

COUNTY COUNCIL OF BEAUFORT COUNTY

ADMINISTRATION BUILDING
100 RIBAUT ROAD
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BEAUFORT, SOUTH CAROLINA 29901-1228
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SUZANNE M. RAINEY
CLERK TO COUNCIL

AGENDA NATURAL RESOURCES COMMITTEE

Tuesday, August 10, 2010
2:00 p.m.

Executive Conference Room
Administration Building

Committee Members:
Paul Sommerville, Chairman
Jerry Stewart, Vice-Chairman
Steven Baer
Gerald Dawson
Brian Flewelling
William McBride
Stu Rodman

Staff Support: Tony Criscitiello

2:00 p.m. 1. CALL TO ORDER

2. ZONING MAP AMENDMENT/ REZONING REQUEST TO LADY'S ISLAND R201-15-118, -508, -509, AND -510 (4 PROPERTIES) FROM LADY'S ISLAND COMMUNITY PRESERVATION (LICP) AND PROFESSIONAL OFFICE DISTRICT (POD) TO VILLAGE CENTER (VC); OWNER: OAKWOOD PROPERTIES, APPLICANT/AGENT: JANE HINCHER
([backup](#))
3. TEXT AMENDMENT TO THE BEAUFORT COUNTY COMPREHENSIVE PLAN, APPENDIX F, SECTION 8, MAY RIVER PLAN (ADDS NEW SECTION FOR MAY RIVER COMMUNITY PRESERVATION AREA PLAN)
([backup](#))
4. FUTURE LAND USE MAP AMENDMENT FOR THE MAY RIVER COMMUNITY PRESERVATION DISTRICT FROM RURAL TO RURAL COMMUNITY PRESERVATION AREA
([backup](#))
5. TEXT AMENDMENT TO THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), APPENDIX Q, MAY RIVER COMMUNITY PRESERVATION (CP) DISTRICT (ADDS NEW APPENDIX FOR DEVELOPMENT STANDARDS FOR THE MAY RIVER CP DISTRICT)
([backup](#))

A quorum of Council may be in attendance at all Committee meetings.
Please silence your cell phone during the meeting.

Over

6. ZONING MAP AMENDMENT FOR THE MAY RIVER COMMUNITY PRESERVATION DISTRICT FROM RURAL, RURAL-RESIDENTIAL, AND RURAL-TRANSITIONAL OVERLAY DISTRICTS TO MAY RIVER COMMUNITY PRESERVATION DISTRICT
 (backup)
7. WATER BUDGET ASSISTANCE AGREEMENT WITH SC DEPARTMENT OF NATURAL RESOURCES (DNR)
 (backup)
8. STORMWATER RETROFIT CONTRACT, PHASE 2
 (backup)
9. BEAUFORT COUNTY STORMWATER UTILITY EXTENT OF SERVICE (EOS) AND LEVEL OF SERVICE (LOS)
 (backup)
10. SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) / STORMWATER UTILITY INTERGOVERNMENTAL AGREEMENT (IGA) RECOMMENDATIONS
 - OPERATIONAL ALTERNATIVE
 - MINIMUM CONTROL MEASURES
 (backup)
11. TEXT AMENDMENT TO THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), ARTICLE V: TABLE 106-1098. GENERAL USE TABLE, COMMERCIAL USES – COMMERCIAL RETAIL, NEIGHBORHOOD (ADDS ALLOWABLE USE OF VARIETY STORES); AND SECTION 106-1285(D)(1) COMMERCIAL RETAIL, NEIGHBORHOOD (ADDS 10,000-SQUARE FOOT LIMITATION FOR VARIETY STORES IN RURAL BUSINESS DISTRICTS); APPLICANT: C. CAMPBELL
 (backup)
12. TEXT AMENDMENT TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), ARTICLE I, SECTION 106-9(B)(1)--NONCONFORMITIES (ADDS SUBSECTION THAT ALLOWS NONCONFORMING HISTORIC BUILDINGS TO BE ADAPTIVELY REUSED AND BECOME CONFORMING THROUGH APPROVAL OF A SPECIAL USE PERMIT)
 (backup)
13. CONSIDERATION OF REAPPOINTMENTS AND APPOINTMENTS
 - Construction Adjustments and Appeals Board
 - Southern Corridor Review Board
14. EXECUTIVE SESSION
 - Discussion of negotiations incident to proposed contractual arrangements and proposed purchase of property
15. ADJOURNMENT

County TV Rebroadcast	
Wednesday	9:00 a.m.
Thursday	1:00 a.m.
Friday	10:00 p.m.

Natural Resources		
Date	Time	Location
September 7	2:00 p.m.	ECR
October 4	2:00 p.m.	ECR
November 1	2:00 p.m.	ECR
December 6	2:00 p.m.	ECR



MEMORANDUM

TO: Natural Resources Committee of Beaufort County Council

FROM: Anthony Criscitiello, Planning Director TC

DATE: August 2, 2010

SUBJECT: Rezoning Request from Lady's Island Community Preservation (LICP) and Professional Office District (POD) to Village Center (VC)

EXCERPT OF PLANNING COMMISSION RECOMMENDATION from their draft meeting minutes of September 3, 2009:

Mr. Anthony Criscitiello briefed the Commission. 2.14 acres are involved in this rezoning request. There are existing businesses on the properties. The retail uses are not allowed in the current zoning of Professional Office District; however, the Village Center does allow retail uses. The Planning Staff supports the rezoning that is consistent with the surrounding zoning and the Comprehensive Plan. The Lady's Island Community Preservation (LICP) Committee and the Lady's Island/St. Helena Island Subcommittee both recommended approval of the request.

Public Comment: Mr. Cecil Mitchell noted that Oakwood I has been in existence since 1983. There is a gas station to the right of the properties and the Village Center is to the left of the properties. The property owner would like to have the ability to accommodate other businesses on the properties.

Commission discussion included either adding the abutting gas station as a courtesy to the upzoning or sending a letter to the gas station owner to upzone to the Village Center District, and desiring a list of the existing uses on properties.

Motion: Mr. Semmler made a motion, and Mr. Thomas seconded the motion, to recommend approval to County Council of the Zoning Map Amendment/Rezoning Request to Lady's Island R201-15-118, -508, -509, AND -510 (4 properties) from Lady's Island Community Preservation (LICP) District and Professional Office District (POD) to Village Center (VC); and further recommended that the Planning Department send a letter to the abutting property owner regarding the upzoning possibilities. No further discussion occurred. The motion was carried unanimously (FOR: Brown, Chmelik, Hicks, Petit, Riley, Semmler, Sutler and Thomas).

STAFF REPORT

A. BACKGROUND:

Case No. ZMA-2010-06
Applicant/Owner: Jane Hinchler / Oakwood Properties of Beaufort, LLC
Property Location: West side of SC 802 (Sam's Point Road) at Mayfair Court
District/Map/Parcel: R201-105-118, -508, -509 and -510
Property Size: 2.14 acres (total of 4 parcels)
Current Zoning District: Lady's Island Community Preservation (LICP) and Professional Office District (POD)
Proposed Zoning District: Village Center (VC)

B. SUMMARY OF REQUEST:

These properties are currently developed as the Oakwood I and Oakwood II centers on Lady's Island. Under the current zoning, these buildings are limited primarily to office and service uses. The applicant would like to broaden the list of allowable uses to include retail tenants. The properties are adjacent to the boundaries of the Village Center, which does permit commercial retail.

C. ANALYSIS: Section 106-492 of the ZDSO states that a zoning map amendment may be approved if the weight of the findings describe and prove:

1. *The change is consistent with the County's Comprehensive Plan and the purposes of this Ordinance.*

The current Future Land Use Map of the County's Comprehensive Plan shows this general area as "urban/mixed use" and "community commercial". These future land use designations are intended to accommodate a mix of residential and commercial uses. The property is already developed with two commercial buildings. Both the existing zoning of the property and the proposed district are consistent with these future land use designations. The site is also within a municipal growth boundary, but is not currently contiguous to a municipality.

2. *The change is consistent with the character of the neighborhood.*

The property is adjacent to the Village Center (VC) district and would be consistent with the general pattern of uses in the surrounding area.

3. The extent to which the property is consistent with the zoning and use of nearby properties.

The property is between a Village Center (VC) district on one side and a Professional Office District (POD) on the other. The POD parcel is currently used as a convenience store, which is a retail use not permitted by-right in the POD. The applicant wishes to allow retail uses at the Oakwood developments, which would not be inconsistent with nearby uses.

4. The suitability of the property for the uses to which it has been restricted.

The property has been used for offices and service businesses, which are permitted in both the POD and VC districts. There are grandfathered retail tenants in the buildings as well. The rezoning would simply make the retail uses conforming.

5. Allowable uses in the proposed district would not adversely affect nearby property.

The property is already developed, and it is unlikely it will be redeveloped in the near future. The property also fronts onto Sam's Point Road and contains a buffer along the rear next to single-family development. The property already contains grandfathered retail uses. Allowing these types of uses by right will not adversely affect nearby property.

6. The length of time a property has remained vacant as zoned, where the zoning is different from nearby developed properties.

The property is already developed with two commercial buildings.

D. TRANSPORTATION ASSESSMENT:

The proposed rezoning did not trigger the need for a traffic impact assessment (TIA) since the properties are already developed.

E. STAFF RECOMMENDATION:

After review of the guidelines set forth in Section 106-492 of the ZDSO, staff recommends approval of the requested rezoning from Lady's Island Community Preservation (LICP) and Professional Office District (POD) to Village Center (VC).

F. COMMUNITY PRESERVATION COMMITTEE RECOMMENDATION:

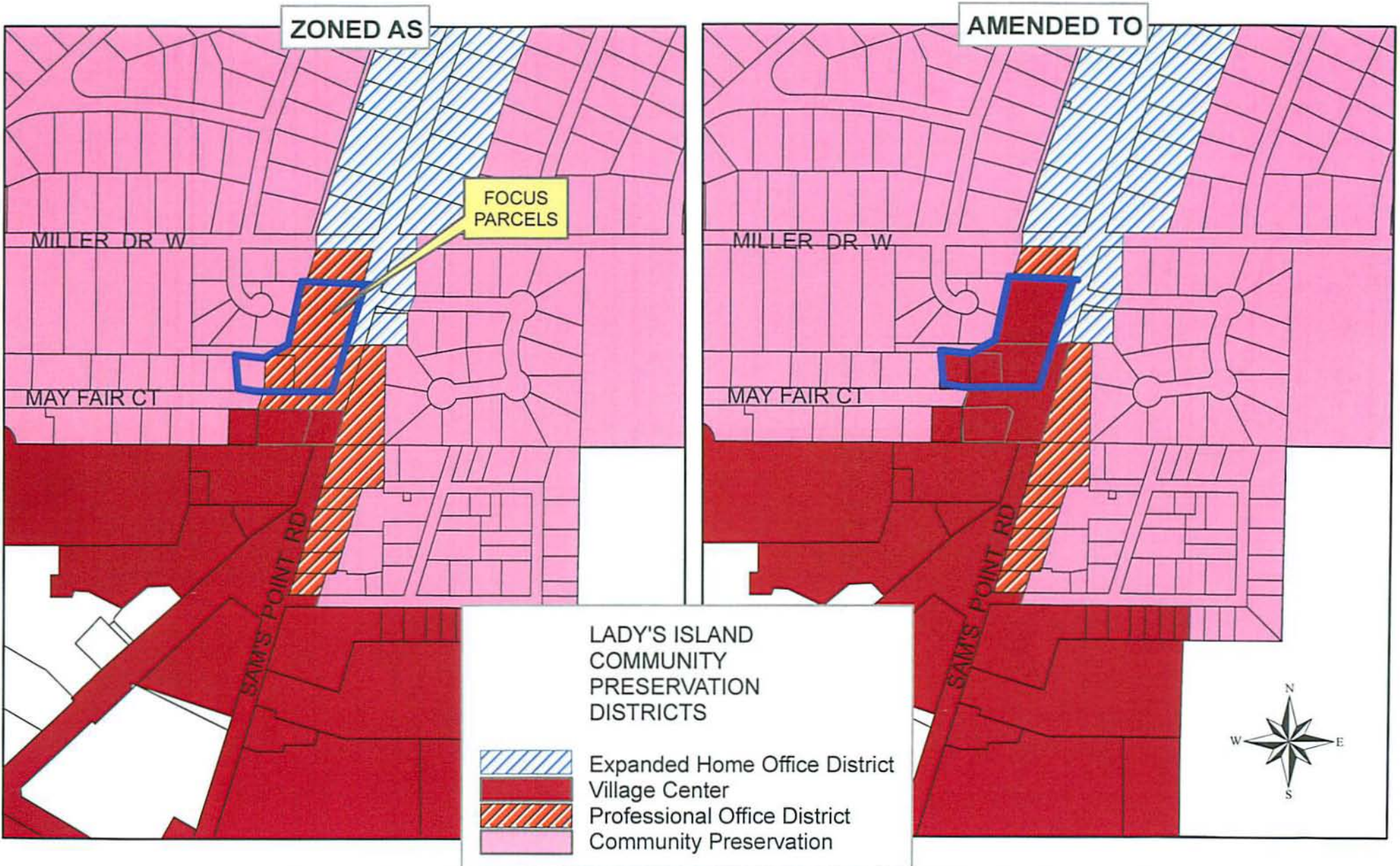
On June 7, 2010, the Lady's Island Community Preservation Committee met to discuss the proposed rezoning. The Committee voted unanimously to recommend approval of the request because the property is adjacent to the boundaries of the Village Center, is already developed, and the VC district will provide more flexibility to the property owner.

**G. LADY'S ISLAND/ST. HELENA ISLAND SUBCOMMITTEE
RECOMMENDATION:**

The Subcommittee met on June 16, 2010 to consider the proposed rezoning. No members of the public were present. Ms. LeGree made a motion, and it was seconded by Mr. Petit, to recommend approval of the rezoning request to the Planning Commission. The motion was carried unanimously (FOR: Hicks, LeGree and Petit).

H. ATTACHMENTS:

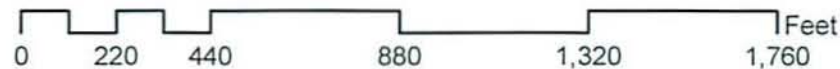
1. Zoning Map
2. Rezoning Application



LADY'S ISLAND ZONING MAP AMENDMENT

FROM Professional Office & Community Preservation Districts [POD, CP] TO Village Center [VC]
 IN THE LADY'S ISLAND COMMUNITY PRESERVATION DISTRICT

Action involves Parcels: R201 015 0118; R201 015 0508, 0509, & 0510;



**PROPERTY OWNERS NOTIFIED OF ZONING MAP AMENDMENT/REZONING REQUEST FOR LADY'S ISLAND
R201-15-118, -508, -509 AND -510 (4 parcels) from Community Preservation Profesional Office District (POD) to Village Center (VC)**

PIN_	OWNER1	MAILINGADD	CITY	STATE	ZIP
R200 015 000 0540 0000	RAHM HARRIET A	25 OAKWOOD DR	BEAUFORT	SC	29907
R200 015 000 0901 0000	REESE RICHARD M MARY J JTROS	PO BOX 9005	ORANGEBURG	SC	29116
R200 015 000 0543 0000	REINHARDT KIMBERLY M C/O WELLS FARO	1 HOME CAMPUS	DÉMOINES	IA	50328
R200 015 000 0529 0000	RODGERS GLENN I GLADYS E	3 OAKWOOD DRIVE	BEAUFORT	SC	29907
R200 015 000 0530 0000	ROSS GERALD S DONNA B JTROS	5 OAKWOOD DRIVE	BEAUFORT	SC	29907
R201 014 000 123B 0000	S C DEPT OF TRANSPORTATION	PO BOX 191	COLUMBIA	SC	29202
R200 015 000 0351 0000	SALSBERY ROY D	17 MILLER DR WEST	BEAUFORT	SC	29907-1424
R201 015 000 109, 109B, 109C	SANTAGATI ANTHONY S TRUSTEE ANTHONY	24 AUDUBON ROAD	BEAUFORT	SC	29907
R201 015 000 0300 0000	SINGLETON ROMAN NORMAN J JTROS	371 USSERY RD	CLARKSVILLE	TN	37043
R200 015 000 0346 0000	SMITH BENJAMIN Z	4 ASHLEY DR	BEAUFORT	SC	29907
R200 015 000 0119 0000	STRANDELL DAVID J C LEONHARDT DOMINI	1341 S 71ST ST	MILWAUKEE	WI	53214
R201 014 000 0123 0000	TABBY OAKS HOMEOWNERS ASSOCIATION %	PO BOX 1225	BEAUFORT	SC	29907
R200 015 000 0348 0000	TENNYSON ERIC EDWARD LEIGH JESSICA	1 ASHLEY RD	BEAUFORT	SC	29907
R201 015 000 0116, 0525, 0523	TERRA DEVELOPMENT GROUP INC	2732 DEPOT RD	BEAUFORT	SC	29902
R201 015 000 0512 0000	THOMAS RICHARD D & NANCY K	48 SUNSET BLVD	BEAUFORT	SC	29907
R200 015 000 0627 0000	WACHOVIA BANK NATIONAL ASSOCIATION	PO BOX 2248	JACKSONVILLE	FL	32206-2248
R200 015 000 0550 0000	WERSLER DONALD D NAPIER DONNA WERSLE	2 OAKWOOD DR	LADYS ISLAND	SC	29907
R200 015 000 119B 0000	WILSHUSEN DANIEL J KANE KEITH A JT	2758 PEPPERTREE DR	FAIRFIELD	CA	94533
R200 015 000 0628 0000	YON CHRYSTAL V	26 MILLER DR WEST	BEAUFORT	SC	29907

**PROPERTY OWNERS NOTIFIED OF ZONING MAP AMENDMENT/REZONING REQUEST FOR LADY'S ISLAND
R201-15-118, -508, -509 AND -510 (4 parcels) from Community Preservation Profesional Office District (POD) to Village Center (VC)**

PIN_	OWNER1	MAILINGADD	CITY	STATE	ZIP
R201 015 000 118A 0000	ANJUD 2 LLC	57 SAMS POINT ROAD	BEAUFORT	SC	29907
R201 015 000 0910 0000	ARP LLC	30 SAMS POINT ROAD	BEAUFORT	SC	29901
R200 015 000 0367 0000	ASHLEY DUANE STEPHEN	14 WOODBINE DR	BEAUFORT	SC	29907-9804
R200 015 000 0344. 0531	BEAUFORT HOUSING AUTHORITY	PO BOX 1104	BEAUFORT	SC	29907
R200 015 000 0541 0000	BERGER MICHAEL B	27 OAKWOOD DR	BEAUFORT	SC	29907
R200 015 000 0547 0000	BEVERLY GEORGE M ROXANNE W JTROS	8 OAKWOOD DRIVE	BEAUFORT	SC	29907
R201 015 000 0513, 0514	BLEY FREDERICK E JR	1800 DEBBY LANE	BEAUFORT	SC	29906
R201 015 000 0521. 0522	BRANTON JUDY C LONG TERRI D MORRIS	9 MAYFAIR COURT	BEAUFORT	SC	29907
R200 015 000 0546 0000	BYRUM TSUNEKO A/K/A JEAN TADA BYRUM	1224 PINESBOROUGH EST RD	SEMORA	NC	27343
R200 015 000 0549 0000	CARR ROBERT E CATHERINE D JTROS	4 OAKWOOD DRIVE	BEAUFORT	SC	29907-9303
R200 015 000 0622 0000	CARTE JOSEPH J JENNIFER JTROS	2 JASMINE CT	BEAUFORT	SC	29907
R200 015 000 0349 0000	CARTER MARION E	21 MILLER DR WEST	BEAUFORT	SC	29907
R201 015 000 117B 0000	CATRABONE DONALD R	8 JOE KENNEDY BLVD	STATESBORO	GA	30458
R200 015 000 0626 0000	COLEMAN JOHN M ELAINE E JTROS	41 GREYS MARKET RD	EARLY BRANCH	SC	29916
R200 015 000 0532 0000	CRAFT RODNEY W LISA S JTROS	9 OAKWOOD DR	BEAUFORT	SC	29907-2009
R200 015 000 0623 0000	GERMER-HENSEN SALLY M	4 JASMINE COURT	BEAUFORT	SC	29907
R200 015 000 0347 0000	HOLCOMBE EDDIE C	PO BOX 1548	BEAUFORT	SC	29905
R201 015 000 0520 0000	HUDSON RONALD H	536 SAM'S POINT RD	BEAUFORT	SC	29907
R200 015 000 0544 0000	HUFF CLIFFORD O	ST RTE 5 BOX 71 1/2	BEAUFORT	SC	29907
R200 015 000 0548 0000	JACKSON LEROY S JR CYNTHIA M	22 BELMORE PLACE	MARLBORO	MA	01752
R200 015 000 0542 0000	JIMENEZ JAVIER LAYSSA I JTROS	29 OAKWOOD DR	BEAUFORT	SC	29907
R200 015 000 119C 0000	KANE FLORA MILLER GERALD F JTROS	14 MILLER DRIVE WEST	BEAUFORT	SC	29907
R200 015 000 119D 0000	KANE KEITH A WILSHUSEN DANIEL J	2758 PEPPERTREE DRIVE	FAIRFIELD	CA	94533
R200 015 000 0763, 0734. 0302A. 0306A, 0308, 0302A, 0302	KOLEN THOMAS	522 9TH AVE SOUTH	ONALASKA	WI	54650
R200 015 000 0629 0000	LALUK AUDREY MICHELLE WOODLEY	1 JASMINE CT	BEAUFORT	SC	29907
R200 015 000 0345 0000	LEDDON DAVID E ENRIQUETA G JTROS	6 ASHLEY DRIVE	BEAUFORT	SC	29907
R200 015 000 119E 0000	LEE ADDIE H STEVEN M	18 MILLER DR W	BEAUFORT	SC	29907-1423
R200 015 000 0089, 0090, 0091	MCGILL JACK JR CATHY L JTROS	115 W RIVER DR	BEAUFORT	SC	29907
R200 015 000 0350 0000	MEAD WILLIAM RANDOLPH	19 MILLER DR W	BEAUFORT	SC	29907
R201 015 000 0660 0000	MELVIN RAY CALDWELL PATRICIA R	4 SETTLERS COVE	BEAUFORT	SC	29907
R200 015 000 0625, 0630	MITCHELL BROTHERS INC	PO BOX 352	BEAUFORT	SC	29907-0352
R201 015 000 0511 0000	MORRIS KEITH C	LOT 8 MAYFAIR CT	BEAUFORT	SC	29901
R200 015 000 0528 0000	MULLEN ROBERT C GAIL S JTROS	96 WADE HAMPTON DRIVE	BEAUFORT	SC	29907
R201 015 000 0118, 0508, 0509	OAKWOOD PARTNERSHIP	PO BOX 352	BEAUFORT	SC	29907
R201 015 000 0510 0000	OAKWOOD PROPERTIES OF BEAUFORT LLC	PO BOX 1925	BEAUFORT	SC	29901-1925
R200 015 000 0545 0000	O'CONNELL ANN D	26 OAKWOOD DRIVE	BEAUFORT	SC	29907
R200 015 000 0108 0000	O'NEAL WILLIAM G STEWART STANLEY	PO BOX 205	BEAUFORT	SC	29901
R201 015 000 0517, 0519	PALMER JAMES A HARVEY-PALMER PATRICI	57 CUSABO ROAD	ST HELENA ISL	SC	29920
R201 015 000 0117, 0515	PAVEY PATRICIA G	913 MAGNOLIA BLUFF	BEAUFORT	SC	29907
R200 015 0000 0096, 0368, 0369, 0098, 0097	PETERS FREDERICK J JR LINDA DALE #	1 BLYTHEWOOD RD	BEAUFORT	SC	29907-9804
R200 015 000 0624 0000	POLIS JESSICA L	6 JASMINE COURT	BEAUFORT	SC	29907-1425



COUNTY COUNCIL OF BEAUFORT COUNTY
BEAUFORT COUNTY PLANNING DEPARTMENT
Multi Government Center • 100 Ribaut Road, Room 115
Post Office Drawer 1228, Beaufort, SC 29901-1228
Phone: (843) 470-2724 • FAX: (843) 470-2731

June 9, 2010

RE: Notice of Public Meetings to Consider a Lady's Island Map Amendment/Rezoning Request for R201 15 118, R201 15 508, 509, 510, from Lady's Island Community Preservation (LICP) and Professional Office District (POD) to Village Center (VC) within the Lady's Island Community Preservation Area; Owner: Oakwood Partnership; Agent/Applicant: Jane M. Hinchler

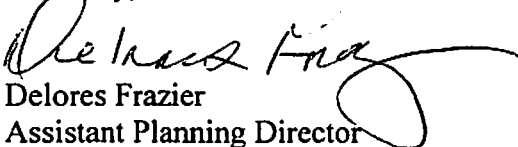
Dear Property Owner:

In accordance with the Beaufort County Zoning & Development Standards Ordinance, Section 106-402, a public hearing is required by the Beaufort County Planning Commission and the Beaufort County Council before a rezoning proposal can be adopted. You are invited to attend the following meetings and public hearings to provide comments on the subject proposed map amendments in your neighborhood. A map of the properties is on the back of this letter.

1. The Lady's Island/St. Helena Island Subcommittee of the Beaufort County Planning Commission – **Wednesday, June 16, 2010,** at 5:30 p.m. at the Beaufort Airport Conference Room on Lady's Island, 39 Airport Circle, Beaufort, SC.
2. The Beaufort County Planning Commission (public hearing) – **Thursday, July 1, 2010,** at 6:00 p.m. in the County Council Chambers, located on the first floor of the Beaufort County Administration Building, 100 Ribaut Road, Beaufort, SC.
3. The Natural Resources Committee of the County Council – **Tuesday, August 10, 2010,** at 2:00 p.m. in the Executive Conference Room, located on the first floor of the Beaufort County Administration Building, 100 Ribaut Road, Beaufort, SC.
4. Beaufort County Council – usually meets second and fourth Mondays at 4:00 p.m. in the County Council Chambers of the Beaufort County Administration Building, 100 Ribaut Road, Beaufort, SC., or at the Beaufort County Library, Hilton Head Island Branch, 11 Beach City Road, Hilton Head Island, SC. County Council must meet three times prior to making a final decision on this case. Please contact the County Planning Department for specific dates, times and location.

