTA Executive Director (1)

WHEREAS, funds are provided by the Federal government through the State to accomplish required activities of the MPO; and

WHEREAS, the MPO designation was made by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the affected population; and

WHEREAS, the Metropolitan Planning Area (MPA) boundaries in which the metropolitan transportation planning process is carried out by the MPO shall encompass the entire existing Urbanized Area plus the contiguous area expected to become urbanized within a 20 year forecast period for the metropolitan transportation plan. This area will include all or some portion of the above-referenced governmental entities; and

WHEREAS, in December 2022, the Bureau of the Census defined a new Urbanized Area, based on the 2020 Census, when the combined population of the Town of Port Royal, the City of Beaufort, and parts of unincorporated Beaufort County reached over 50,000 already encompassed within the existing LATS MPO boundary; and

WHEREAS, the new urbanized area representatives of "*Beaufort – Port Royal*" (City of Beaufort, Town of Port Royal, and portions of unincorporated Beaufort County) choose to remain a member of LATS MPO; and

WHEREAS, Lowcountry Council of Governments (LCOG) has traditionally coordinated transportation planning and federal transportation fund distribution in a multi-county area; and

WHEREAS, LCOG should retain the role of coordinating transportation planning and federal fund distribution to the designated multi-county area by becoming the fiscal agent and lead agency for coordination of the MPO, with assistance from the participating governments and public transit organization.

NOW, THEREFORE, BE IT RESOLVED, Beaufort County approves and agrees as follows:

1. The MPA boundaries as designated on the Attachment, subject to final "smoothing" of the area perimeter; and
2. The new urbanized area of "Beaufort – Port Royal" will remain members of LATS MPO, with Policy Board as constituted above; and
3. To be a member of and participate in the activities of the MPO; and
4. To contribute a portion of the local matching funds required to establish and operate the MPO, equal to its per capita share of the MPA's current population; and
5. The designation of Lowcountry Council of Governments as fiscal agent and entity leading and coordinating the MPO; and
6. The name of the MPO shall remain the Lowcountry Area Transportation Study.

This Resolution shall be effective June 26th, 2023.

Dated this 28th of June 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

Joseph F. Passiment

Attest:

Sarah W. Brock, Clerk to Council



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A TEMPORARY CUSTODY AGREEMENT WITH THE TOWN OF SULLIVAN’S ISLAND FOR AN ORDNANCE DELIVERY TABLE TO BE INSTALLED AND DISPLAYED AT FORT FREMONT PRESERVE
MEETING NAME AND DATE:
Community Services and Land Use Committee (June 12, 2023)
PRESENTER INFORMATION:
Stefanie M. Nagid, Passive Parks Manager (5 minutes)
ITEM BACKGROUND:
This is a new item for consideration
PROJECT / ITEM NARRATIVE:
The Friends of Fort Fremont (Friends) have found an underutilized Spanish-American War artifact, an ordnance delivery table, located on a fort owned by the Town of Sullivan’s Island (Town). The Friends have requested for the Town and the County to agree to installing the artifact at Fort Fremont Preserve for interpretation purposes. The Town Manager and County staff have agreed to bring forward an agreement to their respective Council’s for approval. The Friends have agreed to arrange and provide funding for the relocation and repair of the artifact from Sullivan’s Island to Fort Fremont Preserve. The Friends will include the artifact in their regular interpretation of the Fort.
FISCAL IMPACT:
There is no fiscal impact to the County. The Friends are funding the relocation, repair and installation expenses.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval
OPTIONS FOR COUNCIL MOTION:
Motion to approve, or deny, the County Administrator to enter into a temporary custody agreement with the Town of Sullivan’s Island for an ordnance delivery table to be installed and displayed at Fort Fremont Preserve. If approved by the Committee, move forward to County Council on June 26, 2023 for final approval.

RESOLUTION 2023/ ____

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A TEMPORARY CUSTODY AGREEMENT WITH THE TOWN OF SULLIVAN’S ISLAND FOR AN ORDNANCE DELIVERY TABLE TO BE INSTALLED AND DISPLAYED AT FORT FREMONT PRESERVE

WHEREAS, Beaufort County (“County”) owns several parcels of land collectively known as Fort Fremont Preserve (“Property”) located at 1124 Lands End Road, St. Helena Island, SC, which is a Spanish-American War era fort ruin; and

WHEREAS, the County and the Friends of Fort Fremont (“Friends”) have entered into a Memorandum of Understanding dated April 8, 2019, which allows the Friends to provide interpretive displays, services, assistance, and activities as approved by the County; and

WHEREAS, the Town of Sullivan’s Island (“Town”) owns an ordnance delivery table, otherwise described as an iron ammunition delivery table, from the Spanish-American War era; collectively hereinafter referred to as a “Table”; and

WHEREAS, the Town agrees to release temporary custody of the Table to the County, which will be cleaned, painted, installed and interpreted on the Property by the Friends; and

WHEREAS, the County agrees to accept the temporary custody of the Table to be installed and displayed on the Property, until such time as the Town requests its return.

NOW, THEREFORE, BE IT RESOLVED by Beaufort County Council, duly assembled, does hereby authorize the County Administrator to enter into a temporary custody agreement with the Town of Sullivan’s Island for an ordnance delivery table to be installed and displayed at Fort Fremont Preserve.

