

A work session of the Beaufort City Council was held on March 16, 2010 at 5:00 p.m. in the City Hall Conference room, 302 Carteret Street. In attendance were Mayor Billy Keyserling, Council members Gary Fordham, Donnie Ann Beer, Mike McFee, and Mike Sutton, and City Manager Scott Dadson and Mack Cook.

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.

### **EXECUTIVE SESSION**

An Executive session was held, pursuant to Title 30, Chapter 4, Section 70 (a) (2) of the South Carolina Code of Laws to discuss acquisition of property and contractual agreement. Councilman Fordham made a motion, second by Councilwoman Beer, to move from Executive Session into the work session. The motion passed unanimously. The Mayor called the work session to order at 5:08 p.m.

### **TREE BOARD APPLICANT INTERVIEW**

Council interviewed Darrell Snyder for a position on the Tree Board.

### **DISCUSSION REGARDING REVISION TO THE UDO RELEVANT TO MAILED NOTICES**

Libby Anderson said increasing the scope / number of notifications to the public had been mentioned. For variances, special exceptions, and rezonings, a public hearing notice is sent to the newspaper, and the property is posted with a sign. For variance and special exception applications, a mailed "courtesy" notice is provided to property owners within 200' of the subject's property. For re-zonings, staff usually mails "courtesy" notices to property owners within 400' of the subject's property. For applications going before the Design Review Board and the Historic District Review Board, the agenda is sent to the paper. All meetings are posted on the web site a week prior to the meeting. Some groups ask to be sent agendas by e-mail.

Ms. Anderson said increasing the notification radius is a matter of time and money. To determine the costs of mailing, they looked at typical neighborhoods. For example, in Pigeon Point, the 200' mailing is about \$22, 400' is \$56, and 600' is \$75 including staff time but not any benefits.

Councilwoman Beer said for neighborhood associations they could be sent to the leader and then the leader could send it out to members. Councilman Fordham said there are so many areas that don't have neighborhood associations. Councilwoman Beer said "we're working on it." Mayor Keyserling said some people in affected areas refuse to take part in an emerging organization, which is what drove this conversation initially. Councilman Sutton asked the average application fee now. Ms. Anderson said the ZBOA for a variance is \$200 for residential, \$300 for non-residential, which covers the public hearing notice, which on average is \$150. The typical variance requires between 9-10 hours of staff time per application. Councilman Sutton said he supports notifications being distributed as much as possible, but he wants the city to be covered financially, possibly by reassessing the fee structure. He'd like to know more about the costs and fee structure from Ms. Anderson.

Ms. Anderson said the county requires the applicant to do the notification, so they bear the cost, but the county has to verify it. Mayor Keyserling said the broader the reach, the fewer people can say they didn't know, but there's a waste factor, too. Councilwoman Beer said there will always be complaints about not knowing about it. Mr. Dadson said he'd do those things that were a courtesy, which is different than the legal obligation. He asked if they wanted more people or to cover a greater distance. Outside of the core, the areas "loosen" up a little bit.

Ms. Anderson said the immediately adjacent owners have the largest voice. Councilman Sutton asked if staff needed to do anything further. Mayor Keyserling said there's not more work, but the bottom line is if the process pays for itself; he asked if it needs to. Councilman McFee said it raises the consciousness of the areas. He said direction to staff would be to continue to monitor the areas but not to change the areas that receive the courtesy notices. They could adapt if there's an area that appears not to be getting sufficient notification.

Councilman Sutton said in the Northwest Quadrant, the occupancy has really different density even in one neighborhood. Ms. Anderson suggested the option of notifying to 200' or a minimum of 20 notices, for example; the area will make a difference, and the buffer could be increased until they go the 20 notices out. Councilman McFee said staying with the current courtesy notifications and using prudence can get the highest numbers. He agreed with Ms. Anderson's idea about 200' or 20 notices. Councilwoman Beer said it depends on the project, too. Ms. Anderson said 200' or 20 notices is a good rule of thumb.

## **DISCUSSION REGARDING PROPOSED REVISION TO SIDEWALK VENDING ORDINANCE**

### **LOCATIONS**

Ms. Anderson said the city now has a sidewalk vending ordinance with 4 specific locations that are outlined in the ordinance. Staff is proposing to delete the county government location; there's not enough room for a cart and safe pedestrian passage, and no one has indicated interest in locating there. In Waterfront Park, there are 2 locations on West Street Extension and one in front of the Waterfront Park pavilion. The West Street Extension doesn't offer much room. The pavilion has its own issues for those who rent it. Staff proposes two new locations: one in Waterfront Park, just beyond the playground and adjacent to the restrooms and the other at the base of Charles Street extension – just west of the contemplative garden looking east toward the pavilion.

Mr. Cook said he has one consistent vendor, the Sno-Cone guy, who is on the far east end of Waterfront Park after wedding confrontations; he is "delighted" down there. Mr. Cook said the licenses are issued for the calendar year. The one at the county center was already acted upon a few years ago. Mr. Dadson said there are really only two vending spots. Councilman Sutton said the west end puts it in a position to be competing with the Marina operations. Ms. Anderson said the spacing is 50'. Mr. Dadson said it's more efficient there. Councilman Sutton said the west end location is also the location for two festivals. Mr. Cook said the ordinance says they move for festivals. Mr. Dadson said these are the cleanest spots with the least amount of potential for conflict as there was in previous years. Mr. Cook said there are

problems with vendors at the flagpole because of waste containers there, and there's no place for the hot dog vendors to sit, so they sit on Lipsitz's steps.

