

O R D I N A N C E

AMENDING SECTION 2.8 OF THE CITY OF BEAUFORT UNIFIED DEVELOPMENT ORDINANCE TO MAKE THE TERMS OF DESIGN REVIEW BOARD MEMBERS EXPIRE ON JUNE 30 OF THE APPLICABLE YEAR

WHEREAS, the Unified Development Ordinance stipulates that terms for members of the Historic District Review Board and the Zoning Board of Appeals expire on June 30 of the applicable year; and

WHEREAS, the Unified Development Ordinance does not set out a specific date on which terms of members of the Design Review Board expire; and

WHEREAS, staff has drafted an ordinance that revises the Unified Development Ordinance to make the expiration of terms for members of the Design Review Board consistent with the expiration of terms for the Historic District Review Board and Zoning Board of Appeals; and

WHEREAS, this amendment has been presented to the City of Beaufort-Town of Port Royal Joint Municipal Planning Commission and the Commission recommended approval; and

WHEREAS, a public hearing before the Beaufort City Council was held regarding this ordinance amendment on May 26, 2009, with notice of the hearing published in *The Beaufort Gazette* on May 11, 2009;

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 Unified Development Ordinance of the City of Beaufort, South Carolina* be amended as follows:

Revise Section 2.8, "Design Review Board," by deleting the current Section C, "Membership, Terms and Compensation," and replacing it with a new Section C to read as follows:

C. Membership, Terms and Compensation

1. Number, Appointment

- a.** The Design Review Board shall be appointed by the City Council.
- b.** The Design Review Board shall be composed of five voting members who either are residents of the City of Beaufort, own property within the City or hold a current City of Beaufort business license. The Design Review Board is to include three design professionals, and two citizen representatives. With regard to the design professional positions, it is preferable that the positions be as follows: one landscape architect, one architect, and one engineer. With regard to the citizen representatives, one representative shall be a business owner, preferably owning a business within one of the corridors.
- c.** Appointments to the Board shall comply with the City Council's resolution establishing the guidelines for appointments to City

Boards/Committees as adopted on November 9, 1993 and revised from time to time.

2. Terms

All terms shall be for two years. All terms shall expire on June 30 of the applicable year and members must continue to serve until their successors are appointed.

3. Current Members

Members of the Design Review Board on the effective date of this UDO shall continue to serve until their respective terms expire.

4. Term Limits

No member may serve for more than two successive terms, except for extraordinary circumstances where the City Council believes it to be in the best interest of the community to have a continuation for a specific period of a particular member of the Board. This limitation shall not prevent any person from being appointed to the Board after an absence of one year. Service for a partial term of less than 1½ years shall not constitute a term of service for purposes of this Section.

5. Vacancies

Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment.

6. Removal

The City Council may remove any member of the Board for cause.

7. Compensation

- b.** Members shall serve without pay. Members may be reimbursed for actual expenses incurred in the performance of their duties from available funds.

This ordinance shall become effective immediately upon adoption.

BILLY KEYSERLING, MAYOR

(SEAL)

Attest:

SHIRLEY D. HUGHES, ACTING CITY CLERK

1st Reading _____

2nd Reading & Adoption _____

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