

PRELIMINARY
MASTER PLAN

COLLETON RIVER
PLANTATION
PHASE II
BEAUFORT COUNTY, SOUTH CAROLINA

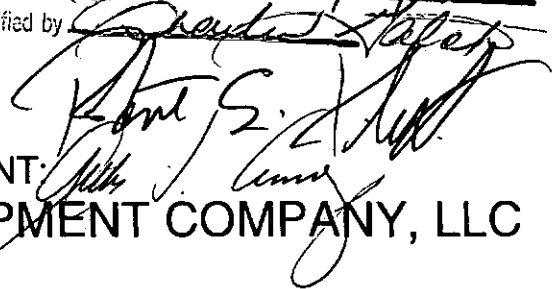
October 13, 1997

BEAUFORT COUNTY DEVELOPMENT STANDARDS
—PRELIMINARY APPROVAL—

This is to certify Development Review Committee approval of the [redacted] concept and preliminary site design submitted under the Beaufort County Development Standards Ordinance and invites the applicant to proceed with final design and submission of a final application.

Date of Dev. Rev. Comm. approval 10/29/97

Certified by

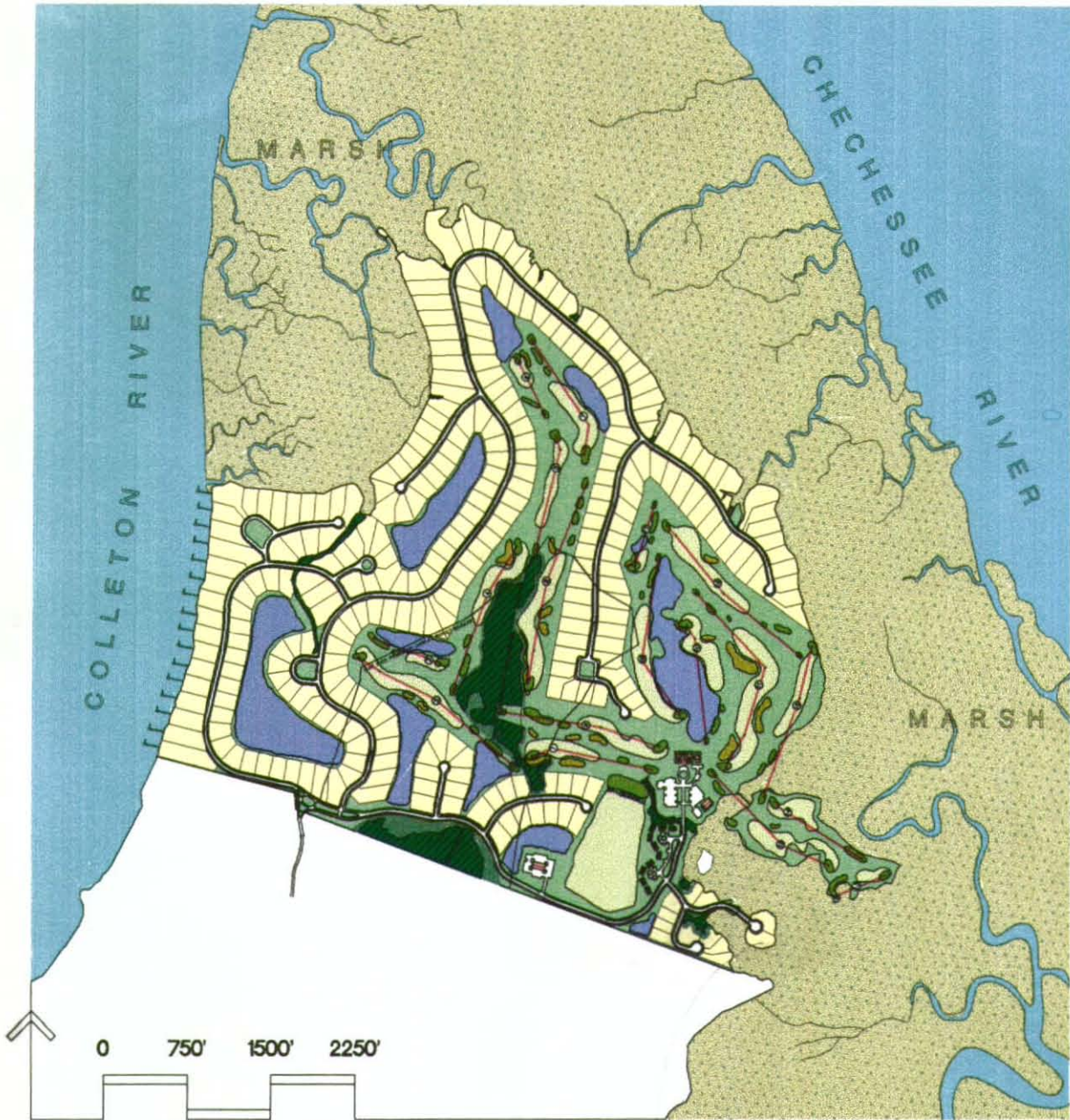


APPLICANT:
COLLETON RIVER DEVELOPMENT COMPANY, LLC

Copyright © 1997
Colleton River Development Company, LLC and EP/A

00001

PRELIMINARY
MASTER PLAN



BEAUFORT COUNTY DEVELOPMENT STANDARDS
—PRELIMINARY APPROVAL—

This is to certify Development Review Committee approval of the development concept and preliminary site design submitted under the Beaufort County Development Standards Ordinance and invites the applicant to proceed with final design and submission of a final application.

Date of Dev. Rev. Comm. approval 10/29/97
Certified by Charles L. [Signature]

COLLETON RIVER PLANTATION
PHASE II
BEAUFORT COUNTY, SOUTH CAROLINA

COUNTY OF BEAUFORT, SOUTH CAROLINA
ZONING & DEVELOPMENT STANDARDS ORDINANCE
PRELIMINARY PLAN APPLICATION

PERMIT #	DATE ACCEPTED	RECEIVED BY	FILING FEE	RECEIPT #	ZONE: OVERLAY:
----------	---------------	-------------	------------	-----------	-------------------

PROJECT NAME: Colleton River Plantation - Phase II	PROJECT TYPE: Preliminary Master Plan
---	--

APPLICANT (DEVELOPER) NAME, ADDRESS (NOT AGENT) Colleton River Development Company, LLC (CRDC, LLC) U.S. Highway 278, Bluffton, SC	PROPERTY OWNER, NAME, ADDRESS Colleton River Development Company, LLC (CRDC, LLC) U.S. Highway 278, Bluffton, SC
--	--

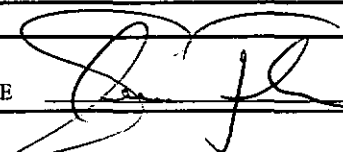
PROJECT LOCATION Footpoint Plantation North of Colleton River Plantation	DISTRICT # R-600	MAP # 025	LAND AREA (ACRES) 502.727	LOTS/UNITS: 310	DENSITY: 0.6 Units/Acre
	PARCEL #S 001B & 001C	BLDG AREA (SQFT) N/A		BLDG HEIGHT Not to Exceed 44 Feet above 1 st Floor	FIRE DISTRICT

PRELIMINARY APPLICATION INFORMATION REQUIRED-ALL DEVELOPMENT

<ul style="list-style-type: none"> <input checked="" type="checkbox"/> SIX BLACK OR BLUE LINE PRINTS OF THE DEVELOPMENT SITE PLAN(S) CONTAINING: <input checked="" type="checkbox"/> VICINITY MAP SHOWING PROJECT LOCATION, NORTH ARROW, GRAPHIC SCALE AND DATE <input checked="" type="checkbox"/> DEVELOPMENT PROPERTY BOUNDARY LINES AND INTERNAL DIMENSIONS <input checked="" type="checkbox"/> EXISTING ROADS, STREETS, HIGHWAYS (NAME, NUMBER RIGHT-OF-WAY WIDTH) ON OR ADJACENT TO DEVELOPMENT PROPERTY <input checked="" type="checkbox"/> PROPOSED EASEMENTS (TYPE, SIZE, DIRECTION) <input checked="" type="checkbox"/> SPECIAL DISTRICT BOUNDARY LINES (FLOOD HAZARD DISTRICT, CONSERVATION DISTRICT) <input checked="" type="checkbox"/> EXISTING DRAINAGE FACILITIES, CANALS, DITCHES & WATER COURSES ON AND ADJACENT TO PROPERTY <input checked="" type="checkbox"/> ADJACENT PROPERTY OWNERS NAME AND EXISTING LAND USE (RESIDENTIAL, UNDEVELOPED, OR COMMERCIAL, ETC.) <input checked="" type="checkbox"/> PRELIMINARY WATER SUPPLY & SEWAGE DISPOSAL PLAN <input checked="" type="checkbox"/> EXISTING EASEMENTS (TYPE, WIDTH, AND DIRECTION) ON & ADJACENT TO PROPERTY <input checked="" type="checkbox"/> EXISTING BUILDINGS, STRUCTURES AND FACILITIES <input checked="" type="checkbox"/> PROPOSED PHASING 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> TREE SURVEY (APPLICABLE SIZE) AND INDICATION OF PROPOSED TREE REMOVAL <input checked="" type="checkbox"/> PROPOSED BUILDINGS, STRUCTURES AND FACILITIES <input checked="" type="checkbox"/> EXISTING ELECTRIC, TELEPHONE LINES <input checked="" type="checkbox"/> TOPOGRAPHIC SURVEY <input checked="" type="checkbox"/> PRELIMINARY DRAINAGE PLAN & CALCULATIONS N/A BEACH DUNE, DUNE VEGETATION PRESERVATION PLAN (BEACH DEVELOPMENT DISTRICT ONLY) <input checked="" type="checkbox"/> PROPOSED SETBACKS, BUFFER, OPEN SPACE & LANDSCAPED AREAS <input checked="" type="checkbox"/> EXISTING RIVERS, CREEKS, MARSHES AND WETLANDS ON & ADJACENT TO PROPERTY <input checked="" type="checkbox"/> NARRATIVE DESCRIBING INTENT & SCOPE OF PROJECT <input checked="" type="checkbox"/> PRELIMINARY LETTERS OF CAPABILITY & INTENT TO SERVE WATER, SEWER FROM AFFECTED AGENCY <input checked="" type="checkbox"/> OTHER APPLICABLE AGENCY PERMIT/APPROVAL <input checked="" type="checkbox"/> PROPOSED ACCESS TO EXISTING ROADS, CIRCULATIONS, ROUTES, PARKING SPACE LAYOUT & DIMENSIONS
---	--

