COUNTY COUNCIL OF BEAUFORT COUNTY

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SARAH W. BROCK
INTERIM CLERK TO COUNCIL

AGENDA
NATURAL RESOURCES COMMITTEE
Monday, May 20, 2019
2:30 p.m.
(or immediately following the Community Services Committee Meeting)
Executive Conference Room, Administration Building
Beaufort County Government Robert Smalls Complex
100 Ribaut Road, Beaufort

Committee Members:
Alice Howard, Chairman
Gerald Dawson, Vice Chairman
Michael Covert
York Glover
Chris Hervochon

Staff Support:
Eric Greenway, Community Development Director
Ebony Sanders, Interim Assessor
Eric Larson, Division Director Environmental Engineering
Dan Morgan, Mapping & Applications Director

1. **CALL TO ORDER – 2:30 p.m**.

2. **PLEDGE OF ALLEGIANCE**

3. **APPROVAL OF AGENDA**

4. **APPROVAL OF MINUTES**
   A. February 18, 2019 (backup)
   B. March 18, 2019 (backup)

5. **CITIZEN COMMENTS** (*Comments regarding agenda items only*)

6. **DISCUSSION / SHORT TERM RENTAL AMENDMENT**– *Eric Greenway, Director Community Development* (backup)

7. **DISCUSSION / NEW RIVERSIDE MASTER PLAN** - *Stefanie Nagid, Passive Parks Manager* (backup)

8. **DISCUSSION / FORD SHELL RING ARCHAEOLOGY RESEARCH PROPOSAL** - *Stefanie Nagid, Passive Parks Manager* (backup)

9. **A RESOLUTION TO RESERVE FUNDING FOR PUBLIC ACCESS AND PASSIVE RECREATION PROJECTS ON RURAL AND CRITICAL LAND PRESERVATION PROGRAM PASSSIVE PARK PROPERTIES** - *Stefanie Nagid, Passive Parks Manager* (backup)

10. **DISCUSSION / NORTHERN BEAUFORT COUNTY MAP AMENDMENT** (change the zoning of the property from C3-NMU to C5-RCMU) - *Robert Merchant, AICP, Assistant Community Development Director* (backup)

11. **RESOLUTION TO ADOPT LAND ACQUISITION PROCEDURES** - *Eric Greenway, Director Community Development* (backup)

12. **UPDATE / RIVER OAKS MASTER PLAN** - *Eric Greenway, Director Community Development; Stefanie Nagid, Passive Parks Manager* (backup)

13. **DISCUSSION / 2020 GREENPRINT PROCESS** – *Stefanie Nagid, Passive Parks Manager* (backup)

14. **CONTRACT RENEWAL / CLEMSON EXTENSION PUBLIC EDUCATION AND OUTREACH SERVICES RELATED TO STORMWATER** – *Eric Larson* (backup)

15. **EXECUTIVE SESSION**
    A. Discussion of potential sale of property on Beach City Road and terms of the same.
    B. Discussion of potential purchase of property on Beach City Road and terms of the same.
    C. Discussion of possible purchase of development rights for Dale PDR 2019 project
    D. Discussion of possible purchase of development rights for Longwood PDR 2019 project

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

17. **CONSIDERATION OF APPOINTMENTS AND REAPPOINTMENTS**
    A. Historic Preservation Board / (1) Vacancy
    B. Rural and Critical Lands Preservation Board / (1) Vacancy
    C. Southern Beaufort County Corridor Beautification Board / (2) Vacancies

18. **ADJOURNMENT**

2018-2019 Strategic Plan Committee Assignments
Regional Stormwater Management
Comprehensive Impact Fees Update
Affordable Housing Strategy and Actions
County Stormwater Management Program

MINUTES
NATURAL RESOURCES COMMITTEE

February 18, 2019

Executive Conference Room, Administration Building,
Beaufort County Government Robert Smalls Complex,
100 Ribaut Road, Beaufort, South Carolina 29902

The electronic and print media duly notified in
accordance with the State Freedom of Information Act.

ATTENDANCE

Present: Committee Chairman Alice Howard, Committee Vice Chairman Gerald Dawson, and members Michael Covert, York Glover and Chris Hervochon

Ex-officio: Brian Flewelling, Joseph Passiment and Paul Sommerville (Non-committee members of Council serve as *ex-officio* members and are entitled to vote.)

Staff: Jim Becker, County Auditor; Edra Stevens, Business License Director; Dave Thomas, Purchasing Director; Wes Campbell, Engineering; Stefanie Nagid, Passive Parks Manager; Eric Greenway, Community Development Director; John Weaver, Interim County Administrator; Eric Larson, Stormwater Manager; Matthew Watts, Deputy Director Department of Parks and Recreation; Shannon Loper, Director Parks and Recreation; Daniel Morgan, IT Division; and Melissa Peagler, Community Development.

CALL TO ORDER

Alice Howard called the meeting to order at 2:00 p.m.

Mrs. Howard called for a Moment of Silence for former Councilwoman Laura Von Harten.

APPROVAL OF AGENDA

Mr. Weaver requested amending the agenda to remove Item 21, Executive Session / Legal briefing on a contractual matter relating to potential litigation.

It was moved by Mr. Passiment, seconded by Mr. Covert to approve the agenda as amended. The vote: YAYS – Mr. Covert, Mr. Dawson, Mr. Glover, Mrs. Howard, and Mr. Sommerville did not vote. Mr. Hervochon was not present at this time. The motion passed.

APPROVAL OF MINUTES

It was moved by Mr. Dawson, seconded by Mr. Glover to approve meeting minutes from January 18, 2019; January 22, 2019, and February 4, 2019. The vote: YAYS – Mr. Covert, Mr. Dawson, Mr. Glover, Mrs. Howard, and Mr. Sommerville did not vote. Mr. Hervochon was not present at this time. The motion passed.

CITIZEN COMMENTS

Michael Matthews, Chairman of The Rural and Critical Lands Board, spoke in reference to item number fifteen, Passive Parks Bond Funding Resolution, and requested this resolution not be approved using the current wording "may be used."

Ricki Parker, Coastal Conservation League, spoke in reference to item number fifteen, Passive Parks Bond Resolution, and would like further clarification as to the twenty percent and where those calculations came from as well as details regarding funds remaining from past referendums.

UPDATE

Eric Greenway, Director Community Development, gave an update on the Southern Lowcountry Regional Planning Board meeting that took place on January 22, 2019. The board appointed a housing trust fund sub-committee which Greenway was appointed too. The sub-committee met on February 13, 2019 and came up with a schedule to meet every two weeks. The purpose of this committee is to study the process of housing trust funds and how they work in order to potentially set one up in the local region.

Mr. Greenway also addressed the permitting process for Beaufort County and his opinion that it has gotten better and more efficient since he came on board.
Status

Status: For information only.

PRESENTATIONS

Dan Morgan, Director Mapping and Applications, gave a presentation on updates that have been made to the GIS webpage system in reference to zoning areas.

Eric Greenway, Director Community Development, spoke as to the language in the referendum regarding passive parks and stated it says "not to exceed twenty percent."

Barbra Holms, Beaufort County Land Trust / Rural and Critical Lands Preservation, gave an annual report update.

ACTION ITEMS

Item: Short-Term Rental Task Force Appointments

Discussion: Eric Greenway, Director Community Development, presented a slate of names of individuals he is recommending for the short-term rental task force subcommittee in order to study the short-term rental process and regulations in Beaufort County. The names are as follows:

1. Dru Brown, Vacation Company

2. Stacey Hutchinson, Beach Properties of Hilton Head Island
3. Edward Brown, Short Term Rental Owner
4. Dick Stewart, Developer
5. Vimal Desai, Hotel Owner
6. Mrs. Martha Rowland, a resident of May River and has had an issue with Short Term Rentals in her neighborhood
7. As well as add another northern realty association of some type.

Mr. Greenway also suggested that he and Mr. Becker play an advisory role on the committee.

No action was needed at this time.

Status: For information only.

Item: Consideration of Contract Award / Andrews Engineering

Discussion: Eric Larson, Stormwater Manager, suggested hiring Andrews Engineering, Engineering Consultants, to design the Evergreen Regional stormwater pond for an amount of $89,285.55. The project will take about two months to design and have ready for construction. The 319 grant funds will not kick in until the construction phase. Utility board voted unanimously to hire Andrews Engineering.

Motion: It was moved by Mr. Glover, seconded by Mr. Hervochon that the Committee recommend Council approve the hiring of Andrews Engineering. The VOTE: YAYS – Mr. Covert, Mr. Dawson, Mr. Glover, Mr. Hervochon, Mrs. Howard and Mr. Passiment. Mr. Sommerville did not vote. The motion passed.

Item: Alljoy Stormwater Management Project

Discussion: Eric Larson, Stormwater Manager, asked the committee to approve allocation of Stormwater Utility fees for funding, application for grant funding, and advertisement of a RFQ for an engineering consultant in order to address residential stormwater issues plaguing the Alljoy area. 75% grant, 25% match

Councilman Covert suggested having a public forum for the impacted area residents in order to take away any fear concerning an acquisition.

Mr. Larson stated they have met with concerned citizens as they have called in with flooding concerns. The request for advertising dollars includes public outreach and public forums of the such. The Engineering consultant is desperately needed so there is data to substantiate what information is disseminated. The RFQ can be broken into multiple contracts and pieces.

No action was needed at this time.

Status: For information only.

Item: Katy Circle Map Amendment

Discussion: Melissa Peagler, Long Range Planner, discussed applicant proposing to change the zoning of the parcel from T3 neighborhood to T4 Hamlet Center Open. The parcels are R200 015 000 0310 0000, R200 015 000 0308 0000, R200 015 000 302A 0000 with the properties being located at 5, 7, and 9 Katy Circle on Ladys Island. The applicant is proposing to change the zoning of the parcel from T3 Neighborhood to T4 Hamlet Center Open. Ms. Peagler stated Beaufort County Planning Commission felt the rezoning would add to traffic congestion and change the personality of the neighborhood. The proposed Lady's Island plan recommends careful consideration of any increase in density and traffic, the change in zoning could result in those increases.

Motion: It was moved by Mr. Glover, seconded by Mr. Dawson that Committee uphold recommendation of staff which is to deny this rezoning. The VOTE: YEAS - Mr. Covert, Mr. Dawson, Mr. Glover, Mr. Hervochon, Mrs. Howard, and Mr. Passiment. Mr. Sommerville did not vote. The motion passed.

Item: Purchase Order Amendment for New Riverside Park Conceptual Plan

Discussion: Stefanie Nagid, Passive Parks Manager, requested the committee increase the current contract/PO amount by $21,000 for additional services needed for the New Riverside Conceptual Master Plan project.

Motion: It was moved by Mr. Covert, seconded by Mr. Hervochon that the Committee approve the request for an additional $21,000 pursuant to making sure this is absolutely necessary to the Town of Bluffton. The VOTE: YEAS - Mr. Covert, Mr. Dawson, Mr. Glover, Mr. Hervochon, Mrs. Howard, and Mr. Passiment. Mr. Sommerville did not vote. The motion passed.

Item: Mitchelleville Freedom Park Survey Funding Request

Discussion: Stefanie Nagid, Passive Parks Manager, stated that the Mitchelville Preservation Project and the Town of Hilton Head Island are requesting the County to fund $16,000 for a tree and topographic survey to be completed by Coastal Surveying Company of the Town-owned Mitchelville Freedom Park (23 acres) towards the completion of the Mitchelville Master Plan. County Council approved up to $250,000 of Rural and Critical Lands Preservation Program funding to be used towards the creation of the Mitchelville Master Plan and currently the project is under contract for $215,555 leaving some funds available for the tree and topo survey.

Mr. Covert stated it was concerning to him that the Town of Hilton Head wants County Council to pay for one of their trees just because the project as a whole has some funds left over.

Mr. Dawson stated this is a project that Council supports and the committee should approve as to not cause any unnecessary delay.

Mr. Glover stated he wanted Ms. Nagid to let the Town of Hilton Head know we could have appreciated it if they had put some money towards this project.

Main Motion: It was moved by Mr. Dawson, seconded by Mr. Glover that Committee approve the request for an additional $16,000 to be used towards the tree and typo survey from the Rural and Critical Lands Funds. The VOTE: YEAS - Mr. Dawson, Mr. Glover, and Mrs. Howard. NEAS - Mr. Covert, Mr. Hervochon, and Mr. Passiment. Mr. Sommerville did not vote. The motion fails.

Motion: It was moved by Mr. Covert, seconded by Mr. Passiment for a motion for reconsideration. The VOTE: YEAS - Mr. Glover, Mrs. Howard, Mr. Covert, Mr. Hervochon, Mr. Sommerville, and Mr. Passiment. Mr. Dawson and did not vote. The motion passes.

Amended Motion: It was moved by Mr. Covert, seconded by Mr. Hervochon to amend the previous motion and approve of the $16,000 being $8,000 comes from the Town of Hilton Head and $8,000 comes from the county. The VOTE: YEAS - Mrs. Howard, Mr. Covert, Mr. Hervochon, Mr. Sommerville, and Mr. Passiment. NEAS - Mr. Glover. Mr. Dawson did not vote. The motion passes.

Item: Passive Parks Bond Resolution

Discussion: Stefanie Nagid, Passive Parks Manager, requested Council to consider a formal dedication of funding towards passive park improvement projects from the Rural and Critical Lands Preservation bond funding. All Tier 1 and Tier 2 priority projects, and some Tier 3 projects, could be completed with this dedicated funding request. 20% of each of the three bonds totals $14 million, some of which has already been expensed and obligated, therefore $10.6 million is requested from what is available from previous bonds ($5.6M) and what will become available with the new bond ($5M).
Points to consider:

- The 2012, 2014, and 2018 bonds state that an amount "not to exceed 20%" of those respective bond totals may be used to improve existing and newly acquired lands.
- Formal dedication of funding will allow for more efficient planning on both the acquisition and park improvement sides of the Program.
- Formal dedication of funding will reduce/remove competitive conflicts between the acquisition and park improvement sides of the program.
- A firm budget allows both sides of the Program to have a clear vision for project goals.

Mr. Sommerville inquired as to future land acquisitions in the pipeline that haven't been approved.

Mr. Hervochon stated this is just a resolution that doesn't tie us down in case a property deal comes up 5 years down the road.

Motion: It was moved by Mr. Hervochon, seconded by Mr. Covert to approve the resolution as written to Support the Passive Parks Program. The VOTE: YEAS - Mr. Covert, Mr. Dawson, Mr. Glover, Mr. Hervochon, Mrs. Howard, Mr. Passiment, and Mr. Sommerville. The motion passed.

Item: Lease Agreement of Duncan Farms / Daufuskie Marsh Tacky Society

Discussion: Stefanie Nagid, Passive Parks Manager, recommended that the Committee and County Council approve the Interim County Administrator to enter into a lease agreement with Daufuskie Marsh Tacky Society for the lease of the Duncan Farms property at an annual cost of $4,800.

Erica Veit, President of the Daufuskie Marsh Tacky Society, spoke further on their current program.

Mr. Dawson asked Ms. Nagid to explain how the amount for the lease came about.

Ms. Nagid replied that the amount came from Ms. Veit and it was based on the average cost of utilize vacant agriculture land.

Motion: It was moved by Mr. Dawson, seconded by Mr. Glover that Committee approve the Duncan Farms lease agreement as presented. The vote: YAYS – Mr. Covert, Mr. Dawson, Mr. Flewelling, Mr. Glover, Mr. Hervochon, Mrs. Howard, Mr. Passiment, and Mr. Sommerville. The motion passed.

Item: Confederate Ave. Land Acquisition Proposal

Discussion: Eric Greenway, Director Community Development, brought forward land acquisition proposal for a fee-simple acquisition of 54.32 acres in Bluffton (75 Confederate Ave) for $1,310,000.

Motion: It was moved by Mr. Covert, seconded by Mr. Glover that Committee recommend Council approve the land acquisition of Confederate Avenue in Bluffton. The vote: YAYS – Mr. Covert, Mr. Dawson, Mr. Glover, Mr. Hervochon, Mrs. Howard, and Mr. Passiment. Mr. Sommerville did not vote. The motion passed.

Item: Bluffton Property Donation

Discussion: Thomas Keaveny III, County Attorney, stated that Beaufort County has been asked to accept a tract of land, which is under a Conservation Easement (CE), and has limited use for

active and/or passive parks only. The property will be deeded to the County in fee-simple without conditions except as set forth in the CE.

Motion: It was moved by Mr. Covert, seconded by Mr. Dawson that Committee recommend Council adopt and approve the land donation near Hampton Lakes in Bluffton. The vote: YAYS: Mr. Covert, Mr. Dawson, Mr. Glover, Mr. Hervochon, Mrs. Howard, and Mr. Passiment. Mr. Sommerville did not vote. The motion passed.

Item: Camp St. Mary's Property Determination

Discussion: Stefanie Nagid, Passive Parks Manager, the County owns approximately 10 acres of riverfront property, but has no written plan for the future use of the property. Council approved $250k in 2018 for re-roof, mitigate mold, etc.; however, to get up to code for occupancy will cost $2.3M. Work has not been awarded for the $250k due to the high estimate for complete repair. Awaiting determination of future use.

Mr. Weaver suggested selling the 10-acre parcel as it would generate a substantial amount money and limit liability on the county and recommended getting the property appraised

Mr. Thomas stated that the two functional buildings that are out there now are not worth putting a lot of money into.

Motion: It was moved by Mr. Dawson, seconded by Mr. Sommerville that Committee recommend getting an appraisal of the Camp St. Mary's property while considering Passive Parks options for the property. The vote: YAYS - Mr. Covert, Mr. Dawson, Mr. Glover, Mr. Hervochon, Mrs. Howard, Mr. Sommerville, and Mr. Passiment. The motion passed.

Item: Consideration of Appointment and Reappointments / Historic Preservation Review Board

Motion: It was moved by Mr. Covert, seconded by Mr. Glover that Committee recommend Council Holly Murphy to serve as a member of the Historic Preservation Review Board. The vote: YAYS - Mr. Covert, Mr. Dawson, Mr. Glover, Mr. Hervochon, Mrs. Howard, Mr. Sommerville, and Mr. Passiment. The motion passed.

Item: Consideration of Appointment and Reappointments / Rural and Critical Lands Board

Motion: It was moved by Mr. Dawson, seconded by Mr. Glover that Committee recommend Council nominate Arthur Baer to serve as a member of The Rural and Critical Lands Board. The vote: YAYS - Mr. Covert, Mr. Dawson, Mr. Glover, Mr. Hervochon, Mrs. Howard, and Mr. Passiment. Mr. Sommerville did not vote. The motion passed.

Adjournment

The meeting adjourned at 4:29 p.m.

Ratified by Committee:

MINUTES
NATURAL RESOURCES COMMITTEE

March 18, 2019

Executive Conference Room, Administration Building,
Beaufort County Government Robert Smalls Complex,
100 Ribaut Road, Beaufort, South Carolina 29902

The electronic and print media duly notified in
accordance with the State Freedom of Information Act.

Attendance

Present: Committee Chairman Alice Howard, Committee Vice Chairman Gerald Dawson, and members Michael Covert, York Glover and Chris Hervochon

Ex-officio: Stu Rodman, Brian Flewelling, Joseph Passiment, Larry McElynn and Paul Sommerville (Non-committee members of Council serve as *ex-officio* members and are entitled to vote.)

Staff: Eric Greenway, Community Development Director; Eric Larson, Manager Stormwater Utility; Rob Merchant, Community Development Deputy Director; Dan Morgan, Mapping and Applications Director, Stefanie Nagid, Passive Parks Manager; Melissa Peagler, Long Range Planner; John Weaver, Interim County Administrator; David Wilhem, Director, Public Works; Jocelyn Steiger, Hilton Head Island Association of Realtors; Bob Semmler, Chairman, Northern Beaufort County Regional Plan Implementation Committee; Rikki Parker, Project Manager, Coastal Conservation League; Barbara Holmes, Director of Land Protection, Beaufort County Open Land Trust; Tom Keaveny, County Attorney.

Call to Order

Councilwoman Howard called the meeting to order at 2:00 p.m.

Approval of Agenda

Citizen Comments

Michael Matthews, Rural and Critical Lands Board member, spoke to item number 10 on the agenda, land acquisition proposals. Mr. Matthews stated he found the fact that these procedures

were never presented to the Rural and Critical Lands board to be unacceptable and requested the help of the Natural Resources Committee to mitigate the current practices.

Stephen Murray, City of Beaufort Council Member, spoke in reference to process and procedural changes with open land trust and the county as well and item number 11 on the agenda, the Pineview land acquisition. Mr. Murray stated he does not believe a unilateral decree of process change by is appropriate or in the spirit of the collaborative history of the Rural and Critical Program. Mr. Murray asked that Council convene a formal and transparent process in order to gain input from stakeholders. Mr. Murray also stated his support of the Pineview tract acquisition.

Kate Schafer, Coastal Conservation League, spoke in reference item number 10 on the agenda, land acquisition proposal. Ms. Schafer does not agree with taking the land acquisition process to the Natural Resources Committee first and believes public engagement is important and should be a priority. Ms. Schafer also stated she believes all land purchased with conservation dollars should be protected.

Chuck Newton, Sea Island Coalition, spoke in support of the Pineview acquisition. Suggested the land acquisition proposal matter be postponed until the new administrator is in place and has had a chance to weigh in on the issue.

Douglas Koop, Rural and Critical Lands member, sent in a letter stating he is concerned that the recommended changes to the Rural and Critical Land Program project process are reactionary and appear to be directed at a staff person of the contractor. He further stated he is somewhat disappointed that a proposed solution was created without input from any Board representative and that it appears the Board's ability to participate in the identification, review and recommendation of appropriate projects is being significantly curtailed. Lastly, he stated that if new procedures are warranted then input from the RCLP Board should be solicited.

INFORMATION ITEMS

Item: Updates

Discussion: Director of Community Development, Eric Greenway, stated at the February meeting, the Soloco board heard reports from Hardeeville, Bluffton and Hilton Head Island regarding their 2019/20 goals and strategic work session retreats and was updated on the work of the Housing Trust Fund Sub-committee and since there wasn't a Planning Commission meeting in February there an update wasn't needed.

