

**AGENDA
COLLETON COUNTY COUNCIL
REGULAR MEETING
TUESDAY, NOVEMBER 7, 2017
6:00 P.M.
COUNTY COUNCIL CHAMBERS, OLD JAIL BUILDING**

1. Call to Order
2. Invocation and Pledge of Allegiance
3. Roll Call
4. Awards and Recognitions – None
5. Approval of Minutes
 - a) Regular Meeting October 3, 2017
6. Appearances & Public Presentations
 - a) Kay Maxwell - Southern Carolina Alliance Quarterly Report
7. Administrator's Briefing
8. Public Hearing
 - a) Ordinance 17-O-08, To Provide For The Amendment And Allocation Of Revenues Under The Agreement For Development Of A Joint County Industrial Park, By And Between Colleton County, South Carolina And Charleston County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park
9. Old Business
 - a) 2nd Reading Ordinance 17-O-09, To Amend Title 13 – Buildings and Construction of the Colleton County Code of Ordinances, Chapter 13.12 - Flood Damage Prevention, to Amend Floodplain Management Regulations and Adopt Newly Revised FEMA Maps.
 - b) 3rd Reading Ordinance 17-O-08, To Provide For The Amendment And Allocation Of Revenues Under The Agreement For Development Of A Joint County Industrial Park, By And Between Colleton County, South Carolina And Charleston County, South Carolina, Providing For The Development Of A Jointly Owned And Operated Industrial/Business Park
10. New Business
 - a) 1st Reading Ordinance 17-O-10, To Authorize the Rezoning of a 2.5 Acre Parcel at Bennett's Point, Identified as T.M.S. No. 334-00-00-075, from Community Commercial (CC) to Rural Conservation-2 (RC-2)

- b) 1st Reading **By Title Only** Ordinance 17-O-11, to Amend Title 2-Administration and Personnel, Chapter 2.20 – Fire Protection System of the Colleton County Code of Ordinances
 - c) 1st Reading **By Title Only** Ordinance 17-O-12, to Amend Title 14 – Land Management, Article 14.08-3 – Conditional Uses, Section 14.08-3.020 of the Colleton County Code of Ordinances related to Gun Clubs, Outdoor Shooting Ranges and Turkey Shoots
 - d) Resolution 17-R-71, to Oppose the Implementation of the New DHEC Beachfront Management Lines by December 31, 2017 and to Request that the Implementation be Delayed for One Year
 - e) Resolution 17-R-72, To Reschedule the January 2018 County Council Meeting
- 11. Items for Information and Public Record
 - 12. Public Comments (3 minutes per person/max time 20 min.)
 - 13. Council Time
 - 14. Executive Session
 - a) Economic Development – Project Global
 - 15. Adjournment
 - 16. Informal Meeting of the Whole

Sponsor(s) : County Council
First Reading : September 5, 2017
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : October 3, 2017
Public Hearing : November 7, 2017
Third Reading : November 7, 2017
Effective Date : Immediately

I, Ruth Mayer,
Council Clerk, certify that this
Ordinance was advertised for
Public Hearing on _____.

ORDINANCE NO. 17-O-08

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[AN ORDINANCE TO PROVIDE FOR THE AMENDMENT AND ALLOCATION OF REVENUES UNDER THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK, BY AND BETWEEN COLLETON COUNTY, SOUTH CAROLINA AND CHARLESTON COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK.]

