



CITY OF BEAUFORT
1911 BOUNDARY STREET
BEAUFORT MUNICIPAL COMPLEX
BEAUFORT, SOUTH CAROLINA 29902
(843) 525-7070
CITY COUNCIL REGULAR MEETING AGENDA
June 26, 2018

NOTE: IF YOU HAVE SPECIAL NEEDS DUE TO A PHYSICAL CHALLENGE, PLEASE CALL IVETTE BURGESS 525-7070 FOR ADDITIONAL INFORMATION

STATEMENT OF MEDIA NOTIFICATION

"In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting."

REGULAR MEETING - Council Chambers, 2nd Floor - 7:00 PM

I. CALL TO ORDER

A. Billy Keyserling, Mayor

II. INVOCATION AND PLEDGE OF ALLEGIANCE

A. Mike McFee, Mayor Pro Tem

III. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS

IV. PUBLIC COMMENT

V. PUBLIC HEARING

VI. MINUTES

VII. OLD BUSINESS

- A. FY 2019 Budget Ordinance - 2nd Reading
- B. Amendment Sec 7-13003 - Hospitality Fee Ordinance - 2nd Reading
- C. Ordinance setting election, related dates, and filing fees for two (2) members of City Council - 2nd Reading

VIII. NEW BUSINESS

- A. Authorization to approve Retail Office Agreement between the Greater Beaufort-Port Royal Convention and Visitors Bureau (CVB) and the City of Beaufort
- B. Approval of Memorandum of Understanding between the Greater Beaufort-Port Royal Convention and Visitors Bureau (CVB)/Designated Marketing Organization (DMO) and the City of Beaufort
- C. Ordinance Rezoning Three Parcels of Property on Palmetto Street T4-Neighborhood District - 1st Reading
- D. Ordinance Rezoning Four Parcels of Property on Salem Road from T4-Neighborhood District to T5-Urban Corridor District - 1st Reading

- E. Ordinance Rezoning Three Parcels of Property on Southside Boulevard from T4-Neighborhood District to T3-Neighborhood District - 1st Reading
- F. Ordinance Adopting Revised Beaufort Development Code, 6-Month Amendments to the Beaufort Code - 1st Reading
- G. Approval of City Council Summer Schedule
- H. Boards and Commissions Re-appointments - Redevelopment Commission (RDC)

IX. EXECUTIVE SESSION

- A. Pursuant to Title 30, Chapter 4, Section (70) (a) (2) of the South Carolina Code of Law: Receipt of Legal Advice

X. REPORTS

- City Manager's Report
- Mayor Report
- Reports by Council Members

XI. ADJOURN



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 6/21/2018
FROM: Kathy Todd, Finance Director
AGENDA ITEM
TITLE: FY 2019 Budget Ordinance - 2nd Reading
MEETING
DATE: 6/26/2018
DEPARTMENT: Finance

BACKGROUND INFORMATION:

In accordance with State Law, the City Manager brings before City Council the FY 2019 Budget Ordinance.

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Ordinance	Backup Material	6/21/2018

ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE LEVY OF TAXES FOR THE CITY OF BEAUFORT FOR FISCAL YEAR BEGINNING JULY 1, 2018 AND ENDING JUNE 30, 2019; TO PROVIDE FOR EXECUTION OF AND TO PUT INTO EFFECT THE CONSOLIDATED BUDGET; AND TO PROVIDE BUDGETARY CONTROL OF THE CITY'S FISCAL AFFAIRS

WHEREAS, pursuant to the provisions of the laws of the State of South Carolina, the City Manager is required to submit to the City Council a budget for the year beginning July 1, 2018 and ending June 30, 2019, and

WHEREAS, the City Manager has prepared and presented such proposed budget to the Council, such budget available for inspection at the office of the Finance Director, and

WHEREAS, the consolidated budget contains the budgets of the General Fund, the Parks and Tourism Fund, the Stormwater Utility Fund, the State Accommodations Fund, and the Redevelopment Fund.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Beaufort, SC, in Council duly assembled, and by the authority of the same to provide for the levy of tax for corporate City of Beaufort for the fiscal year beginning July 1, 2018 and ending June 30, 2019, to make appropriations for said purposes, and to provide for budgetary control of the City's fiscal affairs.

SECTION 1. TAX LEVY

The City Council of Beaufort, SC hereby appropriates the funds as detailed in Sections 3 and 4 of this Ordinance. Further, that the City Council of Beaufort, SC hereby establishes the millage rates as detailed in Section 2 of this Ordinance. However, the City Council of Beaufort, SC reserves the right to modify these millage rates by resolution at its August 14, 2018 meeting.

SECTION 2. MILLAGE

The Beaufort County Auditor is hereby authorized and directed to levy the Fiscal Year 2018 – 2019 a tax of 74.59 mills on the dollar of assessed value of property within the City limits, in accordance with the laws of South Carolina. These taxes shall be collected by the Beaufort County Treasurer, as provided by law and distributed in accordance with the provisions of this Ordinance and subsequent appropriations hereafter passed by the City Council of Beaufort, SC.

City Operations	53.62
City Debt Service	18.97
City Reserve Mil	2.00

SECTION 3. CITY OPERATIONS APPROPRIATION

An amount of \$22,975,810 is appropriated to the City of Beaufort to fund City Operations as follows:

	<u>Appropriation</u>
<u>General Fund</u>	
Non Departmental	\$ 138,279
City Council	159,001
City Manager	498,973
Finance	781,178
Human Resources	177,440
Information Technology	470,729
Municipal Court	526,806
Planning	909,922
Police Operations	4,041,005
School Resource Officer	281,501
School Crossing Guards	27,376
Victims Rights	83,503
Beaufort Fire	5,208,177
Public Works	417,354
Streets & Traffic	906,333
Facilities Maintenance	557,424
Solid Waste	736,067
Debt Service	1,739,254
Total General Fund	<u>\$ 17,660,321</u>
<u>TIF II Fund</u>	<u>\$ 184,000</u>
<u>Parks & Tourism Fund</u>	
Police Operations	\$ 1,267,788
Marina	30,974
Waterfront Park Operations	476,135
Waterfront Park Debt Service	309,109
Parking	49,100
Other Parks & Tourism	936,089
Other Downtown Operations	312,205
Tourism Marketing	123,585
Total Parks & Tourism Fund	<u>\$ 3,504,985</u>
<u>Stormwater Utility Fund</u>	
Stormwater Utility Operations	\$ 518,886
Debt Service	546,420
Total Stormwater Utility Fund	<u>\$ 1,065,306</u>
<u>State Accomodations Fund</u>	
Police Operations	\$ 59,680
Designated Marketing Organization	157,293
ATAX Grant Awards	281,122
Transfers out	51,216
Total State Accommodations Fund	<u>\$ 549,311</u>
<u>Redevelopment Fund</u>	<u>\$ 12,000</u>
Total Appropriations	<u><u>\$ 22,975,923</u></u>

The detailed Operations budget containing line-item accounts by department is hereby adopted as part of this Ordinance.

Capital Project Appropriations shall not lapse at June 30, 2018, but each project appropriation shall remain in force for the life of the project and shall be closed out upon completion or other disposition of the project.

SECTION 4. CITY OPERATIONS REVENUE

The appropriations of the City Operations will be funded from the following revenue sources:

	Revenues
<u>General Fund</u>	
Property Taxes	\$ 7,028,088
Licenses & Permits	3,973,000
Intergovernmental	2,878,189
Franchise Fees	2,230,243
Charges for Services	1,067,316
Fines & Forfeitures	278,000
Miscellaneous	134,269
Interest	20,000
Transfers In	51,216
Total General Fund	<u>\$ 17,660,321</u>
<u>Parks & Tourism Fund</u>	
Other Taxes	\$ 2,916,159
Charges for Services	588,826
Total Parks & Tourism Fund	<u>\$ 3,504,985</u>
<u>Stormwater Utility Fund</u>	
Charges for Services	\$ 1,065,306
Total Stormwater Utility Fund	<u>\$ 1,065,306</u>
<u>State Accommodations Fund</u>	
Other Taxes	\$ 549,311
Total State Accommodations Fund	<u>\$ 549,311</u>
<u>Redevelopment Fund</u>	
Charges for Services	\$ 12,000
Total Redevelopment Fund	<u>\$ 12,000</u>
Total Revenues	<u><u>\$ 22,791,923</u></u>

SECTION 5. ESTABLISHMENT OF A MASTER FEE SCHEDULE

A Master Fee Schedule listing all fees charged by the City for Fiscal Year 2019 is included and incorporated for reference as Attachment A. Included in the Master Fee Schedule is the adoption of the increase in the Stormwater Utility Fee from \$105 to \$135.

SECTION 5. CITY DEBT SERVICE APPROPRIATION

The revenue generated by an 18.97 mill levy is appropriated to defray the principal and interest payment on all City debt authorized to cover Capital expenditures.

SECTION 6. BUDGETARY ACCOUNT BREAKOUT

The foregoing City Operation appropriations have been detailed by the City Council into line-item accounts for each department. The detailed appropriation by account and budget narrative contained separately is hereby adopted as part of this Ordinance.

SECTION 7. FY 2017-2018 ENCUMBRANCES AND REMAINING GRANT AUTHORIZATIONS REAPPROPRIATED, RECORDING OF ASSIGNMENTS OF AMOUNTS APPROPRIATED FROM FUND BALANCE.

Encumbrances in each fund at June 30, 2018, representing obligations made against 2017-2018 appropriations outstanding as of that date, are hereby reappropriated and the appropriations shall be distributed to the budgetary accounts under which the expenditures will be charged during the FY 2018-2019 budget year as such obligations are satisfied, provided that such encumbrances, when taken together with the FY 2017-2018 expenditures, do not cause any fund to exceed its budgetary authorization for the year ended June 30, 2018.

For each fund in which a reappropriation occurs, the amount of funds appropriated hereunder shall be established in that fund as "Assigned Fund Balance for Encumbrances."

For each fund in which the balanced budget for FY 2018-2019 includes the use of fund balance; the amount of the fund balance so used shall be identified as "Assigned for Current Appropriations."

Appropriations for grants, the authorization for which extends beyond the end of the fiscal year, shall not lapse at the end of the fiscal year. Any such grant authorizations remaining at the end of a fiscal year shall be reappropriated pursuant to the conditions of the respective grant agreements.

Appropriations for active projects resulting in restrictions or commitments of fund balances shall be identified by appropriate titles in the financial statements of the affected funds.

SECTION 8. ADMINISTRATION OF THE BUDGET

The City Manager or his designee shall administer the budget and may authorize the transfer of appropriations within the allotments heretofore established and necessary to achieve the goals of the budget provided, however, that no such transfer shall be used to increase the total appropriation within any fund.

SECTION 9. AUTHORIZATION TO ENTER INTO CONTRACTS

The City Manager is authorized to enter into City contracts if the total contract amount is less than or equal to the budget line item or project budget as approved by City Council herein.

SECTION 10. ALLOCATION OF FUNDS

The City Manager is responsible for controlling the rate of expenditures of budgeted funds in order to assure that expenditures do not exceed funds on hand. To carry out this responsibility, the City Manager is authorized to allocate budgeted funds.

SECTION 11. MISCELLANEOUS RECEIPTS ABOVE ANTICIPATED REVENUES

Revenues other than, and/or in excess of, those addressed in Section 4 of this Ordinance, received by the City of Beaufort, which are in excess of the anticipated revenue as approved in the current budget, may be expended as directed by the revenue source, or for the express purposes for which the funds were generated without further approval of City Council. All such expenditures addressed in Section 3, in excess of \$10,000, shall be reported, in written form, to the City Council of Beaufort on a quarterly basis. Such funds include sales of products, services, rents, contributions, donations, special events, insurance and similar recoveries.

SECTION 12. TRANSFERS VALIDATED

All duly authorized transfers of funds heretofore made from one account to another, or from one fund to another during Fiscal Year 2019, are hereby approved.