Status: For information only.

Item: Beach City Road Parcels

Discussion: Councilwoman Howard stated Mr. Greenway and Mr. Keaveny are the points of contact for the people from St. James Baptist Church.

Mr. Greenway asked that if anyone on council is contacted to please notify he or Mr. Keaveny right away stated since the property was purchased with Rural and critical lands money, if council decides to sell it, do you (the committee) want his department to take it back to the Rural and Critical Lands board then bring it back to Committee? Mr. Greenway also stated that his department needs authorization from committee to expend funds for an appraisal of the lot they will be selling to the church if council decides to do so.

Councilwoman Howard asked if the committee wanted to send this matter back to the Rural and Critical Lands board.

Councilman Glover asked Mr. Greenway to show the committee what they are considering.

Mr. Greenway stated it is four parcels and put up a map to show Councilman Glover.

Councilman Glover stated that he was under the impression that if a property was purchased using funds from a specific program then later that property is sold, the funds go back to that program.

Councilman Flewelling stated we have never really gotten to a point where we have sold Rural and Critical Lands property before, we have swapped but not sold and also stated that any money that is returned to the county for the sale of Rural and Critical Lands needs to be returned to the program.

Blewett Wright, chairperson for the St. James relocation committee, stated one of the stipulations the church had is that if they move, the church wants to stay in the Mitchelville area.

Councilwoman Howard asked if the committee wanted to send this back to the Rural and Critical Lands Board.

Councilman Flewelling stated until there is an outline of a deal it seems counterproductive to involve the Rural and Critical Lands board.

Motion: It was moved by Councilman Covert, seconded by Councilman Dawson to approve the request to conduct an appraisal on all four parcels and direct staff to present the outcome to the Rural and Critical Lands Board for consideration. The vote: YAYS – Councilman Covert, Councilman Hervochon, Councilman Sommerville, Councilman Flewelling, Councilman Howard, Councilman Passiment, Councilman Glover, Councilman Dawson and Councilman Rodman. Councilman McElynn did not vote. The motion passed.

Recommendation: To move forward with the appraisal and not to go back to Rural and Critical until the appraisal is complete.

Councilman McElynn asked about the archeological survey, cost of relocation, building of new sanctuary and the cost to move the school.

Mr. Greenway does not have all of that information at this moment. Working on a joint meeting between county staff, the county attorney, Mr. Rembold, the Town of Hilton Head Island and church officials to make sure everyone is on the same page.

Mr. Wright stated there is not a cost in getting an estimate. He has contacted five companies an three of them have agreed to provide estimates for the church. Mr. Wright requested a letter from council stating they are committed to this project.

Councilman Rodman stated the land in yellow is jointly owned with the Town of Hilton Head and that they are on board with this.

Councilman McElynn stated he has been working closely with the church on this project because it is in his district and that he and Mr. Blewett are trying to get things moving forward as quickly as possible by spending as little as possible.

Item: <u>Southern Beaufort County Map Amendment (zoning change of 175 Fording Island Road, Bluffton)</u>

Discussion: Long Range Planner, Melissa Peagler brought forward a proposed zoning change of a 4.25-acre parcel located at 175 Fording Island Road in Bluffton, from T2R-Rural to C5 Regional Commercial Mixed Use. The Property is currently for sale and the owner is requesting a zoning change for marketing purposes. The community development staff is recommending approval since the traffic on 278 does not really make it practical to continue to use it as residential property. Planning commission recommended denial. Ms. Peagler stated the community development staff needs a recommendation from the committee before it can go to County Council.

Councilwoman Howard asked what the vote from the Planning Commission was.

Ms. Peagler stated it was four to three.

Councilman Dawson stated this would be an upscale type of zoning and it does not seem logical to up zone a property for the purpose of selling the property for gain or prophet.

Councilman Sommerville stated he agrees with Councilman Dawson not in the business of saying sure you want to sell your property well up zone it for you so you can make a better prophet.

Motion: It was moved by Councilman Dawson, seconded by Councilman Hervochon that committee accept the planning commission's recommendation for denial of the zoning request. The vote: YAYS – Councilman Covert, Councilman Hervochon, Councilman Sommerville, Councilman Flewelling, Councilwoman Howard, Councilman Passiment, Councilman Glover, Councilman Dawson and Councilman Rodman. Councilman McElynn did not vote. The motion passed.

Recommendation: Southern Beaufort County Map Amendment (zoning change of 175 Fording Island Road, Bluffton)

Item: River Oaks Planned Unit Development Master Plan Amendment

Discussion: Director of Community Development, Eric Greenway, gave some background on the River Oaks development agreement and stated changing the road layout is a major amendment to the development agreement so River Oaks has to come back to the Natural Resources Committee for the amendment.

Rob Merchant, Assistant Community Development Director, stated this issue goes all the way back to 2008 when the county approved three different PUD's in the facility of Okatie Elementary. The applicants approached his department about amending the PUD from its status as a nursing home to a 315 lot single-family subdivision. From looking at the original PUD, this is a very significant change to the road layout so that is why it was brought to the planning commission. Staff had several reasons for changing this to a negative recommendation.

- PUD's were meant to provide flexibility that resulted in improved design character and quality while preserving natural and scenic features. From assessing this development, it is not making an innovative use of the site area. It is allowing a density that is twice what the code would allow.
- The higher the density the more sidewalks and rear accesses become much more important to create a safe pedestrian environment, which is not seen here.

Josh Tiller with J.K. Tiller and Associates and Richard Schwartz stated that the 2008 plan was developed prior to the current development code. The plan went down over 500 units across all three parcels and in looking at the overall layout for the River Oaks Property, there is a connection to Cherry Point road, a connection to Osprey Point and gives River Oaks direct access through Osprey Point into the new proposed passive park owned by the county. They also have a connection to the school district, which provides safe access to the students. The school district supports this project. If you notice on the original development for River Oaks there is a mix of housing types, some are the assisted living facility, some are single family lots that are not alley way access, a few are alley fed. In 2017 they submitted a plan that only included alley fed lots and the response from planning commission was that they should add alleyways to the plan. This PUD has been approved and around for a while and has nothing to do with the form base code that is out today because it is has it is in an ordinance and has its own guidelines and that is what they had to adhere to when they went to planning.

Councilman Covert asked Mr. Tiller about density levels and Mr. Tiller stated initially it was approved at 330 and they are at 315. Mr. Schwartz stated in the development agreement it actually says so long as the total of these units do not exceed 330 cottages and / or apartments and 60 nursing homes. Therefore, the real number is 390.

Councilman Covert asked what percentage of this PUD is what we consider affordable housing. Mr. Tiller stated the average median income is $67,000 to a family of four, the purchase price of a house can go up to about 290,000 because mortgage rates are so low, so 60 to 70 percent of this community will be workforce housing.

Councilwoman Howard clarified that the previous superintendent gave support of this project and not the school board.

Councilman Glover stated the pathways looked very compact and wanted to know where he would put his car.

Mr. Tiller stated there is on street parking as well as driveway fed and some alley parking behind the units.

Councilman Flewelling stated a big part of the unit reduction is because the Rural and Critical Lands board bought the densest of the parcels. He cannot approve this plan because it is so much more dense than he ever thought it would be and you are still creating more obstacles for children or people walking their dogs. He does not know why it cannot be redesign this to take away all the danger and lower the density because it was never envisioned to hold this many people.

Councilman Hervochon asked if they had any interaction with the actual school board.

Mr. Tiller stated they met with representatives of the school board. This development will not have an immediate impact on school choice. Would take about 2 to 3 years to complete.

Councilman Sommerville addressed the school district letter and asked what is it about the letter that they liked?

Mr. Schwartz stated the bottom of the letter states “I feel confident that this type of development would attract residential families with school aged children. The additional homes in this area has the potential to produce a localized neighborhood school. Presently the School District does not have the funding to add capacity to handle additional schoolchildren in the Bluffton area. The impact fees in the existing PUD agreement will a long way to endure that there are facilities available for future school aged children of Beaufort County. I can recommend to the Beaufort County School
District to support an agreement that includes the existing impact fees.”

Mr. Schwartz stated they are not asking for a waiver on any fees associated with developing here.

Councilman Sommerville stated they do not know what recommendations are going to come out of the TIA.

Mr. Schwartz stated they had a completed TIA and know what needs to be done.

Councilman Rodman stated the county is in litigation and negations with the adjacent property, Malind Bluff and he thinks a decision on this property should not be reached until the decision on Malind Bluff is final.

Councilwoman Howard stated she questions that 60 to 70 percent of the homes will be workforce housing and would like to see proof of that.

John Cardamone, Owner of Village Park Homes, stated having kids be able to walk to school, takes cars off the road. This is a wonderful location for this product. He has been working with the county for over 30 years and the U-turn that is happening is disheartening.

Mr. Greenway stated his opinion is this community does not meet good planning for a walkable community and the layout of the homes and the way they are designed gives him pause for concern.

Mr. Schwartz stated they have spent $280,000 being bounced around.

Motion: Councilman Covert made a motion that committee accept and approve the development agreement with conditions of approval from Beaufort county school district and adding verbiage of the 60 to 70 percent of affordable housing. No second. Motion failed

Motion failed.

Main Motion: It was moved by Councilman Glover, seconded Councilman Covert that committee accept and approve the development agreement to include a statement to formalize the affordability aspect, to reduce density, make the layout acceptable to staff and recent provide documentation from the School District. The vote: YAYS – Councilman Covert, Councilman Hervochon, Councilman Flewelling, Councilwoman Howard, Councilman Passiment, Councilman Glover and Councilman Rodman. NAYS – Councilman Dawson. Councilman Sommerville did not vote. The motion passed.

Recommendation: Committee accept and approve the development agreement to include a statement to formalize the affordability aspect, to reduce density, make the layout acceptable to staff and recent provide documentation from the School District.

Item: WalCam Land Exchange Proposal

Discussion: Passive Parks manager, Stephanie Nagid discussed exchanging 78.2 acres of County-owned property (a portion of New Riverside) for 146.5 acres of WalCam owned property (adjacent to New Riverside).

Some of the points to consider are:

- WalCam has removed the first thinning timber revenue incentive from the original proposal as presented to NRC in November 2018. The appraisals indicate a $30,000 property value difference in favor of the WalCam piece.
- Each party pays their own closing costs

It is staff's recommendation not to approve the offer unless WalCam adds the timber harvest revenue back to the letter of intent.

Motion: It was moved by Councilman Dawson, seconded by Councilman Glover that Committee accept staff's recommendation not to approve the offer unless WalCam adds the timber harvest revenue back to the letter of intent. The vote: YAYS – Councilman Covert, Councilman Hervochon, Councilman Flewelling, Councilwoman Howard, Councilman Passiment, Councilman Glover, Councilman Rodman and Councilman Dawson. Councilman Sommerville did not vote. The motion passed.

Recommendation: Committee accept staff's recommendation not to approve the offer unless WalCam adds the timber harvest revenue back to the letter of intent.

Item: Land Acquisition Procedures

Discussion: Mr. Greenway discussed recent issues arising from the latest RCLP land acquisition, the Interim County Administrator provided the County RCLP Contractor with instructions on new procedures to be followed. Based on that February 1, 2019 letter, CDD staff created detailed procedural steps that will ensure compliance with the provided instructions.

Councilman Sommerville asked if Mr. Greenway is asking this committee and council to rewrite the contract we have with BCOLT.

Mr. Greenway stated it would not change any contractual responsibilities with BCOLT.

Councilman Flewelling thinks it is inappropriate for deals to be viewed by anybody else on Mr. Greenway's staff, as it should be between him and BCOLT. It's very appropriate for the open land trust to talk with potential owners, get the outline of a deal, bring the outline of the deal to you (Mr. Greenway) then go to the Rural and Critical Lands Board.

Councilwoman Howard stated she believes Rural and Critical Lands board needs to see these projects before the Natural Resources Committee does.

Mr. Weaver stated Rural and Critical is a board of this council and council tells them what to do not the other way around. BCOLT is a vendor that is under contract with this county and took the situation with Whitehall, ran with it and the deal was done before it ever got to Natural Resources.

Mr. Murray stated these process changes are being driven in response to the Whitehall project and that council knew about Whitehall before the time stated and suggested a subcommittee be formed to evaluate and come back to the committee and suggest what reforms should occur.

Councilman Flewelling wants to make sure staff does not move forward using the new guidelines without committee's authorization and wants to see a resolution instructing them not to do that.

Councilman Rodman stated it behooves council to go back and figure out a way to visit the procedures since it's been a long length of time since they were put in place.

Status: For information purposes only.

Recommendation: Community Development Department to organize a committee of citizens from all unincorporated Beaufort County to study the regulation of short-term rentals and bring the findings back to the Natural Resources Committee.

Item: Cleland Land Track

Discussion: Ms. Nagid went through a presentation in reference to the Cleland Land Track and issues that have recently surfaced. The issues include a cemetery located in southeast corner of property (activity as recent as 2016), the 2.8 acre access strip not included and legal access to property is unclear.

Staff recommends council rescind the original acquisition approval and direct staff to obtain a new letter of intent and associated documentation.

Motion: It was moved by Councilman Covert, seconded by Councilman Glover to rescind the original acquisition approval and to direct staff to obtain an updated letter of intent and any associated documents including phase II and if hazardous materials are found (?). The vote: YAYS – Councilman Covert, Councilman Hervochon, Councilwoman Howard, Councilman Passiment, Councilman Glover and Councilman Dawson. Councilman Sommerville did not vote. The motion passed.

Recommendation: Council rescind the original acquisition approval and to direct staff to obtain an updated letter of intent and any associated documents including phase II and if hazardous materials are found (?).

Item: Pineview Land Acquisition

Discussion: Ms. Nagid gave a presentation on 108 acres of upland forested habitat on Lady's Island; isolated sand bottom depression wetlands; $3.4M appraised value; LICP zoning; existing earthen roads on property; property is currently hunted and has existing stands and feeders; some mechanical vegetation management has been conducted; development threat is high; passive recreation potential is high.

Staff recommendation is for the committee to approve the Contractor to move forward with due diligence and presentation to the RCLP Board for consideration.

Motion: It was moved by Councilman Hervochon, seconded by Councilman Sommerville to approve the Contractor to move forward with due diligence and a presentation to the RCLP Board for consideration. The vote: YAYS – Councilman Covert, Councilman Hervochon, Councilman Sommerville, Councilwoman Howard, Councilman Passiment, Councilman Rodman and Councilman Dawson. NAYS – Councilman Glover. The motion passed.

Recommendation: Committee approved the Contractor to move forward with due diligence and a presentation to the RCLP Board for consideration.

INFORMATION ITEMS

Item: Widgeon Point Park Plan

Discussion: Ms. Nagid gave a presentation and discussed plans for Widgeon Point Park.

Status: Information purposes only.

Item: County Maintenance at Whitehall

Discussion: Mr. Keaveny stated no one is maintaining the property and the county has the right to access the property. His suggestion is to proceed with cutting the grass, maintaining it and start letting the public onto it.

Paul But of Friends of Whitehall stated they have agreed to sign the MOU with the County, which will allow them to get out there and have a cleanup date, test plantings at their expense, going to put together another walk in the park and get rid of the trespassing signs that are not welcoming.

Status: For information purposes only.

Motion: It was moved by Councilman Glover, seconded by Councilman Passiment to go into Executive Session. The vote: YAYS – Councilman Covert, Councilman Hervochon, Councilman

Sommerville, Councilman Glover, Councilwoman Howard, Councilman Passiment and Councilman Dawson. Councilman Rodman did not vote. The motion passed.

MATTERS ARISING OUT OF EXECUTIVE SESSION

Motion: It was moved by Councilman Dawson, seconded by Councilman Glover to approve an appraisal and due diligence on the Harris Pillow site. The vote: YAYS – Councilman Covert, Councilman Hervochon, Councilman Sommerville, Councilman Glover, Councilwoman Howard, Councilman Rodman and Councilman Dawson. The motion passed.

Item: Consideration of Appointment and Reappointments / Stormwater Management Utility Board

Motion: It was moved by Councilman Dawson, seconded by Councilman Glover that Committee recommend Steve Andrews to serve as a member of the Stormwater Management Utility Board. The vote: YAYS – Councilwoman Howard, Councilman Hervochon, Councilman Glover and Councilman Dawson. Councilman Rodman and Councilman Sommerville did not vote. The motion passed.

Adjournment

The meeting adjourned at 5:14 p.m.

Ratified by Committee:

BEAUFORT COUNTY COUNCIL

Agenda Item Summary

Item Title:

Short Term Rental Amendment

Council Committee:

Natural Resources

Meeting Date:

May 20, 2019

Committee Presenter (Name and Title):

Eric Greenway, Community Development Director

Issues for Consideration:

The Natural Resources Committee reviewed, for a second time, the original amendment in early 2019 based on public input that we should adopt something more in character with our locale. An appointed STR Citizens Committee met 4 times and is recommending the proposed, attached amendment as a result of their work. The proposal will amend the current ordinances on Bed and Breakfast to create a category known as "Lodging: Short Term Home Rental" with a limitation that consecutive day rentals do not exceed 29 days per rental period.

Points to Consider:

Leave the definitions as currently stated in the CDC for Bed and Breakfast development standards and definitions which carries no standard for the length of time rented but must be owner occupied.

Amend the CDC to create the Short Term Rental Provision that defines the term and further regulates the use while doing away with the owner occupied provision.

Funding & Liability Factors:

None of significance. Will possibly generate more personal property tax, business license fees, and accommodation taxes.

Council Options:

Approve the amendment.
Deny the amendment and leave things currently as regulated by the CDC.

Recommendation:

Staff recommends approval of the amendment.

3.1.60 Consolidated Use Table

Table 3.1.60. Consolidated Use Table (continued)

Land Use Type	T1 N	T2R	T2 RL	T2 RN	T2 RNO	T2 RC	T3E	T3 HN	T3 N	T3 NO	T4 HC	T4 VC	T4 HCO	T4 NC	C3	C4	C5	SI
RETAIL & RESTAURANTS (continued)																		
15. Day Care: Family Home (up to 8 clients)	--	P	P	P	P	P	P	P	P	P	P	P	P	P	P	TCP	TCP	--
16. Day Care: Commercial Center (9 or more clients)	--	--	--	--	C	C	--	--	--	C	C	C	C	C	TCP	C	C	C
17. Lodging: Short Term Home Rental (STHR)	--	S	S	-- S	~~P~~ S	~~P~~ S	~~P~~ S	~~P~~ S	~~P~~ S	~~P~~ S	~~P~~ S	~~P~~ S	~~P~~ S	~~P~~ S	TCP	P	P	--
18. Lodging: Inn (up to 24 rooms)	--	S	--	--	--	S	--	--	--	--	P	P	P	P	TCP	P	P	--
19. Lodging: Hotel	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	P	P	--

"P" indicates a Use that is Permitted By Right.

"C" indicates a Use that is Permitted with Conditions.

"S" indicates a Use that is Permitted as a Special Use.

"TCP" indicates a Use that is permitted only as part of a Traditional Community Plan under the requirements in Division 2.3

"--" indicates a Use that is not permitted.

3.1.70 Land Use Definitions

OFFICES AND SERVICES	
This category is intended to encompass activities, without outdoor storage needs, that are primarily oriented towards office and service functions.	
Land Use Type	**Definition**
10. Day Care: Family Care Home	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.
11. Day Care: Commercial Center	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.
12. Lodging: Short-term	A property with a residential dwelling where lodging is offered, advertised, or provided to Short-Term Rental Tenants (excluding family

	Home Rental (STHR)	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.
13.	Lodging: Inn	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.

4.1.360 Short-Term Rentals

A. Purpose and Applicability

1. **Purpose.** The County is committed to working to protect the traditional quality of life and character of its residential neighborhoods. 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 County's neighborhoods. 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 unincorporated County of Beaufort.

   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:

   a. Providing for an annual permitting process to regulate STRP's;

   b. Balancing the interests of owner-occupied dwellings with properties that are frequently used in whole or in part by Short-Term Rental Tenants;

   c. 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;

   d. Providing alternative accommodation options for lodging in residential dwellings; and

   e. Complementing the accommodation options in environments that are desirable and suitable as a means for growing tourism.

2. **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. 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 regulate or replace other definitions for real or personal property taxes. Those standards must be complied with in accordance with the applicable regulations.

b. **Applicable Zoning Districts.** STRPs shall be allowed within the Zoning Districts of this Ordinance in accordance with Article 3, Section 3.1.60 (Consolidated Use Table).

c. **Application.** Applications for STRPs shall be made in compliance with this Article.

3. **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 and until April 1, 2020 to obtain all required Short Term Rental Property (STRP) Permits for the STRP use.

B. Operating Standards and Requirements

1. Permits and Renewals

a. 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.

b. Short Term Rental Property (STRP) Permit s for all STRP uses must be renewed annually in compliance with this Article.

2. Short-Term Rental Property Tenant Notices

a. 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:

1) Contact information for the owner of the STRP;

2) Short Term Rental Property (STRP) Permit Number for the STRP use;

3) Trash collection location and schedules, if applicable; and

4) Fire and Emergency evacuation routes.

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, Accessory Structures shall not be used as STRPs.

b. Parking for Short-Term Rental Tenants shall be in compliance with Division 3.2 of the County Community Development Code.

c. Signage advertising STRPs is prohibited in Residential Zoning Districts.

2. **Advertising.** 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.

3. **Annual Short Term Rental Property (STRP) Permit Renewal.**

a. Short Term Rental Property (STRP) Permit s for all STRPs must be renewed annually. An application for annual renewal of the Short Term Rental Property (STRP) Permit must include:

1) The application fee;

2) 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

3) The applicant shall file an application for a new Short Term Rental Property (STRP) Permit for a STRP use if the aforementioned requirements are not met.

b. 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.

c. 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 or not the applicant receives notice from the Zoning and Planning Department Director.

D. Use Limitations and Requirements

1. **Applicability**. The limitations and requirements of this Section apply to all types of Short-Term Rental Properties (STRPs).