Adopted this _____ day of _____, 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____

Joseph Passiment, Chairman

ATTEST:

Sarah Brock, Clerk to Council

General Terms and Conditions of Temporary Custody Agreement between Beaufort County, the Town of Sullivan's Island and the Friends of Fort Fremont

1. The Town Manager, the County Administrator and the Friends of Fort Fremont will enter into a Temporary Custody Agreement, which will give temporary custody of one (1) ordnance delivery table from the Town to the County for installation and display at Fort Fremont Preserve.
2. The Town or County may request the termination of the temporary custody agreement at any point in time with a 30-day written notice.
3. At the approval of the Passive Parks Manager, the Friends of Fort Fremont will arrange and provide funding for the physical transfer of the ordnance delivery table from Sullivan's Island to Fort Fremont Preserve.
4. At the approval of the Passive Parks Manager, the Friends of Fort Fremont will arrange and provide funding for the cleaning, painting and installation of the ordnance delivery table at Fort Fremont Preserve.
5. The Friends of Fort Fremont will include the interpretation of the ordnance delivery table as a regular component of their tours and interpretation of Fort Fremont.
6. No monetary compensation will be provided to or from any of the Parties.
7. Upon termination of the agreement, the County will make the ordnance delivery table available to the Town to take back custody of the table.





BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE BEAUFORT COUNTY OPEN LAND TRUST FOR MAINTENANCE OF COUNTY OWNED PROPERTY KNOWN AS THE BLOCKER FIELD EXTENSION (R300 015 000 076B 0000)
MEETING NAME AND DATE:
Community Services and Land Use Committee (June 12, 2023)
PRESENTER INFORMATION:
Stefanie M. Nagid, Passive Parks Manager (5 minutes)
ITEM BACKGROUND:
This is a new item for consideration
PROJECT / ITEM NARRATIVE:
Beaufort County purchased the property known as Blocker Field Extension on May 30, 2023 through the Rural and Critical Lands Preservation Program. The property is located on Hwy 21 on St. Helena Island, and is nearly adjacent to another Rural and Critical property known as Blocker Field. The Beaufort County Open Land Trust currently maintains Blocker Field through mowing and view corridor vegetation management. As a condition of the purchase of the Blocker Field Extension property, the Beaufort County Open Land Trust (BCOLT) agreed to incorporate the same mowing and management schedule on the extended property.
FISCAL IMPACT:
There is no fiscal impact to the County. BCOLT will incur all maintenance expenses.
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommends approval
OPTIONS FOR COUNCIL MOTION:
Motion to approve, modify, or deny the County Administrator to enter into a Memorandum of Understanding with the Beaufort County Open Land Trust for maintenance of the property known as the Blocker Field Extension. If approved by the Committee, move forward to County Council on June 26, 2023 for final approval.

RESOLUTION 2023/ ____

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE BEAUFORT COUNTY OPEN LAND TRUST FOR MAINTENANCE OF COUNTY OWNED PROPERTY KNOWN AS THE BLOCKER FIELD EXTENSION (R300 015 000 0768B 0000)

WHEREAS, on May 30, 2023 Beaufort County (“County”) purchased 1.15 acres of what is known today as Blocker Field Extension (R300 01 000 076B 0000) located at 549 Sea Island Parkway (“Property”) through the County’s Rural and Critical Lands Preservation Program; and

WHEREAS, a purpose of the Rural and Critical Land Preservation program is to preserve and protect valuable economic and natural resources; as well as to obtain ownership of land for the County’s Passive Parks Program for the benefit and enjoyment of the citizens and visitors of Beaufort County; and

WHEREAS, the Beaufort County Open Land Trust (“Trust”) works to protect open spaces, natural habitats and rural communities in Beaufort County; and in pursuit of the Trust’s goals it desires to enhance the viewshed value of the Property by providing maintenance activities as further described in Exhibit A; and

WHEREAS, the County and the Trust recognize the value of maintenance on the Property for the benefit of public viewing.

NOW, THEREFORE, BE IT RESOLVED by Beaufort County Council, duly assembled, does hereby authorize the County Administrator to enter into a Memorandum of Understanding with the Beaufort County Open Land Trust for maintenance of Blocker Field Extension, as further described in Exhibit A.

Adopted this _____ day of _____, 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____

Joseph Passiment, Chairman

ATTEST:

Sarah Brock, Clerk to Council

of the Property. BCOLT and its assigns shall have access to the Property to carry out its responsibilities as agreed upon in this MOU.

b. **Restoration or Maintenance.** BCOLT may contract in order for the Property to be mowed and maintained as deemed necessary. The Property may not be mowed in excess of twelve (12) times during any calendar year. Annual pruning and viewshed work may take place once annually or on an as needed basis. The County reserves the right to request BCOLT to cease any mowing or pruning for a specific time period if it deems the Property is being over-maintained.

5. **INSURANCE.** County and BCOLT each shall at all times maintain a policy of tort and/or general liability insurance with limits of liability of at least \$1,000,000.00 per occurrence and in accordance with the policies and requirements of the South Carolina State Tort Claims Act.

6. **BREACH OF CONTRACT.** If a party to this MOU determines that the other party is in breach of the terms of this MOU, the claiming party shall notify the other party of the breach with a First Notice and request voluntary compliance. In the event that voluntary cure is not agreed upon within sixty (60) days of receipt of First Notice, the claiming party shall give written notice to the other party of such breach with a Second Notice and demand corrective action. If the noticed party fails to cure the breach within sixty (60) days after receipt of the Second Notice, the parties shall submit the issue to a mediator as set forth herein below for resolution.

a. **Disputes.** All claims, disputes, and controversies arising out of or in relation to the performance, interpretation, application, or enforcement of this MOU, including but not limited to breach thereof, shall be first submitted to an agreed upon mediator. The Parties shall equally share in the cost of mediation. Any MOU resulting from said mediation shall be binding on the Parties.

