

# MINUTES

## Green Space Advisory Committee

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*December 6, 2023, 10:00 AM, Executive Conference Room, Beaufort County Administration Building*

### **CALL TO ORDER:**

Chair McShane called the meeting to order at 10:01 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:**

Timothy Evans  
Alice Howard, Vice-Chair  
T. Peter Kristian  
Carmen Avon Manning  
Michael McShane, Chair

### **MEMBERS ABSENT:**

Senator Tom Davis  
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  
Robert Merchant, Director, Beaufort County Planning and Zoning Department  
Juliana Smith, Long-Range Planner, Beaufort County Planning and Zoning Department

### **GUESTS PRESENT:**

Woody Axelson, Armada Acquisitions; David Bishop, The Nature Conservancy; Ross Cowan, Jr., Armada Acquisitions; Josh Gruber, Deputy Town Manager, Town of Hilton Head; Mary Ryan Krieger, Deputy Community Plans and Liaison Officer, MCAS; Grant McClure, South Coast Director, Coastal Conservation League; Kate Schaefer, Director of Land Protection, Beaufort County Open Land Trust; Andre White, Mitchelville Landowners; Kristen Williams, Executive Director, Beaufort County Open Land Trust

### **APPROVAL OF AGENDA:**

Peter Kristian made a motion to approve the agenda. Tim Evans seconded. The vote to approve the motion was unanimous.

**APPROVAL OF MINUTES – October 16, 2023:**

Peter Kristian made a motion to approve the minutes of the October 16 meeting. Tim Evans seconded. The vote to approve the motion was unanimous.

**OVERVIEW OF APPLICATION PROCESS:**

Mark Davis gave an overview of the application process using the conference room computer screen. Mark said that staff reviewed the applications for completeness and the complete applications made this agenda. Staff is not negotiating with applicants at this time; we are bringing forward complete applications as they were submitted. We are not “getting into the weeds at this point in the process”; we are simply looking at the application and seeing if there is a general framework of merit. If the application has merit and fits within the Green Space Program, the Green Space Advisory Committee (GSAC) can make a recommendation to the County Council Community Services and Land Use Committee as to whether or not to move forward with the application for further consideration. The Community Services and Land Use Committee is the body that can authorize the GSAC and staff to expend funds for due diligence and discuss acquisition negotiations with the applicant. Once the Community Services and Land Use Committee gives the approval to move forward with due diligence, the GSAC can reconvene and get into the weeds. Right now, we are simply making a recommendation to move the application forward to the Community Services and Land Use Committee; they are the body that has the authority to spend money for due diligence and to authorize our ability to negotiate the application. If it is recommended by the GSAC for procurement after conducting due diligence and negotiating the terms, then County Council can approve procurement by resolution. Mark noted this process is defined by ordinance.

Peter Kristian asked if after due diligence is completed, will the application come back to the GSAC. Chair McShane said yes it would. Chair McShane said the Community Services and Land Use Committee will meet at 3:30 Monday, and based on a successful outcome, staff will move forward with the due diligence component—legal description, appraisals, etc. This will take into January and then we will need to get back together. During this time, we will also be taking new applications, so there will be some overlap. Some applications will go quicker than others. Chair McShane confirmed that recommendations, both positive and negative, will be presented to County Council (Community Services and Land Use Committee).

Carmen Manning asked how many applications were submitted. Mark Davis said five applications were submitted; one was not complete. Mark said only complete applications will be put on the GSAC’s agenda for consideration.

Carmen Manning asked what happens if an application is not recommended to move forward. Chair McShane said the applicant will decide whether to try again.

**CONSERVATION EASEMENT APPLICATION: HALF MOON ISLAND ROAD, LOBECO**

Mark Davis introduced and reviewed the staff summary report using the conference room computer screen. Mark reviewed the General Property Characteristics that include geographic

location, elevation, soil types, road frontage, political jurisdiction, etc. Mark said this information is captured in a snapshot and the zoning is layered on top of that. This application is in unincorporated Beaufort County, so the zoning is Beaufort County; however, we do have some applications that are in other governmental jurisdictions; in that case, the other jurisdiction's zoning and what is allowed would be shown. Then we review Consistency With Relevant Overarching Master Plans and how the application relates to said plans. In this case, the master plans are the Comprehensive Plan and the Greenprint Plan. Mark noted the Greenprint Plan is unique to Beaufort County; this may not be relevant to all applications.

Mark Davis said the staff summary is layered on top of the application information. We are not trying to duplicate the application; we are providing a summary. The summary is here to help in your understanding of the application. The summary is an introduction--does it have merit and do you believe it should move forward for consideration by the Community Services and Land Use Committee.

Mark Davis said the zoning of the property is T2R. This is a very rural district with a density of 1 unit/3 acres. Mark reviewed the list of uses permitted in the district.