ADDITIONAL PRELIMINARY APPLICATION-SUBDIVISIONS AND CONDOMINIUMS

<ul style="list-style-type: none"> <input checked="" type="checkbox"/> PROPOSED LOT LAYOUT, DESIGN, NUMBER OF LOTS AND/OR UNITS <input checked="" type="checkbox"/> PROPOSED OWNERSHIP, MAINTENANCE OF ROADS, WATER, SEWER, DRAINAGE SYSTEMS AND OPEN SPACES NOT OFFERED <input checked="" type="checkbox"/> PROPOSED STREETS, RIGHT-OF-WAY WIDTHS PAVEMENT WIDTH & TOTAL MILES PROPOSED 	<ul style="list-style-type: none"> <input checked="" type="checkbox"/> TREE COVERAGE ESTIMATE (EACH LOT) N/A PROPERTY LINE, BEARINGS & DISTANCES (DEVELOPMENT PROPERTY AND LOTS) <input checked="" type="checkbox"/> PROPOSED STREET NAMES N/A BOARD OF ADJUSTMENTS, (WHERE APPLICABLE)
---	---

APPLICANT'S SIGNATURE 	DATE: 10-14-97	REVIEW DATE _____
---	----------------	-------------------

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

TABLE OF CONTENTS

PLANNING TEAM	ii
I. PROJECT INTRODUCTION	I-1
II. EXISTING CONDITIONS	II-1
A. Location, Access, Surrounding Land Use and Zoning	II-1
B. Site Characteristics	II-2
C. Existing Infrastructure	II-5
III. DEVELOPMENT PLAN	III-1
A. Development Plan Concept	III-1
B. Permitted Land Uses	III-2
C. Access	III-7
D. Proposed Streets	III-7
E. Stormwater Drainage	III-8
F. Utility Services	III-9
G. Public Services	III-10
H. Ownership of Common Areas	III-10
I. Tree Survey and Tree Coverage Estimates	III-11
J. Phasing	III-11
IV. SITE DESIGN AND DEVELOPMENT STANDARD	IV-1
V. EXHIBITS AND APPENDICES	V-1
A. EXHIBITS LIST	V-1
B. APPENDICES	V-2

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

APPLICANT AND PLANNING TEAM

Applicant: Colleton River Development Company, LLC
Mr. Stephen R. Fuller as Agent for Colleton
River Development Company, LLC

Land Planner/Landscape
Architect: Edward Pinckney/Associates, LTD.
Hilton Head Island, SC
Mr. Jim Tiller
Mr. Brooks Quinn

Engineering: Thomas & Hutton Engineering Co.
Savannah, GA
Mr. Jim Collins

Legal Counsel: Fraser & Allen LLC
Hilton Head Island, SC
J. Simon Fraser, Esq.

Permitting Legal Counsel: Law Office of Lewis J. Hammet
Bluffton, SC
Mr. Lewis J. Hammet

Golf Course Architect: Pete Dye, Inc.
Mr. Pete Dye
Mr. Timothy Liddy

Environmental Consultants. Newkirk Environmental Consultants, Inc.
Charleston & Savannah, GA
Mr. Ken Hance
Mr. Stuart Sligh

Archeological Consultants. Brockington and Associates, Inc.
Mt. Pleasant, SC
Mr. Eric C. Poplin, PH.D.

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

I. PROJECT INTRODUCTION

This application is for preliminary approval for a Master Plan, under Section 7.5.2.3 and 7.5.2.4 of the Beaufort County Zoning and Development Standards Ordinance, to establish the Colleton River Plantation - Phase II. The property consists of approximately 502.727 acres, which is currently zoned Rural Development District (RDD) under Beaufort County law.

All uses and densities proposed for this Preliminary Master Plan (PMP) are allowed under current zoning, and no deviations from current Beaufort County development standards are sought. For these reasons, no re-zoning of the property is necessary to accomplish the PMP development, so that the Applicant seeks a by-right preliminary Master Plan approval, to be followed by applications for final development approval of individual phases.

Total density for the 502.727 acre tract will be 310 units of single family residential and golf cottages. A championship golf course is planned, to be located well away from the waters of the Colleton River. Associated amenities, typical of a very high quality residential/golf community, are also included, all of which are by-right uses under current RDD zoning. Details of this plan are described under Section III of this Application and the accompanying Preliminary Master Plan (Exhibit C).

Present RDD zoning would allow 4 units per acre for the subject property, which would total approximately 2,010 dwelling units. This applicant is therefore voluntarily reducing allowed density by approximately 1,700 units for the property. This application seeks approval of less than 1 unit per acre (.6). Section III of this application explains the PMP development plan in more detail, including the important steps taken in stormwater management and golf course location to protect the Colleton River.

Private land use restrictions regarding adjoining and nearby properties, will reduce the actual density of the immediate area well beyond the limits of this by-right application for the subject property itself. For informational purposes only, this narrative describes this important aspect of the overall development plan in the following paragraph.

Two adjacent parcels totaling approximately 355 acres will be restricted to a total allowed density of 41 residences, thus reducing currently allowed density for these offsite parcels by 1,389 units. These private restrictions will be enforced by recorded covenant, if the currently proposed Colleton River Plantation - Phase II PMP development is approved and moves forward. The details of these important covenants will be sent to Beaufort County when finalized and made effective. Once effective, a total land area of approximately 858 acres (including the subject PMP

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

property) would be reduced to a maximum density of approximately 351 units (including the subject PMP density). The resulting overall density rate would be approximately 1 unit per 2.44 acres. Given that all properties involved are currently zoned RDD, the resulting total density reduction would be in excess of 3,400 units. Again, the present Application is for a by-right preliminary PMP approval on the subject property only, but this larger context is given also to demonstrate the ultimate positive impact of this development approval.

Another aspect of the Agreements resulting between the Cram Family, the Colleton River Plantation Property Owner's Association and the Applicant is concerning the use of existing private roads. These Agreements eliminate the requirement for construction of additional access roads for the outlying parcels. Instead, the existing Colleton River Plantation roads will serve as access roads to the property. Roads to the private outlying parcels owned by the Cram Family will be extended from existing Colleton River streets as will the road access to Colleton River Plantation - Phase II.

The existing conditions of the site are explained under Section II of this Application, and the full Development Plan proposed for Colleton River Plantation - Phase II is set forth under Section III of this Application. The entire narrative materials which follow, together with all exhibits hereto, constitute the Application for preliminary approval of the Colleton River Plantation - Phase II Master Plan.

The Applicant respectfully requests that the Development Review Team approve this preliminary application for the Colleton River Plantation - Phase II PMP.

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

II. EXISTING CONDITIONS

A. Location, Access, Surrounding Land Use and Zoning

Colleton River Plantation - Phase II consists of 502.727 acres of generally tree covered land, farm fields and upland hummock islands surrounded by marsh and located adjacent to land owned by Mr. Hank Cram, the Colleton River Plantation, the Colleton River and its marshes and the Chechessee River, its marshes and tributaries (See Exhibit A - Vicinity Map and Exhibit B - Color Aerial Photograph). Within the total acreage there are 26.339 acres of freshwater wetlands and 0.146 acres of saltwater wetlands leaving a total upland acreage of 476.242 acres.

Although no streets other than logging trails exist currently on site, primary access will be provided via a right-of-way through the Colleton River Plantation which continues on between Colleton River Plantation "M" lot subdivision and the property just north of a freshwater impoundment known as the Duck Pond, owned by Mr. Hank Cram.

Colleton River Plantation - Phase II is surrounded by the marshes and tributaries of the Colleton and Chechessee Rivers to the west and east respectively, the Hank Cram Property and the "M" Lot subdivision of Colleton River Plantation border the south side of the property. The individual property owners are as follows:

Cram, Mr. Hank
Hess, Mr. & Mrs. Warren
Deir, Mr. & Mrs. Sean
Abbruzzese, Mr. & Mrs. Jerry
Haas, Jr., Mr. and Mrs. Robert
Baher, Mr. and Mrs. Edward

The highland to the west of the property and across the Colleton River is Spring Island. The property owners along the east shore of Spring Island are listed as follows:

Fuller, H. Laurance & Nancy L.	Meier, Ann Robertson
Shaver, Charles Troy & Marilyn	Hoffman, John B. & Nancy B.
Linen, Jonathan S.	Goodridge, Malcolm III & Susan
Middle Marsh Limited P/S	Blabey, Susan E.
Buck, C. Austin & Marguerite D.	Scheetz, Thomas S. & Geesje M.
Luck, Charles S. III	McDowell, W. Wallace, Jr. & Anne P.
Swanson, David S. & Ann M.	Hendershop, Harold J. & Martha M.

