

2009/29

ZDSO Amendment - Article II (Administrative Bodies and Agendas), Subdivision VI, Corridor Review Boards (creates the Town of Bluffton and Beaufort County Joint Corridor Review Board)

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AN ORDINANCE OF THE COUNTY OF BEAUFORT, SOUTH CAROLINA, TO AMEND THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), ARTICLE II (ADMINISTRATIVE BODIES AND AGENTS), SUBDIVISION VI. CORRIDOR REVIEW BOARDS (CREATES THE TOWN OF BLUFFTON AND BEAUFORT COUNTY JOINT CORRIDOR REVIEW BOARD)

Whereas, Standards that are underscored shall be added text and Standards ~~lined through~~ shall be deleted text.

Adopted this 24th day of August, 2009.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY: Wm. Weston J. Newton
Wm. Weston J. Newton, Chairman

APPROVED AS TO FORM:

Ladson F. Howell
Ladson F. Howell, Staff Attorney

ATTEST:

Suzanne M. Rainey
Suzanne M. Rainey, Clerk to Council

First Reading: July 27, 2009
Second Reading: August 10, 2009
Public Hearing: August 24, 2009
Third and Final Reading: August 24, 2009

(Amending 99/12)

Subdivision VI. Corridor Review Boards*

Sec. 106-231. Created; powers and duties.

There shall be two corridor review boards (~~referred to as the CRB~~). Both boards shall review and take action on development applications pursuant to article II, division 2, subdivision V, of this chapter. The boards and areas of jurisdiction are as follows:

- (1) The Southern Beaufort County Corridor Review Board (referred to as the SCRB) ~~whose~~ has design review responsibility ~~shall include~~ for all proposed projects and developments situated on the following designated highway corridors within Beaufort County and the Town of Bluffton; ~~as follows~~:
 - a. U.S. 278, from the Hilton Head Island town line to the Jasper County line.
 - b. S.C. 170 (segment south of the Broad River), from the Jasper County line in Okatie to the New River (Jasper County line).
 - c. S.C. 46, from U.S. 278 to the northern terminus of the Town of Bluffton, and from the eastern terminus of the Town of Bluffton to S.C. 170.
 - d. S-163 (Burnt Church Road), from U.S. 278 to the northern terminus of the Town of Bluffton.
 - e. Buckwalter Parkway from U.S. 278 to S.C. 46.
 - f. Bluffton Parkway from S.C. 170 to the eastern terminus at U.S. 278 (Phases 5A and 5B of the Bluffton Parkway shall come under the jurisdictions of the Southern Beaufort County Corridor Review Board once construction commences for those portions of the Bluffton Parkway).
 - g. Designated highway corridors within the Town of Bluffton.

- (2) The Northern Beaufort County Corridor Review Board (referred to as the NCRB) ~~whose~~ has design review responsibility ~~shall include~~ for all proposed projects and developments situated on the following designated highway corridors; ~~as follows~~:
 - a. U.S. 21, from the Hampton County line to the northern terminus of the City of Beaufort, and from the eastern terminus of the City of Beaufort to Fripp Island.
 - b. U.S. 17, from the Colleton County line to the Jasper County line.
 - c. S.C. 170 (segment north of the Broad River), from the southern terminus of the City of Beaufort to the Jasper County line in Okatie.
 - d. S.C. 802, from S.C. 170 to the southern terminus of the Town of Port Royal, and from the eastern terminus of the Town of Port Royal to Coosaw Island.
 - e. S.C. 280, from U.S. 21 to S.C. 802.
 - f. S.C. 116 in its entirety to the entrance gate of the Laurel Bay Military Housing Development.
 - g. S.C. 21 (Old Sheldon Church Road) from U.S. 17/21 to LeCreuset Road.

(Ord. No. 99-12, § 1 (20.250), 4-26-1999; Ord. No. 2004/18, 6-14-2004; Ord. No. 2008/17, 5-5-2008)

Sec. 106-232. Membership.

- (a) ~~Membership.~~ Each corridor review board shall each consist of seven members appointed by the county council. No member of either CRB shall hold elective office in the county, the Town of Port Royal, the Town of Bluffton or the City of Beaufort. Membership shall include two architects, one landscape architect, one other design professional and three persons who reside in the respective area served. SCRB: The SCRB shall consist of seven members. No member of SCRB shall hold elective office in Beaufort County, the Town of Port Royal, the Town of Bluffton, the Town of Hilton Head Island or the City of Beaufort. Beaufort County and Town of Bluffton board representation will each consist of one architect, one landscape architect and one citizen representative to be appointed by the respective Councils. The Town of Hilton Head Island Council will appoint one citizen representative to the SCRB.
- (b) NCRB: The NCRB shall consist of seven members appointed by Beaufort County Council. No member of the NCRB shall hold elective office in Beaufort County, the Town of Port Royal, the Town of Bluffton, the Town of Hilton Head Island or the City of Beaufort. Membership shall include two architects, one landscape architect, one other design professional and three citizen representatives who reside in the respective area served.
- (c) ~~Terms of office.~~ Each CRB The board members shall be appointed as follows: three members for two-year terms, two members for three-year terms, and two members for four-year terms. Thereafter, all members shall be appointed for four-year terms.
- (d) Officers. Selection of officers and their duties are as follows:
- (1) Chairperson and vice-chair. At an annual organizational meeting, the members of each CRB shall elect a chairperson and vice-chairperson from among its members. The chair's and vice-chair's terms shall be for one year with eligibility for reelection. The chair shall administer oaths, shall be in charge of all procedures before the CRB, may compel the attendance of witnesses, and shall take such action as necessary to preserve order and the integrity of all proceedings before the CRB. In the absence of the chair, the vice-chair shall act as chairperson.
- (2) Secretary.
- a. NCRB: The county design development review planner shall serve as secretary for the NRCB. each CRB. The secretary shall keep minutes of all proceedings. The minutes shall contain a summary of all proceedings before the CRB, which shall show the vote of each member upon every question, or in the absence of failure to vote, indicating such fact. The minutes shall be approved by a majority of the CRB members voting. In addition, the secretary shall maintain a public record of CRB

~~examinations, findings, determinations, and all other official actions, all of which shall be of public record.~~

- b. SCRB: Beaufort County and Town of Bluffton staff shall serve as secretary for the SCRB rotating on two year periods.
- c. The secretary shall keep minutes of all proceedings. The minutes shall contain a summary of all proceedings before the CRB, which shall show the vote of each member upon every question, or in the absence of failure to vote, indicating such fact. The minutes shall be approved by a majority of the CRB members voting. In addition, the secretary shall maintain a public record of CRB examinations, findings, determinations, and all other official actions, all of which shall be of public record.

(3) ~~Staff.~~ The county design review planner shall be the professional staff for each CRB. The Town of Bluffton and the County shall appoint a planner to staff the SCRB. The County's development review planner shall staff the NCRB.

(d) ~~Quorum and voting.~~ Four or more members of each CRB- A majority of appointed members shall constitute a quorum necessary to take action and transact business. All actions shall require a simple majority of the members present.

(e) *Removal from office.* The county council, by a simple majority vote, shall terminate the appointment of any member of the CRB and appoint a new member for the following reasons: (i) absent from more than one-third of the CRB meetings per annum, whether excused or unexcused; (ii) is no longer a resident of the county; (iii) is convicted of a felony; or (iv) violated conflict of interest rules according to the county-adopted template ordinance. Moreover, a member shall be removed automatically for failing to attend any three consecutive regular meetings.

(f) *Vacancy.* Whenever a vacancy occurs on either corridor review board, the county council shall appoint a new member within 30 days of the vacancy, subject to the provisions of this section. A new member shall serve out the former member's term.

(g) *Compensation.* All CRB members shall serve without compensation, but may be reimbursed for such travel, mileage and/or per diem expenses as may be authorized by the CRB-approved budget.

(Ord. No. 99-12, § 1 (20.251), 4-26-1999)

Sec. 106-233. Meetings.

Meetings of both corridor review boards shall be held twice per month unless no projects are submitted for review or there is a conflict of scheduling due to holidays. Additionally, meetings may be called by the chairperson or at the request of four CRB members. The following shall apply to the conduct of all meetings:

- (1) *Meeting records.* Each CRB shall keep a record of meetings, resolutions, findings, and determinations. Each CRB may provide for transcription of such hearings and proceedings, or portions of hearings and proceedings, as may be deemed necessary.

- (2) *Open to public.* All meetings and public hearings of each CRB shall be open to the public. The Northern County CRB shall meet in the county main administration building; the Southern County CRB shall meet at a centrally located venue near the Bluffton area.
- (3) *Recommendations or decisions.* All recommendations shall be by vote of all members present. A tie vote or failure to take action shall constitute a denial recommendation. All recommendations shall be accompanied by a written summary of the action and recommendations.
- (4) *Notice and agenda.* Each CRB must give written public notice of regular meetings at the beginning of each calendar year. Each CRB must post regular meeting agendas 24 hours before any meeting. Notices and agenda for call, special or rescheduled meetings must be posted at least 24 hours before such meetings. Each CRB must notify any persons, organizations and news media that request such notification of meetings.