Juliana Smith showed the aerial GIS map using the computer screen. Mark Davis showed the property location and the nearby protected land. Mark said in proximity to protected lands, this application is doing well. Staff believes this application has merit. One of our concerns at this time is that there has been significant tree removal; that was reflected in the staff report. That doesn't mean the application doesn't have merit, it just changes the nature of what was there and how it will be evaluated.

Chair McShane said if you looked at an aerial map of that part of the county from the 1930s, you would not see much tree canopy, as much of the land was in active farming. Chair McShane said landowners have the right to manage their timber. Chair McShane said the timbering will be reflected in the appraisal. The fact that the landowner chose to do a timber operation recently doesn't reflect our purview whether the conservation values are there; in fact, it may be a conversion to more active farming, and preserving small farming operations is one of our principles.

Mark Davis said the soil types on the property are coming back as soils of state importance for agriculture and that this application could be processed as a Farmland Preservation. Mark said that trees would need to be removed before farming would occur, but we like people to come forward and work with us about the cuts. Chair McShane said that under a conservation easement, there will be a detailed timber management plan outlining the responsibilities of the landowner and easement holder.

Tim Evans stated the goal is to have properties brought into the program before timber management and it could occur after the property is a part of the program so long as it was

within the terms of the conservation easement. Mark Davis agreed. Chair McShane said a conservation easement will give parameters regarding what timber management takes place.

Mark Davis said we would be very interested in restoring what we call river buffers which are very important to the County.

Chair McShane said, presuming we go forward with the application, we may have a partner in the federal government on this application. Mary Ryan Krieger agreed, saying the Air Station has a strong interest in this property. Mark Davis said staff coordinated with the Air Station on this evaluation.

Mark Davis confirmed that staff will coordinate with applicants before any site visits occur.

Tim Evans made a motion to move the application forward to the Community Services and Land Use Committee with a recommendation to conduct due diligence. Peter Kristian seconded.

Carmen Manning asked for clarification regarding the 10,000 proximate acres that are protected. What does “proximate” mean?

Juliana Smith showed the Protected Lands Map on the computer screen. Kate Schaefer, the applicant, said that everything in pink was protected, and described the names and approximate acres of the property comprising the 10,000 acres. Proximate means in the distinct neighborhood.

Chair McShane asked for a vote on the motion. The vote to approve the motion was unanimous.

***CONSERVATION EASEMENT APPLICATION: GREGORIE NECK ROAD, YEMASSEE***

Chair McShane said we were fortunate in our first four applications to review; we got a nice sampling of what we could do, from a fee simple in-county, to conservation easements, to conservation easement outside of county. Chair McShane said this application is for out of county.

Mark Davis said this application is for a procurement outside of Beaufort County. Mark showed the location of the property on a map. He said the partners are here in the room. Mark said this application has merit.

Tim Evans said from an equitability standpoint, would this application be considered North? Chair McShane said the ordinance references equitability with regard to the makeup of the county geographic regions, but it also allows procurements outside the county. Remember, our scope today is just to decide whether we want to move forward with a recommendation. Mark Davis stated staff will have to track equitable distribution, but we see that entering the discussion a bit further into the evaluation.

Peter Kristian made a motion to move the application forward to the Community Services and Land Use Committee with a recommendation to conduct due diligence. Alice Howard seconded.

Carmen Manning said it is not clear to her what the relationship is here, because it sounds as if the Nature Conservancy is going to purchase this property. Doesn't that give us some idea that the property is not going to be developed? So why are we even involved? Why are we going to use Beaufort County money, when Jasper County is not putting up anything.

Chair McShane said The Nature Conservancy has worked to get this property in a situation to be able to purchase it, but in their due diligence period, they are searching for other funding to be able to follow through, and they have asked us to be a participant in that funding. It is not limited to Green Space; there are a number of funding sources they will need. The Fair Market Value of the property is \$38.6 million. The contract is for \$35 million. Chair McShane said it is not uncommon that an entity such as The Nature Conservancy will move forward on an option and then search for grants to be able to help fund the purchase. Tim Evans said Audubon will often seek to acquire properties, and we are dependent on partners such as the SC Conservation Bank or other funders to come up with the money. Audubon's pockets are not deep enough to cover the expense, but if we can cover a portion, then we look for other partners to help come up with the funding.

Carmen Manning said that for this application, the Open Land Trust is a partner and the Defense Department and the State Conservation Bank, but is Jasper County a partner? Chair McShane said he didn't know if we'd asked Jasper County yet.

David Bishop said we are trying to establish funding in Jasper County modeled after Beaufort, but that is a process. Kate (Schaefer) and her team, and Grant (McClure) are really immersed in that, but Jasper County is not sitting on large amounts of money, so our strategy is "buy, protect, resell." We will sell it with a conservation easement. It will still be on the tax rolls in Jasper County.