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

Neal, Barry L. & Kathleen	Crawford, John T. & Joan C.
Corbett, Nancy S.	Dobbie, David
Heidrich, Arlene M.	F. Treadway Properties Inc.
Morgens, Edwin H. & Linda	Hardin, James N. & Anne F.
Chaffin, James J., Jr. & Betsy M.	Marshall, Chester R.
Acuff, Jr. A. Marshall	Samuels, Stephen C.
Spring Island Development Co.	Lowell, II, Dwight E.
Allin, William B. & Karen S.	Kahlert, William E., & Yvonne L.
Williams, Joseph H.	Lorenz, Geoffrey R. & Niel P.
Thompson, Walter G.	Wierdsma, Susan S.
Chapman, Robert Foster	Keyser, John J. & Anne;
& Mary Winston G.	

To the northeast across the Chechessee River is Daws Island which is owned by the State of South Carolina, Department of Natural Resources. To the east is Port Royal Sound and the Atlantic Ocean.

The present zoning for the Colleton River Plantation - Phase II Tract is Rural Development District (RDD) which as permitted uses as outlined in Article IV, Section 4.2.2 (See Appendix A).

This zoning establishes no maximums or minimums sizes for lots.

Under the RDD zoning and a total acreage of 502.727 acres deducting approximately 0.146 acres of saltwater wetlands in addition there being no existing easements or roadways the net developable wetlands would be approximately 502.581 net acres in the Colleton River Plantation - Phase II. This net average of 502.581 acres at the permitted four (4) dwelling units per net acre will allow approximately two thousand and ten (2010) dwelling units. (See Exhibit D - Property Boundary Survey/FEMA Flood Zone Map.)

B. Site Characteristics

1. Existing and Historical Land Use

Colleton River Plantation - Phase II has in its recent history been used as a hunting preserve and timber farm. There are areas that have been maintained as open grass land and some that are somewhat open areas which have been clear cut during timber harvest. In addition, there are areas of park-like tree cover with tree species typical to the maritime forest. Sections of the property contain stands of predominantly oak, mixed with pine and magnolias. Sections have

COLLETON RIVER PLANTATION PHASE II PRELIMINARY MASTER PLAN

a preponderance of once pasture land that has been placed into silviculture activities. The history of the culture resources of the site has been studied by the archeological firm of Brockington and Associates, Inc. Their investigation has found two sites which are National Register of Historic Places (NRHP) (See Exhibit E - Memorandum of Agreement) eligible and one site that is potentially eligible. Of the two eligible sites one is an historic site containing remains of slave quarters and the other site is a prehistoric site that contains shell and pottery fragments. The potentially eligible site is also a prehistoric site. Further study, at the direction of the South Carolina Historic Preservation Office (SHPO), is being conducted on the current potentially eligible prehistoric site to verify its eligibility. This study has been completed and the result is that this potentially eligible prehistoric site is not eligible. (See Exhibit V - Letter from Todd McMakin of Brockington and Associates, Inc. 7/21/97.)

2. Topography and FEMA Flood Zones

The topography of Colleton River Plantation - Phase II is gently sloping from two ridge lines which generally run parallel to each other in a northeasterly direction. One ridge, the most westerly one, slopes easterly toward central inland wetland areas and westerly toward the river basin and marshes of the Colleton River. Generally, the land slopes into the river and central inland wetlands from elevations +/- 20 MSL to elevations 4 MSL at the river and 10 MSL at the central wetlands. The eastern ridge slopes toward the central inland wetland to the west and toward the Chechessee River Basin (4 MSL) from a ridge height of approximately 15 MSL. Three islands to the east have elevations at approximately 7 MSL and slope toward the marshes of the Chechessee River Basin. There are three FEMA flood zones, (See Exhibit D - FEMA Flood Zone Map) A-9 with a finish floor elevation requirement of 15 MSL, an A-9 with a finish floor elevation requirement of 14 MSL, and C which is a zone of minimal flooding above the 100 year flood event.

3. Vegetation

The vegetative species on the site are typical to the maritime forest of this region. There are a number of large live oak trees on site which have been growing in pasture land in the past which are now being crowded by smaller seedlings trees and adjacent pine trees. These mature live oak are important to maintaining the character of this site and every effort is to be made to save and improve the quality

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

of these trees where practical and possible. (See Exhibit B, Color Aerial Photo and Tree Surveys indicated on Preliminary Plans.)

4. Wetland

A Wetland Survey, Certification Letter (See Exhibits D and F, the Boundary Survey and a May 19, 1997 Corp of Engineers letter referencing SAC-81-97-0455-J), the OCRM critical line and freshwater wetland lines delineation are indicated on the Boundary Survey prepared by Thomas & Hutton Engineers. (See Exhibit D.)

The site has 26.485 acres of freshwater wetlands and 0.146 acres of saltwater wetlands on approximately 502.727 acres. Currently, the environmental consultants are working with the developer and the State and Federal agencies to resolve mitigation for the development impacts. The stormwater management is being studied to consider the hydraulic conditions of the wetlands as a potential opportunity to accommodate post development stormwater runoff.

5. Existing Drainage

The existing drainage patterns are represented on the topography map (See Exhibit G - Topography Map). The site is generally drained by a system of existing ditches and wetlands which outfall into the Colleton and Chechessee River basins. No drainage easements exist on the property.

6. Soils

Exhibit H - Soils Map presents the soil types found at Colleton River Plantation - Phase II tract as taken from the Beaufort County and Jasper County Soils Survey prepared by the U.S. Department of Agriculture, Soil Conservation Service. The preponderance of soil are found to be Wando fine sand, Bertie Series, and Seabrook fine sand which range from high to medium as to urban land use by the Soil Conservation Service Survey.

7. Protected Species

An Endangered Species Survey has been prepared for the Colleton River - Phase II tract. The results may be reviewed in a report prepared by Newkirk Environmental Consultants dated March 19, 1997, entitled "Threatened and Endangered Species Survey Report"

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

in consideration of the +/-502 acre tract. The survey was conducted to determine the presence of animal and plant species listed as endangered or threatened by current state and federal requirements. No evidence of threatened or endangered plants or animal species were found. (Copies of the study will be made available if requested.)

8. Archaeological/Historic Resources

An investigation of the historic resources has been conducted for the Colleton River Plantation - Phase II tract by the firm of Brockington and Associates of Mt. Pleasant, South Carolina. The study report, "Archaeological Survey and Testing of the Cram Tract, Beaufort County, South Carolina" found two sites eligible for the National Register of Historic Places (NRHP) and one potential site eligible for the NRHP. The potentially eligible site is undergoing testing at the time of this submission under the direction of South Carolina Department of Archives and History to confirm its eligibility. A Memorandum of Agreement (MOA) (See Exhibit E - MOA) has been initiated by the developer and a copy is included in this submission.

9. Existing Structures, Buildings and Facilities

No habitable structures, buildings or facilities exist on this property.

C. Existing Infrastructure

1. Potable Water/Sewerage

No potable water/wastewater sewerage is currently on the site, however, potable and wastewater/sewerage is available. The Beaufort-Jasper Water and Sewer Authority (B-JWSA) has acknowledged that potable water and sewerage collection is available to the Colleton River Plantation - Phase II site (See Exhibit I - Letter of Availability for B-JWSA).

A 12" water main will be extended from the Colleton River Plantation potable water distribution system.

Waste water collection will be available through the extension of pipe from the Colleton River Plantation pump station which pumps wastewater to the Water Oak Utility Wastewater Treatment Facility at Moss Creek. (See Exhibit I - Letter of Availability from B-JWSA).

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

2. Electric Service

Electrical service is available from Palmetto Electric Cooperative, Inc. (See Exhibit J - Letter of Availability from Palmetto Electric Cooperative, Inc.)

3. Telecommunication Service

Bluffton Telephone Co. Inc. is the telephone company that would service the Colleton River Plantation - Phase II tract. Cable television at the Colleton River Plantation - Phase II tract will be provided by Hargray CATV Company (See Exhibit K - Letter of Availability from Bluffton Telephone Co. and Exhibit L, Letter of Availability from Bluffton Telephone Co./Hargray CATV Co.)

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

III. DEVELOPMENT PLAN

A. Development Plan Concept

Colleton River Plantation - Phase II (CRP-P II) is planned as an environmentally responsible, low density, residential community which will continue the quality of development which is exemplified by the standards established by Colleton River Plantation. Set along the convolution of the Colleton and Chechessee Rivers, this 502.727 acre tract will include a championship quality golf course designed by the renowned golf course architect, Mr. Pete Dye.

The plan will include a total of three hundred and ten (310) dwelling units which will be developed in accordance with the Preliminary Master Plan (See Exhibit C) prepared and designed by a team of professionals made up of Landscape Architects and Planners, Engineers, Environmental and Development consultants. The plan is the result of a program which is responding to a multitude of coordination issues which resulted in a community plan which will integrate CRP-P II into the existing Colleton River Plantation community in a way that will be mutually beneficial to both.

In addition to the residential uses, there is planned a golf club and fitness center, a community outdoor pavilion, golf practice facility and maintenance facilities.