7. **TERMINATION.** Either party shall have the right to terminate this MOU for any reason upon six (6) months' prior written notice beginning with the delivery to and acceptance of the designated authority of the other party.

8. OTHER PROVISIONS.

a. **Definition of Terms.** For the purpose of this MOU, the terms "passive park" and "passive recreation" shall be defined pursuant to Beaufort County Ordinance 2018-53; all other terms shall be defined pursuant to the County's Community Development Code.

b. **Mutual Cooperation.** The Parties shall cooperate with each other and will use all reasonable efforts to cause the fulfillment of the terms and conditions of this MOU.

c. **Entire Agreement.** This MOU contains the entire agreement between the Parties pertaining to the subject matter contained herein. All prior agreements by or between the Parties shall be deemed to have merged into this MOU. If there are conflicting terms between this MOU and any documents merged into this MOU, this MOU shall supersede.

d. **Amendment or Modification.** This MOU cannot be amended or modified orally or by a single party. No amendment or modification to this MOU shall be valid unless in writing and signed by both Parties to this MOU.

e. ***Binding Nature and Assignment.*** This MOU shall bind the Parties and their respective successors in interest as may be permitted by law. Neither party to this MOU may assign their rights or obligations arising under this MOU without the prior written consent of the other party.

f. ***No Third Party Beneficiaries.*** This MOU is intended solely for the benefit of the Parties and not for the benefit of any other person or entity.

g. ***Counterparts.*** This MOU may be executed in multiple counterparts, and all such executed counterparts shall constitute the same MOU. The Parties agree that this MOU may be communicated by use of a fax or other electronic means, such as electronic mail and the internet, and that the signatures, initials and handwritten or typewritten modifications to any of the foregoing shall be deemed valid and binding upon the Parties as if the original signatures, initials and handwritten or typewritten modifications were present on the documents.

h. ***Captions.*** The section headings appearing in this MOU are for convenience of reference only and are not intended to any extent for the purpose, to limit or define the test of any section or any subsection hereof.

i. ***Severability.*** If any provision of this MOU is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this MOU shall nonetheless remain in full force and effect.

j. ***Waiver.*** No waiver of any provision of this MOU shall be effective unless in writing and signed by the party waiving its rights. No delay or omission by either party to exercise any right or remedy it has under this MOU shall impair or be construed as a waiver of such right or remedy. A waiver by either party of any covenant or breach of this MOU shall not constitute or operate as a waiver of any succeeding breach of the covenant or of any other covenant.

k. ***Applicable Law.*** This MOU is enforceable in the State of South Carolina and shall in all respects be governed by, and constructed in accordance with, the substantive Federal laws of the United States and the laws of the State of South Carolina. Any claims for default, non-performance or other breach shall be filed in Beaufort County, South Carolina.

(Signature Page to Follow)

IN WITNESS WHEREOF, and in acknowledgement that the Parties hereto have read and understood each and every provision hereof, the Parties have caused this MOU to be executed on the Effective Date.

WITNESSES:

BEAUFORT COUNTY

Eric L. Greenway
Beaufort County Administrator

WITNESSES:

BEAUFORT COUNTY OPEN LAND TRUST, LLC

Kristin Williams
Executive Director



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
Resolution – Broadband Everywhere – Category 3 (BE-CAT3) Grant Program
MEETING NAME AND DATE:
Community Services and Land Use Committee (T)
PRESENTER INFORMATION:
Patrick Hill – ACA Communications and IT 10 Minutes for Q & A
ITEM BACKGROUND:
This program is designed to aid residents without broadband access where the cost of extending to the home is a barrier for service from the provider. Beaufort County aims to use ARPA funds allocated for Broadband to fund the construction of a service drop to homes that have been denied service from the provider due to construction build costs.
PROJECT / ITEM NARRATIVE:
FISCAL IMPACT:
700,000.00 from ARPA funds to be used for Broadband assistance.
STAFF RECOMMENDATIONS TO COUNCIL:
Approval
OPTIONS FOR COUNCIL MOTION:
(Motion to approve/deny “item title”) (Move forward to Council for First Reading/Approval/Adoption on date?)

RESOLUTION NO. 2023 /

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO INITIATE THE BE-CAT3 GRANT PROGRAM TO ASSIST WITH BROADBAND EFFORTS IN BEAUFORT COUNTY

WHEREAS, Beaufort County Government has been working to bring high-speed internet to rural areas but has faced challenges due to geography, topography, and rural distance.

WHEREAS, Beaufort County identified three categories of unserved areas in Beaufort County, and took several actions to address the needs related to CATEGORY 1 and 2, and

WHEREAS, in an effort to address CATEGORY 3 needs, those living down long driveways or private roads where the cost of extending to the home is a barrier for service, the County has developed a local grant program called BE-CAT3 to provide financial assistance to CATEGORY 3 residents, and

WHEREAS, the program aims to use ARPA SLFRF funds for the construction of a Service Drop, which will connect a home at the end of a long, private driveway or private road to the existing broadband network that runs along a primary road, and

WHEREAS, funding awarded through BE-CAT3 will be based on several factors, including the Internet Service Provider’s (ISP’s) ability to provide service, the length of the private road/long driveway, and the cost estimate for the Service Drop, and

WHEREAS, the maximum amount the County will contribute for any Service Drop is \$15,000, and any Service Drops funded through BE-CAT3 must be completed on or before December 30, 2024.