SECTION 13. EFFECTIVE DATE

This Ordinance shall be effective July 1, 2018. Approved and adopted on the second and final reading this 26rd day of June 2018.

BILLY KEYSERLING, MAYOR

ATTEST:

IVETTE BURGESS, CITY CLERK

1ST Reading _____

2nd Reading & Adoption _____

Reviewed by: William Harvey III, City Attorney, 6/6/2018

ATTACHMENT A
MASTER FEE SCHEDULE FOR FY 2018-2019

Special Duty Fee - Police	\$50/hour
Special Duty Fee – Fire	\$38/hour
Special Duty Fee – Public Works	\$36/hour
Park Rental Fee – Waterfront Park – as adopted in February 2011 and included in the Waterfront Park rental application	
Park Deposit Fee – Pigeon Point Park	\$50/day
Park Deposit Fee - Southside Park	\$100/day
Parking Fee for Special Events - Full Day Rate	\$6/day
Stormwater Fee – Option E under the Beaufort County Stormwater Rate model	\$135/account
Refuse/Recycling Collection Fee – Residential	\$16.20/month
Refuse Collection Fee – Commercial:	
Tier 1 – 1 Cart/2 Day service	\$27.00/month
Tier 2 - 2 Carts/2 Day service	\$57.00/month
Tier 3 – 3 Carts/2 Day service	\$82.00/month
Tier 4 – 3 Carts/5 Day service	\$120.00/month
Tier 5 – 4 Carts/5 Day service	\$158.00/month
Tier 6 – 5 Carts/5 Day service	\$189.00/month
Tier 7 – 6 Carts/5 Day service	\$220.00/month
\$25.00 added to each monthly account requiring Saturday service	

BUSINESS LICENSE

RATE SCHEDULE

<u>RATE CLASS</u>	<u>INCOME: \$0 - \$2,000</u>	<u>INCOME OVER \$2,000</u>
	<u>BASE RATE</u>	<u>Rate per Thousand or fraction thereof</u>
1	\$25.00	\$0.95
2	\$35.00	\$1.37
3	\$45.00	\$1.79
4	\$55.00	\$2.21
5	\$65.00	\$2.63
6	\$75.00	\$3.05
7	\$85.00	\$3.47
8.1	\$60.00	\$1.75
8.2	\$ set by State statute	
8.3	MASC Telecommunications	
8.4	See detail below	
8.5	\$20.00	\$0.65
8.6	\$288.00	\$2.07
8.7	MASC Insurance	
8.8A	\$12.50 + \$12.50 per machine	
8.8B	\$64.00	\$2.52
8.8C	\$12.50 + \$180.00 per machine	
8.9	See detail below	
8.10	See detail below	

All other 08 Classifications – please contact the Business License Office.

NON-RESIDENT RATES

Unless otherwise specifically provided, all taxes and rates shall be doubled for nonresidents and itinerants having no fixed principal place of business within the municipality.

CLASS 8 RATES

Each NAICS Number designates a separate sub-classification. The businesses in this section are treated as separate and individual subclasses due to provisions of State law, regulatory requirements, service burdens, tax equalization considerations, etc., which are deemed to be sufficient to require individually determined rates. Non-resident rates do not apply except where indicated.

NAICS 230000 - Contractors, Construction, All Types

- 8.1** Having permanent place of business within the municipality
Minimum on first \$2,000..... \$ 60.00 PLUS
Each additional 1,000..... \$ 1.75

- 8.1A** Not having permanent place of business within the municipality

Minimum on first \$2,000..... \$ 120.00 PLUS
 Each additional \$1,000.....\$ 3.50
 (Non-resident double rates do not apply)

A trailer at the construction site or structure in which the contractor temporarily resides is not a permanent place of business under this ordinance.

The total tax for the full amount of the contract shall be paid prior to commencement of work and shall entitle contractor to complete the job without regard to the normal license expiration date. An amended report shall be filed for each new job and the appropriate additional license fee per \$1,000 of the contract amount shall be paid prior to commencement of new work. Only one base tax shall be paid in a calendar year.

No contractor shall be issued a business license until all state and municipal qualification examination and trade license requirements have been met. Each contractor shall post a sign in plain view on each job identifying the contractor with the job.

Sub-contractors shall be licensed on the same basis as general or prime contractors for the same job. No deductions shall be made by a general or prime contractor for value of work performed by a sub-contractor.

No contractor shall be issued a business license until all performance and indemnity bonds required by the Building Code have been filed and approved. Zoning permits must be obtained when required by the Zoning Ordinance.

Each prime contractor shall file with the License Official a list of sub-contractors furnishing labor or materials for each project.

8.2 NAICS 482 - Railroad Companies – (See S.C. Code § 12-23-210)
 Set by State Statute

8.3 NAICS 5171, 5172 - Telephone Companies:

A. Notwithstanding any other provisions of the Business License Ordinance, the business license tax for "retail telecommunications services", as defined in S. C. Code Section 58-9-2200, shall be at the maximum rate authorized by S. C. Code Section 58-9-2220, as it now provides or as provided by amendment. The business license tax year shall begin on January 1 of each year. Declining rates shall not apply.

B. In conformity with S.C. Code Section 58-9-2220, the business license tax for "retail telecommunications services" shall apply to the gross income derived from the sale of retail telecommunications services for the preceding calendar or fiscal year which either originate or terminate in the municipality and which are charged to a service address within the municipality regardless of where these amounts are billed or paid and on which a business license tax has not been paid to another municipality. The measurement of the amounts derived from the retail sale of mobile telecommunications services shall include only revenues from the fixed monthly recurring charge of customers whose service address is within the boundaries of the municipality. For a

business in operation for less than one year, the amount of business license tax shall be computed on a twelve-month projected income.

C. The business license tax for "retail telecommunications services" shall be due on January 1 of each year and payable by January 31 of that year, without penalty.

D. The delinquent penalty shall be five percent (5 %) of the tax due for each month, or portion thereof, after the due date until paid.

E. Exemptions in the business license ordinance for income from business in interstate commerce are hereby repealed. Properly apportioned gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax.

F. Nothing in this Ordinance shall be interpreted to interfere with continuing obligations of any franchise agreement or contractual agreement in the event that the franchise or contractual agreement should expire after December 31, 2003.

G. All fees collected under such a franchise or contractual agreement expiring after December 31, 2003, shall be in lieu of fees or taxes which might otherwise be authorized by this Ordinance.

H. As authorized by S. C. Code Section 5-7-300, the Agreement with the Municipal Association of South Carolina for collection of current and delinquent license taxes from telecommunications companies pursuant to S. C. Code Section 58-9-2200 shall continue in effect.

NAICS 22112 - Electric Power Distribution..... See Consent or Franchise

NAICS 22121 - Natural Gas Distribution See Consent or Franchise

NAICS 517110 - Television: Cable or Pay

Services using public streets See Franchise

8.4A NAICS 423930 - Junk or Scrap Dealers [Non-resident rates apply]

Minimum on first \$2,000\$ 41.00 PLUS

Per \$1,000, or fraction, over \$2,000 \$ 1.66

8.4B NAICS 522298 - Pawn Brokers - All Types

Minimum on first \$2,000 \$ 161.00 PLUS

Per \$1,000, or fraction, over \$2,000 \$ 2.88

8.5 NAICS 4411, 4412 - Automotive, Motor Vehicles, Boats, Farm Machinery or Retail
(except auto supply stores - see 4413)

Minimum on first \$2,000 \$ 20.00 PLUS

Per \$1,000, or fraction, over \$2,000 \$ 0.65

One sales lot not more than 400 feet from the main showroom may be operated under this license provided that proceeds from sales at the lot are included in gross receipts at the main office when both are operated under the same name and ownership.

Gross receipts for this classification shall include value of trade-ins. Dealer transfers or internal repairs on resale items shall not be included in gross income.

NAICS 454390 - Peddlers, Solicitors, Canvassers, Door-To-Door Sales

Direct retail sales of merchandise. [Non-resident rates apply]

- 8.6** Regular activities [more than two sale periods of more than three days each per year]
Minimum on first \$2,000 \$ 288.00 PLUS
Per \$1,000, or fraction, over \$2,000 \$ 2.07

Applicant for a license to sell on private property must provide written authorization from the properly owner to use the intended location.

8.7 NAICS 5241 - Insurance Companies:

Except as to fire insurance, “gross premiums” means gross premiums written for policies for property or a risk located within the municipality. In addition, “gross premiums” shall include premiums written for policies that are sold, solicited, negotiated, taken, transmitted, received, delivered, applied for, produced or serviced by (1) the insurance company’s office located in the municipality, (2) the insurance company’s employee conducting business within the municipality, or (3) the office of the insurance company’s licensed or appointed producer (agent) conducting business within the municipality, regardless of where the property or risk is located, provided no tax has been paid to another municipality in which the property or risk is located based on the same premium.

Solicitation for insurance, receiving or transmitting an application or policy, examination of a risk, collection or transmitting of a premium, adjusting a claim, delivering a benefit, or doing any act in connection with a policy or claim shall constitute conducting business within the municipality, regardless of whether or not an office is maintained in the municipality.

As to fire insurance, “gross premiums” means gross premiums (1) collected in the municipality, and/or (2) realized from risks located within the limits of the municipality.

Gross premiums shall include all business conducted in the prior calendar year.

Gross premiums shall include new and renewal business without deductions for any dividend, credit, returns premiums or deposit.

NAICS 52411 - Life, Health and Accident 0.75% of Gross Premiums

NAICS 524126 - Fire and Casualty (Licensed in SC)2% of Gross Premiums

NAICS 524127 - Title Insurance 2% of Gross Premiums

8.9A NAICS 713290 - Bingo halls, parlors –
Minimum on first \$2,000\$32.50 PLUS
Per \$1,000, or fraction, over \$2,000 \$1.26

8.9B NAICS 711190 - Carnivals and Circuses – Per Day
Minimum on first \$2,000 \$ 230.00 PLUS
Per \$1,000, or fraction, over \$2,000 \$ 5.76

8.9C NAICS 722410 – Full Service Restaurants (Alcoholic beverages consumed on premises) that may or may not provide entertainment.
Minimum on first \$2,000 \$ 115.00 PLUS
Per \$1,000, or fraction, over \$2,000 \$ 2.90
License must be issued in the name of the individual who has been issued a State alcohol, beer or wine permit or license and will have actual control and management of the business.

8.9D NAICS 722410 - Drinking Places, bars, lounges, cabarets (Alcoholic beverages consumed on premises) that may or may not provide entertainment.
Minimum on first \$2,000 \$ 272.00 PLUS
Per \$1,000, or fraction, over \$2,000 \$ 4.31
License must be issued in the name of the individual who has been issued a State alcohol, beer or wine permit or license and will have actual control and management of the business.

8.10A NAICS 713990 - Billiard or Pool Rooms, all types \$5.00 permit/table PLUS
Minimum on first \$2,000 \$ 32.00 PLUS
Per \$1,000, or fraction, over 2000..... \$ 1.26

**CITY OF BEAUFORT, SOUTH CAROLINA
DEVELOPMENT REVIEW CODES FEE SCHEDULE
Effective November 1, 2017**

(1) **OTHER FEES SUPERSEDED**

The following schedules and regulations regarding fees are hereby adopted and supersede all regulations and schedules regarding fees published in the most recent edition of the International Building Code or supplement thereof.

(2) **FEES MANDATORY**

No permit shall be issued until the fees prescribed in this section shall have been paid. Nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of the building or structure, shall have been paid.

(3) **FAILURE TO OBTAIN PERMIT**

Where work for which a permit is required by this code is started or proceeded prior to obtaining said permit, the fees herein specified shall be tripled, but the payment of such tripled fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

(4) **RECORD OF FEES COLLECTED**

The Building Official shall keep a permanent and accurate accounting of all permit fees and other monies collected, the names of all persons upon whose account the same was paid, the full date and amount thereof.