Documents related to the proposed amendment are available for public inspection between 8:00 a.m. and 5:00 p.m., Monday through Friday, in the Beaufort County Planning Department office located in Room 115 of the Beaufort County Administration Building. If you have any questions regarding this case, please contact the Planning Department at 255-2140.

Sincerely,


Delores Frazier
Assistant Planning Director

Attachment on back of letter

BEAUFORT COUNTY, SOUTH CAROLINA
PROPOSED ZONING/DEVELOPMENT STANDARDS ORDINANCE
ZONING MAP/TEXT AMENDMENT APPLICATION

TO: The Chairman & Members of Beaufort County Council

The undersigned hereby respectfully requests that the Beaufort County Zoning/Development Standards Ordinance (ZDSO) be amended as described below:

1. This is a request for a change in the (check as appropriate):
 Zoning Map Designation/Rezoning Zoning/Development Standards Text

2. Give exact information to locate the property for which you propose a change:
Tax District Number: R 201, Tax Map Number: 015, Parcel Number(s): 006 0118 0000
Size of subject property: 96 Square Feet/Acres (circle one)
Location: 53 Sams Point Rd, Lady's Island, SC

3. How is this property presently zoned? (Check one)
 Urban/U Community Preservation/CP/P0D Light Industrial/LI
 Suburban/S Commercial Regional/CR Industrial Park/IP
 Rural/R Commercial Suburban/CS Transitional Overlay/TO
 Rural Residential/RR Research & Development/RD Resource Conservation/RC
 Planned Unit Development/PUD

4. What new zoning do you propose for this property? Village Center
(Under Item 10 explain the reason(s) for your rezoning request.)

5. Do you own all of the property proposed for this zoning change? Yes No
Only property owners or their authorized representative/agent can sign this application. If there are multiple owners, each property owner must sign an individual application and all applications must be submitted simultaneously. If a business entity is the owner, the authorized representative/agent of the business must attach: 1- a copy of the power of attorney that gives him the authority to sign for the business, and 2- a copy of the articles of incorporation that lists the names of all the owners of the business.

6. If this request involves a proposed change in the Zoning/Development Standards Ordinance text, the section(s) affected are: _____
(Under Item 10 explain the proposed text change and reasons for the change.)

7. Is this property subject to an Overlay District? Check those which may apply:
 AOD - Airport Overlay District MD - Military Overlay District
 COD - Corridor Overlay District RQ - River Quality Overlay District
 CPOD - Cultural Protection Overlay District

8. The following sections of the Beaufort County ZDSO should be addressed by the applicant and attached to this application form:
a. Section 106-492, Standards for zoning map amendments.
b. Section 106-493, Standards for zoning text amendments.

9. Explanation (continue on separate sheet if needed): We would like to broaden the list of allowable uses to include retail. The property is already developed with grandfathered retail tenants and the adjacent parcel on 802 and Mayfair Court is zoned Village Center now.

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

Oakwood Properties of Beaufort, LLC

Jane M. Hinchel, member/manager

5-11-10

Signature of Owner

Date

Printed

Name: Jane M. Hinchel

Telephone

Number: 843-522-2181

Address: PO Box 352, Beaufort, SC 29901

Agent (Name/Address/Phone):

FOR MAP AMENDMENT REQUESTS, THE PLANNING OFFICE WILL POST A NOTICE ON THE AFFECTED PROPERTY AS OUTLINED IN SEC. 106-402(D) OF THE BEAUFORT COUNTY ZDSO.

UPON RECEIPT OF APPLICATIONS, THE STAFF HAS THREE (3) WORK DAYS TO REVIEW ALL APPLICATIONS FOR COMPLETENESS. THE COMPLETED APPLICATIONS WILL BE REVIEWED FIRST BY THE BEAUFORT COUNTY PLANNING COMMISSION SUBCOMMITTEE RESPONSIBLE FOR THE AREA IN WHICH YOUR PROPERTY LIES. MEETING SCHEDULES ARE LISTED ON THE APPLICATION PROCESS (ATTACHED). COMPLETE APPLICATIONS MUST BE SUBMITTED BY NOON THREE (3) WEEKS PRIOR TO THE APPLICABLE SUBCOMMITTEE MEETING DATE.

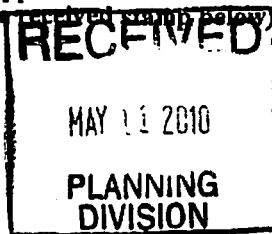
PUD APPLICANTS WILL BE REQUIRED TO SUBMIT MULTIPLE COPIES TO THE PLANNING DEPARTMENT. CONSULT THE APPLICABLE STAFF PLANNER FOR DETAILS.

CONTACT THE PLANNING DEPARTMENT AT 470-2724 FOR APPLICABLE APPLICATION FEES.

FOR PLANNING DEPARTMENT USE ONLY:

Date Application Received:

(place received stamp below)



Date Posting Notice Issued: 6/4/10

Application Fee Amount Received: \$250.00

Receipt No. for Application Fee: 11101 dtd 5/11/10

ZMA

BEAUFORT COUNTY, SOUTH CAROLINA
PROPOSED ZONING/DEVELOPMENT STANDARDS ORDINANCE
ZONING MAP/TEXT AMENDMENT APPLICATION

TO: The Chairman & Members of Beaufort County Council

The undersigned hereby respectfully requests that the Beaufort County Zoning/Development Standards Ordinance (ZDSO) be amended as described below:

1. This is a request for a change in the (check as appropriate):
 Zoning Map Designation/Rezoning () Zoning/Development Standards Text

2. Give exact information to locate the property for which you propose a change:
Tax District Number: R 201, Tax Map Number: 015, Parcel Number(s): 0508 0000
Size of subject property: .62 Square Feet/Acre(s) (circle one)
Location: 55 Sams Point Rd, Lady's Island, SC

3. How is this property presently zoned? (Check one)
() Urban/U Community Preservation/CP/POD () Light Industrial/LI
() Suburban/S () Commercial Regional/CR () Industrial Park/IP
() Rural/R () Commercial Suburban/CS () Transitional Overlay/TO
() Rural Residential/RR () Research & Development/RD () Resource Conservation/RC
() Planned Unit Development/PUD

4. What new zoning do you propose for this property? Village Center
(Under Item 10 explain the reason(s) for your rezoning request.)

5. Do you own all of the property proposed for this zoning change? Yes () No
Only property owners or their authorized representative/agent can sign this application. If there are multiple owners, each property owner must sign an individual application and all applications must be submitted simultaneously. If a business entity is the owner, the authorized representative/agent of the business must attach: 1- a copy of the power of attorney that gives him the authority to sign for the business, and 2- a copy of the articles of incorporation that lists the names of all the owners of the business.

6. If this request involves a proposed change in the Zoning/Development Standards Ordinance text, the section(s) affected are: _____
(Under Item 10 explain the proposed text change and reasons for the change.)

7. Is this property subject to an Overlay District? Check those which may apply:
() AOD - Airport Overlay District () MD - Military Overlay District
 COD - Corridor Overlay District () RQ - River Quality Overlay District
() CPOD - Cultural Protection Overlay District

8. The following sections of the Beaufort County ZDSO should be addressed by the applicant and attached to this application form:
a. Section 106-492, Standards for zoning map amendments.
b. Section 106-493, Standards for zoning text amendments.

9. Explanation (continue on separate sheet if needed): We would like to broaden the list of allowable uses to include retail. The property is already developed with grandfathered retail tenants and the adjacent parcel on 802 and Mayfair Court is zoned Village Center now.

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

Oakwood Properties of Beaufort, LLC

Jane M. Hincer, member/manger 5-11-10
Signature of Owner Date

Printed Name: Jane M. Hincer Telephone Number: 843-522-2181

Address: PO Box 352, Beaufort, SC 29901

Agent (Name/Address/Phone):

FOR MAP AMENDMENT REQUESTS, THE PLANNING OFFICE WILL POST A NOTICE ON THE AFFECTED PROPERTY AS OUTLINED IN SEC. 106-402(D) OF THE BEAUFORT COUNTY ZDSO.

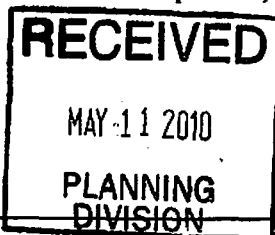
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CONTACT THE PLANNING DEPARTMENT AT 470-2724 FOR APPLICABLE APPLICATION FEES.

FOR PLANNING DEPARTMENT USE ONLY:

Date Application Received:
(place received stamp below)



Date Posting Notice Issued: Posted 6/4/10

Application Fee Amount Received: \$250⁰⁰

Receipt No. for Application Fee: 11101 dtd 5/11/10

BEAUFORT COUNTY, SOUTH CAROLINA
PROPOSED ZONING/DEVELOPMENT STANDARDS ORDINANCE
ZONING MAP/TEXT AMENDMENT APPLICATION

TO: The Chairman & Members of Beaufort County Council

The undersigned hereby respectfully requests that the Beaufort County Zoning/Development Standards Ordinance (ZDSO) be amended as described below:

1. This is a request for a change in the (check as appropriate):
 Zoning Map Designation/Rezoning () Zoning/Development Standards Text

2. Give exact information to locate the property for which you propose a change:
Tax District Number: R201, Tax Map Number: 015, Parcel Number(s): 0509 0000
Size of subject property: 28 Square Feet/Acres (circle one)
Location: 55 Sams Point Ad, Lady's Island, SC

3. How is this property presently zoned? (Check one)
 Urban/U Community Preservation/CP/PoD Light Industrial/LI
 Suburban/S Commercial Regional/CR Industrial Park/IP
 Rural/R Commercial Suburban/CS Transitional Overlay/TO
 Rural Residential/RR Research & Development/RD Resource Conservation/RC
 Planned Unit Development/PUD

4. What new zoning do you propose for this property? Village Center
(Under Item 10 explain the reason(s) for your rezoning request.)

5. Do you own all of the property proposed for this zoning change? Yes () No
Only property owners or their authorized representative/agent can sign this application. If there are multiple owners, each property owner must sign an individual application and all applications must be submitted simultaneously. If a business entity is the owner, the authorized representative/agent of the business must attach: 1- a copy of the power of attorney that gives him the authority to sign for the business, and 2- a copy of the articles of incorporation that lists the names of all the owners of the business.

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Oakwood Properties of Beaufort, LLC

Jane M. Hincer, member/manager

5-11-10

Signature of Owner

Date

Printed Name: Jane M. Hincer

Telephone Number: 843-522-2181

Address: PO Box 352, Beaufort, SC 29901

Agent (Name/Address/Phone):

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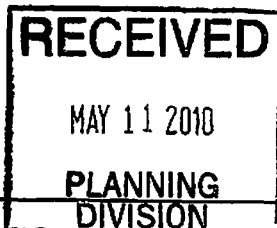
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Receipt No. for Application Fee: 11101 H 5/11/10



Rev. 11/2004

FILE NO: 2010-06 Initiated by: STAFF / OWNER
(Circle One)

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TO: The Chairman & Members of Beaufort County Council

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1. This is a request for a change in the (check as appropriate):
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2. Give exact information to locate the property for which you propose a change:
Tax District Number: R201, Tax Map Number: 015, Parcel Number(s): 0510 0000
Size of subject property: .28 Square Feet/Acres (circle one)
Location: 55 Sams Point Rd, Lady's Island, SC

3. How is this property presently zoned? (Check one)
() Urban/U Community Preservation/CP/PoD () Light Industrial/LI
() Suburban/S () Commercial Regional/CR () Industrial Park/IP
() Rural/R () Commercial Suburban/CS () Transitional Overlay/TO
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Jane M. Hinchey, member/manager
Signature of Owner

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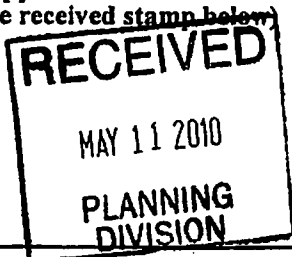
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ZMA-06



PLANNING DIVISION MEMORANDUM

TO: Natural Resources Committee of Beaufort County Council
FROM: Anthony Criscitiello, Planning Director *TC*
DATE: August 2, 2010
SUBJECT: May River Community Preservation Plan and Code

Excerpt of PLANNING COMMISSION RECOMMENDATION from its July 1, 2010, draft meeting minutes:

Mr. Anthony Criscitiello briefed the Commission. This is an opportunity to create a new community preservation district. Grass-roots planning has occurred. He noted that the May River Community Preservation (CP) Committee was appointed by the Planning Commission and it took 5 years to reach this point. The citizens wanted to preserve the rural character of the area. Small scale limited commercial uses and residential uses are being promoted to preserve May River Road and the May River water quality. Along the river itself, the recommended minimum lot size is 5 acres. Cluster development is recommended. A substantial 60% of open space is recommended, with 80% open space in cluster developments. Guest houses are limited on the south side of May River Road. The basic principle is the preservation of a rural environment. The community wants an opportunity to review projects in their area and recommends that two voting members from the CP Committee be placed onto the Corridor Review Board for that purpose. The Town of Bluffton endorsed this proposal and sees this district as the rural edge of its town. This is the basis of the form-based code that is to be adopted in the future.

Public Comment:

1. Mr. Jimmy McIntyre, chairman of May River Community Preservation (CP) Committee and a resident living along the May River, noted that there has been a huge amount of sprawl along the river. When a 5-acre property developed into five 1-acre lots, the community was galvanized into preserving the rural character of the area. He noted that a large amount of acreage was put into conservation easement during the Committee's existence. He thanked the Planning staff for their efforts.
2. Mrs. Virginia Brannon lives along Stoney Creek which flows into the May River. She lives on a family compound that her husband's family has lived on for 200 years. They feel that they have been penalized by the proposed amendment. They have 6 acres and they have two sons and one son will not have property under the proposed amendment. Their family's 66 acres are currently zoned rural--6 family members have 6 acres each and their great aunt has 30 acres. The aunt will not have a problem with her 30 acres. All the other families will have similar problems with their 6 acres.

Mr. Criscitiello noted that the existing family compound provisions are carried forward so that the family compound would prevail. The guest houses can be used by family units not to exceed a total of 5,000 square feet, which is provided in the proposed ordinance.

Discussion regarding family compounds included:

- a reiteration that the family compound standards override the Community Preservation (CP) standards;
- the provisions for family members to live on the land using guest houses;
- the difference between guest houses on a single property and a subdivided lot for ownership;
- the current rural zoning compared to the proposed CP district;
- the CP Committee's willingness to accommodate family members but not to allow subdivision for sale to non-family members; and
- clarification on subdividing under the family compound standards.

Mr. McIntyre noted that the family compound issue was widely debated by the CP Committee. He himself has owned 17 acres since 1946 and had the same concerns. He believes the family compound issue has been addressed by the proposed ordinance.

Mr. Criscitiello noted that the family compound guidelines (Section 106-2105) included a sliding scale where the density is based on the number of acreage, that the property was in the family for 50 years or more, and proof of family membership. Subdivisions of property are allowed to be sold outside of the family after a certain period. There are other opportunities for guest houses.

Mr. Robert Brannon, a Stoney Creek resident, asked "If we build a guest house, who owns the guest house? Presently there is a house on one acre and five acres are basically timberland. When I pass it on, how does the son without a house put his own house on the property?" He stated that at most there will be 2 homes on their 6 acres.

Chairman Hicks replied that if you qualified as a family compound then the general mood was not to remove the family compound rule from the proposed May River CP District.

Additional discussion included:

- a reiteration that the family compound laws were included in the proposed May River Community Preservation (CP) District;
- a clarification on the boundaries of the May River CP District that was selected by the May River CP Committee;
- newspaper, not individual, public notification of the May River CP map and text amendments that was made as was the practice recommended by the County Attorney for large areas of map amendments;
- a query on the public notification of the May River CP Committee meetings;
- the May River CP Committee mailing letters to individual property owners at the onset of the CP meetings;
- the interim density standard that was changed from 1 unit per acre to 1 unit per 3 acres;
- the May River CP Committee receiving no negative public comment on the proposed density;
- the tremendous amount of land on the southside of May River Road that has gone into conservation easement;
- the five-year period of the May River CP Committee process that might have caused the fall-out/fatigue of interest;
- recommending changing the open space language to requiring a percent of open space to remain as undisturbed open space, suggesting planting native/indigenous vegetation and not mandating irrigating non-native species;

- the difficulty of enforcing the requirement of non-leasing or non-renting the guest houses—suggesting instead “not to be used as a commercial entity”;
- recommending the specific measurement used to determine the building height;
- clarifying the standards for fencing, private gate houses and monumental/ornamental entryways;
- a recommendation that the Commissioners or the Planning staff rewrite the document;
- agreeing with the May River CP Committee forming an Implementation Committee;
- disagreeing with the May River CP Committee adding two members to the Corridor Review Board (CRB) since all the other CP Districts do not have that provision and it would disturb the CRB with non-technical voting members;
- a suggestion for the Planning Commission to defer for 30 days;
- recommending an additional notification to the public; and
- the options open to the Planning Commission regarding these map and text amendments.

Mr. McIntyre wanted the Commission to understand that the CP process has been going on for five years. There appears to be some concerns that not a lot of people knew about this and that there has been some skullduggery has occurred. There were 40 or so people when the meetings originally occurred, with the S.C. Department of Transportation briefing the CP Committee. The longer this takes, the more development occurs. Businesses are coming back to the area. Delaying the vote is delaying the adoption process. The Planning staff informed the CP Committee of the consequences of the Corridor Review Board (CRB) provision. The CP Committee felt it made sense that they should have a say so in the CP District on CRB projects.

Chairman Hicks noted that the Lady’s Island was the first Community Preservation (CP) District and they did not consider being a part of a technical committee. Once the CP amendments were adopted the Committee disappeared.

Note: Chairman Hicks recessed the meeting at approximately 7:36 p.m. and reconvened the meeting at approximately 7:42 p.m.

Motion: Mr. Thomas made a motion, and Ms. Chmelik seconded the motion, to recommend that the Planning Staff consider amending the May River CP Plan as follows:

1. for the 60% open space requirement, consider requiring at least a major portion of the open space be undisturbed open space;
2. for the irrigation requirement, consider it as an option not a requirement if indigenous materials are used;
3. for preventing the leasing/renting of guest houses, consider removing or altering the language since enforcement of such requirements would be difficult;
4. for building height measurements, consider adding language that determines how the measurement is calculated by citing the Building Code ordinance;
5. for fencing, clarify the type/style that should be painted or left natural; and
6. for private gate houses and monumental/ornamental entryways, clarify the requirements are to be pedestrian in nature.

Further discussion included recommending that notification letters be mailed to individual property owners. The motion was carried (FOR: Brown, Chmelik, Hicks, Petit, Riley, Sutler and Thomas; AGAINST: Semmler).

Motion: Ms. Chmelik made a motion, and Mr. Thomas seconded the motion, to recommend that County Council approve the Text Amendment to the Beaufort County Comprehensive Plan

adding Section 8 of Appendix F, May River Plan that adds a new plan for the May River Community Preservation Area, with the clarifications of removing the Corridor Review Board membership and the assurance of the inclusion of the family compound standards in the May River CP Plan. No further discussion occurred. The motion was carried unanimously (FOR: Brown, Chmelik, Hicks, Petit, Riley, Semmler, Sutler and Thomas).

Motion: Ms. Chmelik made a motion, and Mr. Thomas seconded the motion, to recommend that County Council approve the Text Amendments to the Zoning and Development Standards Ordinance (ZDSO), Appendix Q, May River Community Preservation (CP) District that adds a new appendix for the development standards for the May River CP District, with the clarifications of removing the Corridor Review Board membership and the assurance of the inclusion of the family compound standards in the May River CP District. No further discussion occurred. The motion was carried unanimously (FOR: Brown, Chmelik, Hicks, Petit, Riley, Semmler, Sutler and Thomas),

Motion: Ms. Chmelik made a motion, and Mr. Semmler seconded the motion, to recommend that County Council approve the Beaufort County Future Land Use Map Amendment for the May River Community Preservation District from Rural Area to Rural Community Preservation Area. No further discussion occurred. The motion was carried unanimously (FOR: Brown, Chmelik, Hicks, Petit, Riley, Semmler, Sutler and Thomas),

Motion: Ms. Chmelik made a motion, and Mr. Semmler seconded the motion, to recommend that County Council approve the Southern Beaufort County Zoning Map Amendment for the May River Community Preservation District from Rural, Rural-Residential, and Rural-Transitional Overlay Districts to May River Community Preservation District. Further discussion included a clarification of the boundaries, Pritchardville CP is separate from May River CP. The motion was carried unanimously (FOR: Brown, Chmelik, Hicks, Petit, Riley, Semmler, Sutler and Thomas).

STAFF REPORT:

The Beaufort County Planning Department is forwarding the attached documents for your review and approval: the draft May River Community Preservation Plan (Appendix F, Section 8, of the Beaufort County Comprehensive Plan) and the draft May River Community Preservation Code (Appendix Q of the Beaufort County Zoning and Development Standards Ordinance (ZDSO)).

The compilation of the May River Community Preservation (CP) documents involved significant coordination between Beaufort County and the Town of Bluffton. Portions of the original Bluffton Community Preservation District have been expanded to create a new linear district that incorporates land surrounding May River Road (Highway 46) and the May River. This corridor is bounded on the west by the Old Town area of Bluffton and the east by the Pritchardville Community Preservation District.

Coordination between the Town of Bluffton and Beaufort County continue, as each jurisdiction recently began the process of drafting a jurisdiction-wide, form-based zoning ordinance. The May River Community Preservation Code is not a form-based document; however, the CP Committee, Beaufort County, and the Town of Bluffton are in agreement that both documents promote a vision

that will effectively co-exist with future zoning amendments to the surrounding area. Additionally, the Code is relatively simple in format, making it amenable to a form-based template, should there be a future desire to assimilate the documents.

In 2005, a group of concerned citizens (unofficially known as the May River Road Planning Committee) began meeting on a regular basis to identify critical issues affecting the May River / Highway 46 Corridor, as well as potential solutions. The group envisioned their efforts as a precursor to the County's Community Preservation process.

The official CP process convened in 2007. Those interested in serving on the committee were asked to submit their names to the County's CP Planner. Citizens from surrounding (unincorporated) communities, as well as those who had served on the May River Road Planning Committee were deemed eligible. At a subsequent meeting, the community selected, by vote, the 13-member May River CP Committee. The Beaufort County Planning Commission approved and appointed the Committee.

The Committee met with representatives from agencies that service or might potentially impact the May River / Highway 46 Corridor (the Trust for Public Land, Town of Bluffton representatives, Greater Bluffton Pathways, Beaufort-Jasper Water and Sewer Authority (BJWSA), May River Waterbody Management Plan Project Team, etc.). Through this process the Committee was able to identify issues which they believed were most pertinent to the future of their community. These include:

- Preserving the low density and rural residential character of the corridor
- Preserving the existing rural character along May River Road
- Preserving the environmental integrity of the May River
- Maintaining a clear edge between urbanized areas (Bluffton, Pritchardville) and rural areas (the May River Road corridor)
- Preserving undeveloped lands within the District through acquisition and easements.
- Providing contextual pathways and trails

In early 2008 a new planner assumed the Community Planning position. While a great deal of zoning work had been completed, the Community Planner asked the Committee to first develop a detailed Plan aimed at identifying and addressing the Corridor's more significant issues. This is especially important given the Town of Bluffton and Beaufort County's commitment to jointly pursue State and Federal Byway status for much of May River Road. The Committee was receptive to the changes, and work began to complete the Community Plan. In late spring of 2009 the Draft Plan was completed, reviewed, and adopted by the Committee. Beaufort County Planning Department Staff were asked to begin work on a Code that would implement the concepts and policies conveyed in the Plan.

MAY RIVER COMMUNITY PRESERVATION (CP) COMMITTEE

The May River CP Committee met on June 1, 2010, at the New River Campus of the Technical College of the Lowcountry (TCL). The members present did not constitute a quorum of the committee; but, the committee members present decided to hear from the Planning staffs of the

County and the Town of Bluffton anyway. The committee listened to an invited guest from South Carolina Department of Transportation (SCDOT) about the Federal Scenic Highway Program. Mrs. Tesa Griffin, the SCDOT Scenic Byway Coordinator, explained the program and how the May River SC46 highway may be eligible for Federal Scenic Highway designation. Mr. Milt Rhodes with the Town of Bluffton pointed out that the study for May River Road was a good start; and that an application could be put together in short order.

Next the May River CP Committee heard from Anthony Criscitiello, Beaufort County Planning Director, about the Comprehensive Plan amendment and the Zoning and Development Standards Ordinance (ZDSO) text amendment that constituted the plan and the zoning for the proposed May River CP District. The discussion that ensued was lengthy and involved but can be summarized as follows: (1) The CP plan can be used as a basis of the future Form-Based Code for the area in cooperation with the Town of Bluffton; (2) The Town of Bluffton is fully in support of the County's CP planning efforts since the May River CP forms a rural "edge" that is important to Town's Form-Based Code planning efforts; (3) The CP Committee had very little to say about the actual planning documents and indicated that all of it was dealt with in previous meetings – some minor corrections by individual members of the committee will be forthcoming to the County; (4) The Committee wanted to meet with the County's Southern Corridor Review Board, the Mayor of Bluffton and the Chairman of County Council to get the joint County / Town review function implemented as per the Southern Regional Plan. This meeting is scheduled for June 9, 2010.

The CP Committee meeting concluded in a positive manner and the Committee members will be at all future meetings of the Planning Commission and County Council as the project moves forward to adoption.