- Realizing the Colleton River is a river included in the rivers designated as Outstanding Resource Waters (ORW), the plan is organized to respond to the environmental characteristics of this area. Careful consideration for these characteristics are made for residential density, open space patterns, design of lagoons and drainage ways.

The golf course is set well back from the Colleton River, at its closest point over one thousand (1000') feet from the River's edge, in an effort to further assure the protection of the Colleton River O. R. W. resource. The stormwater management system is designed to minimize impacts to the Colleton River. The proposed system will be designed to ensure that post-development stormwater run-off quality and quantity remain essentially unchanged from pre-development conditions and these waters will be diverted to the Chechessee River basin. The development of lots, recreational and golf course facilities and community infrastructure will meet or exceed the requirements of the Beaufort County River Protection Overlay District. Access to the Colleton River and its tributaries will be limited to the sixteen (16) homesites that may or may not choose to have docks. There

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

may be a few homesites that have the potential for a small crabbing dock where a tributary may be large enough to accommodate such a dock. A dock master plan will be submitted and approved by OCRM and shall meet the requirements of the River Corridor Overlay District. (See Exhibit C - Preliminary Master Plan.)

CRP-P11 will conform to the Beaufort County River Protection Overlay District Requirements for buffer and setbacks as stipulated in Section 4.25 of the Beaufort County Ordinances.

The Preliminary Master Plan locates the 50' buffer/setback line along the Colleton and Chechessee Rivers as required for the single family residential land use. The plan also delineates the 1500 foot River Protection Overlay District as required for the DRT submission.

Vehicular access to the site will be through Colleton River Plantation and a right-of-way between the adjacent "M" lot subdivision and the property owned by Mr. Hank Cram.

B. Permitted Land Uses

Under current Rural Development District (RDD) zoning all uses proposed as part of the Preliminary Master Plan, Exhibit C are permitted. The Master Plan is intended to propose the arrangement of the permitted uses as they are organized on the entire tract of land and to outline designation of each use, density, and particular development parameters.

Current zoning would permit four (4) dwelling units per net acre as defined by the Ordinance. Under current zoning scenario, the zoning allows two thousand ten (2010) dwelling units and the Preliminary Master Plan has three hundred ten (310) dwelling units or 0.6 dwelling units per acre. Fifteen (15%) percent of the current zoning allowed density. This reduction in density combined with the private restrictions of 41 residential units on the adjacent 355 acres will, once effective, reduce the 858 acres (502.727 AC plus 355 AC) to a total of 351 D.U.s or 1 D.U. per 2.44 acres, from the current RDD allowed 4 D.U. per acre or 3432 units.

The purpose of this Preliminary Master Plan is to state the arrangement of land uses on the land and is not intended to obligate the developer to provide the uses or facilities stated herein below.

**COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN**

1. Single Family Residential (SF)

The designation allows for the construction of single family dwelling units in accordance with the Community Covenants and Restrictions (CCR) and Architectural Review Board (ARB) requirements.

Single Family Residential use is permitted under RDD zoning and is further defined herein.

a. Permitted Uses:

(1) Dwelling Units

(a) Detached-Single Family (not to exceed 300 DU)

i) Minimum lot size - +/- 8,000 square feet for detached single family units

ii) Detached cottages (not to exceed 10) - cottages may be sold as fee simple or may be sold as fee simple with common area maintenance as required by the Community Covenant and Restrictions (CCR) and lots may be less than 8,000 sf.

(2) Lot Sizes and Setbacks:

Single Family Lot Type	Min. Lot Size	Average Lot Size Range	Min. Width	Min. Front Yard Setback	Min. Rear Yard Setback	Min. Side Yard Setback	Percentage Range Overall Master Plan Dwelling Unit Count
Standard Lot	+/-8,000 SF	80' to 150' x 150' to 400'	80'	35'	30' to 50**	15' with 35' total	100%

*Where lots adjoin the Colleton River, Chechessee River and their tributaries the minimum setback from the OCRM line will be 50 feet.

b. Accessory Buildings, Private Swimming Pools and Home Occupations, if allowed under the CCR's

c. Model Homes

d. A temporary office and/or storage building as defined in Section 4.2.2 Permitted Uses - Paragraph "S".

e. Open space

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

- (1) Landscaped Areas
 - (2) Lagoons, Ponds, Impoundments and Lakes
 - (3) Freshwater Wetlands and Buffers
 - (4) Wildlife Areas and Buffers
 - (5) Conservation Easements
 - (6) Garden Plots
 - (7) Recreational Areas (to include fishing dock on freshwater ponds)
- f. Temporary Construction Facilities
- (1) Storage
 - (2) Staging
 - (3) Disposal Yards
 - (4) Construction Signs
 - (5) Office
 - (6) Office Trailers
- g. Utilities, including but not limited to, power, telephone, water, storm and sanitary sewer, drainage lagoons and telecommunications.
- h. Community Roads
- i. All uses in 2. Golf Courses (GC)
- j. All uses in 3. Community Recreation Facilities (CRF)
- k. All uses in 4. Community/Golf Maintenance (C/GM)
2. Golf Courses (GC)

This designation provides for the construction of golf courses in the community - permitted as a RDD land use and further defined herein.

Permitted Uses:

- a. Regulation, Full Length Golf Course
- b. Executive Golf Course
- c. Golf Cart Storage and Maintenance (Golf and Community) Facilities
- d. Special Event Areas
 - (1) Temporary Parking
 - (2) Temporary or Permanent Outdoor Tents

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

- e. All Uses as Permitted in Wetlands
 - f. Restrooms
 - g. Rain Shelters
 - h. Golf Teaching Facilities
 - i. Tournament Boards and Facilities
 - j. Television Camera Towers
 - k. Other Facilities or Equipment Necessary to Stage a Televised Golf Event
 - l. Irrigation Equipment and Buildings
 - m. Buffers
 - n. All uses in 1. Single Family Residential (SF)
 - o. All uses in 3. Community Recreation Facilities (CRF)
 - p. All uses in 4. Community/Golf Maintenance (C/GM)
3. Community Recreation Facilities (CRF) - permitted as a RDD land use and further defined herein.

Permitted Uses:

- a. Outdoor Recreation Facilities including, but not limited to,
 - (1) Golf Courses
 - (2) Golf Teaching/Practice Facilities
 - (3) Swimming Pools
 - (4) Tennis Courts
 - (5) Lawn Games (croquet, lawn bowling, horse shoes, etc.)
 - (6) Multi-use Fields
 - (7) Playgrounds
 - (8) Parks
 - (9) Trails
 - (10) Paths
 - (11) Other Recreational Uses
- b. Lighted Outdoor Recreation Facilities
- c. Community Pond/Lagoon Access
 - (1) Community Dock (Fishing)
- d. Recreational Buildings including, but not limited to, uses such as indoor recreation, meeting, banquet, fitness and hobby space.
- e. Accessory Buildings
- f. Community Offices
- g. Maintenance and Storage Facilities
- h. Golf Clubhouse:
 - (1) Locker Rooms, Proshops
 - (2) Other associated uses

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

- i. Mail Deposit and Pickup Facility
 - j. Buffers
 - k. All Uses in 1. Single Family Residential (SF)
 - l. All Uses in 2. Golf Course (GC)
 - m. All Uses in 4. Community /Golf Maintenance (C/GM)
4. Community/Golf Maintenance (C/GM) - permitted as a RDD land use and further defined herein:

This designation allows facilities necessary to maintain the common properties, recreational facilities, and golf course facilities.

Permitted Uses:

- a. Vehicle Maintenance Facilities
 - (1) Fuel Storage
 - (2) Storage of Chemicals and Bulk Materials
 - (3) Shops for Woodwork, Metalwork and Painting
 - (4) Offices Associated with Community and Golf Maintenance
 - b. Landscape Maintenance Facilities
 - (1) Greenhouses, Plant Propagation Areas and Holding Yards
 - c. All Uses in 1. Single Family Residential (SF)
 - d. All Uses in 2. Golf Course (GC)
 - e. All Uses in 3. Community Recreation Facilities (CRF)
5. Wetlands

This designation allows wetlands and the following uses within wetlands. Freshwater wetlands and saltwater on the property have been delineated, surveyed and certified. The use of these lands is regulated by the U.S. Army Corps of Engineers (USACOE) and the South Carolina Department of Health & Environmental Control Office/Ocean and Coastal Resource Management (SCDHEC/OCRM) and unless restricted via a Memorandum of Agreement (MOA) to the contrary, the following are Permitted Uses:

- a. Open Space and Buffers
- b. Recreation
- c. Conservation Easements
- d. Disposal of Reclaimed Water as Permitted by SCDHEC
- e. Boardwalks and Golf Cart Bridges

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

- f. Stormwater Control and Disposal
- g. Other Development Activities for Land Used in the Master Plan as Permitted by USACOE and SCDHEC/OCRM)

Wetlands on the site may be impacted, restored and/or preserved, in accordance with permits issued by the USACOE and certified by the SCDHEC/OCRM.

6. Roads and Right-of-Ways

Collector roads will provide access to all parts of the project. The residential community is limited to one access point.

Road alignment is in accordance with the Preliminary Master Plan and is subject to change based on site conditions. Final alignment of roads will be coordinated and indicated as phases are submitted for development approval by the Development Review Team. Road right-of-way widths shall be no less than 50'.

