

COUNTY COUNCIL OF BEAUFORT COUNTY

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AGENDA NATURAL RESOURCES COMMITTEE

Monday, January 6, 2014

4:00 p.m.

Executive Conference Room
Administration Building

Committee Members:

Brian Flewelling, Chairman
Cynthia Bensch, Vice Chairman
Gerald Dawson
William McBride
Jerry Stewart
Tabor Vaux
Laura Von Harten

Staff Support: Tony Criscitiello

1. CALL TO ORDER – 4:00 P.M.
2. TEXT AMENDMENT TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE/ZDSO, ARTICLE V. USE REGULATIONS, SEC. 106-1287. COMMERCIAL RETAIL, REGIONAL (ADDS STANDARDS TO ALLOW ADAPTIVE RE-USE OF LIGHT INDUSTRIAL PROPERTIES ([backup](#)))
3. DISCUSSION / RURAL AND CRITICAL LANDS PROGRAM PASSIVE PARK TASK FORCE PROPOSAL ([backup](#))
4. EXECUTIVE SESSION
 - A. Discussion of negotiations incident to proposed contractual arrangements and proposed purchase of property
5. ADJOURNMENT



2014 /

TEXT AMENDMENT TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE/ZDSO, ARTICLE V. USE REGULATIONS, SEC. 106-1287. COMMERCIAL RETAIL, REGIONAL (ADDS STANDARDS TO ALLOW ADAPTIVE RE-USE OF LIGHT INDUSTRIAL PROPERTIES.

Whereas, Standards that are underscored shall be added text and Standards ~~lined through~~ shall be deleted text.

Adopted this ____ day of _____, 2014.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

Joshua A. Gruber, Staff Attorney

ATTEST:

Suzanne M. Rainey, Clerk to Council

First Reading:
Second Reading:
Public Hearing:
Third and Final Reading:

Sec. 106-1287. Commercial retail, regional

(d) Special Use standards for adaptive re-use: regional commercial retail uses in the Light Industrial zoning district. Special Use standards for regional commercial retail establishments utilizing developed site uses which have been unoccupied by an operating business for more than two years are as follows:

(1) It is the intent of this section to allow adaptive re-use of sites developed in conformity with allowable uses for the Light Industrial district, but which have become vacant and remained vacant for more than two years, thereby avoiding the creation or continuation of a blighted area.

(2) The permitted floor space size limitations of 106-1287(a)(1) shall not be applicable; existing structures can be fully utilized for all uses qualifying as commercial retail, regional, and may utilize the permitted access to the site, notwithstanding 106-1287(a)(2), provided that:

(i) Parking shall meet the requirements of Article XIII, Division 5 (Parking and Loading Standards);

(ii) The site is located within 1,000 feet of an arterial road, and traffic impacts as measured by trips per day will not exceed by more than 10% the traffic impact of the former permitted use on the site as determined by a traffic impact analysis (TIA); and

(iii) The proposed use and any proposed structural addition shall conform with the Airport Overlay District for MCAS-Beaufort (Appendix A1) if the site is within that overlay district;

(3) Retail uses having exterior sales (flea markets, farmers markets, vehicle sales, etc.) which are within a site with fencing and buffers shall be allowed to operate year-round, without limitation as to the number of outdoor sales events, provided that:

(i) The outdoor sales area is located at least 50 feet from the public road servicing the site;

(ii) A permanent structure with a roof is provided for at least 50% of the spaces to be used for sales in the outdoor sales area;

(iii) There are clearly marked pedestrian paths of at least ten feet in width between the outdoor sales area and the existing structure within which interior retail sales will occur;

(iv) Operating hours will not extend beyond 11:00 p.m.; and

(v) Such uses are permitted within the Airport Overlay District for MCAS-Beaufort, provided that, through the Special Use process, the Zoning Board of Appeals (ZBOA) determines that noise impacts within the airport Overlay District are not deleterious to the health and safety of people visiting or participating in said activities or events.