SOUTHERN BEAUFORT COUNTY SUBCOMMITTEE

On June 10, 2010 the Southern Beaufort County Subcommittee of the Beaufort County Planning Commission held a meeting at the Bluffton Library. At the meeting Mrs. Diane Chmelik and Mr. Ed Riley were present representing the Planning Commission. A quorum of the subcommittee was not present and no formal vote was taken. Mr. Anthony Criscitiello, Beaufort County Planning Director, presented the May River CP Plan and Code to the subcommittee in attendance. The items covered in the discussion included the fact that four (4) amendments to the Beaufort County Comprehensive Plan and the Beaufort County Zoning and Development Standards Ordinance (ZDSO) will be necessary; the rural nature of the CP districts will have very few land uses allowed; preservation of the scenic quality of the Highway 46 corridor is a strong core value; and water quality of the May River is also a strong value. The Town of Bluffton supports the CP planning process and will honor the CP once adopted by the County. Also, the CP committee will contribute two (2) voting members to the Southern Corridor Review Board (CRB) when CP items come before the Southern CRB. Other discussions of technical aspects of the CP zoning code occurred, but were viewed as minor issues. Overall the CP Plan for the May River Corridor was well received by the subcommittee. Mr. Jimmy McIntyre, the Chairman of the May River CP Committee, was present to participate in the discussion and expressed his strong support of the CP Plan and Code. With no further business, the meeting was adjourned at 6:15 p.m.

APPENDIX F, SECTION 8.
MAY RIVER COMMUNITY PRESERVATION (CP) PLAN

MAY RIVER COMMUNITY PRESERVATION DISTRICT PLAN

Purpose

The purpose of the May River Community Preservation Plan is to preserve the unique character of the May River / Highway 46 corridor by articulating a direction for future development of this community. The Plan addresses Natural & Cultural Resources, Land Use, Transportation, and Recreation. As a policy document, appended to the County's Comprehensive Plan, this plan is to be used to guide zoning, subdivision, facilities funding and design, and community development decisions made by government officials and agencies. The May River Community Plan serves as a foundation and the structure upon which more detailed policies, standards and master plans may be developed.

Process

In 2005, a group of concerned citizens (unofficially known as the May River Road Planning Committee) began meeting on a regular basis to identify critical issues affecting the May River / Highway 46 Corridor, as well as potential solutions. The group envisioned their efforts as a precursor to the County's Community Preservation process. The official CP process convened in 2007. Those interested in serving on the committee were asked to submit their names to the County's CP Planner. Citizens from surrounding (unincorporated) communities, as well as those who had served on the May River Road Planning Committee were deemed eligible. At a subsequent meeting, the community selected, by vote, the 13 member May River CP Committee. The Beaufort County Planning Commission approved and appointed the Committee.

The Committee met with representatives from agencies that service or might potentially impact the May River / Highway 46 Corridor (the Trust for Public Lands, the Town of Bluffton, Greater Bluffton Pathways, BJWSA, May River Waterbody Management Plan Project Team, etc.). Through this process the Committee was able to identify issues which they believed were most pertinent to the future of their community. These include:

- Preserving the low density and rural residential character of the corridor
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- Maintaining a clear edge between urbanized areas (Bluffton, Pritchardville) and rural areas (the May River Road corridor)
- Preserving undeveloped lands within the District through acquisition and easements.
- Providing contextual pathways and trails

THE MAY RIVER COMMUNITY PRESERVATION DISTRICT

The majority of issues and goals outlined in this plan relate to preserving the status of the May River Corridor. Both Highway 46 and the May River have a capacity at which point they will reach a tipping point and become unsustainable in their current form. Given all of the approved development in Southern Beaufort County, Highway 46 is predicted by the County to fail by 2025.

Beaufort County and the Town of Bluffton are engaged in a constant effort to keep the May River pristine and healthy. The biggest threat to the river is overdevelopment of the immediate area. Currently, the average density of the entire CP District is just one unit per 8 acres.

The Town and County have committed to the establishment of consistent and compatible zoning regulations along the Highway 46 Corridor. Yet, along the eastern portion of the corridor the two jurisdictions utilize different regulatory tools and zoning. If this is to be the case, it is important that the future land use map for Beaufort County and the Town Of Bluffton are compatible in this area. Otherwise, there will be tremendous pressure for additional annexations.

Recommendation

Protect the unique rural character that exists along the Highway 46 corridor by promoting low intensity development that preserves the district's scenic attributes and rural feel while severely limiting commercial uses.

MAY RIVER CP DISTRICT DEVELOPMENT INTENSITY & CHARACTER

a. Development North of May River Road

The established density should be one unit per three acres on the north side of May River Road. This is in keeping with the density of Beaufort County's Rural Zoning District. The required open space will be 60% of the site. The minimum lot size is ½ acre.

Should the applicant agree to intense clustering of residences, with 80% open space, then the applicant should receive a bonus that permits them to subdivide at a rate of one unit per two acres. The applicant will be encouraged to construct a range of lot sizes, from ¼ acre cottage lots to 1 acre estate lots.

Connectivity to existing communities shall occur. When developing new neighborhoods open spaces shall be contiguous, usable (greenway with trails, parks, playgrounds, etc), and used to define the neighborhood edge. Whenever possible these lands shall be linked to neighboring green belts and open spaces.

b. Development South of May River Road

Due to the environmental sensitivity of the May River and the anticipated capacity of Highway 46 the established density should be one unit per five acres on the south side of May River Road. It is recommended that the required open space be comprised of 60% of the site. The minimum lot size should be 1 acre, unless the subdivision is on sewer, in which case the minimum lot size should be 1/2 acre.

Unless otherwise noted in the Scenic Road Overlay Standards, all development should reside behind a 100 foot setback (measured from the edge of the ROW), the first 75 feet of which shall be a vegetated buffer with 80% opacity (overstory, understory, and shrubs). Whenever possible the buffer should be comprised of indigenous species, requiring minimal (initial) to no irrigation or replacement. If non-indigenous species are utilized, the buffer shall require the use of irrigation to ensure survival.

1. River Lots

Waterfront lots in new subdivisions should have a minimum of 250 feet of parallel frontage along the May River or its tributaries. Furthermore, all development should be set back 100 feet from the OCRM Critical line. Existing lots of record should be exempt.

2. Guest Houses

Existing lots of record of 2 acres in size or greater are permitted one guest house not to exceed 2,000 square feet. A Guest House is deemed to be a part of the main property owner's "compound" and is not intended to be subdivided for other uses. They are for use by the property owner and his/her family and guests only. They should not be used for lease or rent, and should gain their access from the driveway of the principal house.

Parcels created after the adoption of the May River CP Code that are 5 acres or more in size should be permitted to have one or more Guest Houses. However, the total square footage of all guest dwellings (guest houses) should not exceed 75% of the square footage of the principal house. Furthermore, the total square footage of all guest houses (when added together) should not exceed 5000 square feet.

This formula allows for the equivalent of two estate homes (principal, and guest house); a "main" house with two "significantly" sized houses (principal, and two guest houses); or a "main" house and three traditionally sized cottages (principal, and three guest houses). Anything more significant essentially establishes the definition of a neighborhood. Construction of the principal dwelling must occur prior to, or in conjunction with any guest houses. Manufactured homes shall not be permitted to be used as guest houses.

MAY RIVER CP DISTRICT DEVELOPMENT FUNCTION

In order to ensure that this stretch of corridor remains rural it is anticipated that residents will head to Town or to Pritchardville to fulfill their daily needs. Therefore, the CP District should primarily consist of low density residential development. However, a few very low intensity, businesses (in keeping with the character of the roadway) such as farm stands, bed and breakfasts, and home based businesses will be allowed in the district. The design specifications for businesses requiring additional exposure and access will be addressed in the SCENIC ROAD OVERLAY DESIGN STANDARDS.

- Permitted Without Limitations
 - Agricultural
 - Residential
 - Single Family detached
 - Single Family Cluster
 - Family Compound
- Permitted With Limitations
 - Residential
 - Guest House
 - Home Occupation
 - Home Business
 - Commercial and Retail
 - Bed and Breakfast (not in excess of 6 rentable bedrooms)
 - Permanent Produce Stands

MAY RIVER CP DISTRICT DEVELOPMENT FORM

The Community Preservation District is actually bisected by two geographic features, the May River, and Highway 46. Both the River and the Highway serve as transportation and recreation corridors. These serve as the windows to the District. It is from these vantage points that people interpret the "character" and "feel" of the area. Therefore, the committee recommends the application of two overlay districts specifically aimed at addressing development within these corridors. These overlay districts shall be referred to as the Scenic Road Overlay and the River Overlay.

The boundary for the River Overlay will be measured 500 feet from the critical line and the boundary for the Scenic Road Overlay will extend 500 feet from the centerline of the road respectively. The current Corridor Overlay District regulations (located in Appendix B of the Beaufort County Zoning and Development Standards Ordinance (ZDSO)) will apply to Highway 46 unless they are in direct conflict with regulations found in the Scenic Road Overlay; in which case the Scenic Road overlay supersedes the Corridor Overlay District. The additional standards reflect the area's natural surroundings and ensure that development portrays a rural context.

Recommendation

Encourage a NATURAL and RURAL aesthetic by promoting context sensitive design standards, preserving the existing tree canopy over and adjacent to the highway, and maintaining the thoroughfare as a two lane highway.

a. Development within the Scenic Road Overlay

1. Regulation / Review

Within the May River Corridor, only non-residential properties and those places where the public frontage (i.e. road right of way) and the private frontage (i.e. a new neighborhood entranceway) converge shall be reviewed by the Joint Corridor Review Board (JCRB). Such non-residential uses are extremely limited in scope within the Community Preservation District and do not warrant the establishment of an individual review board. The CP Committee will have the right to nominate two additional members to sit in and vote when commercial projects from the May River CP District are heard by the JCRB. The two nominees shall reside in the May River CP District. Ideally, one citizen representative and one "design professional" (employed in a field such as Planner, Urban Designer, Architect, and Landscape Architect) will characterize the representatives from the May River CP District.

2. Aesthetics

This overlay is intended to give the impression that the Highway 46 corridor primarily bisects lands in an open or cultivated state or that are sparsely settled. Despite the increasing population density of this area, the primary viewshed should make every effort to reflect woodlands and agricultural land.

It should be recognized that there is a vast difference between a low intensity, formally regulated corridor, and one with a truly "rural" context. Outside of Town, May River Rd. exudes a truly rural context. The informality of the corridor allows for "eclecticism" and promotes a "sense of uniqueness". While the corridor is no longer agricultural, the dominant features are woodlands, wetlands, and scattered vernacular buildings of various setbacks. There is also an undeniable character associated with this Corridor; one that is very much in keeping with the "rural south".

All new residential development shall reside behind a 100-foot setback (measured from the edge of the right-of-way (ROW)), the first 75 feet of which will include a vegetated buffer with 80% opacity (both overstory & understory and shrubs). The buffer shall be comprised of indigenous species and shall be irrigated and replaced wherever and whenever necessary.

3. Streets and Trails

Highway 46 is a very heavily traveled roadway that would normally be considered by S.C. Department of Transportation (SCDOT) for widening. In order to prevent

this, every measure possible to slow traffic down while allowing free movement must be attempted. The posted speed should not exceed 45 mph.

Secondary roads should be designed to calm or slow traffic as opposed to promoting its free flow. Promote creative ways to narrow road width and defer to the natural landscape as much as possible. Roads shall not utilize curb and gutter, but rather swales. Turning radii should be shallow unless impeded geographically. "Environmental or green" features and "rural & natural" materials shall be listed and encouraged in the code. Off-road bicycle trails and walkways that are that are pervious, natural, and appropriate for rural settings should be included in every new development. However, to exclude the "resort look" and maintain both the tree canopy and overall rural character they shall be considered for placement off of the road. Sidewalks are only appropriate for small lot clusters, and these should utilize surface materials that are pervious and or natural.

The Community Preservation Committee will form an implementation committee that will meet seasonally as needed. This committee will be charged with implementation (as needed), accessing how the plan is working, and nominating to the County Council two representatives for the JCRB. In terms of the Corridor Overlay, as improvements are made along the highway or communities develop along the highway frontage, this committee will work with various public entities (County, SCDOT, SCE&G) and landowners / developers to examine the burying of existing power lines along the ROW. Portions of this ROW could serve as a trail system or bike lane.

4. Plantings and Lighting

Plantings in rural areas are typically naturalized and native as opposed to being formal and symmetric. Plantings (landscaping) within the Highway Buffer should native or indigenous species. These require minimal (initial) to no irrigation or replacement. If non-indigenous species are utilized, the buffer shall require the use of irrigation to ensure survival.

As an ecologically sensitive, rural corridor, overhead lighting should be used only when necessary to address issues of safety. Such lighting should not consist of standard cobra head lights, but rather an aesthetically pleasing alternative. Lighting is anticipated on both signage (private business) and for security purposes (residences). At this scale, Pipe and Post lighting is most appropriate. Within a subdivision, column lighting may also be used; however, it is most appropriate around clustered housing or smaller lots.

5. Fencing, Private Entryway Features, Signage

Fencing on land that abuts the Highway 46 ROW should be split rail (2, 3, or 4 rails) and maintained in its natural condition, or painted a color currently found along the corridor (i.e. white, Charleston green, black, etc). Living fences composed of wood and wire are also allowed and encouraged both in

neighborhoods and in lieu of privacy fences. Chain link, metal, or so called “privacy” fences are prohibited. Picket fences, while filled with character, are more indicative of sub-urban housing districts. They are prohibited along Highway 46.



Examples of rural split rail fencing.

Private gatehouses and monumental or ornate entryways are prohibited along the Highway 46 ROW. A break in the fencing, a small hanging sign, and possibly a light is all that is necessary. Those developments requesting additional entryway structures must locate them at least 150’ from the centerline (at the buffer line). All entry features shall be in keeping with the rural nature of the preservation district and shall be approved as part of the JCRB process.

Projecting, wall, and monument type signage should be permitted; however, it is critical that it be of a proper scale and rural character. These items are encouraged to be unique in their composition and made of natural materials (wood, metal, brick, etc).



Examples of rural signage.

Recommendation

Accommodate future development along the May River and discourage visual blight by promoting context sensitive (Lowcountry maritime) and environmentally sound design standards.

b. Development within the Scenic River Overlay

1. Future Development Pattern

The Scenic River Overlay is intended to ensure that future structures are befitting of their maritime setting and do not overwhelm the corridor both visually and environmentally.

The Scenic River Overlay should require all development to be setback a minimum of 100 feet from the OCRM critical line. Guidelines will also address vegetation standards, selective clearing criteria, and enforcement provisions. With the exception of the view corridor guidelines found in the ZDSO, the first 50 feet of the 100-foot setback shall be maintained in its natural state.

A principal residence should not exceed a maximum height of 2.5 stories (35 feet) or 40 feet with appurtenances.

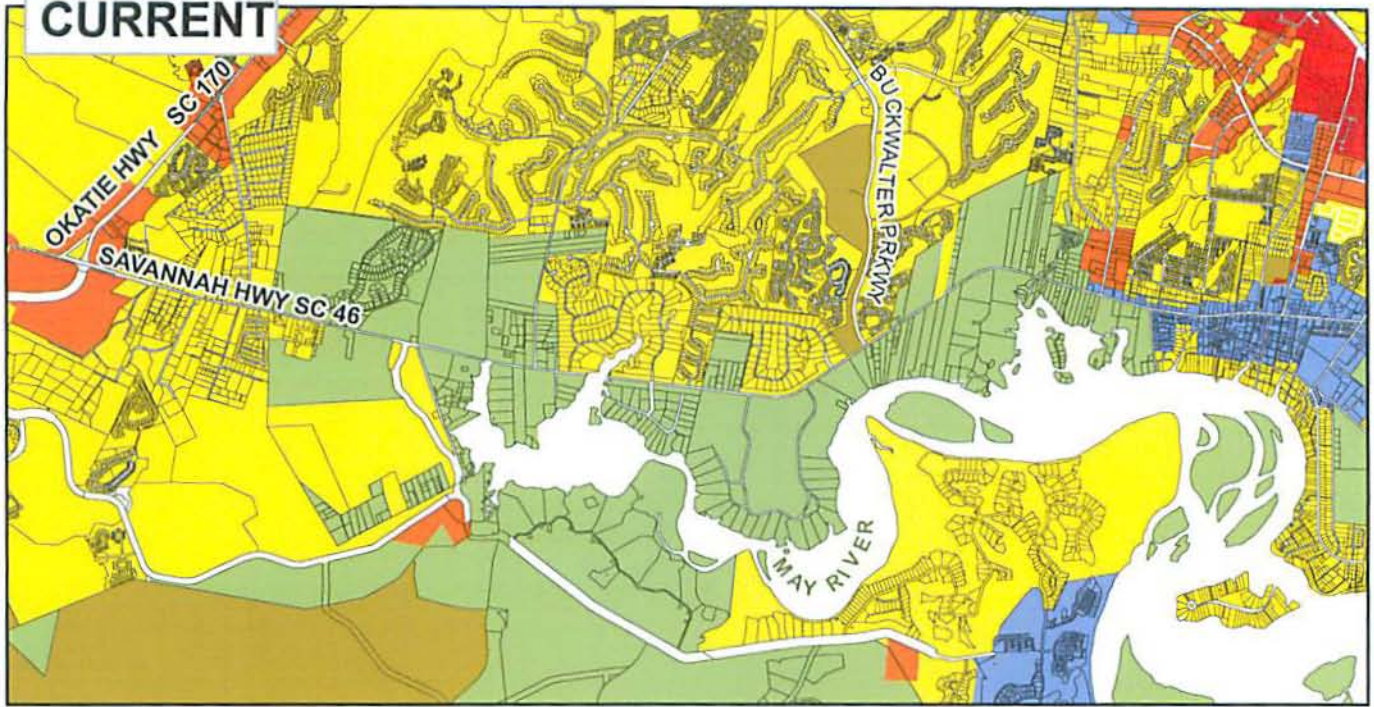
In order to prevent visual clutter, houses that directly front the river or a tidal creek should maintain a minimum riverfront lot width of 250 feet and locate accessory structures or Guest Cottages on the landward side of the main residence. The setback and lot width negates the need for architectural review of individual residences within the River Overlay.

If a property is located in both Overlay Districts the primary dwelling may front whichever corridor the applicant chooses. Residential uses on Highway 46 are not part of the JCRB review process.

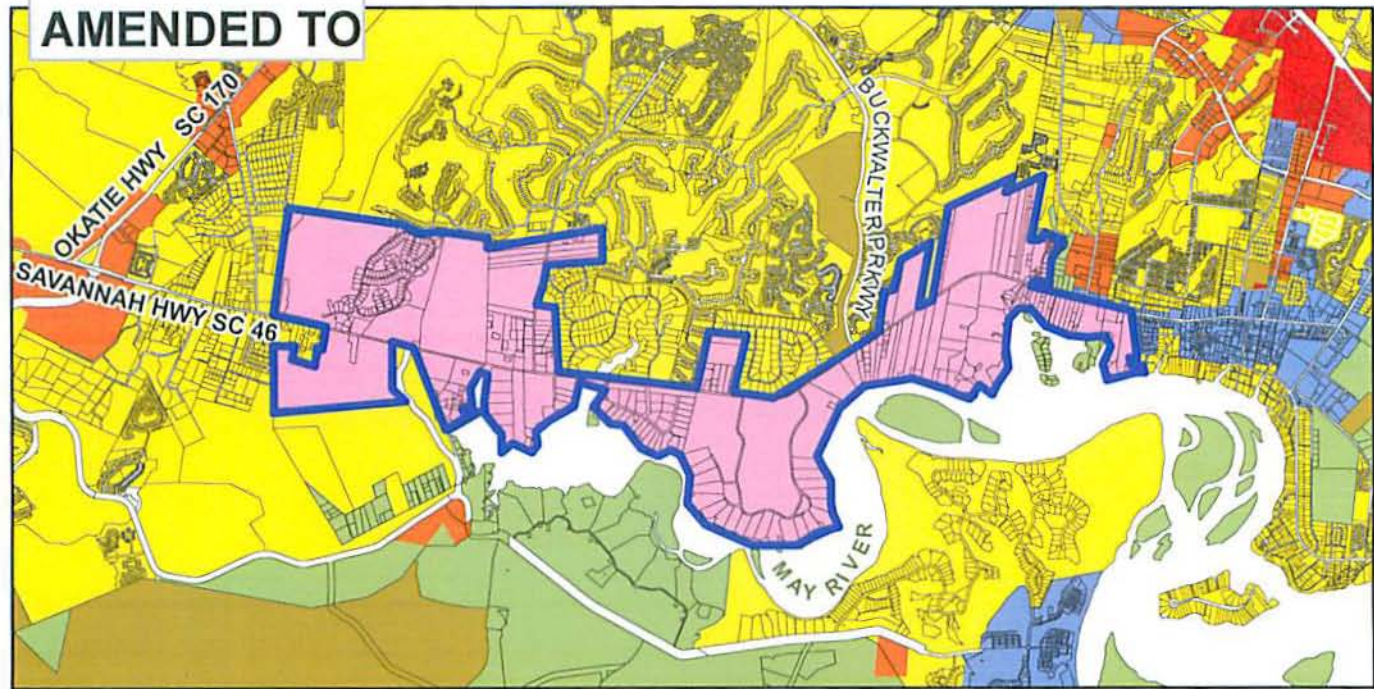
2. Docks

Docks will adhere to those standards currently found in the Beaufort County ZDSO under Water Dependent Uses.

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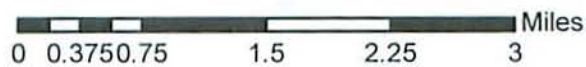


LEGEND

**May River Community Preservation
Future Land Use Map Amendment**

From Rural to Rural Community Preservation

-  Parcels
-  Preserved Land
-  Rural
-  Rural Community Preservation
-  Neighborhood / Mixed Use
-  Community Commercial
-  Regional Commercial
-  Core Commercial
-  MAY RIVER Community Preservation District, Proposed



APPENDIX Q. MAY RIVER COMMUNITY PRESERVATION (CP) CODE

DIVISION 1. MAY RIVER COMMUNITY PRESERVATION DISTRICT CODE

Sec. 1.0. Purpose.

The May River Community Preservation District (MRCPD) is intended to promote low intensity rural development patterns comprised primarily of residential uses; while encouraging and allowing more urban development to locate outside the District at either end of the corridor.

Sec. 2.0. Applicability.

The May River Community Preservation District requirements apply to all uses within the May River CP District boundaries. The Beaufort County Zoning and Development Standards Ordinance (ZDSO) shall apply to all development in this district, unless expressly exempted or otherwise provided for in this section. When in conflict, the development and architectural design standards of the District shall supersede the development standards of the ZDSO and the Corridor Overlay District.

Sec. 3.0. District Boundaries.

The delineation of areas that fall under the May River Community Preservation District zoning designation are outlined on the official zoning map of Beaufort County.

Sec. 4.0. Permitted Activities.

The permitted uses in the May River Community Preservation District are primarily residential. Table 1 includes descriptions of permitted uses for the CP District. Uses not listed in Table 1 are prohibited.

- (a) Uses permitted in the CP District are indicated in Table 1 with a "Y" in the "Permitted" column. These uses are permitted as a matter of right subject to all performance standards.
- (b) Limited uses ("L") are permitted only if all the "limiting" criteria for that use, as listed in Section 4.2 are met. The "limitations" listed in section 4.2 supersede any and all limitations for that use that are included in Article V Division 2. The Zoning and Development Administrator (ZDA), or, when applicable the Development Review Team (DRT) issue final approval of limited uses.
- (c) Special uses ("S") are permitted only by approval of the zoning board of appeals (ZBOA). A special use must conform to any limited use criteria listed for that use as well as the ZBOA review criteria included in sections 106-552.
- (d) Not all properties may meet the limited and/or special use requirements, thus sites upon which the use could be built may be limited.
- (e) If a limited or special use is proposed as part of a subdivision or land development, the site plan must designate their locations.

Table 1. May River CP District Permitted Uses

Land Use	Use Definition	Permitted
AGRICULTURAL USES		
Agriculture	Crop and animal production, plant nurseries, tree farms. (NAICS 111, 112)	Y
Forestry	Perpetual management, harvesting and enhancement of forest resources for ultimate sale or use of wood products, requiring replanting, and subject to S.C. Forestry Commission BMPs. (NAICS 113)	Y
Commercial stables	Stabling, training, feeding of horses, mules, donkeys, or ponies, or the provision of riding facilities for use other than by the resident of the property, including riding academies. Also includes any structure or place where such animals are kept for riding, driving, or stabling for compensation or incidental to the operation of any club, association, ranch or similar purpose.	L
RESIDENTIAL USES		
Single-family detached	An unattached (stand alone) dwelling unit intended for only one family.	Y
Single-family cluster	A traditional form of neighborhood development that preserves meaningful open spaces by requiring development to be grouped together using a grid or close pattern.	Y
Family compound	A traditional rural development that allows family members to place additional family dwelling units on, and/or subdivisions of, a single lot owned by the same family for at least 50 years. Family compound regulations in section 106-2105 apply.	Y
Outbuilding	A structure used for storage, detached garage, garage with second story residential dwelling, or accessory residential dwelling unit that is located on the same lot but clearly secondary to an existing single-family dwelling.	L
Guest House	A second dwelling unit, clearly subordinate and separate from the principal unit, but otherwise resembling a principle residential unit and functioning as a single family home. A Guest House is deemed to be a part of the main property owner's "compound" and is not intended to be subdivided for other uses. A Guest House is for use by the property owner and his/her family and guests only.	L
HOME USES		
Home occupation	A business, profession, occupation or trade located entirely within a residential dwelling, which does not change the essential character of the residential structure.	L

Land Use	Use Definition	Permitted
COMMERCIAL USES		
Bed and Breakfast	A lodging establishment in which there are no more than six guestrooms, or suites of rooms available for temporary occupancy for varying lengths of time by the general public with compensation to the owner. Meals may be prepared, provided that no meals are sold to persons other than guests. The establishment must be the owner's principal place of residence (NAICS 721191).	L
Roadside stand	A temporary or permanent structure used in the sale of agricultural produce, home made goods, seafood, and flowers. More than one vendor may sell at a single stand.	Y
RECREATION USES		
Outdoor recreation	Active recreational activities and supporting services limited to: jogging, cycling, tot lots, playgrounds, tennis courts, private docks, community docks and fishing clubs. Passive recreational uses including, but not limited to: wildlife sanctuaries, forests, and areas for hiking, nature areas. Includes picnic areas and garden plots (NAICS 71219).	S
TEMPORARY USE		
Model homes sales office	A dwelling unit or modular unit in a subdivision used as a sales office for that subdivision.	Y
Contractor's office	Security guard buildings and structures, construction equipment sheds, contractor's trailers and similar uses incidental to a construction project. Limited sleeping and/or cooking facilities may also be permitted. This use must be removed upon project completion.	Y

Source: NAICS 2008

Sec. 5.0 Limited and special use standards.