2. **Application Submittal Requirements.** No application for a STRP shall be accepted as complete unless it includes the required fee and the information listed below.
   a. The name, address, email, and telephone number of all property owners of the Short-Term Rental Property (STRP).
   b. 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.
   c. Restricted Covenants Affidavit(s) signed by the applicant or current property owner(s) in compliance with state law.
   d. Address and Property Identification Number of the property on which the STRP is located.
   e. The type of Dwelling Unit(s) that is proposed to be used as a STRP including, but not limited to, Principal Dwelling Unit, Accessory Dwelling Unit, Single Family Detached, Single Family Attached, Manufactured Housing Unit, and/or Multi Family, and documentation of Short Term Rental Property (STRP) Permit and Building Permit approvals for the structures, as applicable.
   f. The maximum number of bedrooms in the Dwelling Unit(s) proposed to be used as a STRP.

E. Enforcement and Violations

1. 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
2. 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 of CHAPTER 3, Article 3.13, of this Ordinance.

3. 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

Item Title:

New Riverside Regional Park Presentation

Council Committee:

Natural Resources

Meeting Date:

May 20, 2019

Committee Presenter (Name and Title):

Stefanie M. Nagid, Passive Parks Manager

Issues for Consideration:

Presentation on the draft conceptual plan for New Riverside Regional Park.

Points to Consider:

1) The New Riverside and Garvey Hall properties were acquired in 2006, 2008, 2011, and 2013, 2) New Riverside came with a substantial cash donation to be used for planning and constructing public access and passive recreation, 3) An RFP to create a conceptual master plan was advertised in 2017, 4) Wood and Partners was selected to create the conceptual master plan in 2018, 5) Both properties are within the Town of Bluffton town limits and will go through their permitting processes.

Funding & Liability Factors:

None at this time. Current planning and future construction costs are/will be funded through the donation funds.

Council Options:

Hear a presentation on the draft conceptual master plan for the New Riverside Regional Park.

Recommendation:

Hear a presentation on the draft conceptual master plan for the New Riverside Regional Park.

NOTE:
TRAIL LOCATIONS SHOWN ARE CONCEPTUAL IN NATURE. FINAL TRAIL LOCATIONS AND SPECIAL DESTINATIONS SHALL BE FIELD LOCATED BASED ON TOPOGRAPHY, VEGETATION, AND SPECIAL FEATURES OF THE LAND

NEW ENTRY ROAD
- ALIGN WITH EXISTING CURB CUT ACROSS THE STREET
- NEW PARK I.D. SIGN
- NEW STREETSCAPE WITH FENCING TO CREATE AN ENHANCED ARRIVAL
- GRAVEL DIRT ROAD WITH SIDE SWALE PROFILE
- TURN AROUND AND SECURITY GATING FOR PARK
- UTILIZE EXISTING DIRT ROAD BED WHERE FEASIBLE

NEW RIVERSIDE RD

NEW RIVERSIDE
(RESIDENTIAL DEVELOPMENT)

ALSTON PARK
(RESIDENTIAL DEVELOPMENT)

RETREAT AT
THE HAVEN
(RESIDENTIAL DEVELOPMENT)

POTENTIAL COLLABORATION WITH TOWN OF BLUFFTON TO LINK HWY 46 AND NEW RIVERSIDE PARK WITH TRAIL ACCESS

EXISTING BLUFFTON LINEAR TRAIL

TOWN OF BLUFFTON
OWNED PARCEL

572'

1.3 mi

0.4 mi

0.6 mi

EXISTING JASPER COUNTY
BOAT RAMP

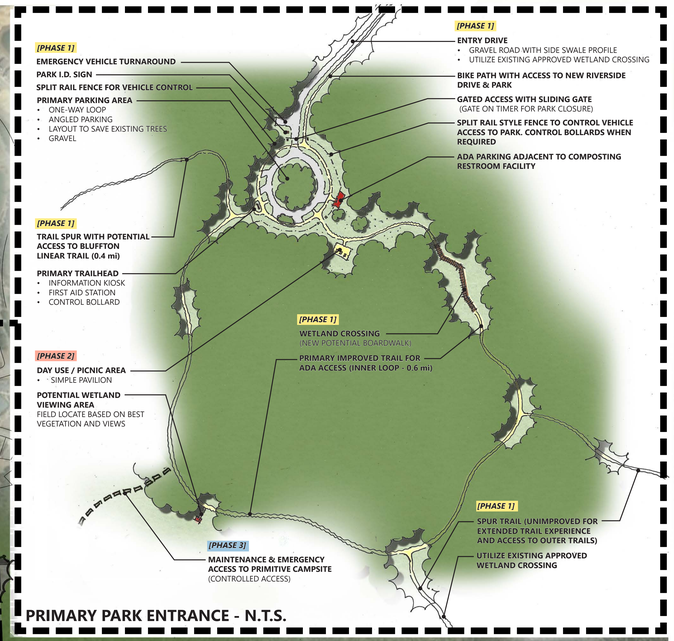
HWY 46

BEAUFORT CO.
(OWNER)

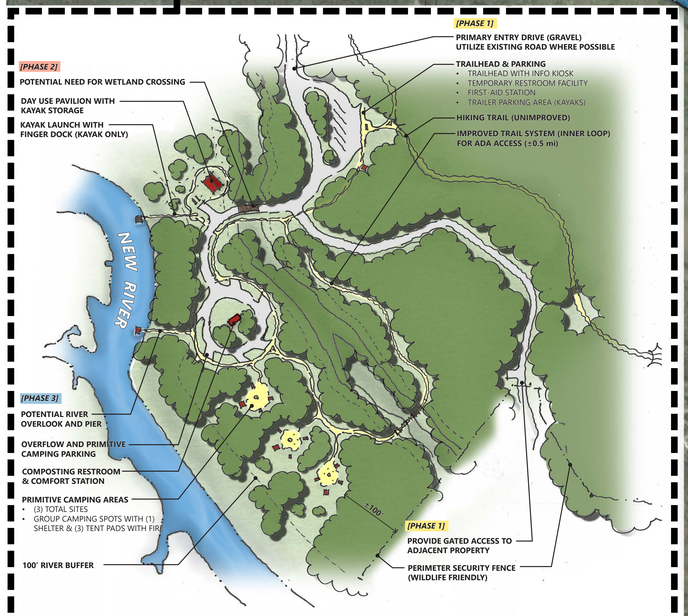
WETLANDS

WAL CAM
LAND GROUP LLC.
(OWNER)

NEW RIVER



PRIMARY PARK ENTRANCE - N.T.S.



GARVEY HALL KAYAK, DAY-USE, & PRIMITIVE CAMPING AREA ENLARGEMENT

LEGEND:

PHASE ONE
- **A** PRIMARY PARK ENTRANCE & VEHICULAR ACCESS
- **B** MAIN PARKING LOT, TRAILHEAD, & RESTROOMS
- **C** GARVEY HALL ENTRANCE & VEHICULAR ACCESS
- **D** G. HALL PARKING LOT, TRAILHEAD & RESTROOMS
- **E** HIKING TRAILS TOTALING ±6.15 MILES OF VARYING SURFACES & DIFFICULTY

PHASE TWO
- **F** DAY USE / PICNIC AREA
- **G** KAYAK LAUNCH WITH DAY USE / PICNIC AREA
- **H** KAYAK & CANOE BLUE TRAIL THROUGH RICE FIELDS
- **I** WETLAND VIEWING AREA / PLATFORM

PHASE THREE
- **J** PRIMITIVE CAMPSITE (WATER ACCESS ONLY)
- **K** PRIMITIVE CAMPSITES WITH COMFORT STATION
- **L** RIVER OVERLOOK & PIER

KEY

KAYAK / CANOE · HIKING · BLUEWAYS
CAMPING · WETLAND CROSSING · WETLANDS & BUFFER
PICNIC SHELTER · PROPOSED WETLAND CROSSING (NO EXISTING PERMIT) · RICEFIELDS
RESTROOM · MAINTENANCE & EMERGENCY ACCESS · UPLANDS

ENGINEERING BY:
Andrews Engineering & Surveying

0 300 600 1200 2400
PLAN IS SUBJECT TO CHANGE

NEW RIVERSIDE PARK MASTER PLAN

PREPARED FOR:
BEAUFORT COUNTY, SOUTH CAROLINA
APRIL 2, 2019

PLANNING AND LANDSCAPE ARCHITECTURE BY:
Wood Partners Inc. WPi
Landscape Architects
Land Planners
PO Box 23949 | Hilton Head Island, SC 29925
843.681.6618 | Fax 843.681.7098 | www.woodandpartners.com

BEAUFORT COUNTY COUNCIL

Agenda Item Summary

Item Title:

Ford Shell Ring Archaeology Research Proposal

Council Committee:

Natural Resource Committee

Meeting Date:

May 20, 2019

Committee Presenter (Name and Title):

Stefanie M. Nagid, Passive Parks Manager

Issues for Consideration:

A proposal to perform archaeological research on the shell ring at Ford Shell Ring property on Hilton Head Island.

Points to Consider:

1) Town of Hilton Head Island (co-owner) has approved the research proposal.
2) Researcher is obtaining a grant to conduct the multi-year project.
3) Land use/excavations require Committee approval.

Funding & Liability Factors:

None

Council Options:

1) Approve the research proposal, 2) Do not approve the research proposal

Recommendation:

Approve the research proposal

RESEARCH PROPOSAL
SKULL CREEK SHELL RING (38BU8): JUNE 10 - JULY 19, 2019

May 2, 2019
Matthew C. Sanger
msanger@binghamton.edu
Department of Anthropology, Binghamton University
4400 Vestal Parkway, Binghamton NY 13902

Table of Contents

EXECUTIVE REVIEW:

The Skull Creek Shell Ring (also known as the Ford Shell Ring) (38BU8) is an archaeological site dating to at least 3,500 years ago and is one of the oldest known human occupations on Hilton Head Island. Located on the northwestern portion of the island on land co-owned by Beaufort County and the Town of Hilton Head, we propose that a research team from Binghamton University (BU) will conduct research at the Skull Creek Shell Ring during June 10-July 19, 2019. This field visit is designed to assess the condition of the shell ring, the presence and condition of buried archaeological deposits, and to attain samples to more accurately determine when Native Americans formed this site. The Skull Creek Shell Ring has national significance as it is part of a broader pattern in which Native Americans created large, circular heaps of shellfish (primarily oysters and clams) from South Carolina to Mississippi roughly 3,000-5,000 years ago. Archaeologists and historians debate why Native Americans formed these shell rings as they relate to a critical time of social change among Native American communities. Our research at the Skull Creek Shell Ring will provide much needed information to better understand how this site formed and its place in the broader history in the region.

Our research proposal includes three parts:

1: we would like to conduct geophysical surveys using instruments (such as Ground Penetrating Radar) that offer non-destructive means of determining the presence of buried archaeological features (such as house floors, burials, and hearths).

2: we request permission to clean up several areas disturbed by human activities in the 1950-70s. These areas include large portions of the shell arc where people removed materials to be used as road fill. We will go into these disturbed areas and remove loose shells and soil to reveal the internal layering of the shell arc and to acquire samples for radiometric and isotopic analyses.

3: we request permission to conduct excavations in the interiors of the shell arcs (known as the plaza) to determine whether these portions of the sites have been disturbed by human actions.

Our proposed research is part of a multiple year project funded by the National Science Foundation. If this initial proposal is accepted, we hope to follow up with several additional years of work. Currently, the timeline is as follows: Summer 2020: additional excavations in the interior of the Skull Creek Shell Ring; Fall 2020: analyses of materials from Skull Creek Shell Ring at University of South Carolina; Summer 2021: excavations into the shell arc; Fall 2021-Spring 2022: completion of analyses, publication of results.

OVERVIEW: SKULL CREEK SHELL RING

The Skull Creek Shell Ring is located on the northwest edge of Hilton Head Island (Figure 1) and is part of a larger tradition of circular shell deposits found across the Atlantic and Gulf coasts between South Carolina to Mississippi (Figure 2). Currently, more than fifty shell rings have been identified along these coasts, the vast majority of which date between 5,000 and 3,000 years old. Archaeologists are unsure about why rings were built, although many see them as early villages, meeting points, ritual centers, or having a combination of functions. One reason why archaeologists struggle to understand shell rings is because so few have been investigated. Currently, only ten shell rings have been investigated using modern methods, of which only six have been looked at in any sort of depth (Russo 2006; Sanger 2015).

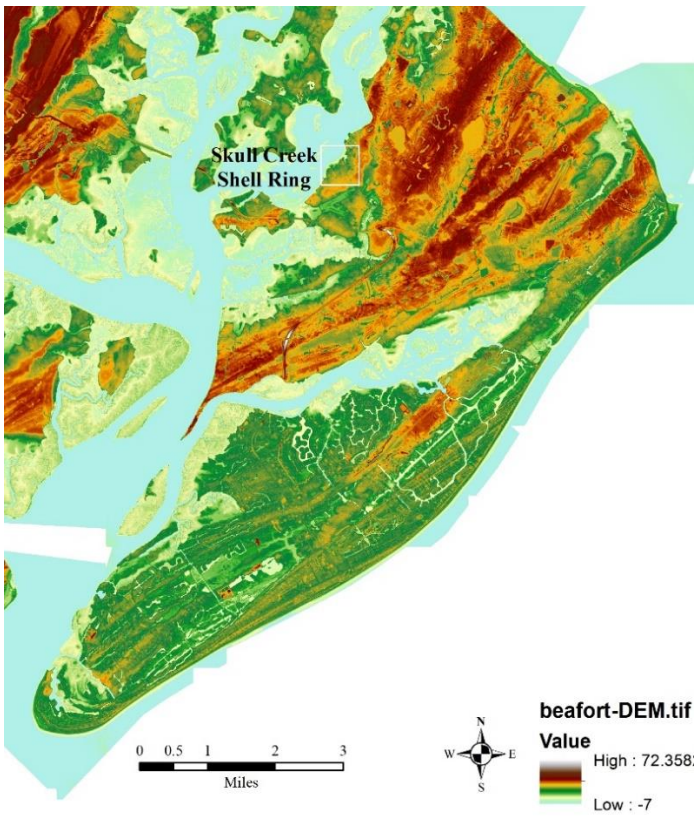


Figure 1: Location of Skull Creek Shell Ring. Color is based on elevation (red= high, green=low)

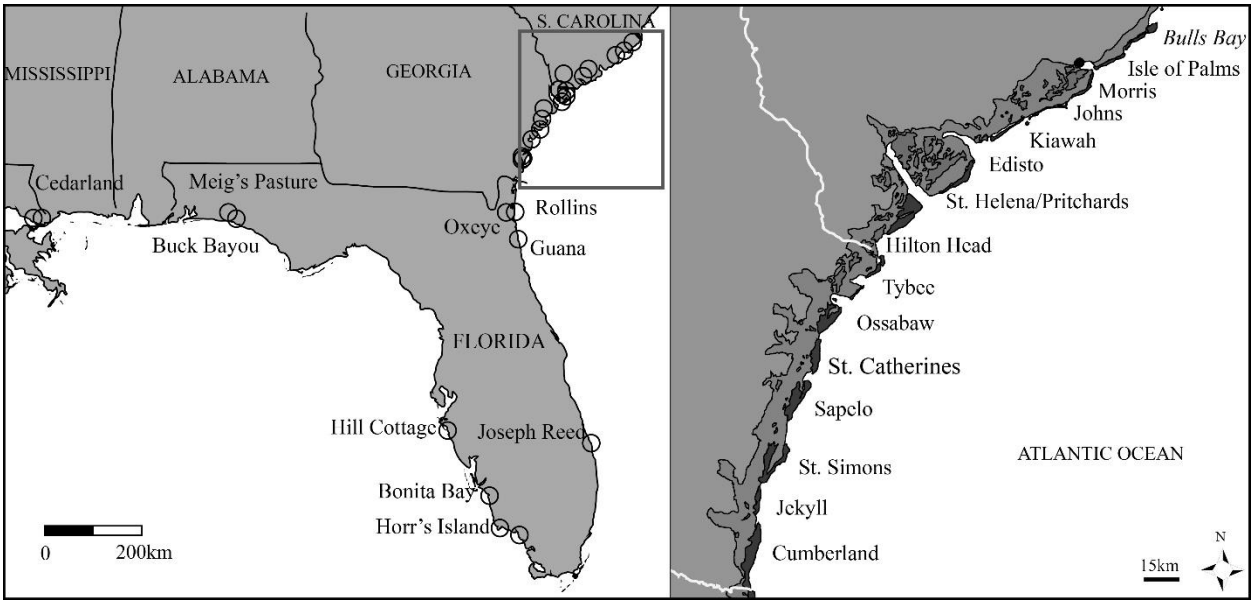


Figure 2 - Shell Ring locations and Sea Islands

The Skull Creek Shell Ring is unique as it is not a single circle of shell, but rather is two connecting rings that together form a figure 8 (Figure 3). Together, these two rings measure roughly 90 meters (~300 feet) across and more than 2 meters (~6.5 feet) tall. Although archaeologists have recorded more than 50 other shell rings, no others form a figure 8. The Skull Creek Shell Ring has been impacted by human activity as there are several locations where people purposefully removed large amounts of shell (Figure 3). It is unclear when and why these shell deposits were removed, although locals suggest they were removed and used as construction materials, perhaps when nearby bridges were built. Despite the removal of these shells, the Skull Creek Shell Ring is still in relatively good connection and still contains vast amounts of archaeological data. Our work at Skull Creek Shell Ring will recover much of this information that will help us determine how this ring was formed as well as its function.

The lack of study on shell rings is detrimental to our understanding of Native American history in the region, particularly since shell rings occupy a pivotal point in time and place (see Background Research section below). During the period in which shell rings were built (the Late Archaic), Native Americans living along the Atlantic invented pottery and created new types of shell and bone tools as well as objects of personal adornment. Native peoples were also beginning to establish long-term settlements along the coast and neighboring river valleys at this time, while also formalizing trade networks that spanned half the continent. Larger regional social groups were also coalescing and tribal identities may have likewise been forming. Shell rings likely played an important role in many, if not all, of these developments.

The Skull Creek Shell Ring is an excellent candidate for study as it is in good condition, is readily accessible, and is currently on land owned by a governmental body interested in its preservation and research potential. Prior research on the ring was conducted in 1967 by Alan Calmes. Unfortunately, this prior research is not up to modern standards, was poorly reported, and has done little to advance our understanding of this important site beyond providing a few radiocarbon dates and a map of the ring.

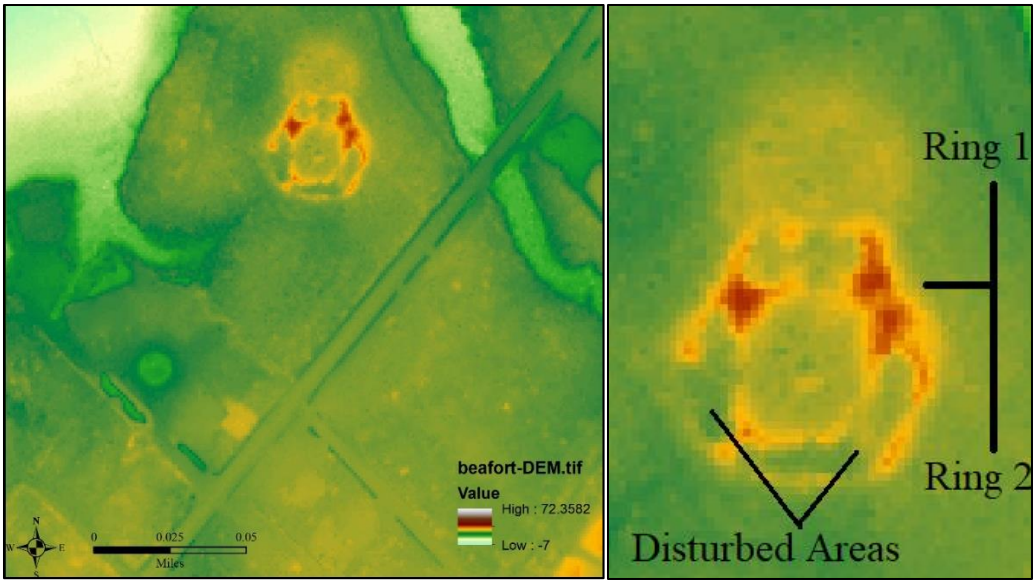


Figure 3: Topographic map of the Skull Creek Shell Ring (green=low, red=high). Left image shows location of shell ring. Right image shows the two rings connected to form figure 8 as well as areas disturbed by human activities.

The current project proposes a research program designed to investigate the Skull Creek Shell Ring and its place in the larger historical processes occurring across the region. Artifacts and samples will be brought back to Binghamton University (BU) for analysis and short-term storage (less than 10 years). The long-term curation of materials from our excavations will be decided by the Town of Hilton Head and Beaufort County councils. Documents, data, and information produced during fieldwork including, but not limited to; 1) photographs, 2) maps, 3) excavation notes, 4) drawings, will be replicated by BU and the replications will be given to Beaufort County and Town of Hilton Head within 3 years of fieldwork. BU will also produce annual reports documenting fieldwork that will be delivered to Beaufort County and Town of Hilton Head within 1 year of fieldwork.

Research Questions and Goals

In the next section, we provide an overview of prior research into the coastal Late Archaic and the importance of shell rings within that study. Several research questions emerge from this review that drive our current studies at the Skull Creek Shell Ring. The first question is in regards to the rings themselves as we have little understanding why Native Americans created these sites. Spanning vast portions of the southeastern coastline, the shell rings may be a string of villages occupied by year-round residents. If this is the case, then the shell rings are among the oldest villages in the United States. If the rings were formed during ceremonies or ritual gatherings, then their expansive distribution suggests a widespread cosmological belief system connecting massive numbers of peoples thousands of years earlier than anticipated by archaeologists. Depending on how and why they were formed, the shell rings could contain clues as to how Native Americans adapted to sea level changes occurring 3,000-5,000 years ago. These sea level changes are responsible for the formation of the modern coastline and it is likely that the people creating the rings were among the first people to live on the islands that now line the coast. As such, the rings contain evidence about how these earliest coastal residents responded to sea level changes, the formation of marshlands, and the newly formed coast.