WHEREAS, Colleton County, South Carolina (the “County” or “Colleton County”) and Charleston County, South Carolina (“Charleston County” and jointly with Colleton County, the “Counties”) are authorized under Article VIII, Section 13 of the South Carolina Constitution to jointly develop an industrial or business park within the geographical boundaries of one or more of the member Counties; and

WHEREAS, in order to promote the economic welfare of the citizens of the Counties by providing employment and other benefits to the citizens of the Counties, the Counties entered into an Agreement for Development for a Joint County Industrial Park effective as of September 1, 1995 (the “Original Agreement”), to develop jointly an industrial and business park (the “Park;” and that portion of the Park located within the boundaries of Charleston County shall be referred to herein as the “Charleston Park”), as provided by Article VIII, Section 13 of the South Carolina Constitution and in accordance with Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended, (the “Act”); and

WHEREAS, the Original Agreement was substantively amended by that First Modification to Agreement for Development for Joint County Industrial Park, effective December 31, 2006 (the “First Modification”), which First Modification was approved by Charleston County Council Ordinance 1475, enacted December 5, 2006; and by Colleton County Council Ordinance 06-O-20 enacted January 2, 2007; and (ii) the Second Modification to Agreement for Development of Joint Industrial Park, dated as of December 31, 2014 (the “Second Modification”), which Second Modification was approved by Charleston County Council Ordinance 1828, enacted on September 9, 2014, and by Colleton County Ordinance 14-O-13, enacted on December 11, 2014; and

WHEREAS, the Original Agreement, as amended, is referred to herein as the “Agreement,” and

WHEREAS, Section 6 of the Agreement provides that revenues generated by the Charleston Park shall be allocated and distributed in the following proportions: to Charleston County 98.25% and to Colleton County 1.75% (the “Colleton Distribution”); and

WHEREAS, pursuant to Title 12, Chapter 44 of the Code of Laws South Carolina 1976, as amended (the “Negotiated FILOT Act”), Charleston County and Mercedes-Benz Vans, LLC (the “Company”), propose to enter into that certain First Amended and Restated Fee in Lieu of Tax and Incentive Agreement (the “Fee Agreement”), pursuant to which, among other things, the Company agreed to make, and Charleston County agreed to accept, Negotiated FILOT Payments (as defined in the Fee Agreement) with respect to certain manufacturing and related facilities to be acquired or constructed by the Company within Charleston County (as defined more fully in the Fee Agreement, the “Project”); and

WHEREAS, pursuant to Section 3.02 of the Fee Agreement, Charleston County agreed to issue Base Investment Special Source Revenue Bonds (the “Base Investment Special Source Revenue Bonds”); and

WHEREAS, the Company now anticipates investing approximately \$495,000,000 in taxable property as part of the Project (as defined more fully in the Fee Agreement, the “Base Investment”); and

WHEREAS, pursuant to the Fee Agreement, the Company affirmed its commitment to make minimum Negotiated FILOT Payments with respect to the Base Investment annually in amounts sufficient to pay, among other amounts, certain fixed amounts due to Colleton County pursuant to the Agreement; and

WHEREAS, in accordance with the Fee Agreement, the Counties have agreed to amend the provisions of the Agreement to provide that during the period of time that any Base Investment Special Source Revenue Bonds are outstanding, that the Colleton Distribution under the Agreement with respect to revenues from the Project consisting of the Base Investment shall be a fixed annual amount as set forth in the attached Schedule 1, instead of 1.75% of such Charleston Park revenues;

NOW, THEREFORE, BE IT ORDAINED BY THE COLLETON COUNTY COUNCIL:

SECTION 1. Amendment of MCIP Agreement. (a) Section 6 of the MCIP Agreement is hereby amended by adding the following provision to the end of Section 6: “provided, however, that during the period of time that any Base Investment Special Source Revenue Bonds are outstanding, the Colleton County allocation of revenues from the Project consisting of the Base Investment shall be a fixed annual amount as set forth in the attached Schedule 1, instead of 1.75% of such Charleston Park revenues. All capitalized terms used in this paragraph that are not otherwise defined herein shall have the meaning ascribed to such terms in the First Amended and Restated Fee-in-lieu- of Taxes and Incentive Agreement, dated as of _____, 207, between Charleston County, South Carolina and Mercedes Benz Vans, LLC.”