(5) **MOVING A BUILDING/STRUCTURES**

For the moving of any building or structure, the fee shall be \$150.00

(6) **DEMOLITION OF BUILDING/STRUCTURE**

For the moving of any building or structure, the fee shall be \$150.00
For the demolition of any building or structure, the fees are as follows:

Complete Demolition Single-Family Structure \$100.00 Complete Demolition Commercial & Multifamily Structure \$200.00

(7) **BUILDING PERMIT FEES**

On all new buildings, structures or alterations requiring a building permit as set forth in the International Building Code and the International Residential Code, the fee shall be paid as required at the time of filing the application in accordance with the schedule shown below. Plan review fee is paid at the time the plans are submitted.

Building Permit Fee Schedule:

Total Valuation	Base Fee
\$500 or less	No fee, unless an inspection is required, in which case an inspection fee shall be charged.
>\$500 to \$50,000	\$35 for the first \$500, plus \$5.30 for each additional thousand or fraction thereof (round up)
>\$50,000 to \$100,000	\$300 for the first \$50,000, plus \$4 for each additional thousand or fraction thereof (round up)
>\$100,000 to \$500,000	\$500 for the first \$100,000, plus \$3 for each additional thousand or fraction thereof (round up)
>\$500,000 and up	\$1,700 for the first \$500,000, plus \$2 for each additional thousand or fraction thereof (round up)

(8) **PLAN CHECKING FEES**

When a plan is required to be submitted, all fees shall be paid to the building department at the time of submitting plans and specifications for checking. Said plan checking fee shall be equal to one-half of the base fee.

(9) **BUILDING PERMIT VALUATIONS**

If, in the opinion of the Building Official, the valuation of a building, alteration, or structure, appears to be underestimated, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official.

(10) **PROCEDURE FOR PERMIT REFUNDS**

- (a) Permit holder must return all applicable permit forms and receipts; copies will not be accepted.
- (b) Permit refund will be for total amount paid minus Plan Checking Fee--
- (c) A completed W-9 form is required.

(11) **INSPECTION FEES**

- (a) Plumbing Inspection Fees
 - \$30.00 for Residential
 - \$40.00 for Commercial

- (b) Electrical Inspection Fees
 - \$30.00 for Residential
 - \$40.00 for Commercial
- (c) Mechanical Inspection Fees
 - \$30.00 for Residential
 - \$40.00 for Commercial
- (d) Gas Inspection fees
 - \$30.00 for Residential
 - \$40.00 for Commercial
- (e) Miscellaneous Inspections (Includes re-roof, signs, windows, etc.) \$30.00
- (f) Swimming Pool Inspection Fees
 - Single-Family \$235.00
with \$200 to be refunded after pool inspection has been performed and approved
 - Multifamily and Commercial \$265.00
with \$200 to be refunded after pool inspection has been performed and approved
- (g) Safety Inspection
 - Home Occupation \$30.00
 - Commercial \$50.00

(12) **RE-INSPECTIONS**

If the Building Official or his duly authorized representative shall, upon his inspection after the completion of the work or apparatus, find the same does not conform to and comply with the provisions of this Code, he shall notify the contractor, indicating the corrections to be made, and then he shall again inspect the work or apparatus without further charge; but when extra inspections are due to any of the following reasons, a charge of \$100 for multifamily and commercial projects, and \$50.00 for all other projects shall be made for each re-inspection:

- (a) Wrong Address
- (b) Repairs or corrections not made when inspections are called
- (c) Work not ready for inspection when called

All re-inspection fees are required to be paid in advance prior to re-inspection.

(13) **TREE REMOVAL FEES**

For issuing each tree permit, the fee shall be as follows:

	<u>Single-Family Lots</u>	<u>Commercial and Multifamily Lots</u>
1 – 2 trees	\$ 20.00	\$ 35.00
3 – 5 trees	\$ 40.00	\$ 55.00
6 – 10 trees	\$ 60.00	\$ 75.00
11 – 15 trees	\$ 80.00	\$ 95.00
16 – 20 trees	\$100.00	\$115.00
21 – 40 trees	\$150.00	\$200.00
41 +	\$200.00	\$300.00

(14) **SIGN PERMITS**

For issuing each sign permit, the fee shall be as follows:

Permanent Sign Building Permit Fee (see Section 7) plus Plan Checking
Fee (see Section 8) plus Inspection Fee

Master Sign Plan Review Fee \$20.00 (2 – 4 tenants)
\$50.00 (5 – 10 tenants)

Amendments to Master Sign Plan \$20.00

There shall be no fee for temporary Special Event Signs for non-profit agencies.

(15) **BANNER PERMITS**

Temporary Banner for 5 Days	\$25.00
Temporary Banner for 15 Days	\$50.00
Temporary Banner for 30 Days	\$75.00

(16) **TEMPORARY TENT PERMITS**

Temporary Tents over 500 Sq. Ft. \$150.00 Temporary Canopies over 700 Sq. Ft. \$150.00

(17) **LANDSCAPE IRRIGATION AND OR WELL PERMITS**

Single-Family Lot	\$50.00
Commercial or Multifamily Lot	\$75.00

(18) **SUBDIVISION FEES**

Lot Recombination/Lot Line Adjustment	\$50.00
Lot Consolidation	\$25.00

Major Subdivision that include New Streets:

6 to 49 lots:	\$1,000 + \$10/lot
50-100 lots:	\$1,500 + \$10/lot
101 to 300 lots:	\$2,000 + \$10/lot
301 + lots:	\$2,500 + \$10/lot

Minor Subdivision (≤ 5 lots and no new streets)	\$50.00
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(19) **STAFF DESIGN REVIEW FEES**

**Fees for Staff Design Review:
Boundary and Bladen Redevelopment Districts
Certain Development Agreements
Development Design Review Minor
Certificates of Appropriateness Minor
Post facto applications shall be twice the normal fee.**

Type 1

- Improvements not including additions, ≤ 50% of the value of the structure (not including single-family, or 2/3-unit buildings)

<u>Value</u>	<u>Fee</u>
Improvements ≤ \$5,000	\$50
Improvements > \$5,000 but ≤ \$25,000	\$75
Improvements > \$25,000 but ≤ \$50,000	\$125
Improvements > \$50,000 but ≤ \$100,000	\$150
Improvements > \$100,000 but ≤ \$250,000	\$500
Improvements > \$1250,000 but < 50% of the value of the structure	\$1,000

- Any single-family and 2/3-unit residential improvements not including additions, < 50% of the value of the structure: \$50

Type 2

- Any single-family and 2/3-unit residential addition: \$50
- All other projects: \$500 base fee + \$0.05/square foot of addition.

Type 3

Review for new construction and for improvements totaling over 50% of the value of the structure:

- Single-family and 2/3 unit residential: \$100
- ≤ 10,000 square feet: \$500 base fee + 0.05/square foot of building

- > \$10,000 square feet: \$1,000 base fee + \$0.05/square foot of building for the first 100,000 square feet of building. For additional square footage over 100,000, \$0.02/square foot.

(20) **REVIEW BOARDS: HISTORIC REVIEW BOARD & DESIGN REVIEW BOARD**

Single-family residential projects (board review)	\$100 per meeting
Multifamily and commercial projects (board review)	\$200 per meeting
Change After Certification	\$100
Demolition (whole structure)	\$250.00
Special Board Meeting	\$500.00

Post facto applications shall be twice the normal fee.

(21) **ZONING BOARD OF APPEALS**

(a) Variance:	Residential	\$200.00
	Commercial	\$300.00
(b) Special Exception:		\$300
(c) Administrator Appeal:		\$300

(22) **REZONING**

Rezoning to PUD	\$400
Rezoning, non-PUD	\$200 & \$10/per lot

(23) **TEXT AMENDMENT**

Beaufort Code Text Amendment	\$400
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(24) **OTHER FEES**

Trip to Storage (Request for documents from storage)	\$50.00 (plus copying fee)
Flood Hazard Area Verification Letter	\$25.00
Parking Meter Space Rental	\$5.00 per day per metered space (for construction projects only)
Fee for Copies (8 1/2 x 11)	30¢ per sheet
Zoning Review	\$50.00
Traffic Impact Analysis Report Review Fee	\$750.00
Design Exception	\$200.00
Accessory Dwelling unit	\$50.00

Administrative Adjustment	\$50.00
Home Occupation	\$25.00
Short Term Rentals	\$100.00
Zoning Compliance Letter	\$50.00
Development Code Interpretation	\$100.00
Development Code Text Amendment	\$400.00



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 6/21/2018
FROM: Kathy Todd, Finance Director
AGENDA ITEM
TITLE: Amendment Sec 7-13003 - Hospitality Fee Ordinance - 2nd Reading
MEETING
DATE: 6/26/2018
DEPARTMENT: Finance

BACKGROUND INFORMATION:

With the creation of the Greater Beaufort Port Royal Convention and Visitor's Bureau, proposed amendment to Section 7-13003, increasing the allocation to the designated marketing organization from 4.4% to 5% and decreasing the allocation for other non-profits toward the advertising to increase tourism of the downtown economy from 1.7% to 1.1%.

PLACED ON AGENDA FOR:

REMARKS:



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 6/21/2018
FROM: Ivette Burgess, City Clerk
AGENDA ITEM Ordinance setting election, related dates, and filing fees for two (2) members of City
TITLE: Council - 2nd Reading
MEETING
DATE: 6/26/2018
DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

Election 2018

Councilman Phil Cromer - 4 year term expiring
Councilman Stephan Murray - 4 year term expiring

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Ordinance	Backup Material	6/21/2018

O R D I N A N C E

SETTING ELECTION, RELATED DATES, AND FILING FEES FOR TWO (2) MEMBERS OF CITY COUNCIL PURSUANT TO SECTIONS 1-8001 THROUGH 1-8006 OF THE CITY OF BEAUFORT CODE OF ORDINANCES

WHEREAS, Sections 1-8001 through 1-8006 of the Code of Ordinances, City of Beaufort, governs elections; and

WHEREAS, Council amended the Ordinance July 28, 1998 changing the election dates to even numbered years to coincide with national elections.

NOW, THEREFORE BE IT ORDAINED, by City Council of the City of Beaufort, South Carolina, duly assembled, and by authority of same that:

The filing fee for candidates running for Council seats will be **\$150.00**

The following dates are hereby established for the 2018 City General Election:

Filing Deadline for Statement of Candidacy and Statement of Economic Interest	August 15, 2018 12:00 NOON
Election Date	November 6, 2018
Challenge Ballot Hearing	November 9, 2018 9:30AM
Newly Elected Officers Take Office	December 11, 2018

BILLY KEYSERLING, MAYOR

SEAL

ATTEST:

IVETTE BURGESS, CITY CLERK

1st Reading
2nd Reading
& Adoption _____

Reviewed by _____
William B. Harvey, III, City Attorney



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 6/22/2018
FROM: William Prokop, City Manager
AGENDA ITEM TITLE: Authorization to approve Retail Office Agreement between the Greater Beaufort-Port Royal Convention and Visitors Bureau (CVB) and the City of Beaufort
MEETING DATE: 6/26/2018
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Lease Agreement	Backup Material	6/22/2018

RETAIL/OFFICE LEASE AGREEMENT

Beaufort, SC

This lease agreement is entered into by and between The City of Beaufort, with an address of 1911 Boundary Street, Beaufort, South Carolina, 29902, ("Lessor"), and the Greater Beaufort-Port Royal Convention and Visitors Bureau (the CVB) with a mailing address of P.O. Box 501, Beaufort, SC 29901 ("Lessee").