C. Access

The Colleton River Plantation - Phase II is planned to contain a maximum of 310 single family dwelling units and an 18-hole golf course. Access to the site is to be provided via a main roadway from Colleton River Plantation via a right-of-way provided through the "M" lot subdivision of Colleton River Plantation and property purchased from Mr. Hank Cram as enumerated in agreements with Mr. Hank Cram and The Property Owners of Colleton River Plantation. Adjacent to the access road will be constructed a pathway for access to golf carts between Colleton River Plantation Phase II and Colleton River Plantation.

D. Proposed Streets

The Colleton River Plantation - Phase II tract is planned to incorporate approximately five and four-tenths (+/- 5.4) miles of streets as shown on Exhibit C - Preliminary Master Plan. These streets serve to provide access through the community, linking various residential, recreational and community service areas.

The alignment of streets shown on the Preliminary Master Plan are conceptual and subject to adjustments as the final development plans are prepared to respond to future market or site considerations. The final alignments of all primary streets and residential streets will be presented to

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

the County for review and approval, on a phase by phase basis, as part of the County Development Permit process.

The street design will be developed as final design considerations for topography, final drainage design and tree impacts are considered. It is anticipated that three road designs will be utilized; 1) a crown road section with roadside swales, 2) crown roads with curb and gutters, and 3) an inverted crown road with center drain inlets.

The Colleton River Plantation - Phase II street system is to be private, although built to Beaufort County Standards, and maintained by the Colleton River Plantation Property Owners Association (POA) or similar independent declaration of Covenant and Property Owners Association.

The proposed Colleton River Plantation - Phase II street names for consideration by Beaufort County are enclosed as Exhibit M - Proposed Street Names.

E. Stormwater Drainage

The storm water management and system design will be designed to meet the requirements of the Beaufort County Engineer and the County Ordinances as well as applicable state and federal standards. The outfall for the development shall be directed toward the Chechessee River Basin.

The community is planned to include a drainage system which provides a variety of water conveyances including drainage inlets and manholes, pipes, open ditches, freshwater wetlands, and retention/detention ponds. The ponds will provide the capacity necessary to retain post development storm water runoff rate equal to pre-development runoff rates. (See Exhibit N Storm Water Drainage Master Plan, Exhibit O - Letter from OCRM and Exhibit P - Submission Letter to the County Engineer from Thomas & Hutton.)

The storm water infrastructure elements will meet the standards as outlined in Section 5.4 Storm Water Management Standards or as approved by the Beaufort County Engineer and as approved by OCRM staff prior to any construction permits being issued.

The Conceptual Drainage Plan is subject to modifications as development progresses. Exact locations of ponds and drainage easements will be determined at the time of construction which will be reviewed by the Beaufort County Engineer. The system is designed as a "common" system which is

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

reliant on the interconnected system of pipes, ditches and ponds, thus alleviating the requirement of individual retention systems as each phase is developed.

F. Utility Services

1. Potable Water

Potable water will be provide via a 12 inch water main that will be extended from an existing 12 inch water main adjacent to Colleton River Drive in Colleton River Plantation along the new access road to Colleton River Plantation - Phase II then loop through Colleton River Plantation - Phase II and tie into an existing 8 inch water main at Duck Pond Road also in Colleton River Plantation. (See Exhibit Q - Water Distribution Master Plan.) The provider of potable water will be the Beaufort-Jasper Water and Sewer Authority (B-JWSA). The developer will construct the systems, provide easements as required and turn them over to the B-JWSA upon acceptance by the State Department of Health and Environmental Control (DHEC). (See Exhibit I - Letter from B-JWSA, and Exhibit R - Letter from SCDHEC.)

2. Wastewater

Wastewater collection will be provided by a combination of gravity sewers, pumping stations and force mains located throughout the project. The wastewater will be pumped from the Colleton River - Phase II site to Colleton River Plantation Master Pump Station, initially designed to accommodate future development beyond the Colleton River Plantation boundary, then to Water Oak Utility Wastewater Treatment Facility at Moss Creek (See Exhibit R - SCDHEC & Exhibit I - B-JWSA Letter and Exhibit S, Sewer Distribution Master Plan.) Easement locations for wastewater lines will be provided on final submission plans which will be submitted and approved prior to consideration by the DRT.

3. Electrical Service

Electrical service will be provided by Palmetto Electric Cooperative, Inc. Service will be extended on an as needed basis as each phase of the Colleton River Plantation - Phase II is completed. A letter from Palmetto Electric Cooperative, Inc. committing to serve the site is enclosed as Exhibit J. All easements will be forthcoming with final subdivisions.

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

4. Telecommunication Service

Telephone service will be provided by Bluffton Telephone Company, Inc. and cable television will be provided by Hargray CATV Company. Service will be extended on an as needed basis as each phase of the Colleton River Plantation - Phase II is completed. Letters from Bluffton Telephone Company, Inc. and Hargray CATV Company committing to serve the site are enclosed as Exhibits K and L, respectively. If easements are required for these services such easements will be delineated on final subdivision plans.

G. Public Services

1. Police Protection

Police Protection services for the Colleton River Plantation - Phase II will be provided by the Beaufort County Sheriff's Department.

2. Fire Protection/Emergency Service

Fire protection service will be provided by the Bluffton Fire District. The Conceptual Water Master Plan for Colleton River Plantation - Phase II has received Fire Safety Standards approval from the Bluffton Fire District. (See Exhibit T.)

3. Solid Waste Disposal

A letter from Waste Management of the Lowcountry - committing to provide solid waste disposal services to Colleton River Plantation - Phase II is enclosed (See Exhibit U).

H. Ownership of Common Areas

The developer of Colleton River Plantation - Phase II shall conform to the existing Conditions, Easements, Covenants and Restrictions of the Colleton River Plantation or similar independent declaration of Covenant and Property Owners Association. The Property Owners Association will own, manage and maintain the common areas in either a natural and/or manicured state. All utilities will be maintained by the respective utility whether, water, sewer, electrical, cable TV, telephone, and others not anticipated at this time.

**COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN**

I. Tree Survey and Tree Coverage Estimates

1. Tree surveys are included as attachments (under separate cover - drawings prepared by Thomas & Hutton Engineering Co.) to this document which indicates the location of trees related to road right-of-ways as indicated on the Preliminary Master Plan. The final road locations, roadway surface design and final tree removal and mitigation plans will be supplied with the subdivision submission as phases of the Preliminary Master Plan are developed. As part of the normal review process each phase of the development will be presented to the Development Review Team for its review and approval.
2. Tree Coverage Estimates - Based on review of the cover and tree species as related to this site, the following table depicts the tree inventories of Colleton River Plantation - Phase II:

a. Tree Types and Average Sizes*

	BOTANICAL/ COMMON NAME	AVERAGE SIZE
1.	Quercus Laurifolia Laurel Oak	15" DBH
2.	Quercus Virginiana Live Oak	18" DBH
3.	Carya 'Species' Hickory Trees	12" DBH
4.	Pinus 'Species' Pine Trees	16" DBH
5.	Other Genus and Species	Varies

- b. The approximate number of trees per acre is eighty-six (86) trees*. The lot sizes range from ± 0.5 acres to ± 1.0 acres.

*Tree estimate data provided by Thomas & Hutton Engineering Co.

J. Phasing

The development of Colleton River Plantation - Phase II is anticipated to occur over a period of 3 to 5 years with homesite and infrastructure

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

development and release for sale occurring at a rate of 60 to 100 homesites per year. Of course, economic trends may accelerate or decelerate this progress. It is anticipated that the access entrance road, Colleton River front lots and golf course development will possibly be a portion of the first phase. This phase will include the housing infrastructure to accommodate the development. Subsequent phases will be provided to the County for approvals in accordance with Beaufort County Development Ordinance Standards.

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

IV. SITE DESIGN AND DEVELOPMENT STANDARD

The Development Standards for the Colleton River Plantation - Phase II shall be in accordance with the Beaufort County Zoning and Development Standard Ordinance (DSO), Ordinance 90/3 including any amendments. The Development Standards will apply to all areas of the Colleton River Plantation - Phase II. Architectural Guidelines and Restrictive Covenants will set standards for all design and construction materials and will meet and/or exceed the Beaufort County Zoning and Development Standards Ordinance (DSO) as attached as appendix behind Tab Number 5 of this document.