Proposed Fieldwork

The following field projects are proposed for June 10-July 19, 2019: 1) geophysical surveys of the entire site, 2) excavations in areas already impacted by modern human activities, and 3) excavations in the interior plazas of the rings. Based on time constraints, unexpected finds, and other conditions, these proposed activities may shift with the understanding that any changes will be reviewed by the land-owning agency (Beaufort County and Town of Hilton Head). Our proposed fieldwork requires clearing of underbrush and, if granted the opportunity to work at the Skull Creek Shell Ring, we will work with the County and Town to clear portions of the site.

Geophysical Surveys: We propose to conduct a series of different geophysical surveys across the entirety of the Skull Creek Shell Ring. Depending on field conditions and equipment availability, we will use ground penetrating radar, magnetic gradiometry, electromagnetic-induction, and electrical resistance (see Appendix 1 for review of techniques). In each of these techniques, we will follow well-established guidelines regarding data collection. This includes using defined grids, traveling along regular transects, and processing data using well-tested parameters.

Disturbed Areas: In areas already disturbed by prior human activities, including portions of the shell heaps where portions have been removed by mining, we will remove disturbed materials and then clean the sides of the excavations. We will screen the disturbed materials through ¼" wire mesh to recover artifacts. We will then photograph, sketch, and map the excavation walls. If available, we will remove samples, including clam and oyster shells, botanical remains, and animal bones, for isotopic and radiometric analyses.

Plaza Excavations: We will place up to twenty 1-meter square excavation units within the interior portion of the rings. All excavated materials will be screened through ¼" or 1/8" screens at the discretion of the archaeologists. Archaeologists will also be given the discretion whether materials are screened through dry or wet screens. Excavations will continue until sterile subsoil, impenetrable substrate, or water table is reached; whichever is first. Excavations will be conducted in natural levels when possible, or arbitrary 10 cm when not. Features will be defined and excavated separately. Feature materials may be taken as flotation samples at the discretion of the archaeologists, or screened in a manner similar to other excavated materials.

All cultural materials encountered and recognized while excavating or screening will be collected by provenience, with the possible exception of shell. Shells, at the discretion of the archaeologists, may be noted, weighed, and discarded in field if the archaeologists decide they have limited analytical value.

Upon completion of excavations, all units will be lined with geocloth and backfilled.

Summary

This summer (2019), we propose a series of initial studies needed to begin work at this important site. Once complete our work will provide: 1) detailed geophysical datasets from the rings that will help us determine the presence of buried archaeological deposits; 2) samples needed to better date the site, and 3) excavation data from the ring plazas that will let us know whether these portions of the rings are disturbed or available for further research. Research methods are designed to be minimally intrusive as the ring is in good condition and is not in danger of being destroyed by development. As such, areas already impacted by human activities will be re-excavated to reveal cultural and natural stratigraphies and an emphasis will be placed on only a few new excavations, all of which will be small and targeted. These minimally destructive techniques will provide valuable data about how the ring was formed and used.

BACKGROUND RESEARCH

Cultural-historic overview

In this section, we provide a brief overview of time periods in our study region to contextualize our research. The American Southeast is a diverse region in terms of history, geography, ecology, and peoples. While there is a level of diversity across the Southeast, a similar cultural-historic sequence ties the region together. The longest span of time in the sequence is the Archaic, defined as starting with the shift to the Holocene and ending with the widespread use of cultigens. The Archaic is further sub-divided into three periods – Early (11500-8900 cal B.P.), Middle (8900-5800 cal B.P.), and Late (5800-3200 cal B.P.) (Sassaman 2010: 14-21) largely based on climatic changes and large scale cultural shifts. A brief review of each is offered below.

Early Archaic - 11,500-8,900 cal B.P.

Beginning with the Pleistocene to Holocene transition, changes in weather patterns, biotic communities, and environmental conditions characterize the Early Archaic. Although variable, precipitation increased and temperatures in the Southeast generally became more extreme, with greater seasonal variability (Watts 1980a, 1980b). Hardwood forests made up of oaks and hickory, long limited to Florida and other southern latitudes during the Pleistocene, began to spread north and dominate much of the Southeast, except in areas of higher elevation and in river valleys where other ecological mosaics emerged (Delcourt and Delcourt 1987; Watts, Grimm, and Hussey 1996; Webb, T. et al. 1993; Williams et al. 2004). Sea levels increased steadily during the Early Archaic from a low point of at least 60 meters below modern (mbm) to roughly 15 mbm. Animal populations changed dramatically during the Holocene transition as larger fauna, including members of the order *Proboscidea* (elephants), became extinct in the New World (Martin and Klein 1984).

Humans reacted to changing conditions, and, according to many, they did so by focusing on smaller game, increasing their dependency on plant foods, and intensifying their subsistence practices as they curtailed long-distance mobility strategies (Anderson and Sassaman 1996; Daniel 1996; Sassaman 1996). Significant shifts in technological organization took place near the end of the Paleoindian period and continued during the Early Archaic, evidenced, in part, by a general decrease in projectile point size as they shifted from lanceolate to successive side and corner-notched and later bifurcate forms (Chapman 1985; Coe 1964; Justice 1995). These changes reflect a shift in hunting focus from very large animals, such as mammoths, to smaller game, particularly deer (Anderson 1996b; Anderson and Sassaman 2012:72).

While still organized as mobile bands, Early Archaic groups throughout the Southeast increasingly "tethered" themselves to particular drainage basins (Anderson and Hanson 1988), sources of potable water (Dunbar 1991), and raw material sources (Daniel 1998, 2001). Declining mobility rates are most clearly evidenced by the fact that Early Archaic stone tools were increasingly made using local raw materials, reflecting a decrease in group ranges (Anderson 1990, 1996b; Dunbar and Webb 1996). Declining mobility could be caused, in part, by increasing population levels and a general "infilling" of the landscape. This is particularly likely in upland and riverine regions of the American Southeast where site frequency increased significantly during the Early Archaic (Anderson 1990). As population levels rose, relatively small groups of people were often integrated into larger networks, typically described as macrobands, to facilitate material and informational exchange and offer increased possibilities for sexual partners (Anderson 1996b; Anderson and Hanson 1988).

Middle Archaic - 8,900-5,800 cal B.P.

Coinciding with the Hypsithermal, a climactic pattern characterized by hotter and dryer conditions, that manifested in highly localized conditions, the Middle Archaic is marked by widespread

ecological changes (Anderson, Russo, and Sassaman 2007). Extremes in temperature and precipitation increased in many regions, including in the Midsouth where rising levels of surface erosion and aggrading floodplains have been documented (Knox 1983; Schuldenrein 1996; Wright 1992). Riverine systems in Kentucky, Ohio, and Tennessee developed increased shoal and backwater slough habitats during the Middle Archaic, resulting in enhanced floodplain productivity and freshwater shellfish beds, many of which were heavily utilized by human communities who created large piled middens along riverbanks (Claassen 1991, 2010; Crothers 1999; Crothers and Bernbeck 2004; Marquardt and Watson 2005; Milner and Jefferies 1998). Pine forests and cypress swamps also began to expand in the lower Southeast, creating a diverse ecological mosaic (Delcourt and Delcourt 1987; Watts et al. 1996; Webb, T. et al. 1993; Williams et al. 2004). Rising sea levels supported wetland development along the Gulf Coast although many of these sites are now inundated, making reconstructions of coastal societies difficult.

Many communities, particularly those located along river valleys, continued to adopt less mobile strategies during the Middle Archaic. Some suggest that it is during the Middle Archaic that many groups shifted from residential mobility – in which homes were periodically moved to take advantage of shifting resources – to logistical mobility – in which groups made intermittent forays to collect resources while retaining a relatively stable home residence (Jefferies 2004; Johnson and Brookes 1989; Sassaman and Anderson 1995). This shift in mobility patterns coincides with the emergence of increasingly recognizable culture groups or macrobands already discussed and it is likely that the two influenced each other. Over time, we find increased numbers of multi-season sites, often used over decades if not centuries, across southeastern river valleys, including in the St. Johns, Mississippi, Ohio, Tennessee, and Tombigee to name but a few (Claassen 2010; Gilmore 2016; Jefferies 1996; Johnson and Brookes 1989; Marquardt and Watson 2005; Milanich 1994; Randall 2011). As groups became better defined and tied to particular points on the landscape, their territorial boundaries likely became better defined as well. As such, the formation of larger societal units would likely divide the landscape into different political zones, thereby decreasing the overall mobility of groups and individuals who feared crossing into claimed territories (Rosenberg 1998).

In much of the Southeast, the size and complexity of social groups increased during the Middle Archaic, reaching to what some describe as a tribal level of organization (Anderson 2004). While smaller and simpler groups are thought to populate much of the South Atlantic Piedmont and portions of western Louisiana (Anderson 1996a; Sassaman 1995), much of the Southeast appears occupied by groups tied together by systems of exchange, lineage, marriage, ritual, and alliance (Anderson 2002).

Perhaps related to the rise of larger social groups is a notable increase in violence during the Middle Archaic (Mensforth 2001, 2005, 2007; Schmidt et al. 2010; Smith 1993, 1995; Webb 1974). Although not widespread, there are pockets where a relatively large number of skeletal remains show signs of inter-personal violence – some of which was lethal. These pockets of violence are often at the "borderlands" between different social groups and may be evidence of inter-communal warfare (Schmidt et al. 2010). In other locations, violence may have been perpetuated on members of one own community, perhaps as a mechanism of policing deviant behavior or as an act of ritual sacrifice (Claassen 2010).

While violence may have marked inter-communal relations at times, significant exchange networks also cross-cut the region, including the trade of bannerstones and oversized bifaces, which may have been used for ritual and political purposes (Futato 1983, 2004; Johnson and Brookes 1989; Sassaman 2010; Sassaman and Randall 2007). The distribution of exchange networks has often been used to trace out the social boundaries of expansive communal association and the presence of social boundaries between groups. As an example, carved and engraved bone pins from numerous sites in the northern Southwest have been used to explore the nature of Middle Archaic social interactions (Jefferies 1996, 1997). Distinct design patterns found on either side of the Ohio River has been taken as evidence that the river helped define a social boundary between groups who rarely traded with one another, yet sustained long-lasting and expansive networks within their own home regions where bone pin designs were widely dispersed (Jefferies 2004).

Late Archaic - 5,800-3,200 cal B.P.

The Middle Archaic concludes and the Late Archaic begins with the end of the Hypsithermal. Throughout the Late Archaic, the climate gradually comes to resemble modern conditions in terms of temperature, rainfall, and severity of seasonal fluctuations (Goggin 1952; Miller 1988; Widmer 1988). Generally, archaeologists and climate scientists agree that sea levels reached near modern levels during the Late Archaic, although a considerable level of fluctuation is thought to occur. The timing, tempo, and amplitude of these fluctuations are topics of continuing debate (Balsillie and Donoghue 2011; Blum et al. 2001; Church et al. 2008; Horton et al. 2009; Morris, J.T. et al. 2002; Sella et al. 2007; Simms, A.R. et al. 2008). I offer a brief review of this debate with a focus on the coasts of the Carolinas and Georgia as this includes our study area. A more detailed discussion of sea level change and its relation to the formation of St. Catherines Island is also offered in a later in this monograph (Chapter 3).

Until recently, archaeologists working along the south Atlantic coast have applied three different sea level curves (Colquhoun and Brooks 1986; DePratter and Howard 1981; Gayes et al. 1992; also see Scott, Gayes, and Collins 1995). While the curves offered by DePratter and Howard (1981) and Gayes et al. (1992) generally show long periods of consistent change, Colquhoun and Brookes (1986) offer a sea level curve with far more short-term oscillations. Although they differ in detail, all three curves show sea levels peaking near modern levels around ca. 4500 cal BP, and dropping by 3200 cal BP, eventually reaching as much as four and a half meters below present (mbp) (figure 2.2). This drop in sea level corresponds with the end of the Archaic and it is not until the following Woodland period that sea levels began to rebound.

Recently, some archaeologists (e.g. Marquardt 2010) have rejected traditional sea level curves in favor of work conducted by William Tanner (1993), arguing that Tanner's curves are more fine-grained, with a resolution of decades rather than the multi-century resolution offered by other curves. Tanner attained such high resolution by analyzing sediments from beaches deposited in regular succession over the last 8000 years. In virtually every aspect, Tanner's findings conflict with traditional sea level curves from the south Atlantic. According to Tanner's research, the beginning of the Late Archaic, circa 5,000 cal B.P. is marked not by an increase in sea levels, as traditional models show, but rather by a steep decline (figure 2.3). Tanner finds sea levels remained low throughout most of the Late Archaic, until roughly 3,750 cal B.P. when they began to rise; a rise interrupted by periodic drops but overall continuing until modern levels were reached in the recent past.

Tanner's sea level curve has been called into question by archaeologists who dismiss its validity to the southern Atlantic coastline as it is based on research conducted in Denmark (Thomas 2011). Climatological studies show that sea levels, while global in scope, actually play out in highly localized ways based on underlying geology, levels of subsidence, hydrological patterns, and slope of the continental shelf (Church et al. 2008; Horton et al. 2009; Morris, J.T. et al. 2002; Sella et al. 2007; Simms, A.R. et al. 2008). As such, local reconstructions are critical for understanding how global fluctuations impact particular coastlines. The curves offered by DePratter and Howard (1981), Gayes et al. (1992), and Colquhoun and Brookes (1986) are all based on studies conducted along the south Atlantic coasts and therefore appear more relevant to this region.

Accepting the applicability of local sea level curves, most archaeologists agree that coastal wetland habitats dramatically expanded during the latter portions of the Archaic as diminishing rates of sea level changes allowed coastal stabilization and the establishment of rich estuarine zones (Bishop et al. 2011; Custer 1994; Howard and DePratter 1980; Thomas 2008; Thompson and Worth 2010). Again, the precise timing of estuary growth remains a topic of debate. While geologic cores have revealed that local marshes began to develop along the Georgia coast during the end of the Middle Archaic (Turck 2011, 2012), Although estuaries became increasingly expansive during the Late Archaic, research along the Georgia coast shows local marshes began to form hundreds of years earlier during the latter portion of the Middle Archaic (Turck 2011, 2012), there is a distinct lack of coastal sites pre-dating the Late Archaic (Turck and Thompson 2016; Turck, Williams, and Chamblee 2011).

The lack of coastal Middle Archiac sites may be evidence that early estuary formation were limited in scope, or perhaps there were other reasons why people did not take advantage of the estuaries when they first formed, but by the Late Archaic coastal and riverine regions became major centers of settlement (Anderson 1996b). The explosion in coastal occupations is perhaps best seen along the coast of Georgia where site numbers increase as much as eighty-fold with the onset of the Late Archaic (Turck et al. 2011). Late Archaic coastal occupations are characterized by the presence of shellfish and to lesser degree fish bones; clear evidence that estuarine resources had become a key part of the diet (Reitz 1988, 2014).

While there are isolated earlier instances (Russo 1996b), it is during the Late Archaic that the first evidence for the widespread development of year-round villages are found along the coastline and associated river valleys (Russo 1991; Sassaman et al. 2006; Thompson and Turck 2009, 2010). As sea levels and climatic patterns stabilized, channel gradients decreased and increasing levels of sedentism along river valleys was, in part, facilitated by the development of larger and more diverse wetlands (Schuldenrein 1996). This is not to say that all populations adopted sedentary lifestyles; evidence suggests that many groups, particularly those living in the interior further from river valleys continued a more mobile residential pattern, although their scale of movement also appears to be reduced (Sassaman et al. 1988).

Reductions in mobility resulted in sub-regional increases in material culture variability, signaling increasingly localized cultural identities and unique social configurations emerging along river valleys and coastal regions (McElrath et al. 2009; Sassaman 1993; Sassaman et al. 1988). Tracing the boundaries of Late Archaic cultural groups is facilitated by the presence of pottery, a Late Archaic invention that first occurred along the South Atlantic coast and eventually spread across much of the Late Archaic Southeast (Sassaman 2004; Saunders and Hays 2004).

Across the Southeast, the end of the Archaic (and the onset of the Woodland) is characterized by significant disruptions in regional and local settlement patterns and remarkable societal transformations. In most regions, population levels and centralization declined, long-distance exchange became more restricted, and societies generally appear quite a bit less complex in terms of their structure, extent, diversity, and activities (Kidder and Sassaman 2009). Although often described as a tumultuous period, archaeologists continue to debate what caused the end of the Archaic. Along the coast, we see a steep drop in human settlements (Sanger 2010). This depopulation has led some to suggest that declines in sea levels near the end of the Archaic negatively impacted coastal environments, perhaps destroying existing marshlands, and forcing people to abandon subsistence practices focused on marine and estuarine resources (Gayes et al. 1992; Thompson and Turck 2009). If there was a significant drop in sea levels, it was experienced differently across the Southeast. In South Florida, for instance, there is no evidence of depopulation; rather one finds a level of cultural continuity between Archaic and Woodland periods (Schwadron 2010). It is also questionable how a shift in sea levels could have driven cultural changes in inland areas. For most archaeologists, the end of the Archaic remains a highly-localized affair driven by a variety of factors, only some of which are understood or appreciated (see papers in Thomas and Sanger 2010).

Summary

As evidenced in the preceding discussion, several themes emerge as critical to understanding the Archaic. These are: changing demographics, coalescence of localized communities, emergence of new technologies, and shifting environmental and ecological conditions, including sea levels. During the Archaic, hunter-gatherer populations engaged in political machinations, economic pursuits, and cosmologically-inspired events at a rate long thought reserved for agricultural groups (Arnold et al. 2016). Because they challenge preconceived notions regarding complexity, studies of the Archaic Southeast have increased in prominence and are often published in national and international journals (e.g. Claassen 2013; Gibson 2006; Kidder 2006; Sassaman 2005). Shell rings play a part in these publications, but

suffer from a lack of detailed studies conducted using modern methods and standards. In the following section, I outline the history and current state of shell ring research and highlight the need for detailed studies and reporting; a need the proposed projects aims at satisfying.

Shell Rings

In the last 200 years, more than 50 shell rings have been identified in the American Southeast, all of which date to the latter portions of the Archaic (Russo 2006). Since the earliest excavations in the 1800s (Drayton 1802; McKinley 1873; Moore 1897), archaeologists and antiquarians have attempted to understand the motivation for piling innumerable clam and oyster shells in arcs encircling broad shell-free plazas. Calling all of these constructions shell rings is a bit of a misnomer as many are U or C shaped, others are conjoined circles or hexagonal, and none are perfect circles (Russo 2004) (figure 2.4). Rings also vary in size; massive constructions include sites like the Rollins Ring, a U-shaped deposit measuring 3 m tall that encircles a 200 m long plaza (Russo and Saunders 1999; Saunders 2004). More moderate sites include rings like Barrow's, a closed circle of shell measuring 2 m in height and 60 m across (Russo 2006). There are even very small rings, such as Ossabaw, that measure less than a meter tall and only 45 m across (Russo 2006).

Despite their variability, archaeologists have combined shell rings into a single analytical category and have attempted to understand what ties them all together. Shell ring research often hinges on just a few critical questions: are shell rings purposeful constructions or accidental accumulations? Were they deposited quickly or over long periods of time? And were they formed by large numbers of people or by more modest groups? These questions speak to larger interpretations of shell rings as being residential villages, ceremonial gathering points, places of both residence and ritual, or something else altogether.

History of research and dominant interpretations

Early investigations into shell rings often noted the general nature of shell deposits, produced rough chronologies, and developed now debunked interpretations, including that the rings were torture chambers, were used for defensive purposes, or were for catching and holding fish (Drayton 1802; McKinley 1873; Moore 1897).

The first systematic shell ring excavations were conducted in the 1960s (Calmes 1967; Marrinan 1975). One of the most important contributions of this time was Antonio Waring and Lewis Larson's excavations at the Sapelo Island where three shell rings are located within sight of one another (Waring and Larson 1968; Waring 1968). Waring and Larson focused their research on the largest of these rings (Ring I), an 80 m wide circular construction with steep walls and massive shell deposits that reached over 2.5 m in height (Waring and Larson 1968). Waring and Larson excavated a trench from near the ring's center through its shell arc. While they found very little within the ring plaza, Waring and Larson encountered numerous ash lenses, fire pits, and strata of dark sand within the shell deposits (Waring and Larson 1968: 273). Beneath the shell arc, Waring and Larson uncovered numerous shell-filled pits that clearly predated the overlying shell, but because the shells slumped into the pits, the two were interpreted as near contemporaneous. Waring and Larson's excavations also recovered large numbers of plain pottery sherds, animal bones, and other materials that, in their estimation, suggested a local residential population.

Based on these findings, Waring and Larson (1968: 273) suggested that shell rings were occupied by a local community who regularly consumed shellfish and placed the remains of these meals next to their homes. Over time, residents moved their homes and "new shell was then piled on the former habitation site" (Waring and Larson 1968: 273). Eventually, the shell pilings formed an unbroken circle and the ring was created.

While confident that the shell deposits were the accumulation of domestic refuse, Waring and Larson felt the circularity and size of the rings suggested something more than simple habitations. Addressing the formality and quantity of deposition, Waring and Larson write, "the Sapelo shell ring then very likely represents a ceremonial or social arrangement" (1968: 273). As such, Waring and Larson allowed the possibility that shell rings were both residential space and ceremonial grounds, eschewing the traditional logic in which sacred and secular spaces are seen as incompatible (e.g. Durkheim 1915).

Rings as Villages: 1960-80s: Although Waring and Larson offered a middle ground, divisions between sacred and secular interpretations have come to define shell ring studies. The seemingly quotidian makeup of shell deposits, consisting of clams, oysters and mussels, along with numerous fish and deer bones, are often interpreted as trash piles and the remnants of daily consumption. In contrast, the size and configuration of ring deposits are difficult to attribute to accident and, as Waring and Larson surmise, suggest a particular set of rules informed and enforced by social forces. While Waring and Larson allowed the tension between domestic and ritual to remain within their interpretations, other researchers often argued for one or the other.

