

## ORDINANCE

### AMENDING THE CODE OF ORDINANCES BEAUFORT, SOUTH CAROLINA – PART 5 ARTICLE C (BEAUFORT REDEVELOPMENT INCENTIVE PROGRAM) AND PART 10 CHAPTER 3 (INCENTIVE REIMBURSEMENTS GRANT PROGRAM FOR CERTAIN ANNEXATIONS)

WHEREAS, the State of South Carolina has conferred to the City of Beaufort the power to enact ordinances “in relation to roads, streets, markets, law enforcement, health, and order in the municipality or respecting any subject which appears to it necessary and proper for the security, general welfare, and convenience of the municipality or for preserving health, peace, order, and good government in it, including the authority to levy and collect taxes on real and personal property . . .” as set forth in *Code of Laws of South Carolina*, Section 5-7-30; and

WHEREAS, Beaufort City Council has publicly discussed in work session the need and desire to consolidate existing ordinances that provide incentives for annexation and development, some of which are no longer necessary; and,

WHEREAS, the proposed amendments are compatible and in accordance with the vision and goals of the City of Beaufort; and

WHEREAS, this vision and these goals were established through public discussion, input and participation in open work sessions of Council; and

WHEREAS, these goals were recorded in the form of a strategic plan and a comprehensive plan for all to see and reference; and

WHEREAS, City Council finds that the proposed amendment is in the best interest of the City of Beaufort, and its citizens;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, in Council duly assembled and by authority of same, that the Code of Ordinances Beaufort, South Carolina be amended as follows:

Delete Sub-sections (h) and (i) from Section 5-2021.

Amend Sub-section 5-2021 (k) by deleting the clause “For the purposes of section 5-2027” as follows:

*Rehabilitation of vacant or abandoned structures.* ~~For purposes of section 5-2027,~~ rehabilitation means renovations that bring the structure into a habitable condition. A rehabilitated structure shall have sound structural framing for roof, walls, floor, and foundation systems; completely weather-proofed wall, roof, and window systems; correctly sized heating systems; safe egress; and clean water supply with sanitary bathroom connected to sewer per code. A rehabilitated structure shall have passed a final inspection.

Amend Sub-section 5-2022 (b) by deleting the statement “and, to qualify under section 5-2023 of this article, a bona fide change in ownership of the commercial property in question” as follows:

*Qualification for the program.* Qualification for the program is contingent upon a change in the use, condition, and/or status of an owner's property ~~and, to qualify under section 5-2023 of this article, a bona fide change in ownership of the commercial property in question.~~ Furthermore, to qualify hereunder the property in question must be fully in compliance with all federal, state and local codes, statutes, regulations and ordinances. The property in question must qualify for the program before any development incentives may be earned. No person or entity other than the qualifying property's bona fide owner may receive any reimbursement for taxes paid. No property may qualify for the program more than one (1) time or under more than one (1) section.

Delete Section 5-2024, and chapters 2 and 3 of Part 10 in their entirety.

Delete Sections 5-2025, 5-2026, and 5-2027 in their entirety and replace with the following:

Sec. 5-2025. - Development.

A property owner responsible for:

- (a) development of student housing (as defined in section 5-2021(e) of this article) and who has provided the City with a current affidavit that the units are being used for student housing; or,
- (b) development of a carriage house as defined in section 4.5.3 of the Beaufort Development Code of the City of Beaufort, South Carolina, and who has provided the City with a current affidavit that the carriage house is occupied: (Note: carriage houses receiving this incentive may not be used as short-term rental for a period of ten years); or,
- (c) rehabilitating a structure located in the Beaufort Historic District as depicted on the official zoning map of the City of Beaufort, South Carolina, and listed on the vacant and abandoned structures list maintained by the department of community and economic development

shall be reimbursed for all city real property taxes paid by the owner on the relevant property or, in the case of a rehabilitated historic structure, for the taxes attributable only to the building rehabilitation, for a maximum period of three (3) years.

Reimbursements will be made on an annual basis after the city property taxes are paid, and upon presentment of relevant affidavit.

The Ordinance shall become effective upon adoption.

(SEAL)

Attest:

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BILLY KEYSERLING, MAYOR

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IVETTE BURGESS, CITY CLERK

1st Reading

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2nd Reading & Adoption

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Reviewed by:

WILLIAM B. HARVEY, III, CITY ATTORNEY