In consideration of the mutual covenants contained herein and other valuable consideration received and with the intent to be legally bound, Lessor and Lessee agree as follows"

1. **PREMISES:** Lessor hereby leases to Lessee, and Lessee hereby leases from Lessor, that certain building and grounds known as the Arsenal located at 713 Craven Street in Beaufort, SC (the "Premises"), more specifically described in Exhibit 1 hereto which is a part of this Lease, and along with reasonable access to and from same to the extent Lessor has control of such access.
2. **TERM AND EARLY TERMINATION:** The initial term of this lease will be a period of 10 years unless earlier terminated as provided for herein (the Initial Term). The Initial Term of this Lease shall commence on July 1, 2018 and shall extend until June 30, 2028. The Initial Term shall automatically renew for successive 10-year terms, unless the parties terminate this agreement as provided herein. Either party shall have the option to terminate this Agreement after the Initial Term by providing written notice to the other party. Such termination shall be effective on the completion of twelve (12) full months after the date of receipt of such notice. The parties understand and acknowledge that a mutually desirable objective of the parties is that events be held at the Premises and that marketing of such events includes weddings, reunion and corporate meetings, many of which are planned for months in advance and require assurance of space availability.
3. **RENT.** Rent for the initial term of the Lease Agreement, hereinafter referred to as Base Rent, is to be paid in one annual payment each year in the amount of One Dollar (\$1.00) the sufficiency of which is hereby acknowledged. Rent Shall be payable in advance on the first day of each calendar year of this Lease. Rent shall be paid to Lessor at the above address or at such other address as Lessor may specify in writing to Lessee.
4. **TITLE.** Lessor warrants that Lessor is seized of good and marketable title to the Premises and has the full power and authority to enter into and execute this Agreement.

5. **UTILITIES.** Lessee shall pay for all utilities. If utilities cannot be individually metered, Lessee will pay a pro-rata portion of the utilities. Lessor shall not be liable for any loss or expense incurred by Lessee by reason of the interruption or failure of any utility or service if due to any cause beyond Lessor's control.
6. **SIGNAGE AND PARKING.** Lessor and Lessee acknowledge and agree that successful operation of a visitor center in the Premises is a shared objective and agree that appropriate signage to allow visitors and local residents to find the Visitor Center is necessary for successful operations and to achieve the shared objective. Lessee is the Designated Marketing Organization ("DMO") for Lessor and as such has a quasi-governmental responsibility for tourism marketing and visitor center operations. Lessee shall have the right to modify the existing signage to reflect Lessee's name and status. The parties agree that Lessee shall have the right to adopt and to follow the master sign plan previously submitted and agreed to by Lessor and the Chamber of Commerce, Lessee's predecessor in occupancy. Lessor further agrees to make the parking spaces available as described in Exhibit 2 hereto.
7. **USE.** Lessee shall use the Premises as a Visitor's Center, Event Venue, and for Office Space. Note: Subject to such terms and conditions as may be included in any agreement to market and offer even space within the Premises, Lessee agrees to allow City use of meeting space within the Premises on an as-available basis at no cost to the City.
8. **ASSIGNMENT AND SUBLETTING.** Lessee shall not assign this Lease without the prior written consent of the Lessor. Lessee may sublease or license use of the Premises for use as described in the use section of this Agreement. It is understood and expected that Lessee may (i) enter into agreement(s) with parties for event leasing, marketing, management and similar activities, (ii) sublease some portion of the office space and (iii) charge fees for advertisements, displays, and other similar promotional materials to located within the Premises. No such assignment or subletting shall in any way relieve Lessee of any of its obligations in this Lease. This section shall apply to all successive assignments and subleases.
9. **DELIVERY OF POSSESSION.** If Lessor fails (for any reason) to deliver possession of the Premises to Lessee on the commencement date, this Lease will continue in effect, but rent and other amounts will be abated until delivery of the Premises. Renewals and extensions will be based on the commencement date rather than delivery date.
10. **CONTINUOUS OPERATION BY LESSEE.** Lessee understands that hours of operation may impact the successful operation of businesses and usage by tourists and residents. Lessee agrees to operate the Visitor Center portion of the Premises on those hours as indicated on Exhibit 3 hereto. Additionally,

Lessee agrees to actively market the event space contained within the Premises. Such marketing may be conducted directly or via contract with such businesses as have expertise in this area.

11. **INSURANCE PROVIDED BY LESSOR.** During the term of this Lease and any extension or renewal, Lessor shall maintain property and flood insurance for the Building.

12. **MAINTENANCE AND CONDITION.**

- a. Condition of Premises. Lessee acknowledges that it has examined the Premises and they are in an acceptable condition for Lessee's use. Lessee shall keep the same clean, safe and in good order as they were at the commencement of this Lease, ordinary wear and tear excepted.
- b. Repairs by Lessor. Lessor agrees, at Lessor's own cost and expense, to pay for all maintenance expenses that cost in excess of One Thousand Dollars (\$1,000.00) per incident.
- c. Repairs by Lessee. Lessee agrees, at Lessee's own cost and expense, to pay for all expenses when such costs are less than One Thousand Dollars (\$1,000.00).

13. **LESSEE'S IMPROVEMENTS.** Lessee shall not deface the Premises, or make any alterations, additions or improvements, except as described in Exhibit 4 hereto, without on each occasion obtaining the prior written consent of Lessor, which consent shall not be unreasonably withheld. Upon expiration of this Agreement, Lessee may elect to remove Lessee's alterations, additions or improvements and restore the Premises to its former condition, normal wear and tear excepted. Improvements permanently attached to the building, including, but not limited to, molding, wall-to-wall carpet and slat board shall remain in the Premises unless removal of such items is approved in advance by Lessor.

14. **QUIET ENJOYMENT.** By paying the rent and observing all the agreements, terms and conditions herein, Lessee shall be entitled to peacefully and quietly have, hold and enjoy the Premises during the term of this Lease and any extension or renewal, subject to the provisions hereof.. Lessee understands that Lessor may decide to make certain modifications to the Building and/or surrounding area, which may include the area adjacent to the Premises. Lessor agrees to use reasonable best efforts to make such changes with minimal disturbance to Lessee and Lessee agrees to cooperate with Lessor to facilitate the making of such modifications.

15. **LOSS AND DAMAGE.** Unless caused by negligence of Lessor, Lessor will not be liable for any loss, damage or theft of any property of Lessee or others kept or stored in or about the Premises. Lessee acknowledges that it is Lessee's responsibility to insure its own property and improvements.

16. INDEMNIFICATION.

- a. Lessee shall indemnify and hold Lessor harmless from any and all claims, loss, damages, liens, expenses, including reasonable attorney's fees, and liabilities of whatever nature, arising out of or relating to
 - i. Any default by Lessee in the performance or observance of any covenant, term or condition of this Lease,
 - ii. Loss or damage to any property or injury or death to Lessee or any person occurring on or about the Premises due to any cause other than the Lessor's negligence, and
 - iii. Lessee's use and occupancy of the Premises.
- b. Lessor shall indemnify and hold Lessee harmless for any and all claims, loss, damages, liens, expenses, including reasonable attorney's fees, and liabilities of whatever nature, arising out of or relating to any default by Lessor in the performance or observance of any covenant, term or condition of this Lease.

17. DEFAULT. Lessee shall be in default of this Lease upon the occurrence of any one of the following events:

- a. Failure to pay any fees, rent or any other amount required herein which shall continue for 15 days after written notice that the same is due;
- b. Failure to perform or observe any other covenant, term or condition of this Lease which shall not be corrected within 15 days after written notice from Lessor, or for such longer period as may be reasonably necessary to correct such default;
- c. Abandonment or cessation of business operations at the Premises by Lessee;
- d. Any substantive misrepresentation made by Lessee or Lessor in connection with this Lease; or
- e. Adjudication of bankruptcy, or filing of a petition under any bankruptcy or debtor's relief law by or against Lessee or any guarantor.

18. REMEDIES OF LESSOR. Upon any uncured default by Lessee, Lessor May, at its option, terminate this Lease and/or commence eviction proceedings in accordance with the laws of South Carolina.

19. REMEDIES CUMULATIVE. To the extent permitted by law, the rights and remedies of Lessor herein are cumulative, and the exercise of any one of them will not be deemed to be in exclusion of any other. The rights and remedies herein are in addition to any other rights and remedies available to Lessor at law or equity.

20. RIGHT TO CURE OTHER'S DEFAULT. If either Lessor or Lessee fails to perform any covenant, term or condition of this Lease, the other party may, after

giving reasonable notice, perform such covenant, term or condition and expend whatever sums may be necessary. All sums expended shall be repaid on demand. This performance shall not waive any rights or remedies which either party may have against the other for such default.

21. **NOTICES.** All notices and communications under this Lease shall be in writing and shall be deemed to properly given upon the first to occur of the following: (i) upon receipt by the party to whom such communication is being given: or (ii) three (3) business days after being duly deposited in the United States mail, certified or registered, return receipt requested and addressed as follows:

Lessor: City of Beaufort
Attn: City Manager
1911 Boundary Street
Beaufort, SC 29902

Lessee: Greater Beaufort-Port Royal Convention and Visitors
Bureau
Attn: President
P.O. Box 501
Beaufort, SC 29901

22. **ENTIRE AGREEMENT.** The parties acknowledge that they have read and understand the terms of this Lease. This Lease contains the entire agreement and understanding between the parties regarding the Premises and is subject to no agreements, conditions or representations that are not expressly set forth herein. This Lease may only be amended in writing and signed by both Lessor and Lessee.
23. **INVALID PROVISION.** If any provision of this Lease shall be invalid or unenforceable, the remaining provisions shall remain in full force and effect.
24. **CAPTIONS.** The captions in this Lease are inserted only for convenience and in no way construe or interpret the provisions hereof or affect their scope or intent.
25. **PARTIES BOUND.** This Lease shall be binding upon and shall inure to the benefit of the parties and their respective heirs, legal representatives, successors and assigns.
26. **RIDERS.** The riders and exhibits attached hereto are made part of this Lease.

WITNESS:

LESSOR: City of Beaufort

By: _____

By: _____

WITNESS:

**LESSEE: Greater Beaufort-Port Royal
Convention and Visitors Bureau**

By: _____

By: _____



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 6/22/2018
FROM: William Prokop, City Manager
AGENDA ITEM TITLE: Approval of Memorandum of Understanding between the Greater Beaufort-Port Royal Convention and Visitors Bureau (CVB)/Designated Marketing Organization (DMO) and the City of Beaufort
MEETING DATE: 6/26/2018
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

PLACED ON AGENDA FOR:

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
MOU	Backup Material	6/22/2018

MEMORANDUM OF UNDERSTANDING

Between

City of Beaufort, SC

and

Greater Beaufort-Port Royal Convention and Visitors Bureau (CVB) -
Designated Marketing Organization

WHEREAS, the CVB will be acting as the Designated Marketing Organization (DMO) pursuant to South Carolina Code sec. 6-4-10 *et. seq.*

This Memorandum of Understanding (MOU) sets forth the terms and understanding between the City of Beaufort and the CVB concerning the timing and distribution of DMO funds to the CVB for the implementation of ongoing tourist promotion programs.

Purpose

The purpose of the MOU is to initiate a distribution model of DMO funds to the CVB to ensure the successful implementation of the CVB promotional tourist programs on behalf of the City of Beaufort.

Distribution of DMO Funds

The City of Beaufort and the DMO both utilize July 1st through June 30th fiscal years. Based on their fiscal years, the City of Beaufort will distribute the DMO funds to the CVB at the following times and in the following percentages on a yearly basis:

1. No later than July 10th of each fiscal year the City of Beaufort will notify the CVB of the annual City of Beaufort budgeted DMO line item;
2. No later than July 20th of each fiscal year, the City of Beaufort will distribute 50% of the budgeted DMO funds to the CVB;
3. No later than December 15th of each fiscal year, the City of Beaufort will distribute 40% of the budgeted DMO funds to the CVB; and
4. No later than September 15th of the following fiscal year, the City of Beaufort will conduct a reconciliation of the actual DMO funds collected from the prior fiscal year and will distribute

to the CVB the remaining funds for that prior fiscal year by September 30th of the following year.

REPORTING OF ACTIVITIES:

The CVB shall provide to the City of Beaufort a strategic marketing plan and a budget request within the Third quarter of the fiscal year for funds to be allocated in the upcoming budget of the City on an annual basis.