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

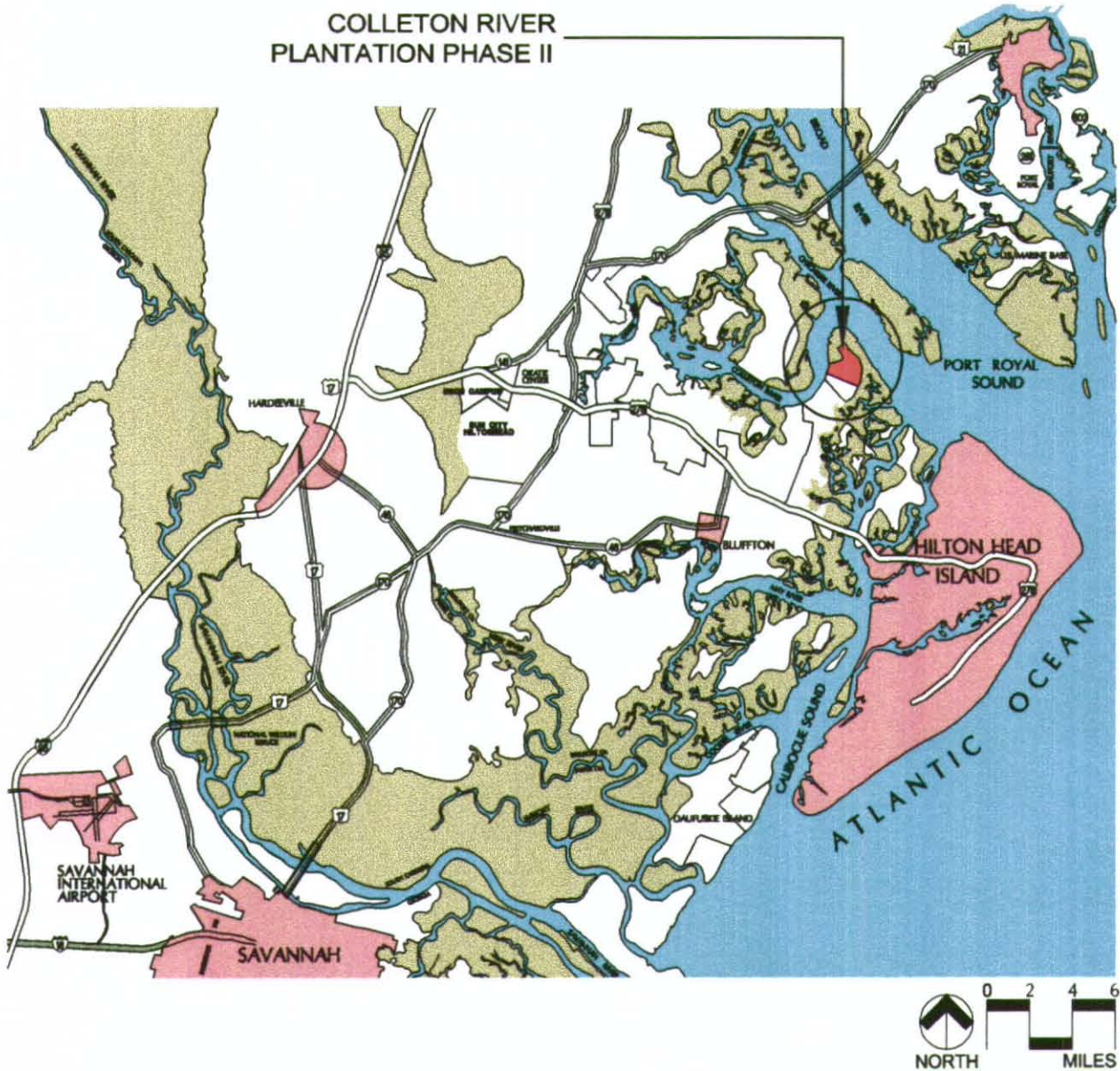
V. EXHIBITS AND APPENDICES

A. EXHIBITS LIST

- EXHIBIT A VICINITY MAP
- EXHIBIT B COLOR AERIAL PHOTOGRAPH (REDUCTION)
- EXHIBIT C PRELIMINARY MASTER PLAN
- EXHIBIT D PROPERTY BOUNDARY SURVEY/FEMA FLOOD ZONE MAP, & WETLANDS SURVEY
- EXHIBIT E MOA - CORP. PERMIT NO. SAC 81-97-0455(J) - SUBMITTED TO THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
- EXHIBIT F LETTER OF APPROVAL - U.S. ARMY CORPS OF ENGINEERS "A Wetlands Plat of 515.238 Acres Owned by Colleton River Development Company, LLC., Beaufort County, South Carolina
- EXHIBIT G TOPOGRAPHIC MAP
- EXHIBIT H SOILS MAP
- EXHIBIT I LETTER FROM BEAUFORT/JASPER WATER & SEWER AUTHORITY/WASTEWATER TREATMENT PROVIDER
- EXHIBIT J LETTER FROM PALMETTO ELECTRIC COOPERATIVE
- EXHIBIT K LETTER FROM BLUFFTON TELEPHONE COMPANY
- EXHIBIT L LETTER FROM BLUFFTON TELEPHONE CO/HARGRAY TV
- EXHIBIT M PROPOSED STREET NAMES
- EXHIBIT N STORM WATER DRAINAGE MASTER PLAN
- EXHIBIT O LETTER FROM OFFICE OF OCEAN & COASTAL RESOURCE MANAGEMENT (OCRM)
- EXHIBIT P SUBMISSION LETTER TO THE COUNTY ENGINEER FROM THOMAS & HUTTON ENGINEERING
- EXHIBIT Q WATER DISTRIBUTION MASTER PLAN
- EXHIBIT R LETTER FROM SOUTH CAROLINA DEPARTMENT OF HEALTH & ENVIRONMENTAL CONTROL (SCDHEC) - WATER & SEWER APPROVAL
- EXHIBIT S SEWER DISTRIBUTION MASTER PLAN
- EXHIBIT T LETTER FROM BLUFFTON FIRE DISTRICT (FIRE SAFETY FORM)
- EXHIBIT U LETTER FROM WASTE MANAGEMENT OF THE LOWCOUNTRY
- EXHIBIT V LETTER FROM TODD MCMAKIN OF BROCKINGTON AND ASSOCIATES, INC. 7/21/97

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

VICINITY MAP
COLLETON RIVER
PLANTATION
PHASE II

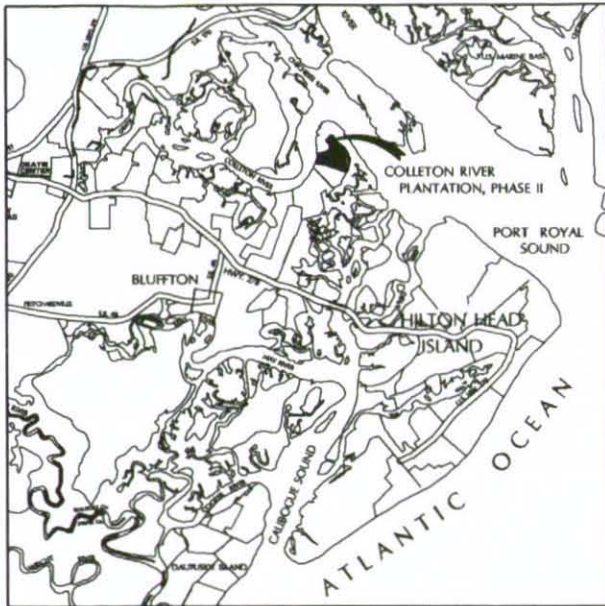


COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

AERIAL PHOTO
5/7/97



EXHIBIT B



VICINITY MAP



PRELIMINARY
MASTER PLAN

COLLETON RIVER PHASE II
(CRAM TRACT)

BEAUFORT COUNTY, SOUTH CAROLINA

PREPARED FOR:
COLLETON RIVER DEVELOPMENT CO., LLC
HILTON HEAD ISLAND, SOUTH CAROLINA

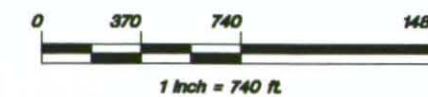
PREPARED BY:
EDWARD PINCKNEY/ASSOC., LTD.
HILTON HEAD ISLAND, SOUTH CAROLINA

ENGINEERING BY:
THOMAS & HUTTON ENGINEERING CO.
SAVANNAH, GEORGIA

KEY

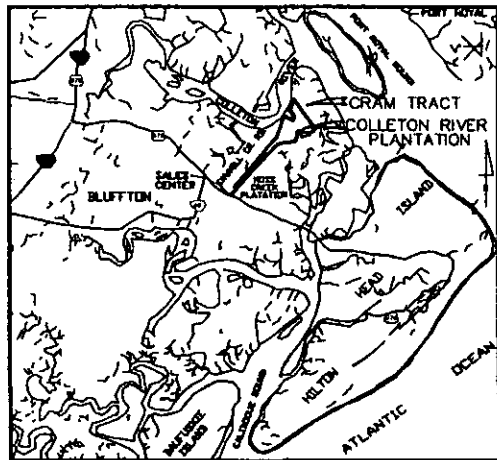
-  SINGLE FAMILY RESIDENTIAL
-  COTTAGES
-  GOLF COURSE & PRACTICE AREA
-  PRESERVED WETLANDS
-  LAKES, DRAINAGE LAGOONS, IMPOUNDMENTS AND OPEN SPACE
-  ROADS
-  OPEN SPACES
-  FRESH WATER WETLANDS & BUFFERS
-  RIVER PROTECTION 50' SETBACK LINE & BUFFER
-  1500' RIVER PROTECTION OVERLAY DISTRICT

JULY 15, 1997



REVISED: OCTOBER 10, 1997

f:\project\0761\50761-00\PERMITS\11x17PLAT Wbd Jul 16 14:27:10 1997 EP/A



VICINITY MAP

LEGEND

- T.P. = TRAVERSE POINT (3/4" IRON PIPE W/CAP)
POINTS ARE NOT ON PROPERTY LINE
- P.O.C. = POINT OF COMMENCING
- P.O.B. = POINT OF BEGINNING

ACREAGE TABLE

AREA "A"	=	486.067
AREA "B"	=	14.283
AREA "C"	=	0.495
AREA "D"	=	0.100
AREA "E"	=	1.677
AREA "F"	=	0.105
TOTAL AREA	=	502.727

BOUNDARY SURVEY
(FEMA FLOOD ZONES & WETLAND LOCATIONS)
COLLETON RIVER PHASE II
(CRAM TRACT)
BEAUFORT COUNTY, SOUTH CAROLINA

PREPARED FOR:
COLLETON RIVER DEVELOPMENT, LLC
MILTON HEAD ISLAND, SOUTH CAROLINA

PREPARED BY:
THOMAS & HUTTON ENGINEERING CO.
SAVANNAH, GEORGIA

LAND PALMERS
EDWARD PINCKNEY/ASSOC., LTD.
MILTON HEAD ISLAND, SOUTH CAROLINA

JUNE 16, 1997

FLOOD NOTE:

ACCORDING TO F.E.M.A. MAP NO. 450025 PANEL NO. 0090 D MAP
REVISION SEPTEMBER 29, 1986.
ZONE A9 AREAS OF 100 YEAR FLOOD; BASE FLOOD ELEVATIONS
AND FLOOD HAZARD FACTORS AS SHOWN ON PLAT
ZONE C AREAS OF MINIMAL FLOODING

REFERENCES:

- BOUNDARY PLAT OF BLOCK M A SECTION OF COLLETON RIVER PLANTATION DATED 11/13/95 PREPARED BY: SURVEYING CONSULTANTS
- SUBDIVISION PLAT OF BLOCK M A SECTION OF THE CRAM TRACT NOE COLLETON RIVER PLANTATION DATED: 11/9/95 PREPARED BY: SURVEYING CONSULTANTS
- A SURVEY OF THE OCRM LINE AND THE FRESH WATER WETLANDS AT THE CRAM TRACT DATED: 3/13/97 PREPARED BY: THOMAS & HUTTON ENGINEERING CO.

