



## County Council Meeting Beaufort County, SC

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

Monday, June 26, 2023  
5:00 PM

### AGENDA

#### COUNCIL MEMBERS:

JOSEPH F. PASSIMENT, CHAIRMAN  
DAVID P. BARTHOLOMEW  
LOGAN CUNNINGHAM  
YORK GLOVER  
MARK LAWSON  
ANNA MARIA TABERNIK

LAWRENCE MCELYNN, VICE CHAIR  
PAULA BROWN  
GERALD DAWSON  
ALICE HOWARD  
THOMAS REITZ

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE AND INVOCATION- Council Member Gerald Dawson
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- May 8, 2023
6. ADMINISTRATOR'S REPORT

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#### CITIZEN COMMENTS

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[7.](#) **CITIZEN COMMENTS PERIOD - 15 MINUTES TOTAL**

*Anyone who wishes to speak during the Citizen Comment portion of the meeting will limit their comments to AGENDA ITEMS ONLY 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.*

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#### COMMITTEE REPORTS

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8. LIASION AND COMMITTEE REPORTS

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#### PUBLIC HEARINGS AND ACTION ITEMS

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9. APPROVAL OF CONSENT AGENDA

**10. TIME-SENSITIVE ITEM ORIGINATING FROM THE JUNE 26TH PUBLIC FACILITIES AND SAFETY COMMITTEE-** FIRST READING OF AN ORDINANCE AMENDING ORDINANCE 2022/45 BY REMOVING THE PROPERTY LOCATED AT 68 HELMSMAN WAY WITH TMS NO. R552 010 000 0309 0000 AND OTHER MATTERS RELATED THERETO

**11. TIME-SENSITIVE ITEM ORIGINATING FROM THE JUNE 26TH PUBLIC FACILITIES AND SAFETY COMMITTEE-** APPROVAL OF A RESOLUTION TO APPROVE THE USE OF TRANSPORTATION IMPACT FEES FOR A CONTRACT AWARD TO W.M. ROEBUCK, INC. FOR THE CONSTRUCTION OF A TEMPORARY WOOD POLE TRAFFIC SIGNAL AT THE INTERSECTION OF US 278 AND CROSSTREE DRIVE/GATEWAY DRIVE (WINDMILL HARBOUR) USING SCDOT'S STATEWIDE CONTRACT (\$500,000.00)

**12. TIME-SENSITIVE ITEM ORIGINATING FROM THE PUBLIC FACILITIES AND SAFETY COMMITTEE-** APPROVAL OF A RESOLUTION TO APPROVE THE USE OF TRANSPORTATION IMPACT FEES FOR A CONTRACT AWARD TO W.M. ROEBUCK, INC. FOR IFB #053123 CONSTRUCTION OF MAST ARM INTERSECTION AT BLUFFTON PARKWAY, FLAY CREEK DR, AND RIVER RIDGE DR (**FISCAL IMPACT: \$384,984.60**)

**13.** PUBLIC HEARING AND SECOND READING 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

*Vote at First Reading on June 12, 2023- 10:0*

**14.** PUBLIC HEARING AND SECOND READING 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

*Vote at First Reading on June 12, 2023- 8:2*

**15.** PUBLIC HEARING AND SECOND READING OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE ("CDC") APPENDIX B:- THE DAUFUSKIE ISLAND COMMUNITY DEVELOPMENT CODE, TO AMEND DIVISION B.3, SECTION B.3.20 (CONSOLIDATED LAND USE TABLE AND LAND USE DEFINITIONS), AND TO ADD A NEW SECTION B.3.30 (OTHER STANDARDS) AND A NEW SUBSECTION B.3.30.A (SHORT-TERM RENTAL) TO ALLOW THE USAGE OF SHORT-TERM RENTALS AS A SPECIAL USE IN D2 RURAL, D2R-CP (RURAL-CONVENTIONALLY PLATTED), D2R-GH (RURAL-GULLAH HERITAGE), AND D3 GENERAL NEIGHBORHOOD, AND A PERMITTED USE IN D4 MIXED USE, D5 VILLAGE CENTER, AND D5 GENERAL COMMERCIAL

*Vote at First Reading on June 12, 2023- 9:1*

**16.** FIRST READING 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)

*(Recommendation from Community Service and Land Use Committee on June 12th was to deny zoning map amendment/rezoning request 7:0)*

**17.** FIRST READING 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



*(Recommendation from Community Service and Land Use Committee on June 12th was to deny zoning map amendment/rezoning request 6:1)*

- [18.](#) FIRST READING OF AN ORDINANCE AUTHORIZING THE FRIPP ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA TO ISSUE NOT EXCEEDING \$5,250,000 OF GENERAL OBLIGATION BONDS SUBJECT TO VOTER APPROVAL, PROVIDING FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION; AND PROVIDING FOR OTHER MATTERS RELATED THERETO
- [19.](#) APPROVAL OF A RESOLUTION ORDERING A PUBLIC HEARING TO BE HELD ON THE ISSUANCE OF NOT EXCEEDING \$5,250,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE FRIPP ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO
- [20.](#) 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
- [21.](#) APPROVAL OF 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
- [22.](#) 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)
- [23.](#) APPROVAL OF A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR TO INITIATE THE BE-CAT3 GRANT PROGRAM TO ASSIST WITH BROADBAND EFFORTS IN BEAUFORT COUNTY

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### CITIZEN COMMENTS

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**24. 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.*

**25. ADJOURNMENT**

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## CONSENT AGENDA

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### Items Originating from the Community Services and Land Use Committee

1. THIRD READING OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): DIVISION 4.2.20 (GENERAL STANDARDS AND LIMITATIONS) TO CLARIFY CONNECTIVITY STANDARDS FOR PRIMARY STRUCTURES REGARDING BUILDING CONNECTIONS; DIVISION 4.2.30 (ACCESSORY/SECONDARY DWELLING UNIT) TO MODIFY ALLOWABLE DENSITY TO PROVIDE OPPORTUNITY FOR AN ADDITIONAL ACCESSORY DWELLING UNIT AND TO PROVIDE FLEXIBILITY FOR AREA OF UNITS; DIVISION 4.1.360 (SHORT-TERM RENTALS) TO MODIFY GENERAL STANDARDS TO ALLOW ONLY A PRINCIPAL DWELLING UNIT OR AN ACCESSORY DWELLING UNIT AS A SHORT-TERM RENTAL ON A SINGLE PARCEL

*Vote at First Reading on May 22, 2023- 11:0*

*Vote at Public Hearing and Second Reading on June 12, 2023- 10:0*

### Items Originating from the Finance, Administration and Economic Development Committee

2. THIRD READING OF AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAX FOR SCHOOL PURPOSES FOR BEAUFORT COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024, AND TO MAKE APPROPRIATIONS FOR SAID PURPOSES.

*Vote at First Reading on May 22, 2023- 11:0*

*Vote at Public Hearing and Second Reading on June 12, 2023- 10:0*

3. ARPA – GOOD NEIGHBOR PROGRAM – YEMASSEE FUNDING REQUESTS
4. AGENCIES, BOARDS, AND COMMISSIONS APPOINTMENTS & REAPPOINTMENTS

### Items Originating from the Public Facilities and Safety Committee

5. THIRD READING OF AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF, AND GRANT EASEMENTS ON, A PORTION OF REAL PROPERTY LOCATED ON HIGHWAY 170 WITH TMS NO. R600 008 000 0005 0000; TO GRANT AN EASEMENT ON A PORTION OF REAL PROPERTY KNOWN AS THE COOLER TRACT; AND OTHER MATTERS RELATED THERETO

*Vote at First Reading on May 22, 2023- 11:0*

*Vote at Public Hearing and Second Reading on June 12, 2023- 10:0*

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## END OF CONSENT AGENDA

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

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



## County Council Meeting Beaufort County, SC

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

Monday, May 08, 2023  
5:00 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/226602>

#### 1. CALL TO ORDER

Chairman Passiment called the meeting to order at 5:00 PM.

#### PRESENT

Chairman Joseph F. Passiment  
Vice-Chairman Lawrence McElynn  
Council Member David P. Bartholomew  
Council Member Paula Brown  
Council Member Logan Cunningham  
Council Member Gerald Dawson  
Council Member York Glover  
Council Member Alice Howard  
Council Member Mark Lawson  
Council Member Thomas Reitz  
Council Member Anna Maria Tabernik

#### 2. PLEDGE OF ALLEGIANCE AND INVOCATION

Chairman Passiment led the Pledge of Allegiance, and Council Member Brown led the Invocation.

#### 3. FOIA

Chairman Passiment 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 Council Member Cunningham, seconded by Council Member Tabernik, to approve the agenda.

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

#### 5. APPROVAL OF MINUTES

**Motion:** It was moved by Council Member Glover, seconded by Council Member Bartholomew, to approve the minutes of March 27, 2023.

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

## 6. ADMINISTRATOR'S REPORT

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

<https://beaufortcountysc.new.swagit.com/videos/226602?ts=165>

County Administrator Greenway highlighted two employees, Stefanie Nagid with the Planning and Zoning Department and Robert Smalls with the Detention Center.

## 7. PRESENTATION OF A PROCLAMATION BY COUNCIL MEMBER YORK GLOVER TO THE BEAUFORT COUNTY DETENTION CENTER RECOGNIZING MAY 7TH - MAY 13TH AS CORRECTIONAL OFFICER'S WEEK

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

<https://beaufortcountysc.new.swagit.com/videos/226602?ts=504>

Council Member Glover presented a proclamation to the Beaufort County Detention Center, recognizing May 7th - May 13th as Correctional Officer's Week.

## 8. CITIZEN COMMENTS PERIOD

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

<https://beaufortcountysc.new.swagit.com/videos/226602?ts=777>

1. Christina Gwozdz
2. Skip Hoagland
3. Queen Quet
4. Arnold Brown
5. Faith Rivers James
6. Elvio Tropeano
7. Jack Smith

## 9. LIASION AND COMMITTEE REPORTS

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

<https://beaufortcountysc.new.swagit.com/videos/226602?ts=2134>

Council Member Brown commented on her attendance at a Southern Carolina Regional Development Alliance meeting and how she took over former Council Member Paul Sommerville's unexpired term.

Council Member Howard commented on the number of visitors to the Cyprus Wetlands and its status as a tourist attraction.

Council Member Cunningham commented on the agenda item that dealt with the contract for dirt road rocking of county-owned roads on Daufuskie Island.

Council Member Tabernik commented on the Citizen Led Oversight Committee's monitoring of the 2019 referendum project funding and the proposed budget presentation at the School Board meeting.

Council Member Dawson commented on the April 27 Lowcountry Council of Governments Board of Directors meeting, including presentations on funding to address broadband and brownfield issues, and asked the County administration to follow up on these presentations.

**10. APPROVAL OF CONSENT AGENDA**

**Motion:** It was moved by Council Member Cunningham, seconded by Council Member Bartholomew, to approve the consent agenda.

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

**11. TIME-SENSITIVE ITEM ORIGINATING FROM THE MAY 8TH FINANCE, ADMINISTRATION, AND ECONOMIC DEVELOPMENT COMMITTEE- FIRST READING OF AN ORDINANCE (BY TITLE ONLY) TO MAKE APPROPRIATIONS FOR COUNTY GOVERNMENT AND SPECIAL PURPOSE DISTRICTS FOR BEAUFORT COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024; TO LEVY TAXES FOR THE PAYMENT THEREOF; TO ADOPT LAW ENFORCEMENT UNIFORM SERVICE CHARGES/ USER FEE; TO PROVIDE FOR THE EXPENDITURE OF SAID TAXES AND OTHER REVENUES COMING INTO THE COUNTY; TO PROVIDE FOR THE EXPENDITURE OF SAID LAW ENFORCEMENT UNIFORM SERVICE CHARGES/ USER FEE; AND OTHER MATTERS RELATED THERETO**

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

<https://beaufortcountysc.new.swagit.com/videos/226602?ts=2496>

**Motion:** It was moved by Council Member Lawson, seconded by Council Member Brown, to approve the first reading of an ordinance (by title only) to make appropriations for county government and special purpose districts for Beaufort County for the fiscal year beginning July 1, 2023, and ending June 30, 2024; to levy taxes for the payment thereof; to adopt law enforcement uniform service charges/ user fee; to provide for the expenditure of said taxes and other revenues coming into the county; to provide for the expenditure of said law enforcement uniform service charges/ user fee; and other matters related thereto.

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

**12. TIME-SENSITIVE ITEM ORIGINATING FROM THE MAY 8TH FINANCE, ADMINISTRATION, AND ECONOMIC DEVELOPMENT COMMITTEE- APPROVAL OF A RESOLUTION TO EXPRESS BEAUFORT COUNTY COUNCIL'S SUPPORT FOR THE SOUTH CAROLINA GENERAL ASSEMBLY TO TAKE THE NECESSARY STEPS TO AMEND THE SOUTH CAROLINA CODE OF LAWS TO VEST BUDGET AUTHORITY AND MILLAGE RATE SETTING AUTHORITY FOR THE OPERATION OF THE SCHOOLS IN BEAUFORT COUNTY WITH THE BEAUFORT COUNTY BOARD OF EDUCATION**

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

<https://beaufortcountysc.new.swagit.com/videos/226602?ts=2557>

**Motion:** It was moved by Council Member Howard, seconded by Council Member Tabernik, to approve a resolution to express Beaufort County Council's support for the South Carolina General Assembly to take the necessary steps to amend the South Carolina Code of Laws to vest budget authority and millage rate-setting authority for the operation of the schools in Beaufort County with the Beaufort County Board of Education.

**Discussion:** Council Member Cunningham commented on the need to assemble a team that supports teachers and staff and to continue growing the relationship between Beaufort County and the School District.

Council Member Glover voiced his support for the motion, saying it will serve as a check and balance for voter-elected School Board members.

Council Member Tabernik discussed the School Board authority in other counties and advocated for County Council to approve the item to allow the School Board to act independently to approve its budget and set the millage rate.

Council Member Lawson commented that the School Board should control its budget.

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

**13. PUBLIC HEARING AND SECOND READING OF AN ORDINANCE AUTHORIZING THE REDEMPTION OF THE OUTSTANDING BEAUFORT COUNTY, SOUTH CAROLINA GENERAL OBLIGATION BONDS, SERIES 2013A, AND OTHER MATTERS RELATED THERETO**

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

<https://beaufortcountysc.new.swagit.com/videos/226602?ts=2791>

Chairman Passiment opened the floor for public comment.

No one came forward.

The Chairman closed the public comment.

**Motion:** It was moved by Council Member Cunningham, seconded by Council Member Glover, to approve the public hearing and second reading of an ordinance authorizing the redemption of the outstanding Beaufort County, South Carolina General Obligation Bonds, Series 2013A, and other matters related thereto.

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

**14. PUBLIC HEARING AND THIRD READING OF AN ORDINANCE FOR A ZONING MAP AMENDMENT/REZONING REQUEST FOR 1 ACRE (R600 036 000 0369 0000) AT 3 BENTON LANE FROM T3 EDGE TO T2 RURAL CENTER**

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

<https://beaufortcountysc.new.swagit.com/videos/226602?ts=2847>

Chairman Passiment opened the floor for public comment.

1. Felicia Roth

The Chairman closed the public comment.

**Motion:** It was moved by Council Member Tabernik, seconded by Council Member Dawson, to approve the public hearing and third reading of an ordinance for a zoning map amendment/rezoning request for 1 acre (R600 036 000 0369 0000) at 3 Benton Lane from T3 Edge to T2 Rural Center.

**Discussion:** Council Members Tabernik and Reitz commented on a community meeting about the rezoning and the community feedback that they do not want the area rezoned, and the character changed.

Council Member Brown commented on expressions of support and opposition to this item and asked if those attending the community meeting had to have their addresses verified.

**The Vote – Voting Nay:** Council Member Tabernik, Council Member Dawson, Council Member Reitz, Council Member Lawson, Council Member Howard, Council Member Glover, Council Member Cunningham, Council Member Brown, Council Member Bartholomew, Vice-Chairman McElynn, Chairman Passiment. The motion failed by 0:11.

**15. THIRD READING OF AN ORDINANCE FOR TEXT AMENDMENTS TO THE COMMUNITY DEVELOPMENT CODE (CDC): ARTICLE 3, DIVISION 3.4, SECTION 3.4.50- CULTURAL PROTECTION OVERLAY (CPO); SECTION 3.4.10- PURPOSE; AND DIVISION 3.1, SECTION 3.1.70- 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/226602?ts=3486>

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

**Discussion:** Council Member Glover said that the community has made its wishes clear about development on the island.

Council Member Reitz highlighted that the Council represents the people, and he advocated for the community to meet with Mr. Tropeano to discuss development.

Council Member Cunningham and County Administrator Greenway discussed how gates on properties would be grandfathered in and how Saint Helena has gated driveways, not gated communities. Council Member Cunningham also commented on his hope for a dialogue between the property owner and the community because there will be development.

Council Members Brown and Glover discussed a meeting in April 2022 where Mr. Glover introduced Mr. Tropeano to Saint Helena community leaders and ministers to discuss the project.

Council Member Lawson said the vote is about strengthening the CPO and would impact all property development in Saint Helena.

**The Vote – Voting Yea:** Council Member Glover, Council Member Dawson, Council Member Tabernik, Council Member Reitz, Council Member Lawson, Council Member Howard, Council Member Bartholomew, Vice-Chairman McElynn, and Chairman Passiment. **Voting Nay:** Council Member Cunningham and Council Member Brown. The motion was approved by 9:2.

**16. CITIZEN COMMENT PERIOD**

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

<https://beaufortcountysc.new.swagit.com/videos/226602?ts=4518>

- 1. Robert New
- 2. Elvio Tropeano
- 3. Skip Hoagland
- 4. Lynn Greeley (Skip Hoagland delivered her remarks)

Council Member Glover raised concerns about how Skip Hoagland spoke twice for a total of 6 minutes.

**17. ADJOURNMENT**

Adjourned: 6:25 PM

COUNTY COUNCIL OF BEAUFORT COUNTY

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

ATTEST:



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Sarah W. Brock, Clerk to Council  
Ratified:



6/25/2023

Joe Passiment, Chairman  
Beaufort County Council  
100 Ribaut Rd  
Beaufort, SC 29902

Dear Chairman Passiment and Council Members,

Thank you for the opportunity to comment on behalf of the Coastal Conservation League. We submit the following comments regarding Agenda Item 17, a proposed zoning map amendment/rezoning request to remove the 502 acres known generally as Pine Island/St. Helenaville on St. Helena Island from the Cultural Protection Overlay (CPO) District and governing zoning standards.<sup>1</sup>

We urge Beaufort County Council to follow the recommendations of staff and a unanimous Planning Commission to **deny** this rezoning request because it is inconsistent with the Beaufort County 2040 Comprehensive Plan, it directly undermines the purpose and intent of the CPO zoning district, and it will result in significant adverse impacts to nearby lands, the natural environment, historic cultural resources, and the traditional rural land uses on St. Helena Island as a whole.<sup>2</sup>

**I. Zoning Standards Exist for a Reason**

The CPO is a community-based zoning tool that was adopted directly in response to the land conversion taking place on surrounding sea islands, specifically the golf resorts and gated communities spreading across Hilton Head Island and more acutely on Dataw Island, Fripp Island, and Harbor Island in Northern Beaufort County.<sup>3</sup> The St. Helena community made clear that they had a different vision for the future of their landscape.

**The CPO zoning district expressly prohibits golf courses, gated communities, and resort developments on St. Helena Island because these particular land uses are directly linked to skyrocketing property taxes, loss of history and culture, environmental degradation, and the displacement of Gullah/Geechee people.**<sup>4</sup> St. Helena Island is home to Beaufort County’s largest Gullah/Geechee community, and the intent of the CPO is to protect the island’s rural character and its cultural, natural, and historic resources, including the people themselves.

The CPO serves as additional protection over and above base T2Rural zoning and is unique to St Helena, developed by the St. Helena community in the 1990s and reinforced in years since. The overlay was established with the first Beaufort County Comprehensive Plan and has guided development for St.

<sup>1</sup> Beaufort County Community Development Code (CDC) Section 3.4.50.

<sup>2</sup> CDC Section 7.3.40.C.

<sup>3</sup> Notably, master planned communities like Dataw, Fripp and Harbor Islands had already obtained development approvals well before adoption of the 1999 zoning laws and Comprehensive Plan. Bay Point Vistas and Bermuda Bluff likewise had individually recorded subdivision entitlements that pre-dated these zoning laws and policies. These subdivisions are only relevant in demonstrating the wave of incompatible development which the CPO was created to prevent from proliferating across St. Helena Island.

<sup>4</sup> National Park Service. *Low Country Gullah Culture Special Resource Study and Final Environmental Impact Statement*. Atlanta, GA: NPS Southeast Regional Office, 2005. (available at: [https://www.nps.gov/ethnography/research/docs/ggsrs\\_book.pdf](https://www.nps.gov/ethnography/research/docs/ggsrs_book.pdf)) (referred to hereinafter as “NPS EIS Study”).

Helena for nearly three decades. On November 14, 2022, the County Council sat a CPO committee of St. Helena residents for the very purpose of reviewing and making recommendations to reinforce and strengthen these zoning standards in accordance with the County's 2040 Comprehensive Plan.<sup>5</sup> See "Attachment A" – excerpt from Beaufort County Council agenda materials.

On January 5, 2023, this Planning Commission unanimously recommended denial of a proposed text amendment to the CPO brought forward by county administration that would have created an exception from the overlay's prohibitions for properties over 50 acres that enter into a development agreement with the County. Shortly thereafter, the Community Services and Land Use Committee charged the CPO committee with reviewing the overlay's purpose and making recommendations to reinforce and improve the protections it provides to St. Helena and the surrounding sea islands. With help from Beaufort County's planning and legal departments, the CPO committee recommended clarifying amendments to the overlay's purpose and definitions to reinforce its original intent. On May 1, 2023, this Planning Commission unanimously recommended approval of the clarifying language to the CPO and on May 8, 2023, it was adopted by County Council.

The rezoning application to remove the 502-acre Pine Island/St. Helenaville property from the CPO district boundaries to build a luxury golf resort comes **immediately on the heels of Beaufort County reinforcing the purpose and protections of the overlay as requested by the hundreds of St. Helena Island landowners, businesses, and supporters over the past six months**. It stands to directly undermine this work and erode the integrity and effectiveness of the CPO as long-standing policy and a valid zoning overlay for St. Helena Island. It stands to directly weaken what Beaufort County Council just strengthened on May 8<sup>th</sup>.

**Allowing an exception for one property owner to develop the very uses prohibited by the overlay will set a dangerous precedent and open the flood gates for many similar requests to follow.**

While the Pine Island property has been used as a private family retreat and for private recreation for many years, it has never been a golf course, commercial resort, or gated community and therefore must not be grandfathered out of the CPO. It is a big leap to suggest that traditional recreational uses on this property like hunting, fishing, and timbering, which are compatible with the island's tradition and heritage, somehow justify the development of a brand-new golf course and resort development, which are directly incompatible with the island's character and uses.

Further, the rezoning would constitute **illegal spot zoning** because it will only benefit the property owner requesting the change to the detriment of neighboring owners and directly conflicts with the County's 2040 Comprehensive Plan.

## II. Inconsistency with Comprehensive Plan

As stated in the staff report, "*the 2040 Comprehensive Plan places great value in protecting the natural and cultural resources of St. Helena Island.*" In particular, the St. Helena Spotlight section<sup>6</sup> of the Plan explains that Beaufort County's Gullah/Geechee communities face unique challenges in the face of increased development pressure and that the "*Cultural Protection Overlay (CPO) District protects St. Helena Island from gentrification that 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.*"<sup>7</sup>

<sup>5</sup> Envision Beaufort County 2040 Comprehensive Plan ("Comp Plan"), available at: [https://www.beaufortcountysc.gov/council/comprehensive-plan/2040\\_CompPlan\\_Adopted.pdf](https://www.beaufortcountysc.gov/council/comprehensive-plan/2040_CompPlan_Adopted.pdf).

<sup>6</sup> Comp Plan, pages 36-38.

<sup>7</sup> Comp Plan, page 36. (emphasis added).

The Plan notes how rapid coastal development is the greatest threat to Gullah/Geechee communities, recognizing that high-end developments along waterfront properties make it difficult to access traditional fishing and hunting grounds and increase property taxes. Therefore, it recommends to: “Reevaluate the CPO District by assessing whether additional land use restrictions are necessary to meet the intent of the district.”<sup>8</sup>

Throughout these sections, the Comprehensive Plan reinforces the need for the public’s engagement in planning decisions, and the need for access to open spaces on the island. The plan is crystal clear about the dangers of incompatible development on St. Helena:

*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.*<sup>9</sup>

In addition, the Future Land Use Map for St. Helena Island evidences the community’s desire to retain its sense of place and rural way of life. The plan states: “St. Helena Island is one of Beaufort County’s cultural and environmental assets and the people who live there want to ensure it remains that way.”<sup>10</sup> This section further reinforces the need for public involvement in planning decisions and illustrates that the Pine Island/St. Helenaville property should retain its rural designation and location within the CPO district boundaries.

**ST. HELENA ISLAND**

St. Helena Island is one of Beaufort County’s greatest cultural and environmental assets and the people who live there want to ensure it remains that way. Planning for St. Helena must be a community-based process in order to protect the area’s unique Gullah/Geechee culture. Plans and programs must be developed carefully and thoughtfully so that the island way of life is maintained, while improving health, safety, and economic outcomes by ensuring the equitable delivery of community services.

Place Types have already been established, coinciding with logical places on the island where people can gather, shop, eat, and recreate. Rural zoning also limits the nature, density, and type of development that can be considered. The Greenprint Overlay Map also supports the locations of the Place Types as well as the need to protect the natural environment and rural character. Opportunities do exist, so long as they are desired by the community, to better connect St. Helena with bike lanes, trails, greenways, water access points, and better bus service.

**BASE MAP LEGEND**

**Greenprint Overlay**

- Highland Priority for Conservation: Developable with Restrictions (2 digit green)
- Lowland Developable (dark green, including Maroons and Wetlands)

**Historic Districts**

- Historic Districts
- Historic Villages
- Historic Greenway Route

**Place Type Overlays**

- Rural Crossroads
- Maroons
- Villages
- Trails
- Cities
- Proposed Rail Route
- St. Helena Cultural Overlay
- Existing Northern County Growth Boundary

**Future Land Use**

- Rural
- Rural Community
- Neighborhood/Mixed Use
- Urban/Mixed Use
- Community Commercial
- Regional Commercial
- Core Commercial
- Light Industrial
- Military



What’s more, gerrymandering the Pine Island/St. Helenaville property out of the CPO or allowing a use prohibited by local zoning is directly inconsistent with several of the Plan’s Core Values, including,

<sup>8</sup> Comp Plan, page 37. (emphasis added).  
<sup>9</sup> Comp Plan, page 37. (emphasis added).  
<sup>10</sup> Comp Plan, page 128. (emphasis added).

but not limited to: “We want local communities to have a strong voice in their future planning[;]”<sup>11</sup> and “We believe in allowing local communities to determine their vision and to define their growth.”<sup>12</sup>

The Comprehensive Plan does not envision or recommend rolling back the CPO’s restrictions or boundaries, nor does it suggest the St. Helena community expressed a desire or need for any golf courses, resorts, or gated communities. There have been no changed conditions or demonstration of community need to justify the requested special exception from local zoning rules.

As astutely summarized in the staff report:

*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.*

The proposed rezoning must be denied because it directly contravenes policies, goals, and objectives of the Comprehensive Plan as well as the letter and intent of the CPO zoning standards.

### III. Direct Conflict with the Development Code

St. Helena Island is nationally significant and the heart of living Gullah/Geechee culture and land ownership. Generations of Gullah/Geechee families have sustained their livelihoods on these rural lands through working farms and hunting and fishing grounds.

The CPO prohibits the development of golf courses, resorts, and gated communities because these uses directly threaten this heritage and are tied to rising property taxes, loss of history and culture, environmental degradation, and the displacement of Gullah/Geechee people.<sup>13</sup>

Thanks to the foresight and self-determination of the St. Helena community, and the leadership of Beaufort County in executing that vision into the CPO, St. Helena Island has retained its living Gullah/Geechee culture and distinct sea island identity. By contrast, historic Gullah/Geechee communities on Hilton Head Island and other sea islands up and down the corridor are today gated neighborhoods and golf resorts marketed as plantations with traditional self-sustaining economies of farming, fishing, and crafting displaced by low-wage service industry jobs and tourism economies.

Indeed, this was documented in the findings by the National Park Service’s Environmental Impact Statement (EIS) study used to establish the federally designated Gullah Geechee Cultural Heritage Corridor NHA, which includes St. Helena Island:

*The demarcation between planned resort communities and traditional rural agricultural lands is dramatic. **Resorts, golf courses, and coastal suburban development on the islands led to steadily increasing property values and skyrocketing taxes.** Island economies changed from rural subsistence farming to a service-based*

<sup>11</sup> Comp Plan, page 27.

<sup>12</sup> Comp Plan, page 115.

<sup>13</sup> See NPS EIS. (available at: [https://www.nps.gov/ethnography/research/docs/ggsrs\\_book.pdf](https://www.nps.gov/ethnography/research/docs/ggsrs_book.pdf)).



*economy. Native islanders were often unable to bear the tax burden, and many were forced to leave their homes.<sup>14</sup>*

The recently updated CPO specifically incorporates the National Park Service's EIS study and puts an even finer point on the overlay's purpose and reinforces its original intent and protections:

*The Cultural Protection Overlay (CPO) District is established to preserve the rural character and to protect the cultural, natural, and historic resources on St. Helena Island.*

*St. Helena Island's most important cultural resource is the people themselves. While the Island's population is very diverse with residents who have been there for generations along with newcomers, St. Helena Island is home to one of the largest Gullah/Geechee communities on the southeast coast. The Gullah/Geechee people are descendants of enslaved people brought from West Africa and Indigenous Americans from the Sea Islands. The historic isolation of the County's Sea Islands was crucial to the survival of this culture. ... While isolation was critical to the development of the Gullah/Geechee culture, the land and land ownership is critical to the survival of this culture into the present day. Shortly after the Civil War, many freedmen in the Sea Islands were successful in acquiring lands that were formerly located on plantations. Gullah/Geechee landowners were able to develop a self-sustaining economy based on small-scale cash crops, subsistence agriculture, and truck farming supplemented with fishing and harvesting shrimp and oysters. This land ownership remains to this day and has been critical in facilitating a stable and self-supporting community.*

*Beaufort County is undergoing extraordinary growth and development. Preserving the character of rural spaces in the unincorporated areas of the County promotes the health, safety, and welfare of the County's citizens. Large scale development, rapid growth, and otherwise incompatible development in rural areas can adversely affect the character of rural areas. St. Helena Island is one of Beaufort County's remaining rural spaces. . . .*

*Beaufort County's 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 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*

<sup>14</sup> NPS EIS study, p. 84 (available at: [https://www.nps.gov/ethnography/research/docs/ggsrs\\_book.pdf](https://www.nps.gov/ethnography/research/docs/ggsrs_book.pdf)).

*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.***<sup>15</sup>

The CPO, as amended, goes on to clearly state “it is the public policy of Beaufort County to protect St. Helena Island’s rural, historic, and cultural heritage” by prohibiting gated communities (restricted access), resorts, and golf courses, which are deemed to be incompatible with the overlay district.

Opening the CPO district boundaries or allowing a special exception from the overlay’s rules for one property owner will usher in incompatible development on St. Helena Island that will harm the island’s Gullah/Geechee culture, rural landscapes and working farms, and rich maritime heritage.

The requested rezoning stems from a stated intention to develop a luxury, gated golf resort on the Pine Island/St. Helenaville property. This is precisely what the CPO is intended to prevent and as a community-based zoning law it must be respected and enforced, and its boundaries upheld in their entirety.