For example, Alan Calmes (1967) excavated the Skull Creek and Sea Pines shell rings on Hilton Head Island, South Carolina, and interpreted both as small villages. Both are moderate in size: Sea Pines is roughly 60 m wide and 1 m tall while Skull Creek consists of two connected rings that together measure 88 m across and are roughly 2 m tall (Calmes 1967; Russo 2006). Calmes described both as residential centers based on the presence of postholes under the shell arc and the recovery of pottery and food remains that he interpreted as domestic and reflective of daily consumption. Looking at the stratigraphy of the shell arc in which deposits were typically angled rather than horizontal, Calmes (1967) argued that ring residents periodically flattened the arc, presumably in order to build their homes on top of the shell piles.

In the late 1960s and early 1970s, a more regional approach was adopted in Georgia and South Carolina where broad studies were conducted to better understand the nature of Archaic coastal settlements. In South Carolina, research by Calmes, Waring, Larson and others (Flannery 1943, Edwards 1965), spurred the South Carolina Institute of Archaeology and Anthropology (SCIAA) to conduct a state-wide survey with the goal of nominating shell rings to the National Register of Historic Places (Hemmings 1970). Similar regional surveys of Archaic sites were conducted in Georgia (DePratter 1975), that together with the South Carolina studies, helped to discover and record dozens of shell rings and define their regional distribution.

At the same time that regional studies were being conducted, detailed excavations conducted by Michael Trinkley (1975) and Rochelle Marrinan (1975) set new standards for shell ring research as they collected and analyzed botanical and faunal remains, investigated sea level changes, and produced detailed artifactual analyses. Trinkley's (1980, 1985) work at Lighthouse Point is particularly important as it provides one of the most detailed and expansive studies into the division of rings into specialized use areas. Trinkley conducted large excavations inside the plaza, within and under the shell arc, and along the exterior edge of the ring. Within these excavations, Trinkley uncovered features whose patterning suggested a strict division of space at the site: postholes and shell-filled pits were routinely uncovered beneath the shell arc; ash pits were found at the interface between shell deposit and interior plaza; and the plaza itself was generally devoid of features beyond a single circular pit in the center. Trinkley (1980, 1985) also provided analyses of pottery sherds, lithic flakes, and other "mundane" objects recovered from shell deposits and ring plazas. Importantly, Trinkley recognized the need to contextualize the assemblages he had recovered by comparing them to other Archaic sites that were not shell rings. Drawing on work conducted at small "base camp" sites located elsewhere along the South Carolina coast (see Michie 1979), Trinkley found little difference in overall artifactual assemblages, leading him to conclude that similar activities were taking place at each. Based on faunal and botanical remains that suggested year-round collection, Trinkley (1980) was convinced shell rings were made of household rubbish that accumulated slowly throughout an annual cycle. Trinkley writes, "(t)he shell rings do not

indicate any ceremonial activities, but rather suggest mundane occupation sites for fairly large social units" (1980: 320—21). Trinkley (1980, 1985) suggested the circular form of the rings were evidence that shell ring residents lived in a circular pattern, likely because of a shared egalitarian ideology.

While not stated as explicitly, Marrinan's (1975) research on the two St. Simons Island shell rings also recovered remains suggestive of a year-round human presence and the use of shell rings as nucleated settlements. Using fine-grade mesh – a rarity at the time – Marrinan recovered one of the richest sets of botanical and faunal remains from a shell ring to date. These remains have continued to be analyzed (Marrinan 2010) and suggest that animals and plants were collected during all four seasons at one, if not both of the rings on St. Simons Island. Marrinan's research is also notable for its recovery of human remains (1975: 82-83). Human remains recovered at shell rings prior to Marrinan include fragments found by Moore (1987), Calmes (1967: 23), and Edwards (1965: 18) although they all have significant contextual problems and may not be Archaic in age (Russo 2006: 46-47). The human remains recovered by Marrinan included femur, cranium, and pelvis fragments spread out over a large portion of the shell arc and intermixed within the shell, but nonetheless securely associated with Late Archaic-age deposits. Because of their fragmentary nature and seemingly random distribution, Marrinan was hesitant to describe the ring as a mortuary site or to ascribe any ritual or ceremonial connotation to the finds. Instead, Marrinan (1975: 82) suggested the human remains may have been redeposited from elsewhere and so did not reflect a formal burial as traditionally defined. Marrinan (1975: 96-102) was also hesitant to describe the St. Simons Island shell rings as villages, insofar as evidence for winter occupations at the time was tenuous. However, subsequent analysis of clam shells (Claassen 1986: 28) has closed this gap and the rings are now often considered evidence for year-round occupation along the Georgia coast (Thompson 2006; Thompson and Andrus 2011).

"Ceremonial Villages": 1980s-1990s: The dominant interpretation of shell rings as simple village sites was not seriously challenged until Michael Russo's (1991, 1994) landmark research at Horr's Island, Florida. Russo, together with his predecessor at the site, Alan McMichael (1982), excavated a total of 741 m^2 (Russo 2006: 94), far more than any other shell ring investigation before or since. Unlike prior research, Horr's Island was not a circular shell ring as often found in South Carolina and Georgia, but was instead a massive U-shaped construction, measuring 160 m long and 4.5 m tall, with associated shell and sand mounds, a shell ridge and ramp, and nearby areas marked by numerous postholes and living-floors (Russo 1991, 1994). Russo's analysis of the Horr's Island materials were revolutionary as they focused on providing a detailed chronological reconstruction of events through seasonality studies of vertebrate and invertebrate faunal materials along with numerous radiometric dates. These analyses showed that all four seasons were represented within the shell portions of Horr's Island, and that they were deposited over several hundred years. While the presence of postholes, living floors, and seasonality data convinced Russo that Horr's Island was occupied year-round, he saw the associated mounds and causeways as evidence that the site was not simply a habitation.

Russo resolved this apparent contradiction by interpreting Horr's Island as a village occupied by families who hosted intermittent large-scale aggregation events. According to Russo, the families living at the shell rings were likely of a different status than those peoples living off the rings, although he was hesitant to suggest that this difference was necessarily hierarchical (1991: 499–501). Since working at Horr's Island, Russo has continued to refine his theory of shell rings as "ceremonial villages" through research at Joseph Reed (Russo and Heide 2002), Rollins (Russo and Saunders 1999), Seewee (Russo and Heide 2003), and Fig Island shell rings (Saunders, Russo, and Heide 2002). Likewise, Russo has continued to advance the possibility that a level of status was being displayed, perhaps even earned, at shell rings, and that this inequality is visible in the uneven quantity of shell deposits at numerous rings (Russo 2004).

Ritual Gatherings at Shell Rings: 1990s-2000s: Russo's research offers a critical intervention in shell ring studies as he reframes Waring and Larsen's original balance between residential and ritual by

arguing that rings were stages for both quotidian and ceremonial events. Despite Russo's efforts, the interpretive pendulum began to swing toward viewing shell rings less as villages and more as ceremonial centers in the late 1990s. The first such reinterpretation was John Cable's (1997) research in which he argued shell ring stratigraphy evidenced staged monumental construction. Drawing from Calmes' (1967) research, as well as his own work at Spanish Mount (a Late Archaic site that is likely not a shell ring [Russo 2006]), Cable argued that shell rings are characterized by discrete mounded deposits capped by layers of crushed shell and highly organic soils. Cable posited that the mounded shells, which were often unbroken and loosely packed, were evidence for a rapid accumulation of refuse, likely associated with ritual feasting, while the thin layers of crushed shell and soil were created during "capping events" (cf. Russo and Heide 2003).

Since Cable's intervention, archaeologists often interpret large, undifferentiated shell deposits with very little associated soil as evidence for rapid depositional accumulation at shell rings (Russo 2004; Russo and Heide 2003; Sassaman 2008; Saunders 2002, 2004a, 2004b). Rebecca Saunders is the key proponent of interpreting these "clean shell" deposits as evidence for feasting (2004a) and intentional mounding (2002). Critical to Saunders' interpretations is her (2004a) research on Rollins Shell Ring, a massive (250 m wide, 4 m tall), U-shaped in ring in northeastern Florida. Saunders found that the basal deposits on opposite sides of Rollins were contemporaneous; leading her to conclude that the shape and size of the ring was predetermined prior to its construction. This apparent site planning suggests the rings were not the result of haphazard refuse deposition, but were instead intentionally constructed. Saunders (2004a) also found dates taken from the top and bottom of the shell deposits, many of which were large mounds of unbroken shells with little associated soil, were very close to one another, often separated by less than a century, and therefore suggest the entire site was created in a very small amount of time.

Saunders offers further evidence of intentional and rapid construction from her work on Fig Island in South Carolina where three shell rings have been identified within sight of one another. While two rings are moderate or relatively small (82-50 m wide 2 m tall), the largest ring consists of a central closed circle, a shell mound, and several connected C-shaped "ringlets" (Saunders and Russo 2002). At its height, the largest ring reaches 6m above the marsh and appears to be partially constructed out of shell quarried elsewhere (Saunders 2002). Saunders (2002) argues that this shell was brought to the site to quickly and dramatically increase the ring's height and is therefore evidence that the rings were purposeful constructions, perhaps best described as monuments, rather than accidental or incidental trash middens (Saunders 2002, also see Cable 1997; Russo 2002). Additionally, Saunders (2002) notes that many shell rings, including the largest shell ring on Fig Island, reach such dramatic heights that their use as habitations or trash piles for daily discard is unfeasible.

Together, Saunders' (2002, 2004a, 2004b) research suggests that many shell rings were planned constructions fashioned out of quickly accumulating mounds that were occasionally expanded through the redeposition of materials from nearby sites. As such, Saunders has suggested that shell rings are best understood as stages for ritual gatherings at least partially driven by large-scale feasting (Saunders 2004a). This interpretation is bolstered by Saunders' (2004b) studies showing pottery from Rollins Shell Ring was decorated at a much higher rate than other contemporaneous neighboring sites and embellished using a mixture of motifs drawn from across the region. This led Saunders to conclude that residents of neighboring sites were attending events at Rollins to which they brought their finest wares to use during highly visible feasting events. Saunders (2004a) also points out that many shell rings are isolated from other habitation and extraction sites and suggests that this isolation provided a neutral gathering point at which dispersed communities could aggregate, celebrate, and exchange information.

Rings Changing Over Time: 2000s: Recent work on Sapelo Island by Victor Thompson (2006, 2007; Thompson and Andrus 2011) offers yet another interpretation of shell rings. Drawing from geophysical surveys and the stratigraphy of several excavation areas, Thompson shows at least one of the smaller Sapelo shell rings (Ring III) consists of equally spaced piles of shell interspersed with areas of relatively little midden material. Thompson (2006, 2007) took this depositional pattern as evidence for intermittent

domestic structures and associated middens. As such, Thompson suggests that these finds validate Waring and Larson's original assertion that rings were built through the daily accumulation of domestic refuse that eventually formed a complete circle as families moved their homes and trash areas over time.

Although Thompson argues Ring III was the result of daily accumulation of domestic refuse, he recognized that the largest ring on Sapelo, Ring I, likely had a very different formational history. Unlike Ring III, which never reached more than 40 cm in height, Ring I rises more than 2 m above current ground surface and consists of large, dense shell deposits with very little associated soils. Using seasonality data drawn from oysters and clams, Thompson and Andrus (2011) showed that the smallest Sapelo rings (II and III) accumulated year-round and were therefore constructed slowly through the deposition of daily meals. Ring I, in contrast, produced far more patterned seasonality data with the majority being collected during the winter months, likely evidencing periodic gatherings of large numbers of people. Thompson and Andrus interpret these data as evidence of different histories and events at each ring. Specifically, Thompson (2006, 2007) argues that each shell ring has its own "trajectory" in which their use changes through time. According to this model, many rings began as small village sites, as evidenced at the smaller Sapelo rings, and continued to be used as residential centers throughout their use-life. But a select few, such as Sapelo Ring I, became locales for ceremonial events and points of convergence for regional populations, at which point they grew quickly and to great heights through refuse generated by periodic aggregations. Looking at the isotopic profiles of oysters and clams recovered from Sapelo I, Andrus and Thompson (2012) found mollusks were often collected from distant locales; evidence that ring-builders had exhausted local shellfish beds, were purposefully managing their resources so to not overexploit them, or were periodically engaged in intensive procurement practices.

Rings as Circular Dams: 2010s: Although most archaeologists view shell rings as forming during residential or ritual activities, a new model of ring formation has recently been offered in which rings were neither villages nor gathering locales, but rather were circular dams designed to hold fresh drinking water. Relying on sea level curves that suggest rings were formed during periods of lower sea level and drought, Marquardt (2010a, 2010b) has argued that acquisition of fresh water would have been critical to Late Archaic peoples living along the coast. Marquardt interprets the pits found in the interiors of many rings as wells dug by ring-builders to tap underlying freshwater aquifers. These wells, according to Marquardt, released water that then flooded the ring interiors and was held by the shell arc.

A slightly different theory is proposed by Middaugh (2009, 2011, 2013) who likewise views shell rings as holding fresh drinking water, but argues that ring-builders relied on rainfall and freshwater runoff rather than underlying aquifers accessed using wells. Working at the Sewee Shell Ring, Middaugh posits that the shell arc, which has a series of low and high points, is oriented to capture rainwater and flow from nearby waterways. Middaugh (2013) also found salinity levels are lower in the interior of the ring than the exterior, evidence, in his view, that the ring midden currently captures rainwater and runoff and acts as a barrier between fresh and salt water.

Shell Ring Diversity

Although there is still a great deal of disagreement over how shell rings are formed, an important point of consensus is beginning to emerge in that many researchers reason that there likely is no one "function" for all shell rings and that instead individual histories ought to be investigated (Russo 2006; Saunders and Russo 2011; Thompson 2007; Thompson and Andrus 2011). Thompson's research clearly shows that different rings, occupying the same space and used at the same time, can have dramatically different "trajectories" with some becoming points of ceremonial importance and others remaining less specialized (2006: 10). Saunders' (2002) research on the Fig Island rings likewise shows that depositional practices can change significantly over time as shell mounding shifted from accumulation of food remains to the purposeful piling of material mined off-site.

While a spotty radiocarbon record makes cross-regional comparisons difficult, it is likely that the overall practice of shell ring creation changed over time not only at individual sites, but across the broader Late Archaic landscape (Saunders and Russo 2011). As the coastline became marked by more rings and their presence became widely known, later rings would have likely referenced prior creations. As the practice of ring-making spanned more than two thousand years, it is highly unlikely that a single "purpose" can connect them all.

In addition to temporal variability, Russo (2006) suggests significant spatial diversity in ring constructions and functions as he divides the coasts of South Carolina, Georgia, Florida, and Mississippi into a dozen different cultural regions, each of which may have had its own particular history of shell ring use. Of particular importance is the division between rings built in peninsular Florida and those found in Georgia and South Carolina (Russo 2006).

Florida rings are massive. Many span hundreds of meters and are open rather than closed circles (Russo 2006). Rings in peninsular Florida are quite rare, numbering less than a dozen, and generally occur singularly, although some, including Horr's Island, have associated mounds, walkways, and other shell and sand architecture (Russo 1991, 1994). There are large portions of the Florida coast, including a 300 km stretch spanning the central portion of the Atlantic coastline, which contain no shell rings, and are instead occupied by numerous small and moderate sized Archaic sites (figure 2.5). Southern Florida contains more rings, although Reed shell ring is the only ring in southeastern Florida, and it is a very recent construction (circa 3300-2900 cal B.P.). For the vast majority of the Late Archaic, then, there were no shell rings on the eastern seaboard of Florida south of St. Augustine where the Guana Ring is located (Russo 2004, 2006). A cluster of rings have been found in southwestern Florida, as well as a large number of "shell works" discovered and excavated by Margo Schwardon (2010a, 2010b), some of which date to the Archaic (although see Cherkinsky, Pluckhahn, and Thompson 2014 for problems dating oyster shells in South Florida). Shell works are complicated amalgams of shell ridges, crescents, rings, mounds, and walkways that are poorly understood, yet appear to occupy the landscape alongside more "traditional" rings in southwestern Florida. Outside of the cluster of shell rings and shell works in southwestern Florida, the Gulf Coast of Florida has remarkably few rings. None are located between Tampa Bay and the Panhandle region where two rings (Meig's Pasture and Buck Bayou) are located.

Unlike peninsular Florida, rings are common along the Georgia and South Carolina coasts. More than thirty shell rings have been identified in a 250 km stretch of land beginning at St. Simons Island, Georgia and running north to Bulls Bay, South Carolina. Although some of these rings are quite massive (e.g. Fig Island and Sapelo III), in general they are modest in size (Russo 2006). Rings within this region are all closed circles, or nearly so, and often occur in multiples. Several rings are conjoined (e.g. Skull Creek), others are within sight of one another (e.g. Sapelo and Fig), and still others are within a short walk (e.g. St. Simons island rings). Generally, rings neighboring one another are contemporaneous (Marrinan 2010; Thompson 2006). Although there are a couple of instances in which ephemeral pre-ring human occupations have been found (Thompson 2006), rings in Georgia and South Carolina are generally both the oldest and the largest sites on their respective landforms. The vast majority of these rings, especially those found in Georgia, are found on barrier islands (Thompson and Turck 2009).

As rings are smaller in Georgia and South Carolina, it is likely that many have yet to be discovered. For instance, in Bryan County, Georgia, Ryan Sipe (2013) discovered a small (30-50 m wide), partially eroded shell ring while excavating a nearby Woodland village. Coosaw, a shell ring cluster located in South Carolina includes three rings that were first documented in 2003 (Heide and Russo 2003) and numerous other rings have only recently been recognized as such (i.e. Fig Island 3, Saunders and Russo 2002).

Between the relatively rare, yet massive rings in peninsular Florida and the smaller, more common rings along the Georgia and South Carolina coasts, is a small stretch of coastline in northeastern Florida that contains three rings (Oxeye, Rollins, and Guana) that are similar to those found in neighboring regions. Oxeye is the oldest ring yet discovered (circa 5000 – 4500 cal B.P.) and is a relatively large (160 m wide) closed circle (Russo and Heide 2000). Rollins and Guana are more recent

(4400-2300 cal B.P.) and are massive U-shaped constructions that are morphologically very similar to the shell rings found further to the south in Florida (Russo and Heide 2000; Russo and Saunders 1999; Russo et al. 2002). These three rings are separated by 100 km from the rings to the north and 300 km to those found to the south; evidence, perhaps, of significant cultural boundaries between different ring-building traditions (Russo 2006).

Prior research on Skull Creek Shell Ring and other Late Archaic rings on Hilton Head Island

As was briefly touched on in the prior section, very little research has been conducted on the Skull Creek Shell Ring (38BU8), or the two other rings on Hilton Head Island. In addition to the Skull Creek Shell Ring, Hilton Head contains the Sea Pines Shell Ring (38BU7) and the Green Shell Enclosure (38BU63). The Green Shell Enclosure is not technically a shell ring because it is a more recent construction (one radiocarbon date to 615 +/- 95 ybp) (Calmes 1968), and is therefore not a focus of the current study, although it may offer opportunities for further research into how shell constructions were made in circular patterns for multiple millennia by the native peoples of Hilton Head Island.

Investigations on the Sea Pines and Skull Creek shell rings are largely limited to excavations conducted by Alan Calmes in the early-mid 1960s (Calmes 1967, 1968). The Skull Creek Shell Rings are located on the northern portion of Hilton Head Island and has been impacted by mining and looting. The rings are conjoined and form a figure eight. The smaller ring measures roughly 43 m across while the larger is 55 m. The highest point of the rings is 2.1 m above ground surface while other portions of the deposit average closer to 1 m in height. It is difficult to understand the topographical extent of the ring because of prior looting and mining.

Calmes placed a 10 x 10 foot unit in the plaza of the larger ring as well as a 5 x 5 ft excavation in the interior of the small ring. He also placed a 5 x 5 ft excavation in the shell arcs of each ring. Calmes found a deep pit in the center of the larger ring as well as post holes. Within the shell arcs, Calmes describes shell deposits as "wavy" and angled to ground level (1967: 10).

Calmes recovered pottery as well as stone, bone, and shell tools from the Hilton Head shell rings. Pottery, according to Calmes, was a mixture of fiber and sand tempered and included incised, punctated, and finger marked vessels. There were also a significant number of vessels embellished with "drag and jab" techniques (Calmes 1976: 24). There appears to be some variation in how fiber vessels were decorated in comparison with sand tempered, with sand tempered being embellished with drag and jab and finger marking the most often and fiber being only rarely decorated.

Calmes' reports of excavations are brief, incomplete, and not up to modern standards, yet offer the only insights into the work conducted on the Hilton Head shell rings. Unfortunately, it is unclear where Calmes' notes are now located or where the collections from either ring are housed. Personnel at SCIAA (South Carolina Institute of Anthropology and Archaeology) are currently looking through their collections to see if they can find them.

Research teams from Binghamton University have conducted research at the Sea Pines Shell Ring between 2015-2018 during which they conducted geophysical surveys, excavations, and radiometric and isotopic analyses. The results of these works are still preliminary, but highlight the applicability of these methods.

Summary

Shell rings have occupied an important and often controversial role in southeastern archaeology for more than 200 years. A great deal of disagreement has focused on whether rings are secular or sacred locales and whether they were constructed through the daily accumulation of domestic refuse or intermittent deposits of feasting debris. Although some early researchers allowed the possibility that rings were both places of residence and ceremony, these views have long been in the minority. Recent

research appears to be overcoming the stalemate between sacred and secular interpretations as archaeologists have begun to appreciate the diversity of shell rings, both spatially and temporally, and to suggest that more localized narratives are needed.

One region in need of such narratives is the South Carolina and Georgia coastline where rings are remarkably numerous and often appear in multiples on an otherwise lightly occupied landscape. Although this region contains dozens of identified rings, only a small handful have been studied using modern methods, and fewer still have been investigated by more than a small series of excavations. This is especially true in South Carolina where early research in the 1960s and 1970s on Lighthouse Point, Sea Pines, Skull Creek, and Spanish Mount showed remarkable promise, yet in the last 35 years only minimal work has been conducted. Several rings have been mapped and had exploratory excavations (e.g. Fig Island), new rings have been discovered and mapped but not tested (e.g. Barrows, Patent, Coosaw), and none of the sites have been the focus of long-term research. As such, research designed to produce rich empirical datasets is critical if we are to understand how the coast of South Carolina fits into the larger social trends found across the American Southeast.

