A meeting of the Beaufort-Port Royal Metropolitan Planning Commission was held on **October 19, 2015 at 5:30 p.m.** in council chambers of the Beaufort Municipal Complex, 1911 Boundary Street. In attendance were Chairman Joe DeVito and Commissioners James Crower, George Johnston, Tim Rentz, Robert Semmler and Bill Harris and City of Beaufort planner Libby Anderson and Beaufort County planner Rob Merchant.

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

CALL TO ORDER

Chairman DeVito called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

PRESENTATION ON SEA LEVEL RISE

Dr. Chris Marsh, co-chairman, Beaufort/Port Royal Sea Level Rise Task Force, shared the mission statement of the task force and its proposed goals, such as providing information for municipalities about at-risk areas. He listed various local governments that are looking at the issue of sea level rise. One recommendation is to have a place to measure that is closer to here than Ft. Pulaski. He showed the projections they have done for that area. They know the sea level has risen 6" since 1967 at the Savannah River.

Just a few inches of sea level rise can have an impact on storm surge, Dr. Marsh said. They want to minimize the effects of storm surge, and he went on to review the responses that can be made to sea level rise and storm surge. He shared what other local governments have done. The amount of area that will be affected by sea level rise in Beaufort and Port Royal does not include wetlands acreage.

The percentage of area inundated with a sea level rise below 4' is relatively small, Dr. Marsh said, and from 4-6' of sea level rise, it goes up "some" (13 – 23%). In the city limits of Beaufort, there is a tenfold increase when going from 1' to 6' of sea level rise. Dr. Marsh showed the particular areas of Beaufort and Port Royal that would be most affected. In the Historic District, "the water is so high, there's nowhere for it to drain to . . . the tide comes in and floods those pipes." The area stays tight along the edge from 1'–2' but it goes broader at 3'. He indicated an area that he said is high because it is where some saltmarsh was filled in. When the water rises it 4' in the Historic District, Dr. Marsh said, "everything changes."

Dr. Marsh said he's interested particularly in areas where there is infrastructure that connects to high areas on Port Royal Island. Those areas can be invested in and made more resilient in the future. The downtown area is not very affected until 4'–5'. The Spanish Moss Trail should possibly be evaluated for protection with floodgates.

The task force is using computer models to show local residents, Dr. Marsh said, and they are hoping the community will come to its representatives and express what it would like to happen. These numbers are rough estimates, he said, since the tidal amplitudes are different in a different system. They could be better or worse.

Commissioner Rentz asked if the charts and graphs are at a mean high tide, and Dr. Marsh said yes. In a "super-high king tide," it got over the wall and flooded Waterfront Park. It was equivalent to a 1'–2' surge.

Dr. Marsh said, "So much of the infrastructure is countywide," so he feels that all the municipalities and the county should get together and do this planning. This model hasn't been done for Highway 21 between Gray's Hill and Lobeco, which is the "artery that connects us to the mainland."

Commissioner Semmler said 6' is a reference, and he had noticed it was incremental; he asked if the task force has projected a timeline that shows a history of sea level rise. Dr. Marsh said this is a "compounding arrangement." He showed historic and projected sea level rise, and he said with scenarios, the county picked "intermediate high," about a 4' increase; by the end of the century, it will be a 3' rise and will be accelerating. They know that the 6" it already has risen in the last 50 years will also accelerate. Commissioner Semmler said it will not slow down, and he asked if instead of building seawalls, "we should start moving inland." Dr. Marsh said there are places in the county that are very high at 40'. Beaufort County will have some of the higher elevations along the coast 50–75 years from now, but also will have others that will be more drastically affected.

Dr. Marsh said, in the short term, if someone comes to a planning commission and wants to add fill dirt and build something at a 5' elevation, they should know about this and advise "being cautious." He gave the example of a planning commission that denied a build on the flood plain of the Congaree River, and then recently, it was under 4'–5' of water.

Commissioner Semmler said that Wilmington, North Carolina is on the list of "cities doing something." North of there is North Topsail Beach, he had once had house, but a hurricane in 2003-2004 took it. The homeowners there paid to have it sandbagged, and the Corps of Engineers re-dredged, but it disappeared. They spent $22 million for 20+ homes behind those that were oceanfront and inland to protect them with sandbags from erosion, but "they won't last." He thinks it's "inevitable" and would be prudent not to think too short term; the discussion to have is not where does Beaufort want to be in 30 years, but in 150 years.

Dr. Marsh said as the storm surge increases, outer barrier islands will be more at risk. Because Port Royal Island is interior, there's not a concern about "the immediate impact of the ocean hitting": Port Royal Island, Bluffton, and parts of St.

Helena are the highest parts of the county, but leaving Port Royal Island and heading west, "the elevation drops and is lower from there inland, past I-95." Going inland can mean going to a *lower* elevation. "It affects places a lot further inland than we can imagine," he said.

Dr. Marsh said they have some recommendations. He thinks to get to more specific recommendations, they need a larger audience, including the county and other municipalities. Commissioner Johnston said the airport on Highway 21 is a concern, and "there's also this future Wal-Mart. . . . There's a major project going right in the middle of one of our hotspots." They should consider how long they need structures to be there in order to recoup their tax dollars, Dr. Marsh concluded.