Passive Park Task Force

A five member Task Force, the Passive Park Task Force (PPTF) appointed from various areas and disciplines for a limited term, whose goals are:

1. Recommend to Council a prioritized list of properties purchased through the Rural and Critical Lands Program (R&CL), which should be more open to the public for passive or limited use;
2. Recommend to Council the types of infrastructure improvements necessary to facilitate that access;
3. Provide to Council estimates of the annual and recurring maintenance costs for each improvement (Park), and potential sources of revenue to fund that maintenance;
4. Oversee and guide the infrastructure improvements approved by Council;
5. Recommend to Council a plan for Administration oversight of system of Passive Parks;
6. Determine the viability/desirability of outsourcing maintenance costs through private licensure or use agreements.

The PPTF should be comprised of business leaders and concerned citizens with expertise in land development, engineering, and/or conservation.

In forming the prioritized list, consideration should be given to a balance of properties around the County, the cost and length of time necessary to complete construction, maximum public use the facility, and extent of impact on the preserved properties.

The types of improvements recommended should have consistent themes, patterns and signage in an effort to create a system of parks which can be branded and easily identified as part of the R&CL Passive Park system.



**To: Brian E. Flewelling
Councilman – Beaufort County Council
Chairman -Natural Resources Committee**

**From: Ed Pappas
Chairman, Rural and Critical Land Program**

Date: December 17, 2013

Re: Rural & Critical Lands Program Passive Park Task Force Proposal

Over the last few years, the Open Land Trust, County Planning Department and County Attorney have been fielding requests for consideration for the use of passive park properties purchased through the Rural and Critical Lands Preservation Board (R&CLPB) program. With passage of the 2012 Beaufort County bond referendum that included up to \$5million for infrastructure development, requests for infrastructure development on passive park properties have been growing. Currently, a County authorized organization and processes have not been identified to vet passive park property development requests and to thereby establish accountability and responsibility for infrastructure planning, development, implementation and maintenance.

At its March 2013 retreat, R&CLPB discussed and prepared a white paper summary of issues and opportunities to plan, design, implement and manage growing interest in developing passive park properties. More recent, an R&CLPB sub-committee investigated options and issues to identify an organization that is accountable and responsible for all passive park property development requests.

At the December 12 meeting, R&CLPB members unanimously agreed to the following recommendation, which is forwarded for consideration by the Natural Resources Committee:

R&CLPB recommends that a Passive Park Task Force (PPTF) be chartered to plan, develop and manage infrastructure development policies and practices for designated passive park properties purchased through the R&CLPB program.

PPTF is recommended to serve in an advisory capacity to the County and at the pleasure of the County for a fixed period of time to be determined. The fixed period of time determination is intended to drive ongoing analysis of the effective and efficient operation of PPTF and to evaluate during such time other County initiated options for reassignment of PPTF responsibilities in total or in part.

PPTF volunteer membership should represent key stakeholder interests across the County and possess the requisite skills necessary to achieve accountability and responsibility provisions outlined in an approved County charter. Membership may be extended to include County and Municipal public

officials either ex-officio or current members and/or administrators and key stakeholder partnerships as may be required to achieve the charter provisions of accountability and responsibility specific to their jurisdictions.

PPTF charter provisions for accountability and responsibility may include but are not limited to the following:

1. In partnership with County staff research, develop, implement and maintain best policies and practices for managing passive park properties.
 - a. Establish a process to analyze, prioritize and manage all public requests for passive park development.
 - b. Develop processes and procedures for the design, permitting, bidding and construction of passive park properties.
 - c. Define and develop resource management and maintenance plans and procedures for passive park properties.
 - d. Identify funding options and initiate funding support requests for infrastructure development and maintenance.
 - e. Develop and maintain required financial and operations reports to ensure achievement of assigned responsibilities and accountability.
2. Annually prepare and present as may be required key strategic initiatives and priorities aligned with a budget for their achievement.
3. Establish PPTF administration policies and practices including membership representation, skills, roles and responsibilities and the scheduling of meetings schedule, attendance and calendar of commitments
4. Perform an ongoing analysis of the effective and efficient operation of PPTF and to evaluate at such time other County initiated options for reassignment of PPTF responsibilities in total or in part.
5. Undertake a review of how oversight of conservation easements are conducted, which agencies are responsible, and any suggested changes.

Please let me know if you require further information.