#### **IV. Conclusion**

The St. Helena community has fought and defended itself against outside threats for decades and has protected itself with community-based standards like the CPO. The CPO is the very reason why the island is not full of gated communities and golf courses today when so many other sea islands are.

One golf course or prohibited use, however well-designed, will open the door to others and adversely impact the island and its residents for generations. Any exception that directly or indirectly eases the CPO’s restrictions for one owner or operation will enable cascading negative impacts across the entire island.

We urge you to uphold the integrity of the CPO and the will of the St. Helena community by unequivocally **denying** the proposed rezoning and the underlying luxury golf resort development it seeks to accommodate, which is prohibited by County law and policy.

Respectfully,

Jessie White  
 South Coast Office Director  
 843-522-1800 | [jessiew@sccl.org](mailto:jessiew@sccl.org)

<sup>15</sup> Beaufort County Ordinance No. 2023-18, available at: [https://library.municode.com/sc/beaufort\\_county/ordinances/community\\_development\\_code?nodeId=1216333&emci=fbdce45a-d4ff-ed11-907c-00224832eb73&emdi=6cd64d1a-dcff-ed11-907c-00224832eb73&ceid=3399893](https://library.municode.com/sc/beaufort_county/ordinances/community_development_code?nodeId=1216333&emci=fbdce45a-d4ff-ed11-907c-00224832eb73&emdi=6cd64d1a-dcff-ed11-907c-00224832eb73&ceid=3399893).





## BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
Creation of the Cultural Protection Overlay District Committee
<b>MEETING NAME AND DATE:</b>
Natural Resources Committee – November 7, 2022
<b>PRESENTER INFORMATION:</b>
<i>Robert Merchant, AICP, Acting Director, Planning and Zoning</i> <i>10 minutes needed for presentation.</i>
<b>ITEM BACKGROUND:</b>
<i>In November of last year, Beaufort County Council adopted an updated version of the County's Comprehensive Plan. The Comprehensive Plan lays the path for Beaufort County over the next decade to balance managing growth and maintaining our natural resources and cultural heritage. Protecting the Gullah/Geechee community and rural way of life on St. Helena, Polowana Island, and Warsaw Island is a high priority in the Comprehensive Plan. As a result, one of the recommended actions of the plan to further protect the islands is to assess and strengthen the Cultural Protection Overlay.</i>
<b>PROJECT / ITEM NARRATIVE:</b>
<i>We are proposing to form a community-led Cultural Protection Overlay committee that will be made up of community members representative of St. Helena Island. The Cultural Protection Overlay Committee will be tasked with reviewing the current Cultural Protection Overlay standards as outlined in the County's Community Development Code, which sets development standards for the County. As a part of the review, the committee will determine what needs to be added to the Cultural Protection Overlay to reinforce its purpose and improve the protection it provides St. Helena and the surrounding islands.</i>
<b>FISCAL IMPACT:</b>
<i>None</i>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
<i>Staff recommends approval.</i>
<b>OPTIONS FOR COUNCIL MOTION:</b>
<i>To approve or deny the creation of a Cultural Protection Overlay District Committee</i>



## COUNTY COUNCIL OF BEAUFORT COUNTY

Multi Government Center, 100 Ribaut Road, Room 115

P.O. Drawer 1228, Beaufort, SC 29901-1228

Phone: (843) 255-2140 // FAX: (843) 255-9432

Item 7.

**TO:** Alice Howard, Chair, Natural Resources Committee of County Council

**FROM:** York Glover, Councilman, District 3  
Paul Sommerville, Councilman, District 2

**DATE:** November 7, 2022

**SUBJECT:** Creation of the Cultural Protection Overlay District Committee

The Cultural Protection Overlay is a zoning standard that protects the natural beauty and cultural heritage of all of St. Helena Island, Polowana Island, and Warsaw Island. The Cultural Protection Overlay was created by a committee of involved leaders and community members on St. Helena Island in the late 1990s. The overlay has helped maintain the way of life on St. Helena, preventing it from becoming rapidly and inappropriately developed as has been experienced on other neighboring and nearby sea and barrier islands.

In November of last year, Beaufort County Council adopted an updated version of the County's Comprehensive Plan. The Comprehensive Plan lays the path for Beaufort County over the next decade to balance managing growth and maintaining our natural resources and cultural heritage. Protecting the Gullah/Geechee community and rural way of life on St. Helena, Polowana Island, and Warsaw Island is a high priority in the Comprehensive Plan. As a result, one of the recommended actions of the plan to further protect the islands is to assess and strengthen the Cultural Protection Overlay.

To do this, we are forming a community-led Cultural Protection Overlay committee that will be made up of community members representative of St. Helena Island. The Cultural Protection Overlay Committee will be tasked with reviewing the current Cultural Protection Overlay standards as outlined in the County's Community Development Code, which sets development standards for the County. As a part of the review, the committee will determine what needs to be added to the Cultural Protection Overlay to reinforce its purpose and improve the protection it provides St. Helena and the surrounding islands. We recommend that the following members serve on the Committee:

- 1) Queen Quet
- 2) Jeffrey Gardner
- 3) Daryl Orage
- 4) Bernice Wright
- 5) Philander McDomick
- 6) Ethel Sumpter
- 7) Elaine Scott
- 8) Mac Sanders
- 9) Bob Semmler

Statement of the Windmill Harbour Association  
Beaufort County Council- June 26, 2023

The Windmill Harbour Association wholeheartedly supports the authorization of a contract for installation of a traffic signal at the entrance to our community onto US Hwy 278. As some of you may recall, this traffic light was authorized by SCDOT as a separate project from the Hwy 278 Corridor Project in 2022, and has proceeded through the design and planning process. The next step is authorization of entry into an appropriate contract for the installation.

We sincerely believe that completion of this project will provide a safer gateway for the millions of travelers onto Hilton Head Island each year, as well as a secure means of ingress and egress to and from our community. We therefore urge you to approve the contract authorization under consideration.

Respectfully submitted,

Windmill Harbour Association

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

June 26, 2023

Re: Case No. CDPA-000030-2023 / Pine Island - REZONING

To Beaufort County Council:

I am writing you once again 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.

I implore you to review the legal details presented to the Beaufort County Planning Committee regarding the history of the Cultural Protection Overlay District and why this district zoning can and should be upheld and legally abided by. In addition, I call on the entire Beaufort County Council to support the recent DENIAL of the request to rezone Pine Island by the Land Use Committee. The Planning Staff has clearly articulated the reasons that they request denial of this request as well. Citizens and professionals in this arena have pointed out that allowing rezoning of Pine Island could easily be determined as illegal spot zoning. Therefore, the Pine Island rezoning should **NOT** be permitted on historic St. Helena Island.

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 request to place any and all such land uses on Pine Island and/or St. Helenaville should be DENIED. The correct decision was already made repeatedly 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 recently 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 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, golf courses, 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





# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 10.

<b>ITEM TITLE:</b>
<b>AN ORDINANCE AMENDING ORDINANCE 2022/45 BY REMOVING THE PROPERTY LOCATED AT 68 HELMSMAN WAY WITH TMS NO. R552 010 000 0309 0000 AND OTHER MATTERS RELATED THERETO</b>
<b>MEETING NAME AND DATE:</b>
Public Facilities and Safety Committee; June 26, 2023
<b>PRESENTER INFORMATION:</b>
Brittany Ward, County Attorney 5 Minutes
<b>ITEM BACKGROUND:</b>
<b>PROJECT / ITEM NARRATIVE:</b>
Beaufort County Council previously adopted Ordinance 2022/45 approving the conveyance of property between the Town of Hilton Head and Beaufort County. Following the completion of the County's due diligence, it was determined the Town does not own title to the property located at 68 Helmsman Way with TMS No. R552 010 000 0309 0000. The aforementioned property must be removed from the previously approved ordinance. Additionally, one of the properties was inadvertently misidentified and requires one of the 152 William Hilton Pkwy properties to be removed and replaced with the correct address of 150 William Hilton Pkwy.
<b>FISCAL IMPACT:</b>
<i>No fiscal impact.</i>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff recommends amending Ordinance 2022/45
<b>OPTIONS FOR COUNCIL MOTION:</b>
Motion to move forward to Council for first reading/approval.

**AN ORDINANCE AMENDING ORDINANCE 2022/45 BY REMOVING THE PROPERTY LOCATED AT 68 HELMSMAN WAY WITH TMS NO. R552 010 000 0309 0000 AND OTHER MATTERS RELATED THERETO**

**WHEREAS**, Beaufort County Council adopted Ordinance 2022/45 on October 24, 2022, authorizing the conveyance of several parcels of real property between Beaufort County (“County”) and the Town of Hilton Head (“Town”); and

**WHEREAS**, following completion of the County’s due diligence it was determined the Town does not hold title to the property located at 68 Helmsman Way, Hilton Head Island with TMS No. R552 010 000 0309 0000; and

**WHEREAS**, a parcel was inadvertently misidentified in Ordinance 2022/45 and requires the second “152 William Hilton Parkway, Hilton Head Island with TMS No. R511 007 000 0070 0000” to be removed and replaced with “150 William Hilton Parkway with TMS No. R511 007 000 0247 0000”; and

**WHEREAS**, the real property identified in Ordinance 2022/45 is to be amended as described above and the property to be removed is stricken through and the additional property is underlined as follows:

- 70 Baygall Road, Hilton Head Island with TMS No. R510 005 000 0005 0000
- 70 Baygall Road, Hilton Head Island with TMS No. R510 005 000 019G 0000
- 152 William Hilton Parkway, Hilton Head Island with TMS No. R511 007 000 0070 0000
- ~~152 William Hilton Parkway, Hilton Head Island with TMS No. R511 007 000 0070 0000~~
- 150 William Hilton Parkway with TMS No. R511 007 000 0247 0000
- 68 Helmsman Way, Hilton Head Island with TMS No. R552 010 000 0650 0000
- ~~68 Helmsman Way, Hilton Head Island with TMS No. R552 010 000 0309 0000~~
- 43 Jenkins Road, Hilton Head Island with TMS No. R510 006 000 001C 00000

**WHEREAS**, Beaufort County Council has determined that it is appropriate to amend Ordinance 2022/45 as stated above.

**NOW, THEREFORE, BE IT ORDAINED** by Beaufort County Council hereby amends Ordinance 2022/45 by removing the property located at 68 Helmsman Way with TMS No. R552 010 000 0309 0000, and replace one of the properties described as “152 William Hilton Parkway with TMS No. R511 007 000 0070 0000” with “150 William Hilton Parkway with TMS No. R511 007 000 0247 0000”.

Adopted this \_\_\_\_ day of \_\_\_\_\_ 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_

Joseph Passiment, Chairman

ATTEST:

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



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 11.

<b>ITEM TITLE:</b>
Recommendation of award to W.M. Roebuck, Inc. for the construction of a temporary wood pole traffic signal at the Intersection of US 278 & Crosstree Drive/Gateway Drive (Windmill Harbour) using SCDOT's statewide contract (\$500,000.00)
<b>MEETING NAME AND DATE:</b>
Public Facilities and Safety Committee – June 26, 2023
<b>PRESENTER INFORMATION:</b>
Jared Fralix, PE – ACA Infrastructure Division Eric Claussen, PE, PTOE – Director of Engineering, Alternative (5 mins)
<b>ITEM BACKGROUND:</b>
The Engineering Department staff contacted W.M. Roebuck, Inc. about the County's need to install a temporary wood pole traffic signal at the intersection of US 278 & Crosstree Drive/Gateway Drive (Windmill Harbour). The County will be using the state-wide on-call traffic signal contract through SCDOT. Based upon that contract, the traffic signal installation will not exceed \$500,000.00
<b>PROJECT / ITEM NARRATIVE:</b>
SCDOT has given approval for the County to install a temporary wood pole traffic signal at the intersection of US 278 & Crosstree Drive/Gateway Drive (Windmill Harbour). The County procured the design of the temporary wood pole traffic signal through the design firm KCI. The temporary traffic signal will utilize radar detection, meaning that as traffic is shifted throughout the US 278 Bridge project so the traffic signal will not lose functionality. The temporary wood pole signal will be replaced with a mast arm traffic signal as a part of the US 278 Bridge project.
<b>FISCAL IMPACT:</b>
The contract fee is not to exceed \$500,000.00. The funding for this project is South of the Broad Impact Fees account # 23020011-54500 with a balance of \$17,955,170.89.
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff recommends approval to award the contract for the US 278 & Crosstree Drive/Gateway Drive (Windmill Harbour) temporary wood pole traffic signal.
<b>OPTIONS FOR COUNCIL MOTION:</b>
Motion to approve/deny the recommendation to award the US 278 & Crosstree Drive/Gateway Drive (Windmill Harbour) temporary wood pole traffic signal to W.M. Roebuck, Inc.  <i>Next Step: Move forward to County Council to approve/deny the recommendation to award US 278 &amp; Crosstree Drive/Gateway Drive (Windmill Harbour) temporary wood pole traffic signal to W.M. Roebuck, Inc.</i>

**RESOLUTION 2023/\_\_\_\_\_**

**A RESOLUTION TO APPROVE THE USE OF TRANSPORTATION IMPACT FEES TO CONTRACT WITH W.M. ROEBUCK, INC. TO INSTALL A TEMPORARY TRAFFIC SIGNAL AT THE INTERSECTION OF CROSTREE DRIVE/GATEWAY DRIVE AT WINDMILL HARBOUR**

**WHEREAS**, there are safety concerns with drivers using Crosstree Drive/Gateway Drive intersection at Windmill Harbour; and

**WHEREAS**, the County was given permission by SCDOT to design and install a temporary wood pole traffic signal at the intersection; and

**WHEREAS**, the County wishes to retain W.M. Roebuck, Inc to install the temporary traffic signal utilizing SCDOT’s statewide on-call traffic contract. W.M. Roebuck has agreed that using the statewide contract the total cost to construct the new temporary wood pole traffic signal will not exceed \$500,000.00; and

**WHEREAS**, the County collects development impact fees in accordance with state law and Beaufort County Code of Ordinances, Chapter 82 - Impact Fees, for purposes such as the Bluffton Parkway Enhancement Project study and recommendations; and

**WHEREAS**, the County has a sufficient balance in the Road Facilities – Southern Beaufort County Service Area to pay for the projected expenses which are associated with the study.

**NOW, THEREFORE, BE IT RESOLVED**, that County Council hereby approves the expenditure of \$500,000.00 of road impact fees from the South of the Broad Service Area to retain W.M. Roebuck to complete the construction of the temporary wood pole traffic signal at the intersection Crosstree Drive/Gateway Drive intersection at Windmill Harbour.

This Resolution shall be effective \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

\_\_\_\_\_  
Joseph F. Passiment

Attest:

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



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
Recommendation of Award to W.M. Roebuck, Inc. for IFB #053123 Construction of Mast Arm Intersection at Bluffton Parkway, Flay Creek Dr, and River Ridge Dr (\$384,984.60)
<b>MEETING NAME AND DATE:</b>
Public Facilities Committee – June 26, 2023
<b>PRESENTER INFORMATION:</b>
Jared Fralix, Assistant County Administrator – Engineering (5 mins)
<b>ITEM BACKGROUND:</b>
On May 1, 2023 Beaufort County published IFB #053123 requesting competitive bids for the material procurement and construction of a permanent mast arm intersection at the intersection of Bluffton parkway, Flat Creek Drive, and River Ridge Drive. On May 31, 2023, The County received one bid from W.M. Roebuck, Inc to perform the specified scope.
<b>PROJECT / ITEM NARRATIVE:</b>
In 2022, Beaufort County installed temporary intersection improvements at the intersection of Bluffton Parkway, River Ridge Dr, and Flat Creek Dr. which included wood strain poles. These improvements were designed and constructed with permanent lay-out in mind. The project consists of the removal of the temporary wood pole traffic signal infrastructure and the replacement with decorative traffic signal poles and mast arms. In addition, the project will require the placement of decorative pedestrian pushbutton poles, ADA sidewalks, and curb ramps on all corners of the intersection. Ordering of the decorative poles and mast arms shall be the responsibility of the contractor. The current locations of traffic signal controller cabinet and pull boxes are to remain and be the permanent location.
<b>FISCAL IMPACT:</b>
The contract fee is for materials and construction in the amount of \$320,820.50. Staff recommends a 20% contingency of \$64,164.10, bringing the project’s total cost to \$384,984.60. The funding for this project will be Bluffton Road Impact Fees account # 23020011-54500 with a balance of \$17,955,170.89.
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff recommends approval to award W.M. Roebuck, Inc. for IFB #053123 Construction of Mast Arm Intersection at Bluffton Parkway, Flay Creek Dr, and River Ridge Dr
<b>OPTIONS FOR COUNCIL MOTION:</b>
Motion to approve/deny recommendation to award W.M. Roebuck, Inc. for IFB #053123 Construction of Mast Arm Intersection at Bluffton Parkway, Flay Creek Dr, and River Ridge Dr.

*Next Step: Move forward to County Council to award W.M. Roebuck, Inc. for IFB #053123 Construction of Mast Arm Intersection at Bluffton Parkway, Flay Creek Dr, and River Ridge Dr.*

**RESOLUTION 2023/\_\_\_\_\_**

**A RESOLUTION TO APPROVE THE USE OF TRANSPORTATION IMPACT FEES TO RETAIN W.M. ROEBUCK, INC TO PROVIDE MATERIALS AND CONSTRUCTION FOR A MAST ARM INTERSECTION AT BLUFFTON PARKWAY, FLAY CREEK DR, AND RIVER RIDGE DR**

**WHEREAS**, Bluffton Parkway is heavily used by both pedestrians and motorists; and

**WHEREAS**, the County desires to make intersection improvements including the installation of permanent mast arm signals to increase the safety and efficiency of the movement of pedestrian and vehicle traffic; and

**WHEREAS**, the County wishes to contract W.M. Roebuck, Inc, to construct the designed intersection improvements. W.M. Roebuck, Inc has submitted a contract fee of \$320,820.50 for the work. The County recommends a twenty percent contingency fee (\$64,164.10) for a total of \$384,984.60; and

**WHEREAS**, the County collects development impact fees in accordance with state law and Beaufort County Code of Ordinances, Chapter 82 - Impact Fees, for purposes such as the Construction of Mast Arm Intersections; and

**WHEREAS**, the County has a sufficient balance in the Road Facilities – Southern Beaufort County Service Area to pay for the projected expenses which are associated with the study.

**NOW, THEREFORE, BE IT RESOLVED**, that County Council hereby approves the expenditure of \$384,984.60 of road impact fees from the South of the Broad Service Area to retain W.M.Roebuck, Inc. to construct the intersection improvements at the intersection of Bluffton Parkway, River Ridge Drive, and Flat Creek Drive.

This Resolution shall be effective \_\_\_\_\_ day of \_\_\_\_\_, 2023.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

\_\_\_\_\_  
Joseph F. Passiment

Attest:

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





# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
<b>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</b>
<b>MEETING NAME AND DATE:</b>
Community Services and Land Use Committee; June 12, 2023
<b>PRESENTER INFORMATION:</b>
R. Hayes Williams, Chief Financial Officer, Beaufort County; 10 Minutes
<b>ITEM BACKGROUND:</b>
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.
<b>PROJECT / ITEM NARRATIVE:</b>
See Above
<b>FISCAL IMPACT:</b>
Appropriation of \$5.7MM
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff Recommends Council Appropriate these Funds to Address the Needs of Beaufort County
<b>OPTIONS FOR COUNCIL MOTION:</b>
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:

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Sarah Brock, Clerk to Council

First Reading:  
Second Reading:  
Public Hearing:  
Third Reading





# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
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
<b>MEETING NAME AND DATE:</b>
COMMUNITY SERVICES AND LAND USE COMMITTEE; 6/12/23 @ 3:00PM
<b>PRESENTER INFORMATION:</b>
MARK DAVIS, DEPUTY DIRECTOR OF PLANNING & ZONING 10 MINUTES
<b>ITEM BACKGROUND:</b>
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 FOR \$500,000.
<b>PROJECT / ITEM NARRATIVE:</b>
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. THIS PROJECT WENT BEFORE THE RURAL AND CRITICAL LANDS PRESERVATION BOARD ON JUNE 8, 2023 WHERE THE BOARD VOTED 6 -1 TO RECOMMEND THAT THE COUNTY NOT PURCHASE THE PROPERTY INTO THE RURAL AND CRITICAL LANDS PRESERVATION PROGRAM.
<b>FISCAL IMPACT:</b>
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.
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
STAFF RECOMMENDS APPROVAL
<b>OPTIONS FOR COUNCIL MOTION:</b>
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](mailto: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](mailto: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

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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,

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

\*Electronically signed for e-mail transmission

## IDENTIFICATION OF PROPERTY

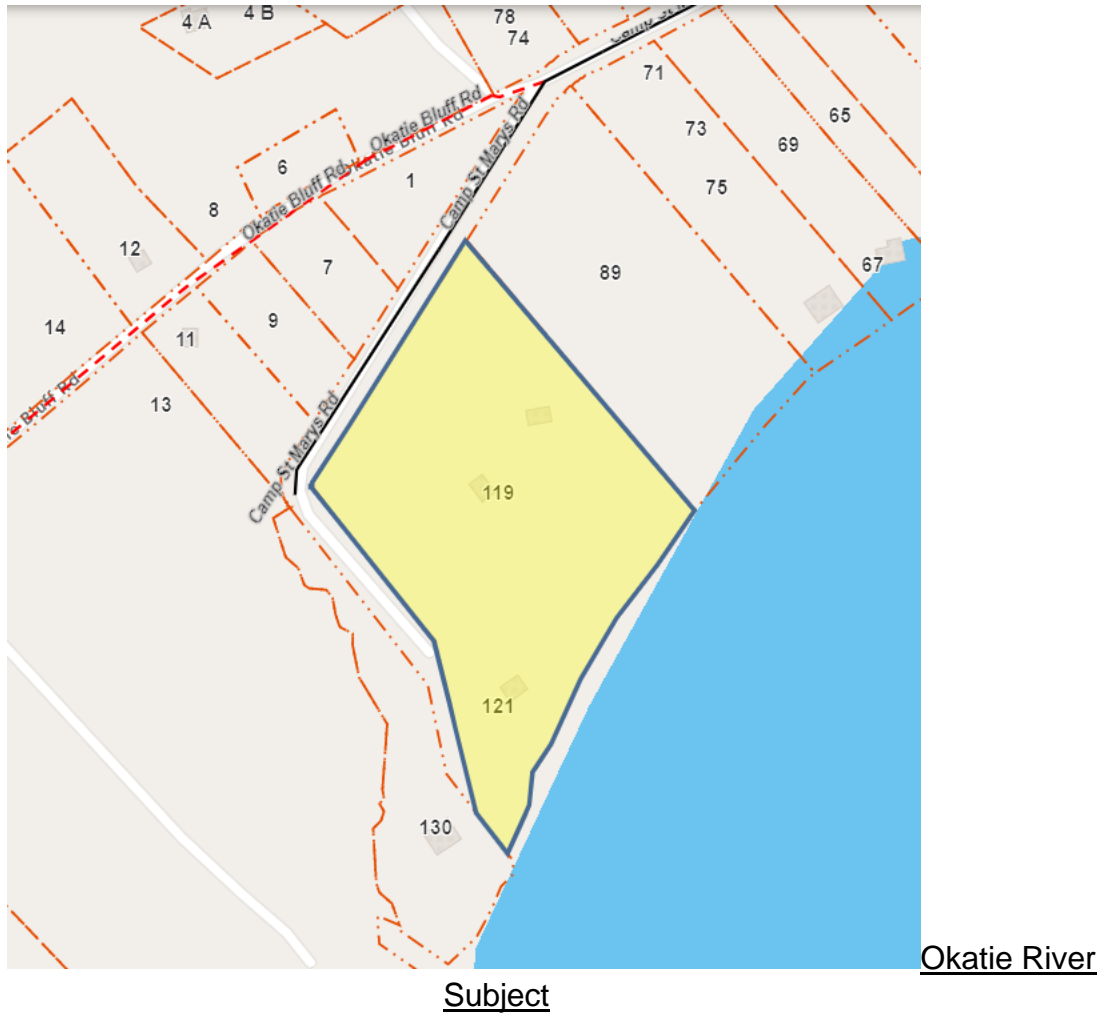


**Aerial view**

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.

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### 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**

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

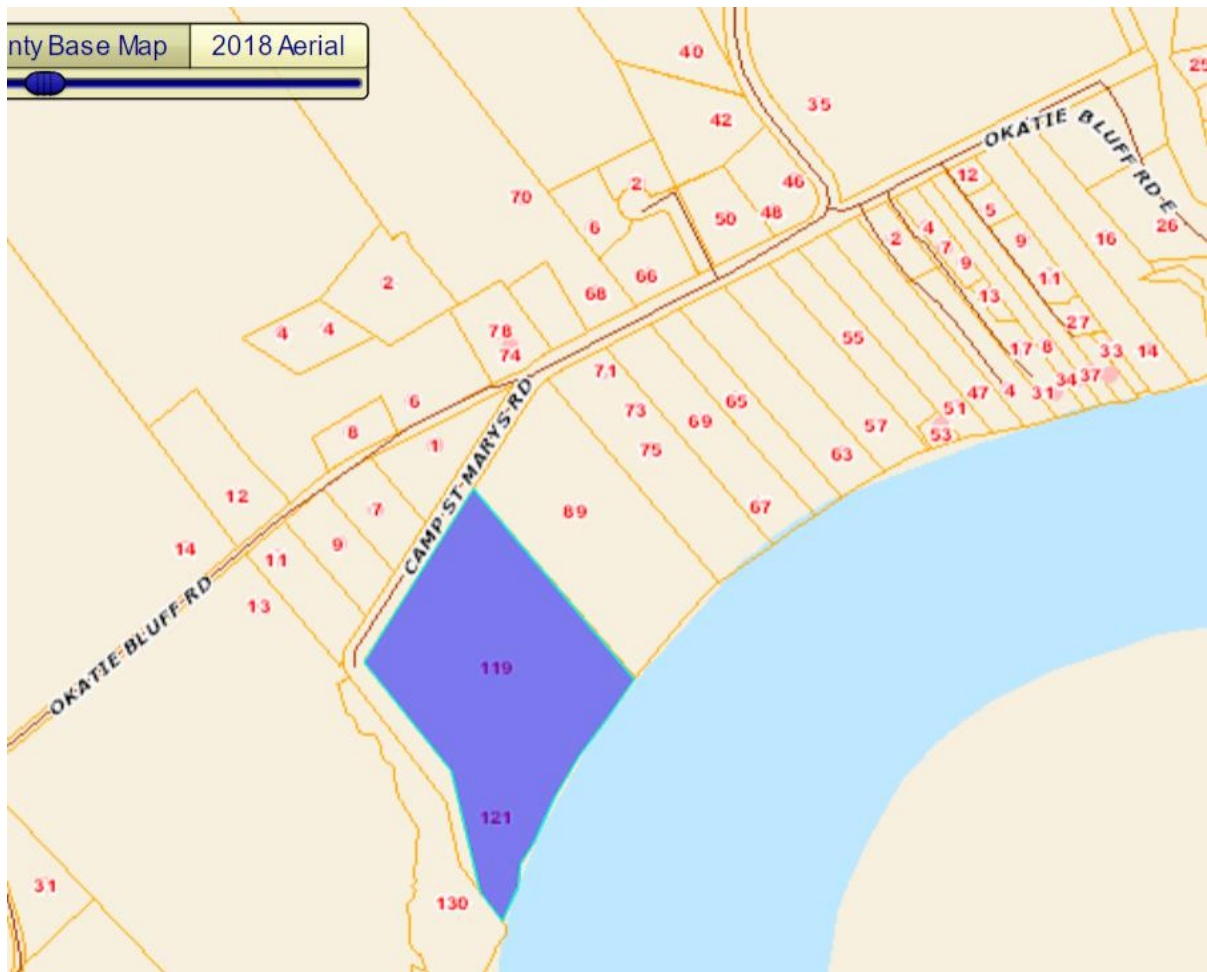
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Beaufort County, South Carolina

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.

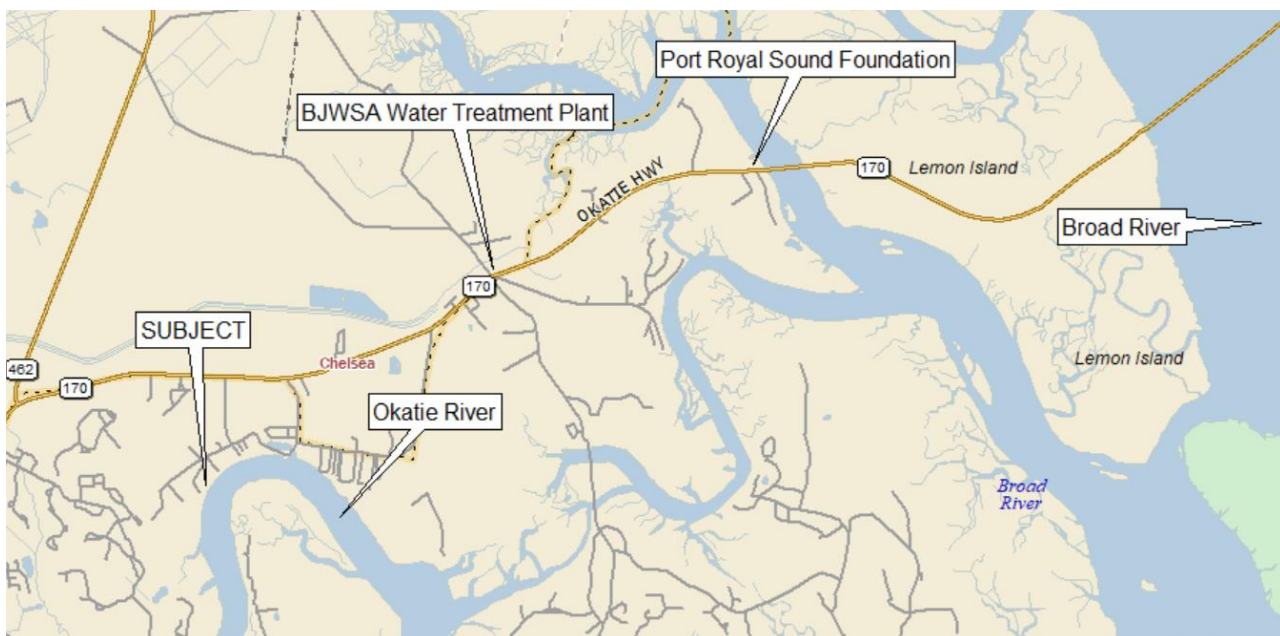
Okatie is an unincorporated area along Highway 170 which lies partly in Beaufort County and partly in Jasper County; in some places the highway defines the dividing line between the counties. The area extends from the Chechessee River on the east, westwardly to the Cherry Point area, and southwardly 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 <sup>3</sup>		
	T2 Rural	T2 Rural-Low
Gross Density	0.34 d.u./acre	0.20 d.u./acre

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

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### 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.

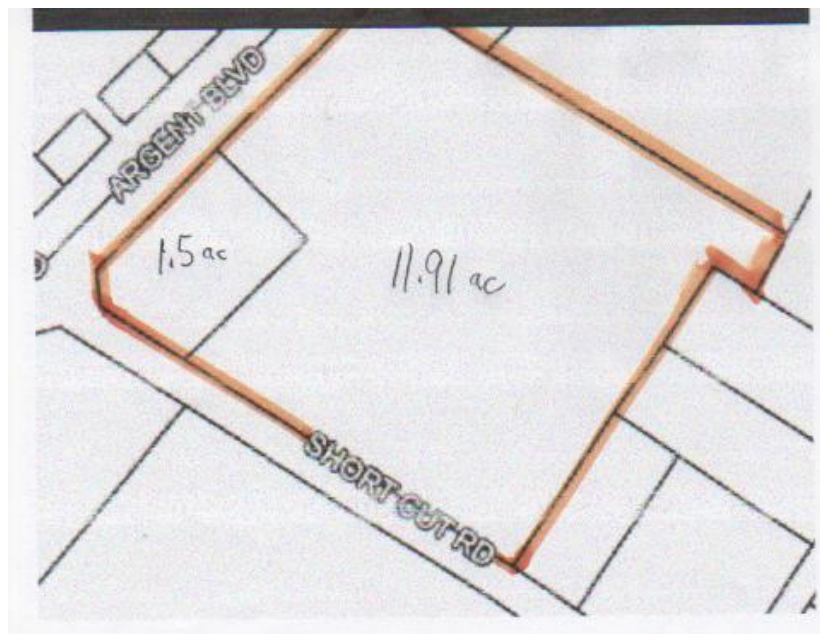
<u>Land Sales pertinent to the Valuation of the Camp St. Mary's Tract</u>					
<u>Location</u>	<u>Deed Ref.</u>	<u>Sold Price</u>	<u>Acres</u>	<u>Price/acre</u>	<u>Remarks</u>
1. 25 Blueberry Lane	3599/1812	\$979,000 8/15/2017	6.62	\$147,885	Two lots, one with old concrete block foundation on lane off 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

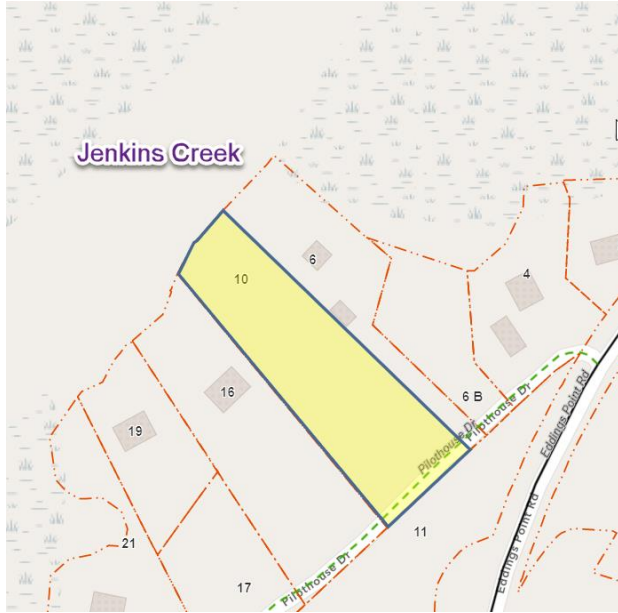
### Additional Land Sales

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

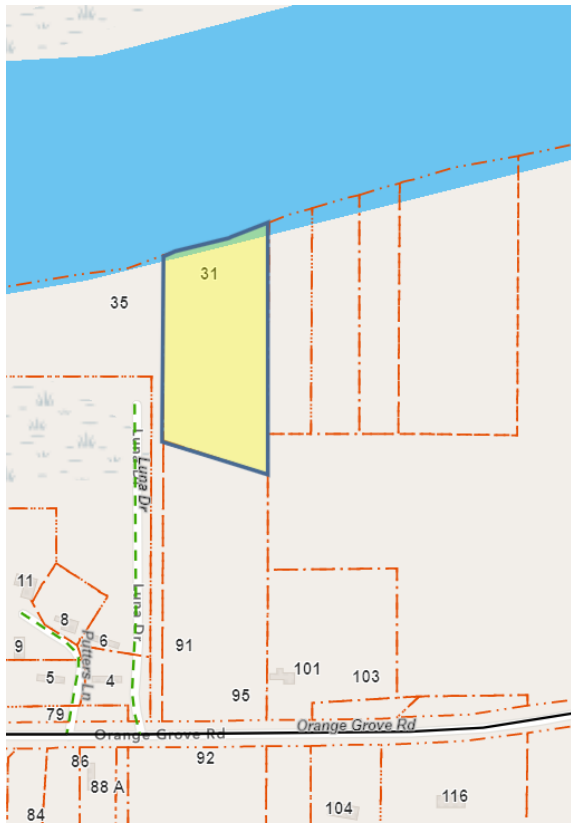
Selected updated land sales for Camp St. Mary's						
Location	Deed	# acres	Price	Date	Price/ acre	Remarks
1. 3370 Argent Blvd. Okatie (JasperCo.)	1099/1015 1105/680	13.43 sold in 2 deeds	\$2,675,000	6/1/2022	\$199,181	Site for future res. development corner Short Cut Rd.
2. 10 Pilot House Rd. St. Helena 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)



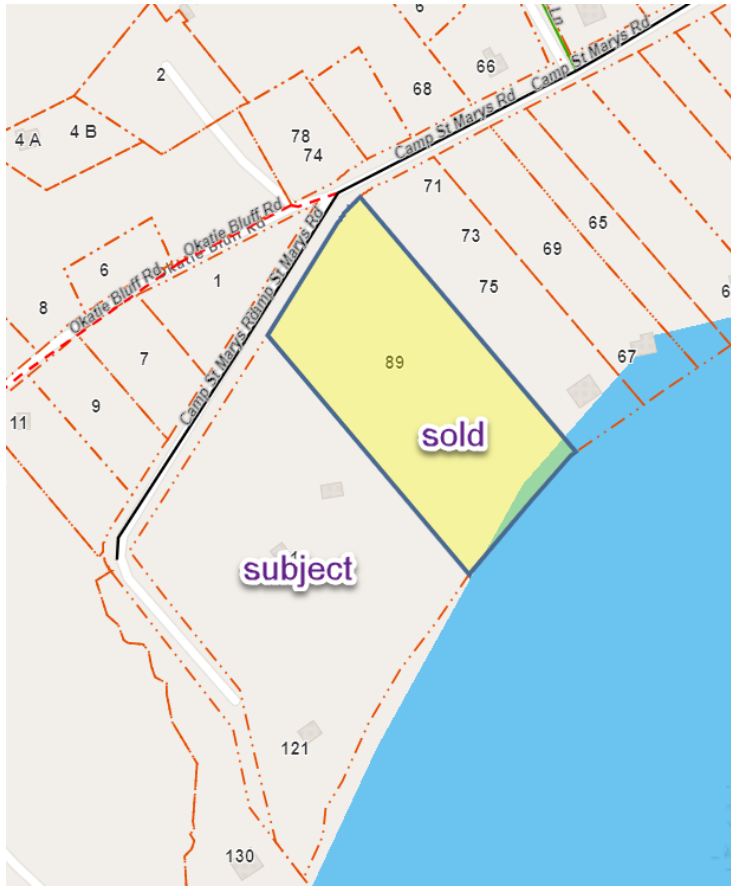
plat for 10 Pilot House Rd.



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



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## 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](mailto:georgeowen84@gmail.com)

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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)



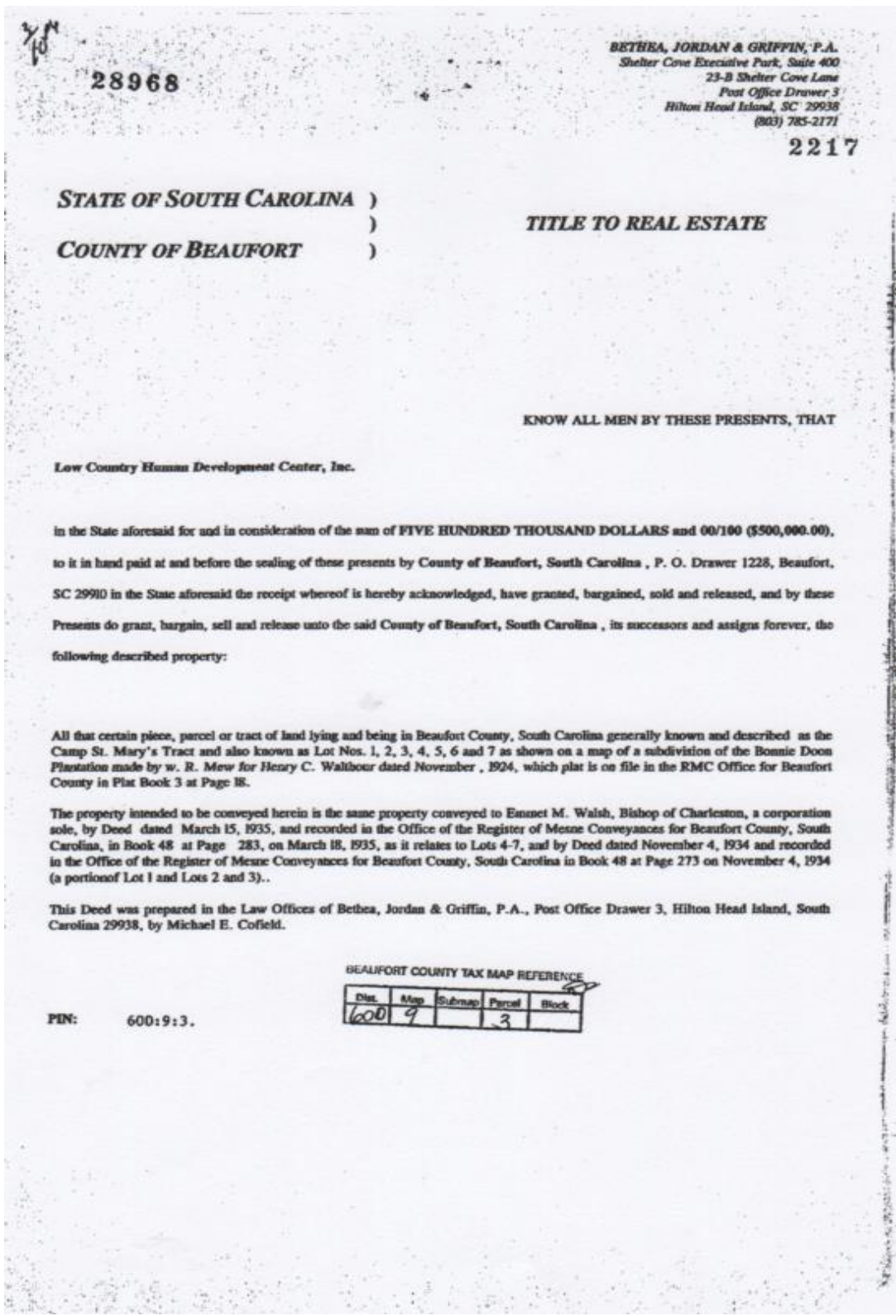




Open acreage



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



Deed recorded at 962/2217





# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
<b>TEXT AMENDMENT TO COMMUNITY DEVELOPMENT CODE (“CDC”) APPENDIX B: - THE DAUFUSKIE ISLAND COMMUNITY DEVELOPMENT CODE, TO AMEND DIVISION B.3, SECTION B.3.20 (CONSOLIDATED LAND USE TABLE AND LAND USE DEFINITIONS), AND TO ADD A NEW SECTION B.3.30 (OTHER STANDARDS) AND A NEW SUB-SECTION B.3.30.A (SHORT-TERM RENTAL) TO ALLOW THE USAGE OF SHORT-TERM RENTALS AS A SPECIAL USE IN D2 RURAL, D2R-CP (RURAL-CONVENTIONALLY PLATTED), D2R-GH (RURAL-GULLAH HERITAGE), AND D3 GENERAL NEIGHBORHOOD, AND A PERMITTED USE IN D4 MIXED USE, D5 VILLAGE CENTER, AND D5 GENERAL COMMERCIAL.</b>
<b>MEETING NAME AND DATE:</b>
<i>Community Services and Land Use Committee Meeting, April 10, 2023</i>
<b>PRESENTER INFORMATION:</b>
<i>Robert Merchant, AICP, Director, Beaufort County Planning and Zoning (10 minutes needed for item discussion)</i>
<b>ITEM BACKGROUND:</b>
<i>In December of 2022, The Daufuskie Island Council finished forming their proposed Short-Term Rental standards. The Council presented its proposal to the County’s Planning Department. The Planning Department has reviewed the standards along with the Daufuskie Island Council and is recommending approval of the proposed standards. At its March 6, 2023 meeting, the Planning Commission recommended approval with the condition that Section B.3.30.A.4.b.8 “[a]n insurance certificate verifying public liability insurance of \$500,000.00” is removed from the proposed text amendment.</i>
<b>PROJECT / ITEM NARRATIVE:</b>
<i>Staff is proposing the following changes to the Community Development Code, Appendix B: - The Daufuskie Island Development Code: amend Division B.3, Section B.3.20 and add new Section B.3.30, and new sub-section B.3.30.A. The request is to allow the usage of Short-Term Rentals as a Special Use in D2 Rural, D2R-CP (Rural-Conventionally Platted), D2R-GH (Rural-Gullah Heritage), and D3 General Neighborhood, and a Permitted Use in D4 Mixed Use, D5 Village Center, and D5 General Commercial. This would reflect in:</i> <ul style="list-style-type: none"><li><i>o Adding the use to Division B.3.20 in the <u>Consolidated Use Table and Land Use Definitions</u></i></li><li><i>o Establishing the new Division B.3.30 <u>Other Standards</u></i></li><li><i>o Establishing the new subsection Division B.3.30.A <u>Short-Term Rentals</u></i></li></ul>
<b>FISCAL IMPACT:</b>
<i>Not applicable.</i>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
<i>Staff recommends approval.</i>
<b>OPTIONS FOR COUNCIL MOTION:</b>



*To approve or deny the proposed amendments to the Daufuskie Island Community Development Code: Divisions B.3.20, B.3.30, and B.3.30.A to allow the usage of Short-Term Rentals as a Special Use in D2 Rural, D2R-CP (Rural-Conventionally Platted), D2R-GH (Rural-Gullah Heritage), and D3 General Neighborhood and a Permitted Use in D4 Mixed Use, D5 Village Center, and D5 General Commercial*



## MEMORANDUM

**TO:** Alice Howard, Chair, Community Services and Land Use Committee

**FROM:** Beaufort County Planning and Zoning Department

**DATE:** April 10, 2023

**SUBJECT:** Text Amendment to the Daufuskie Island Community Development Code

### **STAFF REPORT:**

#### **A. BACKGROUND AND SUMMARY OF REQUEST:**

Through Ordinance 2020-32, robust short-term rental standards were established in the Community Development Code. At the time of adoption, the short-term rental use was added as a Special Use to all transect zones except T1 Natural Preserve. It is a Permitted Use in conventional zones except C3 Neighborhood Mixed Use, where it is a special use. It is not allowed in S1 Industrial. However, at that time, short-term rentals were not added to any of the Community Preservation Districts.

In December of 2022, The Daufuskie Island Council finished forming their proposed Short-Term Rental standards. The have since been presented to the County's Planning Department. The Planning Department has reviewed the standards along with the Daufuskie Island Council and are recommending approval of the proposed standards presented in this Staff Report.

Therefore, staff is proposing a change in the following Code Divisions: B.3.20, B.3.30, and B.3.30.A. The request is to allow the usage of Short-Term Rentals as a Special Use in D2 Rural, D2R-CP (Rural-Conventionally Platted), D2R-GH (Rural-Gullah Heritage), and D3 General Neighborhood, and a Permitted Use in D4 Mixed Use, D5 Village Center, and D5 General Commercial. This would reflect in:

- Adding the use to Division B.3.20 in the Consolidated Use Table and Land Use Definitions
- Establishing the new Division B.3.30 Other Standards
- Establishing the new subsection Division B.3.30.A Short-Term Rentals

Because of the lack of use standards in the Daufuskie Island Community Development Code, Division B.3.30 Other Standards is being proposed to establish a section for any future use standards that are to be adopted.

**B. STAFF RECOMMENDATION:** Staff recommends approval of the request with the condition that Section B.3.30.A.4.b.8 is removed.

**C. PLANNING COMMISSION RECOMMENDATION:** At their March 6, 2023 meeting, the Planning Commission recommended approval with the condition that Section B.3.30.A.4.b.8 “[a]n

insurance certificate verifying public liability insurance of \$500,000.00.” is removed from the proposed text amendment.

**ORDINANCE 2023/\_\_\_\_\_**

**TEXT AMENDMENT TO COMMUNITY DEVELOPMENT CODE (“CDC”) APPENDIX B: - THE DAUFUSKIE ISLAND COMMUNITY DEVELOPMENT CODE, TO AMEND DIVISION B.3, SECTION B.3.20 (CONSOLIDATED LAND USE TABLE AND LAND USE DEFINITIONS), AND TO ADD A NEW SECTION B.3.30 (OTHER STANDARDS) AND A NEW SUB-SECTION B.3.30.A (SHORT-TERM RENTAL) TO ALLOW THE USAGE OF SHORT-TERM RENTALS AS A SPECIAL USE IN D2 RURAL, D2R-CP (RURAL-CONVENTIONALLY PLATTED), D2R-GH (RURAL-GULLAH HERITAGE), AND D3 GENERAL NEIGHBORHOOD, AND A PERMITTED USE IN D4 MIXED USE, D5 VILLAGE CENTER, AND D5 GENERAL COMMERCIAL.**

**WHEREAS**, the Daufuskie Island Community Development Code currently does not allow Short-Term Rentals as a use; and

**WHEREAS**, staff proposes amending the Daufuskie Island Development Code to allow Short-Term Rentals as a Special Use in D2 Rural, D2R-CP (Rural-Conventionally Platted), D2R-GH (Rural-Gullah Heritage), and D3 General Neighborhood, and a Permitted Use in D4 Mixed Use, D5 Village Center, and D5 General Commercial; and

**WHEREAS**, the Beaufort County Planning Commission considered the proposed amendments on March 6, 2023, and voted to recommend that County Council approve the proposed amendments with conditions; and

**WHEREAS**, County Council now wishes to amend the Daufuskie Island Community Development Code to allow Short-Term Rentals as a Special Use in D2 Rural, D2R-CP (Rural-Conventionally Platted), D2R-GH (Rural-Gullah Heritage), and D3 General Neighborhood, and a Permitted Use in D4 Mixed Use, D5 Village Center, and D5 General Commercial; and

**WHEREAS**, although the Community Development Code does not allow short-term rentals on Daufuskie Island, many property owners have nevertheless rented their properties on a short-term basis without permits and many others would like to rent their existing homes on a short-term basis. To accommodate these property owners Council hereby decrees that, for a period of sixty (60) days from the date this ordinance is adopted, any owner of a home on Daufuskie Island who has a certificate of occupancy and who would like to obtain a short-term rental permit may submit an application and, if the property meets the requirements to obtain a permit, may obtain a permit without regard to the Land Use Type (“Grace Period”). All applications received thereafter must comply with this ordinance.

**NOW, THEREFORE BE IT ORDANINED** by County Council in a meeting duly assembled that The Community Development Code, Appendix B – The Daufuskie Island Community Development Code, Division B.3, Section B.3.20 (Consolidated Use Table and Land Use Definitions) is amended and that a new section, Section B.3.30 (Other Standards), and a new sub-section B.3.30.A (Short-Term Rentals) are added to the Daufuskie Island Community Development Code as set forth in Exhibit “A” hereto. It is further ordained that these amendments will go into effect sixty-one (61) days from the date hereof so that Certificate of Occupancy holders who wish to rent their properties may do so by submitting properly completed permit applications as set forth in the Grace Period provision above. Deletions in the existing code are stricken through. Additions are highlighted and underlined.

Ordained this \_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
Joseph Passiment, Chairman

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

## EXHIBIT "A"

### B.3.20 - Consolidated Land Use Table and Land Use Definitions (Snippet)

Table B.3.20. Consolidated Use Table									
Land Use Type	D1 NP	D2 R	D2 CP	D2 GH	D3 GN	D4 MU	D5 VC	D5 GC	Definition
<b>OFFICES &amp; SERVICES</b>									
1. General Offices and Services 3,500 SF or less	—	C	—	C	C	P	P	P	1. <u>Bank/Financial Services.</u> Financial institutions, including, but not limited to: banks, credit agencies, investment companies, security and commodity exchanges, ATM facilities. 2. <u>Business Services.</u> Establishments providing direct services to consumers, including, but not limited to: employment agencies, insurance agent offices, real estate offices, travel agencies, landscaping and tree removal companies, exterminators, carpet cleaners, and contractors' offices without exterior storage.
2. General Offices and Services 10,000 SF or less	—	—	—	—	—	P	P	P	3. <u>Business Support Services.</u> Establishments providing services to other businesses, including, but not limited to: computer rental and repair, copying, quick printing, mailing and mailbox services. 4. <u>Personal Services.</u> Establishments providing non-medical services to individuals, including, but not limited to: barber and beauty shops, dry cleaners, small appliance repair, laundromats, massage therapists, pet grooming with no boarding, shoe repair shops, tanning salons, funeral homes. These uses may include incidental retail sales related to the services they provide. 5. <u>Professional and Administrative Services.</u> Office-type facilities occupied by businesses or agencies that provide professional or government services, or are engaged in the production of intellectual property.
3. Animal Services: Clinic/Hospital	—	—	—	—	—	C	P	P	An establishment used by a veterinarian where animals are treated. This use may include boarding and grooming as accessory uses.

4. Animal Services: Kennel	—	C	—	C	C	C	P	P	A commercial facility for the boarding, breeding, and/or maintaining of animals for a fee that are not owned by the operator. This use includes pet day care facilities, animal training facilities (except horses - see "Commercial Stables"), and may include grooming as an accessory use. This use includes the breeding of animals in outdoor structures, cages or pens for sale, but does not include animals for sale in pet shops (see "General Retail").
5. Body Branding, Piercing, Tattooing	—	—	—	—	—	S	S	S	An establishment whose principal business is the one or more of the following: any invasive procedure in which a permanent mark is burned into or onto the skin using either temperature, mechanical or chemical means; creation of an opening in the body for the purpose of inserting jewelry or other decorations (not including ear piercing); and/or placing designs, letters, figures, symbols or other marks upon or under the skin of any person using ink or other permanent coloration.
6. Day Care: Family Home (up to 8 clients)	—	C	—	C	C	C	S	S	A state-licensed facility in a private home where an occupant of the residence provides non-medical care and supervision for up to 8 unrelated adults or children, typically for periods of less than 24 hours per day for any client.
7. Day Care: Commercial Center (9 or more clients)	—	—	—	—	—	C	S	S	A state-licensed facility that provides non-medical care and supervision for more than 8 adults or children, typically for periods of less than 24 hours per day for any client. Facilities include, but are not limited to: nursery schools, preschools, after-school care facilities, and daycare centers.
8. Short-term Rentals	—	S	S	S	S	P	P	P	<u>A property with a residential dwelling where lodging is offered, advertised, or provided to Short-Term Rental Tenants (excluding family members) for a fee or any form of compensation with individual rental terms not exceeding 29 consecutive days. In cases where Special Use approval is required, the Zoning Board of Appeals (ZBOA) may establish an appropriate rental limit as a condition of approval after conducting the public hearing and finding that conditions exist making such a limitation necessary. This definition does not regulate or replace other definitions for real or personal property taxes. Those standards must be complied with in accordance with the applicable regulations and State Laws.</u>
9. Lodging: Bed and Breakfast (5 rooms or less)	—	C	—	C	C	P	P	P	The use of a single residential structure for commercial lodging purposes, with up to 5 guest rooms used for the purpose of lodging transient guests and in which meals may be prepared for them, provided that no meals may be sold to persons other than such guests, and where the owner resides on the property as his/her principal place of residence.
10. Lodging: Inn (up to 24 rooms)	—	—	—	—	S	P	P	P	A building or group of buildings used as a commercial lodging establishment having up to 24 guest rooms providing lodging accommodations to the general public.
11. Lodging: Hotel (25 to 50 rooms)	—	—	—	—	—	S	P	P	A lodging establishment of 25 or more rooms in a building or group of buildings offering transient lodging accommodations on a daily rate to the general public.
12. Residential Storage Facility	—	—	—	—	—	S	S	S	A building or buildings consisting of individual, small, self-contained units that are leased or owned for the storage of household goods. Outdoor

									storage of boats, trailers, and vehicles may be provided as an accessory use.
<del>12</del> <b>13.</b> Medical Service: Hospital	—	—	—	—	—	S	P	P	An institution licensed by the State, where people, including inpatients, receive medical, surgical or psychiatric treatment and nursing care.
<del>13</del> <b>14.</b> Medical Service: Clinics/Offices	—	—	—	—	—	P	P	P	<p>1. <u>Clinic.</u> A facility other than a hospital where medical, mental health, surgical and other personal health services are provided on an outpatient basis. Examples of these uses include: Medical offices with five or more licensed practitioners and/or medical specialties, outpatient care facilities, urgent care facilities, other allied health services. These facilities may also include incidental medical laboratories and/or pharmacies. Counseling services by other than medical doctors or psychiatrists are included under "General Services - Professional/Administrative."</p> <p>2. <u>Medical Office.</u> A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis, and that accommodates no more than four licensed primary practitioners (for example, chiropractors, medical doctors, psychiatrists, etc., other than nursing staff) within an individual office suite. A facility with five or more licensed practitioners is classified under "Medical Services - Clinic." Counseling services by other than medical doctors or psychiatrists are included under "General Services - Professional/Administrative."</p>
<b>14</b> <b>15.</b> Vehicle Services: Minor Maintenance and Repair	—	C	—	C	C	P	P	P	Incidental minor repairs to include replacement of parts and service to passenger cars and light trucks, but not including any operation defined as "Vehicle Services - Major Maintenance and Repair" or any other operation similar thereto. Examples include quick service oil, tune-ups, tires, brake and muffler shops. This use also includes car washes and detailing businesses as a principal use.
<del>15</del> <b>16.</b> Vehicle Services; Major Maintenance and Repair	—	—	—	—	—	S	S	S	General repair, rebuilding or reconditioning of boats and/or motor vehicles; collision service including body or frame straightening or repair; vehicle paint shops; auto wrecker services.

### **B.3.30 - Other Standards**

#### **A. Short-Term Rental**

##### **1. Purpose and Applicability.**

- a. **Purpose.** The County is committed to working to protect the traditional quality of life and character of its residential neighborhoods and coastal islands. The County has concerns about permitted short-term rentals resulting in increased traffic, noise, trash, parking needs, safety and possible adverse impacts and other undesirable changes to the nature of the historic districts of Daufuskie Island. Therefore, the County Council finds it appropriate and in the best interests of its residents, property owners, and visitors to regulate Short-Term Rental Properties (STRPs) within all Transect Zones on unincorporated Daufuskie Island.

This Article sets out standards for establishing and operating Short-Term Rental Properties. These regulations are intended to provide for an efficient use of residential dwellings as STRPs by:

- 1) Providing for an annual permitting process to regulate STRPs;
- 2) Balancing the interests of owner-occupied dwellings with properties that are frequently used in whole or in part by Short-Term Rental Tenants.
- 3) Allowing homeowners to continue to utilize their residences in the manner permitted by this Ordinance for the Zoning District in which a particular home is located.
- 4) Providing alternative accommodation options for lodging in residential dwellings;
- 5) Complementing the accommodation options in environments that are desirable and suitable as a means for growing tourism and,
- 6) Providing an opportunity for public comment on the granting of STRP permits in residential transect zones.

##### **b. Applicability.**

- 1) **Short-Term Home Rental (STHR).** A property with a residential dwelling where lodging is offered, advertised, or provided to Short-Term Rental Tenants (excluding family members) for a fee or any form of compensation with individual rental terms not exceeding 29 consecutive days. The subject property must be a legally permitted dwelling unit of one or more rooms arranged for complete independent housekeeping purposes with space for living and sleeping, facilities for eating and cooking, and provisions for sanitation. For the purposes of this regulation and for the avoidance of doubt, recreational vehicles, campers, fifth-wheel trailers, tents, shipping containers, and motor vehicles are not considered dwelling units. In cases where Special Use approval is required, the Zoning Board of Appeals (ZBOA) may establish an appropriate rental limit as a condition of approval after conducting the public hearing and finding that conditions exist making such a limitation necessary. This definition does not regulate or replace other definitions for real or personal property taxes. Those standards must be complied with in accordance with the applicable regulations.



- 2) **Applicable Zoning Districts.** STRPs shall be allowed within the Zoning Districts of this Ordinance in accordance with Division B.3.20: Consolidated Land Use Table and Land Use Definitions.
- 3) **Application.** Applications for STRPs shall be made in compliance with this Article.
- 4) All legally permitted dwelling units operating as STRs up through the year 2022 which can provide proof that accommodation taxes have been paid shall be allowed to continue to operate. All new STRs thereafter shall be subject to the processes established in B.3.20.

c. **Registration.** All STRPs require a Short-Term Rental Property (STRP) Permit and Business License. Upon adoption of this Ordinance, STRPs will have 60 calendar days to submit applications to comply with the provisions of this Article. All STRs grandfathered shall complete an STR application and submit to the county to receive necessary permits.

## 2. **Operating Standards and Requirements.**

### a. **Permits and Renewals.**

- 1) After a STRP use has been authorized through the applicable zoning process(es), a Short-Term Rental Property (STRP) Permit for a STRP use and a Business License must be obtained prior to offering, advertising, or providing Short-Term Rental Properties for lodging as provided for in this Article.
- 2) Short-Term Rental Property (STRP) Permits for all STRP uses must be renewed annually in compliance with this Article.
- 3) STRP permits are not transferrable when a dwelling is sold. The new owner must complete the application process for a new permit.

### b. **Short-Term Rental Property Tenant Notices.**

- 1) Each STRP must contain a Short-Term Rental Tenant notice posted in each room where Short-Term Rental Tenants may lodge. The notice must provide the following information:
  - a. Contact information for the owner of the STRP;
  - b. Short-Term Rental Property (STRP) Permit Number for the STRP use;
  - c. Trash collection location and schedules, if applicable; and
  - d. Fire and Emergency evacuation routes.
- 2) A permanent 8.5" x 11" weatherproof sign shall be installed at the entrance to the property with the following information clearly shown:
  - a. The street address;
  - b. The STRP License Number;
  - c. The 24-hour emergency contact's name and telephone number; and
  - d. Maximum occupancy.
- 3) Each STRP must contain a prominently posted "Good Neighbor Notice" providing information about local rules and regulations such as age limits for

driving golf carts, local leash laws, "lights out" regulations during turtle nesting season, and information about the Beaufort County noise ordinance #2021/07.

### **3. General Standards.**

#### **a. Use Limitations and Standards.**

- 1) Legally permitted Principal Dwelling Units and Accessory Dwelling Units may be used as STRPs, even when they are located on the same property; however, Accessory Structures shall not be used as STRPs.
- 2) Parking for Short-Term Rental Tenants shall comply with requirements in Division 5.5 of the County Community Development Code.
- 3) Signage advertising STRPs is prohibited in Residential Zoning Districts.
- 4) Due to Short-Term rentals on Daufuskie Island prominently being served by Well and Septic systems, maximum occupancy shall be considered. The maximum occupancy is two adults per bedroom plus two additional adults. Persons aged 12 years and older are to be considered adults. All persons aged less than 12 years old do not count against the maximum occupancy.
- 5) Any designated agent shall be identified on the application for the Short-Term permit and posted within the rental.
- 6) The owner must have a plan for the proper disposal and removal of trash and shall ensure any outdoor trash containers remain secured to avoid spills, animal intrusions, and unsightly conditions.

#### **b. Advertising.**

- c. Whether by a hosting platform, via Internet or paid advertising, or other postings, advertisements, or announcements, the availability of a STRP shall include the County issued Short Term Rental Property (STRP) Permit Number.

#### **d. Annual Short-Term Rental Property (STRP) Permit Renewal.**

- 1) Short-Term Rental Property (STRP) Permits for all STRPs must be renewed annually. An application for annual renewal of the Short-Term Rental Property (STRP) Permit must include:
  - a. The application fee.
  - b. A notarized affidavit signed by the property owner stating that the type of STRP use and the information submitted as part of the application for the previous year's Short-Term Rental Property (STRP) Permit for the STRP use has not changed in any manner whatsoever and that the STRP use complies with the most recently adopted version of this Article (form of Affidavit Provided by the County). A legible copy of a valid photo ID may be submitted in lieu of providing a notarized signature; and
  - c. The applicant shall file an application for a new Short-Term Rental Property (STRP) Permit for a STRP use if the requirements are not met.
- 2) If the Director of the Community Development Department determines that the STRP use is not consistent with the Special Exception that authorizes the use and/or Site Plan Review approval that authorizes the use, the applicant shall file an application for a new Short-Term Rental Property (STRP) Permit

for the STRP use, including applicable Special Exception and/or Site Plan Review applications and fees.

- 3) By the end of January of each calendar year, the owners of all registered STRPs will be mailed an annual renewal notice informing them that they must renew the Short-Term Rental Property (STRP) Permit for the STRP use on or before April 1st of the same calendar year or their existing Short-Term Rental Property (STRP) Permit will expire. The Short-Term Rental Property (STRP) Permit for the STRP use will terminate on April 1st of each year regardless of whether the applicant receives notice from the Zoning and Planning Department Director.

#### **4. Use Limitations and Requirements.**

- a. **Applicability.** The limitations and requirements of this Section apply to all types of Short-Term Rental Properties (STRPs).
- b. **Application Submittal Requirements.** No application for a STRP shall be accepted as complete unless it includes at minimum the required fee and the information listed below.
  - 1) The name, address, email, and telephone number of all property owners of the Short-Term Rental Property (STRP).
  - 2) Completed Short-Term Rental Property application signed by all current property owner(s). For properties owned by corporations or partnerships, the applicant must submit a resolution of the corporation or partnership authorizing and granting the applicant signing and authority to act and conduct business on behalf of and bind the corporation or partnership.
  - 3) Restricted Covenants Affidavit(s) signed by the applicant or current property owner(s) in compliance with state law.
  - 4) Address and Property Identification Number of the property on which the STRP is located.
  - 5) The type of Dwelling Unit(s) that is proposed to be used as a STRP must be a legally permitted dwelling unit of one or more rooms arranged for complete independent housekeeping purposes with space for living and sleeping, facilities for eating and cooking, and provisions for sanitation.
  - 6) The maximum number of bedrooms in the Dwelling Unit(s) proposed to be used as a STRP.
  - 7) A fully executed property inspection certificate completed by a licensed South Carolina Home Inspector. A property inspection report shall only be required every three years but in intermediate years, to renew the STRP Permit, the Applicant must sign an affidavit attesting to the fact that no changes to the property have occurred that would adversely affect compliance with life/safety codes.
  - 8) An insurance certificate verifying public liability insurance of \$500,000.00.

#### **5. Enforcement and Violations.**

- a. Notwithstanding the provisions of this Ordinance, a STRP Short-Term Rental Property (STRP) Permit may be administratively revoked by the Community Development Department Director or his designee if the STRP has violated the provisions of this Article on three or more occasions within a 12-month period. Provided however, a STRP

Short-Term Rental Property (STRP) Permit may be immediately revoked if the Community Development Department Director determines the STRP has Building Code violations, there is no Business License for the property, the property is being used in a manner not consistent with the Short-Term Rental Property (STRP) Permit issued for the STRP use, or the advertisement for the STRP does not include the County issued Short-Term Rental Property (STRP) Permit Number.

- b. If a STRP Short-Term Rental Property (STRP) Permit is administratively revoked or an application for a STRP Short-Term Rental Property (STRP) Permit is administratively denied, a STRP owner (or authorized agent) may appeal the Community Development Department Director's administrative decision revoking or denying the STRP Short-Term Rental Property (STRP) Permit to the Board of Zoning Appeals within 30 calendar days from the date of the denial or revocation. All appeals shall be addressed in accordance with the appeal procedures as defined in the Community Development Code.
- c. Subsequent Application. Once a County-issued Short-Term Rental Property (STRP) Permit and/or a Business License for a STRP use has been revoked, no new Short-Term Rental Property (STRP) Permit and/or Business License for a STRP use shall be issued to the applicant for the same property for a period of one year from the date of revocation. Upon expiration of the revocation period, a new Short-Term Rental Property (STRP) Permit application for a STRP use must be submitted in accordance with this Article. This provision may be waived provided the party is sold to a new owner that has no business or personal affiliation with the previous owner and provided a penalty of \$500.00 is paid by the owner/applicant at the time the Short-Term Rental Property (STRP) Permit application for a STRP use is filed.



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
<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>
<b>MEETING NAME AND DATE:</b>
<i>Community Services and Land Use Committee Meeting, June 12, 2023</i>
<b>PRESENTER INFORMATION:</b>
<i>Robert Merchant, AICP, Director, Beaufort County Planning and Zoning (10 minutes needed for item discussion)</i>
<b>ITEM BACKGROUND:</b>
<i>This rezoning application went before the Beaufort County Planning Commission at their June 5, 2023, meeting. At that time the Commission voted unanimously to recommend denial of the proposed amendment to County Council.</i>
<b>PROJECT / ITEM NARRATIVE:</b>
<i>The applicant is 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>
<b>FISCAL IMPACT:</b>
<i>Not applicable</i>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
<i>Staff recommends denial of the proposed zoning amendment.</i>
<b>OPTIONS FOR COUNCIL MOTION:</b>
<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:

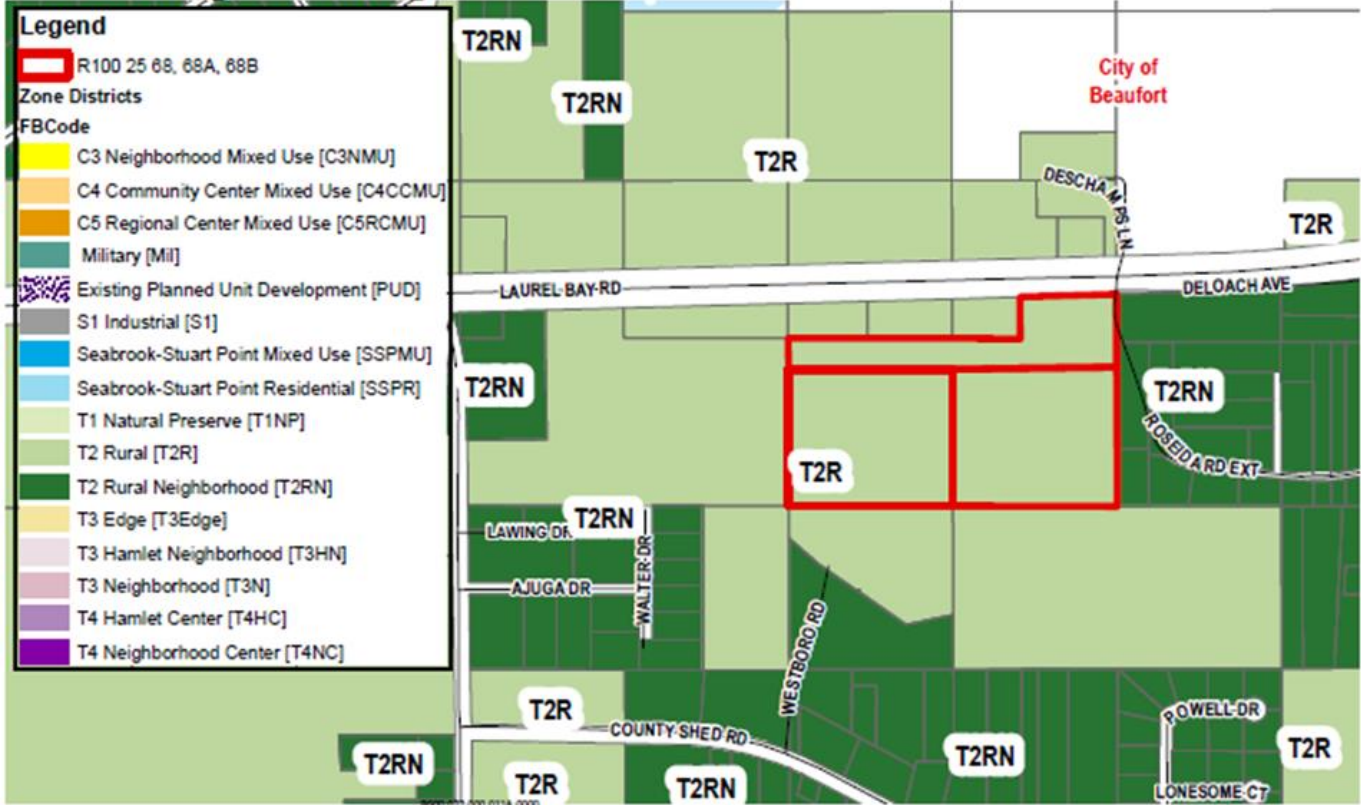
The zoning map of the County is hereby amended to change the zoning of the property located at the intersection of Laurel Bay Road and Roseida Road Extension (R100 025 000 068A 0000, R100 025 000 068B 0000, AND R100 025 000 0068 0000) from T2 Rural to S1 Industrial

Ordained this \_\_\_\_ day of \_\_\_\_\_, 2023

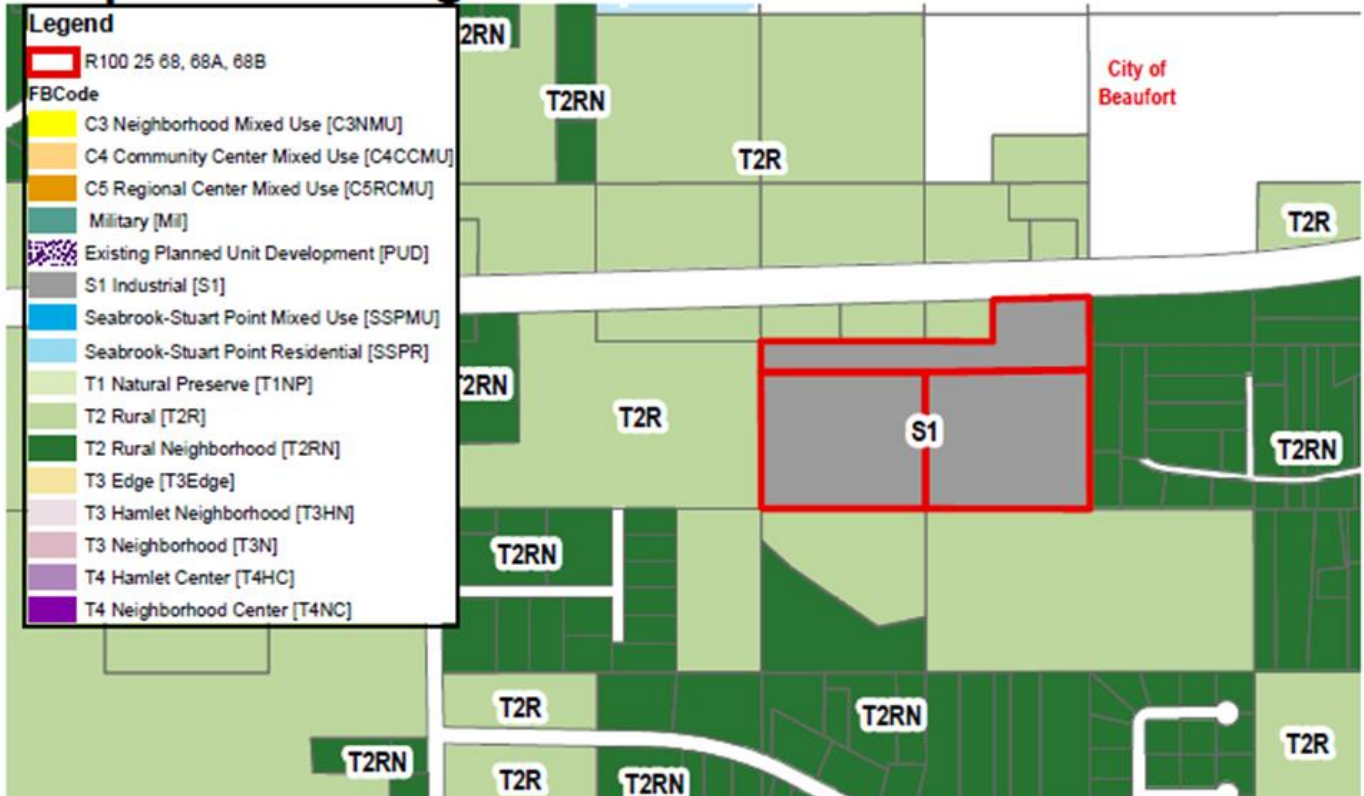
\_\_\_\_\_  
Joseph Passiment, Chairman

\_\_\_\_\_  
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.

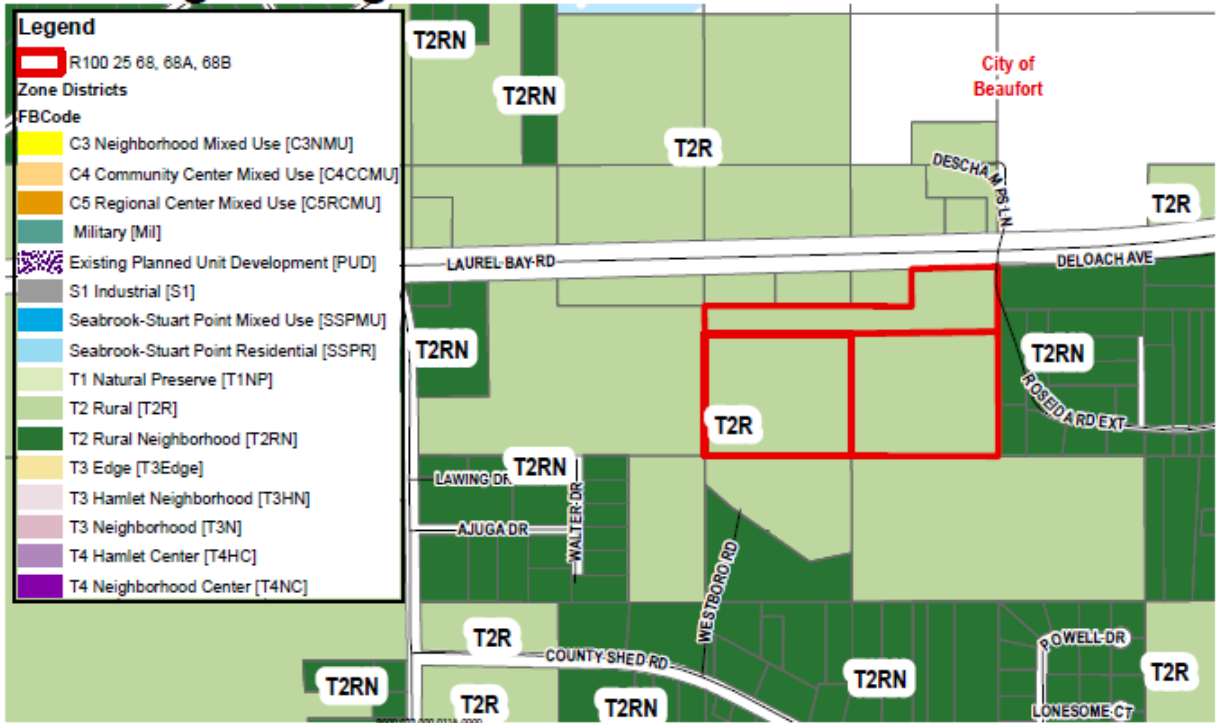
**H. STAFF RECOMMENDATION:** Staff recommends denial.

**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.

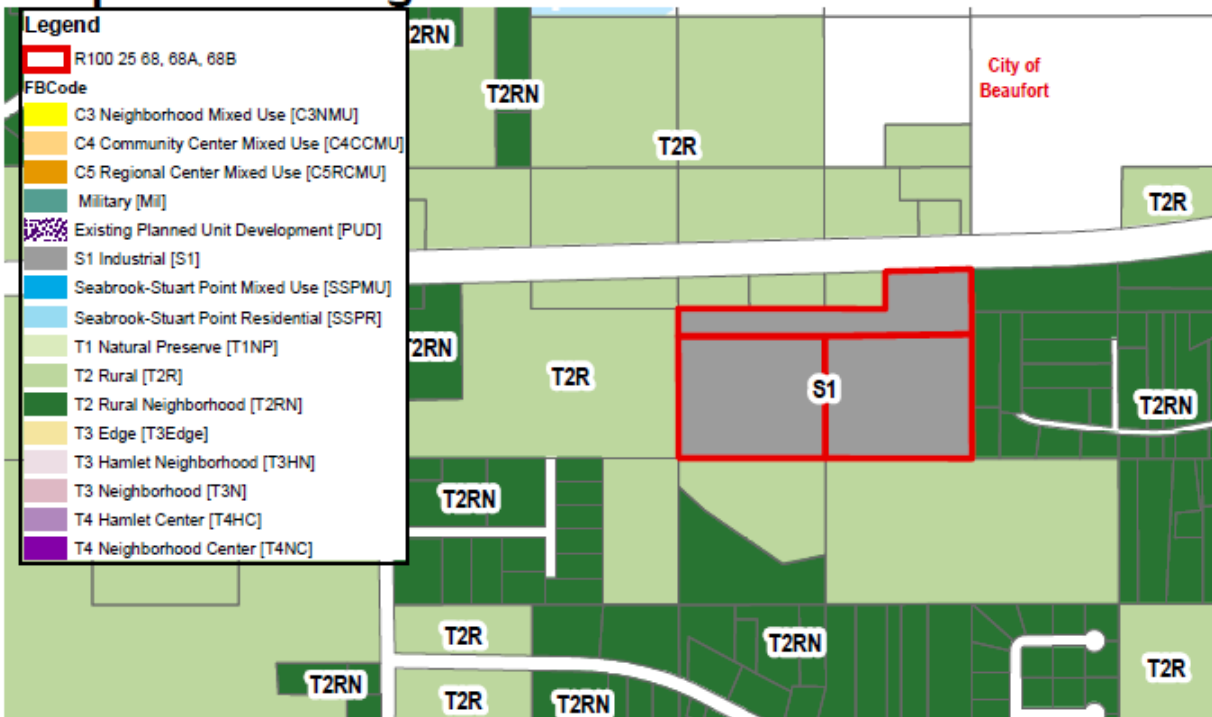
**J. ATTACHMENTS**

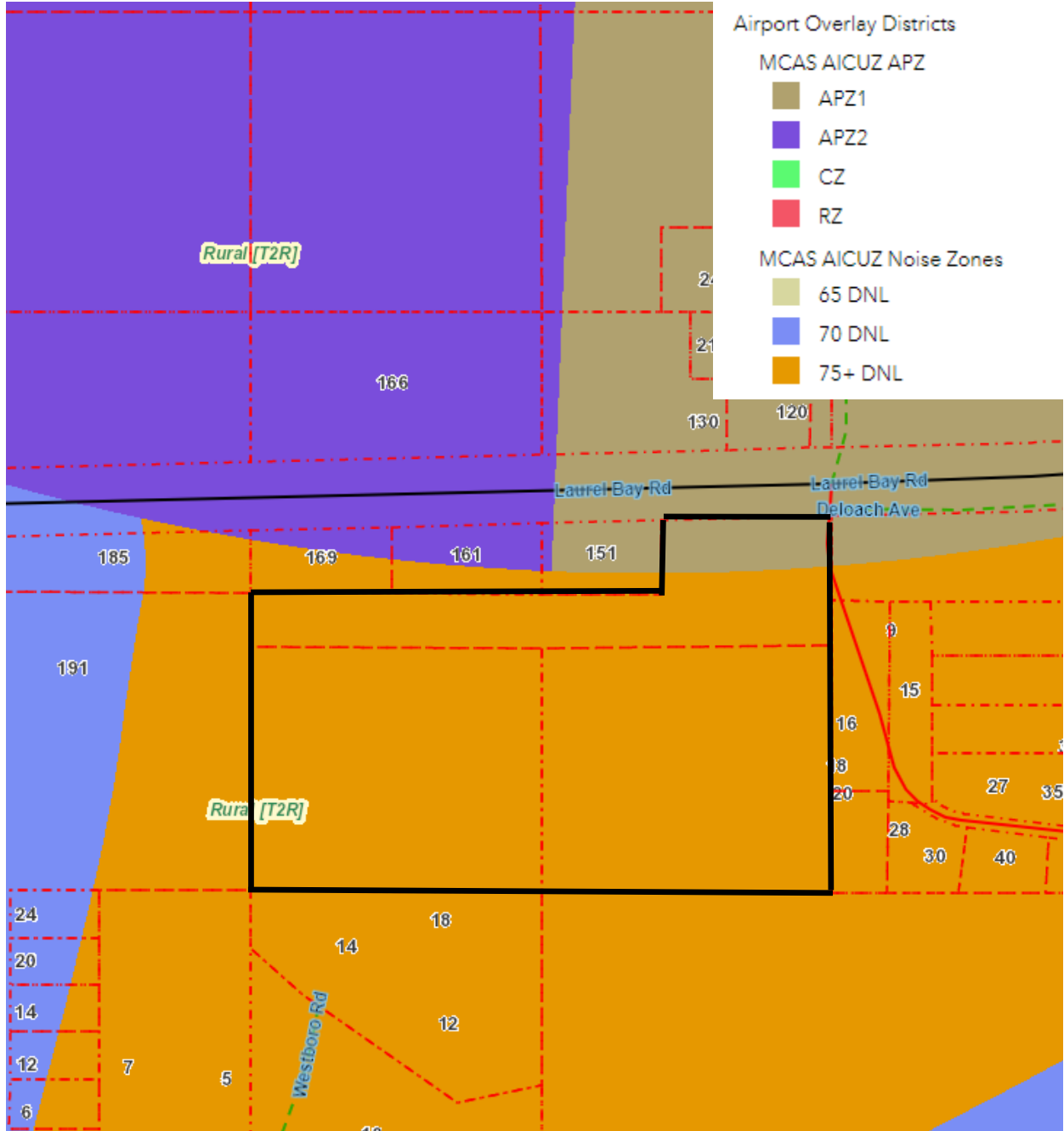
- Zoning Map (existing and proposed)
- AICUZ Map

# Existing Zoning



# Proposed Zoning







# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
<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>
<b>MEETING NAME AND DATE:</b>
<i>Community Services and Land Use Committee Meeting, June 12, 2023</i>
<b>PRESENTER INFORMATION:</b>
<i>Robert Merchant, AICP, Director, Beaufort County Planning and Zoning (10 minutes needed for item discussion)</i>
<b>ITEM BACKGROUND:</b>
<i>This rezoning application went before the Beaufort County Planning Commission at their June 5, 2023, meeting. At that time the Commission voted unanimously to recommend denial of the proposed amendment to County Council.</i>
<b>PROJECT / ITEM NARRATIVE:</b>
<i>The applicant is 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>
<b>FISCAL IMPACT:</b>
<i>Not applicable</i>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
<i>Staff recommends denial of the proposed zoning amendment.</i>
<b>OPTIONS FOR COUNCIL MOTION:</b>
<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

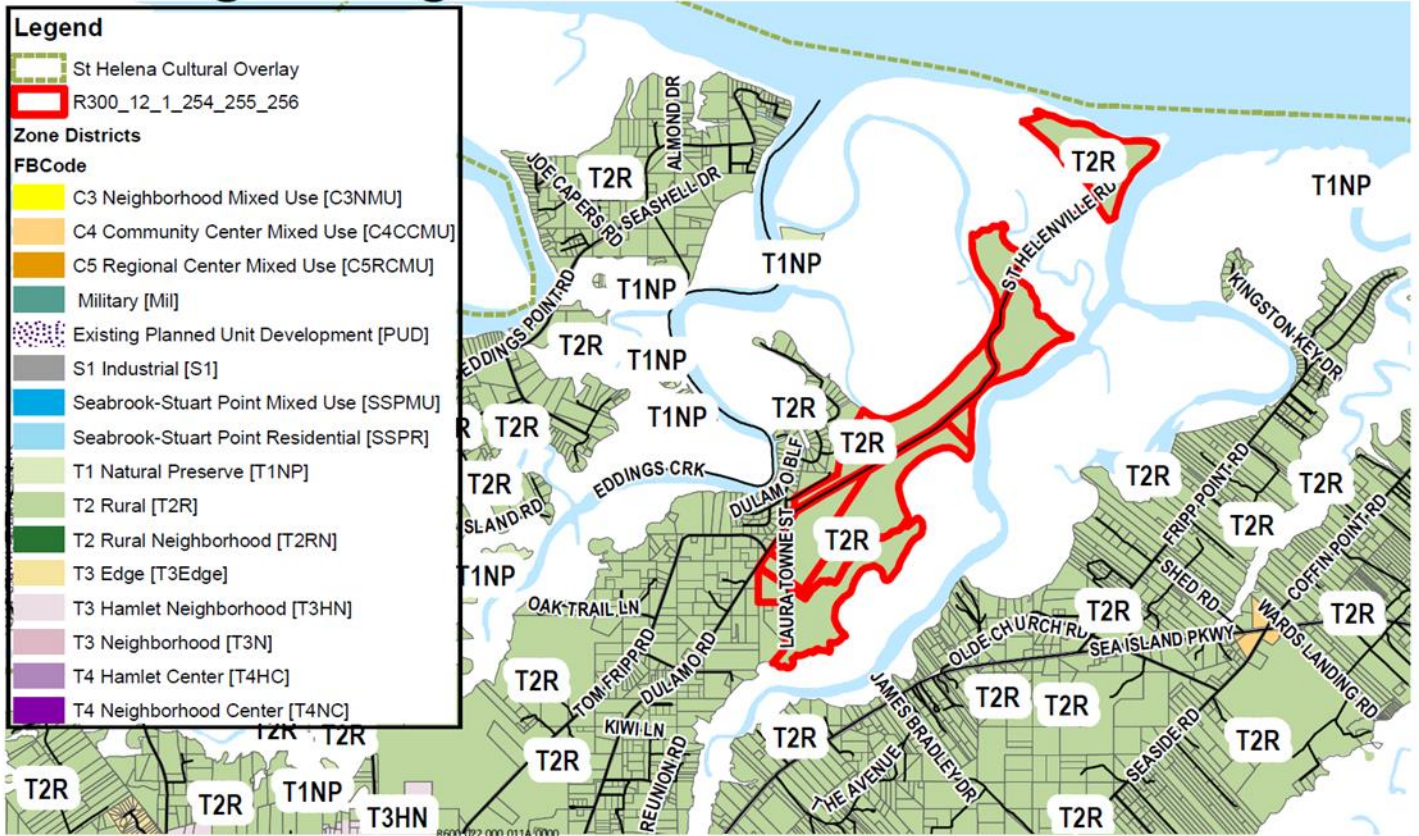
\_\_\_\_\_  
Sarah Brock, Clerk to Council



# Existing Zoning

**Legend**

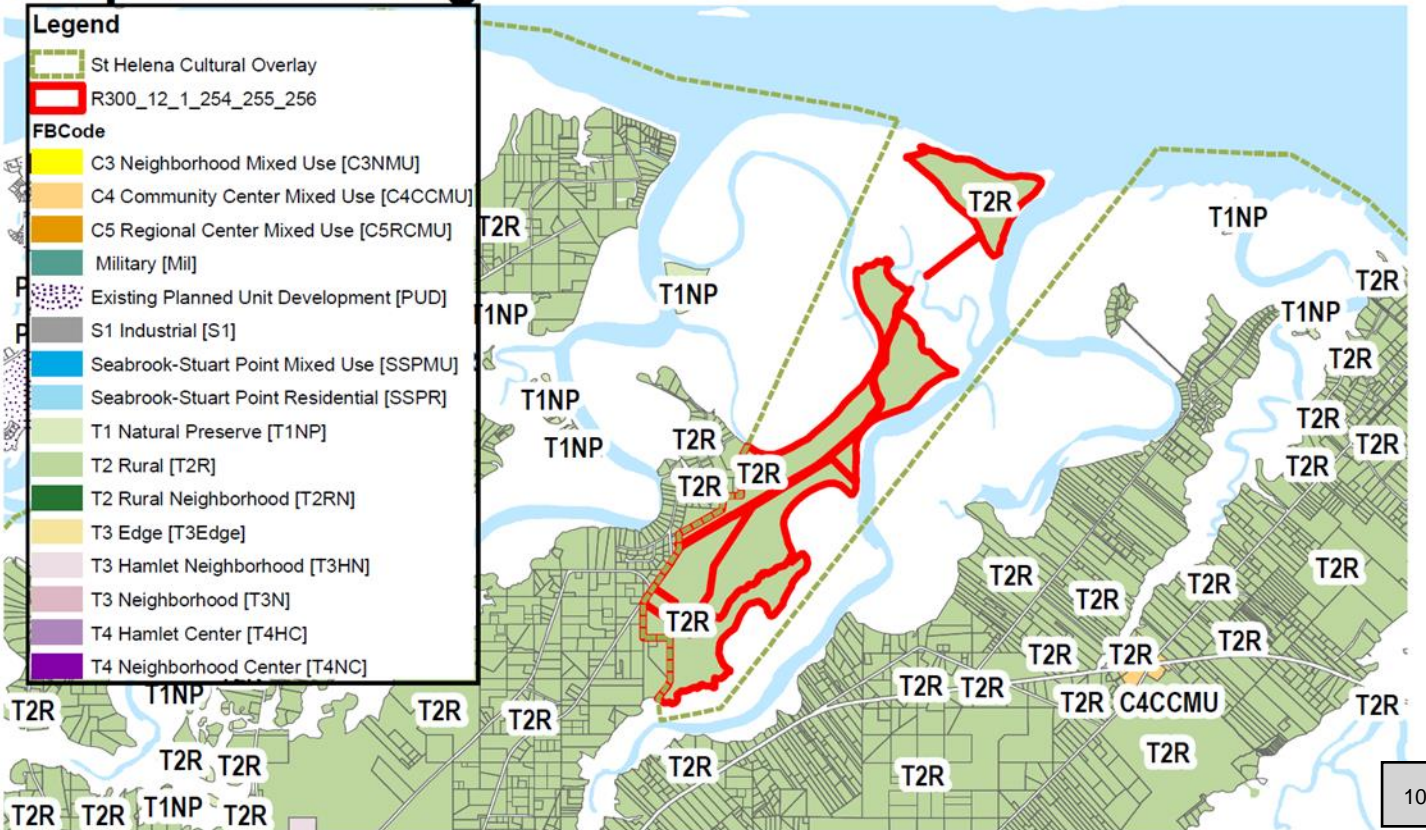
- St Helena Cultural Overlay
- R300\_12\_1\_254\_255\_256
- Zone Districts**
- FBCode**
- C3 Neighborhood Mixed Use [C3NMU]
- C4 Community Center Mixed Use [C4CCMU]
- C5 Regional Center Mixed Use [C5RCMU]
- Military [Mil]
- Existing Planned Unit Development [PUD]
- S1 Industrial [S1]
- Seabrook-Stuart Point Mixed Use [SSPMU]
- Seabrook-Stuart Point Residential [SSPR]
- T1 Natural Preserve [T1NP]
- T2 Rural [T2R]
- T2 Rural Neighborhood [T2RN]
- T3 Edge [T3Edge]
- T3 Hamlet Neighborhood [T3HN]
- T3 Neighborhood [T3N]
- T4 Hamlet Center [T4HC]
- T4 Neighborhood Center [T4NC]



# Proposed Zoning

**Legend**

- St Helena Cultural Overlay
- R300\_12\_1\_254\_255\_256
- FBCode**
- C3 Neighborhood Mixed Use [C3NMU]
- C4 Community Center Mixed Use [C4CCMU]
- C5 Regional Center Mixed Use [C5RCMU]
- Military [Mil]
- Existing Planned Unit Development [PUD]
- S1 Industrial [S1]
- Seabrook-Stuart Point Mixed Use [SSPMU]
- Seabrook-Stuart Point Residential [SSPR]
- T1 Natural Preserve [T1NP]
- T2 Rural [T2R]
- T2 Rural Neighborhood [T2RN]
- T3 Edge [T3Edge]
- T3 Hamlet Neighborhood [T3HN]
- T3 Neighborhood [T3N]
- T4 Hamlet Center [T4HC]
- T4 Neighborhood Center [T4NC]





# 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:**

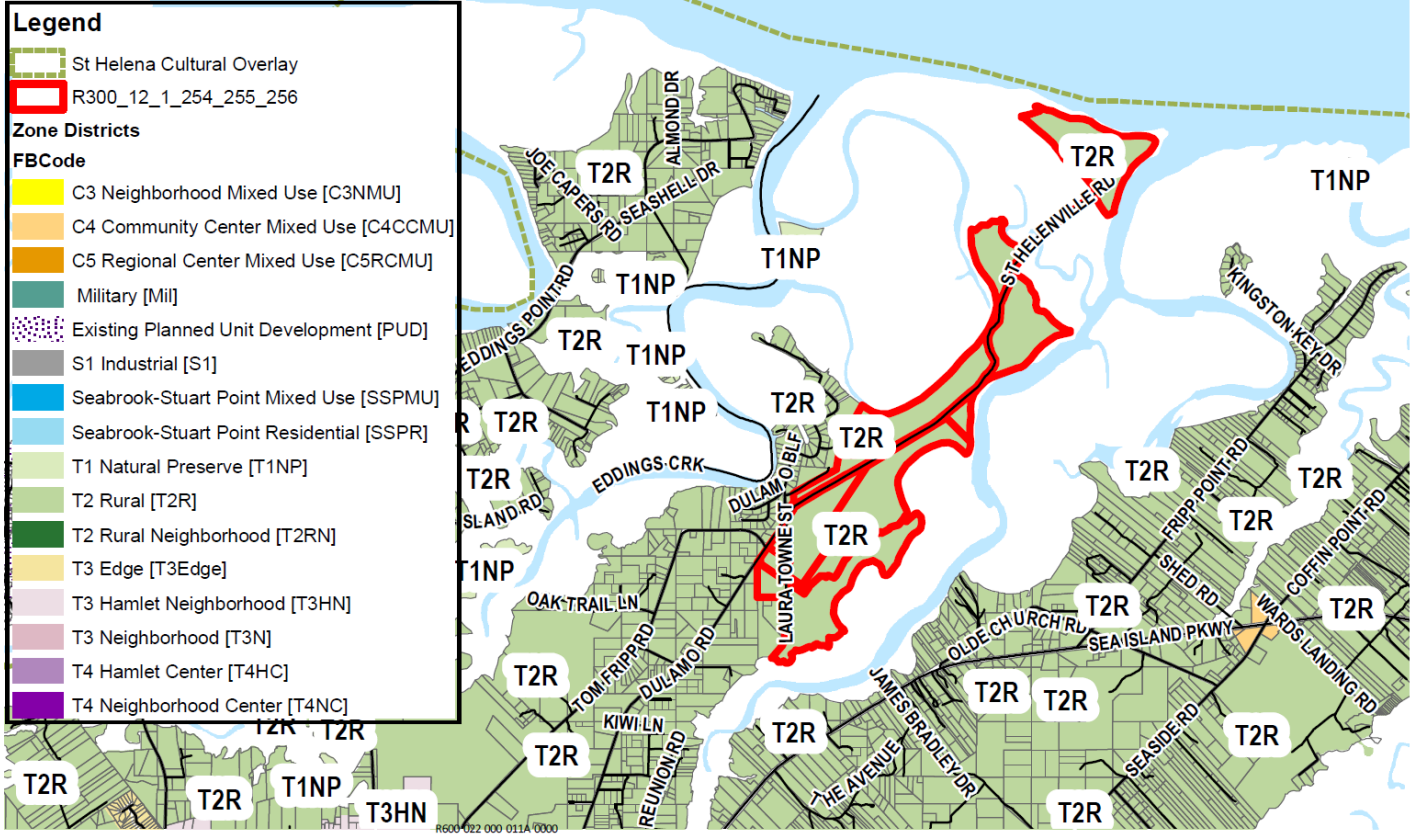
Staff recommends denial of the proposed zoning amendment. The location and extent of the CPO boundaries were purposefully delineated to support and implement the Comprehensive Plan and the purpose statement of the CPO. To move the boundaries for the purpose of excluding certain parcels erodes the effectiveness 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.

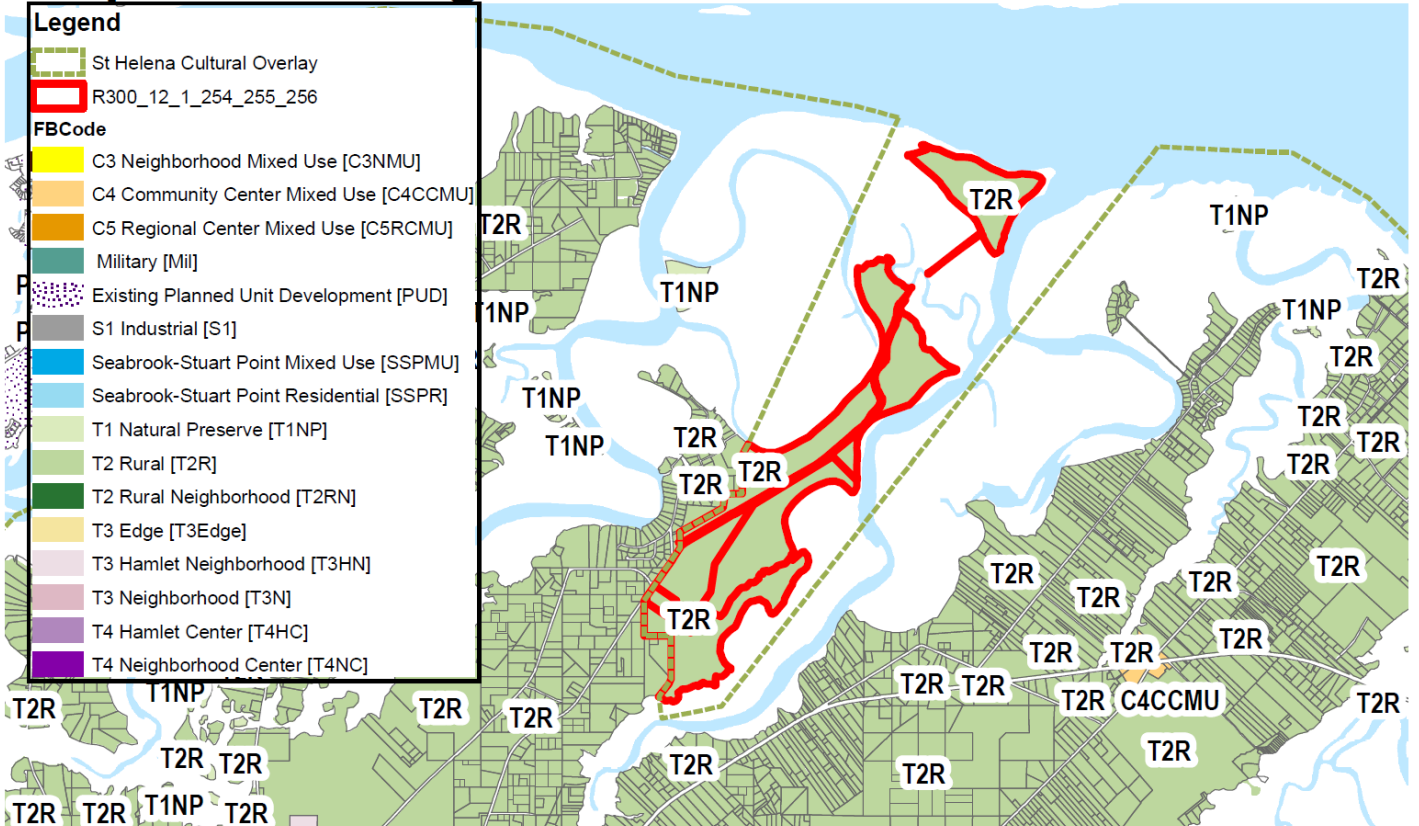
**J. PLANNING COMMISSION RECOMMENDATION:**

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

<b>ITEM TITLE:</b>
RECOMMEND APPROVAL OF AN ORDINANCE AUTHORIZING THE FRIPP ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA TO ISSUE NOT EXCEEDING \$5,250,000 OF GENERAL OBLIGATION BONDS SUBJECT TO VOTER APPROVAL, PROVIDING FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION; AND PROVIDING FOR OTHER MATTERS RELATED THERETO.
<b>MEETING NAME AND DATE:</b>
Finance, Administration, and Economic Development Committee 6/19/2023
<b>PRESENTER INFORMATION:</b>
Sara Weathers, Pope Flynn, LLC 15 minutes
<b>ITEM BACKGROUND:</b>
The Commission of the Fripp Island Public Service District has determined to seek authorization from the Beaufort County Council to issue general obligation bonds, subject to a favorable referenda of qualified electors. The Commission requests that, following a public hearing on the matter, the County Council enact the ordinance authorizing the issuance of the bonds, subject to a favorable referenda of qualified electors. This ordinance authorizing the bond issuance is required pursuant to Section 6-11-860 of the S.C. Code.
<b>PROJECT / ITEM NARRATIVE:</b>
The Fripp Island Public Service District (FIPSD) has determined to issue bonds to defray the costs related to (1) certain fire station improvements, the purchase of squad trucks and a ladder truck, and various equipment of the fire department, (2) erosion control improvements including bolstering the existing revetment, and (3) repairs and improvements to the Fripp Inlet Bridge.
<b>FISCAL IMPACT:</b>
If there is a successful referendum and bonds are issued, the bond payments will be made from the debt service account of FIPSD. The millage rate increase will depend upon which bonds are approved in the referenda and issued by the Commission. Based upon current projections, FIPSD estimates that a millage increase of 8.2 mills would be sufficient to pay debt service on \$5,250,000 of general obligation bonds.
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
<b>OPTIONS FOR COUNCIL MOTION:</b>
Motion to approve/deny "RECOMMENDATION OF APPROVAL OF AN ORDINANCE AUTHORIZING THE FRIPP ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA TO ISSUE NOT EXCEEDING \$5,250,000 OF GENERAL OBLIGATION BONDS SUBJECT TO VOTER APPROVAL, PROVIDING FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION; AND PROVIDING FOR OTHER MATTERS RELATED THERETO."

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AN ORDINANCE AUTHORIZING THE FRIPP ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA TO ISSUE NOT EXCEEDING \$5,250,000 OF GENERAL OBLIGATION BONDS SUBJECT TO VOTER APPROVAL, PROVIDING FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION; AND PROVIDING FOR OTHER MATTERS RELATED THERETO

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AUTHORIZING ORDINANCE

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August 14, 2023



**BE IT ORDAINED BY THE COUNTY COUNCIL OF BEAUFORT COUNTY,  
SOUTH CAROLINA, AS FOLLOWS:**

ARTICLE I – FINDINGS

Section 1.01 Findings of Fact.

The County Council of Beaufort County (the “*County Council*”), the governing body of Beaufort County, South Carolina (the “*County*”), hereby finds and determines:

(a) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the “*Constitution*”), provides that special purpose districts may incur general obligation bonded indebtedness upon such terms and conditions as the General Assembly may prescribe by general law, subject to the following limitations: (i) such debt must be incurred only for a purpose which is a public purpose and a corporate purpose, and (ii) unless excepted therefrom, such debt may be issued in an amount not exceeding 8% of the assessed value of all taxable property of such special purpose district (the “*Bonded Debt Limit*”). Article X, Section 14(6) further provides that “if general obligation debt be authorized by a majority vote of the qualified electors of the political subdivision voting in a referendum authorized by law” then such bonds may be issued without regard to the Bonded Debt Limit.

(b) Pursuant to Title 6, Chapter 11, Article 5 of the Code of Laws of South Carolina 1976, as amended (the “*Enabling Act*”), the governing body of any county in the State of South Carolina (the “*State*”) may authorize the issuance of general obligation bonds by special purpose districts located within its bounds to defray the cost of any authorized purpose of such special purpose district.

(c) Fripp Island Public Service District, South Carolina (the “*District*”) was created and established as a special purpose district, a body politic and corporate, pursuant to the provisions of Act No. 1042 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1962, as amended. The District is located wholly within the County and is authorized, *inter alia*, (i) to provide fire, water, and sewer services, (ii) to acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal, or mixed, or any interest therein, (iii) to construct and maintain roads, and (iv) to do all other acts and things necessary or convenient to carry out any function or power committed or granted to the District.

(d) Pursuant to Section 6-11-830 of the Enabling Act, the County Council, upon petition of the governing body of any special purpose district, may determine that it is in the interest of such special purpose district to raise moneys for the furtherance of any power or function of the special purpose district and order a public hearing to be held upon the question of the issuance of general obligation bonds of the District.

(e) The Fripp Island Public Service District Commission (the “*Commission*”), the governing body of the District, petitioned the County Council to hold a public hearing and

thereafter authorize the issuance of not exceeding \$5,250,000 of general obligation bonds of the District (the “**Bonds**”) in order to provide:

- (1) \$1,320,000 to defray the costs of acquiring, designing, constructing, renovating, and equipping fire service facilities, apparatus, equipment, and vehicles, to include, without limitation, station improvements, beach rescue equipment, squad trucks, and aerial apparatus; capitalized interest during construction; and the costs of issuance of such general obligation bonds (the “**Fire Service Project**”);
- (2) \$870,000 to defray the costs of repairing, reconstructing, and mitigating certain District revetments and related infrastructure; capitalized interest during construction; and the costs of issuance of such general obligation bonds (the “**Revetment Project**”); and
- (3) \$3,060,000 to defray the costs of repairing, reconstructing, and improving the Fripp Inlet Bridge and related infrastructure, including, without limitation, bent retrofits and abutment protection; capitalized interest during construction; and the costs of issuance of such general obligation bonds (the “**Bridge Project**” and together with the Fire Service Project and the Revetment Project, each a “**Project**” and collectively the “**Projects**”).

(f) By action previously taken, the County Council ordered that a public hearing (the “**Public Hearing**”) on the question of the issuance of not exceeding \$5,250,000 of general obligation bonds of the District (the “**Bonds**”) be held on the 24th day of July, 2023, at 5:00 p.m., and the notice of the Public Hearing was duly published once a week for three successive weeks in *The Beaufort Gazette* and *Island Packet*, newspapers of general circulation in the County.

(g) The Public Hearing has been duly held at the time and date and in the manner set forth above and was conducted publicly. Both proponents and opponents of the proposed action were given full opportunity to be heard and it is now in order for the County Council to proceed, after due deliberation, in accordance with the provisions of the Enabling Act to make a finding as to whether or not the Bonds should be issued.

(h) The County Council has determined to condition the issuance of the Bonds upon the result of a special election to be held in the District on the question of the issuance of the Bonds (each ballot question for a project set forth in Section 1.01(e) a “**Bond Referendum**,” and together the “**Bond Referenda**”). Such Bond Referenda shall be conducted pursuant to Title 4, Chapter 15 of the Code of Laws of South Carolina 1976, as amended, as required by the Enabling Act.

(i) The County Council, by separate resolution, dated July 24, 2023, has ordered the Bond Referenda be held, and specified other details of the Bond Referenda therein. Article X, Section 14 of the Constitution provides that if general obligation debt is authorized by a majority vote of the qualified electors of the special purpose district voting in a referendum authorized by law, there shall be no conditions or restrictions limiting the incurring of such indebtedness except as specified in such Article. Bonds for the Fire Service Project, the Revetment Project, or the

Bridge Project, when and if issued following the respective favorable Bond Referendum, would not be restricted by, or count toward, the Bonded Debt Limit, in accordance with the Constitution and laws of the State.

ARTICLE II – AUTHORIZATION

Section 2.01 Referendum Authorization.

(a) The Supreme Court of South Carolina, in *Zeigler v. Dorchester County*, 426 S.C. 615, 622 (2019) held “that a ballot referendum proposing bonded indebtedness must contain a single question for each proposal to which voters can respond affirmatively or negatively.” The Bonds, in the aggregate, would finance three separate proposals and have been divided into three separate questions accordingly.

(b) Should the Bond Referenda result favorably to the issuance of Bonds for the Fire Service Project, the Revetment Project, or the Bridge Project, and upon the filing of the declaration of the result of the applicable Bond Referendum in the office of the Clerk of Court for Beaufort County, South Carolina, the District is hereby authorized to issue Bonds for such Fire Service Project, the Revetment Project, or the Bridge Project to the extent of the authorization provided in the applicable Bond Referendum. Upon such filing, the Commission, on behalf of the District, is authorized to cause the issuance of the Bonds at one time or from time to time, as it may determine, in an aggregate principal amount not to exceed \$5,250,000 (or such lesser amount as may be approved at the applicable Bond Referendum), in order to defray (i) the costs of the Fire Service Project, the Revetment Project, or the Bridge Project, as applicable, and (ii) the costs of issuance of the Bonds or, in the discretion of the District, general obligation bond anticipation notes (the “*BANS*”) in a principal amount of not exceeding \$5,250,000, pursuant to the provisions of Title 11, Chapter 17 of the Code of Laws of South Carolina 1976, as amended (the “*BAN Act*”). The Bonds and the BANS shall be issued pursuant to a resolution of the Commission adopted in conformity with the terms and provisions of the Enabling Act and the BAN Act, respectively.

Section 2.02 Ordinance to be Provided to District.

A certified copy of this Ordinance shall forthwith be transmitted to the Commission to advise it of the action taken by the County Council, whereby subject to favorable Bond Referenda, the Commission has been authorized to issue, pursuant to the provisions of the Enabling Act, the Bonds.

Section 2.03 Further Action.

The Chairman and other County officers are herewith authorized and empowered to take such further action as may be necessary to fully implement the action contemplated by this Ordinance.

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DONE AT BEAUFORT COUNTY, SOUTH CAROLINA, this 14th day of August 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

(SEAL)

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Joe Passiment, Chairman

Attest:

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Sarah W. Brock, Clerk  
County Council of Beaufort County

First Reading: June 26, 2023  
Second Reading: July 24, 2023  
Public Hearing: July 24, 2023  
Third Reading: August 14, 2023



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
RECOMMEND APPROVAL OF A RESOLUTION ORDERING A PUBLIC HEARING TO BE HELD ON THE ISSUANCE OF NOT EXCEEDING \$5,250,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE FRIPP ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO.
<b>MEETING NAME AND DATE:</b>
Finance, Administration, and Economic Development Committee 6/19/2023
<b>PRESENTER INFORMATION:</b>
Sara Weathers, Pope Flynn, LLC 15 minutes
<b>ITEM BACKGROUND:</b>
The Commission of the Fripp Island Public Service District has determined to seek authorization from the Beaufort County Council to issue general obligation bonds subject to a favorable referenda of qualified electors. The Commission requests that the County Council hold a public hearing on the question of the issuance of bonds pursuant to Section 6-11-830 of the S.C. Code.
<b>PROJECT / ITEM NARRATIVE:</b>
The Fripp Island Public Service District (FIPSD) has determined to issue bonds defray the costs related to (1) certain fire station improvements, the purchase of squad trucks and a ladder truck, and various equipment of the fire department, (2) erosion control improvements including bolstering existing revetment, and (3) repairs and improvements to the Fripp Inlet Bridge.
<b>FISCAL IMPACT:</b>
If there is a successful referendum and bonds are issued, the bond payments will be made from the debt service account of FIPSD. The millage rate increase will depend upon which bonds are approved in the referenda and issued by the Commission. Based upon current projections, FIPSD estimates that a millage increase of 8.2 mills would be sufficient to pay debt service on \$5,250,000 of general obligation bonds.
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
<b>OPTIONS FOR COUNCIL MOTION:</b>
Motion to approve/deny "RECOMMENDATION OF APPROVAL OF A RESOLUTION ORDERING A PUBLIC HEARING TO BE HELD ON THE ISSUANCE OF NOT EXCEEDING \$5,250,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE FRIPP ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO."

## A RESOLUTION

### ORDERING A PUBLIC HEARING TO BE HELD ON THE ISSUANCE OF NOT EXCEEDING \$5,250,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION BONDS OF THE FRIPP ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO.

**BE IT RESOLVED**, by the County Council of Beaufort County (the “*County Council*”), which is the governing body of Beaufort County, South Carolina (the “*County*”), in meeting duly assembled:

#### Section 1      Findings of Fact.

Incident to the adoption of this resolution, the County Council has made the following findings of fact:

(a) The County Council is empowered by Title 6, Chapter 11, Article 5 of the Code of Laws of South Carolina 1976, as amended (the “*Enabling Act*”), to authorize the governing body of any special purpose district created prior to March 7, 1973, and located in whole or in part within the County to issue general obligation bonds of such special purpose district in order to provide funds to be used in the furtherance of any power or function committed to such special purpose district and in effect on March 7, 1973;

(b) The Fripp Island Public Service District, South Carolina (hereinafter called the “*District*”), is a special purpose district located within the County and created prior to March 7, 1973, having been created by Act No. 1042 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1962, as amended, and is authorized, *inter alia*, to acquire and operate such facilities, equipment, and apparatus as shall be required for the provision of sewer, solid waste, and fire services within the District and to do all things necessary or convenient to carry out such authority;

(c) The Fripp Island Public Service District Commission, the governing body of the District, has petitioned the County Council to hold a public hearing and thereafter authorize the issuance of not exceeding \$5,250,000 of general obligation bonds of the District (the “*Bonds*”) in order to provide:

- (1) \$1,320,000 to defray the costs of acquiring, designing, constructing, renovating, and equipping fire service facilities, apparatus, equipment, and vehicles, to include, without limitation, station improvements, beach rescue equipment, squad trucks, and aerial apparatus; capitalized interest during construction; and the costs of issuance of such general obligation bonds (the “*Fire Service Project*”);
- (2) \$870,000 to defray the costs of repairing, reconstructing, and mitigating certain District revetments and related infrastructure; capitalized interest during

construction; and the costs of issuance of such general obligation bonds (the “*Revetment Project*”); and

- (3) \$3,060,000 to defray the costs of repairing, reconstructing and improving the Fripp Inlet Bridge and related infrastructure, including, without limitation, bent retrofits and abutment protection; capitalized interest during construction; and the costs of issuance of such general obligation bonds (the “*Bridge Project*” and together with the Fire Service Project and the Revetment Project, the “*Projects*”).

(d) The County Council is now minded to proceed in accordance with the provisions of the Enabling Act to call for and establish a date for a public hearing to be held on the issuance of the Bonds.

Section 2      Ordering of Public Hearing.

The County Council finds that it may be in the interest of the District to raise moneys for the purpose of providing for the Projects, and in that connection hereby orders a public hearing to be held upon the question of the issuance of the Bonds (the “*Public Hearing*”).

Section 3      Time and Place of Hearing.

(a) The Public Hearing shall be held on the question of the issuance of the Bonds in the Beaufort County Council Chambers in the Administration Building of the Beaufort County Government, Robert Smalls Complex, 100 Ribaut Road, Beaufort, SC 29902, on the 24th day of July, 2023 at 5:00 p.m. (or as soon thereafter as the agenda permits), and the notice of the Public Hearing in the form attached hereto as Exhibit A shall be published once a week for three successive weeks in *The Post and Courier*, which is a newspaper of general circulation in the County. The first such publication shall not be less than 16 days prior to the hearing date.

(b) The Clerk to County Council is hereby authorized to approve changes to the notice of the Public Hearing attached hereto as Exhibit A to conform the same to reflect changes in County Council practices or its meeting schedule.

Section 4      Hearing Shall be Public.

The Public Hearing shall be conducted publicly at the time and place above stated and both proponents and opponents of the proposed issuance of the Bonds shall be given a full opportunity to be heard in person or by counsel.

Section 5      Subsequent Finding and Determination.

Following the Public Hearing, the County Council shall determine whether and to what extent the Bonds should be issued.



Section 6      Further Action.

The Chairman of the County Council and the proper County officials are hereby authorized and empowered to take all necessary action to provide for the holding of the Public Hearing in accordance with the provisions of the Enabling Act.

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DONE AT BEAUFORT, SOUTH CAROLINA, this 26th day of June 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

(SEAL)

\_\_\_\_\_  
Joe Passiment, Chairman

Attest:

\_\_\_\_\_  
Sarah W. Brock, Clerk  
County Council of Beaufort County

**EXHIBIT A**

**NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT the County Council of Beaufort County (the “County Council”), which is the governing body of Beaufort County, South Carolina (the “County”), is considering whether the Fripp Island Public Service District, South Carolina (the “District”) shall be authorized to issue not exceeding \$5,250,000 aggregate principal amount of general obligation bonds of the District (the “Bonds”). On June 26, 2023, the County Council adopted a resolution authorizing the holding of a public hearing on such matter. As required by Section 6-11-840 of the Code of Laws of South Carolina 1976, as amended, you are advised of the following:

1. A public hearing will be held on the issuance of the Bonds in the Beaufort County Council Chambers in the Administration Building of the Beaufort County Government, Robert Smalls Complex, 100 Ribaut Road, Beaufort, SC 29902, on the 24th day of July, 2023 at 5:00 p.m., on the question of the issuance of the Bonds.

2. The District has informed the County of its desire to issue the Bonds in an aggregate principal amount not exceeding \$5,250,000 in order in order to provide:

(A) \$1,320,000 to defray the costs of acquiring, designing, constructing, renovating, and equipping fire service facilities, apparatus, equipment, and vehicles, to include, without limitation, station improvements, beach rescue equipment, squad trucks, and aerial apparatus; capitalized interest during construction; and the costs of issuance of such general obligation bonds (the “Fire Service Project”);

(B) \$870,000 to defray the costs of repairing, reconstructing, and mitigating certain District revetments and related infrastructure; capitalized interest during construction; and the costs of issuance of such general obligation bonds (the “Revetment Project”); and

(C) \$3,060,000 to defray the costs of repairing, reconstructing and improving the Fripp Inlet Bridge and related infrastructure, including, without limitation, bent retrofits and abutment protection; capitalized interest during construction; and the costs of issuance of such general obligation bonds (the “Bridge Project” and together with the Fire Service Project and the Revetment Project, the “Projects”).

3. The District estimates that the costs of the Projects, will not exceed \$5,250,000.

4. For the payment of the principal of and interest on the Bonds as they respectively mature and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District shall be irrevocably pledged, and there shall be levied annually on all taxable property in the District ad valorem taxes in an amount sufficient to pay principal and interest on the Bonds as the same fall due.

5. The aforesaid hearing shall be conducted publicly and both proponents and opponents of the proposed action shall be given full opportunity to be heard in person or by counsel. Following the hearing, the County Council shall, by ordinance, make a finding as to whether and to what extent the Bonds should be issued and may thereupon authorize the governing body of the District to issue the Bonds to the extent it shall be found necessary.

COUNTY COUNCIL OF BEAUFORT COUNTY



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
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
<b>MEETING NAME AND DATE:</b>
Community Service and Land Use Committee June 12, 2023
<b>PRESENTER INFORMATION:</b>
Jared Fralix, P.E. – Assistant County Administrator – Infrastructure 5 minutes
<b>ITEM BACKGROUND:</b>
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.
<b>PROJECT / ITEM NARRATIVE:</b>
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.
<b>FISCAL IMPACT:</b>
N/A
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
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
<b>OPTIONS FOR COUNCIL MOTION:</b>
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 2<sup>nd</sup>, 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](mailto: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.

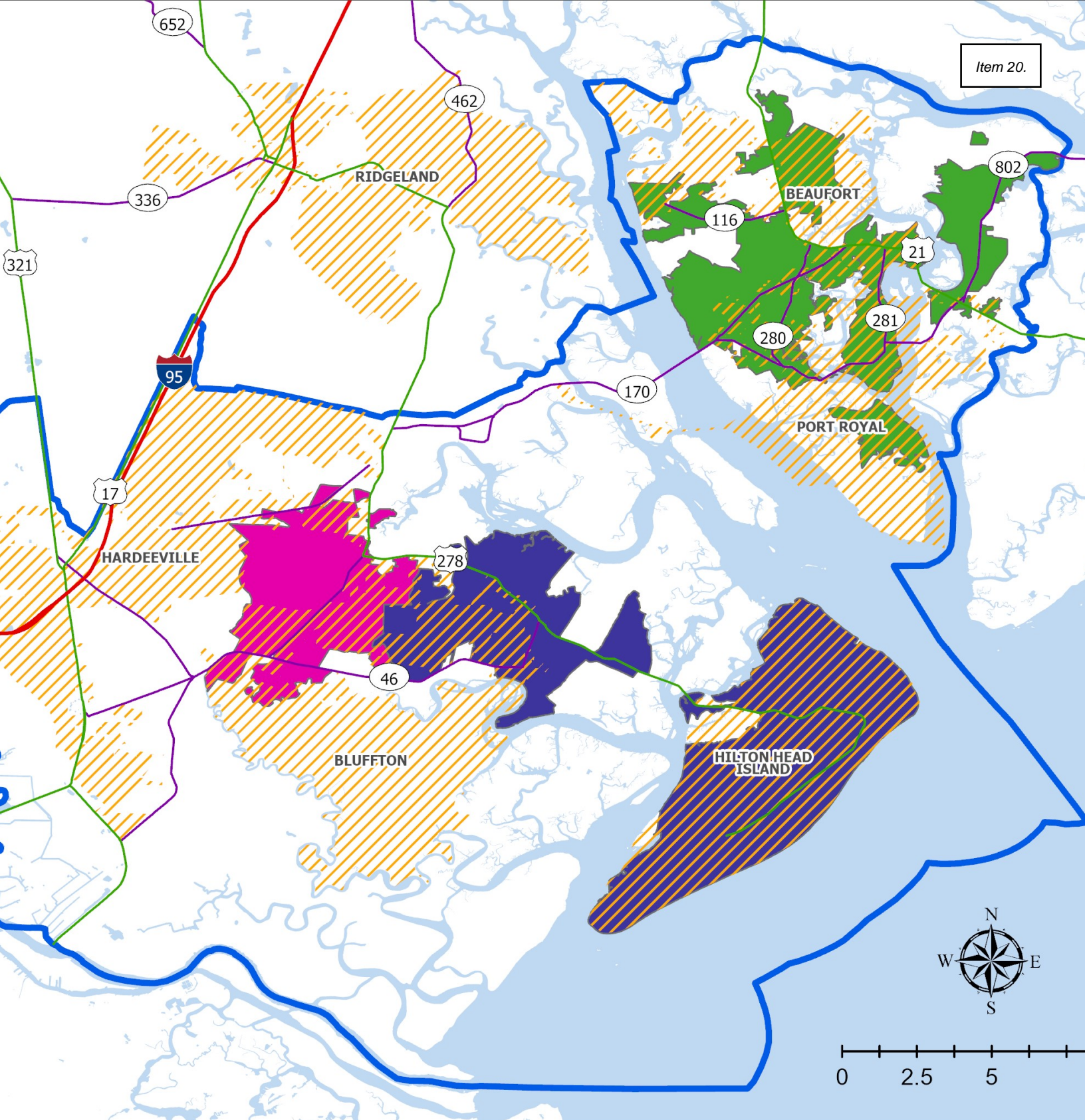
Mayor Lisa Sulka, Town of Bluffton  
LATS Policy Committee Chair

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





Item 20.

# 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 26<sup>th</sup>, 2023.

Dated this 28<sup>th</sup> of June 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

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Joseph F. Passiment

Attest:

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Sarah W. Brock, Clerk to Council



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

Item 21.

<b>ITEM TITLE:</b>
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
<b>MEETING NAME AND DATE:</b>
Community Services and Land Use Committee (June 12, 2023)
<b>PRESENTER INFORMATION:</b>
Stefanie M. Nagid, Passive Parks Manager (5 minutes)
<b>ITEM BACKGROUND:</b>
This is a new item for consideration
<b>PROJECT / ITEM NARRATIVE:</b>
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.
<b>FISCAL IMPACT:</b>
There is no fiscal impact to the County. The Friends are funding the relocation, repair and installation expenses.
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff recommends approval
<b>OPTIONS FOR COUNCIL MOTION:</b>
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

<b>ITEM TITLE:</b>
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)
<b>MEETING NAME AND DATE:</b>
Community Services and Land Use Committee (June 12, 2023)
<b>PRESENTER INFORMATION:</b>
Stefanie M. Nagid, Passive Parks Manager (5 minutes)
<b>ITEM BACKGROUND:</b>
This is a new item for consideration
<b>PROJECT / ITEM NARRATIVE:</b>
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.
<b>FISCAL IMPACT:</b>
There is no fiscal impact to the County. BCOLT will incur all maintenance expenses.
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff recommends approval
<b>OPTIONS FOR COUNCIL MOTION:</b>
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

STATE OF SOUTH CAROLINA )  
 ) MEMORANDUM OF UNDERSTANDING  
COUNTY OF BEAUFORT ) BLOCKER FIELD EXTENSION MAINTENANCE

**THIS MEMORANDUM OF UNDERSTANDING** (“MOU”) is entered into on this \_\_\_\_ day of \_\_\_\_\_, 2023 by and between **Beaufort County**, a political subdivision of the State of South Carolina (“County”), and the **Beaufort County Open Land Trust, LLC**, a nonprofit corporation organized under the laws of the State of South Carolina (“BCOLT”), collectively hereinafter referred to as the “Parties”.

**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**, in April 2023 the County purchased what is known today as Blocker Field Extension (R300 015 000 076B 0000) located at 549 Sea Island Parkway (“Property”) through the County’s Rural and Critical Lands Preservation Program; and

**WHEREAS**, BCOLT works to protect open spaces, natural habitats and rural communities in Beaufort County; and in pursuit of BCOLT’s goals it desires to enhance the viewshed value of the Property by providing maintenance activities as further described below; and

**WHEREAS**, the Parties recognize the value of maintenance on the Property for the benefit of public viewing.

**NOW, THEREFORE**, the Parties agree to the terms and conditions as follows:

1. **TERM.** The initial term of this MOU shall cover a period of five (5) years commencing on the date entered and terminating on June 30, 2028, unless terminated sooner pursuant to the provisions of the MOU. The term of this MOU may be extended for four (4) additional five-year periods upon the written approval of both the County and the BCOLT.
2. **AUTHORIZATION.** The County hereby authorizes the BCOLT and their assigns to access and maintain the Property for the purposes of grounds maintenance, which may include mowing, weed-eating, litter removal and other associated actions, as described in Paragraph 4.
3. **COMPENSATION.** This MOU does not obligate County funds. Any endeavor involving reimbursement or contribution of funds between the Parties to this MOU will be handled in accordance with applicable laws, regulations and procedures. The BCOLT will provide non-compensated maintenance activities to the County.
4. **USE TO PROPERTY**
  - a. **Access to Property.** The County shall have the right of access to any portion of the Property at any time by any of its officers, employees, or agents to ensure compliance with the terms of this MOU, or for any other reason in carrying out its responsibilities for the ownership and management

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 23.

<b>ITEM TITLE:</b>
Resolution – Broadband Everywhere – Category 3 (BE-CAT3) Grant Program
<b>MEETING NAME AND DATE:</b>
Community Services and Land Use Committee (T)
<b>PRESENTER INFORMATION:</b>
Patrick Hill – ACA Communications and IT 10 Minutes for Q & A
<b>ITEM BACKGROUND:</b>
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.
<b>PROJECT / ITEM NARRATIVE:</b>
<b>FISCAL IMPACT:</b>
700,000.00 from ARPA funds to be used for Broadband assistance.
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Approval
<b>OPTIONS FOR COUNCIL MOTION:</b>
(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.

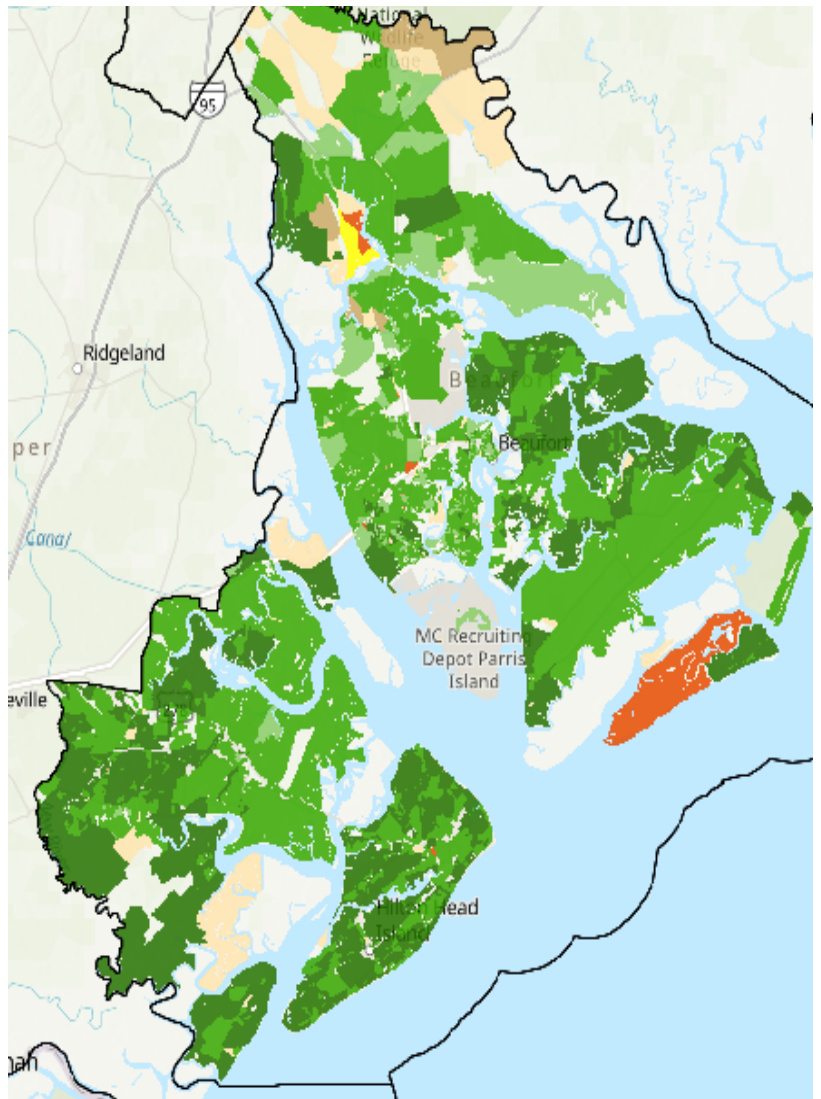
Beaufort County took several actions to address the needs related to CATEGORY 1 and 2. They collaborated with local ISPs, contacted the SC Office of Regulatory Staff (ORS), and wrote letters of support for ISP grant applications. Additionally, Beaufort County added the ORS ‘I Need Internet’ and ‘I Need 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](http://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 23.

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](mailto:information.technology@beaufortcountysc.gov) for questions regarding the program.





# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): DIVISION 4.2.20 (GENERAL STANDARDS AND LIMITATIONS) TO CLARIFY CONNECTIVITY STANDARDS FOR PRIMARY STRUCTURES REGARDING BUILDING CONNECTIONS; DIVISION 4.2.30 (ACCESSORY/SECONDARY DWELLING UNIT) TO MODIFY ALLOWABLE DENSITY TO PROVIDE OPPORTUNITY FOR AN ADDITIONAL ACCESSORY DWELLING UNIT AND TO PROVIDE FLEXIBILITY FOR AREA OF UNITS; DIVISION 4.1.360 (SHORT-TERM RENTALS) TO MODIFY GENERAL STANDARDS TO ALLOW ONLY A PRINCIPAL DWELLING UNIT OR AN ACCESSORY DWELLING UNIT AS A SHORT-TERM RENTAL ON A SINGLE PARCEL
<b>MEETING NAME AND DATE:</b>
<i>Community Services and Land Use Committee Meeting, May 8, 2023</i>
<b>PRESENTER INFORMATION:</b>
<i>Robert Merchant, AICP, Director, Beaufort County Planning and Zoning (10 minutes needed for item discussion)</i>
<b>ITEM BACKGROUND:</b>
<i>In large lot developments in rural areas and in conservation subdivisions, such as Spring Island, some property owners have expressed an interest in breaking up the massing of the primary dwelling unit to preserve natural features of a lot. In addition, on larger estate lots there is an interest in having multiple accessory dwelling units often to serve as guest houses. These proposed amendments are designed to accommodate the interest of larger lots while minimizing adverse impacts. At their April 3 meeting, the Planning Commission unanimously (5-0) recommended approval of the proposed text revisions with the recommendation that the word "property" be added to Division 4.2.30.H for clarification. Staff has made the change.</i>
<b>PROJECT / ITEM NARRATIVE:</b>
<i>Staff is proposing a change in the following Code Divisions: 4.2.20, 4.2.30, and 4.1.360. The request is to provide three regulations:</i> <ul style="list-style-type: none"><li><b>4.2.20.E - Standards for Freestanding Accessory Buildings/Structures</b> <i>This amendment seeks to establish standards for a principal dwelling to consist of multiple structures connected via roofline covered walkways. The allowance places a limit on the walkway(s) to not exceed 30 linear feet in combined length, be at least four feet wide, and meet all building code requirements. The roofline connecting walkway may be open or enclosed.</i></li><li><b>4.2.30 - Accessory/Secondary Dwelling Unit</b> <i>This amendment seeks to allow an additional accessory dwelling (ADU) unit on lots greater than three (3) acres where they are allowed per Table 4.2.20.A.</i></li><li><b>4.1.360.C- General Standards</b> <i>This amendment clarifies that only the principal dwelling unit or one accessory dwelling unit is allowed to be used as a Short-Term Rental Property (STRP).</i></li></ul>
<b>FISCAL IMPACT:</b>
<i>Not applicable.</i>
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
<i>Staff recommends approval.</i>
<b>OPTIONS FOR COUNCIL MOTION:</b>
<i>To approve or deny the proposed text amendments to the Community Development Code (CDC)</i>

ORDINANCE 2023/\_\_\_\_\_

**TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): DIVISION 4.2.20 (GENERAL STANDARDS AND LIMITATIONS) TO CLARIFY CONNECTIVITY STANDARDS FOR PRIMARY STRUCTURES REGARDING BUILDING CONNECTIONS; DIVISION 4.2.30 (ACCESSORY/SECONDARY DWELLING UNIT) TO MODIFY ALLOWABLE DENSITY TO PROVIDE OPPORTUNITY FOR AN ADDITIONAL ACCESSORY DWELLING UNIT AND TO PROVIDE FLEXIBILITY FOR AREA OF UNITS; DIVISION 4.1.360 (SHORT-TERM RENTALS) TO MODIFY GENERAL STANDARDS TO ALLOW ONLY A PRINCIPAL DWELLING UNIT OR AN ACCESSORY DWELLING UNIT AS A SHORT-TERM RENTAL ON A SINGLE PARCEL.**

**WHEREAS**, there is a need for the Community Development Code to provide proper guidance on connectivity standards for primary structures regarding roofline building connections; and

**WHEREAS**, there is a desire to allow for additional density for accessory dwelling units on larger lots in the county and to provide flexibility for the type and area of the unit; and

**WHEREAS**, in order to allow for additional accessory dwelling units and flexibility of size, the Community Development Code shall limit the number of short-term rentals allowed on individual single-family residential lots; and

**WHEREAS**, the Beaufort County Planning Commission considered the proposed text amendments at their April 3, 2023 meeting, voting to recommend that County Council approve the proposed amendments.

**NOW, THEREFORE** be it ordained by County Council in a meeting duly assembled that Divisions 4.2.20 (General Standards and Limitations), 4.2.30 (Accessory/Secondary Dwelling Unit), and 4.1.360 (Short-Term Rentals) of the Community Development Code are hereby amended as set forth in Exhibit A hereto. Deletions in the existing code are stricken through and in red. Additions are highlighted and underlined.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
Joseph Passiment, Chairman

ATTEST:

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

**4.2.20.E. Standards for Freestanding Accessory Buildings/Structures.****1. Location.****a. General.**

- (1) No accessory use, structure, or activity except water/marine-oriented facilities shall occupy or take place in a required front, side, or rear yard setback, except for permitted fences or walls erected on a property line or an ornamental pond.
- (2) Except in T1, T2R, and T2RL zones, all river, marsh, and ocean waterfront lots, and water/marine-oriented facilities, no accessory structure shall project beyond the front building line of the principal structure.
- (3) Except for fences, walls, swimming pools, hot tubs, and air conditioning compressor units, no accessory structures shall be located within five feet of a principal structure or any other accessory structure.
- (4) No accessory structure shall be located within any platted or recorded easement or over any known utility.
- (5) All freestanding accessory structures shall meet the side setbacks and building height standards for ancillary buildings in Article 3 (Specific to Zones).
- (6) Except for water/marine-oriented facilities, all freestanding residential accessory structures shall be set back from rear property lines as follows:
  - (a) Five feet for lots less than 10,000 square feet.
  - (b) Ten feet for lots between 10,000 square feet and one acre.
  - (c) Twenty-five feet for lots one acre or greater.
- (7) Freestanding non-residential accessory structures shall meet the rear yard setback for the principal structure.
- (8) Finished heated habitable spaces and garages that are connected to the primary structure via a roofline connecting walkway that meets building code shall be considered part of the primary structure. In these instances, the structure(s) become a part of the primary structure; thus, it is subject to primary structure setbacks and other building placement standards and shall match the primary structure's architectural design and material. The walkway connection(s) shall have a width that is greater than or equal to four (4) feet and may be open or enclosed. In no instance shall the roofline connecting walkways exceed a combined length of thirty (30) total linear feet. If the connection(s) and structure(s) do not meet these requirements, it shall be permitted as an accessory structure and subject to all accessory structure standards.**

#### 4.2.30 - Accessory/Secondary Dwelling Unit

An accessory/secondary dwelling unit, **whether attached or detached**, shall comply with the following standards:

- A. **Zones Allowed.** Accessory/secondary dwelling units shall be permitted as accessory uses to single-family detached residential dwelling units in accordance with Table 4.2.20.A (Table of Permitted Accessory Uses).
- B. **Comply with Dimensional and Development Standards.** Accessory/secondary dwelling units shall comply with all dimensional and development standards in Article 3 (Specific to Zones).
- C. **Density.** ~~A maximum of one (1) accessory/secondary dwelling unit shall be permitted on a single-family residential lot.~~ **Accessory Dwelling Unit(s) shall be permitted on a single-family residential lot as follows:**
  1. **One (1) Accessory/Secondary Dwelling Unit shall be permitted for lots less than three (3) acres.**
  2. **Two (2) Accessory/Secondary Dwelling Units shall be permitted for lots greater than or equal to three (3) acres.**
- D. **Area of Unit.** **In no instance shall the individual or combined total heated square footage of Accessory/Secondary Dwelling Unit(s) exceed the Primary Dwelling Unit's heated square footage.**
  1. In T2 and all conventional zones, the unit shall be no more than 1,000 heated square feet or less than 300 heated square feet in area; **or shall be within a carriage house building type, see Section 5.1.40 (Carriage House).**
  2. In all transect zones except T2, the unit shall be within a carriage house building type, see Section 5.1.40 (Carriage House).
- E. **Design of Unit.** The unit shall maintain the architectural design, style, appearance and character of the principal single-family dwelling as a single-family residence.
- F. **Parking.** In Conventional zones one off-street parking space, in addition to that provided for the existing single-family dwelling, shall be provided for the unit.
- G. **Resale.** Accessory dwelling units shall not be sold apart from the principal dwelling upon the same lot where they are located.
- H. **Rental.** Accessory dwelling units shall not be leased or rented for tenancies of less than 30 consecutive days, **unless approved as a Short-Term Rental Property (STRP) following the requirements and procedures of Division 4.1.360.**
- I. **No Recreational Vehicles and Travel Trailers.** Recreational vehicles and travel trailers shall not be used as accessory dwelling units.



**4.1.360.C. General Standards.****1. Use Limitations and Standards.**

- a. Legally permitted Principal Dwelling Units and Accessory Dwelling Units may be used as STRPs, ~~even when they are located on the same property;~~ however, in no instance shall a single-family residential lot contain more than one (1) STRP. ~~however,~~ Accessory Structures shall not be used as STRPs.
- b. Parking for Short-Term Rental Tenants shall be in compliance with Division ~~3-2~~ 5.5 of the County Community Development Code.
- c. Signage advertising STRPs is prohibited in Residential Zoning Districts.



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
FIRST READING OF AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAX FOR SCHOOL PURPOSES FOR BEAUFORT COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024, AND TO MAKE APPROPRIATIONS FOR SAID PURPOSES.
<b>MEETING NAME AND DATE:</b>
County Council Meeting 05/22/2023
<b>PRESENTER INFORMATION:</b>
Tonya Crosby – Chief Financial Officer 15-30 minutes.
<b>ITEM BACKGROUND:</b>
The Beaufort County School District will present their Fiscal Year 2024 Operating and Debt Service Budgets.
<b>PROJECT / ITEM NARRATIVE:</b>
The Beaufort County School District will present their Fiscal Year 2024 Operating and Debt Service Budgets.
<b>FISCAL IMPACT:</b>
The presentations will outline amounts needed for operations and debt service for Fiscal Year 2024 that will be included in a Beaufort County School District Budget Ordinance.
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff recommends approval of budget presented.
<b>OPTIONS FOR COUNCIL MOTION:</b>
Motion to approve Beaufort County School District’s Budgets. Move forward to Council for First Reading/Approval/May 22, 2022.

**ORDINANCE NO. 2023/\_\_\_**

**FY 2023-2024 BEAUFORT COUNTY SCHOOL DISTRICT BUDGET**

**AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAX FOR SCHOOL PURPOSES FOR BEAUFORT COUNTY FOR THE FISCAL YEAR BEGINNING JULY 1, 2023 AND ENDING JUNE 30, 2024, AND TO MAKE APPROPRIATIONS FOR SAID PURPOSES.**

BE IT ORDAINED BY COUNTY COUNCIL OF BEAUFORT COUNTY:

**SECTION 1. TAX LEVY**

The County Council of Beaufort County hereby appropriates the funds as detailed in Sections 3 and 4 of this Ordinance and establishes the millage rates as detailed in Section 2 of this Ordinance.

**SECTION 2. MILLAGE**

In Fiscal Year 2023-2024 and in accordance with the laws of South Carolina, the County Auditor is hereby authorized and directed to levy a tax on the following mills on the dollar of assessed value of property within the County.

School Operations	130.0
School Bond Debt Service (Principal and Interest)	36.3

The values listed above, in accordance with Section 6-1-320(A)(2) of the *Code of Laws of South Carolina*, 1976, as amended.

	Prior Year Millage	% Average CPI	% Population Growth	Allowable Annual % Increase of Millage Rate	Allowable Increase Of Millage Rate	Millage Rate Used	Millage Bank Balance
2021	114.0	1.23%	1.57%	2.80%	3.2	7.6	0.0
2022	121.6	4.70%	2.49%	7.19%	8.7	4.0	4.7
2023	125.6	8.00%	2.61%	10.61%	13.3	4.4	13.6

These taxes shall be collected by the County Treasurer, as provided by law, and distributed in accordance with the provisions of this Ordinance and subsequent appropriations as may be hereafter passed by the County Council of Beaufort County.

The County Council hereby establishes the millage rate necessary to meet all budget requirements, to support the appropriations herein made, with the exception of those appropriations and portions supported by revenues other than property taxes and shall advise the Auditor and Treasurer of Beaufort County who shall levy and collect said millage, respectively, as hereby directed by the County Council. However, County Council reserves the right to modify these millage rates as may be deemed necessary and appropriate, but no later than August 31<sup>st</sup> of the taxing year; and if it does determine necessary and appropriate, then said millage rate shall be adopted by resolution.

### SECTION 3. SCHOOL OPERATIONS APPROPRIATION

An amount of \$320,412,978 is hereby appropriated to the Beaufort County Board of Education to fund school operations. This appropriation is to be spent in accordance with the school budget approved by the County Council of Beaufort County, and will be funded from the following revenue sources:

- A. \$195,119,038 to be derived from tax collections;
- B. \$119,077,940 to be derived from State revenues;
- C. \$ 650,000 to be derived from Federal revenues;
- D. \$ 2,466,000 to be derived from other local sources; and
- E. \$ 3,100,000 to be derived from inter-fund transfers.

The Beaufort County Board of Education is responsible for ensuring that the school expenditures do not exceed those amounts herein appropriated without first receiving the approval of a supplemental appropriation from County Council.

### SECTION 4. BUDGETARY ACCOUNT BREAKOUT

The line-item budgets submitted by the Beaufort County Board of Education under separate cover for FY 2023-2024 are incorporated herein by reference and shall be part and parcel of this Ordinance.

### SECTION 5. OUTSTANDING BALANCE APPROPRIATION

The balance remaining in each fund at the close of the prior fiscal year, where a reserve is not required by State or Federal law, is hereby transferred to the appropriate category of Fund Balance of that fund.

### SECTION 6. TRANSFERS VALIDATED

All duly authorized transfers of funds heretofore made from one account to another, or from one fund to another during Fiscal Year 2024 are hereby approved.

### SECTION 7. EFFECTIVE DATE



This Ordinance shall be effective July 1, 2023. Approved and adopted on third and final reading this 26<sup>th</sup> day of June, 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
Joseph Passiment, Chairman

ATTEST:

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Sarah Brock, Clerk to Council

First Reading, by Title Only: May 22, 2023

Second Reading: June 12, 2023

Public Hearings:

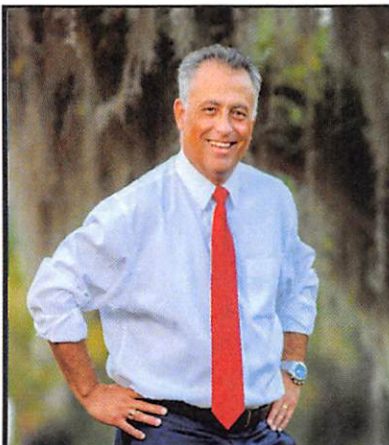
Third and Final Reading: June 26, 2023



# Beaufort County School District

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## Proposed Budget 2023-2024



Dear Community Members:

Because of YOU, Beaufort County School District (BCSD) has made great strides. **Our district now boasts the highest starting teacher salary in South Carolina.**

Education is a labor intensive endeavor. Amidst the many educational challenges facing the nation, BCSD has experienced dramatic increases in operating costs: fuel, materials, and the cost of labor. Food and housing costs in Beaufort County have also risen at extreme rates.

The operating budget was developed with a top priority in mind:

***To lead South Carolina education as an exemplary district by attracting and maintaining high quality educators and staff to continuously focus on and grow students***

This chief aim (or essential priority) enables us to focus on recruiting and keeping superior educators and support staff, solidifying our District’s commitment to continuous improvement.

- Notable expenditure increases include:
- \$3,000 increase for all teachers paid on the BCSD teacher salary schedule (\$1,000 of this increase will move from the locality supplement) plus a step increase to improve the District’s ability to recruit and retain staff;
  - For the third consecutive year, we are supporting our most experienced teachers by adding a step on the teacher salary schedule, moving the max step from 26 to 27;
  - Funding to continue payment of the salary recommendations from the Classified, Professional and Administrative Salary Study that was implemented in January 2023 to maintain our competitive pay rates;
  - Proposed increases for all other employees to receive a 2% cost of living increase plus a step; and
  - Funding to meet state-mandated healthcare and retirement costs.

The increases in this budget are strategic and position the District to keep building the capacity of our teachers to help students reach their highest potential. I encourage you to support this budget. By investing in our educators and staff, you are investing in the community’s most valued priority for the future, our students.

Sincerely,  
Frank Rodriguez, Ph.D.  
Proud Superintendent of Beaufort County School District



### Budget at a Glance

Operating Budget	
2023	\$298,133,593
2024	\$320,412,978
Proposed Increase	\$22,279,385
% Increase	7.5%

### Investments

Teacher Pay Increases.....	\$7.2M
Other Pay Increases.....	\$4.3M
Benefit Cost Increases.....	\$6.1M
New Positions.....	\$1.1M
Operational Increases.....	\$3.6M

### Funding

Current Operations Millage	125.6
Proposed New Millage:	4.4
Proposed Operations Millage	130.0

Existing local and state dollars will be utilized to fund \$15.7M of the cost increases in this budget.

A tax increase of four (4.4) mills will be needed to fully fund this budget.



PROPOSED GENERAL FUND BUDGET

# Fiscal Year 2023-2024

County Council Finance Committee  
May 15, 2023

## BEAUFORT COUNTY SCHOOL DISTRICT

Frank Rodriguez, Ph.D., Superintendent  
Tonya Crosby, CPA, Chief Financial Officer

# Where Learning Leads the Way!



# Great Things Happening

- BCSD obtained the #1 position for starting teacher salaries in South Carolina
- Grants
- Offering programs at no cost to students & families
- Collaboration with Community Partners
- Completion of Referendum Projects



# Challenges

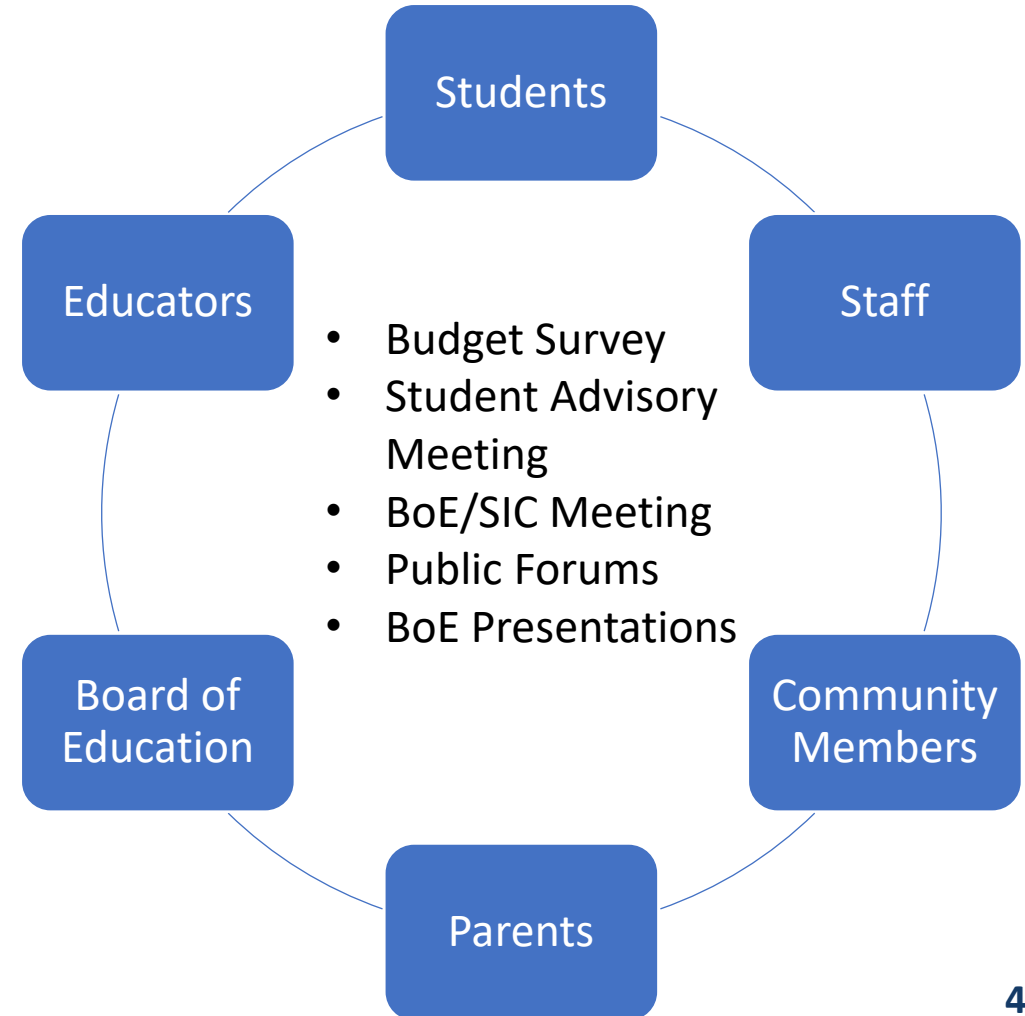
- Labor Shortage
- Affordable and Available Housing
- Rising Health Care
- Fuel
- Food
- Child Care
- Supply Chain



# Stakeholder Input



May 15, 2023





# Budget Survey/Forum Feedback

## Compensation

- Teacher Pay
- Other Employee Pay
- Sick Leave

## Communication

- Public Engagement
- Relationships
- Values



## Climate

- Working Conditions
- Mental Health Awareness
- Classroom Support

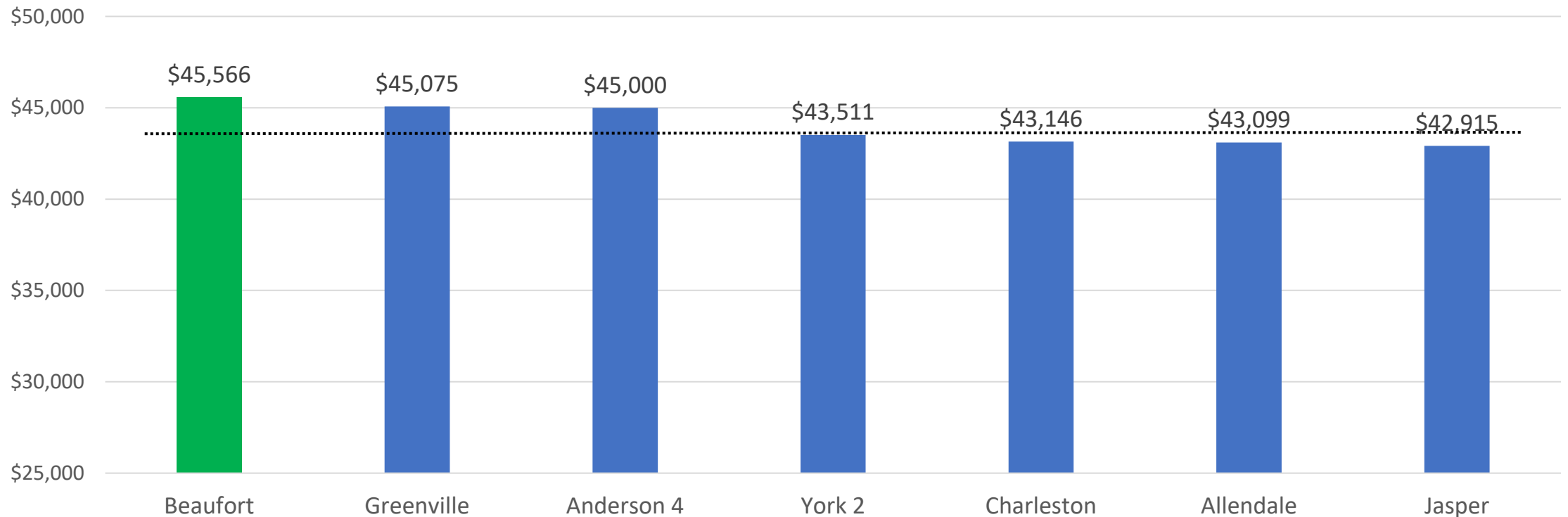
## Leadership

- Accountability
- Investment
- Action





# Recruiting and Retention



*\*Data Source: Fiscal Year 2022-2023 District Minimum Salary Schedule – SC Department of Education*

# Budget Goals

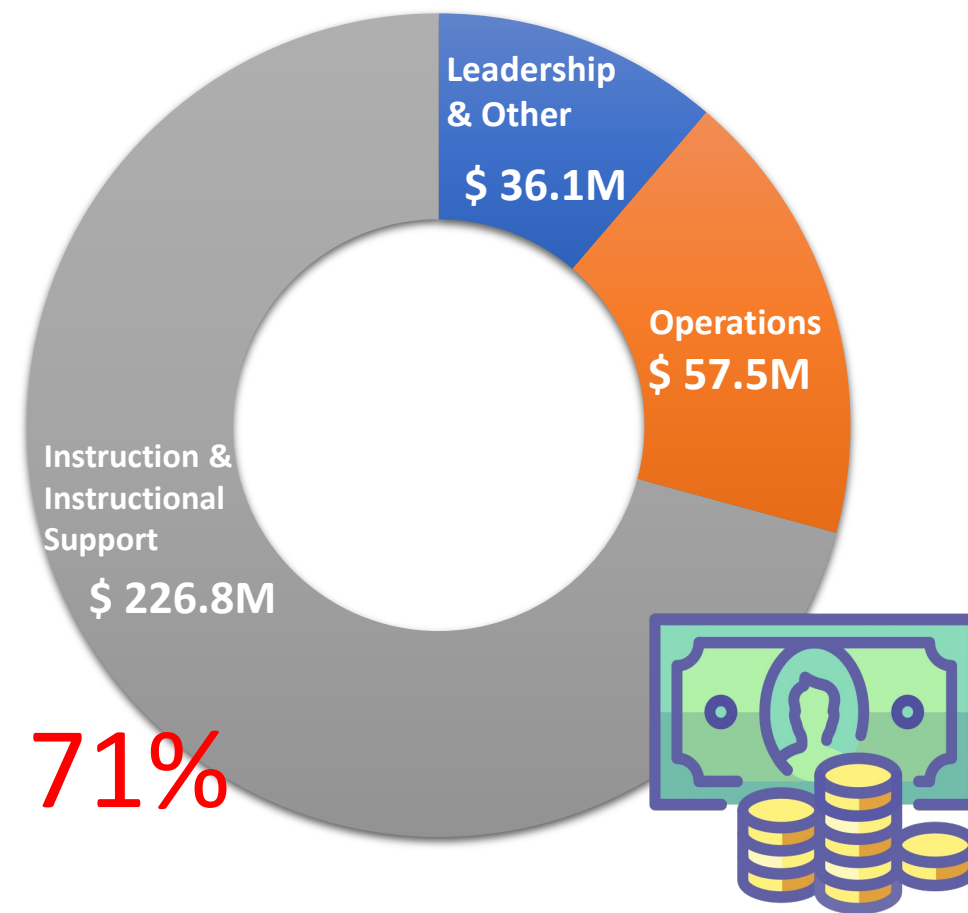


- Maintain BCSD teachers' salaries at #1 in the state
- Continue to advocate for state funding
- Maintain competitive salaries for Classified Professional, & Administrative employees
- Maintain Aa1 credit rating and sufficient cash reserves to reduce/eliminate the need for a Tax Anticipation Note (OE 5.2)



# Budget by Category

**Total Preliminary  
Budget = \$320,412,978**





# Summary of 2023-2024 Increases

	Amount (in millions)	% of Total Inc/De
<b>2022-2023 Budget</b>	\$298.1	
<b>Employee Compensation Increases</b>	17.6	<b>79%</b>
<b>School Staffing Allocations</b>	1.1	4.9%
<b>Operational Increases</b>	4.0	17.9%
<b>Charter School</b>	(0.4)	(1.8%)
<b>2023-2024 Proposed Budget</b>	\$320.4	

Increase of \$ 22.3M  
7.5%

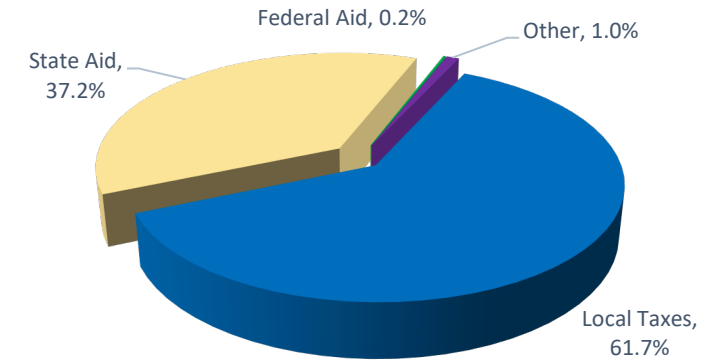




# Proposed Revenues

## Projected Revenue for FY24:

Local Revenue	\$190,980,995
State Revenue	\$119,077,940
Federal Revenue	\$650,000
Transfers In	<u>\$ 3,100,000</u>



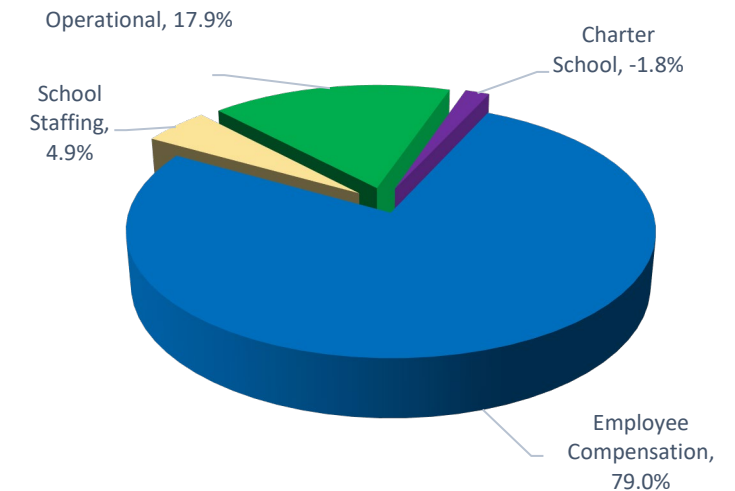
Total Projected Revenue for FY23	\$313,808,935
Additional Millage Proposed (4.4 mills)	<u>\$6,604,043</u>
Revenues to Support Proposed Expenditures	\$320,412,978

*\*Estimated value of the Mill = \$1,500,916/mill*

# Proposed Expenditures

## Proposed Expenditures for FY24:

Employee Compensation Increases	\$ 17,592,619
School Staffing Allocations	\$ 1,102,180
Operational Increases	\$ 3,989,595
Charter School Increases	<u>\$ (405,009)</u>

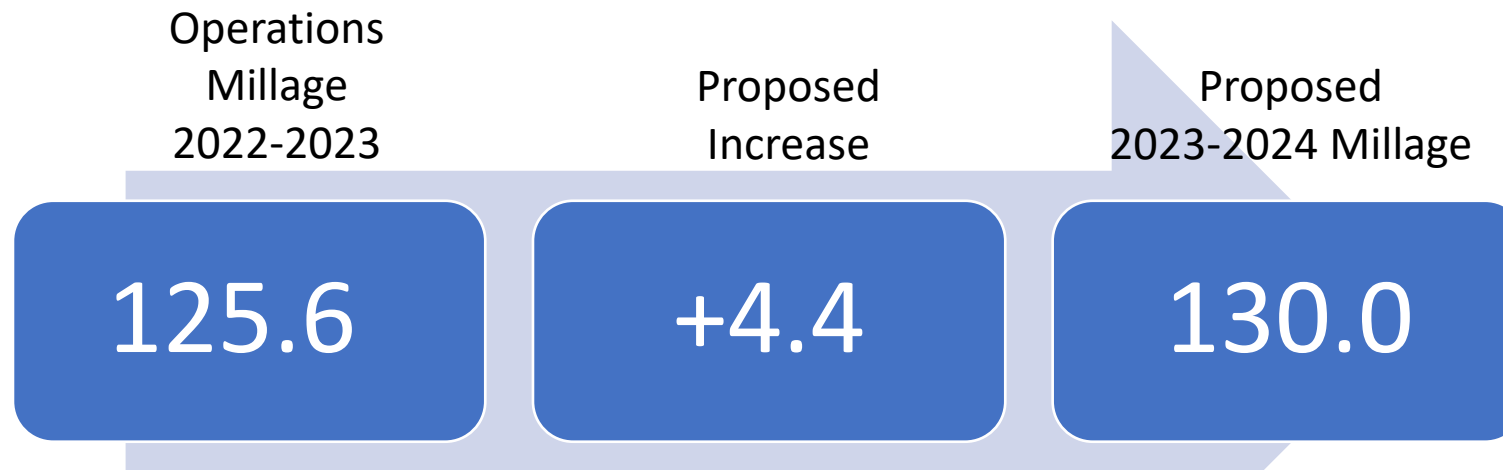


Approved Expenditures for FY23	\$298,133,593
Subtotal of Increases	<u>\$ 22,279,385</u>
Total Proposed Expenditures for FY24	\$320,412,978

*\*Based on SC House Budget Proposal*

# School Operation Millage (Pre-Rollback)

Increased millage needed to fund the budget 4.4 mills



**Note: The above millage rates precede the rollback millage calculation and are subject to change.**

*\*No increase for debt service millage*



# Available Millage under State Law

			Mills
Current Millage (Pre-Rollback)			125.6
CPI	8.00%		
Growth	<u>2.61%</u>		
	10.61%		
New Mills Available		13.3	
Prior Years Mills Unused (Lookback)		<u>4.7</u>	
Total Millage Increase Available			<u>18.0</u>
<b>Total Millage Available (Pre-Rollback)</b>			<b>143.6</b>

**Note: The above millage rates precede the rollback millage calculation and are subject to change.**



# Impact on the Taxpayer\*



	Scenario 1	Scenario 2
<b>Median Home Value</b>	\$250,000	\$400,000
<b>Additional Mills</b>	4.4	4.4
<b>Assessment Ratio</b> (for nonowner-occupied home)	6%	6%
<b>Additional Tax per Year</b>	\$66	\$106

In the first scenario, a non-owner occupied (6%) homeowner with a median home value of \$250,000 would have an estimated tax increase of \$66 per year. The second scenario estimates the impact on a home with a value of \$400,000. A \$40,000 vehicle would have an estimated tax increase of \$10.56 per year.

\*School District Operations taxes are applicable to nonowner-occupied homes, businesses and motor vehicles. These rates are not applicable to primary homeowners.



# 2023-2024 Budget Schedule

**County Council Finance Committee**

May 15, 2023

**Board Meeting (Proposed Certification)**

May 16, 2023

**County Council Readings**

May 22, 2023 - First Reading

June 12, 2023 - Second Reading

June 26, 2023 - Third Reading



[budget@beaufort.k12.sc.us](mailto:budget@beaufort.k12.sc.us)

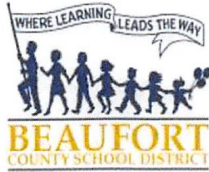
# Proposed General Fund Budget

FISCAL YEAR 2023-2024



May 15, 2023

BEAUFORT COUNTY SCHOOL DISTRICT  
Beaufort, South Carolina  
Frank Rodriguez, Ph.D., Superintendent  
Tonya Crosby, CPA, Chief Financial Officer



**Beaufort County School District  
2023-2024 Proposed General Fund Budget Information**

**Proposed State Increases and Budget Priorities to Align with District Strategic Goals**

The information following provides further explanation of the major increases and decreases proposed in this budget. Each budget item has been tied with a strategic goal in the Beaufort County School District Strategic Plan. The Strategic Goals may be found below:

***Strategic Goals***

- I Student Achievement*
- II Teacher & Administrator Quality*
- III School Climate*
- IV Gifted & Talented*

**Proposed State Increases**

**Increase to State Minimum Salary Schedule (SG II) **\$5,614,967****

The House version of the state budget includes a \$2,500 increase to the teacher State Minimum Salary Schedule. The FY 24 budget includes a \$3,000 increase to provide a new BCSD teacher Minimum Salary of \$48,566.

**Teacher Salary Step (SG II) **\$2,870,271****

This budget includes the FY 24 step increase mandated by the state. The value of the step increase is an average of 2% of the teacher’s base salary.

**State Health Insurance Increase (SG II) **\$1,678,848****

A 3.7% increase to the employer’s share of the State Health Insurance premiums will be effective January 1, 2024. Costs are adjusted to account for the affected six-month period.

**State Retirement Increase (SG II) **\$1,617,670****

The employer’s share of state retirement employer contribution will increase by 1.0% in FY 24. The rate will adjust from 23.81% to 24.81%, effective July 1, 2023.



**Bus Driver State Mandated Increase (SG II) \$522,222**

The legislature has proposed a 25% increase to all cells of the State Bus Driver’s Salary Schedule. If approved, the increase will equate to an average 13% increase to the BCSD Bus Driver’s Salary Schedule.

**Other Compensation Increases**

**Compensation Study- ADM/CLAS employees (SG II) \$3,582,135**

To provide funding for the full implementation of recommendations in the support staff compensation study;

**2% COLA for ADM/CLAS/PROF (SG II) \$1,233,103**

To provide a cost of living increase for classified, professional and administrative staff;

**FY 24 Salary Step Increase – ADM/CLAS/PROF (SG II) \$1,202,878**

To provide a step increase for classified, professional and administrative staff;

**Addition of Step 27 to Teacher Salary Schedule (SG II) \$246,393**

To ensure that our most experienced teachers will be moved an additional step, step 27 has been added to the certified salary schedule. This provides a step increase for all teachers.

**Additional Employee Compensation/Payouts (SG II) \$1,911,031**

To provide funding that supports employee incentives such as Paid Parental Leave, Sick-Leave Payouts, and stipends;

**Staffing Allocations**

**Certified/SPED Teaching Positions (SG I) \$1,102,180**

To fund additional teachers in schools to support Career Technology and Multi-Language Learners and the growing population of students identified with disabilities;

**Instructional Support Positions (SG II) \$103,740**

To address a need for instructional support in mathematics at the elementary level;

**Operational Expenditure Increases**

**Service Providers/Supply Contracts (SG III) \$566,118**

To provide funding for the increase in service and supply contracts including Grounds, Custodial, Maintenance and other purchased services. All significant multi-year contracts have an inflationary clause that caps any increase at 3%;

**Substitute Contracted Services (SG II) \$660,937**

To provide for an increased need for substitute support, outsourced services have been utilized. This service contract provides substitutes and is now filling paraprofessional vacancies.

**Security Contracted Services (SG II) \$407,989**

To provide for an increased cost of security support, outsourced services have been utilized. This service contract provides armed security guards at 17 Elementary schools and the District Office as well as. A cost of living increase is also provided for contracted SRO's.

**Professional Development (SG III) \$45,684**

To provide for professional development requirements for teachers, support staff and administrators, inclusive of the costs of registration, travel and dues to professional organizations;

**Pupil Activities (SG III) \$155,945**

To provide increased resources to support student activities;

**Property Insurance (SG III) \$381,524**

To provide funding for property and casualty insurance for the properties that serve the students and faculty of the District;

**Utilities (SG II) \$193,159**

To provide funding for anticipated cost increases due to the impact of inflation;

**Supplies and Materials (SG III) \$171,604**

To provide additional supply allocations to schools due to increased enrollment;

**Other Increases/Decreases**

**Charter School Allocation Decrease (SG I) (\$405,009)**

The General Fund allocation is determined per the state formula as specified in S.C Code Ann. Section 59-40-140. The decrease resulted from a higher total number of weighted students district-wide, which decreases the Charter School's per pupil allocation.

**Beaufort County School District  
Multi-Year Comparison 2022, 2023 and 2024**

**Comparative Budgeted  
Revenues and Expenditures  
General Fund**

	FY 21-22 Audited	FY 22-23 Original Budget	FY 22-23 Projected Actual	FY 23-24 Proposed Budget	Variance with FY23 Orig Budget	% Change with FY23 Orig Budget
<b>Revenue:</b>						
<b>Local Revenue:</b>						
Property Taxes	\$ 168,337,424	\$ 178,132,206	\$ 184,819,016	\$ 195,919,037	\$ 17,786,831	10%
Other Local	1,974,373	1,736,200	1,926,000	1,666,000	(70,200)	-4%
<b>Total Local Revenue</b>	<b>170,311,797</b>	<b>179,868,406</b>	<b>186,745,016</b>	<b>197,585,037</b>	<b>17,716,631</b>	<b>10%</b>
<b>State Revenue:</b>						
Education Finance Act	\$ 16,413,336			\$ -	\$ -	0%
Fringe Benefits / Retiree Insurance	13,866,909	6,678,358	6,957,194	7,956,359	1,278,001	19%
Sales Tax - Owner Occupied	48,441,909	49,163,783	49,665,160	49,163,783	-	0%
Reimbursement for Local Property Tax Relief	7,036,261	7,036,262	7,036,261	7,036,262	-	0%
State Aid to Classrooms*	7,437,249	37,482,172	39,679,971	46,586,950	9,104,778	24%
Other State Revenue	5,405,456	5,120,753	5,504,564	8,334,587	3,213,834	63%
Transfer from Special Revenue Fund EIA	7,226,763	7,133,859	-	-	(7,133,859)	-100%
Transfer from Other Funds	3,403,288	5,000,000	3,422,109	3,100,000	(1,900,000)	-38%
<b>Total State Revenue</b>	<b>109,231,171</b>	<b>117,615,187</b>	<b>112,265,259</b>	<b>122,177,941</b>	<b>4,562,754</b>	<b>4%</b>
<b>Federal Revenue:</b>						
PL 874 (Impact Aid)	\$ 77,155	\$ 75,000	\$ 75,000	\$ 75,000	\$ -	0%
Other Federal Revenue (E-Rate)	581,218	575,000	575,000	575,000	0	0%
<b>Total Federal Revenue</b>	<b>658,373</b>	<b>650,000</b>	<b>650,000</b>	<b>650,000</b>	<b>0</b>	<b>0%</b>
<b>Total General Fund Budgeted Revenues</b>	<b>\$ 280,201,341</b>	<b>\$ 298,133,593</b>	<b>\$ 299,660,275</b>	<b>\$ 320,412,978</b>	<b>\$ 22,279,385</b>	<b>7%</b>
<b>Expenditures:</b>						
<b>Salary and Benefits</b>	\$ 215,344,780	\$ 236,407,847	\$ 236,407,847	\$ 255,102,646	18,694,799	8%
<b>Non-salary</b>	58,274,655	61,725,746	61,725,746	65,310,332	3,584,586	6%
<b>Total expenditures</b>	<b>\$ 273,619,435</b>	<b>\$ 298,133,593</b>	<b>\$ 298,133,593</b>	<b>\$ 320,412,978</b>	<b>\$ 22,279,385</b>	<b>7%</b>
<b>Add to/(Use of) Fund Balance</b>	<b>6,581,906</b>	<b>-</b>	<b>1,526,682</b>	<b>-</b>	<b>-</b>	
<b>Beginning Fund Balance</b>	<b>\$ 50,550,294</b>	<b>\$ 57,132,200</b>	<b>\$ 57,132,200</b>	<b>\$ 58,658,882</b>		
<b>Ending Fund Balance</b>	<b>57,132,200</b>	<b>57,132,200</b>	<b>58,658,882</b>	<b>58,658,882</b>		
<b>Fund Balance as % of Next Year's Expenditures</b>	<b>19.2%</b>	<b>19.2%</b>	<b>18.3%</b>	<b>17.8%</b>		
Number of Days of Operations	69.9	69.9	66.8	64.4		
Operations Millage	121.6	125.6	125.6	130.0		

\*State's New Funding Formula dictates that EFA is replaced by State Aid to Classrooms.

**BEAUFORT COUNTY SCHOOL DISTRICT**  
**PRELIMINARY DETAIL BUDGET BY IN\$ITE CATEGORY-FY2024**

		FY22 Actual	FY23 Original Budget	FY24 Requested Budget	% Change from Original	Footnote
<b>1 Instruction &amp; Instructional Support</b>						
<b>General Instruction</b>						
111	Kindergarten Programs	9,774,847	11,159,761	11,850,048	6.19%	1
112	Primary Programs	29,252,565	30,330,631	32,401,547	6.83%	1
113	Elementary (Middle School) Programs	46,503,205	48,505,734	50,863,849	4.86%	1
114	High School Programs	34,449,849	37,009,643	38,990,119	5.35%	1
115	Vocational Programs	6,301,641	6,781,447	7,901,804	16.52%	1
117	Driver Education Programs	227,888	242,539	249,246	2.77%	1
118	Montessori Programs	1,130,990	1,226,015	1,311,295	6.96%	1
	<b>Total General Instruction</b>	<b>127,640,984</b>	<b>135,255,770</b>	<b>143,567,908</b>	<b>6.15%</b>	
<b>Exceptional Programs</b>						
120	<b>Special Education Programs</b>	<b>19,995,475</b>	<b>22,575,413</b>	<b>25,176,202</b>	<b>11.52%</b>	<b>1</b>
<b>Preschool Programs</b>						
135	PreSchool Handicapped Self-Contained (3 and 4 Yr)	142,827	157,326	172,344	9.55%	1
137	PreSchool Handicapped Speech (3 and 4 Yr)	867,431	1,072,853	1,253,385	16.83%	1
139	Early Childhood Programs	4,364,321	4,721,389	5,159,990	9.29%	1
	<b>Total Preschool Programs</b>	<b>5,374,580</b>	<b>5,951,568</b>	<b>6,585,719</b>	<b>10.66%</b>	
<b>Special Programs</b>						
141	Gifted and Talented Academic	3,203,299	3,478,683	3,677,020	5.70%	1
144	International Baccalaureate	118,174	199,604	171,000	-14.33%	1
145	Homebound	182,849	135,142	177,460	31.31%	2
148	Gifted and Talented Artistic	18,089	56,000	101,000	80.36%	1
	<b>Total Special Programs</b>	<b>3,522,411</b>	<b>3,869,429</b>	<b>4,126,480</b>	<b>6.64%</b>	
<b>Other Exceptional Programs</b>						
162	Limited English Proficiency	5,671,011	6,732,411	7,363,036	9.37%	1,3
	<b>Total Exceptional Programs</b>	<b>5,671,011</b>	<b>6,732,411</b>	<b>7,363,036</b>	<b>9.37%</b>	
<b>Summer School Programs</b>						
173	High School Summer School	0	0	0	0.00%	4
175	Instructional Programs Beyond Regular School Day	1,501	3,150	2,250	-28.57%	4
	<b>Total Summer School Programs</b>	<b>1,501</b>	<b>3,150</b>	<b>2,250</b>	<b>-28.57%</b>	
<b>Adult Education</b>						
181	Adult Basic Education Programs	109	0	0	0.00%	4
183	Adult Secondary Education Programs	0	0	0	0.00%	4
188	Parenting/Family Literacy	82,807	70,432	77,085	9.45%	1
	<b>Total Adult Education</b>	<b>82,916</b>	<b>70,432</b>	<b>77,085</b>	<b>9.45%</b>	
<b>Pupil Activity</b>						
190	Instructional Pupil Activity	90,513	120,139	133,714	11.30%	5
	<b>Total Pupil Activity</b>	<b>90,513</b>	<b>120,139</b>	<b>133,714</b>	<b>11.30%</b>	
<b>Support Services - Students</b>						
211	Attendance and Social Work	3,706,812	4,150,730	4,929,754	18.77%	6



**BEAUFORT COUNTY SCHOOL DISTRICT**  
**PRELIMINARY DETAIL BUDGET BY IN\$ITE CATEGORY-FY2024**

		FY22 Actual	FY23 Original Budget	FY24 Requested Budget	% Change from Original	Footnote
212	Guidance Services	6,159,725	6,923,291	7,441,948	7.49%	6
213	Health Services	2,480,461	2,783,519	3,188,463	14.55%	6
214	Psychological Services	1,350,188	1,793,136	1,803,679	0.59%	6
217	Career Specialist Services	89,495	104,437	16,122	-84.56%	7
	<b>Total Support Services-Students</b>	<b>13,786,681</b>	<b>15,755,113</b>	<b>17,379,966</b>	<b>10.31%</b>	
<b>Support Services - Instructional Staff</b>						
221	Improvement of Instruction Curriculum Development	8,602,057	10,391,435	11,862,862	14.16%	6
222	Literacy and Media Services	4,469,169	4,663,297	4,974,893	6.68%	1
224	Improvement of Instruction Inservice and Staff Training	435,175	663,314	769,047	15.94%	6
	<b>Total Support Services-Instructional Staff</b>	<b>13,506,401</b>	<b>15,718,046</b>	<b>17,606,802</b>	<b>12.02%</b>	
<b>Support Services - Central</b>						
262	Planning	105,420	5,900	6,802	15.29%	6
	<b>Total Support Services-Central</b>	<b>105,420</b>	<b>5,900</b>	<b>6,802</b>	<b>15.29%</b>	
<b>Support Services - Pupil Activity</b>						
271	Pupil Services Activities	4,602,120	4,390,916	4,770,850	8.65%	8
	<b>Total Support Services-Pupil Activity</b>	<b>4,602,120</b>	<b>4,390,916</b>	<b>4,770,850</b>	<b>8.65%</b>	
<b>2 Operations</b>						
<b>Finance and Operations</b>						
252	Fiscal Services	2,324,729	2,509,447	2,855,289	13.78%	6
254	Operation and Maintenance of Plant	27,413,999	28,164,029	29,077,786	3.24%	9
255	Student Transportation	7,472,951	7,936,312	8,858,430	11.62%	10
256	Food Services	0	0		0.00%	
258	Security	2,040,811	2,342,704	2,776,310	18.51%	11
	<b>Total Finance and Operations</b>	<b>39,252,491</b>	<b>40,952,492</b>	<b>43,567,815</b>	<b>6.39%</b>	
<b>Support Services - Central</b>						
264	Staff Services	4,479,349	5,501,561	5,787,931	5.21%	6
266	Technology and Data Processing Services	5,970,991	6,738,508	8,149,650	20.94%	6
	<b>Total Support Services-Central</b>	<b>10,450,339</b>	<b>12,240,069</b>	<b>13,937,581</b>	<b>13.87%</b>	
<b>3 Leadership</b>						
<b>Support Services - Instructional Staff</b>						
223	Supervision of Special Programs	529,887	771,553	1,011,971	31.16%	16
	<b>Total Support Services-Instructional Staff</b>	<b>529,887</b>	<b>771,553</b>	<b>1,011,971</b>	<b>31.16%</b>	
<b>Support Services -General Administration</b>						
231	Board of Education	576,209	728,947	807,027	10.71%	
232	Office of the Superintendent	475,794	475,886	566,981	19.14%	6
233	School Administration	19,191,746	21,840,094	23,127,104	5.89%	6
	<b>Total Support Services-General Administration</b>	<b>20,243,749</b>	<b>23,044,927</b>	<b>24,501,112</b>	<b>6.32%</b>	
<b>Facilities &amp; Operations</b>						
253	Facilities Acquisition and Construction	49,305	44,647	47,375	6.11%	
	<b>Total Finance and Operations</b>	<b>49,305</b>	<b>44,647</b>	<b>47,375</b>	<b>6.11%</b>	
<b>Support Services - Central</b>						
263	Information Services	452,521	587,380	871,081	48.30%	12
	<b>Total Support Services-Central</b>	<b>452,521</b>	<b>587,380</b>	<b>871,081</b>	<b>48.30%</b>	

**BEAUFORT COUNTY SCHOOL DISTRICT**  
**PRELIMINARY DETAIL BUDGET BY IN\$ITE CATEGORY-FY2024**

		FY22 Actual	FY23 Original Budget	FY24 Requested Budget	% Change from Original	Footnote
<b>Charter School and Other Charges</b>						
412	Payments to Other Governmental Units	150,851	75,000	115,000	53.33%	
416	LEA Payments to Public Charter Schools	7,948,760	9,839,238	9,434,229	-4.12%	13
421	Interfunded Transfers - Special Revenue	-	-	-	0.00%	
425	Interfund Transfers - Food Service	110,000	110,000	110,000	0.00%	
<b>Total Other Charges</b>		<b>8,209,611</b>	<b>10,024,238</b>	<b>9,659,229</b>	<b>-3.64%</b>	
<b>Debt Service</b>						
500	Debt Service	51,519	20,000	20,000	0.00%	14
<b>Total Debt Service</b>		<b>51,519</b>	<b>20,000</b>	<b>20,000</b>	<b>0.00%</b>	
<b>Grand Total</b>		<b>273,619,435</b>	<b>298,133,593</b>	<b>320,412,978</b>	<b>7.47%</b>	

**Footnotes:**

- 1 \$3,000 teacher increase plus step and increased Certified step to 27 years including benefits
- 2 Continued increases due to residual impact of Pandemic
- 3 Additional positions to transition to mandatory 60 to 1 student to teacher ratio
- 4 Funded in Special Revenue Funds
- 5 Field trips, increased fuel costs
- 6 Step and FY24 2% COLA including benefits  
Career Development Facilitator position moved from General Fund to Special Revenue EIA - Fund 303
- 7 School athletics allocations and increases in benefits costs
- 8 Annual energy and other contractual increases
- 9 State mandated increases for bus drivers and operational increases - fuel, repairs, etc.
- 10 Annual increases for security and SRO services
- 12 Step and FY24 2% COLA including benefits; Additional departmental expenses due to assuming FOIA and District Celebration responsibilities
- 13 Reduction to allocation based on state mandated formula
- 14 Decrease due to reduction in TAN borrowing as a result of increased Fund Balance



# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
ARPA – GOOD NEIGHBOR PROGRAM – MUNICIPALITY FUNDING REQUESTS
<b>MEETING NAME AND DATE:</b>
Finance, Administration & Economic Development Committee – 6/19/2023
<b>PRESENTER INFORMATION:</b>
Hank Amundson – Special Assistant to the County Administrator 5 Minutes
<b>ITEM BACKGROUND:</b>
ARPA funds were accepted and budgeted by Beaufort County Council earlier in 2022. One program is named the "Good Neighbor Program". The program sets aside an allocation of \$500,000 per municipality within the Beaufort County for their use in furthering agreed upon initiatives throughout the County.
<b>PROJECT / ITEM NARRATIVE:</b>
<p>The Good Neighbor Program was an approved use of the ARPA funds as accepted by County Council in early 2022. The Good Neighbor Program was established in an effort by the County to support the municipalities’ recovery efforts with supplemental ARPA funds.</p> <p>Requests with specific uses for these funds must be made by the Municipalities. County staff will be tasked with reviewing requests prior to submission and monitoring uses and expenditures after disbursement, as required by the Federal reporting requirements.</p> <p>The Town of Yemassee is requesting the second portion of their allocation in order to extend sewer service with the goal of eliminating septic systems and shallow /exposed sewer lines in sensitive areas. See attached request letter.</p>
<b>FISCAL IMPACT:</b>
ARPA funds have been allocated. This request totals \$234,000
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Staff recommends approval of these requests.
<b>OPTIONS FOR COUNCIL MOTION:</b>
<p>Motion to approve or deny staff recommendation to fund, disperse, and monitor expenditure of funds and efficacy of the initiative.</p> <p><i>Next Step – Move forward to County Council for a motion to approve or deny staff recommendation to disperse and monitor ARPA GOOD NEIGHBOR PROGRAM funds.</i></p>





Colin J Moore

*Mayor*

Peggy Bing-O'Banner

*Mayor Pro Tempore*

Matthew Garnes

*Town Administrator*



***Council Members***

Alfred Washington

Stacy Pinckney

David Paul Murray

May 2, 2023

Mr. Hank Amundson

Beaufort County

P.O. Drawer 1228

Beaufort, SC 29901-1228

We are submitting the attached information for the County's consideration of a sewer project in the Town of Yemassee that may be eligible for funding through Beaufort County's "Good Neighbor" program. Here is a brief overview of the project.

**Project Need:** There are five existing homes along River Rd and Guess Drive that are currently served by either septic tanks or shallow sewer services. This is a low-lying area with poor drainage. Vetrostone, a manufacturing facility on River Rd, is served by 2200 LF of shallow/exposed sewer line that crosses through a wetland area. The existing sewer infrastructure is poorly designed leaving it at higher risk for sanitary sewer overflows.

There are two lift stations along Guess Drive; one serves the Beaufort Housing Authority and the other serves Alpha Genesis. These pump stations are located 25 miles from LRWS's operations center. There is no existing means for remote monitoring of the pump stations.

**Proposed Project:** The project proposes installing an engineered low pressure sewer system including individual grinder pumps and common force main to serve 5 homes and 1 industrial customer on River Rd in Yemassee. Existing septic tanks and shallow sewer lines will be abandoned. Grinder pumps will be installed on private property by a contractor and will be owned and operated by customers. Force main will be installed by a contractor in public ROW and will be owned and operated by LRWS. Existing septic tanks and/or sewer infrastructure would be abandoned as part of the project. The project also proposes installing Remote Terminal Units (RTUs) including radio equipment to allow these critical lift stations to be monitored as part of LRWS's existing SCADA system.