The shell rings on Hilton Head, particularly the Skull Creek Shell Ring, which is in such good condition, show particular promise in furthering our understanding of how Native Americans lived along the South Carolina coast more than 3,000 years ago. They also offer an opportunity to research the development of Thom's Creek pottery and perhaps the formation of a social group defined by this pottery type. Importantly, Hilton Head Island is located at the southernmost edge of where Thom's Creek pottery largely occurs. Indeed, the island is at the confluence of St. Simons, Stallings, and Thom's Creek. As such, it is likely that the residents of the Skull Creek Shell Ring lived in a diverse social world where newly emergent sociopolitical bodies were forming in concert in their immediate surroundings. We know very little about how these different groups related to one another through time; the Skull Creek Shell Ring may therefore not only help us better understand the local formation of Thom's Creek, but also offer insights into cross-cultural interactions spanning the region. As such, additional research at the Skull Creek Shell Ring is clearly warranted as it will likely result in critical data to address both regional and local questions of anthropological and archaeological importance.

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APPENDIX 1: REMOTE SENSING METHODS

Remote sensing techniques, which includes aerial methods and near-surface applied geophysics, are commonly used as an archaeological prospection tool to both guide excavation strategy and constrain site formation hypotheses (de Smet and colleagues 2012). Remote sensing is increasingly being used in archaeology to answer fundamental anthropological research questions about human behavior, social organization, and cultural change through time (Conyers and Leckebusch 2010; Kvamme 2003; Thompson et al. 2011).

Of the near-surface applied geophysical techniques magnetometry, EMI, electrical resistivity, and GPR are the most commonly used methods in archaeogeophysics (Gaffney 2008; Linford 2006). Magnetometry passively measures variation in the magnitude of the earth's total magnetic field (Aspinall et al. 2008; Kvamme 2006), including the remnant and induced, in nano Teslas (nT). EMI measures the induced portion of the magnetic field, by transmitting a low-frequency electromagnetic wave to induce a secondary response (eddy currents and polarization), which is measured at a receiver (Clay 2006; Pincus et al. 2013), in order to measure the apparent conductivity in milli Siemens per meter (mS/m) and magnetic susceptibility in parts per million or thousand (ppm/ppt). Resistivity measures the ability of soil to resist or conduct an electrical current (Schmidt 2013). GPR transmits an electromagnetic pulse and measures the amplitude response and time the wave takes to return to a receiver in order to measure contrasts in dielectric permittivity, which are used to determine the location and depth of subsurface archaeological features of interest (Conyers 2012, 2013; Goodman and Piro 2013). We provide more details on these techniques below and our planned use of them at the Skull Creek Shell Ring.

Magnetic Gradiometry

We will collect magnetic gradiometry data using a Geometrics G-858 cesium vapor magnetometer with continuous acquisition at a line spacing of 0.5 and station spacing of 0.1 m with 10.0 m fiducial marks. We will place the top and bottom sensors approximately 0.25 and 0.75 m off the ground surface, respectively for a 0.5 m sensor offset. Magnetic data are affected by diurnal variation associated with the earth's magnetic field. In order to side step this altogether, however, we will calculate the magnetic gradient in nT/m at each data point thereby eliminating this fluctuation. To account for other random and coherent noise in the data sets (such as those created by user error and minor equipment malfunctions) we will employ data processing methods including eliminating spikes/dropouts, correcting for stagger in the data, and repairing any header errors.

Electromagnetic-induction

We will collect frequency-domain electromagnetic-induction (EMI) data using Geophysical Survey Systems Incorporated's Profiler EMP-400 multifrequency electromagnetic conductivity meter at a line spacing of 0.5 and station spacing of 0.25m. This system measures the quadrature and in-phase response of the subsurface in either horizontal or vertical coplanar dipole mode. The quadrature response is linearly related to the apparent conductivity of the subsurface. The conductivity is the ability of an object or material to conduct and electrical current. The quadrature response was converted to the apparent conductivity, in milli Siemens per meter (mS/m). The vertical coplanar coil orientation has a greater depth of penetration and peak sensitivity than the horizontal mode of acquisition at approximately 0.4 m and 1.9 m respectively; approximately because subsurface conductivity actually has an effect on skin depth (see Weymer et al. 2016). The data can be collected in-line (often called pole vault mode) or broadside (often called airplane mode) to targets if there is an indication of the feature orientation. We collected data in-line in vertical dipole mode to maximize depth of penetration and acquisition speed.

As with magnetometry data, EMI data too have a number of errors that must be corrected before accurate interpretations are made. Apparent conductivity data is affected by instrument drift and variation

in subsurface soil moisture and temperature content. Histograms need to be matched by fitting the data to the same 2σ for each data grid. This is easily done by multiplying the ratio of the 2 standard deviation confidence intervals for the static reference grid divided by the filtered grid. Finally, the edges of grids where contrast remains persistent must be edge matched. That is the means of the adjacent lines in the grid must have their means equalized. As the previous processing steps are inherent spatial high pass filters we again used a smoothing low pass unweighted 3 x 3 moving average kernel convolution filter as a final data processing step. Because EMI data are collected at a coarser sampling interval the data herein are presented at 0.5 x 0.5 m.

Ground-Penetrating Radar

We will collect ground-penetrating radar (GPR) data using Sensor's & Software's Noggin GPR with 500 MHz antennas at a line spacing of 0.5 and station spacing of 0.025 m respectively. A ground penetrating radar device transmits an electromagnetic pulse into the ground and observes the time and amplitude of any returning reflections. The radar sounding is done in order to locate any abrupt contrasts in subsurface physical properties. The observed reflections provide information about the depth of subsurface structures since the velocity of the electromagnetic pulse is approximately known. Therefore, a measurement of the time of reflection can be converted to the depth of a reflector. A comprehensive introduction to GPR is provided by Jol (2009), while the application and interpretation of GPR in archaeology can be found in Conyers (2012, 2013) and Goodman and Piro (2013). The equipment consists of shielded 500-MHz transmitter and receiver antennas separated by 0.23 m. Shielding of the antennas is important since it focuses energy downward, preventing unwanted "air-wave" reflections from above-ground objects such as walls or people. The antennas are broadband, which means they emit a very short pulse of several ns in duration. The 500 MHz specification is simply the central frequency of the transmitted range 250-1000 MHz.

A single radar trace is acquired at each station along a GPR line. A series of traces along a line is then arranged into a profile. We convert reflection time to depth via a hyperbolic velocity calibration to obtain a two dimensional "depth section" of the subsurface. When adjacent depth sections are stacked together and interpolated, they comprise a data cube. The information in the data cube can be used to make 2D maps, such as amplitude time-slices.

Note that an individual trace is actually an average of multiple traces acquired at each station. The number of pulse repetitions is called the stack number *s*. Increasing the stack number increases the signal-to-noise ratio, because random background noise is averaged out while coherent (transmitter-generated) signal remains. Higher stacking, however, extends the time of acquisition and also uses more battery power. For our surveys we will use a stack number of 4, which will enable us to scan a large amount of grids in the available time, while maintaining an acceptable signal-to-noise ratio.

Resistivity

We will collect resistivity data with a Geoscan RM-85 advanced resistance meter. Data will be collected with a 45V output voltage at a constant current of 0.1 mA at 122.5 Hz frequency with 3 probes collecting parallel data at 0.5 m transect and in-line spacing. Resistivity measures the ability of soil to resist or conduct an electrical current (Schmidt 2013) by emitting voltage from an electrode and measuring the response at an adjacent electrode. Resistivity is the inverse of conductivity and these physical properties are useful when compared.

BEAUFORT COUNTY COUNCIL

Agenda Item Summary

Item Title:

Public Access and Passive Recreation Projects Reservation Request

Council Committee:

Natural Resources

Meeting Date:

May 20, 2019

Committee Presenter (Name and Title):

Stefanie M. Nagid, Passive Parks Manager

Issues for Consideration:

A request to reserve $2.91M for the imminent planning and construction of public access and passive recreation projects on RCLP passive parks.

Points to Consider:

1) The Passive Parks Public Use Work Plan identifies properties of the highest priority for completion of public access and passive recreation. 2) Maintenance at these properties is currently being done, or will be under an MOU with a partnering agency. 3) Completion of the projects will provide immediate revenue generation to be used towards maintenance and management of these, and other, passive park properties. 4) County Council approved the Passive Park Program support resolution on April 22, 2019.

Funding & Liability Factors:

$2.145M requested to be reserved from the 2014 Land Preservation Bond funding and $765,000 requested to be reserved from the 2018 Land Preservation Bond funding (total of $2.91M).

Council Options:

1) Approve the request, 2) Approve the request with revisions, 3) Do not approve the request

Recommendation:

Approve the requested amount and sources as written.

RESOLUTION 2019/__

A RESOLUTION TO SUPPORT PUBLIC ACCESS AND PASSIVE RECREATION PROJECTS ON RURAL AND CRITICAL LAND PRESERVATION PROGRAM PASSSIVE PARK PROPERTIES

WHEREAS Beaufort County has been a frontrunner among local governments in land preservation since 1999 with the creation of the Rural and Critical Land Preservation Program, and;

WHEREAS the 2012, 2014, and 2018 Land Preservation Bond referenda passed with 62%, 73%, and 70% approval, respectively, by the citizens of Beaufort County, and;

WHEREAS the 2012, 2014, and 2018 Land Preservation Bond referenda state that an amount "not to exceed 20%" of the funds may be used to improve existing and newly acquired open space and natural areas protected under the Program, and;

WHEREAS Beaufort County has acquired over 13,000 acres of fee-simple properties with Land Preservation funding, and anticipates acquiring additional fee-simple properties with Land Preservation funding, and;

WHEREAS Beaufort County understands and recognizes the benefits of open space and passive recreation on community health and vibrancy, tourism, education, and quality of life for its citizens, and;

WHEREAS Beaufort County believes and supports that the preserved lands should be publically accessible with passive recreation improvements, and;

WHEREAS Beaufort County adopted the Passive Parks Public Use Work Plan (Resolution 2018/22) on October 22, 2018, and the Passive Parks Ordinance (2018/53) on December 10, 2018, and;

WHEREAS Beaufort County adopted by Resolution (2019/18) the right to reserve Land Preservation Bond funds for the implementation of public access and passive recreation park improvement projects on a first come, first serve basis with $2.72 (13.6%) million from the 2014 bond funding, of which $575,000 has already been reserved for Mitchelville Freedom Park Phase I construction, and $5 (20%) million from the 2018 bond funding.

NOW THEREFORE, BE IT RESOLVED, THAT THE COUNTY COUNCIL OF BEAUFORT COUNTY, SOUTH CAROLINA reserves an amount not to exceed $2,145,000 (10.7%) from the 2014 Land Preservation Bond funding and an amount not to exceed $765,000 (3.1%) from the 2018 Land Preservation Bond funding towards the implementation of public access and passive recreation projects, as listed in Exhibit A, on County owned fee-simple Rural and Critical Preservation Land Program passive parks.

Adopted this ____ day of _____, 2019.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____

Stewart H. Rodman, Chairman

ATTEST:

_____
Sarah Brock
Clerk to Council

Exhibit A

Public Access and Passive Recreation Projects

Crystal Lake Park (Construction)	$560,000
Widgeon Point Preserve (Construction)	$1,000,000
Fort Fremont Preserve (Safety/Security)	$750,000
Fort Frederick Park (Design/Build)	$500,000
Whitehall Park (Planning)	$100,000
TOTAL	$2,910,000

BEAUFORT COUNTY COUNCIL

Agenda Item Summary

Item Title:

Zoning Map Amendment/Rezoning Request for R100 029 000 0046 0000, 10.69 acres at 126 Broad River Boulevard, from C3-Neighborhood Mixed Use District to C5-Regional Center Mixed-Use District

Council Committee:

Natural Resources

Meeting Date:

May 20, 2019

Committee Presenter (Name and Title):

Robert Merchant, AICP, Assistant Community Development Director

Issues for Consideration:

See staff report

Points to Consider:

See staff report

Funding & Liability Factors:

Council Options:

Approve or disapprove

Recommendation:

Approval

MEMORANDUM

TO: Natural Resources Committee of County Council

FROM: Robert Merchant, AICP, Beaufort County Community Development Department

DATE: May 13, 2019

SUBJECT: Zoning Map Amendment/Rezoning Request for R100 029 000 0046 0000, 10.69 acres at 126 Broad River Boulevard, from C3-Neighborhood Mixed Use District to C5-Regional Center Mixed-Use District; Owner: 10 Frontage Road LLC, Applicant: Andy Burris

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STAFF REPORT:

A. BACKGROUND:

Case No.	ZMA-2019-02
Owner/Applicant:	10 Frontage Road, LLC; Agent: Andy Burris
Property Location:	Located in the Burton area on the north side of Broad River Boulevard approximately 1,200 feet west of the intersection with US 21 (Parris Island Gateway)
District/Map/Parcel:	R100 0290 000 0046 0000
Property Size:	10.69 acres
Current Future Land Use Designation:	Urban Mixed Used
Current Zoning District:	C3-Neighborhood Mixed-Use (C3-NMU)
Proposed Zoning District:	C5-Regional Center Mixed-Use (C5-RCMU)

B. SUMMARY OF REQUEST:

The owners of a 10.69-acre parcel located on the north side of Broad River Boulevard approximately 1,200 feet west of the intersection with US 21 (Parris Island Gateway) is requesting to change the zoning of the property from C3-NMU to C5-RCMU. The owner is interested in development multi-family housing on the property. While C3-NMU allows multi-family housing, developments are limited to a maximum of 80 dwelling units and a maximum height of 2 ½ stories.

While the parcel is just over 10 acres, the rear half of the property is a wetland. The parcel contains a dwelling unit that is in the Beaufort County Above Ground Historic Sites Survey. The structure has been determined to be not eligible for the National Register of Historic Places.

This same rezoning went before the Metro Planning Commission at their December 19, 2016, meeting. At that time, the MPC did not recommend rezoning the property because it was felt that the applicant had options to develop multi-family housing under its existing zoning designation – C3-Neighborhood Mixed-Use. Since that time, Beaufort County Council approved a zoning amendment that removed a requirement that multi-family housing in C3 needed to be located in mansion apartments with no more than 6 units per building. However, the applicant wishes to construct more than 80 units in 3 story buildings, and utilize the affordable housing density bonuses available in the C5-Regional Center Mixed-Use district.

C. ZONING MAP AMENDMENT ANALYSIS: Section 7.3.40 of the Community Development Code (CDC) states that a zoning map amendment may be approved if the proposed amendment:

1. ***Is consistent with and furthers the goals and policies of the Comprehensive Plan and the purposes of this Development Code:***
   The proposed amendment is not consistent with the future land use map of the Beaufort County Comprehensive Plan and would require an amendment to the plan itself. The Comprehensive Plan advocates the development of affordable housing. This zoning amendment has the potential to foster the development of affordable housing in a centrally located area with relatively close proximity to employment and retail.

2. ***Is not in conflict with any provision of this Development Code, or the Code of Ordinances:***
   As stated above, the proposed zoning district of C5-RCMU is not consistent with Table 1.4.10.A of the CDC for parcels that are designated as Urban Mixed-Use in the Comprehensive Plan.

3. ***Addresses a demonstrated community need:***
   The proposal has the potential to foster the development of affordable housing.

4. ***Is required by changing conditions:***
   The character of the surrounding area has not changed significantly in the last 10 years.

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.***
   There is a mix of uses along Broad River Boulevard in the vicinity of this parcel. These uses include small warehouses, private social clubs, churches, a small mobile home park, and single-family residential.

6. ***Would not adversely impact nearby lands.***
   Properties located to the east and across from Broad River Boulevard from this parcel are zoned C5-RCMU and would not be adversely impacted by amending the zoning of this parcel.

7. ***Would result in a logical and orderly development pattern.***
   See item 6 above.

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.***
   Approximately one half of the parcel is wetland that would be required to be preserved. There should be no adverse impacts assuming that applicable local, state, and federal

environmental protection requirements are met with any future development of the parcel.

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)***
   The proposed rezoning is located in close proximity to utilities and public facilities. Sewer is available on Parris Island Gateway; water lines are available along Broad River Boulevard.

D. NORTHERN BEAUFORT COUNTY REGIONAL PLAN

The proposed parcel is located within the growth boundary as put forth in the Northern Beaufort County Regional Plan. The regional plan and the intergovernmental agreement that implements the plan require that all increases in zoning in unincorporated Beaufort County located within the growth boundary explore options to annex into the appropriate municipality – in this case the City of Beaufort. The intergovernmental agreement states the following:

The county shall encourage any landowner who seeks an increase in densities/intensities under current zoning on lands that are not contiguous to a municipality but within the growth boundary, to explore ways to annex the land. If annexation is not feasible, following the procedures outlined in Section G (below) the County will consult with the Planning Staffs of the City of Beaufort and the Town of Port Royal to determine the following: a. Whether the proposed zoning amendment or planned unit development is consistent with the Comprehensive Plan of the municipality in whose future growth area the proposed development is located; and b. Whether the proposed zoning amendment or planned unit development is consistent with the Northern Beaufort County Regional Plan.

This report has been sent to the City of Beaufort staff. Beaufort County staff will consult with City staff to determine whether annexation is feasible and whether this rezoning is consistent with the Northern Regional Plan.

E. STAFF RECOMMENDATION:

Staff supports the rezoning of this property from C3-NMU to C5-RCMU with the following condition:

- County staff will consult with City of Beaufort staff to determine whether annexation is feasible for this parcel and whether the proposed zoning designation is consistent with the Northern Beaufort County Regional Plan.

F. BEAUFORT-PORT ROYAL METROPOLITAN PLANNING COMMISSION RECOMMENDATION: At the March 18, 2019 meeting of the Metro Planning Commission, Judy Alling motioned and Jim Crower seconded to recommend approval of the proposed zoning amendment. The motion passed unanimously.

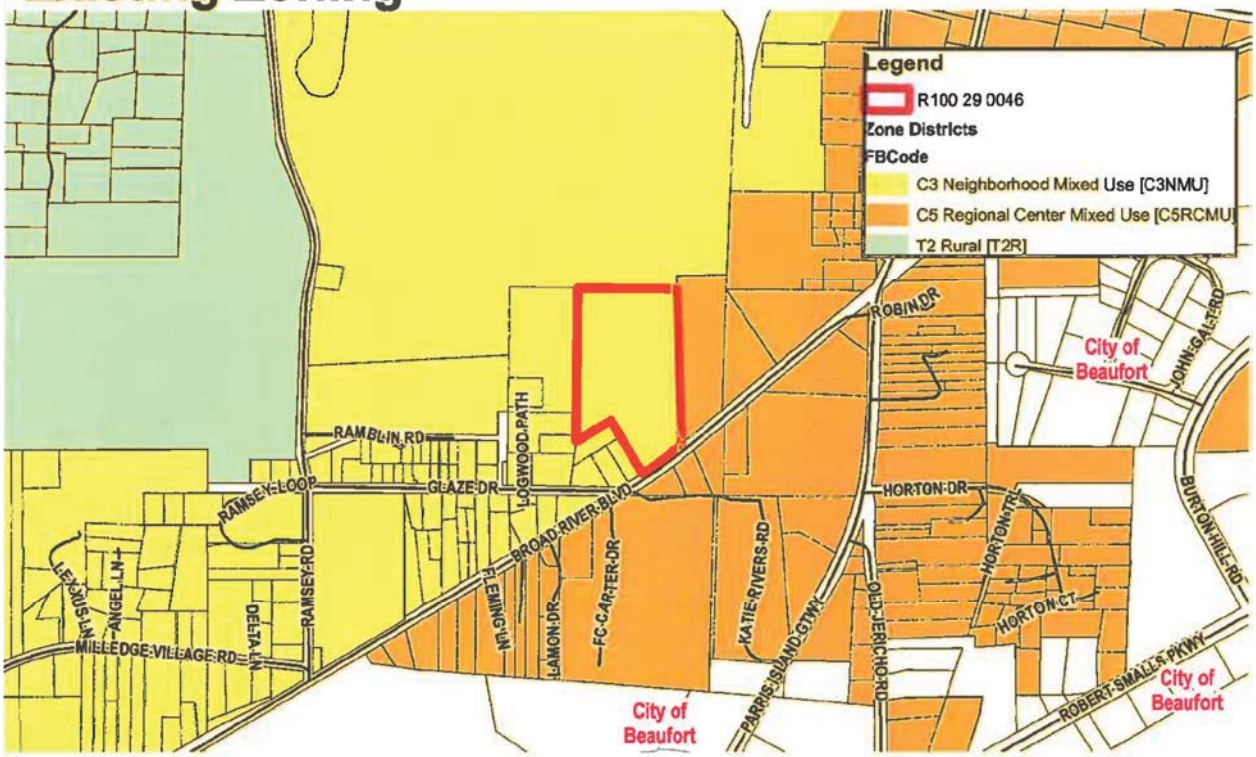
G. BEAUFORT COUNTY PLANNING COMMISSION RECOMMENDATION:

Chairman Semmler asked for a motion regarding the rezoning request. Mr. Jason Hincher made a motion to approve the rezoning request from C3 Neighborhood Mixed Use to C5 Regional Center Mixed Use with a strong recommendation to forward the affordable housing issue to the Natural Resources Committee for their input. Dr. Caroline Fermin seconded the

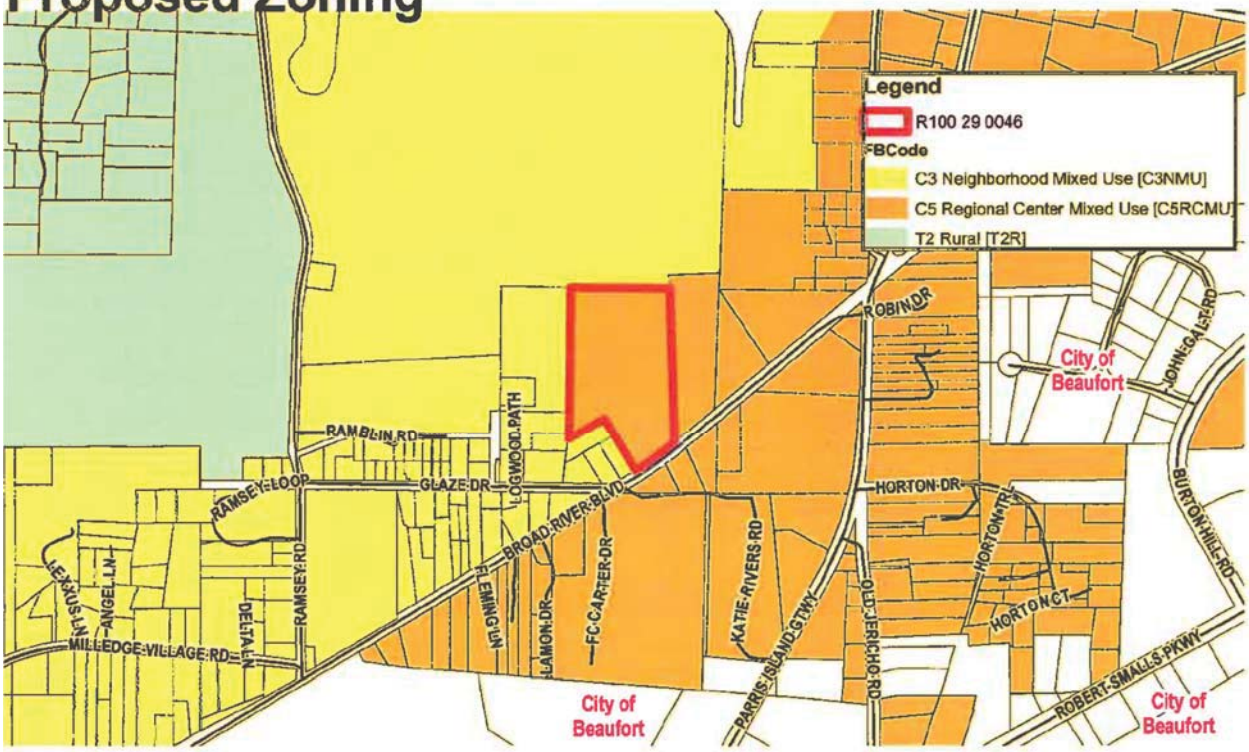
motion. The motion to approve the request was unanimous. The affordable housing issue that was brought up at the meeting was the possibility of adopting a text amendment regarding the C3 zoning to exceed the 80-unit cap if a percentage of the units meet the definition of affordable housing.