NOW, THEREFORE, be it resolved that Beaufort County Council, duly assembled, does hereby authorize the County Administrator to initiate the BE-CAT3 Grant Program in the amount of 700,000.00 to cease when allocated funding has been depleted or the date of December 30, 2024, has been reached.

Adopted this ___ day of ____ 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, Clerk to Council



**INFORMATION TECHNOLOGY
&
COMMUNICATIONS DIVISION
BROADBAND
BE-CAT3 GRANT PROGRAM**

1.0 Introduction

Beaufort County Government has been working to bring high-speed internet to rural areas but has faced challenges due to geography, topography, and rural distance. Since 2020, County staff, with support from County Council and the State of South Carolina, have dedicated resources to bring access to high-speed internet to previously unserved areas. Beaufort County has identified defined three categories of unserved areas in Beaufort County:

- **CATEGORY 1** – no existing broadband infrastructure in the area
- **CATEGORY 2** – “unserved pockets” in areas where broadband infrastructure exists but has not been extended due to area not meeting cable provider’s density requirements
- **CATEGORY 3** – long driveways or private roads where the cost of extending to the home is a barrier for service.

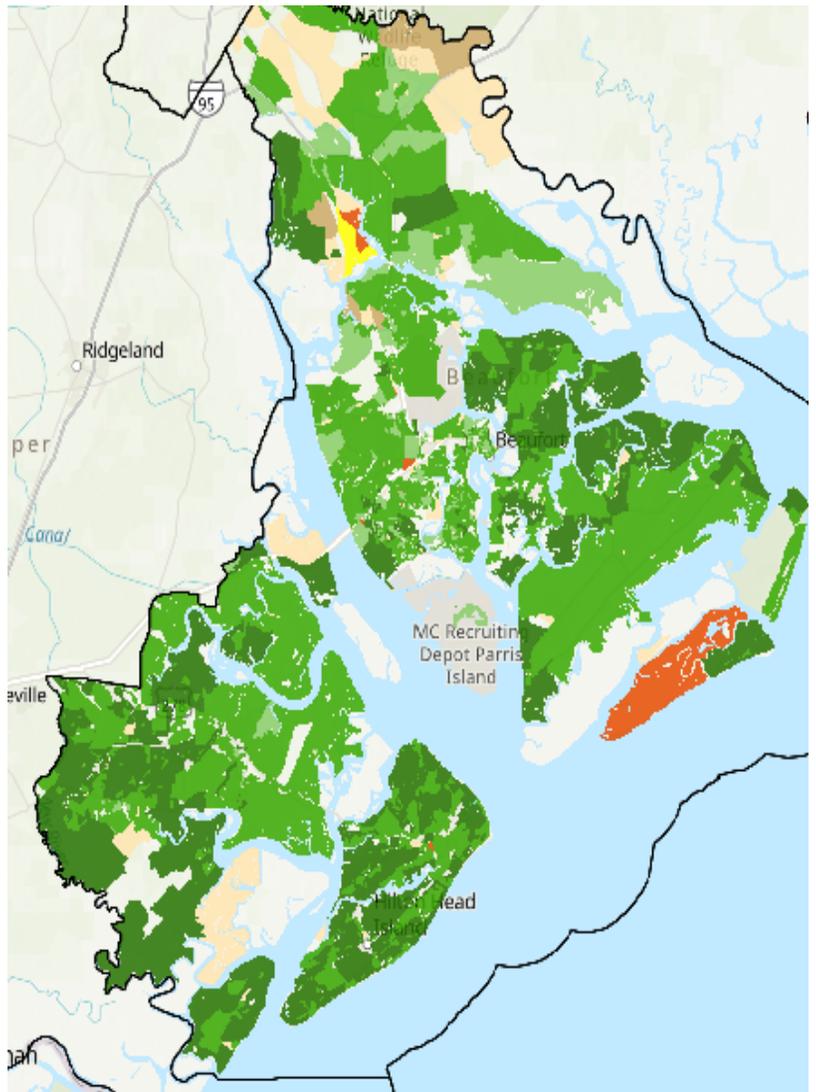
Beaufort County took several actions to address the needs related to CATEGORY 1 and 2. They collaborated with local ISPs, contacted the SC Office of Regulatory Staff (ORS), and wrote letters of support for ISP grant applications. Additionally, Beaufort County added the ORS ‘I Need Internet’ and ‘I Need Better Internet’ web page links on the Beaufort County official website, which allowed citizens to report their broadband needs to the state, and issued awareness press releases. As a result of these efforts, the County has witnessed significant progress in expanding broadband coverage across the entire county since January 2020. Some notable milestones have been:

- In 2020 Hargray received 700K to build out areas in Beaufort County.
 - [Lady’s Island, Cane Gibbs \(PDF\)](#)
 - [Lady’s Island, Coosaw \(PDF\)](#)
 - [Okatie, Hwy 170 \(PDF\)](#)
 - [Port Royal, St. Helena Island \(PDF\)](#)

Additional provider funded builds:

Seashell Dr (Saint Helena)
 Ashton Dr (Saint Helena)
 Bufflehead Ln (Bluffton)
 Lost Oaks Dr (Bluffton)
 Old Haig Point Rd (Daufuskie)
 Seabrook