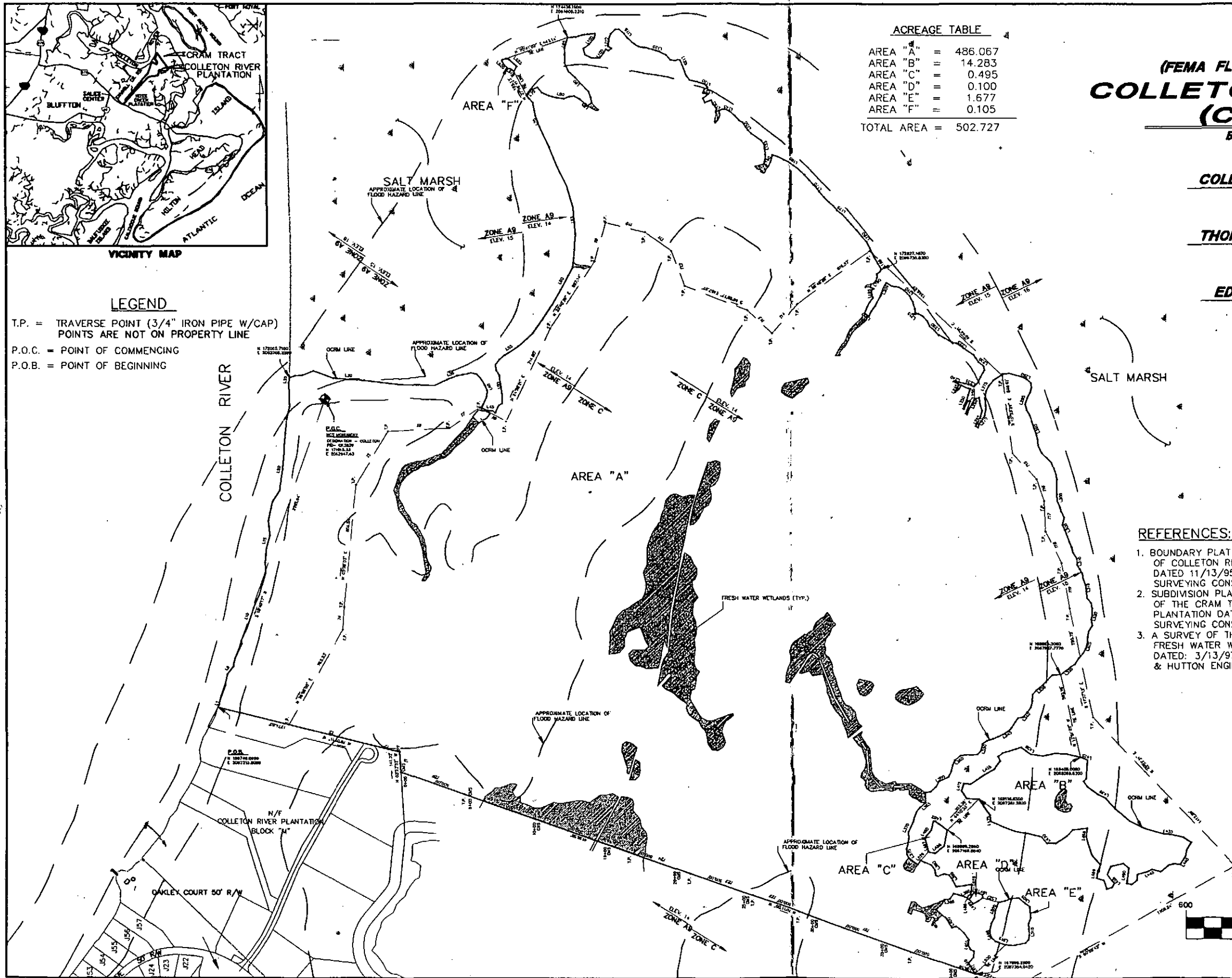
SPECIAL NOTES:

- LINE DATA TABLES ARE IN CONSECUTIVE NUMERICAL ORDER AND ARE IDENTIFIED IN INTERVALS OF FIVE
- POINT ALONG MARSH LINE ARE O.C.R.M. FLAGS AND ARE NOT MONUMENTED. THE SOUTHERN PROPERTY LINE AND THE SURVEY TRAVERSE ARE MONUMENTED AS SHOWN.

NOTES:

- FIELD EQUIPMENT: SOKKIA SET4, SDR 33
- PLAT ERROR OF CLOSURE IS: 1/3,828,018
- FIELD ERROR OF CLOSURE IS: 1/29,164
- ANGULAR ERROR OF CLOSURE IS 02" PER ANGLE POINT
- ALL COORDINATES BASED ON SOUTH CAROLINA STATE PLANE GRID (NAD 83).
- THE PROPERTY IDENTIFICATION NUMBER IS R600-025-000-001B-000 AND R600-025-000-001C-000 FOR THIS ENTIRE TRACT. PROPERTY IDENTIFICATION NUMBERS HAVE NOT BEEN SET FOR THESE PARCELS BY BEAUFORT COUNTY AT THIS TIME.
- OCR.M LINE DELINEATION BY NEWKIRK ENVIRONMENTAL CONSULTANTS, INC.
- 3/4" x 24" IRON PIPE SET W/CAP
- C.M.S. = 3.5" x 3.5" x 24" CONCRETE MONUMENT SET
- I.P.F. = IRON FOUND

GRAPHIC SCALE



forwarded to Lee Tippett
BROCKINGTON AND ASSOCIATES, INC. *6/17/97 via*

CONSULTING ARCHAEOLOGISTS, HISTORIANS, AND PRESERVATION PLANNERS *Monty Hau*
SA

June 16, 1997

Mr. Paul Sims
Colleton River Realty
2 Colleton River Drive
Bluffton, SC 29910

Re. Cram Tract Memorandum of Agreement

Dear Mr. Sims:

Enclosed is the Memorandum of Agreement for the Cram Tract. Please review it and if it is acceptable, sign it and forward it to Mr. Lee Tippett at the State Historic Preservation Office. His address is: SC Department of Archives and History, 1430 Senate Street, Columbia, SC 29201. Do not hesitate to call if you have any questions or comments.

Sincerely,

Nicole Hackett FOR ERIC POPLIN

Eric C. Poplin, Ph.D.
Principal Investigator

Enclosure: MOA

EXHIBIT E - 7 PAGES

ATLANTA

5980 UNITY DRIVE, SUITE A
NORCROSS, GEORGIA 30071
770-662-5807 * FAX 770-662-5824

MEMPHIS

THE EXCHANGE BUILDING
9 NORTH SECOND STREET, SUITE 102
MEMPHIS, TENNESSEE 38103
901-527-3237 * FAX 901-527-3813

CHARLESTON

1051 JOHNNIE DODDS BOULEVARD, SUITE F
MT. PLEASANT, SOUTH CAROLINA 29464
803-881-3128 * FAX 803-849-1776

00042

MEMORANDUM OF AGREEMENT

Regarding

Department of the Army Permit Number SAC 81-97-0455(J)
Submitted to the Advisory Council on Historic Preservation
Pursuant to 36 CFR 800.6(A)

WHEREAS, the Charleston District of the United States Army Corps of Engineers (COE) has determined that work which will be authorized by Department of the Army (DA) Permit Number SAC 81-97-0455(J) involving the development of the Cram Tract, Beaufort County, South Carolina by Colleton River Development Company will have an effect on three properties eligible or potentially eligible for inclusion in the National Register of Historic Places (NRHP), and has consulted with the South Carolina State Historic Preservation Office (SHPO) pursuant to 36 CFR 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470 f); and

WHEREAS, the developer of the Cram Tract, Colleton River Development Company, has participated in the consultation and has been invited to concur in this Memorandum of Agreement (MOA); and

NOW, THEREFORE, the COE and the South Carolina SHPO, agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the project on the historic properties.

STIPULATIONS

The Charleston District, COE will incorporate completion of such tasks as a requirement for issuing the permit(s) for the project. Failure to comply may result in the revocation of the permit(s).