H. ATTACHMENTS: Zoning Map (existing and proposed)

Existing Zoning



Proposed Zoning



BEAUFORT COUNTY COUNCIL

Agenda Item Summary

Item Title:

RCLPP Acquisition Procedures

Council Committee:

Natural Resource

Meeting Date:

May 20, 2019

Committee Presenter (Name and Title):

Eric Greenway, CDD Director

Issues for Consideration:

RCLPP acquisition procedures detailing internal coordination between the County and the RCLPP Contractor.

Points to Consider:

Clear direction and steps are needed to ensure adequate review, discussion, and County policy compliance for RCLPP acquisitions.
County Staff, County Administration, and RCLPP Contractor all agree to the steps as outlined in the supporting document.
Adoption by Resolution at June 10th County Council, if approved by Natural Resources Committee.

Funding & Liability Factors:

None

Council Options:

1) Approve procedures as written, 2) Approve procedures with revisions, 3) Do not approve procedures

Recommendation:

Approve procedures as written and authorize the County Administrator to execute the document.

RESOLUTION 2019/__

A RESOLUTION TO ADOPT AND AUTHORIZE THE COUNTY ADMINISTRATOR TO EXECUTE THE BEAUFORT COUNTY RURAL AND CRITICAL LAND PRESERVATION PROGRAM ACQUISITON PROCEDURES

WHEREAS Beaufort County has been a frontrunner among local governments in land preservation since 1999 with the creation of the Rural and Critical Land Preservation Program and has expended $137,000,000 in such preservation, and;

WHEREAS Beaufort County has acquired over 13,000 acres of fee-simple properties and 12,000 acres through the purchase of development rights with Land Preservation funding, and;

WHEREAS Beaufort County anticipates acquiring additional lands with Land Preservation funding, and;

WHEREAS Beaufort County has contracted with third-party entities since 2001 for consulting acquisition services, and;

WHEREAS Beaufort County entered into its current contract with the Beaufort County Open Land Trust (BCOLT) for consulting acquisition services as contained and described in RFQ #042915, including all addendums and the BCOLT response, on June 22, 2015 which expires on June 30, 2020, and;

WHEREAS Beaufort County and BCOLT believes that it is in the best interests of the County citizens and staff and the BCOLT Board and employees to adhere to procedures related to the coordination of Land Preservation acquisitions, upon such terms and conditions expressed and incorporated herein.

NOW THEREFORE, BE IT RESOLVED, THAT THE COUNTY COUNCIL OF BEAUFORT COUNTY, SOUTH CAROLINA adopts and authorizes the County Administrator to execute the Rural and Critical Land Preservation Program Acquisition Procedures, as described in Exhibit A and incorporated herein as fully as if repeated verbatim.

Adopted this ____ day of _____, 2019.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: _____
Stewart H. Rodman, Chairman

ATTEST:

_____
Sarah Brock, Clerk to Council

COUNTY COUNCIL OF BEAUFORT COUNTY
OFFICE OF COUNTY ADMINISTRATOR
ADMINISTRATION BUILDING
BEAUFORT COUNTY GOVERNMENT ROBERT SMALLS COMPLEX
100 RIBAUT ROAD
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CHERYL H. HARRIS
EXECUTIVE ASSISTANT

ASHLEY M. JACOBS
COUNTY ADMINISTRATOR

Beaufort County Rural and Critical Land Preservation Program
Acquisition Procedures

Phase 1: Preliminary Research and Conceptual Approval

1. Contractor, in cooperation with Community Development Department (CDD) staff, compiles potential projects including priority targets and inquiries from sources including County Staff, phone calls, letters, emails and verbally-conveyed information. This list shall be shared with County Staff on a regular, mutually agreed-upon basis. Projects will be identified as to their priority on the County-adopted Greenprint map.

2. Contractor will discuss potential project information with the CDD Director, Natural Resources Planner, and Passive Parks Manager. Contractor will provide informal presentation of any known facts about the parcel(s).

3. The County Staff Board Liaison and Contractor will co-present the list of potential projects (inquiries and targets) with Liaison and Contractor's respective recommendations to the Rural & Critical Land Preservation Board (RCLPB). Following the presentation, the RCLPB shall vote either to favorably recommend or to disapprove moving each potential project forward to the Natural Resources Committee (NRC) for preliminary consideration. All potential projects presented to the RCLPB move forward to the NRC with the exception of projects that the RCLPB, Liaison, and Contractor all disapprove.

4. Staff Board Liaison and Contractor will co-present the RCLPB findings and recommendations to the NRC. Copies of all documents will be provided to Clerk to Council by Staff as per standard county agenda item procedures. Following the presentation, the NRC shall vote either to favorably recommend or to disapprove moving each proposed project forward. A favorable recommendation by the NRC approves the acquisition of appropriate due diligence items by the Contractor.

Phase 2: Due Diligence and Negotiation

5. Due Diligence:

    - In consultation with the CDD Director, Contractor orders an appraisal by an MAI appraiser to determine a fair market value for the parcel(s), following standard County purchasing procedures.

- As per Resolution 2006-3, Contractor shall collect additional necessary due diligence documentation including a title search, any appropriate surveys (boundary, topographic, tree, archaeological), and a Phase I Environmental Assessment at the County's expense, following standard County purchasing procedures.

- Contractor shall prepare property maps and conduct a site visit with the Natural Resources Planner and the Passive Parks Manager.

6. Negotiation:

    - After appraisal and relevant due diligence is received, Contractor reviews documents with County Staff.

    - County Attorney establishes negotiation parameters with Contractor.

    - Terms of the purchase are negotiated by Contractor with the Seller within the established parameters. The negotiated terms are presented to County Attorney for approval. If acceptable terms cannot be reached, Contractor consults with County Attorney for further guidance and direction.

7. Preparation for Review/Approval Process:

    - Under the supervision of the County Attorney, the Contractor prepares a written Letter of Intent, or other applicable agreement, between the County and Seller and transmits same to County Attorney for approval. The Letter of Intent must specify all negotiated terms and conditions of the transaction and also state that **"the final acceptance of the negotiated terms and conditions of the sale is contingent upon approval by full Council via a written Resolution"**.

    - County Natural Resources Manager, Passive Parks Manager and Contractor complete the ranking sheets, and the Contractor compiles the rankings.

    - Contractor prepares the Project Summary Sheet and provides all documents including the due diligence, Letter of Intent, and all of the ranking sheets to Staff at least one week prior to the RCLPB meeting, at which the project is to be presented for recommendation to NRC.

    - Contractor applies for outside cost-share or grant funding, if available for project, and consults with CDD Staff as soon as the option is considered.

Phase 3: Review, Recommendation and Approval by RCLPB, NRC and Council

8. Upon completion of Step #7, Staff Board Liaison and Contractor will co-present each negotiated project to the RCLPB. Following the presentation, the RCLPB shall vote and provide its written recommendation to either favorably recommend or to disapprove each project for purchase to the NRC.

9. Upon the written recommendation of the RCLPB, County Staff will present each negotiated project to the NRC, with all appropriate due diligence documents and as per standard agenda item procedures, for a final recommendation that the project be approved and moved forward to full Council, or that the project be disapproved. If approved to move forward to full Council, County Staff will draft the Resolution and follow subsequent standard agenda item procedures.

10. Upon final approval recommendation by the NRC, the County Staff will present each negotiated project to full Council.

Phase 4: Closing

11. Upon final approval by full Council, Contractor will coordinate with the County Attorney and the County's closing attorney to complete the transaction. Simultaneously, the CDD Staff will complete the County's Real Property Action Form. The County's closing attorney will provide all closing documents to the County Attorney three (3) days prior to closing for review and approval.

12. All contractual discussions by the RCLPB, NRC, or County Council may or may not be in Executive Session, as permitted by the South Carolina Freedom of Information laws.

13. County Staff, in consultation with Contractor, may under limited circumstances adapt these procedures in order to comply with the review and approval procedures of partner entities that have been requested to provide cost-share or grant funding to leverage County purchase of development rights or fee simple purchases.

BEAUFORT COUNTY COUNCIL

_____ _____

By: Ashley Jacobs, County Administrator
Its: County Administrator

Date

BEAUFORT COUNTY OPEN LAND TRUST

_____ _____

By: Kristin Williams
Its: Executive Director

Date

BEAUFORT COUNTY COUNCIL

Agenda Item Summary

Item Title:

River Oaks Planned Unit Development (PUD) Master Plan Amendment

Council Committee:

Natural Resources Committee

Meeting Date:

May 20, 2019

Committee Presenter (Name and Title):

Eric Greenway, AICP

Issues for Consideration:

Master Plan amendment to the River Oaks PUD.

Points to Consider:

Consistency with the Planned Unit Development Standards in the Zoning and Development Standards Ordinance. Consistency with the Comprehensive Plan. Comparison of the proposed master plan with what would be permitted under the County's current zoning ordinance - the Community Development Code. Impact on transportation, schools, and the environment.

At the March 2019 NRC meeting the committee requested that the applicant and his agents work with the CDD Director to obtain and resolve the following:

1. Work with staff to work on density reduction and neighborhood design.
2. Obtain a letter of support from the BCSD Broad.
3. Formalize the developer's verbal commitment, as stated during the NRC meeting, to achieve affordable housing standards. Developer stated during their presentation that 60-70% of the houses would be affordable.

To date none of these have been achieved by the developer.

Funding & Liability Factors:

n/a

Council Options:

approval; approval with conditions; or denial

Recommendation:

Recommend denial of Master Plan amendment (see attached staff report)

COUNTY COUNCIL OF BEAUFORT COUNTY
Community Development Department
Beaufort County Government Robert Smalls Complex
Administration Building, 100 Ribaut Road
Post Office Drawer 1228, Beaufort, South Carolina 29901-1228

TO: Natural Resources Committee of County Council

FROM: Eric Greenway, AICP, Beaufort County Community Development Director

DATE: March 11, 2019

SUBJECT: **River Oaks Planned Unit Development (PUD) Master Plan Amendment**

STAFF REPORT:

A. BACKGROUND:

Case No.	ZMA-2017-11
Owner:	BBII Holding Company, LLC (Roger L. Saunders)
Applicant:	Joshua Tiller, J.K. Tiller and Associates
Property Location:	Located in the Okatie area on Cherry Point Road approximately 2,000 feet from SC 170
District/Map/Parcel:	R603-013-000-008C-0000
Property Size:	63.5 acres

A. SUMMARY OF REQUEST: The River Oaks PUD is located in the Okatie area on Cherry Point Road approximately 2,000 feet from SC 170. The property is immediately to the East of the Okatie Elementary school and south of the Osprey Point PUD. The applicant is requesting to amend the PUD by changing it from a senior village to a single-family subdivision. The revised master plan consists of 315 single-family houses. 124 of the lots will be 4,400 square feet (40' x 110'); and the remaining 191 lots will be 3,300 square feet (30' x 110'). The main entrance of the subdivision is off Cherry Point Road. The PUD proposes a connection to the Osprey Point PUD. The revised master plan provides a network of pedestrian sidewalks with a connection to the property line of Okatie Elementary. The lots along the perimeter of the property are proposed to be 4,400 square feet and be accessed from the front. The remaining lots will be 3,300 square feet and will be accessed by alleys.

Existing PUD: The River Oaks PUD sits on 63.5 acres and was designed to accommodate seniors (65 or older) with a combination of independent and assisted living quarters and a nursing home. The PUD consists of 118 cottages for independent living, 146 apartment units for independent and assisted living, and 66 nursing home beds. The original River Oaks PUD was approved by County Council in 2008 in conjunction with two adjoining PUDs – Osprey Point and Okatie Marsh. This action amended the zoning of a total of 284 acres and increased the allowable density nine-fold. The combined PUDs featured an integrated street network, a mix of land uses and housing types, and a system of pathways, sidewalks and bike lanes. County Council eventually supported the zoning change because they determined that these features made the community economically sustainable and provided enough internal trip capture to reduce the development's impact on SC 170. Since the adoption of the original PUD, in 2012 Okatie Marsh (395 dwelling units, 97.7 acres) was purchased through the Rural and Critical Lands Program. Additionally, in 2014, County staff approved an amendment to the River Oaks Development Agreement lifting an age restriction on the PUD.

B. CONSISTENCY WITH ZDSO PUD STANDARDS: The Zoning and Development Standards Ordinance states the purpose of PUDs is to implement the Comprehensive Plan by allowing flexibility that would result in improved design, character, and quality while preserving natural and scenic features. Innovative features may include preservation of open space and natural areas; greenways, sidewalks, and other bike/pedestrian features; enhanced landscaping and deeper buffers; vehicular and pedestrian connectivity; provision of affordable housing; dedication of public parks and community facilities; mitigating adverse impacts on neighboring properties, and burying utilities. The revised master plan addresses some of these features. The plan provides for a system of streets and blocks with a network of sidewalks and pathways. Three of the stormwater ponds also function as usable civic space that are accessible to community residents by being located on streets rather than in the interior of blocks. However, none of these provisions exceed what would be required under the County's Community Development code for a residential development of this density.

C. CONSISTENCY WITH THE COMPREHENSIVE PLAN: The future land use designation for the River Oaks PUD is Neighborhood Mixed-Use. This district calls for new development 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. Residential areas are to have a network of sidewalks and trails to link the development to retail, employment, and schools. The Plan allows for some density bonuses for the creation of affordable housing.

The River Oaks PUD is also designated as a village in the Place Type Overlay District which calls for clusters of residential neighborhoods of sufficient intensity to support a central, mixed-use environment. Villages are meant to be organized within an interconnected network of streets and blocks in multiple pedestrian sheds. They include areas where one has the opportunity to walk, bike, or ride transit to work, to fulfill daily shopping needs (such as groceries), and to access other amenities within close proximity.

D. STORMWATER: The County's Stormwater Manager reviewed the revised PUD and drainage plan and stated that the concept that the applicant has submitted is acceptable. However, the revised PUD document needs to clearly incorporate the County's existing Stormwater BMP Manual and any revisions that are made in the future. When the original PUD was approved in 2008, the County did not have volume control standards in place. The project's location on the Okatie River makes it crucial that it follow the latest standards and practices for stormwater management. The Okatie River is an impaired waterway and is currently protected by a set of Total Maximum Daily Load (TMDL) regulations to ensure its continued or improved health in the future.

E. CONSISTENCY WITH THE COMMUNITY DEVELOPMENT CODE (CDC):
The revised River Oaks Master Plan could never be approved under the County's Community Development Code. The CDC requires alleys for all blocks where the average lot width is less than 55 feet. 40% (124) of the lots in this proposed master plan are not accessed by alleys. The only district that would permit single-family residential lots of this size is T4 Hamlet Center (T4HC), which is meant to have a mix of housing types and uses.

F. TRANSPORTATION ISSUES:

- **Updated Traffic Impact Analysis (TIA) Ordinance Needed:** An updated Traffic Impact Analysis was submitted in March 2018. Due to recent personnel changes in the Traffic Engineering Department, staff has no recommendation at this point.

- **Paving of Cherry Point Road:** Approximately 1,300 feet of Cherry Point Road would need to be paved in order to accommodate this PUD.

G. POTENTIAL SCHOOL IMPACTS: The combined amendments to the Osprey Point and Cherry Point PUDs may have significant implications on the number of potential students. Both existing PUDs have age restrictions and therefore would have little to no impacts. The proposed amendments would result in the creation of 711 single-family dwelling units with no age restrictions. The School District has been given copies of the two revised PUDs and has expressed concerns about not having excess capacity to address the potential increase in the number of students in southern Beaufort County.

H. RECOMMENDATION: Staff **recommends denial** of the application for the following conditions:

- The proposed amendment does not meet the basic criteria for PUDs as outlined in the ZDSO. PUDs are meant to provide flexibility that would result in improved design, character, and quality while preserving natural and scenic features. Innovative features may include preservation of open space and natural areas; greenways, sidewalks, and other bike/pedestrian features; enhanced landscaping and deeper buffers; vehicular and pedestrian connectivity; provision of affordable housing; dedication of public parks and community facilities; mitigating adverse impacts on neighboring properties, and burying utilities. Other than the provision of some workforce housing, the only thing that the PUD affords the applicant is density (5.2 du per acre) that is double what would otherwise be permitted if the property was simply zoned C3 Neighborhood Mixed-Use (2.6 du per acre), the conventional district best suited to implement the future land use plan in the Comprehensive Plan.
- The Community Development Code makes provisions for residential lots smaller than 5,000 square feet in its higher transect zones. However, with this increased density come requirements for alleys and rear access, sidewalks on both sides of the street, on-street parking, and houses addressing the street. Forty percent of the lots proposed in this master plan are front loaded with front facing garages and do not meet these standards. These requirements are not simply aesthetic, but have a major functional component of separating vehicular and pedestrian movement and providing areas for parking in a high density environment. The proximity of this PUD to Okatie Elementary and the proposed price point of the houses may attract a large number of school age children, making the issue of pedestrian safety all the more important.
- Staff recommends that any revised master plan include alley access for all lots that are less than 55 feet in width; use of front porches for a majority of the houses; and additional useable open space that does not solely consist of stormwater ponds, wetlands, and required buffers.

Building Healthy Communities

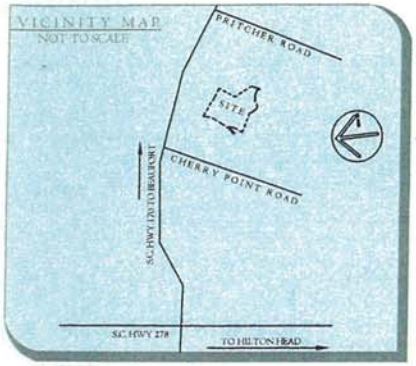
WARD EDWARDS

River Oaks

A Planned Mixed Use Development
Highway 170, Okatie, SC

PREPARED FOR:
ARD Hilton Head, LLC

Buildings	
Single Family Cottages (Age Restricted)	118 Units
Villas Congrtegate Care (Age Restricted)	108 Units
Assisted Living Units (Age Restricted)	15 Units
Nursing Units (Institutional)	66 Beds
ReHab Facility (Business)	10,000 SF
Memory Chapel (Institutional)	1,500 SF
Ancillary Uses	
Dining and Kitchens	15,000 SF
Recreation	10,000 SF
Admin and Home Health	5,000 SF
Maintenance and Service	2,500 SF
Miscellaneous	2,500 SF



NORTH
SOUTH CAROLINA NAD 83

0 150 300 600
SCALE: 1"=300'

PEDESTRIAN CIRCULATION ROUTE

BIKE CIRCULATION ROUTE

P.O. BOX 381
BLUFFTON, SOUTH CAROLINA 29910
PH (843) 837-5250 / FAX (843) 837-2558
http://www.wardedwards.com

Site Circulation Plan
PUD EXHIBIT 'K'

EXHIBIT B

LOT YEILD: 315

30' X 110'

40' X 110'

Total Acres: +/-61.21

Residential Density: 5.14 DU/AC

Open Space: 26.26 AC (42.90%)

NORTH

GRAPHIC SCALE 0 150' 300' 450'

PREPARED FOR:
VILLAGE PARK HOMES, LLC

PREPARED BY:
J. K. TILLER ASSOCIATES, INC.
LAND PLANNING LANDSCAPE ARCHITECTURE
181 BLUFFTON ROAD SUITE F203 BLUFFTON, SC 29910
Voice 843.815.4800 Fax 843.815.4802

Ward Edwards ENGINEERING

RIVER OAKS (MALIND POINTE) AMENDED MASTER PLAN

BEAUFORT COUNTY, SOUTH CAROLINA

FEBRUARY 2, 2018

JKT Job Number: 201703-01

T:\Projects\201703-01\-DWG\MasterPlan_MPointe.dwg, TITLE (PUBLIC), 2/5/2018 3:24:10 PM

BEAUFORT COUNTY COUNCIL

Agenda Item Summary

Item Title:

RCLP GreenPrint 2020 Process

Council Committee:

Natural Resources

Meeting Date:

May 20, 2019

Committee Presenter (Name and Title):

Stefanie M. Nagid, Passive Parks Manager

Issues for Consideration:

Hear a presentation on the 2020 process for updating the RCLPP GreenPrint.