### **DISCUSSION REGARDING DOWNTOWN LIGHTING PLAN**

Mr. Dadson said the plan is not done. The committee met, and they know the charge is to bring stakeholders into the process. Staff and other groups have been collecting information needed to help make better decisions in working on the downtown parking issues. That work is continuing and will be correlated. How safety is being dealt with is an incomplete picture.

He presented a draft of a downtown core safety plan. The elements will include emergency safety phones that go directly to 911; scheduled patrol coverage areas; pedestrian route assessments; arranged escorts and enhanced patrols at shift change and closing times; training of employers and employees in safety measures; deterrent web-based motion-activated cameras; high visibility/time and zone focused patrols. The Marina and Waterfront Park are where the majority of activity has taken place between 10-1-09 and 3-10-10. He showed a graphic of parking zones and the current safety measures in each area. He asked council if they were content with the beginning of the process, and there was general assent. Councilman Sutton said re: motion cameras, the two large lots should have continuously active cameras. Mr. Dadson said the police department said this is how they best felt cameras worked for them. Councilman Sutton said the marina is not just a parking lot. Much else goes on there, and active cameras should be there. Mr. Dadson said active cameras running all the time is a lot to monitor. Action-based is an incident issue. Other data will drive this, and this is just a framework. Councilman Sutton asked if the cameras would be public-access, and Mr. Dadson said no, owing to privacy issues and what the city, as opposed to a citizen, could do. Councilman Sutton said there should be more discussion on cameras in the future.

Mr. Dadson said the comp plan has a specific section about parking in reference to the "short game and the long game." Councilman Sutton asked that whoever does the lights puts a power outlet at the base of each light. There aren't convenience outlets for festival service. There should be power wherever it can be. Mr. Cook said it's a matter of metering.

### **CITY MANAGER AGENDA ITEMS**

Mr. Dadson said downtown will be power-washed before 8 am; he can waive the sound ordinance. They want to do it on two consecutive days, and he feels Monday and Tuesday will be best days, both days from 6 am – 9 am. The parameters of the area to be cleaned and the areas with hospitality guests were discussed. Councilman Sutton suggested coordinating with Beaufort Inn. Mr. Dadson said it's best to do it during the workweek because people will be awake. There have to be barriers put up, and people who will be affected will be notified. Councilman Sutton said Craven Street is most of the problem. The noise issue was in the areas around the core commercial, not the core itself.

On the re-designation of Highway 280 as Highway 21, Mr. Dadson read the conditions under which Port Royal would endorse it. Mr. Dadson said he'd like to write a letter saying they were fine with it and to pass it on to Weston Newton and Mayor Murray.

### **DISCUSSION REGARDING FORM-BASED CODING PROCESS**

Mr. Dadson said the county put out an RFP for planning services to write form-based code. The broad term means design-based planning; the relationship of the road to the vertical has a direct correlation. The architecture of the area is also a consideration. In the city comp plan, the idea of transect-based zoning is endorsed. The center is the densest, tallest, and most pedestrian-oriented. The outside area is very rural. The comp plans have been synchronized. The county's RFP encompasses areas south of the Broad and deals with a complex set of issues across the county. The most intense form-based code happens within the growth boundaries.

Mr. Dadson said the county asked how much the city would participate up to monetarily. The city broke it into chunks they could handle. Mr. Dadson has spoken to the proposed consulting firm. To participate there needs to be an evaluation of the form-based code readiness. In a first-phase diagnostic, they need to do four things: Test the viability and structure of the overall transect code strategy for the growth boundary; determine framework for areas of focus and jurisdictional input; determine if there's political readiness to implement such an aggressive model at the neighborhood level - different areas may require different processes. If these are done, in the second phase, they can better determine "what's what" and priorities can be chosen.

Mr. Dadson said they'd commit up to \$15,000 plus costs for the diagnostic in phase 1. They will be able to prioritize from that list and know what different processes happen in phases 1-4. This will allow them to budget properly and work together. The dollars for phase two will be known by then. He feels the Metro Planning Commission is the proper group to oversee this. County council last week adopted goals and this was in their top five.

Mayor Keyserling asked about county feedback, and Mr. Dadson said they've been very encouraging. Mr. Dadson said the TDR and form-based code processes can be worked together. Councilman Sutton described an advantage for the city's form-based code planning through this process. Mr. Dadson said everyone's concerned about what they get for their money in this. Mayor Keyserling said this is the future and the tool they've said they want to use to grow.

### **REPORTS**

Councilwoman Beer said she's working on a project to bring actor Gary Sinise and his band with 30-50 wounded vets and their entourages to Beaufort for a free concert on October 1. September 29<sup>th</sup> and 30<sup>th</sup>, the vets will talk to kids in schools. There will be a bike run. Wrist bands are being sold as part of a fundraiser. Proceeds will go to getting the vets here and handicapped accessible vans, hotel rooms, etc.

### **ADJOURNMENT**

The meeting was adjourned at 6:36 p.m.

ATTEST: \_\_\_\_\_

SHIRLEY HUGHES, ACTING CITY CLERK