

MEMORANDUM

October 5, 2009

To: Mayor and City Council

From: City Manager

Re: Metro-Planning Commission/County Form Based Code and City Participation.

At the Implementation Committee meeting of the Northern Area Planning Group, there were several presentations and conversations that bear further discussion by City Council. The first is with regards to a Metro-Planning Commission. The second deals with development code writing that the County is undertaking, specifically the form-based code and the City staff's recommendation that the City of Beaufort and Town of Port Royal be involved in this matter. It is important however to circle back to the City's Comprehensive Plan for guidance as we deal with both of these very important issues

Vision Beaufort 2009:

One of the Key Principles of the Comp Plan is Planning and Implementation. Chapter 13 of the Comp Plan, entitled "Setting Priorities for implementation" talks in terms of this prioritization in five (5) key areas:

1. Regional Partners,
2. Regional Fiscal Impact Analysis,
3. Regional Infrastructure Plan, Local Capital Improvement Plan, and finally, a
4. Table of Action Items.

In the implementation of the City's Comprehensive Plan, priorities are recommended that the Council will need to constantly keep in front of itself [sic], consider the impacts of same, and develop the strategies for their eventual accomplishment. As was stated at the public presentation of the Comp Plan in September of this year, the public is interested in monitoring the progress of these priorities, their costs, and their impacts.

Chapter 5 of the Comp Plan, entitled "A Framework for Growth," creates another set of Key Principles dealing with how the City grows and more specifically how the City coordinates its growth, both internally and outside of its current city limits. These Key Principles include

1. Regionalism;
2. Growth;
3. Urban Form; and, the
4. Adequacy of Infrastructure and Facilities.

But Chapter 5 also identifies and outlines a fundamental problem between the City's Comp Plan and the Northern Area Plan. That problem is as follows:

The Issue: The Northern Beaufort County Regional Plan doesn't consider a compact growth alternative. The proposed residential densities are too low (2-4 units/gross acre) to mitigate sprawling development patterns and have a meaningful impact on encouraging walkable, mixed-use development that is transit-efficient or that will reduce the conversion of open space. The Plan's Future Land Use Map recommends commercial development for the length of the Highway 170 corridor.

The solution: The Framework Plans provides a more fine-grained approach to land use policy recommendations. It is based on focusing growth in walkable nodes in areas that are served by infrastructure and away from areas that are environmentally sensitive.

(Beaufort Comp Plan, Ch 5, p.46)

So, how can we work together with the County and Port Royal to promote and integrate the Framework Plan, as identified in Chapter 5? The issues, of a Metro Planning Commission and participation by the City and Town in the Form-Based Code development currently being considered by the County, raised at the October 2, 2009 meeting of the Implementation Committee, are specific to the parts of the City Comp Plan mentioned above.

The City as well as the Town of Port Royal have a very specific and legitimate reason to be at the table during this process of calibrating the urban form at our edges to ensure that growth is dealt with at both the regional and city level and specific to this, that the urban form, costs of services, and adequacy of infrastructure and facilities is dealt with, again, at a regional level.

Implementation Oversight Committee Meeting of October 2, 2009:

A presentation was made by former Beaufort County Planning Director Tom Wilson regarding the establishment of planning commissions, specifically ones that deal with multiple jurisdictions (see appendix A of this paper). The implementation committee agreed to continue to study this matter and report back to the group. In addition, the motion to study this matter further was accompanied by a motion to study the cost of services in conjunction with this.

City Comp Plan: Ch 13, Pl.1 "Continue work with Implementation Oversight Committee
City Comp Plan: Ch 13, Pl.3 "Explore new Institutional Arrangements"

The second issue dealt with code writing issues. After reviewing the fullness of the Beaufort City Comp Plan, Port Royals Draft Comp Plan, and the Northern Area Plan, it is clear that the City's need to be "at the table" regarding the selection and oversight of the county form based code in Northern Beaufort County. It is crucial in achieving much of what the City's Northern Area Plan intends with regards to the coordinated growth principles of the three jurisdictions north of the Broad River and within the Growth Boundaries.

Mayors Keyserling and Mayor Murray put the issue of City and Town participation on the table for consideration by the Committee. The County planning staff indicated that the RFP's for Form Based Code were out and that they were in receipt of bids. They further indicated that the Planning Staffs of the City and Town would be part of the review process. As I have indicated to both Mayors, I believe that there is a need for us to be part of this process and that I believe we should discuss this matter further with our respective Councils.

Why be at the Table?

I believe that there are some very vital reasons for the City of Beaufort and Town of Port Royals participation in this process, both as a part of oversight and monetarily;

1. First and foremost, a good design based planning group is going to want to see a couple of things:

- a) Are the cities at the table?
- b) The transect approach to Community Planning will involve all of the communities affected,
- c) Is the City using Form based code, if so, where,
- d) Is the county cooperating in organizing its planning efforts recognizing the strength that cities bring to the table, and
- e) is the city a full participant monetarily.

2. Secondly, a good design based planning group will understand that the "calibration" that happens first in form based code will happen at the edges of the current town/city boundaries.

3. They further understand that good form based code will work in some places and not in others, and will admit this. While this seems fair enough, those advocates of new urbanism as a marketing tool only, will not make this very important connection.

4. Finally, good designers, form based or not, must make the connection between the transportation network and the land-uses, and understand the core, adjacent, and decoupled nature of the area they are dealing with.

I believe that there is an excellent opportunity to work together with the Town and the County and would recommend that we continue to do so. Further, the issues of a Metro or Joint Planning Commission expansion, service delivery, and code writing are the opportunities that are currently being presented to us and ones that I believe our Comprehensive Plan endorses and furthers our excellent cooperation to date with the County and the Town.

Appendix A:

Options to Consider for a Northern Beaufort Joint Planning Commission
Presentation by Tom Wilson, October 2, 2009

Options for planning in the growth areas:

1. Expand the JMPC to include county membership. The expanded commission would then handle all planning within the growth boundaries. The makeup could be three members from each government for a total of nine. Final decision making would rest with the government within which the land is located.
2. Some JMPC members would join county planning commission meetings as voting members whenever there is an item on the county planning commission agenda involving land which is in the unincorporated area inside the growth boundary. The county council would have final decision making authority.
3. The Port Royal and Lady's Island subcommittees of the county planning commission would be replaced by a single subcommittee, which would include members representing the municipalities. The subcommittee would hear matters in the unincorporated area within the growth boundaries going before the county planning commission and report their recommendations to the county planning commission.+
4. The final option discussed is the extraterritorial jurisdiction model; This is a variation of option 1, but in this option the county would delegate authority for planning/zoning matters on unincorporated land within the growth boundaries to the JMPC. The JMPC would be expanded to include county membership. The JMPC would report these matters to the appropriate municipal council for final decision, based on their existing agreement for their future annexation boundaries.