Points to Consider:

The GreenPrint consists of a map and narrative document that outlines land acquisition priorities for the Rural and Critical Lands Preservation Program (RCLPP). The GreenPrint is updated every 5 years. Community Development Department Staff and the RCLPP Contractor will be working closely over the next 12-months to update the GreenPrint and develop an acquisition strategy.

Funding & Liability Factors:

None

Council Options:

Hear a presentation on the 2020 process for updating the RCLPP GreenPrint.

Recommendation:

Hear a presentation on the 2020 process for updating the RCLPP GreenPrint.

2020 PRELIMINARY GREENPRINT PROCESS

Project Timeline: June 1, 2019 – June 30, 2020

Project Coordinator: Beaufort County Community Development Department Staff, Beaufort County Open Land Trust and BCOLT subcontractor

Project Deliverables:

1. GIS Map displaying different levels of RCLPP opportunities and priorities
2. Parcel data associated with map
3. Narrative of opportunities and priorities

Task 1: Demonstrate Program Achievements - Prepare map and narrative of the program success as defined by:

1. Acres protected
2. Dollars spent
3. Ecosystems and landscapes protected
4. Historic/cultural sites protected

Task 2: Complete Beaufort County Static Mapping

1. Create Rural/Critical maps of planning areas displaying existing Beaufort County resources worthy of RCLPP protection (using scoring criteria)
    a. Natural resource data layers
    b. Add protected properties layer
    c. Sea level rise, storm surge, natural flood protection, marsh migration data layers

2. Draft narrative for each planning area
    a. Gaps in connectivity of ecosystems and landscapes
    b. Integrate County Comprehensive Plan Future Land Use, Cultural Resources and Natural Resources Elements

Task 3: Stakeholder/partner meetings to discuss map and narrative

1. Governments
2. Regional planning groups
3. Partners and Possible Partners
4. Conservation Organizations and Agencies
5. Historic/Cultural Interest Organizations

Task 4: Prepare Public Draft Greenprint Maps and Narrative

1. Opportunities to fill in gaps
2. Priorities of different groups
3. Identify different levels of protection opportunities for RCLPP

Task 5: Public Input Workshops on Draft Greenprint/Narrative in Planning Areas

Task 6: Incorporate public input & finalize Greenprint / Narrative (March 2020)

Task 7: Final Presentation and Adoption by Resolution

1. RCLP Board (April 2020)
2. County Natural Resource Committee (May 2020)
3. County Council (June 2020)

BEAUFORT COUNTY COUNCIL

Agenda Item Summary

Item Title:

Renewal Contract with Clemson for Public Education and Outreach Services related to Stormwater

Council Committee:

Natural Resources Committee

Meeting Date:

May 20, 2019

Committee Presenter (Name and Title):

Eric Larson, Director of Environmental Engineering and Land Management

Issues for Consideration:

Clemson currently provides public education and outreach services relating to stormwater to maintain compliance with MS4 permit requirements.

This service is unique and was approved as a sole source provider in 2016.

Points to Consider:

The renewal of this contract ($90,000 annually) would continue to support MOA's with the Town of Bluffton, City of Beaufort, Town of Port Royal and Town of Hilton Head; in which the County cost shares this expense with these municipalities. Cost to the County would be $45,828. The County has MOA with each Town and the City to cost share in this service (MOA are due for renewal in 2021.)

Funding & Liability Factors:

Included in annual stormwater budget.

Council Options:

Renew the contract with Clemson to continue to provide public education and outreach services relating to stormwater, or cancel the contract.

Recommendation:

To renew the public education and outreach services contract with Clemson.

RECEIVED
MAY 09 2019
Beaufort County Staff Attorney

PLEASE USE INTERNET EXPLORER (IE) AS YOUR BROWSER WITH THIS FORM

COUNTY COUNCIL OF BEAUFORT COUNTY
PURCHASING DEPARTMENT
106 Industrial Village Road
Post Office Drawer 1228
Beaufort, South Carolina 29901-1228

PURCHASING LEGAL REVIEW FORM

Form Number: 2019-0017

Select One:

- ○ Lease Agreement
- ○ Maintenance Agreement
- ○ Software Agreement
- ○ Warranty Agreement
- ○ Consulting Services
- ○ Construction Contract
- ◉ Service Contract
- ○ Other

Document Title: Contract Between BC and Clemson University

Document needed by: 5/13/2019

Description of documents:

Renewal Contract with Clemson Extension for Public Education and Outreach for MS4 Program compliance.

Department Head: Eric Larson,

Attachments (contract, agreement, lease, PO, committee aproval and/or any back up information)

Beaufort Co Contract - Clemson Ext. - Carolina Clear 2019.docx 75.66 KB | Click here to attach a file | Click here to attach a file

Click here to add more attachments

Form Completed by: ☑ Melissaa Date: 5/9/2019 8:50:17 AM

***** Department Head Review Section *****

Department Head Signature: ☑ elarson Date: 5/9/2019 8:51:01 AM

***** Purchasing Review Section*****

- ◉ Approve
- ○ Reject

Authorized Purchasing Signature: dthomas Date: 5/9/2019 10:11:50 AM

***** Legal Review Section *****

- ✓ Approve
- ○ Reject

Attachments:

Click here to attach a file | Click here to attach a file | Click here to attach a file

Insert more attachments here

Comments:

Authorized Legal Signature: [signature] Date: May 10, 2019

Cost of work is shared w/ municipalities. Costs are:
1. County $45,828
2. Balance to municipalities (x4)

CONTRACTUAL AGREEMENT BETWEEN CLEMSON UNIVERSITY AND BEAUFORT COUNTY

THIS AGREEMENT (the "Agreement") is made this 1st day of July, 2019, by and between Beaufort County, a political subdivision of the State of South Carolina (hereinafter referred to as the "County") and the Clemson Extension Service (hereinafter referred to as "Clemson"). This Agreement shall consist of all the terms, conditions, specifications and provisions required to deliver the scope of services defined heretofore.

WITNESSETH:

WHEREAS, the County is seeking to implement stormwater public education and outreach and public involvement/participation programming; and

WHEREAS, Clemson University holds in its Extension faculty and staff various levels of expertise concerning stormwater compliance requirements as promulgated by SC DHEC and USEPA; and

WHEREAS, Clemson University has developed an environmental outreach program (Carolina Clear), portions of which apply to the impact of stormwater on natural resources; and

WHEREAS, Clemson and the County desire to enter into an agreement relating to Beaufort County's requirement to implement strategic stormwater outreach and involvement programming subject to the terms, specifications, conditions and provisions of the contract as heretofore mentioned.

WHEREAS, Carolina Clear intends to educate citizens about the impacts of stormwater and means to improve stormwater management and provide outreach opportunities to address a broad range of water quality issues including the impact of stormwater on natural resources; and

WHEREAS, in furtherance of the mutual goals, Clemson and the County will collaborate to address stormwater public education and outreach and public involvement/participation; and

WHEREAS, Carolina Clear is a comprehensive approach developed by Clemson University Cooperative Extension Service (CUCES) to inform and educate communities about, among other issues, water quality, water quantity, and the cumulative effects of stormwater; and

WHEREAS, Carolina Clear addresses the special significance of South Carolina's water resources and the role these resources play in enhancing the state's economy, environmental health, and overall quality of life.

NOW, THEREFORE, in consideration of mutual covenants contained herein, the parties agree as follows:

ARTICLE 1
SCOPE OF SERVICES

Because each agreement is unique to the requirements of the circumstances, Clemson and the County agree that the specific metrics of each task shall be individually negotiated and delineated in the scope of services. Neither party has any responsibility for any performance obligations except as indicated within the scope of services.

Clemson does hereby offer to the County services for the purpose of providing stormwater-related public education and involvement programs and documentation of activities for Beaufort County, as contained and described in the scope of services.

Public awareness and education about natural resources is crucial to the process of protecting and restoring water quality. Clemson and the County will partner to deliver public education and outreach and public involvement/participation programming to general and targeted audiences towards achieving compliance with the public education and outreach and public involvement/participation requirements of the NPDES Phase II Stormwater Program.

In general, Clemson will lead a regional effort that includes strategic identification of behaviors and pollutants that can be addressed through stormwater education programming; implementation of an outreach campaign that seeks to address target behaviors, pollutants, and audiences; website presence and information made available to the public about pollution prevention; annual data report regarding program activities.

In order to assist the County in satisfying the Public Education and Outreach Minimum Control Measure, as required by the NPDES Phase II Stormwater Program, CUCES proposes to utilize selected components of the Carolina Clear program in order to:

- Coordinate and lead a regional body of partners including community representatives joined together by a shared interest in watershed restoration, protection, and improved stormwater management.
- Determine the appropriate public awareness campaign with the County and the community's guidance on target behaviors, audiences, pollutants and established venues and modes for outreach. Some program implementation approaches, BMPs (i.e., the program actions/activities), and measurable goals are contained in the individual agreement and seek to:
    - Form partnerships,
    - Use and develop education materials and strategies, and
    - Reach diverse audiences.
- Implement a strategic public education program with the County, or conduct equivalent outreach activities addressing the awareness of stormwater pollution and its effects on natural resources and the specific activities and safe alternatives to improve stormwater management.

In order to satisfy the Public Involvement/Participation Minimum Control Measure, as required by the NPDES Phase II Stormwater Program, CUCES proposes to:

- Provide opportunities for citizens and various audiences to become active in stormwater management.
- Provide program accountability measures including estimated number of people contacted, publications produced and distributed, and measures of outreach impacts and possible behavior change, and other specifics as appropriate considering SCDHEC and USEPA guidance.
- Other programs and measures as specified in the Contractual Agreement.

The parties specifically agree as follows:

Within thirty (30) days of the effective date of this Contract, Clemson will initiate a regional decision-making process with the County to define the goals and schedule for the scope of services described herein, establish activity reporting database, and produce website-ready information for the public, as follows:

1. Clemson will deliver public education and outreach and public involvement/participation with a goal to influence a more aware and involved public in regards to stormwater management decisions. The educational programs will include components designed for various residential and commercial audiences and others targeted for their impact to stormwater and nonpoint source pollution. This effort will be delivered through various means, as detailed below in Paragraphs 4 and 5. Events will be held at available facilities in such a way to reach diverse and regionally distributed audiences. Such instruction may include the furnishing of informational handouts, instructional manuals, promotional materials, webpages, logos, slogan, symbols, and similar such materials, as deemed appropriate by Clemson and the County.

2. The County will participate in a regional decision-making process to define regional priorities in regards to behaviors, pollutants, and audiences to be targeted for outreach. Additionally, the County will represent henceforth in this Contract, the communities of the City of Beaufort, Town of Bluffton, Town of Hilton Head Island and Town of Port Royal. The County shall provide input as available on audience demographics, behaviors based on staff observations, residential and commercial impacts related to stormwater management that may lead to compliance and enforcement actions, and other input based on stormwater operations.

3. The County shall provide information regarding readily available delivery modes for education and involvement programming (i.e., newsletters, community calendars, government access channels, community meetings, Council meetings, tax or water bills, etc.).

4. Clemson will raise public awareness using a mass media approach. Billboard and television public service announcements, radio broadcasts and interviews, newspaper articles,

stories and advertisements, and publications are among the outlets considered for use in this effort.

5. Each of the public-related activities described below will be part of the core program on an annual basis and will target a specific audience, all subject to modification with the approval of the County and Clemson, as well as acknowledging regulatory direction and interpretation by South Carolina DHEC.

Clemson will:

LEAD

5.1. Work with one regional association of **stormwater managers and local decision-makers** to update, plan, and determine regional public education and outreach and public involvement/participation priorities as part of a multi-year strategic plan with benchmarks of activities and measures of success annually (regional consortium identity to be decided).

5.2. Explore, pilot (as needed), and initiate strategic approaches to educating target audiences towards the goal of adopting improved behaviors and practices towards better stormwater management.

COMMUNICATE

5.3. Maintain webpage(s) with content specific to the regional outreach programs. Utilize tools to monitor website visits and other related statistics.

5.4. Maintain communication among regional partners through meetings, newsletters/e-news, one-on-one meetings, or other means established as best practice for the partnership.

IMPLEMENT

5.5. Plan, develop, present, and be a participant in at least three (3) **community** and **public** programs per year with emphasis on stormwater education. Provide resources to encourage continued learning and practice adoption.

5.6. Create at least three (3) news articles per year for the **area's residents and/or target audiences**.

5.7. Plan and present homeowner and yard owner program(s) for **individuals** and **families**. Distribute or provide materials for distribution as part of workshops and/or provide resources to encourage continued learning and practice adoption.

5.8. Provide at least one (1) **youth** program per year within the region such as

i. Adopt-A-Watershed which uses a local watershed,
ii. Storm Drain Marking,
iii. 4-H Wetlands Project explores estuaries, marshes, and swamps,
iv. $4H_2O$ Pontoon Classroom,
v. Engaging teachers in new watershed and stormwater curriculum meeting SC Standards, and
vi. EnviroScape®.

5.9. Present at least one (1) program per year that addresses pollution prevention and alternatives for a **target audience, as per the region's priorities**.

5.10. Develop and provide for the **general public**, within means, items such as banners and promotional giveaways to serve as a way to attract audiences and increase regional consortium visibility.

5.11. Utilize mass media outlets to provide statewide education at an increased cost-effectiveness; as needed, locally utilize mass media such as newspapers, radio, interviews and advertisements to address specific needs.

INVOLVE

5.12. Provide at least one (1) opportunity to involve an audience (**general public** or **commercial**) in improved watershed management and stormwater awareness.

5.13. Promote and expand web-based tools to encourage learning about and adoption of low impact development techniques (SC LID Atlas) and furthering involvement from citizens in watershed-focused volunteer opportunities (Watershed Stewardship Map) and through the use of demonstration sites as warranted appropriate.

REPORT

5.14. Provide and manage a user-friendly database to track each year's activities.

5.15. Annually, produce a document summarizing the year's efforts, successes, decision-making processes, partnerships and regional priorities.

5.16. On request and based on current regulatory guidance, provide data for public education and outreach and public involvement/participation measures of the Annual Report Checklist (or alternative document) required by DHEC of all Small Multiple Separate Storm Sewer Systems (MS4s).

6. Clemson will provide accountability statistics for each of the activities as best can be estimated. The statistics will include the following accomplishment indicators:

6.1. Number of educational programs and activities conducted.

6.2. Number of people reached through educational programs or involved by outreach programs according to method, audience or targeted behavior.

6.3. Number of people receiving information through "non-program" contacts such as telephone, office, visits, website contacts, visual and print media.

6.4. Evaluation of activities and the pollutant or behavior targeted.

6.5. As available, feedback on programs and anecdotal evidence of successful program implementation.

7. At a minimum of *once per permit cycle* (anticipated as no less than 3 years and no more than 5 years), and on the Carolina Clear statewide schedule so as to gain regional comparison information, implement statistically relevant survey instruments to gain insight on the awareness, knowledge and behaviors of the general public related to stormwater and watershed management, as well as regional effort awareness.

A mutually agreeable estimated delivery schedule shall provide activities distributed through each year in an Annual Activity Plan (as default) or on an otherwise agreed upon multi-year activity plan, which will be noted as a regional decision documented in writing for the regional entity.

ARTICLE 2
LIABILITY

The County and Clemson shall not be responsible to each other for any incidental, indirect or consequential damages incurred by either Clemson or County or for which either party may be liable to any third party which damages have been or are occasioned by services performed or reports prepared or other work performed hereunder. Further, Clemson's liability to the County and any other party for any losses, injury or damages to persons or properties or work performed arising out of/in connection with this Agreement and for any other claim, whether the claim arises in contract, tort, statute or otherwise, shall be limited to the amount of the total fees due to Clemson from the County hereunder.

ARTICLE 3
ASSIGNMENT

Clemson shall not assign or subcontract any rights or duties of this Agreement, except to an affiliated company, without the expressed written consent of the County, which consent shall not be unreasonably withheld, conditioned or delayed. Any assignment or subcontract without the written consent of County shall be void and this Agreement shall terminate at the option of the County.

ARTICLE 4
TERM

The initial term of this Agreement shall be for one (1) year beginning on the date of the last signature of this contract agreement. The contract may be extended an additional one (1) year twice, for a total of three (3) years, at the written mutual agreement of both parties, provided such agreement is executed no later than 30 days prior to the expiration of this contract. No amendments, changes or modifications will be effective until and unless reduced to writing and signed by the parties.

ARTICLE 5
COMPENSATION

The County shall provide payment in the amount of $90,000 annually for the core program, subject to the terms and conditions of this Agreement, unless additional services are amended to this Agreement. (To be invoiced as follows: FY 20 - $90,000 per year, FY 21 - $90,000 per year, FY 22 - $90,000 per year). Fees for additional services will be negotiated based on cost. These costs are based on the urbanized area population of each MS4, county and/or defined area(s), and represent the summation of fees for Beaufort County, City of Beaufort, Town of Bluffton, Town of Hilton Head Island, and Town of Port Royal, per Urbanized Area Populations determined in the most recent census.

ARTICLE 6
LIABILITY COVERAGE

Clemson is insured by the State Insurance Reserve Fund pursuant to the State Tort Claims Act. Beaufort County is also insured by the State Insurance Reserve Fund. The parties agree that each shall be responsible for the negligent acts or omissions of its own officers, employees, and agents operating within the scope of their employment and that neither is responsible for the negligent acts or omissions of the other's officers, employees, and agents in the performance of the requirements of this agreement.

Clemson does hereby covenant, agree and hereby represent to the County that Clemson has worker's compensation insurance, general liability and automobile liability insurance, as well as providing coverage against potential liability arising from Clemson's use or occupation of the premises during the course of performing the contracted services.

ARTICLE 7
DEFAULT

The remedies herein given to County shall be cumulative, and the exercise of any one remedy by the County shall not be to the exclusion of any other remedy.

ARTICLE 8
TERMINATION

In the event that Clemson fails to perform (or fails to commence the cure of any breach, which shall be diligently prosecuted in good faith) the services described herein within fifteen (15) business days of its receipt of a written demand from the County, County may terminate the Contract immediately upon notice provided such notice is at least thirty (30) business days following the County's notice of non-performance. In the event that the County breaches any of the terms of this Agreement including, but not limited to, non-payment, and fails to cure such breach within fifteen (15) business days of its receipt of a written demand from Clemson, Clemson may terminate the Contract immediately upon notice, provided such notice is at least thirty (30) business days following Clemson's notice of breach. Upon such termination, the County has the right to award the Contract to an alternate contractor.

ARTICLE 9
COUNTY RESPONSIBILITIES

The County will be responsible to provide Clemson reasonable access to County locations when necessary, ensure cooperation of County employees in activities reasonable and appropriate under the project, and obtain authorization for access to third party sites, if required.

ARTICLE 10
FORCE MAJEURE

Should performance of Clemson services be materially affected by causes beyond its reasonable control, a force majeure results. Force majeure includes, but is not restricted to, acts of God, acts of a legislative, administrative or judicial entity, acts of contractors other than subcontractors of Clemson, fires, floods, labor disturbances, and unusually severe weather. Clemson will be granted a time extension and the parties will negotiate an adjustment to the fee, where appropriate, based upon the effect of the force majeure upon Clemson's performance.

ARTICLE 11
SEVERABILITY

Every term or provision of this Agreement is severable from others. Notwithstanding any possible future finding by a duly constituted authority that a particular term or provision is invalid, void, or unenforceable, this Agreement has been made with the clear intention that the validity and enforceability of the remaining parts, terms and provisions shall not be affected thereby.

ARTICLE 12
INDEPENDENT CONTRACTOR

Clemson shall be fully independent in performing the services and shall not act as an agent or employee of the County. As such, Clemson shall be solely responsible for its

employees, subcontractors, and agents and for their compensation, benefits, contributions and taxes, if any.

ARTICLE 13
NOTICE

Clemson and the County shall notify each other of service of any notice of violation of any law, regulation, permit or license relating to the services; initiation of any proceedings to revoke any permits or licenses which relate to such services; revocation of any permits, licenses or other governmental authorizations relating to such services; or commencement of any litigation that could affect such services. Such notice shall be delivered by U. S. mail with proper postage affixed thereto and addressed as follows:

County:

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

Beaufort County
Attn: Beaufort County Purchasing Director
P. O. Drawer 1228
Beaufort, SC 29901-1228

Beaufort County Stormwater Utility
ATTN: Stormwater Manager
120 Shanklin Road
Beaufort, SC 29906

Clemson:

Clemson Extension Service
Attn: Director, CU Center for Watershed Excellence
230 Kappa Street
Clemson, SC 29634-0135

ARTICLE 14
MISCELLANEOUS

This Agreement is deemed to be under and shall be governed by and construed according to the laws of the State of South Carolina.

Any litigation arising out of the Agreement shall be held only in a Circuit Court of Beaufort County, Beaufort, South Carolina, in the Fourteenth Judicial Circuit.

This Agreement, including the terms, conditions, specifications and provisions listed herein makes up the entire agreement between Clemson and the County. No other Agreement, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or bind either party hereto. It is understood that this Agreement shall be considered exclusive between the parties.

ARTICLE 15
TOTAL AGREEMENT

This Agreement constitutes the entire agreement between the parties hereto. No representations, warranties or promises pertaining to this Agreement have been made or shall be binding upon any of the parties, except as expressly stated herein.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

WITNESSES:

_____

_____

BEAUFORT COUNTY, a political Subdivision of the State of South Carolina

Signature: _____
Name: Ashley Jacobs, County Administrator
P. O. Drawer 1228
Beaufort, SC 29901-1228

WITNESSES:

_____

_____

Clemson University Cooperative Extension Service

Signature: _____
Name: George Askew, Vice President for Public Service & Agriculture
Address: Clemson University