**Proposed Benefit:** The project will eliminate septic tanks in the project area, and upgrade sewer connections that do not meet LRWS or DHEC standards. Existing septic tanks and sewer connections are a health and safety concern.

SCADA equipment will allow for remote monitoring of pump station operation to prevent sanitary sewer overflows. This project will decrease O&M associated with responding to sanitary sewer overflows caused by sub-standard connections and pump faults.

I've attached maps of the project area for illustration. After you have had a chance to review, please let me know if you have any questions or require additional information. Thank you for your consideration.

Respectfully Submitted,



Matthew E. Garnes  
Town Administrator  
Town of Yemassee  
O) 843.589.2565 Ext. 3  
M) 843.599.0166  
F) 843.589.4305

(Attachments: 3)

**River Road & Guess Drive Sewer Improvements  
Town of Yemassee, SC, Beaufort County**

**Sewer Facilities**

**A) River Rd**

<u>Item</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Cost</u>
1	2" PVC force main	LF	4100	\$ 10.00	\$ 41,000.00
2	residential grinder pump (installed)	EA	5	\$ 7,500.00	\$ 37,500.00
3	commercial grinder pump (installed)	EA	1	\$ 15,000.00	\$ 15,000.00
4	Cut and replace asphalt	LF	100	\$ 100.00	\$ 10,000.00
5	sewer service to ROW	EA	6	\$ 1,500.00	\$ 9,000.00
6	septic tank abandonment	EA	2	\$ 2,000.00	\$ 4,000.00
<b>Subtotal</b>					<b>\$ 116,500.00</b>

**A) River Rd**

<u>Item</u>	<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Price</u>	<u>Cost</u>
1	SCADA RTU - Guess Drive Apartments LS	EA	1	\$ 25,000.00	\$ 25,000.00
2	SCADA RTU - Alpha Genesis LS	EA	1	\$ 25,000.00	\$ 25,000.00
3	Installation by Electrical Contractor	LS	1	\$ 7,500.00	\$ 7,500.00
<b>Subtotal</b>					<b>\$ 57,500.00</b>

Sewer Facilities	\$ 174,000.00
Contingencies	\$ 20,000.00
Permitting, Design, CA/CO	\$ 30,000.00
Acquisition/Legal	\$ 10,000.00

**Total** **\$ 234,000.00**

**Capital Improvement Plan Project Summary**

**River Rd & Guess Drive Sewer Improvements**

<b>Project Type</b>	Compliance, H&S	<b>Project #</b>		<b>Projected Construction Start Date</b>	
<b>Department</b>	Sewer Collection	<b>Budget Fiscal Year</b>		<b>Projected Construction End Date</b>	
<b>Review Score</b>					

**Project Scope**

Install low pressure sewer system including individual grinder pumps and 2" force main to serve 5 homes and 1 industrial customer on River Rd in Yemassee, and upgrade lift stations with SCADA RTUs for remote monitoring. Existing septic tanks and shallow sewer lines will be abandoned. Grinder pumps will be installed on private property by a contractor and will be owned and operated by customers. Force main will be installed by a contractor in public ROW and will be owned and operated by LRWS.

**Project Justification**

Project will eliminate septic tanks in the project area, and upgrade sewer connections that do not meet LRWS or DHEC standards. Existing septic tanks and sewer connections are a health and safety concern. SCADA equipment will allow for remote monitoring of pump station operation to prevent sanitary sewer overflows.

**Operational Impact**

Project will decrease O&M costs associated with responding to sanitary sewer overflows caused by sub-standard connections and pump faults.

**Financial Impact**

Two homes currently on septic tanks will be connected to the system. Remote equipment will reduce labor associated with routine visits and costly overflows.

**Financial Details**

Project Phase	Original Budget	Revised Budget	Revision Date	Estimated Useful Life (Years)		
Design	\$ 30,000.00			Population Impacted		25
Construction	\$ 174,000.00			Service Taps (New/Affected)		6
Environmental						
Property Acquisition				<u>Source</u>	<u>Amount</u>	<u>%</u>
Legal	\$ 10,000.00			Total Grant Funds		0%
Interim Financing				Total Loan Funds	\$0	0%
Administration				Total Local Funds		0%
<b>Project Total</b>	<b>\$214,000</b>	<b>\$0</b>		<b>Total All Funds</b>	<b>\$0</b>	<b>0%</b>

**Funding Sources**

Federal \$	SCDHEC \$	State Of SC \$	Local \$
USDA Loan	CWSRF Loan	RIA Basic Grant	Private Contributions
USDA Grant	CWSRF Grant	RIA Economic Grant	LRWS Member Town
EDA Grant	DWSRF Loan	CDBG Grant	Hampton County
EPA Grant	DWSRF Grant	SC Commerce Grant	LRWS
Homeland Security Grant	SC Energy Office L	SC Energy Office G	LRWS (Other Loans)





# LRWS



### Legend

- Water Meters**
- Fire Hydrants**
- Water Fittings**
  - Cap or plug fitting
  - Reducer
  - Tapping sleeve
  - Other fittings
- Water Valves**
  - Air Release
  - Isolation
- Water Tanks**
- Water Wells**
- Water Lines**
  - Water Main Line
  - Water Service Line
  - Water Fire Line
  - Inactive Water Main Line
  - Inactive Water Service Line
  - Inactive Water Fire Line
  - Abandoned Water Main Line
  - Abandoned Water Service Line
  - Abandoned Water Fire Line
- Sewer Treatment Plant**
- Sewer Pumps**
- Sewer Lift Stations**
- Sewer Cleanouts**
- Sewer Valves**
- Sewer Manholes**
  - Sewer Manhole - In Service
  - Sewer Manhole - Abandoned
- Sewer Outfalls**
  - Diffuser
  - Gravity discharge

19 Dec, 2022

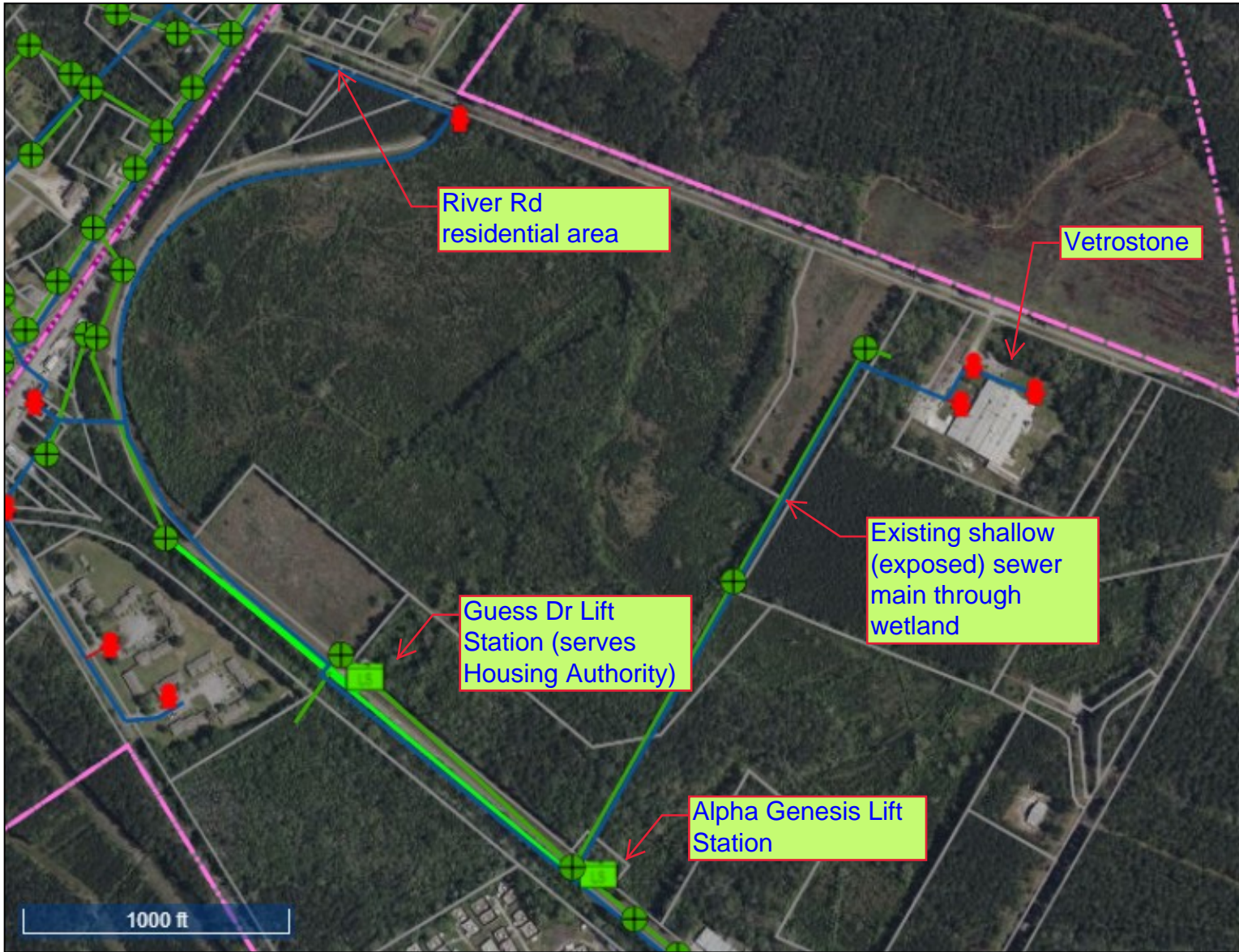
**Note:**  
**Existing Conditions**  
**River Rd**

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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**





# LRWS



### Legend

- Water Meters**
- Fire Hydrants**
- Water Fittings**
  - Cap or plug fitting
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- Sewer Treatment Plant**
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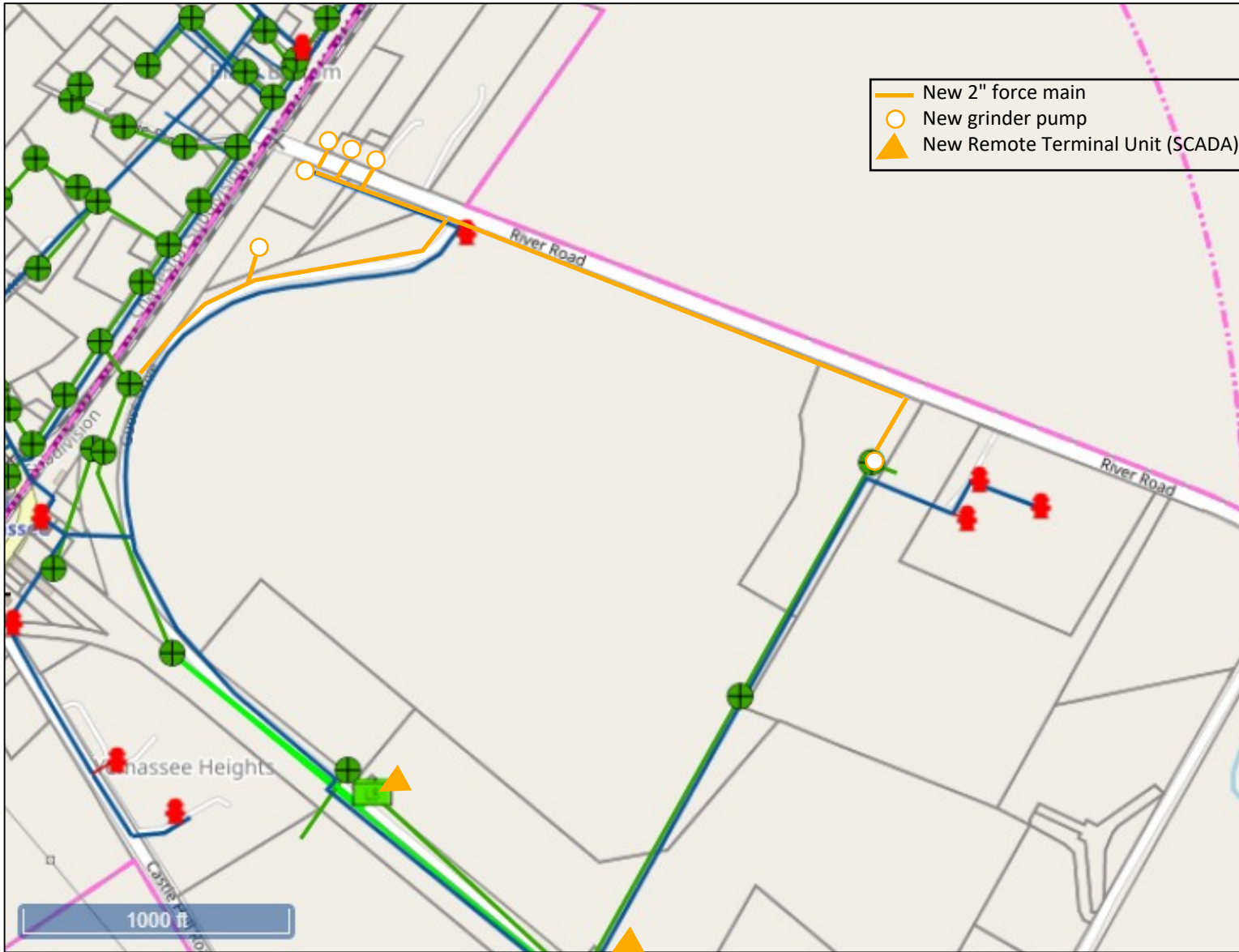
19 Dec, 2022

**Note:**  
**River Rd Project Area & Existing Vetrostone Sewer**

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# LRWS



- New 2" force main
- New grinder pump
- New Remote Terminal Unit (SCADA)



### Legend

- Water Meters
- Fire Hydrants
- Water Fittings**
  - Cap or plug fitting
  - Reducer
  - Tapping sleeve
  - Other fittings
- Water Valves**
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  - Sewer Manhole - In Service
  - Sewer Manhole - Abandoned
- Sewer Outfalls**
  - Diffuser
  - Gravity discharge

**Note:**  
River Rd Sewer Improvements

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19 Dec, 2022

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## **Agencies, Boards, & Commissions: Appointments and Reappointments**

Item 4.

### **1. Lady's Island/St. Helena Island Fire District Commission**

- RECOMMEND APPROVAL TO THE GOVERNORS OFFICE OF THE RE-APPOINTMENT OF ROOSEVELT MCCOLLOUGH TO THE LADYS ISLAND/ST HELENA ISLAND FIRE DISTRICT COMMISSION FOR A FOUR-YEAR TERM WITH THE EXPIRATION DATE OF JUNE 2027

### **2. Lowcountry Regional Transportation Authority**

- RECOMMEND APPROVAL OF THE APPOINTMENT OF HENRY CRISS TO THE LOWCOUNTRY REGIONAL TRANSPORTATION AUTHORITY BOARD FOR A THREE-YEAR TERM WITH THE EXPIRATION DATE OF JUNE 2026





# BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

<b>ITEM TITLE:</b>
AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF, AND GRANT EASEMENTS ON, A PORTION OF REAL PROPERTY LOCATED ON HIGHWAY 170 WITH TMS NO. R600 008 000 0005 0000; TO GRANT AN EASEMENT ON A PORTION OF REAL PROPERTY KNOWN AS THE COOLER TRACT; AND OTHER MATTERS RELATED THERETO
<b>MEETING NAME AND DATE:</b>
May 22, 2023; Public Facilities and Safety Committee
<b>PRESENTER INFORMATION:</b>
Brittany Ward, County Attorney; Jared Fralix, Assistant County Administrator 10 Minutes
<b>ITEM BACKGROUND:</b>
<b>PROJECT / ITEM NARRATIVE:</b>
Beaufort County Council by way of Ordinance No. 2023/10 approved the purchase of approximately 93 acres known as the Cooler Tract on March 27, 2023, for the purpose of establishing a centralized law enforcement and first responders center. The County has since been conveyed fee simple ownership of the Cooler Tract. The real property abutting the Cooler Tract consists of approximately twenty (20) acres owned by Oldfield, LLC. The County desires to purchase the Oldfield property for purposes of constructing additional administrative buildings that are unrelated to law enforcement.
<b>FISCAL IMPACT:</b>
Fair Market Value of Property; funding coming from 2017 GO Bond 40100011-54500
<b>STAFF RECOMMENDATIONS TO COUNCIL:</b>
Approve the purchase of approximately twenty (20) acres from Oldfield, LLC
<b>OPTIONS FOR COUNCIL MOTION:</b>
Motion to Deny Move forward to Council for First Reading by title only on May 22, 2023.

**ORDINANCE 2023/\_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE NECESSARY DOCUMENTS AND PROVIDE FUNDING FOR THE PURCHASE OF, AND GRANT EASEMENTS ON, A PORTION OF REAL PROPERTY LOCATED ON HIGHWAY 170 WITH TMS NO. R600 008 000 0005 0000; TO GRANT AN EASEMENT ON A PORTION OF REAL PROPERTY KNOWN AS THE COOLER TRACT; AND OTHER MATTERS RELATED THERETO**

**WHEREAS**, Beaufort County Council and Beaufort County ("County") is a body politic and political subdivision of the State of South Carolina; and

**WHEREAS**, Beaufort County Council by way of Ordinance 2023/10 approved for the purchase of approximately ninety-three (93) acres abutting Highway 170, commonly known as the Cooler Tract, for the purpose of establishing a law enforcement and first responder facility ("Facility"); and

**WHEREAS**, the County desires to expand the Facility to include government administrative services and a fire station in order to provide all citizens of the County easier access to government services and provide additional first responder services in a geographically central location within the County; and

**WHEREAS**, the County has identified of portion of the real property abutting Highway 170 owned by Oldfield Club ("Oldfield") with TMS No. R600 008 000 0005 0000, consisting of approximately twenty (20) acres and generally identified as 10 Oldfield Way, commonly known as Oldfield, hereinafter collectively referred to as the "Property", as a prime location for centralized government administrative services and additional first responder services; and

**WHEREAS**, the County intends to combine the Cooler Tract and the Property in order to properly design and construct the desired law enforcement, first responder, and government administrative services, hereinafter referred to as the "Centralized Government Center"; and

**WHEREAS**, the County has negotiated with Oldfield the terms for the sale and purchase of the Property and the County agrees to purchase the Property in an amount up to Eight Hundred Fifty Thousand (\$850,000) Dollars plus closing costs with funds from the 2017 General Obligation Bonds; and

**WHEREAS**, the County has agreed to other compensation including the following:

1. *Donation of Real Property.* The County will formally accept six (6) acres of the Property (the "Donated Property") as a donation in accordance with the Oldfield PUD requirements, whereby the said 6 acres will be acknowledged as being located substantially as shown on the Revised Master Plan of the Property attached hereto and incorporated herein by reference as "Exhibit A". The deed of conveyance for the Property will include terms requiring the County to construct a first responders facility, on the real property which the Centralized Government Center is located within ten (10) years of the conveyance of the Property. In accordance with the terms of the Oldfield PUD, if the County fails to construct a first responder facility within ten (10) years of the conveyance of the Property, then the Donated Property shall revert back to Oldfield to be used for any purpose by Oldfield. Further, if the Donated Property does revert back to Oldfield, then the County will provide to Oldfield a perpetual easement, if necessary, to access the Donated Property.
2. *Perpetual Easement for Equestrian Trails.* The County will provide a perpetual easement to Oldfield encumbering a portion the Cooler Tract and the Property. The perpetual easement will be within the wetland area and buffers on the south and east boundaries of the Cooler Tract and within the fifty (50) foot buffer on the east boundary line of the Property and generally located in the areas as shown in "Exhibit B" attached hereto and incorporated herein by reference. The perpetual easement shall be for the sole purpose of Oldfield establishing equestrian trails. The equestrian

trails may also be used as walking trails. Oldfield shall be solely responsible for the costs associated with planning and constructing said equestrian trails, but the County agrees to work cooperatively with Oldfield during the planning process and will share any surveys, including tree surveys, acquired of the Cooler Tract and the Property that would assist in the planning of the equestrian trails. The parties agree to work cooperatively regarding the specific terms and conditions of said perpetual easement which must be agreed upon by Oldfield but shall not be unreasonably withheld.

- 3. *Temporary Easement for Access.* The County will convey a temporary easement over the Property to Oldfield, its property owners, and invitees to continue use of Meadowhawk Road as access to the secondary entrance. The temporary easement shall be terminated by the parties once a new secondary entrance has been established.
- 4. *Secondary Entrance to Oldfield.* The County will provide Oldfield with a new secondary access paved road to the Oldfield community from the proposed new light intersection on Highway 170 to Oldfield Village Road. The location of the secondary access shall be generally located in the area as shown in Exhibit B, the exact location will be determined in the engineering and planning stage for the development of the Centralized Government Center. The County shall be solely responsible for the cost associated with planning, developing and constructing the road; and agrees to work cooperatively with Oldfield to determine the exact location of the entry point into the Oldfield Community. The parties agree to work cooperatively regarding the specific terms and conditions of said perpetual easement which must be agreed upon by Oldfield but shall not be unreasonably withheld. The County will provide a perpetual, exclusive easement to Oldfield for the construction by Oldfield of any security gate, fence and/or guard shack related to the secondary entrance located on or adjacent to the new secondary access paved road on the Cooler Tract, where said easement shall not exceed an area of 0.5 acres. Oldfield shall be solely responsible for any costs associated with the installation and maintenance of any security gate, fence and/or guard shack related to the secondary entrance.
- 5. *EMS Facility.* The County agrees to use its best efforts to plan and begin construction of an EMS facility on the Cooler Tract, the Property or the Donated Property on or before June 30, 2028.

**WHEREAS**, Beaufort County Council finds that it is in the best interest of the citizens and residents of Beaufort County to purchase the Property and provide other compensation as described above.

**NOW, THEREFORE, BE IT ORDAINED** by Beaufort County Council, duly assembled, authorizing the County Administrator to execute the necessary documents and provide funding in an amount up to Eight Hundred Fifty Thousand (\$850,000) Dollars plus closing costs from the 2017 General Obligation Bonds, and grant easements on, a portion of real property located on Highway 170 with TMS No. R600 008 000 0005 0000; to grant and easement on a portion of real property known as the Cooler Tract; and other matters related thereto and as described above.

Adopted this \_\_\_\_ day of June, 2023.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: \_\_\_\_\_  
Joseph Passiment, Chairman

ATTEST:

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

# EXHIBIT A

## OLDFIELD MASTER PLAN

**OLDFIELD, LLC**  
 BEAUFORT COUNTY, SOUTH CAROLINA  
 PREPARED BY: THOMAS AND HUTTON ENGINEERING CO.  
 May 4, 2000

REVISED: 2/17/01      REVISED: 9/15/05  
 REVISED: 2/3/04      REVISED: 1/19/06  
 REVISED: 1/26/05  
 REVISED: 8/17/05

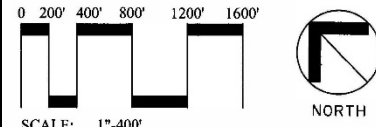
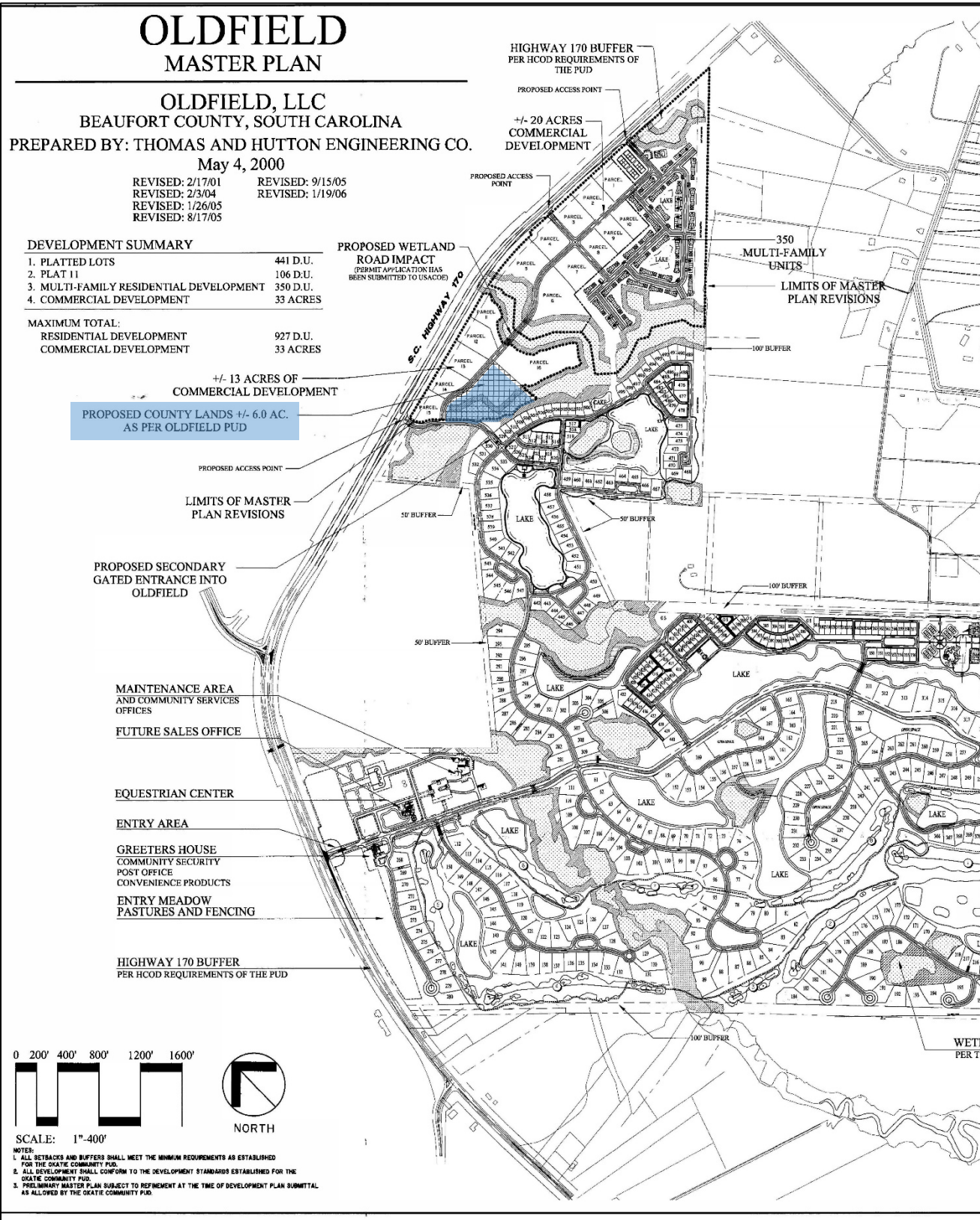
**DEVELOPMENT SUMMARY**

1. PLATTED LOTS	441 D.U.
2. PLAT 11	106 D.U.
3. MULTI-FAMILY RESIDENTIAL DEVELOPMENT	350 D.U.
4. COMMERCIAL DEVELOPMENT	33 ACRES

MAXIMUM TOTAL:

RESIDENTIAL DEVELOPMENT	927 D.U.
COMMERCIAL DEVELOPMENT	33 ACRES

**+/- 13 ACRES OF  
COMMERCIAL DEVELOPMENT**  
**PROPOSED COUNTY LANDS +/- 6.0 AC.  
AS PER OLDFIELD PUD**



NOTES:  
 1. ALL SETBACKS AND BUFFERS SHALL MEET THE MINIMUM REQUIREMENTS AS ESTABLISHED FOR THE OKatie COMMUNITY PUD.  
 2. ALL DEVELOPMENT SHALL CONFORM TO THE DEVELOPMENT STANDARDS ESTABLISHED FOR THE OKatie COMMUNITY PUD.  
 3. PRELIMINARY MASTER PLAN SUBJECT TO REFINEMENT AT THE TIME OF DEVELOPMENT PLAN SUBMITTAL AS ALLOWED BY THE OKatie COMMUNITY PUD.



# EXHIBIT B

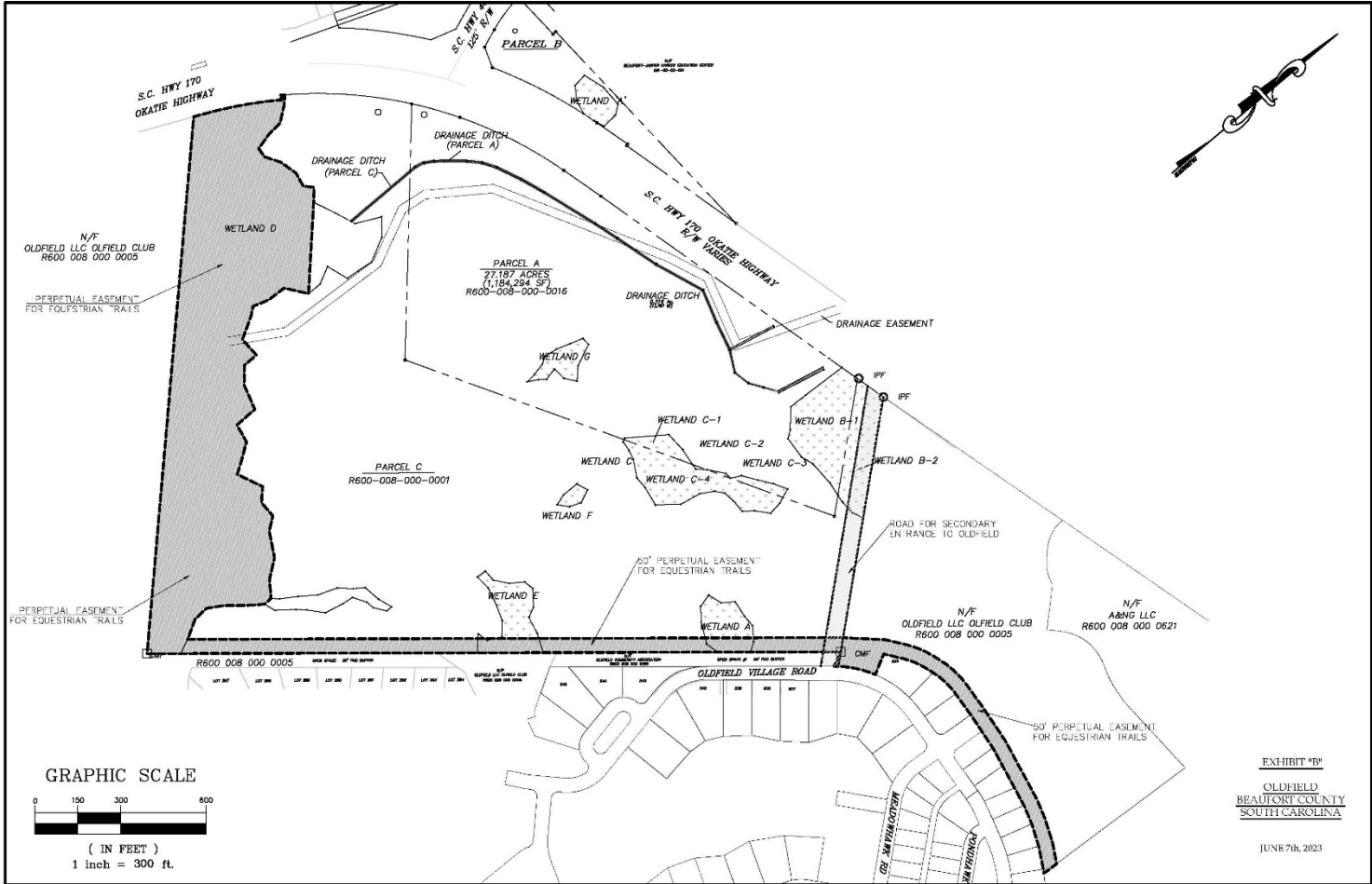


EXHIBIT "B"  
 OLDFIELD  
 BEAUFORT COUNTY  
 SOUTH CAROLINA

JUNE 7th, 2023