(b) Attached hereto is the Third Modification to Agreement for Development for Joint County Industrial Park (the "Third Modification"). The Chairman of the County Council is authorized to execute the Third Modification on behalf of the County and, after such execution on behalf of Charleston County, the Third Modification shall become effective on the date set forth in the Third Modification.

SECTION 2. This Ordinance shall become effective on the date of enactment of this Ordinance by the Colleton County Council, after third and final reading and public hearing.

Attest:

Signed:

Clerk to Council

Joseph F. Flowers, Chairman

Approved as to Form
Sean P. Thornton, County Attorney

Council Vote:
Opposed:

Sponsor(s) : County Council
First Reading : October 3, 2017
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : November 7, 2017
Public Hearing : December 5, 2017
Third Reading : December 5, 2017
Effective Date : Immediately

I, _____,
Council Clerk, certify that this
Ordinance was advertised for
Public Hearing on _____.

ORDINANCE NO. 17-O-09

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Amend Title 13 – Buildings and Construction of the Colleton County Code of Ordinances, Chapter 13.12 - Flood Damage Prevention, to Amend Floodplain Management Regulations and Adopt Newly Revised FEMA Maps.]

WHEREAS:

1. South Carolina Department of Natural Resources Flood Mitigation Division on behalf of FEMA conducted an audit of the County's Flood Damage Prevention Ordinance and has required clarification of certain inconsistencies, removal of superfluous sections, and improvement of the administrative mechanisms in it; and
2. Amending various sections of Chapter 13.12 – Flood Damage Prevention of Title 13, Buildings and Construction is deemed to be the best method for instituting said revisions.

NOW, THEREFORE, BE IT ORDAINED BY COLLETON COUNTY COUNCIL, DULY ASSEMBLED, THAT:

1. **Title 13, Buildings and Construction, of the Colleton County Code of Ordinances, Chapter 13.12 – Flood Damage Prevention** is hereby amended, as recommended by the South Carolina Department of Natural Resources Flood Mitigation Division in order to meet requirements set forth by FEMA, as follows:

13.12-1.040 REPLACE November 20, 2015 with **December 21, 2017**.

13.12-2.020 Definitions. REPLACE “Accessory Structure.....habitation.” with **“Accessory Structure (Appurtenant Structure) - structures that are located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory Structures should constitute a minimal investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds”**.

13.12-2.020 Definitions. REPLACE “the effective date of the FIRM, or before January 1, 1975, for FIRMs effective before that date”, with **“April 14, 1987”**.

13.12-2.020 Definitions. REPLACE “Mean sea level means....Datum (NGVD)”. with “**Mean sea level means For the purpose of this ordinance, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which the base flood elevations shown on a community’s Flood Insurance Rate Maps (FIRM) are shown**”.

13.12-2.020 Definitions. REPLACE “North American Vertical....completion.” with “**North American Vertical Datum (NAVD) Vertical control, as corrected in 1988, used as the reference datum on Flood Insurance Rate Maps.**”

13.12-3.010. Designation of local administrator. REPLACE “Colleton County Planning and Development Department” with “**Floodplain Administrator or his/her designee**”.

12.12-3.030 REPEAL in its entirety.

13.12-3.050 Duties and responsibilities of the local administrator. REPEAL Subsection “E” in its entirety.

13.12-3.050 Duties and responsibilities of the local administrator. Subsection “P” REPLACE “The community must incorporate....annexation.” with “**within six months, of any annexations or detachments that include special flood hazard areas.**”

13.12-3.050 Duties and responsibilities of the local administrator. REPLACE Subsection “R” with “**R. Substantial damage - damage of any origin sustained by a structure whereby the cost of restoring the structure to it’s before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Such repairs may be undertaken successively and their costs counted cumulatively. Please refer to the definition of "substantial improvement".**

13.12-3.050 Duties and responsibilities of the local administrator. Subsection “S.1” Substantial improvement determinations. INSERT “**within the past 6 months**” between “owner.....;or”

13.12-3.050 Duties and responsibilities of the local administrator. Subsection “S.1” Substantial improvement determinations. REPLACE “within 12 months” to “**within 6 months**”.