The CVB will also present to City Council, as requested, updates as to progress and adjustments that are being made to the marketing plan to maximize the results desired. ROI will also be available as to the statistical results and goals of the marketing plan.

The CVB will provide the City Council *semi-annually* an accounting of Actual DMO Expenses vs. the Budgeted Expenses. The City may request an audit of these expenses at any time.

Duration

This MOU is at-will MOU, terminable by either party, and may be modified by the mutual consent of the authorized officials from the City of Beaufort and the CVB. This MOU shall become effective upon signature by the authorized officials from the City of Beaufort and the CVB and will remain in effect until modified or terminated by any one of the parties.

City Manager
City of Beaufort

Date:

Robb Wells
Executive Director

Date:



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 6/19/2018
FROM: Libby Anderson
AGENDA ITEM TITLE: Ordinance Rezoning Three Parcels of Property on Palmetto Street T4-Neighborhood District - 1st Reading
MEETING DATE: 6/26/2018
DEPARTMENT: Planning

BACKGROUND INFORMATION:

The City is proposing to rezone three parcels of property located at 1402, 1408, and 1410 Palmetto Street, identified as District 120, Tax Map 1, Parcels 153, 153A, and 133 respectively. 1402 and 1410 Palmetto Street are currently zoned T3-Neighborhood. 1408 Palmetto Street is currently zoned T5-Urban Corridor. 1410 Palmetto and a portion of 1402 Palmetto are in the Boundary Street Redevelopment District. All the parcels are proposed to be rezoned to T4-Neighborhood without the Boundary Street Redevelopment District Overlay. The Planning Commission considered this rezoning request at their June 7 meeting and recommended approval. A public hearing on the proposed rezoning was held at the June 12 City Council meeting. An ordinance rezoning the lots (attached) is ready for first reading by City Council.

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Palmetto St rezoning	Cover Memo	6/21/2018

ORDINANCE

AMENDING THE CITY OF BEAUFORT ZONING DISTRICT MAP BY CHANGING THE ZONING DESIGNATION OF THREE PARCELS OF PROPERTY LOCATED AT 1402, 1408, AND 1408 PALMETTO STREET, TO T4-NEIGHBORHOOD DISTRICT

WHEREAS, in June 2017, the City adopted a new development code and as part of that process, rezoned all property in the City to the districts set out in the *The Beaufort Development Code*; and

WHEREAS, during adoption of *The Beaufort Development Code*, it was agreed that the code would be reviewed and revised after six months of implementation; and

WHEREAS, subsequent to adoption of *The Beaufort Development Code*, several zoning discrepancies were identified as well as opportunities for zoning improvements; and

WHEREAS, the development opportunities presented by *The Beaufort Code* have stimulated interest in three vacant lots on Palmetto Street, but the lots have two different zoning designations with an overlay district being applied to one of the lots and half of another lot; and

WHEREAS, this fragmented and split zoning pattern is an impediment to development of these vacant lots; and

WHEREAS, the City is proposing to rezone these three parcels of property located at 1402, 1408, and 1410 Palmetto Street, identified as District 120, Tax Map 1, Parcels 153, 153A, and 133 respectively; and

WHEREAS, 1402 and 1410 Palmetto Street are currently zoned T3-Neighborhood; 1408 Palmetto Street is currently zoned T5-Urban Corridor; and 1410 Palmetto and a portion of 1402 Palmetto are in the Boundary Street Redevelopment District; and

WHEREAS, the proposed zoning of all the lots is T4-Neighborhood District without the Boundary Street Redevelopment District Overlay; and

WHEREAS, T4-Neighborhood District is found on Palmetto Street in the next block to the south; and

WHEREAS, the proposed rezoning was presented to the Beaufort–Port Royal Metropolitan Planning Commission and the Commission recommended approval; and

WHEREAS, a public hearing before the Beaufort City Council was held regarding rezoning of these parcels on Tuesday, June 12, 2018, with notice of the hearing published in *The Beaufort Gazette* on Monday, May 28, 2018;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-760, *Code of Laws of South Carolina, 1976* as amended, that the “City of Beaufort Zoning District Map” be amended to change the zoning designation of three parcels of property located on Palmetto Street as outlined below:

<u>Address</u>	<u>Property Identification Number</u>	<u>Existing Zoning</u>	<u>New Zoning</u>
1402 Palmetto St	R120 001 000 0153 0000	T3-Neighborhood*	T4-Neighborhood
1408 Palmetto St	R120 001 000 153A 0000	T5-Urban Corridor*	T4-Neighborhood
1410 Palmetto St	R120 001 000 0133 0000	T3-Neighborhood	T4-Neighborhood

*with Boundary Street Redevelopment District Overlay

This ordinance shall become effective immediately upon adoption.

(SEAL)	Attest:	_____
		BILLY KEYSERLING, MAYOR

		IVETTE BURGESS, CITY CLERK

1st Reading _____

2nd Reading & Adoption _____

Reviewed by: _____
WILLIAM B. HARVEY, III, CITY ATTORNEY



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 6/20/2018
FROM: Libby Anderson
AGENDA ITEM TITLE: Ordinance Rezoning Four Parcels of Property on Salem Road from T4-Neighborhood District to T5-Urban Corridor District - 1st Reading
MEETING DATE: 6/26/2018
DEPARTMENT: Planning

BACKGROUND INFORMATION:

The City is proposing to rezone four parcels of property located at 1499, 1505, 1521, and 1523 Salem Road, identified as District 122, Tax Map 29, Parcels 172, 171, 227, and 228 respectively. The lots are currently zoned T4-Neighborhood District (T4-N). All the parcels are proposed to be rezoned to T5-Urban Corridor District (T5-UC). The Beaufort—Port Royal Metropolitan Planning Commission considered this rezoning request at their June 7 meeting and recommended approval. A public hearing on the proposed rezoning was held at the June 12 City Council meeting. An ordinance rezoning the lots (attached) is ready for first reading by City Council.

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Salem Rd rezoning	Cover Memo	6/21/2018

ORDINANCE

AMENDING THE CITY OF BEAUFORT ZONING DISTRICT MAP BY CHANGING THE ZONING DESIGNATION OF FOUR PARCELS OF PROPERTY LOCATED AT 1499, 1505, 1521, AND 1523 SALEM ROAD, FROM T4-NEIGHBORHOOD DISTRICT TO T5-URBAN COORIDOR DISTRICT

WHEREAS, in June 2017, the City adopted a new development code and as part of that process, rezoned all property in the City to the districts set out in the *The Beaufort Development Code*; and

WHEREAS, during adoption of *The Beaufort Development Code*, it was agreed that the code would be reviewed and revised after six months of implementation; and

WHEREAS, subsequent to adoption of *The Beaufort Development Code*, several zoning discrepancies were identified, as well as opportunities for zoning improvements; and

WHEREAS, the lots at 1499, 1505, 1521, and 1523 Salem Road, identified as District 122, Tax Map 29, Parcels 172, 171, 227, and 228 respectively, were, prior to June 2017, zoned for intense commercial development, but where rezoned as part of the Beaufort Development Code adoption to an office-residential zoning that created several nonconforming uses; and

WHEREAS, it is not the intent of the City to limit the development of these lots to office and residential uses; and

WHEREAS, staff has recommended that the zoning of this lots be changed back to a mixed-use commercial zoning district similar to what the property had been zoning prior to June 2017; and

WHEREAS, the proposed rezoning was presented to the Beaufort–Port Royal Metropolitan Planning Commission and the Commission recommended approval; and

WHEREAS, a public hearing before the Beaufort City Council was held regarding rezoning of these parcels on Tuesday, June 12, 2018, with notice of the hearing published in *The Beaufort Gazette* on Monday, May 28, 2018;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-760, *Code of Laws of South Carolina, 1976* as amended, that the “City of Beaufort Zoning District Map” be amended to change the zoning designation of four parcels of property located at 1499, 1505, 1521, and 1523 Salem Road, identified as District 122, Tax Map 29, Parcels 172, 171, 227, and 228 respectively, from T4-Neighborhood District to T5-Urban Corridor District.

This ordinance shall become effective immediately upon adoption.

(SEAL)

Attest:

BILLY KEYSERLING, MAYOR

IVETTE BURGESS, CITY CLERK

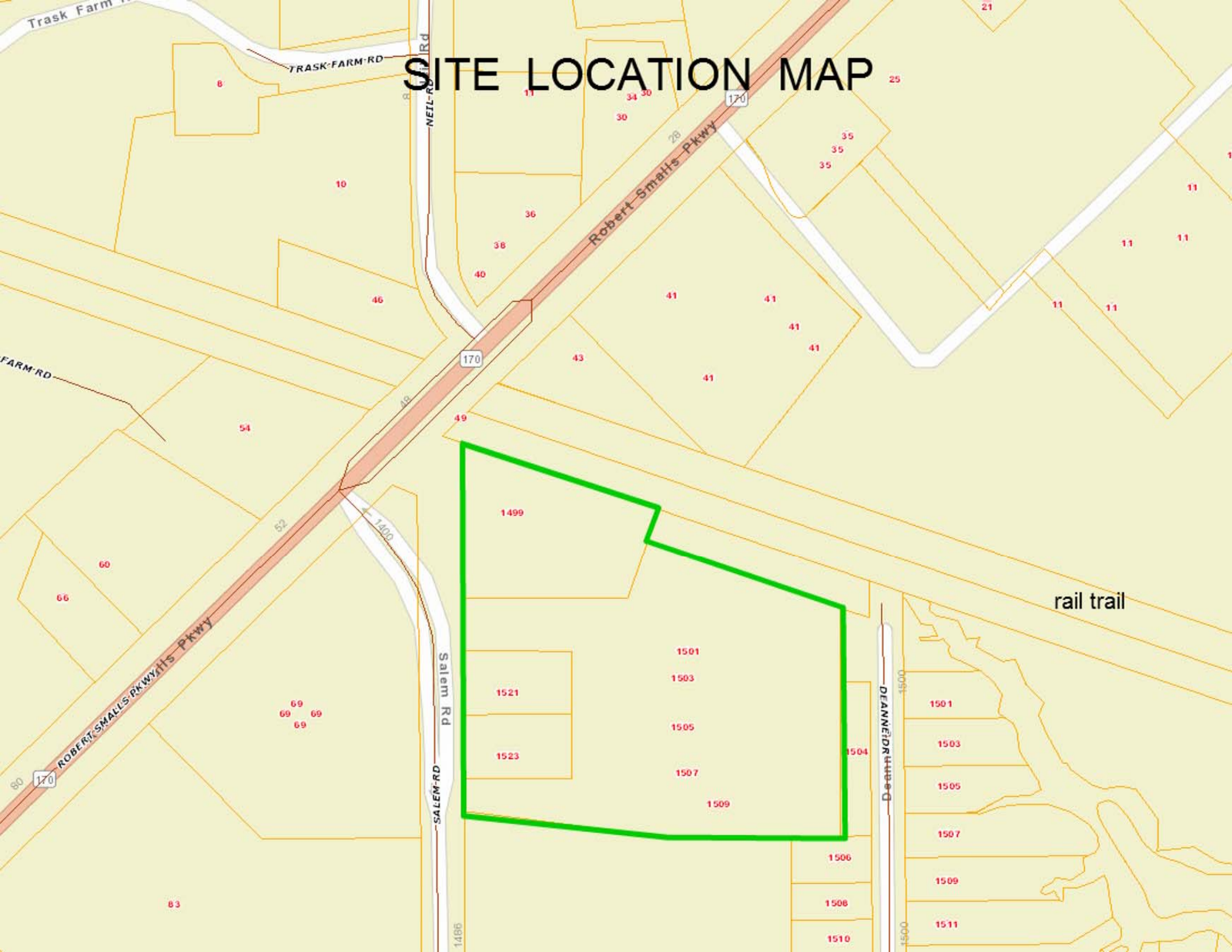
1st Reading

2nd Reading & Adoption

Reviewed by:

WILLIAM B. HARVEY, III, CITY ATTORNEY

SITE LOCATION MAP





CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 6/20/2018
FROM: Libby Anderson
AGENDA ITEM TITLE: Ordinance Rezoning Three Parcels of Property on Southside Boulevard from T4-Neighborhood District to T3-Neighborhood District - 1st Reading
MEETING DATE: 6/26/2018
DEPARTMENT: Planning

BACKGROUND INFORMATION:

The City is proposing to rezone three parcels of property located at 2601, 2605, and 2607 Southside Boulevard, identified as District 120, Tax Map 6, Parcels 173A and 173, Tax Map 8, Parcel 367 respectively. The lots are currently zoned T4-Neighborhood District (T4-N). The parcels are proposed to be rezoned to T3-Neighborhood District (T3-N). The Beaufort—Port Royal Metropolitan Planning Commission considered this rezoning request at their June 7 meeting and recommended approval. A public hearing on the proposed rezoning was held at the June 12 City Council meeting. An ordinance rezoning the lots (attached) is ready for first reading by City Council.