This section describes the standards governing the limited and special uses designated in Table 1. These standards are in addition to other standards required elsewhere in the Beaufort County ZDSO, but supercede the limited and special use standards in Article V, Division 2 of the ZDSO. New uses within the MRCPD shall be consistent with surrounding neighborhood character in size, scale and architecture. Some of the uses listed below include the statement, "The ZDA and/or DRT may require one or more impacts analyses." These analyses include, but are not limited to: a community impact statement (CIS), an area impact assessment (AIA), an environmental impact assessment (EIA), a traffic impact assessment (TIA) and/or an archaeological and historic impact assessment (AHIA). The ZDA and/or DRT may also request additional data or reports from the applicant.

(a) Commercial Stables

- (1) Additional buffering shall be required whenever the use is within 100 feet of a developed residential lot. The buffer shall be increased to a minimum of 50% of the required setback.
- (2) The minimum site area shall be five acres.

- (3) A five-foot-high fence is required around paddock areas.
 - (4) *Reports/studies required.* All applications for this use shall include an area impact assessment.
- (b) *Outbuildings (Residential and Non-Residential).*
- (1) Residential Outbuildings:
 - A. Shall be permitted on the north side of May River Road only.
 - B. Front Setback: Min 20 ft. behind front face of primary building.
 - C. Side Setback: 10 feet min.
 - D. Rear Setback: 3 feet min with rear access lane, 10 feet without.
 - E. Only one residential outbuilding may be created per principal dwelling.
 - F. The property owner for a lot with a Residential Outbuilding must hold title to, and occupy the principal unit as their permanent or seasonal residence.
 - G. The livable space of residential outbuildings (heated
 - H. Residential Outbuildings may be located no more than 50 feet from the principal dwelling unit.
 - I. Residential Outbuildings may be rented or leased and shall not count towards the density of the lot.
 - J. Usable space (heated space) shall not exceed 950 square feet or 35 percent of the principal dwelling's total floor area.
 - K. The Outbuilding shall be designed to maintain the architectural design, style, appearance and character of the principal dwelling as a single-family residence. The Outbuilding shall be consistent with the facade, roof pitch, siding and windows of the principal dwelling.
 - (2) Non-Residential Outbuildings:
 - A. Are permitted on both sides of May River Road.
 - B. Shall not exceed 35 percent of the principal dwelling's total floor area. However, Outbuilding's on lots of more than 2 acres whose main function involves the storage of goods shall not be limited by size.
 - C. Side Setback: 10 feet min.
 - D. Rear Setback: 10 feet min.
 - E. Front Setback: Min 20 ft. behind front face of primary building.
 - F. The Outbuilding shall be designed to maintain the architectural design, style, appearance and character of the principal dwelling as a single-family residence. The Outbuilding shall be consistent with the facade, roof pitch, siding and windows of the principal dwelling.
- (c) *Guest Houses.*
- (1) Guest Houses shall be permitted South of May River Road.
 - (2) A Guest House shall be subordinate to the principal dwelling and be for use by the property owner and his/her guests only.
 - (3) A Guest House is deemed to be a part of the main property owner's "compound" and is not intended to be subdivided for other uses. They shall adhere to the front, rear, and side setbacks listed for the principle structure.
 - (4) A Guest House is for use by the property owner and his/her family and guests only. They shall not be leased or rented, and must gain their access from the driveway of the principal house.
 - (5) Existing lots of record that are 2 to 5 acres in size are permitted one guest house, not to exceed 2000 square ft. Lots created after the adoption of the May River CP District that are 5 acres or more in size are permitted

one or more Guest Houses; however, the total square footage of all guest dwellings (houses) may not exceed 75% of the square footage of the principal house. Furthermore, the total square footage of all guest houses (when added together) may not exceed 5000 square ft.

(6) Nothing herein shall prevent the construction of a guest house prior to the construction of the principal dwelling.

(7) Manufactured (i.e., mobile) homes shall not be permitted to be used as guest houses.

(d) *Home occupation.*

(1) Home occupations shall be clearly incidental and secondary to the dwelling and shall not change its character or use as a residence.

(2) The owner of the home occupation shall reside on the property, in the residence.

(3) The maximum floor area permitted for home occupations shall be 25 percent of the finished floor area of the dwelling unit. This shall include any area used for indoor storage.

(4) There shall be no outside storage of goods, products, equipment, or other materials associated with the home occupation.

(5) No toxic, explosive, flammable, radioactive, or other hazardous materials shall be used or stored in conjunction with a home occupation.

(6) No outdoor trash receptacles or dumpsters over 55 gallons in capacity shall be permitted.

(7) Signage is limited to 10 square feet (see signage below).

(8) The type and volume of traffic generated by a home occupation shall be consistent with the traffic generation characteristics of other dwellings in the area. The home occupation shall not negatively affect the safety, ambience or character of the neighborhood in any way.

(9) Additional parking for a home occupation is limited to two parking spaces constructed of pervious materials.

(e) *Bed and breakfast.*

(1) The ZDA and/or DRT may require one or more impacts analyses.

(2) Bed and breakfast signs are limited to 10 square feet total sign area (See Signage below).

(3) Parking shall be off-street and located behind the principal structure. If a physical constraint prohibits rear-loaded parking for a structure that fronts an Arterial Road or Collector Road, the CRB/DRT may approve side loaded parking. If the structure fronts a Local Road, both side loaded and on-street parking shall be permitted if the design maintains the character of the area and safety is adequately addressed.

(4) Off-street parking must be screened from adjoining land uses by hedges and canopy trees.

(5) If newly constructed for use as a bed and breakfast, the building must be compatible with the neighborhood, preferably using traditional or "lowcountry" architectural design.

Sec. 6.0

Development Standards.

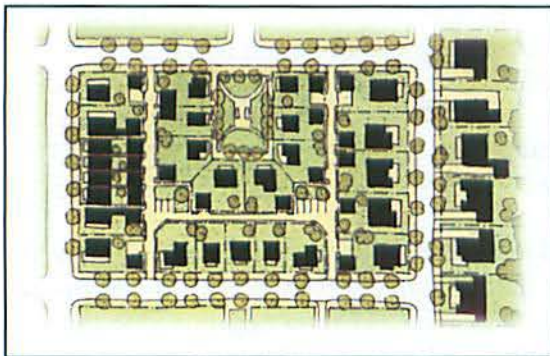
Development standards address how a land use is situated on a parcel. In addition to the following standards, the development standards of the Beaufort County ZDSO shall apply.

Table 1 – Development Standards.

Zoning District and Development Type	Min. OSR or LSR	Density		Sewer	Min. Lot Size	Min. Site Area (Acres)
		Max. Gross	Max. Net			
May River CPD – North Side of May River Road						
Single-Family	0.60	0.34	N/A	OS		6.0 ac.
Single-Family (Traditional Cluster)	0.80	0.50	N/A	P/CS		8.0 ac.
Family Compound	See ZDSO Sec. 106-2105					
Commercial Uses	0.60	N/A	N/A	OS		na
May River CPD – South Side of May River Road						
Single-Family	0.60	0.20	N/A	OS		10 ac.
Family Compound	See ZDSO Sec. 106-2105					
Commercial Uses	0.60	N/A	N/A	OS		na

Note: The Single Family Traditional Cluster shall allow for a development pattern know as a Rural Cottage Close. The Rural Cottage Close requires a minimum site of 8 acres with a minimum of four dwellings and maximum of six dwellings arranged in a traditional close pattern.

Note: A minimum of 50% of the required Open Space shall remain entirely undisturbed.



Diagrams a,b. The Single Family Traditional Cluster in the form of a traditional cottage close.

Table 2 – Lot and Building Standards.

District & Development Type	Lot Area (sq. ft.)	Lot Width (feet)	Minimum			Maximum
			Front Setback (feet)	Side Yard (feet)	Rear Yard (feet)	Height (feet)
May River CPD – North Side of May River Road						
Single-Family	21,780 sq. ft.	80 ft.	primary & secondary mass min 1/3 of lot depth	30 ft.	30 ft.	**2.0 stories or 35 ft. ^^Appurtenances 40 ft.

District & Development Type	Minimum		Maximum			Height (feet)
	Lot Area (sq. ft.)	Lot Width (feet)	Front Setback (feet)	Side Yard (feet)	Rear Yard (feet)	
May River CPD – North Side of May River Road (cont'd)						
Single-Family (Traditional Cluster)	4,000 sq. ft.	40 ft.	18 ft. primary mass 8 ft. secondary mass*	10 ft.	10 ft.	**2.5 stories or 40 ft. ^^Appurtenances 45 ft.
Family Compound	See ZDSO Sec. 106-2105					
Commercial Uses	10,890 sq. ft.	50 ft.	15 Arterial 15 Collector 50 Local	18 ft.	50 ft.	**2.0 stories or 35 ft. ^^Appurtenances 40 ft.
May River CPD – South Side of May River Road						
Single-Family	1 ac. 21,780 sq. ft. with (CS) or (PS)	250 ft.	primary & secondary mass min 1/3 of lot depth from the OCRM critical line	50 ft.	100 ft.	**2.5 stories or 40 ft. ^^Appurtenances 45 ft.
Family Compound	See ZDSO Sec. 106-2105					
Commercial Uses	21,780 sq. ft.	80 ft.	15 Arterial 15 Collector 50 Local	18 ft.	50 ft.	**2.0 stories or 35 ft. ^^Appurtenances 40 ft.
May River CPD – Scenic River Overlay^						
Single-Family	1 ac. 21,780 sq. ft. with (CS) or (PS)	250 ft.	Lots abutting the May River and tributaries primary & secondary mass min 1/3 of remaining lot depth from OCRM Critical Line^	18 ft.	50 ft.	**2.5 stories or 40 ft. ^^Appurtenances 45 ft.

* Secondary Mass - constitutes an open porch or two story porch without screening.

** Building height shall be measured in number of Stories, excluding Attics Appurtenances and raised basements AND / OR the lowest ground elevation to the eave or roof deck. A Story constitutes the portion of a building or structure between the upper surface of a floor and the lower surface of the ceiling or exposed roof next above. Each mezzanine that exceeds the percentage of floor area for a mezzanine defined in the South Carolina Building Code is counted as a story for the purposes of measuring height. Each story used exclusively for parking vehicles is also counted as a story.

[^] Lots that abut the May River or tributaries shall be treated as if they front the River. In this case the setback from the OCRM Critical line shall be in addition to the front setback for the lot, and the Rear Setback from the rear lot line shall serve as the Rear Setback. In the case of conflict, the OCRM setback shall supersede any other setback, ensuring that every lot is buildable. The first 50 ft of the OCRM Critical Line setback shall remain in a natural state. If a lot extends from May River Road to the May River or tributaries then the principle structure may front whichever corridor is desired. If the principle structure fronts the river or a tidal creek, any Outbuildings or Guest Cottages shall locate on the landward side of the main residence.

^{^^} Appurtenance – Architectural features not used for human occupancy, consisting of spires, belfries, cupolas or domers; parapet walls, and cornices without windows; chimneys, ventilators, skylights, and antennas.

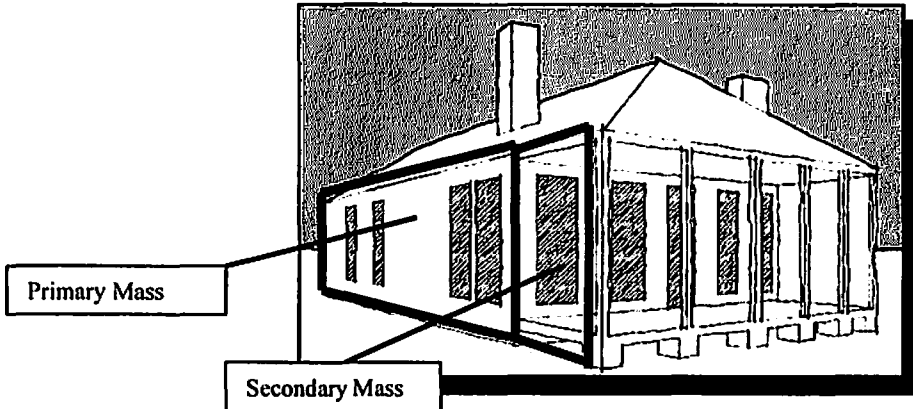


Diagram c. The Primary Mass (Principle Structure) and Secondary Mass (Porch).

Table 3 – Setback, Buffer, and Tree Standards

Zoning District and Development Type	Lot	Number of Landscaping Canopy or Existing Trees per:		Road Tree Spacing per:	Setback Depth (ft.), Buffer Depth (ft.), Adjoining Roads		
		Acre Open Space	Parking Spaces	Feet of ROW	Arterial	Collector	Local
May River CPD – North Side of May River Road							
Single-Family (Traditional Cluster)	2 trees per /du	10 trees	N/A	50 ft.	Setback 100 Buffer 75*	Setback 100 Buffer 75*	Setback 100 Buffer 75*
Single Family	2	5	N/A	N/A	Setback Min. 1/3 of lot Buffer** Min. 1/2 of setback	Setback Min. 1/3 of lot Buffer** Min. 1/2 of setback	Setback Min. 1/3 of lot Buffer** Min. 1/2 of setback
Family Compound	See ZDSO Sec. 106-2105						
Commercial Uses	4	8	1/8	50	Setback Min. 50 Buffer**	Setback Min. 50 Buffer**	Setback Min. 50 Buffer**

Zoning District and Development Type	Lot	Number of Landscaping Canopy or Existing Trees per:		Road Tree Spacing per:	Setback Depth (ft.), Buffer Depth (ft.), Adjoining Roads		
		Acre Open Space	Parking Spaces	Feet of ROW	Arterial	Collector	Local
May River CPD – South Side of May River Road							
Single-Family	2	5	N/A	N/A	Setback Min. 1/3 of lot Buffer** Min. 1/2 of setback	Setback Min. 1/3 of lot Buffer** Min. 1/2 of setback	Setback- Min. 1/3 of lot Buffer** Min. 1/2 of setback
Family Compound	See ZDSO Sec. 106-2105						
Commercial Uses	4	10	1/8	50	Setback Min. 50 Buffer**	Setback Min. 50 Buffer**	Setback Min. 50 Buffer**

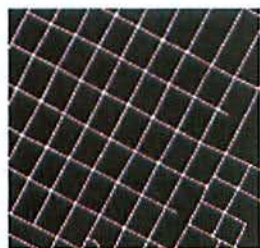
* vegetated buffer with 80% opacity (overstory, understory, and shrubs), the majority of which is comprised of indigenous plantings that shall not require watering.

** vegetated buffer at 30% opacity over 1/2 of the setback, the majority of which is comprised of indigenous plantings that shall not require watering.

Sec. 7.0 Design Standards

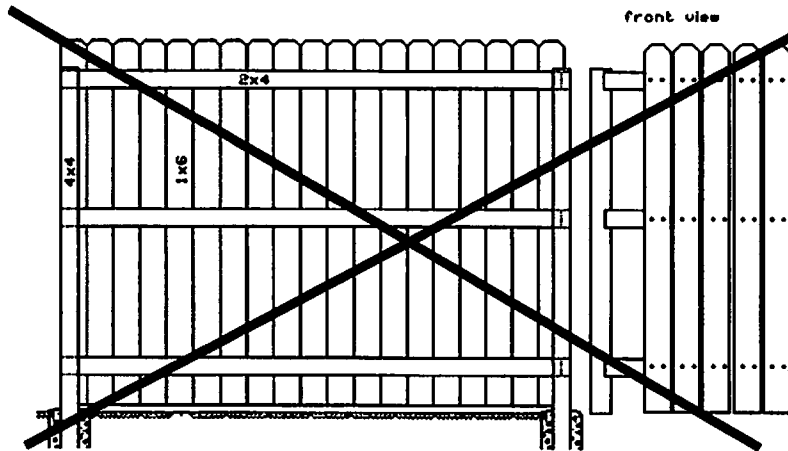
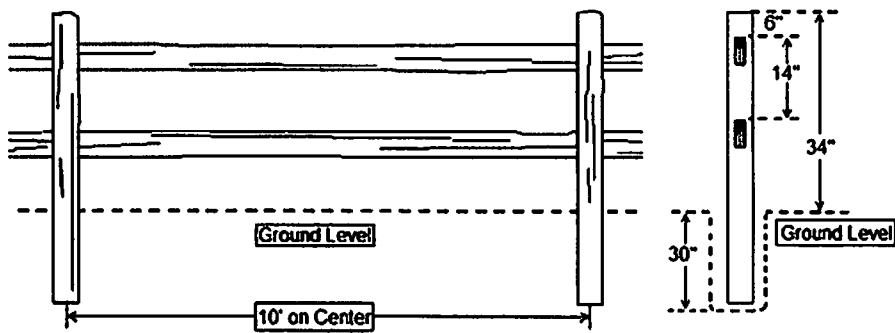
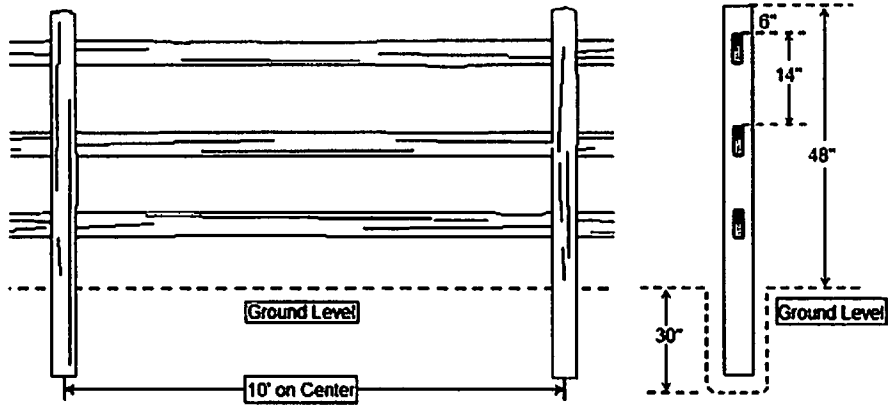
(a) Block and Street Requirements

On the North side of May River Road (Neighborhood and Traditional Cluster) the site shall be developed using a grid, modified grid, or cottage close pattern. Cul-de-sacs, pipe stems and dead ends shall not be permitted unless the natural conditions prohibit more traditional patterns and means of connectivity. Blocks shall be limited to a perimeter of 3500 feet in a Neighborhood and 2500 feet in a Traditional Cluster.



Diagrams d & e. The grid or modified grid and the cul de sac, and pipe stem.

- (b) *Vehicular Access* (Single Family Subdivision and Single Family Traditional Cluster)
Garages shall be located to the side and rear or as part of an Outbuilding. The driveway access shall be no more than ten feet in width. At a min, 50% of the driveway shall be comprised of pervious surface. Front-loading garages shall be detached and set back a minimum of 20 feet behind the front face of the primary building.
- (c) *New Streets*
New streets shall connect to existing streets wherever possible. Larger-scale developments (more than 10 units) are required to provide stub streets to adjacent undeveloped or underdeveloped sites. The DRT may adjust the road standards if such changes would allow for a more rural, narrow street character.
- (d) *Open Space* (Single Family Subdivision and Single Family Traditional Cluster)
- (1) A min. of 35 percent of the property required to meet the OSR shall be designed as contiguous **common space**. Such space may be passive or active and is intended to provide green infrastructure, serve as a gathering place, or provide agricultural resources for the larger community. The construction envelope modulation standards of section 106-3032 of the ZDSO may be utilized to further preserve natural resources and create varied lot sizes. The use of the construction envelope standards also gives more privacy on small clustered lots and helps to maintain the rural character.
 - (2) Where a Single Family Subdivision abuts a body of water, a usable portion of the shoreline, as well as reasonable access to it, shall be a part of the common open space.
 - (3) *Common Space Uses*.
The common open space shall be useable for low-intensity recreation (path or trail), gathering (fire pit, bench swing, playground), agriculture (community garden) or other passive outdoor living purposes and for preserving the natural features of the site. The uses permitted shall be in accordance with section 106-1876 of the ZDSO.
- (e) *Lighting*
- (1) Cutoff lighting fixtures are limited to a maximum lighting level of five foot-candles and a maximum mounting height of 20 feet. All other fixtures shall have a maximum lighting level of three foot-candles and a maximum mounting height of 15 feet.
- (f) *Signage*
- (1) Standards are as follows:
 - A. Signage shall convey a rural character and be approved by the JCRB.
- (g) *Fencing*
All fencing shall be split rail (2, 3, or 4 rails) and maintained in its natural condition, or painted white, Charleston green, or black ([see below](#)). Living fences composed of wood and wire shall be allowed and encouraged both in neighborhoods and in lieu of privacy fences. Chain link, metal, or so called "privacy" fences are prohibited. Picket fences, while filled with character, are more indicative of urban or sub-urban housing districts. They are prohibited in the May River Road Corridor Overlay. Fencing within the May River Road Corridor Overlay shall be split rail as approved by the JCRB.

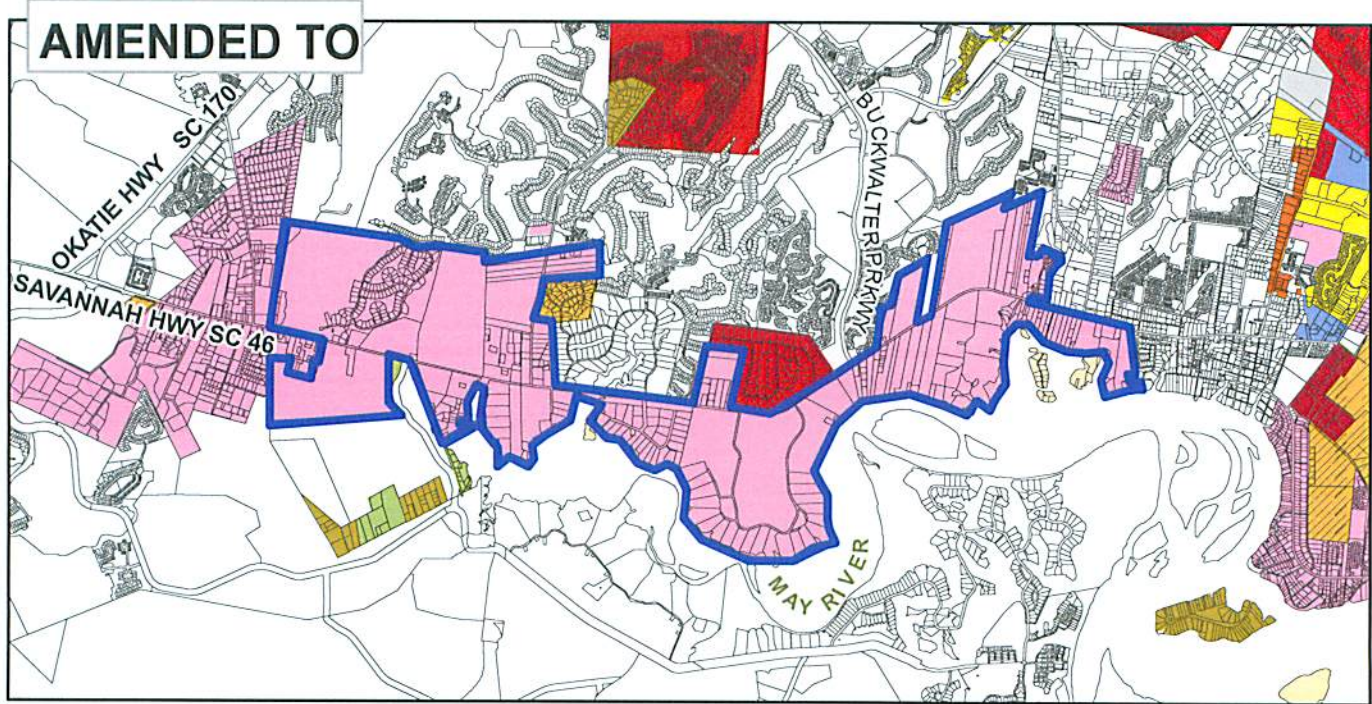
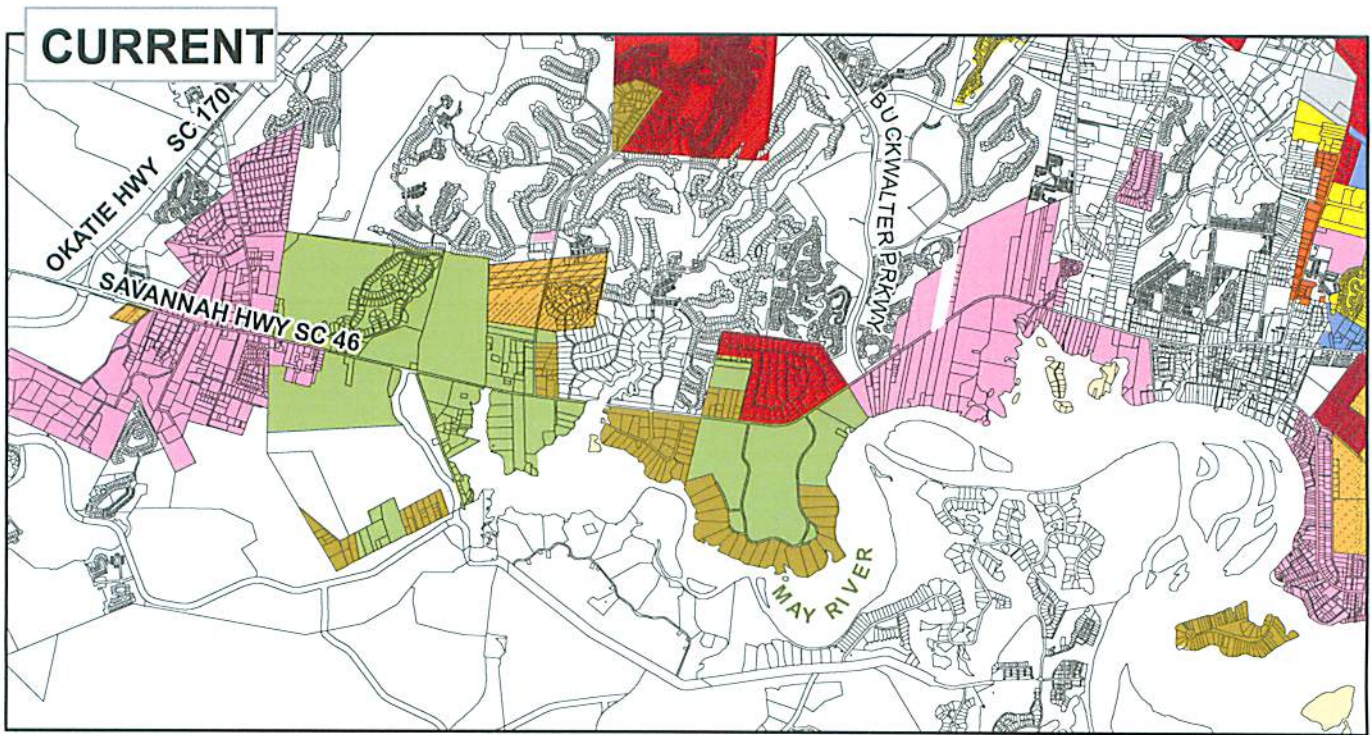


(h) *Entry*

- (1) Private gatehouses or entryways shall be prohibited along May River Road, and all Collector and Local Roads. Entry shall be addressed via a break in the fencing or landscape, a small hanging sign, and possibly a light post.
- (2) Those neighborhoods requesting additional entry ornamentation shall locate the ornamentation at least 150' from the centerline of the access road. All entry features shall be in keeping with the rural nature of the preservation district, and if located within the May River Road Corridor Overlay shall be approved as part of the JCRB process.