MINUTES

Commissioner Rentz made a motion, seconded by Commissioner Semmler, to approve the minutes of the July 29, 2015 and September 21, 2015. The motion to approve the minutes as submitted passed unanimously.

REVIEW OF PROJECTS FOR BEAUFORT COUNTY

Beaufort County – Port Royal Island Map Amendment/Rezoning Request for R100- 027-000-0013-000 and R100-027-000-013A-0000 (a 36-acre portion of 105 acres, known as Cherokee Farms, north of Cherokee Farms Road in Burton, across from Habersham Planned Unit Development/PUD) from C3-NMU (Neighborhood Mixed Use) to T4-Neighborhood Center (Neighborhood Center)
Owner/Applicant: T&D Land Holdings, LLC; Agent: Patrick Kelly

Mr. Merchant said this is Cherokee Farms on Port Royal Island, directly north of Habersham. It has been the property owner's plan for at least 13 years to develop a traditional neighborhood development that mirrors Habersham. It was originally zoned Rural, then in 2004 was changed to Suburban zoning. Traditional Neighborhood Development is a newer zoning for a more walkable community, with a slightly higher density than the base density.

Mr. Merchant said a Traditional Neighborhood Development has a density cap of 3 dwelling units per acre. It has 4 sub-districts. The master plan for Cherokee Farms is Neighborhood Center, Neighborhood General, and surrounding open space with buffers. The master plan was approved under the old code and is carried forward with the development agreement. The applicant only wants to replace the Neighborhood Center zoning with a new transect center from the county's new development code, to allow more flexibility in uses. Though the current zoning allows some flexibility, Mr. Merchant said, any fabrications are considered Light Industrial zoning and aren't allowed. The applicant would like to have artisan shops and to add diversity to the area, and hopefully, jobs.

Mr. Merchant said in the old code, the zoning was Suburban and the analogous code is C-3 Neighborhood Mixed Use. They are proposing that 36 acres of that be made T-

4 Neighborhood Center and the balance remain Neighborhood Mixed Use. The July 2014 development plan holds the density at 306 dwelling units and 150,000 square feet of commercial. The development agreement frees the development rights for the term of the agreement. The change will be the new uses allowed in T-4 Neighborhood Center, Mr. Merchant said.

The primary issue is that half the Cherokee Farms district is in the airport Overlay District. The noise contours laid over the site limit the dwelling units to 2 per acre. There is a new AICUZ that has been adopted for this site (because of the new fighters), Mr. Merchant said, and it expands its impact on the property. That would not affect this property until the development agreement expires. If no development occurs in 10 years, the new AICUZ would further restrict the density of this site.

Chairman DeVito asked if the infrastructure in this conceptual plan was part of the development agreement. Mr. Merchant said the off-site improvements are part of the development agreement. It locks in the zoning that was in place when it was passed and is also an instrument for timing and improvements to the site.

Mr. Merchant said they are required to notify the MCAS, which they did in September. The air station is still "going over the impact of this development" and does not yet have an official response. He wanted the Metropolitan Planning Commission to know that, so they can table the matter until the information is provided, or they can forward it to the county's planning commission with the caveat that the MCAS decision "may have a huge impact."

Chairman DeVito said the Metropolitan Planning Commission's role is to offer a recommendation to the county planning commission, which then recommends to the Natural Resources committee, which recommends to the county council. Mr. Merchant reiterated that the commissioners could choose to table or could make a recommendation with a caveat. Chairman DeVito asked how the public hearing works in the county planning commission. The public hearing and the meeting about this matter will be on the same night, Mr. Merchant told him.

If there has been no response from the air station, Commissioner Semmler said, he would recommend tabling, because he thinks their approval is "critical." Mr. Merchant said the county staff's position is that the decisions that affect compatibility with the air station have already been made, and with the development agreement, they are in place for 10 years. Their position is that the rezoning results in no more density; it introduces more compatible uses – such as fabrication, food processing, and artisan shops – and it can potentially diversify the tax base. Staff also supports this because the zoning – a designated Village Center – is from the county's new code, Mr. Merchant said. The safeguards are the new AICUZ and the development agreement, neither of which allows additional density.

Commissioner Harris asked the overall number for the density allowed: "Are those figured looking at the parcels as a whole parcel or . . . figured on every acre?" It's "impossible" to recreate something like Market Street at Habersham at 2 units per acre, Commissioner Harris said. Mr. Merchant said, in the master plan that was approved, 45.5 acres is the airport overlay that currently affects the parcel. In the master plan, "the density in there . . ." is just under 2 dwelling units per acre. When the TND was approved, they made sure that it stayed within the density in the AICUZ that the overlay district required.

Chairman DeVito said this is an average of the overall 45.5 acres. Mr. Merchant said since the master plan is adopted as part of the development agreement, there's "not a lot of wiggle room to modify that master plan," but that's the overall, gross density in the 45 acres. Commissioner Harris said the developer "has done at least one nationally known type of development, and it's gone extremely well"; he'd like to see that they're able to "achieve that across the street, if that's their wish" and to "not (lose) anything."