- In 2021 Hargray received 131,098.00 towards broadband build-outs in Beaufort County. ([link](#))
- Grant support letters:
 - [USDA GRANT \(Hargray\)](#)
 - [SFRF GRANT \(PRTC\)](#)
 - [SFRF GRANT \(Comcast\)](#)



Sept 2022 Broadband Coverage
 GREEN = High-Speed Available

In an effort to address CATEGORY 3 needs, the County has developed a local grant program, BE-CAT3. The County's BE-CAT3 Grant Program, has been developed to address the Category 3 properties identified above. Funding the broadband construction to homes that have long driveways or connected to private roads is a unique opportunity for residents of the county. Funding will come from [ARPA SLFRF](#) funds. The County will closely monitor the program and may need to make changes or updates to the requirements documented within the program. The County reserves the right to update the dates, funding, criteria, and any other item within this document due to the unique nature of the program.

2.0 Definitions

BROADBAND refers to high-speed internet with a download speed of at least 25 megabits per second (Mbps) and an upload speed of at least 3 Mbps, according to the Federal Communications Commission's definition. **SERVICE DROP** is the final stage of fiber/cable installation, typically along a driveway or a private road, which connects the home to the network. The ISP determines the appropriate construction method and route for the Service Drop, and residents are not allowed to choose the method or route of installation.

INTERNET SERVICE PROVIDER (ISP) is a company that provides access to the internet. In Beaufort County, there are three ISPs: Comcast Xfinity, Brightspeed/Centurylink, and CableOne/Hargray.

BE-CAT3 - Broadband Everywhere: Category 3 Grant Program aims to provide broadband internet access to areas that lack it.

3.0 Program Guidelines

The Beaufort County Government has established the private road/long driveway - Category 3 Grant Program (BE-CAT3) to provide financial assistance to Category 3 residents. The program aims to fund the construction of a Service Drop, which will connect a home at the end of a long, private driveway or private road to the existing broadband network that runs along a primary road.

To be eligible for BE-CAT3 funding, residents must lack access to broadband service, and their service location must not have existing high-speed internet service from one of the County's current ISPs, including but not limited to: PRTC, Comcast Xfinity, Brightspeed/Centurylink, Spectrum, and CableOne/Hargray.

Moreover, to be eligible for BE-CAT3, an ISP must have a network that runs on the primary road to which the private road or long driveway connects. The ISP must also be able to provide service to the location and be willing to partner with the County on this initiative. The resident must be willing to sign up for service once the connection is established.



Funding awarded through BE-CAT3 will be based on several factors, including the ISP's ability to provide service, the length of the private road or long driveway, and the cost estimate for the Service Drop. Any Service Drops funded through BE-CAT3 must be completed on or before December 30, 2024.

The BE-CAT3 program will expire on December 30, 2024 or when funding dedicated to the program has been depleted.



3.1 HERE ARE THE STEPS TO OBTAIN BE-CAT3 FUNDING:

- 1) Residents must apply for BE-Cat3 on the Beaufort County Government website (www.BeaufortCountySC.gov).
- 2) The County will forward the resident's information to the appropriate ISP(s).
- 3) The ISP will contact the County to verify that:
 - a. Their network infrastructure passes within a reasonable distance to the resident's home.
 - b. A Service Drop and build-out can be constructed to the resident's home.
 - c. Provide a cost estimate for the construction. Note that ISPs are private, independent, and for-profit companies. The County has no input or control over the quotes provided by the ISPs.
- 4) Once the County and the ISP have determined that all the criteria in step 3 have been met, the resident will work directly with the ISP to install the necessary infrastructure to provide broadband. Each ISP has a unique process to obtain service utilizing BE-CAT3, and the resident will need to work directly with the ISP to obtain service.
- 5) The resident will pay their portion of the cost directly to the ISP, and the ISP will bill the County for its portion of the cost.
- 6) The maximum amount the County will contribute for any Service Drop is \$15,000.

The resident is responsible for paying the remaining balance of the service drop charge. The resident's contribution will be due based on the ISP's unique billing procedures and terms and conditions.

3.2 BE-CAT3 FUNDING FORMULA

- 1) The County's funded amount cannot exceed the total cost of the Service Drop.
- 2) The County will pay 90% of the cost of the Service Drop. The County's 90% portion cannot exceed \$15,000.
- 3) The resident is responsible for paying 10% of the cost of the service drop.

3.3 SPECIAL CONSIDERATIONS AND EXCEPTIONS

- 1) In order for the ISP to install the Service Drop, the resident may need to grant an easement that allows the ISP to use a portion of their land for construction or maintenance purposes. It's important to note that the homeowner

3.4 GRANT APPLICATIONS

- 1) Grant applications will be selected by the BE-CAT3 grant award committee.
- 2) The BE-CAT3 grant program will cease when allocated funding has been depleted.
- 3) Grant application awards will be based on a number of criteria, such as build out feasibility, surrounding area impact, and provider future expansion.

**For questions about the BE-CAT3 program, please email information.
technology@beaufortcountysc.gov**



Broadband Everywhere – Category 3 (BE-CAT3) Grant Application

Item 18.

The Broadband Everywhere – Category 3 Grant Program (BE-CAT3) has been established by Beaufort County to assist residents in areas without access to broadband. The program provides financial support for the construction of service drops that connect homes to an existing broadband network, with partial funding available when the broadband provider is unwilling to cover the cost to build out to the home.