(i) *Docks*

Docks shall be permitted as specified in 106-1912.

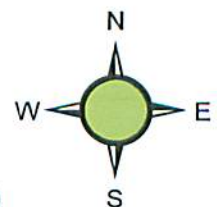
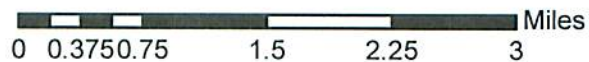


May River Community Preservation Zone District Map Amendment

From Rural, Rural Residential, Rural Transitional
To Community Preservation

LEGEND

-  Parcels
-  Rural
-  Rural Residential
-  Rural Transitional
-  Community Preservation
-  Suburban
-  Planned Unit Development
-  MAY RIVER Community Preservation District, Proposed





To: Councilman Paul Sommerville, Chairman, Natural Resources Committee

Via: Gary Kubic, County Administrator *G. Kubic*
David Starkey, CFO *DS*
Rob McFee, P.E. Director of Engineering & Infrastructure *R. McFee*
Eddie Bellamy, Public Works Director *E. Bellamy*
Robert Klink, P.E. County Engineer *R. Klink*

From: Dan Ahern, P.E., Stormwater Manager *Dan Ahern*

Date: July 20, 2010

Subject: Water Budget Assistance Agreement with SC Department of Natural Resources (DNR)

BACKGROUND

The Natural Resources Committee had previously approved a proposal titled "Quantifying the Water Budget in the Headwaters of the May River" in the amount of \$115,878. This was detailed in the January 25, 2010 memo to the Committee. Due to budget cuts at SC DNR they will not be able to assist with the original project. The County had previously identified two similar watersheds that were being considered for a watershed Fecal Coliform comparison. These two watersheds are similar except that one is developed and the other is undeveloped. This offers an excellent opportunity to determine the impact of development on the hydrology of the watershed. The developed watershed is in the headwaters of the Okatie River and the undeveloped watershed is in the New River watershed. Knowing how development has changed the hydrology in the Okatie River watershed will be helpful in designing a retrofit plan to meet the requirements expected in the Okatie River Fecal Coliform TMDL. The County also needs to develop a "reasoned" approach to addressing impacts from SW Volume from existing development that has caused problems in many of our tidal headwaters. As part of this "reasoned" approach we need to know how much the existing development has changed our local hydrology and what the impacts of other practices, like well pumping and irrigation, are having on our hydrology. We also are concerned if the standard method of determining stormwater volume is being impacted by the additional application of imported water.

We request approval for a new scope of work detailed in the attached "Scope of Work for Quantifying Water Budgets in Beaufort County, SC". It is proposing that we will fund technical support from SC DNR to:

1. Develop a plan to monitor each watershed with recommendations on what to monitor, where to monitor, and how to monitor the various components of the water budget
2. Evaluate data and develop water budgets for each watershed.

The study has been presented to SW Utility Board at their July 2010 meeting. The proposal calls for an annual budget of \$25,000 for two years. It will replace the previously approved proposal for \$115,878. The funding is coming from Stormwater Utility FY2011 budget account 13531-51160.

RECOMMENDATION

Recommend that the Natural Resources Committee approve and recommend to County Council the acceptance of the SC DNR proposal called "Scope of Work for Quantifying Water Budgets in Beaufort County, SC" in the amount of \$50,000.

Attachments

1. January 25, 2010 Memo
2. July 13, 2010 Proposal



BEAUFORT COUNTY PUBLIC WORKS

120 Shanklin Road

Beaufort, South Carolina 29906

Voice (843) 470-6400 • Facsimile (843) 470-6418



To: Councilman Paul Sommerville, Chairman, Natural Resources Committee

Via: Gary Kubic, County Administrator
David Starkey, CFO
Rob McFee, P.E. Director of Engineering & Infrastructure
Eddie Bellamy, Public Works Director *MCB*
Robert Klink, P.E. County Engineer

From: Dan Ahern, P.E., Stormwater Manager *Dan Ahern*

Date: January 25, 2010

Subject: Water Budget Study by SC DNR

BACKGROUND.

The County has approved ordinance changes to control Stormwater (SW) volume from new developments. This effort and addressing "approved but not built" projects should stop future impacts to our receiving waters. The County will need to develop a "reasoned" approach to addressing impacts from SW Volume from existing development that has caused problems in many of our tidal headwaters. As part of this "reasoned" approach we need to know how much the existing development has changed our local hydrology and what the impacts of other practices, like well pumping and irrigation, is having on our hydrology. We also are concerned if the standard method of determining stormwater volume is being impacted by this additional application of water.

In order to better assess the impact of existing development on our local hydrology we contacted the South Carolina State Hydrologist and requested assistance in determining the hydrologic changes that are taking place in the headwaters of our tidal creeks.

Dr Bud Badr, Chief Hydrologist, of SC DNR and members of his staff have made three visits to the County. The first to meet with representatives of the county and the Town of Bluffton to hear concerns; another to tour sites in the May River to develop a study plan for tidal headwaters; and finally to discuss plans with the May River Technical Advisory Committee.

He has developed a proposal titled "Quantifying the Water Budget in the Headwaters of the May River". While this study will be done in the May River, it will develop models that can be used in tidal headwaters throughout the county. The agreement will have the county funding equipment and data collection (funding one technician) and the State supplying their time to analyze and prepare reports. It is estimated that the equivalent contracted support that the state will supply will be over \$200,000. It is expected that the study will be completed within one year of authorization if sufficient rainfall events are obtained. Preliminary findings may be available as early as six months.

The proposal has been presented to SW Utility Board for review as well as the May River Technical Advisory Committee. Since BJWSA might be impacted by the findings of this study, we have contacted them and they agreed to partner with the county on this study.

RECOMMENDATION.

Recommend that the Natural Resources Committee approve and recommend to County Council the acceptance of the SC DNR proposal called "Quantifying the Water Budget in the Headwaters of the May River" in the amount of \$115,878. — *sw utility fee*



MEMBER
NATIONAL SAFETY COUNCIL



SCOPE OF WORK FOR QUANTIFYING WATER BUDGETS IN BEAUFORT COUNTY, SC

A proposal from the South Carolina Department of Natural Resources

Land, Water and Conservation Division

Hydrology Section



DNR

July 13, 2010

SCOPE OF WORK FOR QUANTIFYING WATER BUDGETS IN BEAUFORT COUNTY, SC

Introduction

The South Carolina Department of Natural Resources (SCDNR), at the request of Beaufort County Stormwater Utility (BCSWU) (see attachment), is herein providing a proposal that outlines the role that SCDNR will play in assisting BCSWU with designing hydrologic studies for the purpose of developing water budgets for watersheds in Beaufort County. Water budgets are needed primarily to determine the volume of fresh water that is being discharged into local tidal creeks and to determine how development is affecting components of the water budget. Areas of interest include the upper reaches of the Okatie River, which is part of a watershed that is fully developed and includes the retirement community of Sun City, and the area around Palmetto Bluff, which is part of a watershed that is relatively undeveloped.

To address this issue, SCDNR proposes a network of surface- and ground-water monitoring stations strategically located within each watershed that will quantify precipitation, runoff, and changes in ground-water and surface-water storage. Evapotranspiration will also be estimated either using an evaporation pan or by using a temperature-based approach. Data collected from the monitoring networks will be the basis for developing water budgets for the watersheds. SCDNR will also assist the BCSWU in the analysis and interpretation of this data.

Water Budgets

In its simplest terms, a water budget is an accounting of the volume of water entering a watershed (inputs), the volume of water leaving a watershed (outputs), and changes in the volume of water that is stored in the watershed (storage), over a fixed time interval. It is generally expressed by the equation:

$$Q_{in} - Q_{out} = \Delta S,$$

where Q_{in} is the volume of water coming into the system (watershed) per unit of time, Q_{out} is the volume of water leaving the system per unit of time, and ΔS is the change in the volume of water in storage per unit of time.

Water enters a watershed primarily in the form of precipitation where it runs off to surface water bodies, evaporates and/or transpires from plants, or seeps into the ground. In this case, the water-budget equation above can be more accurately expressed as:

$$P - (RO + ET) = \Delta S,$$

where P is precipitation, RO is runoff, and ET is evapotranspiration.

The above equation can be customized depending on the objectives and scale of the project, and depending on the complexity of the system that is being studied. Other inputs, for example, may include water that is transferred from other watersheds or pumped from confined aquifers and used for irrigation in the watershed (Q_{ir}). The water-budget equation would then be expressed as:

$$(P + Q_{ir}) - (RO + ET) = \Delta S$$

Once calculated, a water budget is a valuable management tool that can be used to assess the availability and sustainability of water supplies within a watershed. Long-term (10 years) monitoring of the various components of a water budget can be used to assess the impacts that climate change and land-use modifications have on the water resources of an area.

Purpose and Objectives

Watersheds commonly have different water budgets, reflecting differences in land cover, land use, soil characteristics, precipitation, geology, topography, and drainage patterns. Development can also alter the natural flow and distribution of water in a watershed and can change a water budget. Comparisons of water budgets between several undeveloped watersheds can be used to draw conclusions regarding the natural effects that soil characteristics, geology, or vegetation have on the water resources of the watershed. Comparisons of water budgets from undeveloped and developed watersheds can lend insights into the effects that human activities have on the water resources of the watershed.

The purpose of this project is to develop a water budget for the Okatie River area, which is located in a part of a watershed that is fully developed, and one for the Palmetto Bluff area, which is in a part of a different watershed that is relatively undeveloped. The objective is to compare how the budgets differ with respect to the various components of the water budget in order to determine how development has affected the hydrologic cycle.

Specific objectives of this study are to: 1) quantify the amount of precipitation falling in each watershed (P), 2) quantify the amount of water imported into each watershed for irrigation purposes for both residences and golf courses (Q_{ir}), 3) quantify the amount of water discharging into Okatie River and New River as surface-water runoff (RO), 4) quantify the change in storage of the shallow water-table aquifer (ΔS_{wt}), 5) quantify the change in storage of the stormwater ponds (ΔS_{rp}), and 6) estimate the

amount of water lost to the atmosphere by evapotranspiration (ET). The general water budget described above can be expressed in more detail for this study as:

$$(P + Q_{ir}) - (RO + ET) = \Delta S_{wt} + \Delta S_{rp}.$$

Scope of Work

SCDNR's responsibilities are two-fold: 1) developing a plan to monitor each watershed with recommendations on what to monitor, where to monitor, and how to monitor the various components of the water budget, and 2) evaluating data and developing water budgets for each watershed. SCDNR will also be available to provide guidance on an as-needed basis as the project develops. BCSWU will be responsible for: 1) purchasing the monitoring equipment, 2) installing the equipment, 3) maintaining the equipment, 4) installing monitoring wells, 5) collecting data from the monitoring stations, 6) collecting water use data of imported water and of ground water pumped from confined aquifers, 7) surveying elevations of monitoring wells and recorders in detention ponds, and 8) quality control.

SCDNR's first responsibility will be to develop a monitoring plan for each watershed that will focus on the principal objective of quantifying the water budget. Fiscal budget constraints, however, may limit the number of sites that can be monitored and/or the number of wells that can be drilled. The plan will detail the number and location of monitoring stations, including stream gages, weather stations, pond gages, and monitoring wells. Site visits will be necessary in order to evaluate the outfall areas and to determine where weather stations can be installed without obstructions and where monitoring wells can be drilled without interfering with other construction projects in the study area. Monitoring wells will also have to be sited in each of the major hydrologic soil types that are represented in the watersheds.

SCDNR's second responsibility will be to analyze the data that is collected from the various monitoring stations in order to generate water budgets for each of the two study areas. Water budgets can be computed on a monthly, seasonal, and annual basis. Water budgets can also be calculated for single storm events.

Methodology

Automatic flow meters will measure discharge at the major outfall areas to account for surface-water runoff. Flumes or weirs may have to be constructed at some of these sites to channel flow and improve the accuracy of the measurements. The type of flow meters that will be used in the project will depend on the type of outfall structure. In general, flow velocity will be derived using the Doppler

principle and water-level height will be measured using either a submerged pressure transducer or an ultrasonic device.

Precipitation will be measured automatically at a number of sites in each watershed, the number depending on the size of the watershed. Exact locations will be determined after site visits to the study areas. In general, they will be located in areas that are accessible, secure, and unobstructed. Automatic rain gages should be of the variety that will allow for rainfall volumes to be computed on temporal scales ranging from minutes to days, as well as provide measurements of rainfall intensity. One or two manual rain gages should be installed as backups in case of equipment failures and for quality assurance (QA) and quality control (QC) purposes.

Surface-water level loggers will be installed at selected stormwater detention ponds to monitor surface-water elevations and changes in surface-water storage. Each logger will be placed in a stilling well or similar structure located in each pond. Sensors should be of the pressure-transducer variety, which measures the water-column height above the pressure sensor. Water-column height will be converted to water-level elevation after being referenced to a standard datum. Data loggers should be of the variety that will enable water levels to be recorded on temporal scales ranging from minutes to days. Several staff gages should be installed as backups in case of equipment failures and for QA/QC purposes.

Monitoring wells will be installed to monitor water-table fluctuations and changes in ground-water storage in the shallow aquifer. The number of wells drilled will be based on several factors including the number of hydrologic soil groups that are present in the study area, local relief, geology, depth to water table and funding considerations. Sediment/soil samples should be collected during the drilling and described in terms of lithology, mineralogy, grain size, sorting, and color. Ground-water level loggers will be installed in each monitoring well. Sensors should be of the pressure transducer variety to measure the water-column height above the pressure sensor and data loggers should be of the variety that will enable water levels to be recorded on temporal scales ranging from minutes to days. Water-column height above the sensor will be converted to water-level elevation referenced to a standard datum.

Evapotranspiration (ET) is the amount of water that is evaporated from open-water surfaces and from land surfaces combined with the amount of water that is transpired from plants. Lysimeters are used to directly measure ET but installing and maintaining a lysimeter can be challenging and probably is beyond the scope of this project. ET can be estimated using a standard evaporation pan or by use of equations that utilize meteorological parameters. An evaporation pan can be easily installed but maintenance is labor intensive. An automated evaporation pan has been developed and would greatly reduce the labor associated with maintaining a conventional pan. A relatively simple alternative to these

methods is to determine the potential evapotranspiration (PET) using a temperature-based approach such as Thornthwaite (1948) or Hamon (1963). PET is the maximum evapotranspiration rate that will occur if site conditions are not limited by available water. Calculating PET requires temperature data, which should be collected from each site.

Each monitoring station in the study should be surveyed to determine its latitude and longitude coordinates, preferably using the North American Datum of 1983 (NAD83) as the horizontal control datum, and leveled to determine its elevation above mean sea level, preferably using the North American Vertical Datum of 1988 (NAVD88) as the vertical control datum. All of the measurements made during the course of the study should be referenced to a common datum allowing for computations of horizontal and vertical hydraulic gradients and other parameters.

Data Analysis

Data collected from the project will be forwarded to the SCDNR on a monthly basis, or as requested by SCDNR. SCDNR will do statistical analyses of the data to account for the amount of precipitation, runoff, and change in ground-water and pond storage. Depending on the number and distribution of rain gages used in the study, either the total precipitation from a single gage will be used or, if multiple gages are deployed, an area-weighting method, such as the Thiessen polygon method, will be used to determine the effective uniform depth of precipitation in the basin. Data from an evaporation pan or meteorological data will be used to estimate evapotranspiration.

All data will be converted to a common unit of measurement and entered into the water-budget equation to calculate the water budget for the study area. Water budgets can be calculated on a monthly, seasonal, or yearly basis. Indices will also be calculated that reflect the differences between each basin's hydrological characteristics. These would include such indices as runoff coefficients (runoff per unit area) and runoff-rainfall coefficients (runoff divided by rainfall). A final report will be submitted to BCSWU after data have been collected for one full year.

Discussion

Precipitation and runoff are major components of the water budget in the study area. Therefore, it is critical that these two parameters be measured as accurately as possible using the best instrumentation that is available. Evapotranspiration will also be a significant component of the water budget. Actual evapotranspiration will vary depending upon temperature and other meteorological variables. If an evaporation pan can be properly maintained, or if an automated evaporation pan can be installed, it would greatly benefit the study. Consideration should also be given to the installation of a complete weather

station that can measure temperature, solar radiation, wind speed and direction, and humidity. Data from the weather station can be used to make estimates of ET by use of the Penman-Monthieth method (Montieth, 1965). The use of telemetry to transmit the data should be considered to reduce the amount of field work and to ensure, from a remote location, that all of the instruments are functioning properly.

It will be important to account for the amount of water that is imported into the watershed, either from public-supply systems or from ground water that is pumped from the Floridan aquifer. This includes water that is used for lawn irrigation (especially important at Sun City), water used for domestic purposes, and water that is used to maintain water levels in the detention ponds for esthetic purposes. Imported water may be an important component of the water budget for the Okatie area, which is developed. Also, it must be determined if communities are served by a centralized wastewater treatment plant and, if so, where the plant discharges its treated wastewater, or if septic tanks are used in the subbasin.

Quality control of the data should be discussed by the interested parties. A quality-control plan should be developed to ensure that parameters are being accurately and consistently measured over the scheduled study period.

Personnel

Dr. Bud Badr, who is now working as a consultant for the SCDNR, will be the principal investigator for the project and will be the main point of contact. Dr. Badr has PhD in agricultural engineering from North Carolina State University and has 25 years of experience as a hydrologist working in South Carolina. Dr. Badr served as the Chief of the Hydrology Section of SCDNR for 10 years until his recent retirement this summer.

Payment

SCDNR and BCSWU have agreed that SCDNR will receive annual payments of \$25,000. It is expected that it will take two years to complete the project.

References

- Hamon, W.R., 1963, Computation of direct runoff amounts from storm rainfall: International Association of Scientific Hydrology Publication, v. 63, p. 52-62.
- Monteith, J.L., 1965, Evaporation and environment. Proceedings of the 19th Symposia of the Society for Experimental Biology, 1965, Cambridge, pp: 205-234.
- Thornthwaite, C.W., 1948, An approach toward a rational classification of climate: The Geographical Review, 38(1), p. 55-94.

ATTACHMENT

From: Ahern, Daniel [mailto:dahern@bcgov.net]
Sent: Monday, June 21, 2010 4:53 PM
To: Bud Badr
Cc: Bellamy, Eddie; Klink, Robert; McFee, Robert
Subject: DNR Hydrology Assistance

Dr Badr,

This is to confirm our request for DNR assistance in developing a hydrologic study on two watersheds to determine the impact of development on stormwater runoff.

The county has identified two similar watersheds where one is developed and the other is undeveloped. They both are about 1,000 acres and have similar percentages of wetland and upland (60% upland and 40% wetland).

One is in the upper reaches of the Okatie River and is fully developed in Sun City

The other is in Palmetto Bluff and is a currently undeveloped watershed draining into the New River. They are within about 10 miles of each other and both exit through a pipe.

Stormwater runoff volume is a current concern in Beaufort County and is being controlled in new development. The watershed in Sun City may be a factor in the fecal coliform impairments in the Okatie River that is closed to shellfish harvesting.

Retrofits may involve reducing total volume from this watershed. Having a study allowing a determination of excess stormwater flow will be very helpful in determining needed reduction.

Therefore we are requesting assistance to help the Stormwater Utility to

1. Develop a plan to monitor each watershed with recommendation on what/where and how to monitor.
2. Evaluate data collected by the Utility.

The Utility is willing to fund this assistance on an annual basis of \$25,000.

Funds are available to fund this study and funding for this assistance can be authorized based on a proposal from DNR to provide this assistance.

Thanks for your willingness to help.

Dan Ahern, PE BCEE
Stormwater Manager
Beaufort County Stormwater Utility
120 Shanklin Road
Beaufort, SC 29906
Phone 843 255-2805
Fax 843 470-6437



TO: Councilman Paul Sommerville, Chairman, Natural Resources Committee

VIA: Gary Kubic, County Administrator *G. Kubic*
David Starkey, CFO *D. Starkey*
Rob McFee, P.E. Director of Engineering & Infrastructure *Rob McFee*
Eddie Bellamy, Public Works Director *E. Bellamy*
Robert Klink, P.E. County Engineer *R. Klink*

FROM: Dan Ahern, P.E., Stormwater Manager *Dan Ahern*

SUBJ: Stormwater Retrofit Contract, Phase 2

Date: July 20, 2010

BACKGROUND.

Phase 1 of this contract in the amount of \$139,000 was approved by this committee at their December 2009 meeting based on the attached November 13, 2009 memo that explained the selection process and decision to do the work in two phases.

The final scope of a non regional BMP (Best Management Practice) conceptual engineering design has been finalized and is proposed at \$39,100. This is less than the expected range of \$56,230 to \$68,200 in the November 13, 2009 memo.

The total contract amount is now \$178,000 and is less than the budgeted figure of \$200,000. The county is funding our portion (approximately 50%) from the Stormwater Utility FY2011 budget account 13531-51160.

RECOMMENDATION.

Recommend that the Natural Resources Committee approve and recommend to County Council the acceptance of the Ward Edwards proposal called "Non-Regional BMP Conceptual Engineering Design" in the amount of \$39,100.

Attachments

1. November 13, 2009 memo to Natural Resources Committee
2. Ward Edwards Proposal Dated May 27, 2010



TO: Councilman Paul Sommerville, Chairman, Natural Resources Committee

VIA: Gary Kubic, County Administrator
David Starkey, CFO
Rob McFee, P.E., Director of Engineering & Infrastructure
Eddie Bellamy, Public Works Director
Robert Klink, P.E., County Engineer

FROM: Dan Ahern, P.E., Stormwater Manager

SUBJ: Stormwater BMP Retrofit Contract, Phase I

Date: November 13, 2009

BACKGROUND

The 2006 Beaufort County Stormwater Management Plan identified eight (8) potential sites for regional water quality control facilities. These controls would treat stormwater from areas that were developed before the county had water quality requirements (1998). These sites were determined by modeling to have a possibility of reducing significant amount of fecal coliform loading from these watersheds. Monitoring of these watersheds has been conducted since 2007 to document the existing water quality to compare to the water quality after these facilities are constructed.

The Stormwater Plan Implementation Committee also recommended in 2009 that we also consider what type of retrofit facilities would be needed in areas of existing development that do not have the possibility of a regional system. This effort would be focused in the Town of HHI and "identify opportunities to address smaller water quality improvement applications". The county and municipalities will be sharing costs for this effort.

Based on this recommendation, funding was included in the FY 2010 budget for the utility and was approved by the SW Utility Board and County.

An FRQ was issued in July 2009 and 11 proposals submitted on August 13, 2009. They were received from:

Land Planning Associates, Inc.
110 West 1st Avenue, Suite A
Easley SC 29640

AECOM
2456 Remount Road, Suite 300
N. Charleston

Ward Edwards
PO Box 381
Bluffton SC 29910

Davis & Floyd
3229 W. Montague Avenue
North Charleston SC 29418

Withers & Ravenel
111 MacKenan Drive
Cary NC 27511

Geosyntec Consultants
1255 Roberts Blvd., NW, Suite 200
Kennesaw GA 30144

BP Barber
4016 Salt Pointe Parkway, Suite 200
North Charleston SC 29405

MACTEC Engineering & Consulting
720 Gracem Road, Suite 132
Columbia SC 29210

Woolpert
2000 Center Point Drive, Suite 2200
Columbia SC 29210

Thomas & Hutton Engineering
50 Park of Commerce Way
PO Box 2727
Savannah GA 31402-2727

ATM, Inc.
360 Concord Street, #300
Charleston SC 29401

A panel consisting of county and municipal personnel reviewed the proposals and asked the following 4 firms to make presentations and have a further interview on September 18, 2009.

AECOM
MACTEC
Thomas and Hutton
Ward Edwards

Following this interview process the selection committee recommended Ward Edwards as the top rated firm. The county and the Town of HHI met with the top rated firm on October 6, 2009 to review the proposal for regional system and give guidance on development of the proposal for the non regional portion. The negotiations on the non regional portion of the proposal has been delayed to address concerns by the Town of HHI.

A decision was made to proceed with the regional water quality control portion while the final scope for the non regional system is developed.

The scope for the regional system will be a not to exceed contract for \$136,000 to conduct preliminary evaluations and conceptual engineering for 8 proposed water control sites. Per the attached agreement the municipalities will be supporting about 50 percent of the contract cost.

The second phase for this contract will be proposed later and is expected to add an additional \$56,230 to \$68,200 to the contract. This total maximum contract of \$204,200 is very close to budgeted figure of \$200,000. County is funding their portion from Stormwater Utility FY 2010 budget account 13531-51160.

RECOMMENDATION,

Recommend that the Natural Resources Committee approve and recommend to County Council the acceptance of the Ward Edwards proposal called "Stormwater BMP Retrofit- Regional Sites (Phase 1) " in the amount of \$136,000.