Kate Schaefer said that a conservation easement has to be granted to a third party. Jasper County doesn't have the money yet, but what they are trying to do through their own land use policies is to encourage rural development in this area. This procurement is fully in keeping with Jasper County land use policy. If they hadn't taken that side of the coin, the property could have been zoned industrial which could have changed the price from \$38 million to perhaps \$100 million, and that would have been cost prohibitive. Kate said she thinks Jasper County is playing a role, just in a different way. Mark Davis agreed.

Vice-Chair Howard said Jasper County's letter was one of strongest worded letters of support she has seen. They just don't have the means to financially participate, but they are working on it.

Vice-Chair Howard said land in this area is important for our water quality.

Chair McShane said there is also an opportunity to create a wildlife corridor from the ACE Basin to the Savannah River.

Mark Davis said this is the gold standard for an out of county application.

Tom Keaveny said these are the type of questions we would expect to talk about when we get back together. There is another application that will have similar questions.

Chair McShane asked for a vote on the motion. The vote to approve the motion was unanimous.

***FEE SIMPLE APPLICATION: ULMER ROAD, BLUFFTON***

Mark Davis said this is for a fee simple acquisition in Beaufort County. This means that public access is required. Mark showed the location of the property on the aerial GIS map. He noted the property has an existing pond, an existing cell tower, and there are scattered wetlands throughout. There is an adjacent County-owned property that is planned for a passive park (Bailey Park). The properties are directly connected. There is also protected land nearby. Mark said we will look at fee simple acquisitions differently than we do easement acquisitions, since the County will own it and maintain it.

Mark Davis said the property is 41 acres and is zoned T3 Edge (T3E). This is a single-family zone with a minimum lot size of 11,250 SF. Mark said the zoning matches the area; there is no problem with the zoning. There has been no application to change the zoning. A sketch plan was developed for the property.

Peter Kristin asked if there is potential to remove 39 lots. Mark Davis said the site would need to be engineered to make a final determination on lot counts, but that is a fair estimate at this time. Tim Evans asked if we are a little early in the process for this one. Chair McShane said to remember what our scope for today: do we want to move forward on making a recommendation to Community Services and Land Use to conduct due diligence. Due diligence will have a lot of that answered for us. Chair McShane reminded the committee that this does not guarantee any approval beyond due diligence.

Tim Evans made a motion to move the application forward to the Community Services and Land Use Committee with a recommendation to conduct due diligence. Peter Kristian seconded.

Alice Howard noted there is a 30-year lease for a cell tower on this property.

Chair McShane asked for a vote on the motion. Four members voted yes and one member (Vice-Chair Howard) voted no.

**FEE SIMPLE APPLICATION: MITCHELVILLE ROAD, HILTON HEAD**

Mark Davis pointed out the location of the property on an aerial GIS map using the computer screen. Mark said the property has a lush maritime forest. A County-owned dirt road bisects the property in the front. Mark pointed out the development pattern on the adjoining property and observed that this is possibly what could happen on this property based on the existing zoning, but pointed out that the existing county dirt road would limit development potential on the front part of the property unless it was relocated.

Chair McShane said this is one of the last undeveloped maritime forests on the island with a very rich history. The Town of Hilton Head owns the adjoining park space that includes active and passive park usage. The procurement could be like an expansion of the Town's existing park system.

Chair McShane said there is a fair amount of due diligence that needs to be done on this property.

Peter Kristian made a motion to move the application forward to the Community Services and Land Use Committee with a recommendation to conduct due diligence. Tim Evans seconded.

Vice-Chair Howard said she strongly supports moving this application forward.

Carmen Manning observed that this property is not connected to the Mitchelville Freedom Park.

Josh Gruber said that although this tract is not contiguous to Mitchelville Freedom Park, this site has original structures from the Mitchelville community. An archaeological survey has been done. It was not completed, but the initial survey indicated the foundations and chimneys of original structures on the site. This site could be an extension of the Mitchelville Freedom Park because of those original remnants being there.

Peter Kristian said this is an excellent property to consider.

Chair McShane said that for the family ownership to even allow this opportunity is a huge gift. Peter Kristian said they want to try to make this a legacy.

Chair McShane asked for a vote on the motion. The vote to approve the motion was unanimous.

**OTHER BUSINESS:**

Chair McShane said that County IT staff will be working with each GSAC member to make sure we have a smooth system in place; there were some members who had password issues.

Chair McShane said we do not need to schedule another meeting today; we should see how Monday's meeting goes. Shortly after Monday, we will need to start scheduling some meetings that will take place quickly in the first quarter on some of these projects as well as handling the new applications due in January for the next round.

Peter Kristian thanked Mark, Juliana, and Dominique for their assistance with computer issues. Peter complimented Mark on the way the material was put together today; it was very helpful.

Chair McShane introduced Juliana Smith who is now on staff to assist in supporting the Green Space Program. The County has also put out an RFQ for legal counsel specifically for Green Space.

Carmen Manning asked for an update on how much money had been collected in the program to date. Chuck Atkinson said \$18 million had been collected by the end of October.

***ADJOURNMENT:***

The meeting was adjourned at 10:54 AM.

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