13.12-3.060 – Administrative procedures. REPEAL in its entirety and REPLACE with:

Inspections of Work in Progress - As the work pursuant to a permit progresses, the local floodplain administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done

according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the floodplain administrator has a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction at any reasonable hour for the purposes of inspection or other enforcement action.

Stop-Work Orders - Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the floodplain administrator may order the work to be immediately stopped. The stop-work order shall be in writing and directed to the person doing the work. The stop-work order shall state the specific work to be stopped, the specific reasons for the stoppage, and the conditions under which the work may be resumed. Violation of a stop-work order constitutes a misdemeanor.

Revocation of Permits - The local floodplain administrator may revoke and require the return of the development permit by notifying the permit holder in writing, stating the reason for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of state or local laws; or for false statements or misrepresentations made in securing the permit. Any permit mistakenly issued in violation of an applicable state or local law may also be revoked.

Periodic Inspections - The local floodplain administrator and each member of his/her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.

Violations to be Corrected - When the local floodplain administrator finds violations of applicable state and local laws, it shall be his/her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law on the property he owns.

Actions in Event of Failure to Take Corrective Action: If the owner of a building or property shall fail to take prompt corrective action, the floodplain administrator shall give him written notice, by certified or registered mail to his last known address or by personal service, that:

- a. the building or property is in violation of the Flood Damage Prevention Ordinance,
- b. a hearing will be held before the local floodplain administrator at a designated place and time, not later than 10 days after the date of the notice, at which time

the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and,

- c. following the hearing, the local floodplain administrator may issue such order to alter, vacate, or demolish the building; or to remove fill as appears appropriate.

Order to Take Corrective Action: If, upon a hearing held pursuant to the notice prescribed above, the floodplain administrator shall find that the building or development is in violation of the Flood Damage Prevention Ordinance, he/she shall make an order in writing to the owner, requiring the owner to remedy the violation within such period, not less than 60 days, the floodplain administrator may prescribe; provided that where the floodplain administrator finds that there is imminent danger to life or other property, he may order that corrective action be taken in such lesser period as may be feasible.

Appeal: Any owner who has received an order to take corrective action may appeal from the order to the local elected governing body by giving notice of appeal in writing to the floodplain administrator and the clerk within 10 days following issuance of the final order. In the absence of an appeal, the order of the floodplain administrator shall be final. The local governing body shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.

Failure to Comply with Order: If the owner of a building or property fails to comply with an order to take corrective action from which no appeal has been taken, or fails to comply with an order of the governing body following an appeal, he shall be guilty of a misdemeanor and shall be punished in the discretion of the court.

Denial of Flood Insurance under the NFIP: If a structure is declared in violation of this ordinance and after all other penalties are exhausted to achieve compliance with this ordinance then the local floodplain administrator shall notify the Federal Emergency Management Agency (FEMA) to initiate a Section 1316 of the National Flood insurance Act of 1968 action against the structure upon the finding that the violator refuses to bring the violation into compliance with the ordinance. Once a violation has been remedied the local floodplain administrator shall notify FEMA of the remedy and ask that the Section 1316 be rescinded.

13.12-4.010. General Standards. INSERT **“A. Reasonably Safe From Flooding. Review all permit applications to determine whether proposed building sites will be reasonably from flooding”**.

13.12-4.010. General Standards. B. Flood resistant materials and equipment. ADD END OF SENTENCE **“in accordance with Technical Bulletin 2, Flood Damage Resistant Materials Requirements, dated August 2008, and available from FEMA.”**

13.12-4.020 – Specific Standards. B. Nonresidential Construction. ADD End of Paragraph, **“Structures that are floodproofed are required to have an approved maintenance plan with an annual exercise. The local floodplain administrator must approve the maintenance plan and notification of the annual exercise shall be provided to him/her”**.