PLACED ON AGENDA FOR: Action

REMARKS:

ATTACHMENTS:

Description	Type	Upload Date
Southside Blvd zoning ordinance	Cover Memo	6/20/2018

ORDINANCE

AMENDING THE CITY OF BEAUFORT ZONING DISTRICT MAP BY CHANGING THE ZONING DESIGNATION OF THREE PARCELS OF PROPERTY LOCATED AT 2601, 2605, AND 2607 SOUTHSIDE BOULEVARD, FROM T4-NEIGHBORHOOD DISTRICT TO T3-NEIGHBORHOOD DISTRICT

WHEREAS, in June 2017, the City adopted a new development code and as part of that process, rezoned all property in the City to the districts set out in the *The Beaufort Development Code*; and

WHEREAS, during adoption of *The Beaufort Development Code*, it was agreed that the code would be reviewed and revised after six months of implementation; and

WHEREAS, subsequent to adoption of *The Beaufort Development Code*, several zoning discrepancies were identified, as well as opportunities for zoning improvements; and

WHEREAS, the lots at 2601, 2605, and 2607 Southside Boulevard, identified as District 120, Tax Map 6, Parcels 173A and 173, and Tax Map 8, Parcel 367 respectively, were zoned T4-Neighborhood as part of adoption of *The Beaufort Development Code*; and

WHEREAS, the T4-Neighborhood District permits all types of residential uses as well as office development; and

WHEREAS, this block of Salem Road is developed for single-family uses built with generous setbacks; and

WHEREAS, the T3-Neighborhood District does not allow multifamily uses and has development standards that would site any new construction in a similar location on the property to what already exists in this block; and

WHEREAS, staff has recommended that the zoning of these three lots be changed to the lower-intensity T3-Neighborhood District to produce development that is similar in character to the uses that are already located on that block; and

WHEREAS, the proposed rezoning was presented to the Beaufort–Port Royal Metropolitan Planning Commission and the Commission recommended approval; and

WHEREAS, a public hearing before the Beaufort City Council was held regarding rezoning of these parcels on Tuesday, June 12, 2018, with notice of the hearing published in *The Beaufort Gazette* on Monday, May 28, 2018;

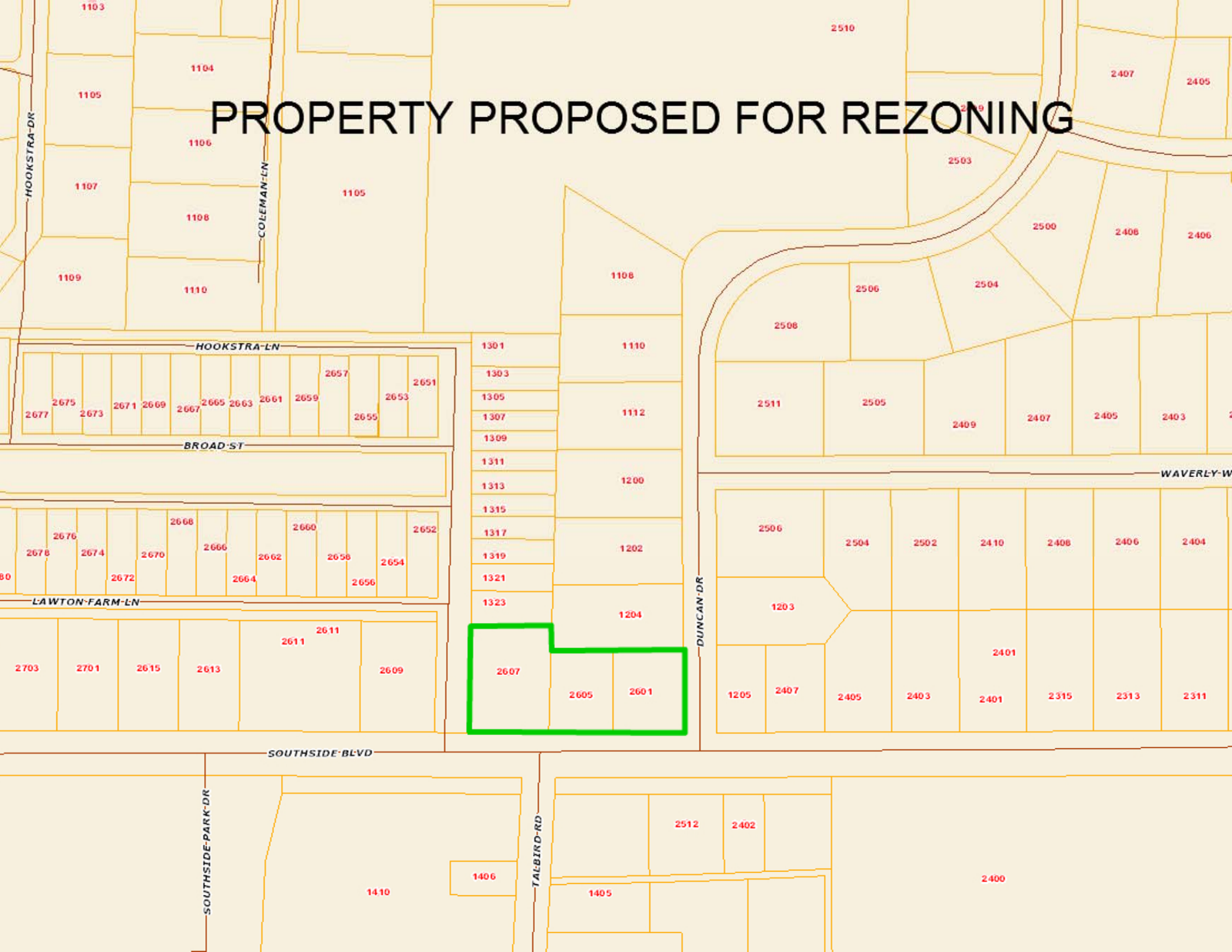
NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-760, *Code of Laws of South Carolina, 1976* as amended, that the “City of Beaufort

This ordinance shall become effective immediately upon adoption.

IVETTE BURGESS, CITY CLERK

Reviewed by: _____
WILLIAM B. HARVEY, III, CITY ATTORNEY

PROPERTY PROPOSED FOR REZONING





CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 6/21/2018
FROM: Lauren Kelly
AGENDA ITEM TITLE: Ordinance Adopting Revised Beaufort Development Code, 6-Month Amendments to the Beaufort Code - 1st Reading
MEETING DATE: 6/26/2018
DEPARTMENT: Planning

BACKGROUND INFORMATION:

As part of the Beaufort Code adoption process in July 2017, a 6-month code update was required to make any necessary adjustments as the code was utilized. The list of amendments comprises sixty-four adjustments which have all been recommended for approval by the Metropolitan Planning Commission. Additional refinement to 6 of these items was made based on discussions at the June 19, 2018 Worksession.

PLACED ON AGENDA FOR: Action

REMARKS:

Here is a link to a complete, updated Beaufort Code Draft, dated July 10, 2018, that incorporates all of the amendments: http://www.cityofbeaufort.org/Data/Sites/1/media/Departments/planning/beaufort-code-july-10-2018-update_sm.pdf

ATTACHMENTS:

Description	Type	Upload Date
Ordinance adopting the Beaufort Code including 64 amendments	Ordinance	6/21/2018
List of 6 Code Updates Recommended by City Council at the Worksession	Backup Material	6/21/2018
Complete List of Code Changes - Council + MPC Recommendations	Backup Material	6/21/2018

ORDINANCE

ADOPTING REVISED BEAUFORT DEVELOPMENT CODE

WHEREAS, as part of preparation of the current *Beaufort Development Code*, it was agreed by the Beaufort--Port Royal Metropolitan Planning Commission and the Beaufort City Council that the new code would be reviewed six months after adoption and appropriate revisions proposed; and

WHEREAS, *The Beaufort Development Code* was adopted on June 27, 2017; and

WHEREAS, since that time, The Code has been used by staff, developers, contractors, designers, and residents on a regular basis; and

WHEREAS, a number of issues have been identified through use of the code by these various groups, most of these issues being clarifications and minor revisions; and

WHEREAS, staff has prepared revisions to numerous sections of the code to clarify, correct, reinstate, and revise the relevant portions of the code; and

WHEREAS, there are 64 revisions in total; and

WHEREAS, these revisions have been specifically outlined in a spreadsheet that identifies the code section affected, the topic being addressed, the proposed change, and the party initiating the change; and

WHEREAS, these revisions have been reviewed with a development group that was assembled to review the draft Beaufort Code; and

WHEREAS, the proposed code revisions have been reviewed by the Beaufort--Port Royal Metropolitan Planning Commission in two workshop sessions; and

WHEREAS, the Beaufort--Port Royal Metropolitan Planning Commission unanimously recommended approval of the code revisions at their meeting on June 7, 2018; and

WHEREAS, it is more efficient to adopt a new version of The Code rather than adopting the 64 separate changes individually by ordinance; and

WHEREAS, a public hearing before the Beaufort City Council was held regarding the proposed revisions on June 12, 2018, with notice of the hearing published in *The Beaufort Gazette* on May 28, 2018;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-760, *Code of Laws of South Carolina, 1976*, that *The Beaufort Development Code* amended September 26, 2017, be revised by adopting a new *Beaufort Development Code* dated July 10, 2018.

This ordinance shall become effective immediately upon adoption.