Commissioner Rentz said, as president of Coastal Contractors and a shareholder, he had purchased this property at one time; he had a development agreement with Habersham. In the last few years, Habersham has purchased the property from Coastal Contractors, so he has no financial ties to it now and feels he can give an impartial judgment of the development. He asked if he should or should not vote on this issue. When this went to the county, he was actively involved. Chairman DeVito asked if he was involved in the zoning change that is before them today. Commissioner Rentz said he had no part in that. Chairman DeVito said, if he had no part "in what is actively being looked at tonight, there's no reason you can't stay."

Commissioner Rentz asked Mr. Merchant, since there's a development agreement that specifically states the AICUZ can affect the development for 10 years, "what legality does the planning commission or the county have in using the AICUZ as a reason not to rezone? Mr. Merchant said, probably at the Natural Resources Committee reading, they would activate the development agreement. Modifying the development agreement is required.

Chairman DeVito told Commissioner Rentz the developer is proposing a new zoning, and if it's not approved, he still has a right to build to the original development agreement. He hears from staff that the new zoning is a better option to meet the AICUZ. This option was not available when the original development agreement took place; it's part of the newly adopted zoning, Chairman DeVito said. Commissioner Rentz said he assumes this zoning designation that Habersham is requesting works with the master plan. Mr. Merchant said it does. It's replacing the Traditional Neighborhood Development with a similar type of district from the new code. Mr. Merchant said they think this will "do slightly better than the old developing standards of the old code. It's pretty much a parallel move as far as we're concerned."

Commissioner Semmler asked if this AICUZ is new since the advent of the F-35. Mr. Merchant said it's the F-18 AICUZ, which was locked in with the development agreement. Commissioner Semmler asked if a statement is being provided to the developer that "airplanes will be flying over your head." Mr. Merchant said a disclosure to that effect is required. Commissioner Semmler said he knows that, but people bought homes in Habersham who were never shown that. He asked if the county would give a statement to ensure that people know it. He thinks "it might be the time to have it in black and white," somewhere in this agreement, and he suggested that county legal staff might need to look at it.

Jason Mann, director of the Community Plans and Liaison Office at MCAS, said "We'd really like an opportunity to look at this, get a handle on it, comment and bring it back to you." They are not anti-development, he said, and don't want people to be behind schedule, but it's been around for many years, and Mr. Mann thinks giving them a few weeks should be OK. To respect the role of the Metropolitan Planning Commission and the planning process, he said, he requests the time for the MCAS to do its part.

Chairman DeVito said the next MPC meeting is November 16, and he asked if Mr. Mann is confident the air station would be ready with a decision. Chairman DeVito said there's not a week in between the planning commission meeting and the public hearing in order to have a special meeting, so they "have to let it slip" if they table it.

Commissioner Johnston asked if Mr. Mann bears any responsibility for doing as Commissioner Semmler had suggested: getting through to the developers or owners to tell them about the airport noise they will hear. He suggested **Colonel Peter Buck** could write them personal letters. Mr. Mann said, "We try to let everybody in Beaufort County know . . . as part of our outreach effort.

The applicant, **Bob Turner**, developer of Habersham, said he was confused about the schedule. He knows that a 30-day wait "sounds like a blip" because of the 13 years they have been developing this project, but they do have prospective businesses awaiting answers. Mr. Turner said he'd like to know if anything can be done before the public hearing.

The county's planning commission meeting is November 2, Chairman DeVito said, and the Metro Planning Commission is November 19. Chairman DeVito asked about a joint meeting with the county planning commission on November 2. Commissioner Semmler said they haven't done that before, but Chairman DeVito said they did it for the Spanish Moss Trail and the CIP approval for the referendum, so the precedent has been set. He said they could do a joint meeting, then the county planning commission would have their meeting. Chairman DeVito said staff could investigate if that could be done. Mr. Merchant said this item could be taken up a half hour before the regular meeting of the county planning commission. The MPC would hear

the presentation, form a recommendation, and then the county planning commission would take it over. Commissioner Semmler said this still requires that Mr. Mann have a position by then.

Chairman DeVito said it's already posted as a public hearing. This commission would only entertain that one subject. Commissioner Semmler said they need a legal announcement that the metro planning commission will be meeting that day *with* the county planning commission, and the metro planning commission meeting will only be for this one purpose. Chairman DeVito explained the difference in a public meeting and a public hearing.

Chairman DeVito said they need a motion to table, and then it will come off the table either on November 2 or at the next scheduled Metropolitan Planning Commission meeting. **Commissioner Semmler made a motion that the MPC table the matter, and when the commission next meets, the matter will come off the table. Commissioner Johnston seconded. The motion passed unanimously.**

Commissioner Semmler commented that he had said $22 million was spent for sandbags in the North Carolina beach reclamation, but it was $2.2 million.

There being no further business to come before the commission, **Commissioner Johnston made a motion to adjourn**, and the meeting was adjourned at 6:42 p.m.