13.12-4.20 – Specific Standards C. Manufactured homes. REPEAL in its entirety and REPLACE with:

Manufactured homes that are placed or substantially improved on sites outside a manufactured home park or subdivision, in a new manufactured home park or sub-division, in an expansion to an existing manufactured home park or subdivision, or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated no lower than one foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

Manufactured homes that are to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the provisions for residential construction in Article IV.B.1 of this ordinance must be elevated so that the lowest floor of the manufactured home is elevated no lower one foot than above the base flood elevation, and be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement.

Manufactured homes shall be anchored to prevent flotation, collapse, and lateral movement. For the purpose of this requirement, manufactured homes must be anchored to resist flotation, collapse, and lateral movement in accordance with Section 40-29-10 of the *South Carolina Manufactured Housing Board Regulations*, as amended. Additionally, when the elevation requirement would be met

by an elevation of the chassis 36 inches or less above the grade at the site, the chassis shall be supported by reinforced piers or engineered foundation. When the elevation of the chassis is above 36 inches in height an engineering certification is required.

An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood-prone areas. This plan shall be filed with and approved by the local floodplain administrator and the local Emergency Preparedness Coordinator.

13.12-4.020 – Specific Standards. D.1.b DELETE “grade” and ADD **“the higher of the interior or exterior grade immediately under the opening”**.

13.12-4.020 – Specific Standards. E.1 Floodways. INSERT **“: (a)”** after “...shall be permitted unless”. Then, INSERT **“(b) A Conditional Letter of Map revision has been approved by FEMA. A letter of Map Revision must be obtained upon completion of the proposed development”** following...”shall be presented to the local administrator”.

13.12-4.020 – Specific Standards. G.1.a REPLACE “These development proposals include:” with **“These development proposals include, but not limited to:”**

13.12-4.020 – Specific Standards. H. Accessory Structures 2. ADD **“g. Accessory structures shall be built with flood resistance materials in accordance with technical Bulletin 2, Flood Damage-Resistant Materials Requirements, dated 8/08, and available from the Federal Emergency Management Agency Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.”**

13.12.4.030. Standards for subdivision proposals. DELETE Subsections D & E.

13.12-4.040 Standards for streams without established base flood elevations and/or floodways. INSERT

“A. In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least 50 lots or five acres, whichever is less.” after “...provisions apply with in such areas:”.

13.12-4.40 Standards for streams without established base flood elevations and/or floodways. B. INSERT

“2. When base flood elevation (BFE) data is not available from a federal, state, or other source one of the following methods may be used to determine a BFE For further information regarding the methods for determining BFEs listed below, refer to FEMA’s manual *Managing Floodplain Development in Approximate Zone A Areas*:

a) Contour Interpolation

(1) Superimpose approximate Zone A boundaries onto a topographic map and estimate a BFE.

(2) Add one-half of the contour interval of the topographic map that is used to the BFE.

b) Data Extrapolation - A BFE can be determined if a site within 500 feet upstream of a reach of a stream reach for which a 100-year profile has been computed by detailed methods, and the floodplain and channel bottom slope characteristics are relatively similar to the downstream reaches. No hydraulic structures shall be present.

c) Hydrologic and Hydraulic Calculations- Perform hydrologic and hydraulic calculations to determine BFEs using FEMA approved methods and software.

13.12-4.060 Coastal high hazard areas (V-zones). REPLACE Subsection B with **“All new construction and substantial improvements shall be elevated so that the bottom of the lowest supporting horizontal structural member (excluding pilings or columns) of the lowest floor is located no lower than one foot above the base flood elevation.”**

13.12-4.060 Coastal high hazard areas (V-zones). REPLACE Subsections H, I & J with **“All new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Breakaway wall enclosures shall not exceed 299 square feet. Only flood resistant materials shall be used below the required flood elevation specified in 13.12-4.010 (B). One wet location switch and/or outlet connected to a ground fault interrupt breaker may be installed below the required lowest floor elevation specified in 13.12-4.010 (D).**

Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

- a. Breakaway wall collapse shall result from water load less than that which would occur during the base flood.**
- b. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). The water loading shall be those values associated with the base flood. The wind loading values shall be those required by applicable IBC International Building Code.**
- c. Such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation, finished or partitioned into multiple rooms, or temperature-controlled.”**

13.12-4.060 Coastal high hazard areas (V-zones). DELETE Subsection M in its entirety.

13.12-4.060 Coastal high hazard areas (V-zones). DELETE Subsection N.2 and N.5 in its entirety.

13.12-4.060 Coastal high hazard areas (V-zones). Subsection O. DELETE “ROC”.

13.12-4.040 Reserved. INSERT “13.12-4.040 Functionally Dependent Uses. Variances may be issued for development necessary for the conduct of a functionally dependent use, provided the criteria in 13.12-5.050 are met, no reasonable alternative exist, and the development is protected by methods that minimize flood damage and create no additional threat to public safety.”

- 2. Severability:** If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.
- 3. Conflict:** Provisions in other County Ordinances, Resolutions, policies, or by-laws in conflict with this Ordinance are hereby repealed.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

Approved as to Form
Sean Thornton, County Attorney

COUNCIL VOTE:
OPPOSED:

Sponsor(s)	: County Council	
First Reading	: November 7, 2017	I, _____,
Committee Referral	: N/A	Council Clerk, certify that this
Committee Consideration Date	: N/A	Ordinance was advertised for
Committee Recommendation	: N/A	Public Hearing on _____.
Second Reading	: December 5, 2017	
Public Hearing	: January 9, 2018	
Third Reading	: January 2, 2018	
Effective Date	: Immediately	

ORDINANCE NO. 17-O-10

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Authorize the Rezoning of a 2.5 Acre Parcel at Bennett’s Point, Identified as T.M.S. No. 334-00-00-075, from Community Commercial (CC) to Rural Conservation-2 (RC-2).]

WHEREAS:

1. County Council pursuant to Title 6, Chapter 29, Code of Laws of South Carolina, 1976 as amended, has the legal authority to periodically amend the Official Colleton County Zoning Ordinance and Maps; and
2. The Colleton County Zoning Ordinance authorizes County Council to amend the official Zoning Maps for Colleton County; and
3. The Planning Commission has reviewed an application to rezone from Community Commercial (CC) to Rural Conservation-2 (RC-2), an approximately 2.5 acre, parcel identified as T.M.S. No. 334-00-00-075 located at Bennett’s Point, also owned by the applicant; and
4. The applicant wishes for the parcel to be zoned Rural Conservation-2 (RC-2) to ensure that the zoning of the property preserves its character and use; and
5. The Planning Commission at their Monday, October 23rd meeting, voted unanimously to recommend that Council approve the requested rezoning, as the Rural Conservation-2 District is compatible with the Comprehensive Plan description of the area, and the rezoning would serve to maintain Bennett’s Point’s rural setting.

NOW, THEREFORE, BE IT ORDAINED BY COLLETON COUNTY COUNCIL, DULY ASSEMBLED, THAT:

1. The 2.5 acre tract at Bennett’s Point, identified as Tax Map Number 334-00-00-075, is hereby rezoned from Community Commercial (CC) to Rural Conservation-2 (RC-2) on the official Zoning Maps for Colleton County.

2. Severability:

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.

3. Conflict:

Provisions in other County Ordinances, Resolutions, policies, or by-laws in conflict with this Ordinance are hereby repealed.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

Approved as to Form
Sean Thornton, County Attorney

COUNCIL VOTE:
OPPOSED:

Sponsor(s): County Council
First Reading: November 7, 2017
Committee Referral: N/A
Committee Consideration Date: N/A
Committee Recommendation: N/A
Second Reading: December 5, 2017
Public Hearing: January 9, 2018
Third Reading: January 9, 2018
Effective Date: Immediately

I, _____,
Council Clerk, certify that
this Ordinance was advertised
for public hearing on _____.

ORDINANCE 17-O-11

COUNCIL- ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance to Amend Title 2-Administration and Personnel, Chapter 2.20 – Fire Protection System of the Colleton County Code of Ordinances.]

Sponsor(s): County Council
First Reading: November 7, 2017
Committee Referral: N/A
Committee Consideration Date: N/A
Committee Recommendation: N/A
Second Reading: December 5, 2017
Public Hearing: January 9, 2018
Third Reading: January 9, 2018
Effective Date: Immediately

I, _____,
Council Clerk, certify that
this Ordinance was advertised
for public hearing on _____.

ORDINANCE 17-O-12

COUNCIL- ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[An Ordinance to Amend Title 14 – Land Management, Article 14.08-3 – Conditional Uses, Section 14.08-3.020 of the Colleton County Code of Ordinances related to Gun Clubs, Outdoor Shooting Ranges and Turkey Shoots.]

Sponsor(s) : County Council
Adopted : November 7, 2017
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 17-R-71

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[A Resolution to Oppose the Implementation of the New DHEC Beachfront Management Lines by December 31, 2017 and to Request that the Implementation be Delayed for One Year.]

WHEREAS:

1. Colleton County Council support Senate Bill 139, but at the time it was passed, no one would have predicted the impact of two hurricanes on the data and the timeline of the implementation of the legislation; and
2. Data was to be released in August 2017, but was delayed until October 2017; and
3. This has provided an inadequate time frame to study the data and methodology of said data; and
4. The appeals process time is inadequate, not only for citizens to appeal, but also for the Department of Health and Environmental Control Ocean and Coastal Resource Management to respond; and
5. The Town of Edisto Beach needs time to contact each homeowner involved as to the implications of the law related to their property; and
6. Recommendation number two stated, "Subject to S.C. Code of Laws 48-39-290(D), the baseline established under the S.C. Beachfront Management Act should not move seaward from its position on June 14, 2011;" and
7. The effective date of the recommendation agreed on by the Blue Ribbon Committee, which referred to the known baseline already in existence as the basis for the recommendation, was changed by the General Assembly of the State of South Carolina to a date in the future subject to the unknowns of possible impacts of hurricanes and storms on the beachfront; and
8. On October 6, 2017, seven years and three hurricanes later, SCDHEC issued proposed revised baselines and setback lines, which negatively impact a substantial number of beachfront properties on Edisto Beach, some in a dramatic way, and announced only a 30 day comment period for owners to dispute the lines and a compressed date for finalization of the lines of December 31, 2017.

NOW THEREFORE BE IT RESOLVED BY THE COLLETON COUNTY COUNCIL DULY ASSEMBLED THAT:

Colleton County Council requests, on behalf of the Town of Edisto Beach, consideration of a one year delay in implementation of the Department of Health and Environmental Control Ocean and

Coastal Resource Management beachfront jurisdictional lines proposed for the Town of Edisto Beach.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:

OPPOSED:

Sponsor(s) : County Council
Adopted : November 7, 2017
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A

RESOLUTION NO. 17-R-72

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[To Reschedule the January 2018 County Council Meeting.]

WHEREAS:

1. The first Tuesday of January falls after a national holiday; and
2. Staff recommends that County Council hold the January 2018 meeting on January 9, 2018.

**NOW THEREFORE BE IT RESOLVED BY THE COLLETON COUNTY COUNCIL
DULY ASSEMBLED THAT:**

County Council hereby reschedules the January 2018 County Council meeting to January 9, 2018.

ATTEST:

SIGNED:

Ruth Mayer, Council Clerk

Joseph F. Flowers, Chairman

COUNCIL VOTE:

OPPOSED: