



**Council**

Joe DeVito  
*Mayor*

Darryl Owens  
*Mayor Pro Tempore*

Jerry Ashmore  
Mary Beth Heyward  
Kevin Phillips

Van Willis  
*Town Manager*

T. Alan Beach  
*Chief of Police*

Jeffrey S. Coppinger  
*Operations*

Noah Krepps  
*Planning*

**Minutes  
Special Council Workshop  
Port Royal Town Hall, Yvonne C Butler Council Chambers, 700 Paris Avenue**

**April 10, 2023**

**Members Present:** Mayor Joe DeVito, Council Member Darryl Owens, Council Member Jerry Ashmore, Council Member Mary Beth Heyward, Council Member Kevin Phillips

**Staff Present:** Town Manager Van Willis, Planning Director Noah Krepps, Town Clerk Lisa Graham

**I. CALL TO ORDER**

Mayor DeVito called the Special Council Workshop to order at 5:00 PM.

**II. COUNCIL DISCUSSION**

Planning Director Krepps explained the changes that had been made since the Workshop on April 5<sup>th</sup>.

The Design Review Board will be the designing body for landmark tree removals.

Clarified penalties for clearcutting prior to development. Two- year and five- year deferrals, to include mitigation and replanting requirements. The two-year deferral is in response to a landowner/developer removing a tree without a permit whereas the five-year deferral is in response to not have an approved or did not follow the approved Forestry Management Plan with the state.

Commercial Uses in T4NC-O, T4UC, and T5MS are exempt or subject to lower mitigation fees and replanting in those districts and still need to adhere to the tree protection standards. Commercial use means any use of property for principal use of operating a business that's defined by the Town's code of

ordinances excluding any single-family duplex, or townhouse, as such terms are defined in the city's zoning ordinance, residential property that may be operating with the object of gain, benefit, or advantage by way of rental income. Planning Director Krepps suggested the definition be updated to reflect residential being synonymous with single-family duplex or townhouse. Stressing that the goal is for it to be town wide and not have to include trees in the redevelopment overlay. Verifying the intended use, prioritizing the tree, and if the tree cannot be saved on a viable commercial project there are means to reduce or exempt mitigation fees. Exemptions are in place to entice potential development.

Council and staff discussed the sizes that certain species reach Specimen and Landmark status. Staff followed up with Michael Murphy, the Town Arborist to determine the size at which Laurel Oaks, Water Oaks and Sweet Gums will no longer be considered Specimen. Sweet Gums were included because they also never reach Landmark status. Mayor DeVito asked Mr. Murphy if Water and Laurel Oaks were considered dangerous. Mr. Murphy clarified that because they tend to decay internally and suffer root rot, they can be dangerous. He furthered that they are used for diversity in landscape, and they sustain the canopy and make up most of the existing canopy. Council decided to only require a tree permit to prune Landmark trees.

Council directed staff to add language regarding utility installation within tree protection zones. Developers can design and build around the dripline if they do not compact the soil around the tree. Council decided that only the commercial area of a mixed-use development in T4NC-O, T4UC, or T5MS should be exempt from the mitigation fees. The residential portions of a mixed-use development would adhere to the newly established fees.

### **III. PUBLIC COMMENT**

Mayor Devito opened the discussion to the public.

Richard Beasley requested the town to adopt a permitting process to bury the utilities in an environmentally friendly way. He expressed concerns regarding downzoning in existing commercial zones and the definition of mixed-use. He questioned whether the ordinance would supplant or eliminate streetscape requirements for a commercial zone.

Sing Pappas asked for assistance in trimming the low hanging tree limbs in front of her property on Paris Ave.

Dick Stewart inquired about the impact fees for Kent Court.

Scot Clark liked the new mitigation fees and replanting schedule. He asked for clarification on mixed-use.

Wendy Zara also asked for clarification on mixed-use, commercial, and pruning.

Elizabeth Bergmann was strongly against the commercial exemption.

Barbara Berry spoke in support of Water and Laurel Oaks.

Kit Bruce asked Council to consider a stricter stance on protecting trees in Port Royal.

#### **IV. ADJOURNMENT**

Mayor Devito adjourned the meeting at 6:15 PM.

Respectfully submitted,



Lisa Graham  
Town Clerk

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