(SEAL)

Attest:

BILLY KEYSERLING, MAYOR

IVETTE BURGESS, CITY CLERK

1st Reading

2nd Reading & Adoption

Reviewed by:

WILLIAM B. HARVEY, III, CITY ATTORNEY

Beaufort Code - 6-month review Proposed Code Updates - MPC Recommendations				updated 6/21/18 by LK	
Section #	Topic	Proposed Change	Initiator	MPC recommendation	Council recommendation
The following 6 items have been modified based on discussion at the 6/19/18 City Council Worksession					
2.6.1.F	Allow the story height to be up to 24' for certain building types in T5-UC	Modify to read <i>Certain buildings (such as gymnasiums, religious institutions, theatres, convention centers, ballrooms, concert halls, and other assembly facilities) may require finished floor-to-ceiling heights greater than 15' in such instances, the number of stories shall be calculated as the finished floor-to-ceiling height (in feet) divided by 15. Any fractions of a story shall be rounded up to the next whole number, with the following exception: In tthe Boundary Street Redevelopment District, the maximum first floor height for such buildings shall be 24'</i>	applicant	maybe only in the Boundary Street RD? - this has been updated	This should apply to all T5-UC areas. - this has been updated
3.6.2.C.2	Short Term Rentals - Trash Facilities	Add a section for this and state the Sanitation roll-carts shall be screened from the street in a trash enclosure.	city	ok	Concerned about the requirement to build structures, and then the size of the trash cans can change. This has been changed to <i>Trash Facilities: Sanitation roll-carts shall be screened from view of any public right-of-way.</i>
3.7.2.D.6.a	Minor Vehicle Services and repair - storage of vehicles - wrecked vs. non-wrecked	clarify that any wrecked vehicles need to be stored in a fully enclosed building. Any non-wrecked vehicles can be stored on-site in a screened enclosure, behind a building.	city	ok	We need a definition of "wrecked vehicles". This has been added in Article 13: Definitions
3.12.2	Farmers Markets - add specific standards for farmers markets	<i>Add 3.12.2.I Farmers Markets: Farmers markets shall comply with the following standards: i. Farmers Markets are permitted in T4-N, T5-UC, RMX, IC, and LI Districts ii. An on-site manager is required iii. On-site temporary signage is permitted on the day of the market. This includes, but is not limited to, sandwich board signs, easels, and banners meeting the requirements in Article 6. iii. A management plan is required, including the following a. The regular days and hours of operation on a weekly or monthly basis b. Parking locations for vendors and customers c. Setup areas for vendors d. Signage - On-site temporary signage is permitted on the day of the market. This includes, but is not limited to, sandwich board signs, easels, and banners meeting the requirements in Article 6. e. Location of temporary restrooms, trash/recycling containers, electricity sources f. Strategy for removal or storage of trash/recycling, tents, kiosks, vans, trailers or other market equipment when the market is not open g. g. Rules and regulations for the market iv. At least 60% of the vendors shall sell "Farm Products", the majority of which shall be sold direct to consumer. Farm Products are defined as fruits, vegetables, mushrooms, herbs, nuts, eggs, honey or other bee products, flowers, plants, meat, milk, cheese and other dairy products, fish, and value-added products containing the above-mentioned items. Brokers, participants who have bought any farm products from a grower and do not grow anything themselves, are not permitted. Up to 40% of vendors may sell prepared foods. The majority of their sales shall be direct to consumer.</i>	city	models PR market standards	Generally agree with permitting Farmers Markets and having standards. Not sure about the storage provision. This should be refined. This has been refined and simplified per the discussion
4.6.3.A.7	prohibited materials	Change to materials/colors; add a prohibition against unnatural roof colors - e.g., blue, orange, purple	city based on question	.	don't use the word "unnatural" This was updated to read: <i>Nontraditional colors such as bluc, orange or purple.</i>
9.9.3 /10.2.D.3 and 4/10.6.2	Process for review of Major Subdivisions	Modify the review of Major Subdivisions as follows: -increase the threshold for major subdivision review to 10 acres or greater -modify the process to require a sketch plan, then Preliminary Plat, then Final Plat. Sketch Plan would continue to go to the Planning Commission. Preliminary and Final Plat would be reviewed by the staff via the TRC. -add posting requirements to match the county. Properties requesting a Major Subdivision would be posted 15 days prior to the MPC meeting	city	like keeping public informed and welcome feedback and should be maintained; why is MPC the last say? Solution - staff review but city council public input? County and PR should come to where city is? Invaluable - willing to accept after long input process; can all agree we want public interaction and input - question is how to let staff	consider having a MPC recommendatiion, going to staff for review and then Council for approval; per city attorney state law doesn't permit MPC to recommend (they must approve) nor does it permit Council to be involved in the approval process.

Beaufort Code - 6-month review Proposed Code Updates - Council + MPC Recommendations				updated 6/21/18 by I.K	
Section #	Topic	Proposed Change	Initiator	MPC recommendation	Council recommendation
The list below is the complete list of proposed changes as recommended by the MPC, including the 6 as modified based on discussion at the 6/19/18 City Council Worksession					
2.4.1.E	Driveway locations - clarify that driveways shall be to the side of the house, not the front; this is alluded to in several areas, but not clearly stated	replace the n/a fields under T3-S and T3-N with: <i>there are no parking setbacks, however, driveways shall be located to the side of the lot/primary structure except on waterfront lots meeting the conditions stated in 2.5.4.</i>	city based on question	ok	
2.5.4.A	Special provision for garage locations on Waterfront Lots; sheds should be included	Add 2.5.4.A provision for all detached accessory structures <i>Accessory Structures: notwithstanding the requirements for Accessory Structures in section 2.4.1.C, accessory structures for residential dwellings may be placed in front of the principle building elevation with the following conditions:</i>	city based on question	ok	
2.5.4	Waterfront Lots - attached garages	Add 2.5.4.B for attached garages; clarify that attached garages may not project in front of the front line of the dwelling, even on waterfront lots, unless the following conditions are met, in addition to the conditions specified for detached garages: 1. The upper level(s) contain habitable space 2. The frontage requirement in Section 4.4 is met	city	ok	
2.5.6.D	Covered porches encroaching into interior side setback may be too much; front, street and rear are ok	Modify to read: <i>Covered porches may encroach a maximum of 8' into any required front yard or street yard setback, and to within 5' of any side yard or rear yard setback.</i>	MPC	encroachments into side/rear setbackslook at this - this was updated	
2.5.6.F	steps should be able to encroach into rear or side yard setbacks	add that they may encroach to within 5' of any side yard or rear yard setback as well	city	ok	
2.5.6.H / 4.6.1	Fences - materials should be clarified to prohibit barbed wire, chain link in most areas, and electric fences from encroaching into setbacks	Add 2.5.6.H.5. <i>Materials</i> 2.5.6.H.5.i <i>Barbed wire fencing is prohibited, except in LI zone - put in 4.6</i> 2.5.6.H.5.ii <i>Electric fences are not permitted to encroach into any front or corner side yard setbacks.</i> Add 4.6.1.I. <i>Fence Materials - Chain link fencing is not permitted to extend past the front of the primary structure, except in the LI district.</i>	city	BP - look at how this affects the jail - the jail exists so would be grandfathered in MPC - visibility could be an issue; perhaps not permitted when going past the front of the residence - this was updated	
2.6.1.F	Allow the story height to be up to 24' for certain building types in T5-UC	Modify to read <i>Certain buildings (such as gymnasiums, religious institutions, theatres, convention centers, ballrooms, concert halls, and other assembly facilities) may require finished floor-to-ceiling heights greater than 15' in such instances, the number of stories shall be calculated as the finished floor-to-ceiling height (in feet) divided by 15. Any fractions of a story shall be rounded up to the next whole number, with the following exception: In tthe Boundary Street Redevelopment District, the maximum first floor height for such buildings shall be 24'</i>	applicant	maybe only in the Boundary Street RD? - this has been updated	This should apply to all T5-UC areas. - this has been updated
2.7	Add Overlay acknowledgement to require that the approval of assignment/reassignment or annexation of property requires the execution of an overlay acknowledgement for any of the overlay districts in section 2.7 (historic, retail frontage, etc.).	Add 2.7.1 - Purpose and Applicability - in this section add the administration of this acknowledgement	MCAS attorney	ok	
2.7.3.F	Bladen Street use standards - got more restrictive; modify hotel unit # to remove those restrictions	Add 2.7.3.F.2 - <i>Exceptions to Section 3.2 Table of Permitted Uses: Inns and Hotels are permitted by-right in this redevelopment district, and are not subject to the conditions in 3.6.2.C.3</i>	city	ok	
2.7.4.D.1	AICUZ - Noise Zones - add the Noise Reduction Requirements for construction to match the county's standards	Add a column to the chart for Noise Reduction Requirements as follows (from top to bottom) 0, 25 dB, 30 dB, 35 dB	city	ok	
3.1	Zoning of water is unclear	Add provision describing zoning of water to be the same as the land it's attached to	city	ok	
3.2	Liveaboard Boat permissability	Make Conditional in all districts	applicant	ok	
3.2/3.5.2.A	Group Day Care Home (7-12 clients) and Commercial Day Care Center (>12 Clients) - combine these into 1 use as the permissions are very similar	Combine into Group & Commercial Day Care; reorganize the definitions and conditions to retain the same permissions and standards as currently exist	city based on development committee comment	ok	
3.2/3.6.1.D, E and F/3.6.2.D.2/3.6.2.D.3	Restaurant & Retail Sales and Service -combining both groups, and 2 sub-groups under Retail Sales and Service (Animal Hospital/Kennel, and General Retail/Service) into 1 use type & changing permissions in LI; move Self-Service Storage into the Light Industrial Service use category	Combine uses; keep conditions for Animal Hospital/Kennel as-is; Remove retail and restaurants as permitted by Special Exception in LI; add retail and restaurants as accessory uses to certain Industrial Use Categories; move self-service storage to Light Industrial Service category and retain permissions	city based on development committee comment	ok	
3.2/3.7.1.C/3.7.2.B, D and E	Minor and Major Vehicle Service and Repair - permissions are nearly the same; combine into 1 use	Combine into Vehicle Service and Repair; retain permissions as they exist, except as modified below, with conditions.	city based on development committee comment	ok	

Beaufort Code - 6-month review Proposed Code Updates - Council + MPC Recommendations			updated 6/21/18 by LK		
Section #	Topic	Proposed Change	Initiator	MPC recommendation	Council recommendation
3.2/3.8.1.C, D and F/3.8.2.B, C and D	Manufacturing and Production, Warehousing, and Wholesaling and Distribution into one use	Combine into Manufacturing, Warehousing and Distribution use type; keep conditions in specific zones and modify definitions to accommodate.	city based on development committee comment	ok	
3.3.2.D.3.b.iii	Display / Sales for Home Occupations - be more flexible for artists	Chage to: iii. Display: Products that have been produced on-premesis may be displayed on front porches and cover up to 25% of the floor/wall area of the porch. Items that are offensive and violate provisions of Section 1.2 of this Code, are not permitted. Display of merchandise in the yard is not permitted. iv. Sales: Only articles made on premesis, with the exception of antiques may be sold. Non-durable articles (consumable products) that are incidental to the service, that is the principal use in the home occupation, may be sold on premesis.	city based on accommodation of arts overlay district	legal language about content - perhaps already an ordinance about things that are offensive (e.g., disturbing, unseemly); 25% of porch SF as display/storage for things for sale ; not in yard - this has been updated	
3.6.1.F.2.c	This is in conflict with 3.6.2.D.3.d.i	This conflict should be resolved to permit vehicle rentals as an accessory use to self-service storage facilities	city	ok	
3.6.1.F.3	Dry Boat Storage as a stand-alone self-storage use	Dry Boat Storage should be added to the examples	city based on question	ok	
3.6.2.C.1.d	B&Bs - clarify that the 500' spacing is from other B&Bs in T3 or T4-HN zoning districts	Add <i>"in a T3 or T4-HN zoning district"</i> after the first B&B	city	ok	
3.6.2.C.1.g	B&Bs - clarify that there is a resident manager required; this is the intent and was what we had in the previous UDO	Add language that the operation is done by a resident manager, living on the premises.	city based on question	ok	
3.6.2.C.2	Short Term Rentals - outside approvals	Add: j. <i>Outside Approvals Required. For properties that are located in a neighborhood with a property owners' association, written confirmation from the association president that short-term rentals are permitted in the neighborhood is required. In multifamily structures, written approval from the property management association is required. For boats in an approved marina, written permission from the marina manager is required.</i>	city based on question	ok	
3.6.2.C.2	Short Term Rentals - Trash Facilities	Add a section for this and state the Sanitation roll-carts shall be screened from the street in a trash enclosure.	city	ok	Concerned about the requirement to build structures, and then the size of the trash cans can change. This has been changed to Trash Facilities: Sanitation roll-carts shall be screened from view of any public right-of-way.
3.6.2.C.2.c	Boats as Short Term Rentals	Add: iv. <i>Rental of a boat in an approved marina</i>	applicant	ok	
3.6.2.C.2.c	Boats as Short Term Rentals	add a 6% cap for boats per marina, regardless of zoning district	city	ok	
3.6.2.C.2.e.ii and iii	Short Term Rentals - Occupancy Standards per room	For primary house rentals, add language that limits the number of vehicles to 1 per bedroom, and the number of adult guests to 2 per bedroom.	city based on question	ok	
3.6.2.C.2e.ii and iii	Short Term Rentals - Occupancy Standards per carriage house	For carriage house rentals, add language that limits the number of vehicles to 2, and the number of adult guests to 4.	city based on question	ok	
3.6.2.C.2.i	Monitored Fire Alarms - not required for boat STRs; Coast Guard Auxiliary Safety Vessel Checks are required	Clarify that boats are not required to have a monitored fire alarm. In lieu of this, documentation that a Coast Guard Auxiliary Safety Vessel Check has been performed is required. The Vessel Safety Check can be arranged through this link: http://www.cgaux.org/vsc/ .	city	ok	
3.7.1.A.4	Parking, Commercial - add clarification that boat parking/storage is not in this category	add exception d. stating: <i>Dry boat storage is considered self-service storage when it is a primary use.</i>	city	ok	
3.7.1.F.3	Dry Storage as an example of Water- and Marine- Oriented Facilities	This should be an accessory use and only permitted in association with a marina. Dry Storage Facilities as stand-alone uses should be considered Self Service Storage (associated change to 3.6.1.F.3).	city	ok	
3.7.2.A.1	Address limo and taxi services in T5-UC; they should be associated with a building	Add 3.7.2.A.1.g: <i>Limousine and Taxi Services: In T5-UC, limousine and taxi services are only permitted as accessory uses to offices housing the business operation. All vehicles associated with the business shall be meet the setback and screening standards for a parking lot.</i>	city based on issue	ok	
3.7.2.D.6.a	Minor Vehicle Services and repair - storage of vehicles - wrecked vs. non-wrecked	clarify that any wrecked vehicles need to be stored in a fully enclosed building. Any non-wrecked vehicles can be stored on-site in a screened enclosure, behind a building.	city	ok	We need a definition of "wrecked vehicles". This has been added in Article 13: Definitions
3.7.2.E.4.a	Major Vehicle Services and repair - storage of vehicles - wrecked vs. non-wrecked	clarify that any wrecked vehicles need to be stored in a fully enclosed building. Any non-wrecked vehicles can be stored on-site in a screened enclosure, behind a building.	city	ok	
3.8.1.B.2	Retail- add as an accessory use	Add "retail" to the list		ok	
3.8.1.C.2	Retail and Restaurants - add as accessory uses	Add "retail and restaurants" to the list		ok	
3.8.1.F.2	Retail and Restaurants - add as accessory uses	Add "retail and restaurants" to the list		ok	
3.8.2	T4-NA - rear setback increase to 25' - clarify that this is when those properties abut residential properties	Modify 3.8.2.A, B, and C to add this language	city based on question	ok	
3.11.2	This section is being reorganized for clarity. Additional sheds and garages are proposed; a side/rear setback reduction is proposed for sheds on small lots; the 15' setback from the primary structure is being modified per the Fire Marshal and Building Codes; decks are added to this section for clarity; greenhouses are being added	see mock-up	city and applicants	ok	

Beaufort Code - 6-month review Proposed Code Updates - Council + MPC Recommendations				updated 6/21/18 by LK	
Section #	Topic	Proposed Change	Initiator	MPC recommendation	Council recommendation
3.12.2	Farmers Markets - add specific standards for farmers markets	<p>Add 3.12.2.I <i>Farmers Markets: Farmers markets shall comply with the following standards:</i></p> <p><i>i. Farmers Markets are permitted in T4-N, T5-UC, RMX, IC, and LI Districts</i></p> <p><i>ii. An on-site manager is required</i></p> <p><i>iii. On-site temporary signage is permitted on the day of the market. This includes, but is not limited to, sandwich board signs, easels, and banners meeting the requirements in Article 6.</i></p> <p><i>iii. A management plan is required, including the following</i></p> <p><i>a. The regular days and hours of operation on a weekly or monthly basis</i></p> <p><i>b. Parking locations for vendors and customers</i></p> <p><i>c. Setup areas for vendors</i></p> <p><i>d. Signage - On-site temporary signage is permitted on the day of the market. This includes, but is not limited to, sandwich board signs, easels, and banners meeting the requirements in Article 6.</i></p> <p><i>e. Location of temporary restrooms, trash/recycling containers, electricity sources</i></p> <p><i>f. Strategy for removal or storage of trash/recycling, tents, kiosks, vans, trailers or other market equipment when the market is not open</i></p> <p><i>g. g. Rules and regulations for the market</i></p> <p><i>iv. At least 60% of the vendors shall sell "Farm Products", the majority of which shall be sold direct to consumer. Farm Products are defined as fruits, vegetables, mushrooms, herbs, nuts, eggs, honey or other bee products, flowers, plants, meat, milk, cheese and other dairy products, fish, and value-added products containing the above-mentioned items. Brokers, participants who have bought any farm products from a grower and do not grow anything themselves, are not permitted. Up to 40% of vendors may sell prepared foods. The majority of their sales shall be direct to consumer.</i></p>	city	models PR market standards	Generally agree with permitting Farmers Markets and having standards. Not sure about the storage provision. This should be refined. This has been refined and simplified per the discussion
4.2.2	Building Design Standards applicability	add provision that these standards apply as conditions to any subdivision variance in T3 zoning districts	city	ok	
4.2.2	Building Design Standards applicability	add provision that these standards apply to any subdivision greater than 15 acres	city	ok	
4.5.3.B.7	Carriage Houses - maximum size	clarify that "footprint" is all area under roof, including porches	city	ok	
4.5.3.B.7	Carriage Houses - maximum size	allow conversions of existing accessory structures that exceed this maximum if the administrator determines that there is no adverse impact on surrounding property	city based on question	ok	
4.5.7.B.4	clarify this to account for the width vs. depth argument; remove minimum width	This should read: <i>The building width not exceed 160 feet along any street frontage. No portion of the building shall exceed 160 feet in any direction.</i>	city based on question	why 16'? Why not 14'? Why minimum; just keep the max. - this has been updated	
4.6.1.H	Outdoor Display of Merchandise - merge 4.6.3.E and 4.6.4.G into this section to avoid confusion	relocation of information	city	ok	
4.6.1.H	Add screening requirements from adjacent properties to match what was in the old UDO	Add 4.6.1.H.7 <i>Screening: Outdoor merchandise may be displayed on the site behind buffers meeting the requirements the Required Buffer Width and Planting Chart in Section 5.5.1.</i>		use required buffer width and planting chart - this has been updated	
4.6.3.A.7	prohibited materials	Change to materials/colors; add a prohibition against unnatural roof colors - e.g., blue, orange, purple	city based on question	.	don't use the word "unnatural" This was updated to read: Nontraditional colors such as bluc, orange or purple.
5.4.1.A.2	Pruning Permit - clarify that this is just for overstory trees, that pruning needs to be done under the guidance and direct supervision of a certified arborist, and that it shall meet ANSI A300 Standards	Add the word "overstory" to describe tree; add <i>and direct supervision of</i> before "Certified Arborist; add <i>and meet ANSI A300 Standards for tree pruning</i> at the end of the last sentence.	city	ok	
5.6.2.C.1	Mitigation for tree removal that was not approved	Clarify that no mitigation is required in T3, T4-HN or LI districts, etc.... for trees that were removed with approval. For those that were removed but didn't get the appropriate permit, mitigation is required.	city based on question	ok	
5.8.4.A.1 and 2	Light Fixture heights	clarify that the maximum height is for the light post, not including the fixture	city based on question	ok	
5.8.4.B	update lighting standards to match Kennebunkport, ME	change full cutoff requirement from 5,500 to 1,800	city	ok	
5.8.6.B	Motion-activated light requirements in T3 and T4-HN	Remove this provision	council	ok	
6.2.2.G.3	Master Sign Plan sizes	Make a note that no sign may exceed 125 Square Feet	city	ok	
6.5.1.A, B, C, and D	All Freestanding Signs - multiple street frontages to match previous ordinance	Add that for multiple street frontages, signage is permitted on each street	city	ok	
6.6.1A, B and D	All Attached Signs - multiple facades to match previous ordinance	add provision that buildings may have signage on parking-lot facing facades and on multiple facades if they are on a corner lot	city	ok	
6.7.3.E	Directional Signs, Maximum Height	add a provision that parking stall signs may be up to 5'	city based on question	ok	
6.10.1.J	making billboard regulation clearer and more sound; there are only 2 existing billboards in the city	Change to: <i>New billboards are prohibited.</i>	city attorney	ok	
7.2.3.B	Lot access standards for double frontage lots	Add a provision that for double frontage lots, one curb cut on each street may be permitted.	city based on question	ok	
7.4.2.A	Community Green Space and Open Space Requirements - increase in certain situations	increase T3-S to 20% in 10-15 acres increase T3-N to 15% in 10-40 acres and 20% in >40 acres increase T4-N to 10% in 10-40 acres and 15% in >40 acres	city based on comments	ok	

Beaufort Code - 6-month review Proposed Code Updates - Council + MPC Recommendations				updated 6/21/18 by LK	
Section #	Topic	Proposed Change	Initiator	MPC recommendation	Council recommendation
9.9.3 /10.2.D.3 and 4/10.6.2	Process for review of Major Subdivisions	Modify the review of Major Subdivisions as follows: -increase the threshold for major subdivision review to 10 acres or greater -modify the process to require a sketch plan, then Preliminary Plat, then Final Plat. Sketch Plan would continue to go to the Planning Commission. Preliminary and Final Plat would be reviewed by the staff via the TRC. -add posting requirements to match the county. Properties requesting a Major Subdivision would be posted 15 days prior to the MPC meeting	city	like keeping public informed and welcome feedback and should be maintained; why is MPC the last say? Solution - staff review but city council public input? County and PR should come to where city is? Invaluable - willing to accept after long input process; can all agree we want public interaction and input - question is how to let staff	consider having a MPC recommendatiion, going to staff for review and then Council for approval; per city attorney state law doesn't permit MPC to recommend (they must approve) nor does it permit Council to be involved in the approval process.
11.7.2.A	Landscaping Nonconformities	change the threshold amount from \$10,000 to \$25,000	city	ok	
13	add definition of billboard	<i>A large board for displaying advertising of either on- or off-premises businesses or organizations. For the purposes of this Code, any sign over 125 SF is considered a billboard.</i>	city	ok	
13	add definition of Garage, Detached.	<i>A garage or carport that is separated from the main body of the house. It may be physically connected to the house with a covered walk if that walk is unconditioned and does not exceed 2/3 the width of the garage.</i>	city	ok	
Appendix C.2.4	Street Network Diagram - Sector 5 - this should be updated to include the adopted Lady's Island Plan streets	update the diagram	city	ok	
Appendix C.6.5	Boundary Street Section	this needs to be updated to match construction and also broken into two phases and with/without slip lane, per previous Boundary Street Redevelopment District plans	city	ok	
Map Amendments					
R122 029 000 0172 0000	Salem Road Shopping Center - Old Duke's BBQ - zoning	change from T4-N to T5-UC - more consistent with previous zoning	city		
R122 029 000 0171 0000					
R122 029 000 0227 0000					
R122 029 000 0228 0000					
R120 008 000 0367 0000	2601, 2605 and 2607 Southside Blvd -zoning	change from T4-N to T3-N to make more consistent with existing, adjacent houses in this mostly built-out neighborhood	property owner		
R120 006 000 0173 0000					
R120 006 000 173A 0000					
R120 001 000 153A 0000	1402 and 1408 Palmetto Streets - zoning. 1402 = T3-N and partially in the Boundary Street Redevelopment District. 1408 - T5-UC and completely in the Boundary Street Redevelopment District	rezone both to T4-N; remove from Boundary Street Redevelopment district	property owner		
R120 001 000 0153 0000					



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 6/21/2018
FROM: Ivette Burgess, City Clerk
AGENDA ITEM
TITLE: Approval of City Council Summer Schedule
MEETING
DATE: 6/26/2018
DEPARTMENT: City Clerk

BACKGROUND INFORMATION:

Summer Break July 17, 2018 - August 21, 2018

Council will resume regular meeting schedule Tuesday, August 28, 2018.

PLACED ON AGENDA FOR: Action

REMARKS: