



Green Space Advisory Committee

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MICHAEL McSHANE

Vice Chair

ALICE HOWARD

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Green Space Advisory Committee Agenda

Tuesday, July 11, 2023 at 10:00 AM

Executive Conference Room

County Administration Building, 100 Ribaut Road, Beaufort, SC

1. CALL TO ORDER
2. FOIA – PUBLIC NOTIFICATION OF THIS MEETING HAS BEEN PUBLISHED, POSTED, AND DISTRIBUTED IN COMPLIANCE WITH THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT
3. APPROVAL OF MINUTES – JUNE 27, 2023
4. APPROVAL OF AGENDA
5. CONTINUATION OF STAFF PRESENTATION OF RECOMMENDED PROGRAM CRITERIA AND APPLICATION PROCESS THAT INCLUDES A MEASURABLE SCORING SYSTEM
6. OTHER BUSINESS
7. ADJOURNMENT

MINUTES

Green Space Advisory Committee

June 27, 2023, 10:00 AM, Executive Conference Room, Beaufort County Administration Building

CALL TO ORDER:

Chair McShane called the meeting to order at 10:03 AM. Chair McShane stated that public notification of the meeting had been published, posted, and distributed in compliance with the SC Freedom of Information Act.

MEMBERS PRESENT:

Senator Tom Davis
Timothy Evans
Alice Howard, Vice-Chair
T. Peter Kristian
Carmen Avon Manning
Michael McShane, Chair
Laurel Rhoten

STAFF PRESENT:

Chuck Atkinson, Assistant County Administrator, Development/Recreation
Mark Davis, Deputy Director, Beaufort County Planning and Zoning Department
Thomas Keaveny, Beaufort County Attorney
Rob Merchant, Director, Beaufort County Planning and Zoning Department
Stefanie Nagid, Passive Park Manager

GUESTS PRESENT:

Joe Mac, Beaufort Trailblazers, and Kate Schafer, Director of Land Protection, Beaufort County Open Land Trust.

APPROVAL OF MINUTES – JUNE 6, 2023:

Tim Evans made a motion to approve the minutes of the June 6 meeting. Tom Davis seconded. The vote to approve the minutes was unanimous.

APPROVAL OF AGENDA:

The Chair asked for any additions or deletions to the agenda. There were none and the agenda was approved by acclamation.

CONTINUATION OF DISCUSSION DEFINING “TRANSPARENT AND EQUAL DISTRIBUTION WITHIN THE COUNTY”:

Chair McShane said Alice Howard is making a presentation at SoLoCo and will join the group later. He said that Peter Kristian has a conflict and will be joining via ZOOM and in-person later. Chair McShane said today’s discussion will primarily focus on the “Green Space Program Guidelines & Fundamentals 6/27/23” document.

Senator Davis distributed a handout and said he had talked with Tom Keaveny and reviewed opinion letters from the Clerk of the Senate, the Department of Revenue, and the Attorney General. Senator Davis feels the Committee has broad discretion in deciding how to distribute the money. He said based on these opinions, as long as we are looking to objective factors, we have plenary authority. Chair McShane said the most important points are objective criteria and a public process. Tom Keaveny suggested adding an annotation or footnote in the Program Guidelines document regarding the equal distribution clause that states we are relying upon the letters that Senator Davis received. Senator Davis said that is a good point; you are building a record.

Section 1, Deadlines. Chair McShane said we want to collaborate with other agencies and the state had now set their deadlines. We want to have certainty that applicants have made application for other funds. The Committee agreed to change the application deadlines to January 31, April 30, July 31, and October 31. They agreed to keep the Advisory Committee meetings 1.5 months after the application deadline.

Laurel Rhoten asked if there is a limit on the number of times you can submit an incomplete application. Chair McShane said we can add provisions to address this if needed.

Carmine Manning asked what happens if the first 10 applications total over \$100 million? Timing is critical. Chair McShane said in his experience, this motivates and incentivizes people to get their applications in. Senator Davis said that’s where leveraging comes in. Chair McShane said we can only review what applications we have in front of us. Tim Evans observed that if we have good project applications, but the money has run out, that makes a compelling case for renewing the program.

Section 2, Evaluation Factors. Chair McShane said we have added four evaluation components/arenas:

- I. Geographical Dispersion of Previous Green Space Funds
- II. Regional, Economic, and Service Demand Impacts
- III. Proximity, Connectivity, Adjacency to and impact of Previous County and Regional Investments
- IV. Proportional Leveraging of Funds

Regarding the out of county expenditures, Chair McShane said we added some definitions. Carmine Manning said this looks good.

Regarding “Proportional Leveraging of Funds,” Chair McShane said working farms may not generate enough income to take advantage of tax deductions, so we need to have some latitude.

Carmine Manning suggesting adding “environmental” to item II. “Regional, Economic, and Service Demand Impacts.”

Section 3, Application Types. Chair McShane said some metrics are defined with “shall.” These are metrics that need a match. The match is a minimum. We might see larger matches.

Chair McShane said we have added a specific application type for farmland (II). Application types VI and VII, pertaining to planned developments, are new to this program. We wanted to identify some minimum metrics.

Chuck Atkinson noted a general description of match has been added in paragraph 3, and the Committee has discretion in defining what match means.

Tim Evans suggested that when no minimum is required for a match, such as application type III, that the word “minimum” be deleted so that it reads, “. . . and may require a ~~minimum~~ match.”

Regarding application types VI and VII, planned developments, the Committee agreed to include the specific minimum matches that were recommended.

Laurel Rhoten said she considered historic preservation related to environmental, but it isn’t included as a criteria. Senator Davis said we need to remember this is a green space bill, not a historic preservation bill. The Committee agreed that historic preservation could be included as part of environmental impacts.

In Section 3.B.II, the Committee agreed to add “Green Belt” to Green Space Program: “Green Space or Green Belt Program.”

Section 4, Scoring Components. Mark Davis said that instead of using just one metric, we will be using a combination of metrics. This is where the Committee’s input is important.

Tom Davis said this seems logical and defensible.

Regarding the third criteria, relevant guiding master plans, Lauren Rhoten asked if there are any areas that wouldn’t have a comprehensive plan or master plan. Mark Davis said most jurisdictions do, but if not, an application couldn’t be contrary.

Carmine Manning said that she felt the most important thing is the environmental benefit. Impervious cover is critical and has been overlooked in Beaufort County. We don't want to dilute the program. She suggested the master plan criteria be reduced to 10%. Carmine said she was aware of the SoLoCo stormwater manual, but she has a lot of criticisms. It is not as descriptive and enforceable as the kind of things she is used to, and it shows. That factors into her issue of evaluating applications based on the relevant master plans.

Chair McShane said we would come back to this when we have the full board. He said he didn't think there's argument that we need the three components, but we might want to weight them differently.

Rob Merchant joined the meeting at 11:00.

Section 5, Minimum Procurement Types. Mark Davis reviewed the work that had been done to date on the minimum procurement requirements by application type.

Senator Davis left the meeting at 11:06.

Regarding consideration III, Mark Davis said there was discussion at the last meeting regarding adding a reverter clause. Mark said it would be best to have a better front-end game when you are considering the application then spending the money and having to ask for it back. Chair McShane said we have spent a lot of time discussing this issue, but that's because it's an area we haven't had any experience with. Tim Evans said he has concerns that someday, someone may try to take advantage of the program in this way—by double dipping. Chair McShane said he didn't think a developer could do this, but a governmental entity may be able to. Tom Keaveny said with regard to a developer, covenants would prevent that. Covenants are required as per consideration B.V.

Chair McShane asked that in general, do we have the ability for a reverter. If a developer tried to do this, there would be recourse with the grant agreement. If the issue was with the municipality, it is not as clear. Tim Evans said that makes it incumbent on this committee to exercise due diligence above and beyond on the front end, because you don't have it on the back end.

Peter Kristian joined the meeting via ZOOM at 11:09.

Regarding consideration B.IV, documentation of approval date of planned developments, Mark Davis said this comes from the existing ordinance. Chair McShane suggested reiterating that a letter of support or opposition from the relevant jurisdiction is required for these types of applications.

Regarding Subsection C, farmlands, Chair McShane said they will operate differently than other types of green space land. He has asked the Farm Bureau if they have any standards that could

be referenced. He noted for forestry there are BMPs. Chuck Atkinson outlined the existing state laws related to farming. The group agreed to change the wording in this paragraph from “required,” to “considered”: “. . .the following ~~are required~~ shall be considered:”

Tom Keaveny suggested a statement could be added “consistent with the requirements of state law.”

Chair McShane recognized Joe Mac (guest). Mr. Mac asked how the committee will evaluate the recreation component. He noted that mountain biking has exploded in popularity. Chair McShane restated Mr. Mac’s comment: you are asking if we will consider recreation opportunities in our evaluation of fee simple applications. Chair McShane said the owner, the government, has to put in a management plan as to what the land can actually provide. I would always encourage the county to look at the maximum recreational use of property acquired for county purposes. If the objective is a passive park, that will limit some activities. He noted that management plans need to be reviewed from time to time.

Laurel Rhoten suggested adding “sustainable” to C.II (sustainable farming techniques). Mark Davis said that seems to go hand in hand with it; you are being mindful of the soils, etc.

Carmine Manning asked if Section 7 from the original Program Guidelines (impacts on affordable housing etc.) will be eliminated. Chair McShane said this will be considered when we evaluate each application. Carmine said the public will want to see tangible benefits from these acquisitions.

The Committee broke for lunch at 11:41. During the break, IT staff set up the Committee members’ emails.

Alice Howard arrived at 11:45.

It was suggested that in the County Green Space ordinance, in Section 38-198, change MCAS to Department of the Navy.

Peter Kristian arrived at 12:03 PM.

The meeting resumed at 12:08 PM.

The Committee continued discussion of Minimum Procurement Requirements by Type of Application. Mark Davis marked up the draft document on the computer as the discussion progressed. Following are some of the changes that were made:

Scenic/wildlife corridors were expanded to add river corridors, wildlife corridors, and scenic corridors. Rob Merchant said the minimum width of a corridor should be more than what the County currently requires which is typically 50’ from the critical line. Chair McShane suggested

it be twice the minimum of what is required today. Carmine Manning suggested saying it must expand from current requirements. Mark Davis added “but no less than 100’.” Tim Evans observed that the width depends on the type of corridor—wildlife corridors must be much wider than scenic corridors. The group discussed a 100’ minimum width for scenic corridors and 300’ for wildlife and river and/or tidally influenced wetlands. Kate Schafer noted the buffer at the solar farm on Trask Parkway is 150’.

After more discussion, the group agreed that scenic corridors are to be a minimum of 250’ in width and wildlife and river/tidal wetlands corridors be a minimum of 300’. The group agreed to add language regarding vegetation from the easement Kate Shafer quoted from.

Back to Section 4.A. scoring. Carmine Manning observed that some of the master plans that have been prepared are not that good. She suggested changing the 1/3 of the score based on evaluation against the master plan, to 10% or 25%. The group agreed to change the percentages to:

- I. 50% for numerical values
- II. 25% for response to questions
- III. 25% for consistency with master plans

The Committee agreed there would be word limit on the question portion of the applications, but that will be determined when the applications are built.

Staff is to get a revised version of the Program Guidelines out to the Committee this week. The Committee is to review the changes and be prepared to discuss and provide final recommended changes at the July 11 meeting.

OTHER BUSINESS:

The next meeting will be July 11. Carmine Manning will be out of town for the July 11 meeting.

The meeting scheduled for Tuesday July 25 was changed to Monday July 24 to better accommodate schedules.

The Committee tentatively agreed to make a presentation on the recommended Program Guidelines on August 14—first to the Community Services and Land Use Committee, and later that evening to full County Council.

ADJOURNMENT:

The meeting adjourned at 1:10 PM.

Minutes compiled by Libby Anderson, Beaufort County Planning and Zoning Department