To qualify for the BE-Cat3 grant, the following criteria must be met:

- The primary road connecting to the rural road or long-driveway where the grant applicant's home is located must be serviced by a County ISP (PRTC, Comcast Xfinity, BrightSpeed/Centurylink, Spectrum, or CableOne/Hargray).
- The ISP must be capable of providing service to the home.
- The ISP must be willing to collaborate with the County on the service drop construction.
- The homeowner must agree to a length of service broadband subscription to the service provider.

For more information on the program, please refer to the [program documentation](#).

If you think your home is eligible for this grant, please complete the form below with the necessary information.

Your application will be reviewed for eligibility based upon the grant's requirements.

Applicants will be notified via email on the acceptance of their grant application.

Applicant First Name	Applicant Last Name
<input type="text"/>	<input type="text"/>
Applicant Address	
<input type="text"/>	
Applicant Email	Applicant Phone
<input type="text"/>	<input type="text"/>
Based on our data, your local provider is: {Provider}. Have you contacted them for broadband and were declined?	
<input type="radio"/> Yes	
<input type="radio"/> No	

Disclaimer: Completing this application does not automatically qualify your broadband build for funding. Please contact information.technology@beaufortcountysc.gov for questions regarding the program.



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF TAX MAP SERIAL NUMBER R710 012 000 0001 0000 AND R710 012 000 0072 0000 ALSO KNOWN AS COTTON HALL
MEETING NAME AND DATE:
Land Use and Community Services Committee, June 12, 2023
PRESENTER INFORMATION:
Ms. Kate Schaefer, Director of Land Protection, Beaufort County Open Land Trust - RCLP Program (5 minutes)
ITEM BACKGROUND:
Rural and Critical Land Preservation Board recommended to pursue due diligence on 3/23/23, Land Use and Community Services Committee recommended due diligence on 4/10/23, RCLP board recommended to purchase both property's on 6/8/23.
PROJECT / ITEM NARRATIVE:
Due Diligence on the Cotton Hall Fee property represents a partnership with the SC Conservation Bank and Open Space Institute to purchase land for Beaufort County ownership and public access in the ACE Basin. The property is adjacent to RCLP protected property, shares highway access along Highway 17 in Sheldon neighborhood and offers a total of 527 acres with amenities for public access including water features and open agricultural fields. The proposed purchase includes purchasing two tracts of land from the Open Space Institute, real properties identified as TMS R710 012 000 0001 0000 (231 Acres) and R710 012 000 0072 0000 (295 Acres) and also known as Cotton Hall for up to \$4,500,000.
FISCAL IMPACT:
Up to \$4,500,000 plus closing costs (Account # 4500)
STAFF RECOMMENDATIONS TO COUNCIL:
Staff recommended approval.
OPTIONS FOR COUNCIL MOTION:
Motion to approve purchase of Cotton Hall Fee parcels Motion to modify purchase of Cotton Hall Fee parcels Motion to reject purchase of Cotton Hall Fee parcels

RESOLUTION 2023/_____

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF TAX MAP SERIAL NUMBER R710 012 000 0001 0000 AND R710 012 000 0072 0000, ALSO KNOWN AS COTTON HALL

WHEREAS, Seller wishes to sell, and Purchaser wishes to purchase the development rights on properties currently identified as R710 012 000 0001 0000 AND R710 012 000 0072 0000 consisting of +/- 526 acres and also known as Cotton Hall Fee; collectively hereinafter “Cotton Hall” and

WHEREAS, the fee simple purchase Cotton Hall has been demonstrated to meet the Critical Lands Criteria of the Rural and Critical Lands Program (“RCLP”); and

WHEREAS, the Property contributes to the extensive network of protective wildlife corridors, the protection of water quality in the ACE Basin and Port Royal Sound watersheds, and the scenic natural and rural character of the area, including two miles of frontage along Highway 17; and

WHEREAS, the Property is proximate to Rural and Critical Land Preservation Program conservation easements at Stony Creek at Bindon Plantation (1,317 acres) and private conservation on Tomotley Plantation (770 acres) and others in the ACE Basin area, and

WHEREAS, the proposal to purchase Cotton Hall is for a fee simple acquisition with a purchase price up to \$4,500,000.00 plus closing costs; and

WHEREAS, the proposed purchase of Cotton Hall was presented to the Rural and Critical Land Preservation Board (RCLPB) at the **June 8, 2023, meeting and the RCLPB unanimously recommended approval of the purchase;** and

WHEREAS, the proposed purchase of Cotton Hall was presented to the **Community Services and Land Use Committee on June 12, 2023 meeting at which time it was referred to County Council;** and

WHEREAS, 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 necessary documents for the fee simple acquisition and purchase of Cotton Hall;

NOW, THEREFORE, BE IT RESOLVED that Beaufort County Council, duly assembled, does hereby authorize the County Administrator to execute the necessary documents and provide funding up to \$4,500,000 plus closing costs from Rural and Critical Lands funds for the fee simple purchase of real properties identified as TMS R710 012 000 0001 0000 AND R710 012 000 0072 0000 and also known as Cotton Hall.