**Proposal: NON-REGIONAL BMP CONCEPTUAL ENGINEERING DESIGN
BROAD CREEK WATERSHED ON HILTON HEAD ISLAND**

PREPARED FOR BEAUFORT COUNTY, SOUTH CAROLINA

Ward Edwards, Inc.
May 27, 2010

Project # 090100

BACKGROUND

Excerpt from the "Beaufort County Stormwater Management Plan" (BCSMP), prepared by Thomas & Hutton Engineering Co. and Camp Dresser McKee, Inc. (Feb. 20, 2006):

15.3.5 Management Strategy Alternatives

The results of the water quality analysis suggest that several areas (e.g., Broad Creek) do not meet the bacteria water quality standards under existing conditions, and a few other segments may have degradation in level of service based on future conditions. Areas such as Broad Creek appear to be affected by urban development, and it is appropriate to evaluate measures that could be taken to meet the water quality standards, or perhaps more realistically, to improve the existing level of service. As discussed above, these activities would include retrofit of existing development that does not have ponds, and modification of existing ponds that may not have been designed for water quality control.

Broad Creek Watershed Facts

Tributary to Broad Creek—4 basins (Broad Creek # 1-4) totaling 14,232 acres

Broad Creek Basin #4 39% commercial, 19% industrial

Broad Creek Basin #3 36% industrial, 62% high density residential

Broad Creek Basins #1 & #2 primarily low & medium density residential

In our October 6th, 2009, meeting with County and Town staff, general agreement was reached regarding the initial scope of services for the "Non-Regional BMP" portion of the County Stormwater Quality Retrofit Initiative. The Broad Creek watershed on Hilton Head Island will be the focus of this phase with the objective of identifying non-regional BMPs that could be implemented to improve the water quality level of service in the upper reaches of the creek.

In a follow-up meeting on April 28, 2010 with Town staff, we determined to focus the first phase of the non-regional work on the William Hilton Pkwy (US Hwy 278) right-of-way and Town-owned property between the Mathews Drive Intersection and the Shelter Cove Mall. Once the conceptual engineering

study described herein is completed, Town and County staff and Ward Edwards will determine whether to proceed with a greater level of design and permitting for the 278 right-of-way project or whether to include two or more other non-regional sites in the study. A broader objective remains to observe and monitor performance prior to implementation of similar methods in other portions of Beaufort County. Lessons learned would likely include BMP effectiveness, cost considerations, construction logistics, maintenance techniques, and landowner collaboration.

SCOPE OF SERVICES

I. DATA ANALYSIS AND STORMWATER INVENTORY

Ward Edwards will review existing data relevant to the Broad Creek watershed as follows:

- 2006 County Stormwater Master Plan
- GIS Inventory of Stormwater Infrastructure
- Beaufort County LIDAR topography
- Beaufort County Property Records
- Surveys/Record Drawings
- Water Quality Monitoring Data
- Site Visits and Drainage Observation
- Interview Town Staff familiar with watershed, monitoring data, historical water quality or drainage problems, and Shelter Cove Mall development agreement

A major part of this phase is expected to be site reconnaissance. The purpose will be to define the contributing watershed areas and pollutant loadings and to establish treatment goals.

Ward Edwards also will provide survey for up to 50 stormwater structures in the study area to include horizontal and vertical location of tops, inverts, and throats and reasonable attempts to identify outfall locations. Attributes (size and type information) will be provided along with photographs of existing conditions. These features will be provided to the Town's to enhance its GIS database.

Deliverable: Letter report summarizing findings and information relevant to subsequent tasks.
Survey data including all digital files.

Schedule: 45 Days from Notice to Proceed

II. CONCEPTUAL DESIGN

Following data analysis, a conceptual design will commence. Soil borings and/or hand augers may be conducted at candidate sites depending upon the nature of the BMP to be utilized. Infiltration-based BMPs will require information about seasonal high groundwater table, soil strata, and infiltration rate for proper design.

A conceptual drawing, accompanying BMP design calculations, and engineer's opinion of construction cost will be prepared. Ward Edwards also will prepare a list of permits and property or easement acquisitions (if any) that would be required. A meeting with the Department of Transportation (DOT), County, Town, and appropriate utility personnel will be held as part of this phase of work.

Deliverables:

- Conceptual Engineering Plan
- BMP Design Calculations
- County BMP Worksheet and Design Details
- All digital files developed or used in this project
- List Describing Permit Requirements & Land Acquisitions (if needed)
- Engineer's Opinion of Construction Cost

Schedule: 60 Days from Completion of Task I.

III. OTHER SERVICES

Other follow-on services that may be necessary and will be authorized by mutual agreement in the future include, but are not limited to:

- Detailed BMP design for US Hwy 278 right-of-way.
- Similar services for two or more other projects within the Broad Creek watershed
- Standard Operating Procedure for replicating Non-Regional BMP retrofits in other regions of the County
- BMP selection menu specific to Beaufort County's unique geography and water resources
- Identification of and application for grants and alternative funding sources.

SCHEDULE, FEES, AND OTHER TERMS

PHASE		FEE ESTIMATE	SCHEDULE (TASK/CUMULATIVE)
I.	DATA ANALYSIS AND STORMWATER INVENTORY	\$21,700 (fixed fee)	45 / 45 Days
II.	CONCEPTUAL DESIGN	\$17,900 (fixed fee)	60 / 105 Days
III.	OTHER SERVICES	TBD	TBD
TOTAL		\$39,100	

Ward Edwards will provide these services as an addendum and in accordance with AGREEMENT BETWEEN BEAUFORT COUNTY, SOUTH CAROLINA AND WARD EDWARDS, INC. FOR PROFESSIONAL ENGINEERING SERVICES dated DECEMBER, 2009 and first signed January 19, 2010. When authorized in writing by Beaufort County, this proposal and the referenced Agreement represent the entire understanding and agreement of this Project between Beaufort County and Ward Edwards and serve as the authorization for Ward Edwards to proceed with professional services. Modification must be made in writing and signed by both Ward Edwards and Beaufort County. This proposal is valid for 30 days from date of issue. Extensions must be granted by Ward Edwards in writing.



TO: Councilman Paul Sommerville, Chairman, Natural Resources Committee

VIA: Gary Kubic, County Administrator
Rob McFee, Director of Engineering and Infrastructure
Eddie Bellamy, Public Works Director
Robert Klink, County Engineer

FROM: Dan Ahern, Stormwater Manager

SUBJ: Extend of Service (EOS) and Level of Service (LOS)

DATE: July 22, 2010

BACKGROUND.

The difficult drainage situation we faced last winter highlighted the need to have clear guidance on what can and not be done in the area of stormwater management. To provide this guidance the Stormwater Utility in coordination with other departments developed two documents to reflect the current operation of the Utility. These documents were shared with the Stormwater Utility Board and after input and modification was approved at their May 5, 2010 meeting.

These documents are posted on the County's web site and have been shared with our Municipalities through the Stormwater Implementation Committee.

RECOMMENDATION.

That the Natural Resources Committee approves and recommend to County Council the approval and posting of the Stormwater Utility Extent of Service (EOS) and Level of Service (LOS) documents.

Attachments:

EOS
LOS

Beaufort County Stormwater Utility



Extent of Service
EOS

June 2010

Executive Summary:

The purpose of this document is to establish an extent of service to identify stormwater infrastructure that will be maintained at the County expense in general and the Stormwater Utility in particular.

Beaufort County established a Stormwater Utility in 2001 for the purpose of:
“.. managing, acquiring, constructing, protecting, operating, maintaining, enhancing, controlling, and regulating the use of stormwater drainage systems in the County” 2005 Stormwater Ordinance.

To accomplish this, the County in cooperation with the County’s municipalities developed a Storm Water Management Program (SWMP) in 2006.

Beaufort County’s SWMP is administered by the Beaufort County Stormwater Utility (BCSWU) and is funded by the Stormwater Utility Fee.

BCSWU will inventory and provide operational and maintenance service that are:

- In unincorporated Beaufort County and
- Outside of the State road right-of-way
- Not on commercial property
- Not on public property except County Council owned properties
- Not inside gated communities or other communities not accepted for maintenance. South Carolina Department of Transportation (SCDOT) will be responsible for maintenance of all of the elements inside the State road right-of-way and associated outfalls not transferred to and accepted by the County

Introduction:

Beaufort County is over 732 square miles of which nearly 50% is marsh and open water. Precipitation falls on all of it from time to time resulting in stormwater runoff from the upland. All of this runoff eventually ends up in ponds, wetlands, marshes or tidal creeks which are all waters of the State. As areas are developed, the amount of area covered in impervious surfaces (roofs, asphalt, concrete, etc) increase, directly contributing to an increase in both volume and rate of runoff. Much of this runoff is conveyed through a variety of man-made structures designed to carry runoff away from developed areas to prevent flooding. The increased volume and rate can cause adverse effects to receiving waters by leading to increased erosion, dilution of salinity in tidal creeks and habitat degradation. Stormwater runoff picks up pollutants from a variety of sources and carries them to the receiving waters, thereby contaminating them. The most common impairment in Beaufort County is the closure of shellfish harvesting areas.

It is this infrastructure network, the water it conveys, and the impact this water has immediately downstream that has to be managed to prevent flooding, water pollution, environmental degradation, and preserve public health and safety.

The Beaufort County Council created the Stormwater Utility to effectively and efficiently manage stormwater runoff and “activities necessary to ensure the public safety, protect private and public properties and habitat, and enhance the natural environment and waters of the County.” (Ordinance 2005/32)

From an operations and maintenance standpoint, it is necessary to define the extent of the stormwater infrastructure system in order to:

- Inventory and map the system for management and regulatory purposes
- Allocate sufficient resources and manpower to manage the system
- Avoid duplication of effort with other jurisdictions, agencies, and departments

BCSWU defines its area of responsibility according to the various categories of property types in unincorporated county. Please see Table 1 for details.

Additionally, BCSWU will make efforts to collaborate with citizens to resolve drainage issues in areas directly impacted (i.e. downstream) by stormwater off public property, in some cases doing work on private property on a case-by-case basis. In these situations, approval must be given in writing by both the property owner and the Director of Public Works.

Definitions:

Best Management Practice (BMP): means that combination of conservation measures, structures, vegetation or management practices, that reduces or avoids adverse impacts of development on adjoining site’s land, water, or waterways and water bodies.

Illegal Connection: any unauthorized, man-made conveyance connecting a discharge directly to a municipal separate storm sewer.

Illicit Discharge: a discharge to the County drainage system that is not entirely composed of stormwater, unless the permit is authorized under a NPDES permit or is related to fire fighting activities.

Drainage System: conveyance or system conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels or storm drains, owned or operated by a municipality or other public body, designed or used for collecting or conveying storm water runoff and is not a combined sewer or part of a Publicly Owned Treatment Works.

Outfall: point where a municipal separate storm sewer discharges to waters of the State.

Outfall System: stormwater conveyance system leading from roads or other public property to the outfall point

Stormwater: stormwater runoff, snow melt runoff, and surface runoff and drainage.

Waters of the State: any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, wetlands, marshes, wet weather streams, and all other bodies of surface and subsurface water, including any water which is subject to the ebb and flow of ocean tides, natural or artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

Table 1.
Extent of Service- Operations & Maintenance
Unincorporated Beaufort County
(Incorporated Beaufort County- see below)

Category	Inventory	Routine Inspection	Routine Maintenance	Corrective Maintenance	Retrofitting Improvement
Residential Property					
Within Easement	Y	Y	Y	Y	Y
Outside of Easement	Y	Y	N*	N*	N*
Gated Community	Y	Y	N	N	N
Unaccepted Developments	Y	Y	N*	N*	N*
Private Non Residential					
Commercial Property	Y	Y	N*	N*	N*
Industrial Property	Y	Y	N*	N*	N*
Agricultural Property	Y	Y	N**	N**	N**
Public Property					
County Council Property (a)	Y	Y	Y	Y	Y
County Road ROW	Y	N***	N***	N***	N***
State Road ROW	Y	N	N****	N****	N****
Railroad ROW	Y	Y	N****	N****	N****
State Waters	N	N	N	N	N

(a) County Council Property within municipal boundaries will be maintained by municipality receiving stormwater fees for the property

- * = except in situations where stormwater from a public property (including ROW) is impacting property and an easement obtained has been obtained
 - ** = except where agreements are established
 - *** = except in residential subdivisions and/or in coordination/support of BCPW Roads and Drainage Sections
 - **** = where county has installed infrastructure with an encroachment permit
- Service in Municipalities (incorporated county) will be only on a reimbursable basis per current intergovernmental agreements (IGA's)*

Beaufort County Stormwater Utility Goals are to:

- Inventory all components of the Drainage System in unincorporated Beaufort County outside of the state DOT right-of-way
- Inspect and assess all components of the drainage system in unincorporated Beaufort County outside of state DOT right-of-way
- Perform routine and corrective maintenance on all components of the drainage system in unincorporated Beaufort County that are publicly-owned and/or operated
- Perform routine and corrective maintenance on all components of the drainage system in unincorporated Beaufort County that are on private property and are within an easement dedicated to Beaufort County and receive drainage directly from public property and/or dedicated easements

Beaufort County Stormwater Utility may:

- Perform retrofitting and/or structural improvements to components of the drainage system that are located on publicly-owned property
- Perform retrofitting and/or structural improvements to components of the drainage system that are on private property, provided the property is within a dedicated easement and/or receive drainage directly from public property and/or dedicated easements
- Inventory components of the drainage system in unincorporated Beaufort County within the County rights-of-way, in coordination with Beaufort County Public Works Roads and Drainage Sections
- Perform work on property within the Beaufort County rights-of-way as directed by the Public Works Director

Beaufort County Stormwater Utility will not:

- Perform work on residential private property that is not within an easement dedicated to Beaufort County and/or does not receive drainage directly from public property and/or dedicated easements
- Perform work in State Waters (beyond the critical line unless approved by DHEC/OCRM)
- Perform work on components of the drainage system that are located on commercial and/or industrial property unless they are within an easement previously dedicated to Beaufort County
- Perform work on public property other than general fund county property in unincorporated Beaufort County
- Perform unreimbursed work on property within the SCDOT right-of-way, except on infrastructure installed by BC with an encroachment permit.
- Perform unreimbursed work on municipal drainage systems

Operations & Maintenance: Drainage system within the County road Rights-of-Way (ROW)

Maintenance within County ROW, for unpaved roads, normally is the responsibility of the Roads and Drainage Sections. However, the BCSWU may provide assistance as directed by the Public Works Director.

Maintenance within County ROW on paved roads will be divided as follows:

- Routine moving – Roads and Drainage Sections
- Routine blockage removal – Roads and Drainage Sections
- Routine cleaning of catch basins and pipes – BCSWU
- Major Corrective maintenance - BCSWU

Operations & Maintenance: Drainage System outside of the County ROW

For all stormwater infrastructures:

- Outside of the ROW (County and State) and
- Within a dedicated county easement

BCSWU assumes responsibility for:

- Inventorying
- Routine, periodic inspection
- Inspection in response to citizens' request
- Preventive maintenance
- Corrective maintenance
- Retrofitting and improving (as necessary)

BCSWU will provide these services from the edge of the County/State ROW to point 25ft downstream of the last man-made structure (i.e. outfall). Inspections may be carried out further downstream, as necessary, to determine downstream impact. It will be State DOT's responsibility to construct necessary outfalls to transfer ROW stormwater to the primary drainage system and transfer easement to county for maintenance.

Operations & Maintenance: Stormwater Management outside of the Drainage system

Work in and around State Waters

State Waters are outside of the jurisdiction and the regulatory mandate of Beaufort County. State Waters are administered through the SC DHEC/OCRM and are protected by both a 50' local stream buffer and a State Critical Line determination. County work on stormwater infrastructure is exempted from the local buffer, as maintenance to the stormwater system is considered an "activity to restore and enhance stream bank stability, vegetation, water quality and/or aquatic

habitat". BCSWU will not carry out work beyond the State Critical line unless the work is approved by OCRM, except in emergency situations where public safety is endangered.

In accordance with the Clean Water Act, no work shall be done in a state blue line channel/stream without a permit from the Army Corps of Engineers. Streams are outside of the County's jurisdiction; however work to mitigate the effects of increased runoff from impervious on receiving water may be necessary from time to time. BCSWU will do no work within stream channel without the appropriate USACE/OCRM permit and or approval, except for emergency situations where public safety is endangered.

Private Property

Inspections on Private Property

Beaufort Code, Sec. 99-107(a)

"All property owners and developers of real property to be developed within the unincorporated portions of Beaufort County shall provide, manage, maintain, and operate on-site stormwater systems and facilities sufficient to collect, convey, detain, control, and discharge stormwater in a safe manner consistent with all county development regulations and the laws of the State of South Carolina and the United States of America, except in cases when the property is located within an incorporated city or town subject to an interlocal governmental agreement with the county for stormwater management and the city or town has regulations that are more stringent than the county, in which case the city's or town's development regulations shall apply. Any failure to meet this obligation shall constitute a nuisance and be subject to an abatement action filed by the county in a court of competent jurisdiction. In the event a public nuisance is found by the court to exist, which the owner fails to properly abate within such reasonable time as allowed by the court, the county may enter upon the property and cause such work as is reasonably necessary to be performed, with the actual cost thereof charged to the owner in the same manner as a stormwater service fee as provided for in this article".

Beaufort Code, Sec. 106-2856 (e)

"Additionally, the county has the right to enter, enforce maintenance and/or cause maintenance of any stormwater management facility, either privately or publicly owned".

The County has the right to inspect any part of stormwater infrastructure system, regardless of ownership, and has a regulatory obligation under the Stormwater and Zoning and Development Standard Ordinances to do so. The purpose of these inspections is to ensure the all elements of the stormwater infrastructure system are functioning as designed and do not pose a risk to public health and/or safety.

In situations where inspections have determined that part of the system has not been maintained and/or becomes a danger to public safety or public health, Beaufort County shall notify the

responsible party specified in the inspection and maintenance agreement by registered or certified mail.

Maintenance on Private Property

Beaufort Code, Sec.99-104 (b)

“Operation, maintenance, and/or improvement of stormwater systems and facilities which are located on private property or public property not owned by Beaufort County and for which there has been no public dedication of such systems and facilities for operation, maintenance, monitoring, and/or improvement of the systems and facilities shall be and remain the legal responsibility of the property owner, except as that responsibility may be otherwise affected by the laws of the State of South Carolina and the United States of America.”

BCSWU may address issues that occur on private property caused by direct runoff from adjacent County-owned property, (i.e. public streets, rights-of-way, and easements). All other maintenance work on private property for which there has been no public dedication for operations and maintenance (i.e. easement) will only be conducted with the approval of the property owner, the Public Works Director, and County Administrator.

In situations where property owners have failed to correct a violation of the design standards or maintenance requirements on a BMP by performing the necessary work to place the facility or practice in proper working condition, Beaufort County may perform the corrective maintenance and assess the owner(s) of the facility for the cost of repair work.

Public Property

BCSWU will only provide maintenance service on county council property in unincorporated Beaufort County. Other county and public property in unincorporated Beaufort County will only receive service when public drainage goes through the property. County Council property within municipal boundaries can be performed on a reimbursable basis to the municipality receiving SW Fees for the property.

Illicit Discharge Detection & Elimination

Section Reserved pending receipt of SW Permit and ordinance changes.

BCSWU will report any observed illicit discharge to the Regional DHEC office.

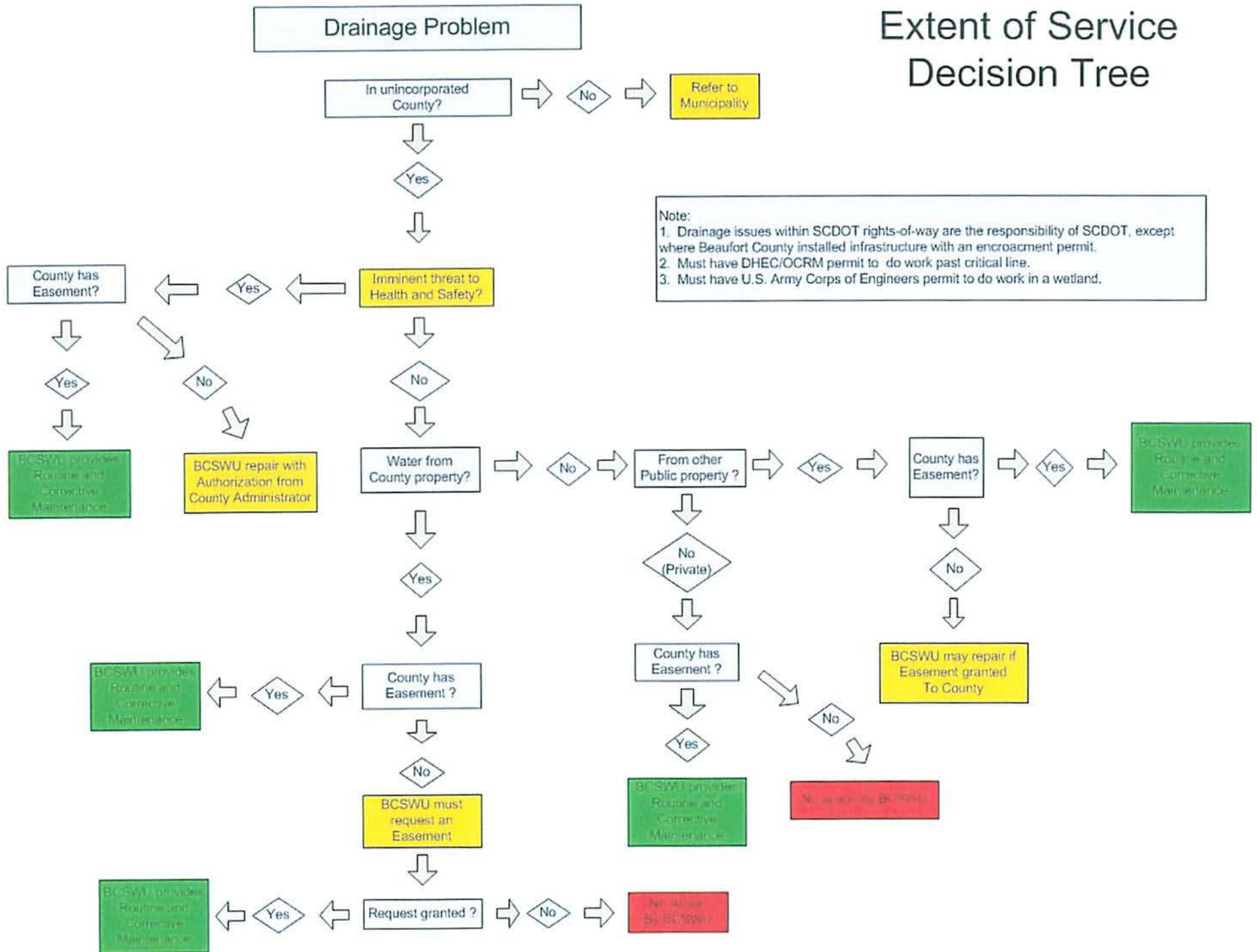
Extent of Service for Other SWMP Programs

BCSWU will continue to provide other services relevant to implementing the County's stormwater management plan and enhance the natural environment and waters of the County, including:

- Public education about stormwater issues

- **Public participation opportunities to allow citizen input on stormwater management decisions**
- **Water quality monitoring programs**
- **Capital improvement projects necessary to maintain the drainage system and mitigate the negative effects of stormwater runoff and;**
- **Any other activities necessary to protect the public good from negative effects of stormwater runoff, as determined by the County Administrator and recommended by the Stormwater Management Utility Board.**

Extent of Service Decision Tree



Note:
 1. Drainage issues within SCDOT rights-of-way are the responsibility of SCDOT, except where Beaufort County installed infrastructure with an encroachment permit.
 2. Must have DHEC/OCRM permit to do work past critical line.
 3. Must have U.S. Army Corps of Engineers permit to do work in a wetland.

Beaufort County Stormwater Utility



Level of Service LOS

May 2010

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Level of Service: Executive Summary

The Beaufort County Stormwater Ordinance Section 99 requires the Beaufort County Stormwater Utility (BCSWU) to develop and enforce a stormwater management program (SWMP). The Beaufort County Zoning and Development Standards Ordinance Section 106 require new development to implement the best management practices (BMPs) which reduce pollutants prior to their discharge into the storm sewer system.

Beaufort County's SWMP is administered by the BCSWU and is funded by the Stormwater Utility Fee.

The purpose of this document is to describe the Level of Service (LOS) to be carried out by the Beaufort County Stormwater Utility. This level of service is defined as a set of standards and services that the community can expect from its stormwater management program.

The goals of this LOS are:

- To provide a set of consistent, equitable standards of service to the citizens of Beaufort County
- To provide an appropriate level of service to maintain the County's stormwater system and ensure it remains serviceable and has minimal negative impact on receiving waters
- To comply with regulatory requirements set forth by the South Carolina DHEC

Furthermore, this document is intended to be a tool to guide the staff of BCSWU to ensure that they meet the unincorporated County's stormwater management needs while serving the public with a high level of professionalism and consistency. The primary functions of the Department are addressed in this document. While this document is not intended to be all inclusive, it is the intent that this document should provide guidance for most of the routine situations that the Department staff encounter. Situations not addressed in this document will and do arise; those will be addressed appropriately on a case by case basis.

Level of Service: Inspection Programs

I. Initial Inventory & Mapping

1. Background

BCSWU is tasked with the operations and maintenance of the drainage system for unincorporated Beaufort County. Prior to the creation of BCSWU, installation of drainage infrastructure was not tracked on a county-wide basis. Knowing the extent and location of the drainage system is critical to monitoring its serviceability, identifying impacts on receiving waters, and allocating resources to maintain and improve the system.

2. Purpose

To locate, describe, assess, and map all structural components of the drainage system. The goal is to produce a comprehensive GIS layer of all drainage infrastructures in Beaufort County to be used for:

- Allocating maintenance and replacement resources
- Pollution source tracing
- Setting routine inspection and maintenance schedules
- Compliance with State and Federal regulations

3. Service Level

- *Locating*

BCSWU will actively seek out all man-made drainage networks within unincorporated Beaufort County and as requested by municipalities for inclusion in the drainage system layer.

- *Inventory*

Components are inventoried and described in the drainage system GIS Database. Drainage networks are inventoried from the first (i.e. upstream) man-made conveyance to the outfall. Items included are both public and private. Inclusion in the inventory map does not obligate the County to maintain any particular item.

- *Assessment*

As components are entered into the inventory, they will be assessed for structural and functional integrity. Items in need of maintenance will be entered as Service Requests in the Maintenance database for further investigation and/or placement in the maintenance queue.

- *Mapping*

All items inventoried in the field will be incorporated in the drainage system GIS Geo-Database. Stormwater structures in new developments will be included in the map at the time the digital 'as-built' is submitted.

4. Responsible Party

BCSWU GIS/Easement Manager supported by other BCSWU staff

5. References

Beaufort County Stormwater Management Plan, February 2006

Stormwater Management Utility Ordinance, Beaufort Code part 99

II. Asset Management Inspections

1. Background

Periodic asset management inspections are necessary to assess the serviceability of components of the drainage system and to identify items that need maintenance performed.

Components and structures have a finite service life and degrade over time. Without timely maintenance, portions of the drainage system will fail, impacting water quality and causing flooding, stream degradation, damage to property, and threaten public safety.

2. Purpose

1. To maintain and extend the serviceability of the County's drainage infrastructure by proactively inspecting and periodically assessing structural components of the drainage system.
2. To protect public safety and water quality by proactively identifying elements of the drainage system in need of maintenance.
3. Comply with state and federal regulations.

3. Service Level

Continue to update potential choke points (where blockage can lead to damage to structures) in the drainage system.

At a minimum, BCSWU's goal is to inspect the structural components of identified drainage system choke points on a quarterly basis.

BCSWU's goal is to also inspect 20% of the structural components of the drainage system annually exclusive of structures within the County or State roadway right-of-way. All structural components will be inspected at least once every five years.

In the course of the inspection the following will be noted:

- Structures that require routine/preventive maintenance
- Conditions within the drainage system that may negatively impact public health, safety, or nearby property

For structures within the BCSWU's EOS, the inspector will enter any deficient item into the maintenance master list.

For structures outside the BCSWU's Extent of Service (EOS), the utility will notify the responsible agency and/or property owner. This notification will be documented and kept on file.

The Beaufort County Public Works Roads and Drainage Sections and South Carolina Department of Transportation (SCDOT) is responsible for inspecting and maintaining drainage structures within their respective rights of way.

4. Responsible Party

Superintendent, Stormwater Utility

5. References

Beaufort County Stormwater BMP manual, 2009

Beaufort County Stormwater Management Plan, 2006

Zoning and Development Standards Ordinance, Beaufort County Code Part 106

Stormwater Management Utility Ordinance, Beaufort County Code Part 99.

Community Rating System, Activity 540 Stormwater Maintenance, FEMA

SC DHEC OCRM requirements

III. Service Request

1. Background

Problems with stormwater runoff and/or the performance of the drainage system are often identified by the general public; often the problems directly impact their property. The public may request service from BCSWU directly, by entering a service request with the Utility.

2. Purpose

To address specific problems brought to the County by the public involving stormwater drainage, by identifying the cause and working with the property owners, County staff, and others to identify a workable solution that is legal, equitable, and cost effective.

3. Service Level

Service requests come from a variety of sources - called into the Utility, entered through the SW website, referrals from other County departments, or “walk-ins” from the public.

Service requests will be:

- Documented in the work order system
- If a service request is referred to another agency and/or department, this will be recorded and communicated to the party making the service request
- Identified by stormwater staff from onsite field inspection
- If maintenance (routine or corrective) is appropriate, the service request will be entered into the project/maintenance master list

4. Responsible Party

Administrative Assistant, Infrastructure Section

5. References

Stormwater Management Utility Ordinance, Beaufort County Code Part 99.

Level of Service: Operations & Maintenance

I. Routine/Preventive Maintenance Program

1. Background

The County's drainage infrastructure requires a minimal amount of periodic maintenance to function as designed. Failure to do so will eventually cause the components of the drainage system to deteriorate, negatively impacting public health and safety, property values, and the environment. As it is more cost effective to proactively maintain the drainage system than to reactively repair failing components and mitigate the damage that these failures may cause, BCSWU will perform preventive maintenance on non-commercial portions of the drainage system on a systematic recurring basis.

2. Purpose

To preserve the serviceability and extend the service life of publicly-maintained critical components of the drainage system through a system of recurring preventive maintenance.

3. Service Level

Detention and retention structures will receive routine maintenance on a recurring, set schedule approved by the Stormwater Superintendent. Conveyances both open and closed, in the drainage system needing routine maintenance will be identified through a recurring program of periodic asset management inspections. The highest priority of the routine maintenance program is maintaining the serviceability of structures and protecting public health and safety. Maintenance of an aesthetic only nature will be the lowest priority.

i. Detention & Retention Structures (wet & dry ponds)

Detention and retention structures will be maintained to function as designed.

Periodic maintenance will include:

- Mowing of embankments
- Removal of undesirable vegetation, especially woody vegetation
- Removal of debris
- Removal of excessive sedimentation
- Repair of embankment erosion
- Repair/replacement of riprap apron

ii. *Open Conveyances (channels, swales, and ditches)*

Open conveyances within the drainage system will be maintained to function as designed and in a manner that will allow them to convey stormwater effectively. Periodic maintenance will include:

- Mowing
- Removal of debris
- Removal of excessive sedimentation
- Repair/stabilization of channel erosion
- Removal of any obstructions that blocks designed flow.

iii. *Closed Conveyances (pipes, inlets, junction boxes, outlets)*

Closed conveyances within the drainage system will be maintained to function as designed, with particular attention paid to maintaining both the structural integrity of the conveyances and ability to pass stormwater effectively.

- Removal of obstructions and debris
- Removal of sedimentation
- Repair/replacement of rip rap apron as required

4. Responsible Party

Stormwater Superintendent, Stormwater Utility

5. References

Beaufort County Stormwater BMP manual, 2009

Beaufort County Stormwater Management Plan, 2006

Zoning and Development Standards Ordinance, Beaufort County Code Part 106

Stormwater Management Utility Ordinance, Beaufort County Code Part 99.

SC Stormwater Management and Sediment Control Handbook for Land Disturbance Activities
August 2003

II. Corrective Maintenance Program

1. Background

The components of the County's drainage infrastructure have a limited life expectancy due to numerous factors including erosive flows, corrosion, blockages, etc. Failure of these components can pose a significant threat to public health and safety. Long term problems like flooding, severe erosion, severe sedimentation and environmental degradation may result if components of the drainage system are not repaired and/or replaced in a timely manner. Beaufort County's Stormwater Management Plan identified over 100 modeled road overtoppings and these will be addressed in this program as part of related maintenance program.

2. Purpose

To maintain the serviceability of the County's drainage infrastructure by correcting damaged, degraded, and/or failing components of the publicly-maintained portions drainage system.

3. Service Level

To repair or replace any non-serviceable component of the publicly-maintained portions of the drainage system, thereby returning it to a serviceable condition. Prioritization will be given to corrective maintenance projects that address issues posing a threat to public health and safety or pose a significant risk to damaging receiving waters. BCSWU will try to maintain open conveyances for water quality whenever possible.

4. Responsible Party

Stormwater Superintendent as directed by Public Works Director

5. References

Beaufort County Stormwater BMP manual, 2009

Beaufort County Stormwater Management Plan, 2006

Zoning and Development Standards Ordinance, Beaufort County Code Part 106

Stormwater Management Utility Ordinance, Beaufort County Code Part 99.

III. Retrofit Program

1. Background

Retrofits are structural stormwater management measures for developed watersheds designed to help minimize accelerated channel erosion, reduce peak flows, reduce pollutant loads, and promote conditions for improved aquatic habitat. These best management practices are inserted in an urban/suburban landscape where little or no prior stormwater controls existed.

2. Purpose

The overall objective of retrofitting is to stabilize and repair areas and receiving waters negatively impacted by the effects of stormwater runoff, as well as protect downstream receiving waters that may still be stable and healthy.

3. Service Level

Various control facilities will be evaluated for feasibility of water quality retrofitting prior to any corrective maintenance being performed. If deemed feasible, these facilities, generally ponds, will be added as water quality features corrective maintenance project.

Other retrofits will be examined on a case-by-case basis, considering the following criteria:

- Feasibility
- Ability to reduce volume
- Benefit to the community
- Impact on the receiving waters
- Integration with other watershed improvement activities (i.e. pollutant reductions for larger resources, stream bank stabilization, habitat restoration, etc)

4. Responsible Party

Stormwater Manager

5. References

Beaufort County Stormwater BMP manual, 2009

Beaufort County Stormwater Management Plan, 2006

Zoning and Development Standards Ordinance, Beaufort County Code Part 106

Stormwater Management Utility Ordinance, Beaufort County Code Part 99.

Illicit Discharge Detection & Elimination

Section Reserved pending SW Permit Requirements

1. Background

Presently Beaufort County does not have a Stormwater Permit. This program will be required when the County receives expected permit.

Currently BCSWU staff will report illicit discharges to the regional SC DHEC office when discovered.

Public Education & Outreach

1. Background

Public Education and Outreach is one of the six minimum control measures formulated to address the impact of stormwater run-off that will be required when Beaufort County receives its expected stormwater permit. The objective of this control measure is to focus on water problem areas within the unincorporated Beaufort County jurisdiction, educate the general public and increase pollution prevention awareness. This measure also encourages community participation in both the development and implementation of the stormwater management practices.

2. Purpose

To increase awareness of water resource protection issues with the goal of building public support of local stormwater management programs and to increase public awareness of the general public's role in pollution prevention. BCSWU will work with partners such as Friends of the Rivers and Clemson Extension Service to utilize various media, especially web based educational workshops and printed material, to communicate relevant water quality messages, while encouraging public involvement and participation on effective best management practices as required and mandated by state and federal requirements.

3. Service Level

BCSWU will actively implement, at minimum, educational and public participation activities. These include:

- Distribution of printed stormwater-related educational materials
- Providing periodic press releases on the County's stormwater management efforts
- Maintenance of the Beaufort County's Stormwater website
- Monthly meetings with a Stormwater Management Utility Board
- Supporting annual volunteer events like river clean-up and storm drain marking events
- Work closely with the Clemson Master Gardener Program

In addition to these ongoing activities, BCSWU will also:

- Conduct educational presentations to school, church, and/or civic groups
- Make use of public service announcements, direct mailings, and/or other media to promote water quality awareness, as appropriate.

4. Responsible Party

Stormwater Manager

5. References

Beaufort County Stormwater BMP manual, 2009

Beaufort County Stormwater Management Plan, 2006

Zoning and Development Standards Ordinance, Beaufort County Code Part 106

Stormwater Management Utility Ordinance, Beaufort County Code Part 99.

Post Development Programs

I. Development Plan Review

1. Background

Beaufort County Engineering is tasked with reviewing the Stormwater Management Plans for new development and re-development in Beaufort County. The plans detail how a given development will address post development stormwater runoff quality and volume impacts resulting from the permanent alteration of the character and hydrology of the land surface, as well as the nonpoint source pollution from land use activities. The majority of technical criteria and standards are adopted by reference through the use of the Beaufort County Stormwater Best Management Practices Manual (BMP). The Beaufort County Stormwater Utility will support efforts by the Engineering Department.

2. Purpose

Ensure that development plans submitted meet the requirements outlined in the Zoning and Development Standards Ordinance. The ordinance is designed to protect public health and safety, public and private property and infrastructure, and the environment.

This Ordinance as a purpose of:

“All development and redevelopment, including highways, shall use site planning, design, construction, and maintenance strategies for the property to maintain or restore, to the maximum extent technically feasible, the predevelopment hydrology of the property with regard to the temperature, rate, volume, and duration of flow”

3. Service Level

BCSWU will work collaboratively with the Engineering Department and site developers to ensure site Stormwater Management Plans are consistent with local, state, and federal regulations, as they relate to stormwater management requirements, prior to approval. It will be the responsibility of the Beaufort County Engineering Department to ensure that stormwater infrastructure on a building site is built to the approved plans prior to bond release.

4. Responsible Party

Stormwater Manager

5. References

Beaufort County Stormwater BMP manual, 2009

Beaufort County Stormwater Management Plan, 2006

Zoning and Development Standards Ordinance, Beaufort County Code Part 106

Stormwater Management Utility Ordinance, Beaufort County Code Part 99.

II. Floodplain Management

1. Background

Development, particularly in a floodplain, alters the hydrology on a given site. If this altered hydrology is not taken into account, floodplains downstream will be affected, potentially causing increased flooding and flood damage. Structures downstream that have not previously experienced flooding may be included in the newly-widened floodplains, putting them at an elevated risk of flooding and requiring property owners to purchase flood insurance at considerable cost.

The BCSWU works closely with the Building Inspection Department to assist in developing credits for the Community Rating System under National Flood Insurance Program. By gearing the Utilities inspection program to FEMA criteria it is hoped that the utility will help to improve the County's classification rating which will result in all flood insurance policy holders receiving reduced premiums.

2. Purpose

The purpose of BCSWU's efforts in this area will be to earn credits in the following activities:

- Activity 441 – Elevation Reference mark – Completed
- Activity 450 – Stormwater Management
- Activity 540 – Stormwater Maintenance

3. Service Level

The BCSWU will provide the following service level in support of floodplain management:

- Stormwater Management Regulations
- Stormwater Management Master Plan
- Erosion and sedimentation control regulations
- Water quality regulations
- Channel and Basin Debris removal
- Stream Dumping regulations
- Choke point inspections

4. Responsible Party

Stormwater Manager, Stormwater Inspector and Director of Building Codes

5. References

Stormwater Management Utility Ordinance, Beaufort County Code Part 99.

Community Rating System, FEMA

III. Water Quality Monitoring

1. Background

The Beaufort County Stormwater Management Plan called for monitoring efforts by BCSWU. BCSWU also has developed a coordination arrangement with University of South Carolina to support monitoring of fecal coliform in the County. The county contracted with a firm for support on the monitoring efforts proposed in the management plan.

2. Purpose

The purpose of the monitoring program proposed in the management plan was:

- **Track water quality trends** in areas of the county expecting large increases in impervious surfaces (development). This long-term effort (10 years or longer) will be to determine if the current Best Management Practices (BMP) are protecting our water resources.
- **Establish Baseline Water Quality** – Most of the current water quality impairments are due to Stormwater from development that occurred before the County and Municipalities required BMPs on new development. The Plan identified a number of potential sites to construct regional water quality control facilities. (See retrofit section) Sites were identified to monitor water quality to prioritize sites and establish a baseline to compare with monitoring to be done after construction of water quality control facilities. This data will be collected for 2 to 3 years to establish a baseline. This baseline will be compared to additional monitoring after completion of retrofit projects.
- **Develop Data to Support Water Quality Modeling** – The Stormwater Management Plan used a number of models to predict pollutant loading from existing and future development. It identified monitoring recommendations to validate the planning level modeling. This data will also be collected for approximately 3 years to improve future water quality model runs.
- **Determine Effectiveness of BMPs** - Current County requirements specify the BMP and sizes needed to mitigate new development. These requirements assume a certain level of effectiveness for these BMP's. One of the most widely used BMPs is wet detention ponds. The plan recommended monitoring on a rotating basis wet detention ponds in the county. It is expected this type of monitoring would be for 1 to 2 years and then moved to another pond.

This has been supplemented with addition fecal coliform monitoring to identify hot spots for additional retrofit and evaluation of various corrective maintenance projects.

3. Service Level

BCSWU currently provides the following level of monitoring efforts:

- 6 trend monitoring stations – Ten year horizons
- 9 existing water quality stations – Three year horizons
- 2 runoff station – will vary locations
- 10 weekly fecal coliform samples – at locations needing investigation.

4. Responsible Party

Stormwater Inspector

5. References

Beaufort County Stormwater BMP manual, 2009

Beaufort County Stormwater Management Plan, 2006

Stormwater Management Utility Ordinance, Beaufort County Code Part 99.

Utility Administration

1. Background

On September 10, 2001, the Beaufort County Council adopted the Stormwater Management Utility Ordinance (current revision August 22, 2005, Ordinance No. 2005/32, Code of Beaufort County, Part 99). This ordinance established a “Stormwater Management Utility” for Beaufort County that includes stable, dedicated, and nondiscriminatory funding for its stormwater management responsibilities. The Ordinance was in response to local stormwater management interests to protect Beaufort County’s water resources.

The Stormwater Management Utility is primarily funded through a schedule of service charges (fees) upon properties that is directly related to the federally mandated stormwater management program requirements and the program costs imposed by properties throughout the county. Other sources of revenue are the Del Webb Agreement Fund, the cost-share initiatives between the county and the municipalities to implement the elements of the SMMP, and the reimbursement from municipalities of any services in kind (construction projects, drainage system maintenance, etc.) provided by the county within the municipality’s jurisdiction.

The Utility is supported by several Departments at the County; all of their efforts are coordinated through the Beaufort County Stormwater Utility.

2. Purpose

To describe the responsibilities and service level for the different departments involved in the assessment, collection, management and distribution of the Utility fees, as well as to describe the customer service that the rate payers, County employees, and other citizens can expect to receive from the Beaufort County Stormwater Utility.

Furthermore, to document the manner in which BCSWU systematically account for materials, services, and production to ensure accountability to the citizens of Beaufort County and to maintain the necessary records to document Beaufort County’s stormwater management program’s compliance with state and federal regulatory requirements.

3. Service Level

The public can expect that the Utility will legally, ethically, efficiently, and equitably perform all tasks and services outlined in the Utility Ordinance in a courteous and professional manner. Beaufort County’s stormwater management program is designed to ensure that Beaufort County meets all of its state and federally mandated stormwater obligations, while providing a high level of customer service for a minimal fee.

i. Utility Fund Management

The management of the stormwater users' fee is a collaborative effort, requiring interdepartmental efforts of multiple County departments. Responsibilities are broken down as follows:

1. Assessment

The BCSWU is responsible for determining the fee that each property parcel will be charged including parcels within the municipalities with interlocal agreements. The county and each municipality determine their own rate. Residential parcels receive one of three flat fees; non-residential parcels are charged based on the number of Single Family Unit (SFU) present on the property. The BCSWU forwards the assessment data to the Beaufort County Auditor for inclusion on the annual property tax bill. Vacant parcels receive a fee based on a run-off factor. Non-residential improved parcels receive a fee based on the equivalency of its total impervious surface compared to the average improved single family unit.

2. Credit Program

The Stormwater Utility Adjustment and Credit Manual establishes criteria and a process for the appropriate and effective adjustment of stormwater fees and to account for qualifying activities, practices, and property characteristics that reduce the county's cost of services related to stormwater management. Only non-residential properties are eligible to apply for credits. The BCSWU and Engineering department review all applications for credit to determine if they are in compliance with the Credit Manual and the Director of Public Works makes a final determination of eligibility.

3. Collection

The Beaufort County Tax Commissioner is responsible for collecting the user fees. The fees are included on the annual property tax bill as a separate line item. Once collected the fees are deposited in the Stormwater Management Utility Enterprise Fund account. Any billing errors or adjustments are coordinated between the BCSWU staff and the Auditors staff as needed.

4. Enterprise Fund Management

The Beaufort County Finance Department manages and performs accounting procedures required for the Utility's Enterprise Fund.

5. Distribution

The Beaufort County Finance Department distributes revenues to the Beaufort County Stormwater Utility and Municipalities so that it can perform the services authorized in the Stormwater Management Utility Ordinance and Interlocal agreements. Ninety-five percent of the fees collected within the municipality are remitted to the municipality and five percent is retained by the county for administering the fees and for administrative support. The BCSWU develops its budget annually; it is reviewed by the Stormwater Management Utility Board and approved by the County Administrator in conjunction with the Finance Department.

ii. Data Management & Record Retention

Data management is crucial in effectively managing the Utility. All requests for service (i.e. citizen calls, Board/Commissioner calls, etc.) activities related to regulatory compliance, and routine maintenance activities within the BCSWU jurisdiction are entered into a database for quick reference and reporting. By tracking data and developing project summary reports, Stormwater Utility can estimate production goals and report on cost of business on an annual basis.

BCSWU will make every effort to collect, manage, and maintain relevant information so that stormwater management activities may be completely and correctly tracked from inception to completion. The data management is important for the purposes of documenting regulatory compliance and to maintain fiscal accountability. At minimum, the following types of projects will be tracked and archived:

- Service requests
- Maintenance projects
- Routine inspections
- Public outreach activities
- Dry weather outfall screenings
- Drainage system inventory and mapping
- Correspondence with state and federal regulatory agencies
- Stormwater management plans reviewed

Wherever appropriate the above data will be maintained in an electronic format and stored in either the BCSWU server and/or an appropriate database.

4. Responsible Party

- Assessment – Stormwater Business Manager
- Credit program administration – Director of Public Works
- Collection – Beaufort County Tax Commissioner
- Utility fund management – Stormwater Business Manager and Beaufort County CFO
- Internal data management/record retention- Utility Business Manager/ Infrastructure Superintendent
- Easements/Drainage System Maps – Stormwater Easement and GIS Manager

5. References

Stormwater Management Utility Ordinance, Beaufort County Code Part 99.

Interlocal Agreements, 2001 as modified 2005

Level of Service: Glossary

Note work in Progress – need to check against definitions in other county documents

Accidental discharge means a discharge prohibited by this division which occurs by chance and without planning or thought prior to occurrence.

Appeal means a request for a review of the director of planning/zoning or designee's interpretation of any provision of this article.

Applicant means a person submitting a post-development stormwater management application and plan for approval.

Area of special flood hazard is the land subject to a one (1) percent or greater chance of flooding in any given year. This includes all floodplain and flood prone areas at or below the base flood elevation (including A, A1-30, A-99, AE, AO, AH, and AR on the FHBM or the FIRM), all floodplain and flood prone areas at or below the future conditions flood elevation, and all other flood prone areas as referenced in subsection 3-6-106(d). All streams with a drainage area of one hundred (100) acres or greater shall have the area of special flood hazard delineated.

Base flood elevation means the highest water surface elevation anticipated at any given point during the base flood.

Base flood means the flood having a one (1) percent chance of being equaled or exceeded in any given year, also known as the 100-year flood.

Beaufort County's separate storm sewer system means any facility designed or used for collecting and/or conveying stormwater, including but not limited to any roads with drainage systems, highways, Beaufort County streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and manmade or altered drainage channels, reservoirs, and other drainage structures, and which is:

- (a) Owned or maintained by unincorporated Beaufort County;
- (b) Not a combined sewer; and
- (c) Not part of a publicly-owned treatment works.

Best Management Practice or BMP means that combination of conservation measures, structures, vegetation or management practices that reduces or avoids adverse impacts of development on adjoining site's land, water, or waterways and water bodies.

Buffer means, with respect to a stream, a natural or enhanced vegetated area lying adjacent to the stream.

Channel means a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

Clean Water Act means the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Construction activity means activities subject to the South Carolina Erosion and Sedimentation Control Act or NPDES General Construction Permits. These include construction projects resulting in land disturbance. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Control Measure refers to any Best Management Practice or other method used to prevent or reduce the discharge of pollutants to the waters of the State of South Carolina.

Credit: Credit shall mean a conditional reduction in the amount of a stormwater service charge to an individual property based on the provision and continuing presence of an effectively maintained and operational on-site stormwater system or facility or the provision of a service or activity by property owner, which system, facility, service, or activity reduces the stormwater management utility's cost of providing stormwater services and facilities.

Customers: Customers of the stormwater management utility shall include all persons, properties, and entities served by and/or benefiting from the utility's acquisition, management, maintenance, extension, and improvement of the public stormwater management systems and facilities and regulation of public and private stormwater management systems, facilities, and activities related thereto, and persons, properties, and entities which will ultimately be served or benefited as a result of the stormwater management program.

Detention facility means a detention basin or structure designed for the detention of stormwater runoff and gradual release of stored water at controlled rates.

Detention means the temporary storage of stormwater runoff in a stormwater management facility for the purpose of controlling the peak discharge.

Developer means a person seeking to build or develop as defined in ZDSO Chapter 106 of Code.

Development means any action covered by ZDSO sections 106-5 through 106-8.

DHEC – means the South Carolina Department of Health and Environmental Control.

Discharge when used as a qualifier, refers to the “discharge of a pollutant”, as defined in 40 CFR Part 122.2.

Discharge related activities includes activities which cause, contribute to, or result in storm water point source pollutant discharge; and measures to control storm water discharges, including the siting, construction and operation of BMPs to control, reduce or prevent storm water pollution.

Drainage easement means an easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.

EPA means the United States Environmental Protection Agency.

Erosion and sedimentation control plan means a plan that is designed to minimize the accelerated erosion and sediment runoff at a site during land disturbance activities.

FEMA means the Federal Emergency Management Agency.

Flood insurance rate map or ***FIRM*** means an official maps created and maintained by the by the Federal Insurance Administration dated May 16, 2006, delineating the areas of special flood hazard and/or risk premium zones applicable to the community. Such FIRM as relates to property located within Beaufort County is incorporated by this reference as if fully set forth herein.

Flood means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (a) The overflow of inland or tidal waters; or
- (b) The unusual and rapid accumulation or runoff of surface waters from any source.

Flooding means a volume of surface water that is too great to be confined within the banks or walls of a conveyance or stream channel and that overflows onto adjacent lands.

Floodplain means any land area susceptible to flooding, which would have at least a one (1) percent probability of flooding occurrence in any calendar year based on the basin being fully developed as shown on the current land use plan; i.e., the regulatory flood.

Future-conditions flood elevation means the flood standard equal to or higher than the base flood elevation. The future-conditions flood elevation is defined as the highest water surface anticipated at any given point during the future-conditions flood.

Future-conditions floodplain means any land area susceptible to flooding by the future conditions flood.

Future-conditions hydrology means the flood discharges associated with projected land use conditions based on a community's zoning map, comprehensive land-use plans, and/or watershed study projections, and without consideration of projected future construction of flood detention

structures or projected future hydraulic modifications within a stream or other waterway, such as bridge and culvert construction, fill, and excavation.

Green space or *open space* means permanently protected areas of the site that are preserved in a natural state.

Illegal connection means either of the following:

- (a) Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or
- (b) Any pipe, open channel, drain or conveyance connected to Beaufort County's separate storm sewer system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Illicit Discharge is defined in 40 CFR Part 122.26(b)(2) as any discharge to a drainage system that is not entirely composed of storm water, except those discharges authorized under a NPDES permit (other than the NPDES permit for discharges from the MS4) and discharges resulting from fire fighting activities.

Impervious cover means a surface composed of any material that significantly impedes or prevents the natural infiltration of water into soil. Impervious surfaces include, but are not limited to, rooftops, buildings, streets and roads, and any concrete or asphalt surface.

Impervious unit (SFU): Given the direct and primary relationship between stormwater runoff and imperviousness, an impervious unit is defined to serve as a common reference point for comparing various properties and attaining an equitable distribution of the cost of services and facilities through a stormwater management service charge. The impervious unit in Beaufort County has been determined through engineering analyses to be represented by the average area of imperviousness of the developed single-family residential parcels of record in 2005 in Beaufort County. The unit has been determined to be four thousand nine hundred six (4,906) square feet of impervious area. The unit of four thousand nine hundred six (4,906) square feet of impervious area is herein after referred to as the impervious unit (SFU) and is the metric that shall be used to determine and compute the service charge for all properties within Beaufort County.

Impervious: Impervious means not allowing the passage of water through the surface of the ground or ground covering or a substantial reduction in the capacity for water to pass through the surface of the ground or ground covering as it would under natural conditions. The following types of surfaces will be considered "impervious" for purposes of this chapter: the vertical projected area of buildings; asphalt, concrete, brick or stone paved areas; improved vehicular drives and parking areas; compacted gravel surfaces; fabric or plastic coverings; and other surfaces that prevent or impede the natural infiltration of stormwater runoff or that change the hydrologic response of the property that existed prior to development.

Industrial activity means activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b) (14).

Industrial stormwater permit means a National Pollutant Discharge Elimination System (NPDES) permit issued to an industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

Infiltration means the passage or movement of water through the soil profile.

Jurisdictional wetland means an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Land disturbance means any land or vegetation changes, including, but not limited to, clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, that do not involve construction, paving or any other installation of impervious cover.

Maximum Extent Practicable (MEP) means the reduction of the discharge of pollutants from a municipal separate storm sewer system using a combination of best management practices, control techniques, system design and engineering methods, and such other provisions as described in the Storm Water Management Program.

Maximum Extent Technically Feasible (METF) means the reduction of excess volume from all storms below the 95th percentile (1.95 inch) and that excess from a 1.95 inch storm when there are larger rainfall events.

MS4 means municipal separate storm sewer system – used in lieu of drainage system.

Municipal Separate Storm Sewer System or MS4 means a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels or storm drains, owned or operated by a municipality or other public body, designed or used for collecting or conveying stormwater runoff and is not a combined sewer or part of a Publicly Owned Treatment Works.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit means a permit issued by the South Carolina DHEC under authority delegated pursuant to 33 USC § 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-stormwater discharge means any discharge to the storm drain system that is not composed entirely of stormwater.

Nonstructural stormwater management practice or nonstructural practice means any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and includes, but is not limited to, riparian buffers, open and green space areas, overland flow filtration areas, natural depressions, and vegetated channels.

Notice of Intent (NOI or GANOI) is the mechanism used to register for coverage under a NPDES general permit.

NPDES or National Pollutant Discharge Elimination System is the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements under Sections 307, 402, 318, and 405 of the CWA.

Owner means the legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

Outfall means the point where a municipal separate storm sewer discharges to waters of the State.

Point Source means any discernible, confined and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged into the waters of the State of South Carolina. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Pollutant means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; and noxious or offensive matter of any kind.

Pollution means the contamination or other alteration of any water's physical, chemical or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

Post-development refers to the time period, or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development activity on a site as the context may require.

Pre-development refers to the time period, or the conditions that exist, on a site prior to the commencement of a land development project and at the time that plans for the land development of a site are approved by the plan approving authority. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first item being approved or permitted shall establish pre-development conditions.

Premises mean any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Program or ***SWMP*** means the Storm Water Management Program required to be developed under the terms and conditions of this permit to manage the quality of stormwater discharged from a MS4.

Protection area or ***stream protection area*** means, with respect to a stream, the combined areas of all required buffers and setbacks applicable to such stream.

Redevelopment means any expansion, addition or replacement of more than 5,000 square feet or 15 percent, whichever is less, of impervious surface area on an already developed site.

Regional stormwater management facility or ***regional facility*** means stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual properties may assist in the financing of the facility, and the requirement for on-site controls is either eliminated or reduced.

Riparian means belonging or related to the bank of a tidal water or wetland, stream, lake, pond or impoundment.

Service charges: Service charges shall mean the periodic rate, fee, or charge applicable to a parcel of land, which charge shall be reflective of the service provided by the Beaufort County Stormwater Management Utility. Service charges are based on measurable parameters which influence the stormwater management utility's cost of providing services and facilities, with the most important factor being the amount of impervious area on each parcel of land. The use of impervious area as a service charge rate parameter shall not preclude the use of other parameters, or the grouping of properties having similar characteristics through the use of ranges or rounding up or down to a consistent numerical interval, or the use of flat-rate charges for one or more classes of similarly-situated properties whose impact on the stormwater management utility's cost of providing stormwater management services and facilities is relatively consistent. Stormwater service charges may also include special charges to the owners of particular properties for services or facilities uniquely related to stormwater management of that property, including but not limited to charges for development plan review, inspection of development

projects and on-site stormwater control systems, and enhanced level of stormwater services above those normally provided by the county.

Site means the parcel of land being developed, or the portion thereof on which the development project is located.

State waters see *Waters of the State*

Stormwater management systems means all stormwater control infrastructure within a development or redevelopment.

Stormwater runoff or stormwater means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Storm Water Discharge Associated with Industrial Activity means the discharge from any conveyance which is used for collecting and conveying storm water and which is directly related to manufacturing, processing, or raw materials storage areas of an industrial plant.

Stream bank means the sloping land that contains the stream channel and the normal flows of the stream.

Stream channel means the portion of a watercourse that contains the base flow of the stream.

Stream means any stream, beginning at:

- (1) The location of a spring, seep, or groundwater outflow that sustains stream flow; or
- (2) A point in the stream channel with a drainage area of twenty-five (25) acres or more; or
- (3) Where evidence indicates the presence of a stream in drainage area of other than twenty-five (25) acres, Beaufort County may require field studies to verify the existence of a stream.

Structural stormwater control means a structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow.

Structure means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank.

Subdivision means The division or redivision of a lot, tract, or parcel of land, by any means, including by means of a plan or a description by metes and bounds, into two or more lots, tracts, parcels or other divisions of land, for the purpose, whether immediate or future, of lease, of the transfer of ownership or of building development.

Subdivision, major means a subdivision of land into five or more lots.

Subdivision, minor means a subdivision of four or fewer lots.

Subdivision regulations means articles II, III, XII, and XIII of this chapter.

Subdivision, rural means a subdivision of land in the rural areas that allows a land owner to subdivide with less review than the standard subdivision process. Depending on the size of the land proposed for subdivision, and other requirements, a landowner is permitted up to four subdivisions, not including a residual lot. See section 106-2539.

Undeveloped land: Land in an unaltered natural state or land that has been modified to such minimal degree as to have a hydrologic response comparable to land in an unaltered natural state shall be deemed undeveloped. Undeveloped land shall have no pavement, asphalt, or compacted gravel surfaces or structures that create an impervious surface that would prevent infiltration of stormwater or cause stormwater to collect, concentrate, or flow in a manner materially different than that which would occur if the land was in an unaltered natural state.

Variance is a grant of relief from the requirements of this article which permits construction in a manner otherwise prohibited by this article.

Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certificates, or other evidence of compliance required in this article is presumed to be in violation until such time as that documentation is provided.

Waters of the State means any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, wetlands, wet weather streams, and all other bodies of surface or subsurface water, including any waters which are subject to the ebb and flow of the ocean tides, natural or artificial, lying within or forming a part of the boundaries of the State which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

Watershed means the total or partial drainage area contributing stormwater runoff to a single point.



To: Councilman Paul Sommerville, Chairman, Natural Resources Committee

Via: Gary Kubic, County Administrator
David Starkey, Chief Financial Officer
Rob McFee, P.E. Director of Engineering & Infrastructure
Eddie Bellamy, Public Works Director
Robert Klink, P.E. County Engineer

From: Dan Ahern, P.E., Stormwater Manager

Date: July 26, 2010

Subject: Recommendations of the Stormwater Implementation Committee

BACKGROUND

The Stormwater Implementation Committee was formed as a result of an April 10, 2008 County/Municipal Workshop on implementing the 2006 Beaufort County Stormwater Management Plan. The two goals of the committee were to:

1. Coordinate stormwater issues throughout the county
2. Develop recommendations for implementing the Beaufort County Stormwater Management Plan

This committee has been meeting monthly and has developed recommendations on an Annual basis that has lead to joint activities on education and outreach, monitoring and retrofit projects.

Based on county/municipal correspondence concerning implementation of the FY2011 recommendations, the committee has been charged with two new missions:

1. Develop a schedule for amending the Interagency Agreements concerning the SW Utility. The current agreements require amendment by September 2011.
2. Recommend alternative/s for how we can operate under the expected NPDES Stormwater Permits.

The following schedule was developed and presented and approved by the SW Utility Board at their May 5, 2010 meeting:

- | | |
|-------------------------------------|----------------|
| - New IGA's in place | September 2011 |
| - Draft IGA's developed | March 2011 |
| - Recommend Operational Alternative | September 2010 |

The Utility developed five operational alternatives to operate under the expected NPDES Permits. Based on the following guiding principles:

1. What is best for all SW Fee payers of Beaufort County
2. Protect Water Resources of the County

The county recommended that we go with a "Single MS4 Management Entity". The committee decided to recommend the "Individual MS4 Permits with Coordination via the Interagency Agreements on Minimum Control Measures." This operational recommendation is attached.

NPDES Stormwater Permits will require six minimum control measures (MCM). These are:

1. Public Education and Outreach on Storm Water Impacts
2. Public Involvement/Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Storm Water Runoff
5. Post-construction Storm Water Management in New Development and Re-development
6. Pollution Prevention/ Good Housekeeping for Municipal Operations

The Committee is now developing operational recommendations for each of these MCM and has developed the first two. These are also attached.

We plan to have these finalized in the next few months and they will be the basis of drafting revised Interagency Agreements. This operational alternative and MCM recommendations have been shared with Municipalities and their concurrence has been requested.

RECOMMENDATION

Recommend that the Natural Resources Committee approve the recommended operational alternative and recommendations for the first two MCM's of Education and Public Involvement.

Attachments

- Operational Alternative
- MCM #1 Coordination
- MCM #2 Coordination

**SW Implementation Committee Recommended
Operational Alternative to be incorporated when Updating
Stormwater Utility IGA's**

Final July 15, 2010

Operational Alternative – Current IGA will be renewed to reflect the following:

1. Separate Municipal Separate Storm Sewer System (MS4) Stormwater Permits for all jurisdictions in Beaufort County
2. County collection of stormwater fees with administrative fees capped at 5% of Unincorporated County Rate and additional percentages negotiated for additional Utility services
3. Minimum Water Quality Controls in municipalities must be as protective as the County's requirements
4. Coordination on MS4 permit requirements will be on the basis of Minimum Control Measures (MCM's) of the permit
5. Various combinations of cooperation are expected between municipalities and Utility to comply with MS4's MCM's. It is expected that 100% coordination for MCM #1&2 (Public Education and Involvement) and varying levels of coordination on other 4 MCM's.

Recommendations to Implementation Committed to Adopt MCM #1 Public Education and Outreach

July 26, 2010

1. **MCM #1 would be met on a County wide basis, but with individual MS4 reports.**
2. **Initial funding scheme would be based on current SFU base.**
3. **Annual education plan priorities will be developed by the SW Implementation Team.**
4. **County and Municipalities (each MS4) would individually contract with Carolina Clear as the LCSE Consortium management agency, via the following steps:**
 - a) **FY11 – Inform current educational partners of upcoming Consortium and coordinate changeover issues with Carolina Clear representatives.**
 - b) **FY12 – Budget a TBD management fee in addition to current budget to allow Consortium oversight of current educational partners and programs, without MS4 reporting requirement.**
 - c) **FY12 – Budget a TBD fee for full Consortium management of all Public Education and Outreach with full MS4 reporting for each individual MS4, with copies to each contract holder.**
 - d) **These steps have been presented to, and are pending approval by Carolina Clear / Clemson Extension.**
5. **The Storm Water Implementation Committee representatives from each Municipality will be the initial point of contact with the Consortium in setting up individual MS4 contracts, and Carolina Clear would provide individual yearly reports to each MS4 contract holder.**

**Implementation Committee recommendation for Coordination
MCM #2 Public Involvement/Participation**

July 15, 2010

1. MCM #2 would be met on a county wide basis
2. Utilize SW Management Utility Board to meet DHEC requirements
 - a. Quarterly Board Meeting would be MS4 Advisory Board and county and municipal reps would be voting members at this meeting.
3. SW Implementation Committee would develop annual priorities for proposed Low Country Stormwater Educational Consortium (LCSEC)
4. Contract with LCSEC would require the development and implementation of a MS4 Advisory approved annual public involvement/participation plan.
5. LCSEC would develop annual report and submit to SW Implementation Committee for review prior to submission to MS4 Advisory Board.



MEMORANDUM

To: Natural Resources Committee of Beaufort County Council
From: Anthony Criscitiello, Planning Director *TC*
Subject: Amendment to the ZDSO – Allow Variety Stores in Rural Business
Date: August 2, 2010

Excerpt of PLANNING COMMISSION RECOMMENDATION from its July 1, 2010, draft meeting minutes:

Mr. Anthony Criscitiello briefed the Commission. He noted that the amendment adds the use of a variety store in the Rural Business District. The distinction between hardware and variety stores are similar. The planning staff recommended approval. This amendment would not create a problem in other rural business districts.

Commission discussion included:

- whether there were any consequences for other rural business districts;
- noting a typo for liquor stores;
- noting a trend of service stations turning into fast-food and convenience stores and hardware stores becoming variety stores;
- keeping the rural character of the rural business district;
- providing shopping opportunities in the rural area;
- the history of the rural business district to legitimize existing businesses after the 1990 rezoning;
- concern for other upcoming 10,000-square foot variety stores throughout the County;
- the selectiveness of uses allowed in the rural business district;
- adding a distance proviso between such variety stores,
- concern that the failure of the business would bring about an upzoning request to fill the vacant building;
- the form-based code that is driven by building form instead of allowed uses;
- the traffic problems if commercial stores are spread out rather than clustered near residences;
- suggesting a holistic look at allowed uses in the rural business districts;
- the anticipated growth of the Garden's Corner Rural Business District;
- growth acting as a nutrient to other services for the area;
- impact fees on new businesses cannot be assessed for past deficiencies;
- the positiveness of rural business districts aiding development in such districts; and
- supporting the staff's recommendation to the amendment.

Motion: Mr. Semmler made a motion, and Mr. Thomas seconded the motion, to recommend that County Council approve the Text Amendments to the Zoning and Development Standards Ordinance (ZDSO), Article V: Table 106-1098. General Use Table, Commercial Uses – Commercial retail, neighborhood--that adds allowable use of variety stores; and Section 106-1285(d)(1) Commercial retail, neighborhood—that adds 10,000-square foot limitation for variety stores in Rural Business Districts.

Public Comment: Chairman Hicks noted for the record that there was no audience present, therefore no public comment was received.

No further discussion occurred. The motion was carried unanimously (FOR: Brown, Chmelik, Hicks, Petit, Riley, Semmler, Sutler and Thomas),

STAFF REPORT:

A. BACKGROUND:

Case No. ZTA 2010-07
Applicant: Christopher Campbell
Proposed Text Change: Amendment would allow 10,000-square-foot variety stores in the Rural Business Districts

B. SUMMARY OF REQUEST:

The ZDSO text amendments proposed by the applicant are shown as underlined for additions and ~~struck-through~~ for deletions.

Section 106-1285. Commercial retail, neighborhood.

(d) *Limited standards for neighborhood commercial retail uses within rural business districts.* Limited standards for neighborhood commercial retail uses within rural business districts are as follows:

- (1) All neighborhood commercial retail uses are limited to 3,500 square feet of floor area except for hardware stores and ~~grocery-variety~~ stores which are limited to 10,000 square feet of floor area and grocery stores which are limited to 20,000 square feet of floor area respectively. These size limitations may not be used collectively to produce a larger building.

C. ANALYSIS:

Section 106-493 of the ZDSO lists 7 standards (below), any of which is cause for a Zoning Text Amendment. Analysis will address all those applicable to the text change request.

Sec. 106-493. Standards for zoning text amendment.

A zoning ordinance text amendment may be approved if:

- 1. It would implement a new portion of the comprehensive plan or amendment.**

(Not Applicable)

- 2. It would implement and better achieve the comprehensive plan's goals and objectives that have proved difficult to achieve under the ordinance's existing provisions.**

(Not Applicable)

- 3. The ordinance's provisions were inconsistent or unreasonable in light of standards for similar uses.**

The ZDSO allows 10,000-square-foot hardware stores in the rural business district. It can be argued that variety stores are not very different from hardware stores in that they are both retail uses that provide a variety of goods for sale to the general public. However, in the North American Industry Classification System (NAICS), upon which the ZDSO General Use Table is based, while both stores are listed under "Retail Trade," they are separated into two distinct subcategories: hardware stores as "Building and Material Supplies (444130)" and variety stores as "General Merchandise (452990)."

As a practical matter, small hardware stores have given way to "big box" stores such as Lowes and Home Depot, which would not be allowed in rural business districts because of their size. In contrast, smaller variety stores such as Family Dollar and Dollar General have done very well in the current economy and are a viable option to a Wal-Mart or Costco in the more rural areas of the county. If these uses were permitted at 10,000 square feet., for example, four such stores could be built within about a five-mile stretch that includes the Corners Area Market District, the recently rezoned rural business district on St. Helena's Island, the rural business district at the Eustis Community on Lady's Island, and in the Village Center on Lady's Island. On the other hand, it is highly unlikely that four similarly sized hardware stores would locate in these same areas.

Section 106-1025 of the ZDSO (Rural Business District) states that "The rural business district is not meant to promote sprawl by competing with the commercial districts provided for in the priority investment areas. For purposes of this section, this includes all CP districts, whether or not they are located in rural areas. As demonstrated in the previous example on Lady's /St. Helena Islands, allowing 10,000-square-foot variety stores by-right in the rural business district could promote sprawl and compete with other commercial districts. This would be in conflict with this section of the ZDSO.

On the other hand, it seems reasonable to permit these types of stores in areas of the county that are not otherwise served by similar retail uses. In the northern portions of the county, for example, convenience retail stores are few and far between. If this text amendment were approved, it would be possible that the two rural business districts (Lobeco and Garden's Corner) could each have such a store. The two CP districts for which plans and zoning standards have been developed (Seabrook - Stewart Point and Dale) would not permit a 10,000-square-foot retail building. In the northern part of the county, allowing variety stores within the rural business district would provide retail opportunities to residents while not competing with other nearby commercial districts. To avoid sprawl, a distance separation between two variety stores should be mandated, as is currently the case for gas/convenience stores in the Rural districts.

4. It is necessary to respond to state and/or federal legislation.

(Not Applicable)

5. It provides additional flexibility in meeting the ordinance's objectives without lowering the ordinance's general standards.

See discussion under item 3 above.

6. It addresses a new use, changing conditions, and/or clarifies existing language.

(Not Applicable)

7. It clarifies the ordinance or makes adjustments to account for interpretation.

(Not Applicable)

D. STAFF RECOMMENDATION:

After review of the guidelines set forth in Section 106-493 of the ZDSO, staff recommends a modification to the requested text amendment as follows. Changes are shown as underlined for additions and ~~struck through~~ for deletions:

TABLE 106-1098. GENERAL USE TABLE

Land Use	Priority Areas							Rural Areas				Additional Standards (Sec Section)	Use Definition
	U	S	CR	CS	RD	LI	IP	R	RR	RB	RC		
COMMERCIAL USES													
Commercial retail, neighborhood	L	LC	Y	L	N	Y	N	LC	N	L	N	106-1285	<p>The maximum size of any neighborhood commercial retail use shall be 10,000 sq. ft. These uses are retail uses that primarily serve their immediate neighborhoods, and include the following types:</p> <ol style="list-style-type: none"> 1. Hardware stores 2. Grocery store with general merchandise for resale, with limited uses allowable in CS and CP districts up to 40,000 sq. ft., exclusive of ancillary uses 3. Food and beverage stores 4. Boutiques, gift shops, antique shops, liquor stores, bookstores and drugstores 5. Garden centers 6. <u>Variety stores (NAICS 452990)</u>

Section 106-1285. Commercial retail, neighborhood.

(d) *Limited standards for neighborhood commercial retail uses within rural business districts.* Limited standards for neighborhood commercial retail uses within rural business districts are as follows:

- (1) All neighborhood commercial retail uses are limited to 3,500 square feet of floor area except for hardware stores and grocery stores which are limited to 10,000 square feet and 20,000 square feet of floor area respectively. These size limitations may not be used collectively to produce a larger building. Variety stores limited to 10,000 square feet are permitted to be located no closer to another similar store than five miles along a public roadway.

E. ATTACHMENTS:

- Copy of application for Zoning Text Amendment



MEMORANDUM

To: Natural Resources Committee of Beaufort County Council
From: Anthony Criscitiello, Planning Director *TC*
Subject: **Amendment to the ZDSO -- Nonconformities**
Date: August 2, 2010

Excerpt of PLANNING COMMISSION RECOMMENDATION from its June 7, 2010, draft meeting minutes:

Commission discussion included disagreeing that a 50-year old structure is considered a historic structure, noting that the Historic Preservation Review Board had a baseline historic structure survey that included all non-residential structures, supporting the text amendment, clarifying the purpose for this text amendment (a policy in the Comprehensive Plan to implement preservation of older structures after having talked to two individuals recently to re-use vacant buildings on St. Helena), clarifying the existing regulations, and favoring the restoration of landmarks and historic structures.

Public Comment: Ms. Cecily McMillan noted that she was the recording secretary of the St. Helena Community Preservation Committee. The Committee would like to see a level of flexibility for restoring older properties. She noted that her family lives in the Coffin Point area where there are historic structures. Let us work with those people who have missed the grandfathering cut-off timeframe. (Chairman Hicks noted that there is a phrase that the property must be compatible to the surrounding area.) Ms. McMillan noted that compatibility is different to you and the community. If we are all about preserving the heritage in Beaufort, there must be flexibility. There should be thoughtfulness in notifying the community.

Motion: Mr. Thomas made a motion, and Mr. Petit seconded the motion, **to recommend to County Council to approve the Text Amendment to the Beaufort County Zoning and Development Standards Ordinance (ZDSO), Article I, Section 106-9(b)(1) Nonconformities—that adds a subsection allowing nonconforming historic buildings to be adaptively reused and become conforming through approval of a special use permit.** The motion was **carried unanimously** (FOR: Brown, Chmelik, Hicks, LeGree, Petit, Riley, Sutler and Thomas),

STAFF REPORT:

ZDSO Section – Section 106-9 (Nonconformities)

Summary of Proposed Amendment – This amendment will permit nonconforming historic structures to be adaptively reused through approval of a Special Use Permit.

Justification – As noted in the Cultural Resources chapter of the Beaufort County Comprehensive Plan (2007), Beaufort County has a rich inventory of vernacular architecture, much of which is being lost to redevelopment and neglect. Protection of these older structures, many of which are located in the rural and less affluent parts of the County, is vital to preserving an important component of the County’s historic built environment. The Plan recommends that the County target the preservation of these historic resources. This amendment would permit the rehabilitation and reuse of vacant historic structures that are nonconforming to the standards of their underlying zoning districts through approval of a special use permit by the ZBOA. This gives an owner the opportunity to preserve a nonconforming historic structure instead of allowing it to remain vacant, fall into disrepair and/or be demolished.

Section 106-9. Nonconformities.

(b) *Procedure for becoming conforming.* Nonconformities may become conforming as follows:

(1) *Types of situations.* The following are ~~two~~ three types of situations whereby a nonconforming use, building, structure, lot or sign can become conforming:

- a. *Correct the nonconforming situation.* If the nonconformity is terminated and a different use is proposed which is permitted within the subject zoning district, the ZDA shall ensure that all standards for the proposed use, building, structure, lot or sign within the zoning district are met. Once this review by the ZDA is completed and approved, the new use, building, structure, lot or sign shall become conforming through issuance of the appropriate permit. Note: Where a proposed change of use is different than the nonconforming use, and a special use permit is required according to table 106-1098, the procedures beginning in subdivision IV of division 3 of article III of this chapter must be followed.
- b. *Apply for special use permit as nonconformity.* Many nonconformities have existed in their neighborhood locations for a long time. In fact, some may have only recently become nonconforming. In some instances, the nonconformity is even an integral part of the neighborhood’s function. Since zoning’s purpose is to protect neighborhoods, and if the community is comfortable with the particular nonconformity, the classification “nonconformity” may run counter to community desires. Under such conditions, the nonconforming situation may be mitigated and made conforming through application for, and approval by the ZBOA for a special use permit. The purpose of this is to remove the stigma typically associated with the designation of being nonconforming with this chapter. The provisions of this section for nonconforming uses, buildings, structures, and lots provide the procedures for making a nonconformity become conforming. In no case shall nonconforming signs be approved as a special use.

- c. Apply for special use permit to adaptively reuse nonconforming historic structures. Beaufort County has a rich inventory of vernacular architecture, much of which is being lost to redevelopment and neglect. Protection of these older structures is a goal of the Beaufort County Comprehensive Plan. For buildings listed in the Beaufort County Above Ground Historic Resources Survey (1997), or eligible to be listed in the survey as determined by the Historic Preservation Review Board, a special use permit to make the site conforming may be approved by the ZBOA even if the structure has been vacant for more than 120 days and/or is damaged more than 50% of market value. The proposed use of the structure shall be the same or similar to its historic use, unless the ZBOA determines that another use is compatible with the surrounding community. In addition to the required submittals for a special use application, the applicant shall provide plans for rehabilitation of the structure, which shall be reviewed and approved by the Historic Preservation Review Board and Corridor Review Board, if applicable, prior to final approval of the special use permit.