Adopted this ____ day of _____, 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____

Joseph Passiment, Chairman

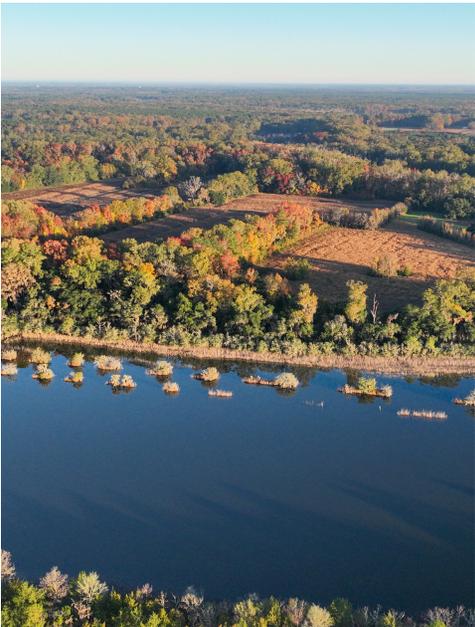
ATTEST:

Sarah W. Brock, Clerk to Council

Cotton Hall Fee

- PROPERTY ID: TMS# **R710 012 000 0001 0000 AND R710 012 000 0072 0000**
- OWNER: Open Space Institute (OSI)
- ACREAGE: 527 acres
- PARTNERS: SC Conservation Bank, Open Space Institute
- TOTAL PRICE: \$5,949,900
- PRICE Negotiated/Acre: \$11,290
- RCLPP FUNDS: \$4,449,900
- ZONING: T2 Rural
- COUNCIL DISTRICT: 1 (Dawson)
- LOCATION: 100 Cotton Hall Road (Gardens Corner, Northern Beaufort County)

Cotton Hall Fee



Images courtesy of Crosby Land Company



LEGEND
 CM = CONCRETE FOUND
 CMS = CONCRETE SET
 RES = 5" V. REBAR SET
 RSP = REBAR FOUND
 RFL = IRON PIPE FOUND
 TF = TELEPHONE FIBERGLASS
 OPL = OVERHEAD POWER
 S = SPOT ELEVATION
 R/W = RIGHT OF WAY
 TM = TANK MAP
 PB = PLAT BOOK
 RB = REED BOOK
 POB = POINT OF BEGINNING
 Z = SPOT ELEVATION
 C/L = CENTERLINE
 P/L = POWER POLE
 OML = OLD MARKED LINE

LINE TABLE

LINE	LENGTH	BEARING
L1	15.00	S47°E 09"W
L2	150.00	N42°E 31"W
L3	2.00	N47°39'04"E
L4	100.00	N42°E 31"W
L5	2.00	S47°E 09"W
L6	26.00	N47°E 09"E
L7	62.00	N42°E 14"W
L8	16.00	S47°E 11'02"W
L9	68.71	N51°02'38"W
L10	23.97	S89°57'54"W
L11	115.58	N51°08'53"W
L12	21.00	N45°E 35"E
L13	31.00	S45°E 35"W
L14	14.00	N45°E 35"E
L15	14.00	N45°E 35"E
L16	292.49	N48°E 24"W
L17	302.28	N44°06'31"W
L18	2.00	N41°E 06"E
L19	2.00	N47°07'11"E
L20	5.00	N47°E 12"E
L21	132.61	S89°08'41"E
L22	221.82	S42°E 07"E
L23	103.86	S50°09'13"W
L24	23.67	S50°08'35"E
L25	24.31	N84°E 22'05"E
L26	121.49	S70°E 13'58"E

CURVE TABLE

CURVE	LENGTH	RADIUS	TANGENT	BEARING	CHORD
C1	339.81	618348.85	169.81	S42°07'07"E	339.81
C2	300.00	618345.38	150.00	S42°44'58"E	300.00
C3	300.00	618348.32	150.00	S42°44'48"E	300.00
C4	131.80	618348.85	65.90	S42°44'21"E	131.80
C5	301.42	20867.72	150.71	N43°21'23"W	301.42
C6	298.60	20867.72	149.30	N44°02'06"W	298.60



Highway Corridor Overlay District Disclosure
 At the time of certification, this property or portions of this property fall within the Town of Yemassee Highway Corridor Overlay District and is subject to the provisions outlined in Section 5.17 of the Town of Yemassee Development Standards Ordinance.
 Certified By: M. Garne
 Date: April 21, 2023

River Protection Overlay District Disclosure
 At the time of certification, this property or portions of this property fall within the Town of Yemassee River Protection Overlay District and is subject to the provisions outlined in Section 5.25 of the Town of Yemassee Development Standards Ordinance.
 Certified By: M. Garne
 Date: April 21, 2023

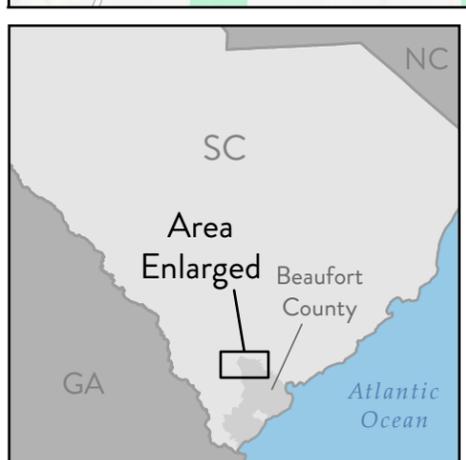
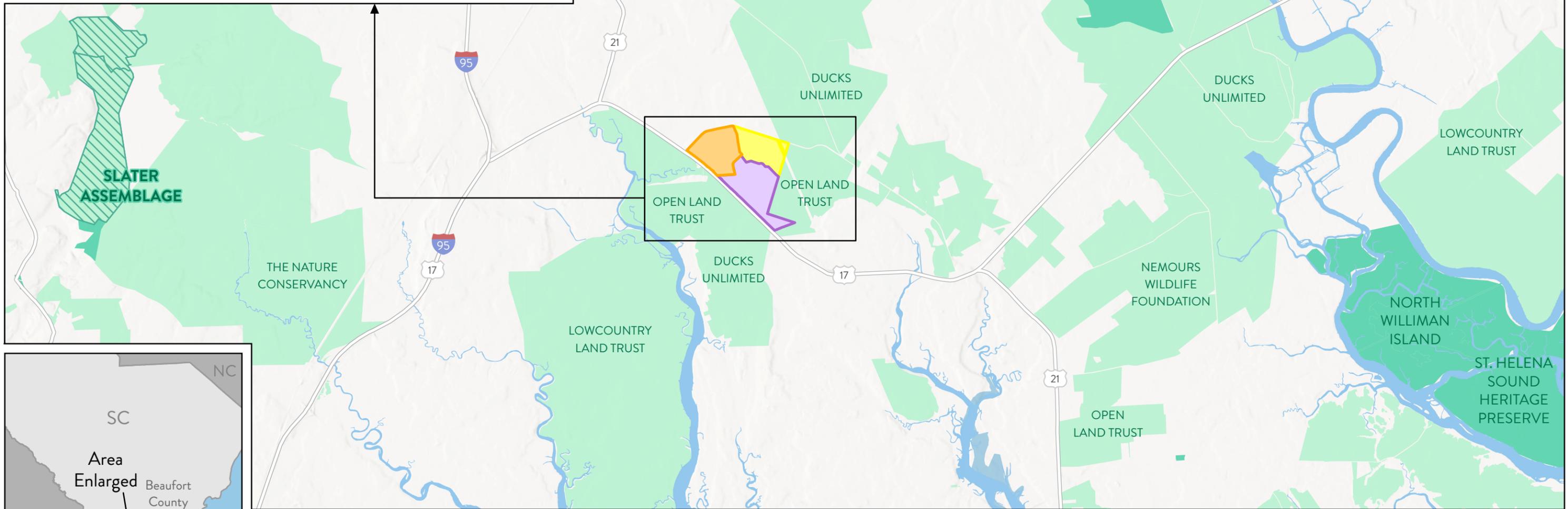
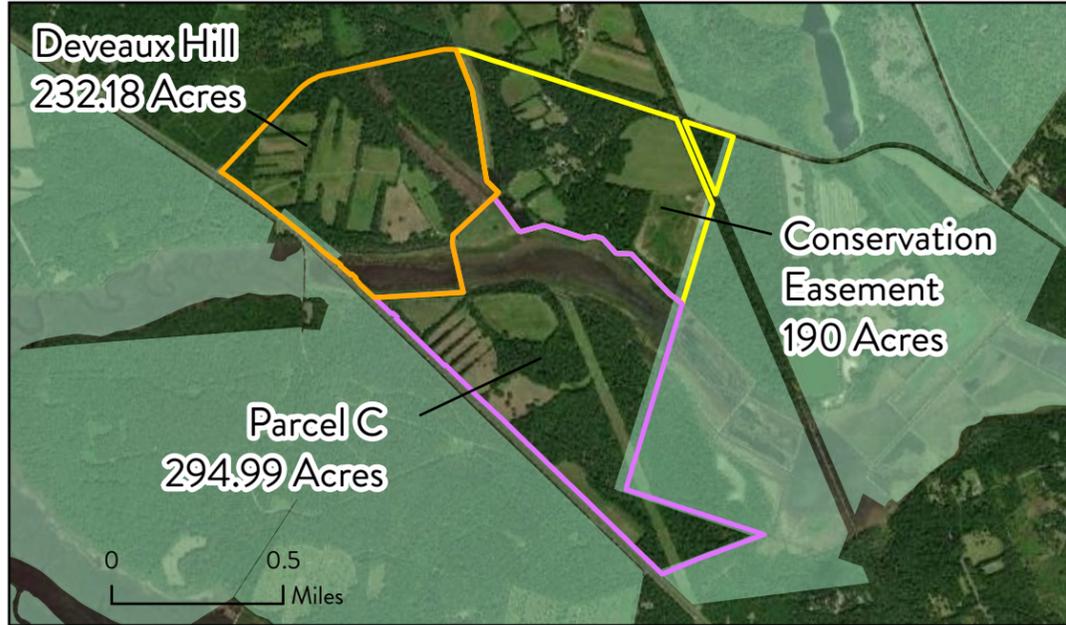
This plat of property is exempt from having to obtain subdivision approval under the provision of the Town of Yemassee Zoning Ordinance.
 Certified By: M. Garne
 Date: April 21, 2023



019464
 BEAUFORT COUNTY SC - R00
 861161 19/106
 2023018464 PLAT
 06/12/2023 09:10:16 AM
 REC'D BY: Remy RCP/W 127868

THIS PLAT PREPARED AT THE REQUEST OF
 THE TOMOTLEY CREW, LLC
 A DIVISION OF TAX MAP # R710 012 000 001 0000,
 SHELTON AREA, BEAUFORT COUNTY, SOUTH CAROLINA

REFERENCE:
 1.) DEED BOOK 3923 PAGE 539
 2.) DEED BOOK 3859 PAGE 1706
 3.) PLAT BOOK 40 PAGE 41
 4.) PLAT BOOK 142 PAGE 1



- Cotton Hall - Deveaux Hill Parcel
- Cotton Hall Conservation Easement
- Public Protected Land
- Private Protected Land
- Cotton Hall - Parcel C
- Current OSI-Protected Land