I. NRHP Eligible Archaeological Sites 38BU310 and 38BU378 and NRHP Potentially Eligible Archaeological Site 38BU1706:

1. Preservation in Place

Colleton River Development Company may preserve any or all of the archaeological sites in place. For sites to be preserved, a preservation plan will be submitted to the COE and the SHPO for review. The preservation plan must address the following concerns:

- A. The boundaries of the above referenced sites will be flagged in the field by a professional archaeologist to include a 100 ft buffer zone. Each site with the buffer zone will be marked on the project development maps by a licensed surveyor. All parties associated with the ownership and development of the project will be apprised of site

locations and advised to avoid the area. Field boundary markers of the buffer zone surrounding the sites will be established by a professional archaeologist and must be left standing while nearby construction work is in progress. The marked plat shall be duly recorded and evidence of the recording shall be submitted to the COE no later than thirty (30) business days after approval of the preservation plan.

- B. The areas to be preserved in place must be protected from potential damage caused by natural and cultural processes. These processes include but are not limited to erosion, flooding, vandalism, grounds maintenance, construction and land disturbing activities.
- C. A preservation plan shall be submitted to the COE and the SHPO for review and approval. Both the COE and SHPO will make every reasonable effort to complete their reviews within thirty (30) calendar days after the receipt of the documentation.

2. Archaeological Testing

- A. For Site 38BU1706, Colleton River Development Company will insure that a site Testing Plan is developed in consultation with the COE and the SHPO. The Testing Plan must provide sufficient investigation of the sites to allow a final determination of NRHP eligibility. Testing results and eligibility recommendations shall be presented in a report to be reviewed by the SHPO and the COE. A minimum of four (4) copies of this report must be submitted to the COE.
- B. After testing, should Colleton River Development Company choose to preserve Site 38BU1706, then a preservation plan will be submitted to the COE and the SHPO for review and approval. The preservation plan must address the concerns outlined in 1A-1C of this document.

3. Archaeological Data Recovery

- A. For Sites 38BU310, 38BU378, and 38BU1706 (if determined eligible for the NRHP through testing [as in 2A of this document]) that will not be preserved in place, Colleton River Development Company will develop a Data Recovery Plan in consultation with the COE and the SHPO. The Data Recovery Plan must meet the following stipulations:

1. The Data Recovery Plan shall be consistent with the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation (48 FR 44734-37) and take into account the Advisory Council on Historic Preservation's (1980) publication Treatment of Archaeological Properties and the SHPO's Guidelines and Standards for Archaeological Investigations (South Carolina Department of Archives and History 1991).
2. A minimum of four (4) copies of the draft Data Recovery Plan shall be submitted to the COE for review and approval in consultation with the SHPO. Both the COE and SHPO will make every reasonable effort to complete their reviews within thirty (30) calendar days after the receipt of the documentation.
3. In no case will land disturbing activities be allowed within the boundaries and a 100 ft buffer zone of a NRHP eligible site until a final report is reviewed and approved by the COE, with the exception of one temporary access road in the buffer area designed and constructed in accordance with the United States Army Corps of Engineers' (1990) Archaeological Sites Protection and Preservation Notebook until a final report is reviewed and approved. A minimum of four (4) copies of the draft report will be prepared by Colleton River Development Company or their agents and submitted to the COE. The final report (marked final), incorporating the SHPO's and the COE's comments will be provided to the SHPO and the COE for final review.
4. After the COE, in consultation with the SHPO, has determined that the report satisfies the conditions of the COE permit, the COE will consult with the Advisory Council on Historic Preservation (ACHP) in accordance with the procedures published at 33 CFR Part 800 and 33 CFR Part 235, Appendix C.
5. Any and all artifacts found as a result of the archaeological investigations, including those found to this date, shall become the property of the Colleton River Development Company, its successors and assigns. A qualified consulting archaeologist,

as an authorized representative of Colleton River Development Company, will insure that all artifacts are stabilized and processed for curation in a repository that meets the Federal curation standards in accordance with 36 CFR Part 79. Copies of all records, including but not limited to, field notes, forms, maps, catalogue sheets and representative photographs (negatives) will be submitted for curation with the artifacts. Documentation that the repository has received and accepted these materials will be supplied to the COE.

- B. Should Colleton River Development Company choose to transfer, lease or sell property containing eligible or potentially eligible archaeological sites, a restrictive covenant shall be included in the instrument of conveyance. Such a conveyance shall have as its intent the delegation of the treatment responsibilities covered in this agreement document and the specified DA permits to the property recipient. Colleton River Development Company shall submit the covenant to the COE and SHPO for review. The COE and SHPO will make every reasonable effort to review and comment on the covenant no later than thirty (30) days after its receipt. This review shall be accomplished prior to any sale of the properties.

II. Late Discoveries

If unanticipated cultural materials or human skeletal remains are discovered within the boundaries of the development tract, Colleton River Development Company, its successors or assigns will cause a temporary halt of all activities and immediately notify the SHPO and COE of the late discoveries. A 200 ft wide buffer shall be immediately established around the cultural materials. The buffer will be flagged by a qualified archaeologist. No land disturbing, construction or ground maintenance activities will be allowed within this flagged area until the course of action hereinafter described has been established. This halt will afford the COE and SHPO the opportunity to assess the situation and recommend a course of action. The SHPO will make every reasonable effort to provide the COE with a preliminary course of action within two (2) business days of notification.

III. Dispute Resolution

1. The COE and the SHPO shall attempt to resolve any disagreement arising from the implementation of the agreement. This shall include any disputes which arise concerning the contents of the report, including but not limited to,

its adequacy as a cultural resource management document. If the COE determines that the disagreement cannot be resolved, the COE shall request the further comments of the ACHP in accordance with 36 CFR 800.6(b). Any ACHP comment provided in response will be considered by the COE in accordance with 36 CFR Part 800.6(c).

IV. Final Project Approval

1. Execution and implementation of this agreement evidenced that the United States Army Corps of Engineers has satisfied their Section 106 responsibilities under DA Permit Number SAC 81-97-0455(J) for the Cram Tract, and that the COE has afforded the ACHP and the SHPO an opportunity to comment on the undertaking and its effects on the historic properties.

United States Army Corps of Engineers Date

Deputy State Historic Preservation Officer Date

Concur:

Colleton River Development Company

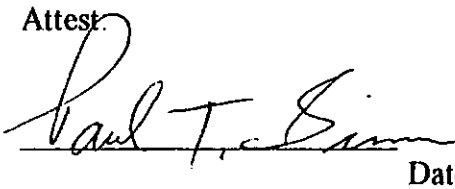
By:



Date 6-17-97

Agent for CRDC, LLC.

Attest:



Date 6-17-97

Accepted for the Advisory Council on Historic Preservation

By: _____
Date



DEPARTMENT OF THE ARMY
CHARLESTON DISTRICT, CORPS OF ENGINEERS
P O BOX 819
CHARLESTON, S.C 29402-0919
May 19, 1997

EXHIBIT F - 2 PAGES

REPLY TO
ATTENTION OF

Regulatory Branch

Mr. Frank Rambo
Newkirk Environmental Consultants, Inc.
Post Office Box 16609
Savannah, Georgia 31416

Re: SAC 81-97-0455(J)
Beaufort County

Dear Mr. Rambo:

This is in response to your letter dated March 19, 1997, requesting a wetland determination on behalf of Colleton River Plantation, on property located at the tip of the Colleton Neck adjacent to Colleton River Plantation, Beaufort County, South Carolina. The project area is depicted on the survey plat you submitted. The survey plat was prepared by Thomas and Hutton Engineering, Company dated March 13, 1997, and entitled "A SURVEY OF THE OCRM LINE AND FRESH WATER WETLANDS AT THE CRAM TRACT, BEAUFORT COUNTY, SOUTH CAROLINA, SHEETS 1-4."

This plat depicts wetland boundaries as established by your firm. You have requested that this office verify the accuracy of this wetland mapping as a true representation of wetlands within the regulatory authority of this office. The property in question is a 515.238 acre tract owned by Colleton River Plantation, and contains 26.485 acres of freshwater wetlands.

Based on a review of aerial photography and soil survey information, it has been determined that the surveyed wetland boundaries are an accurate representation of wetlands within our regulatory authority. This office should be contacted prior to performing any work in these areas.

If a permit application is forthcoming as a result of this delineation, a copy of this letter, as well as the verified survey plat, should be submitted as part of the application. Otherwise, a delay could occur in confirming that a wetland delineation was performed for the permit project area.

Please be advised that this wetland determination is valid for five (5) years from the date of this letter unless new information warrants revision of the delineation before the expiration date. All actions concerning this determination must be complete within this time frame, or an additional wetland delineation must be conducted.

In future correspondence concerning this matter, please refer to SAC 81-97-0455(J). You may still need State or local assent. Prior to performing any work, you should contact the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management (OCRM). A copy of this letter is being forwarded to them for their information.

EXHIBIT F - 2 PAGES

If you have any questions concerning this matter, please contact me at either 800-208-2054 or A/C 803-727-4330.

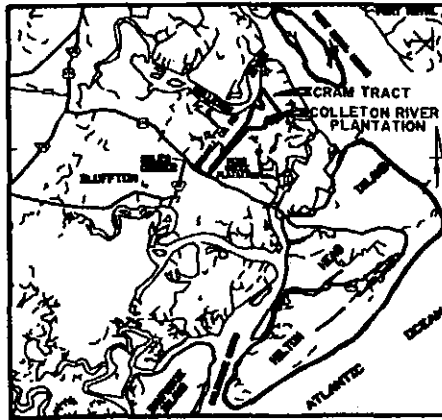
Respectfully,



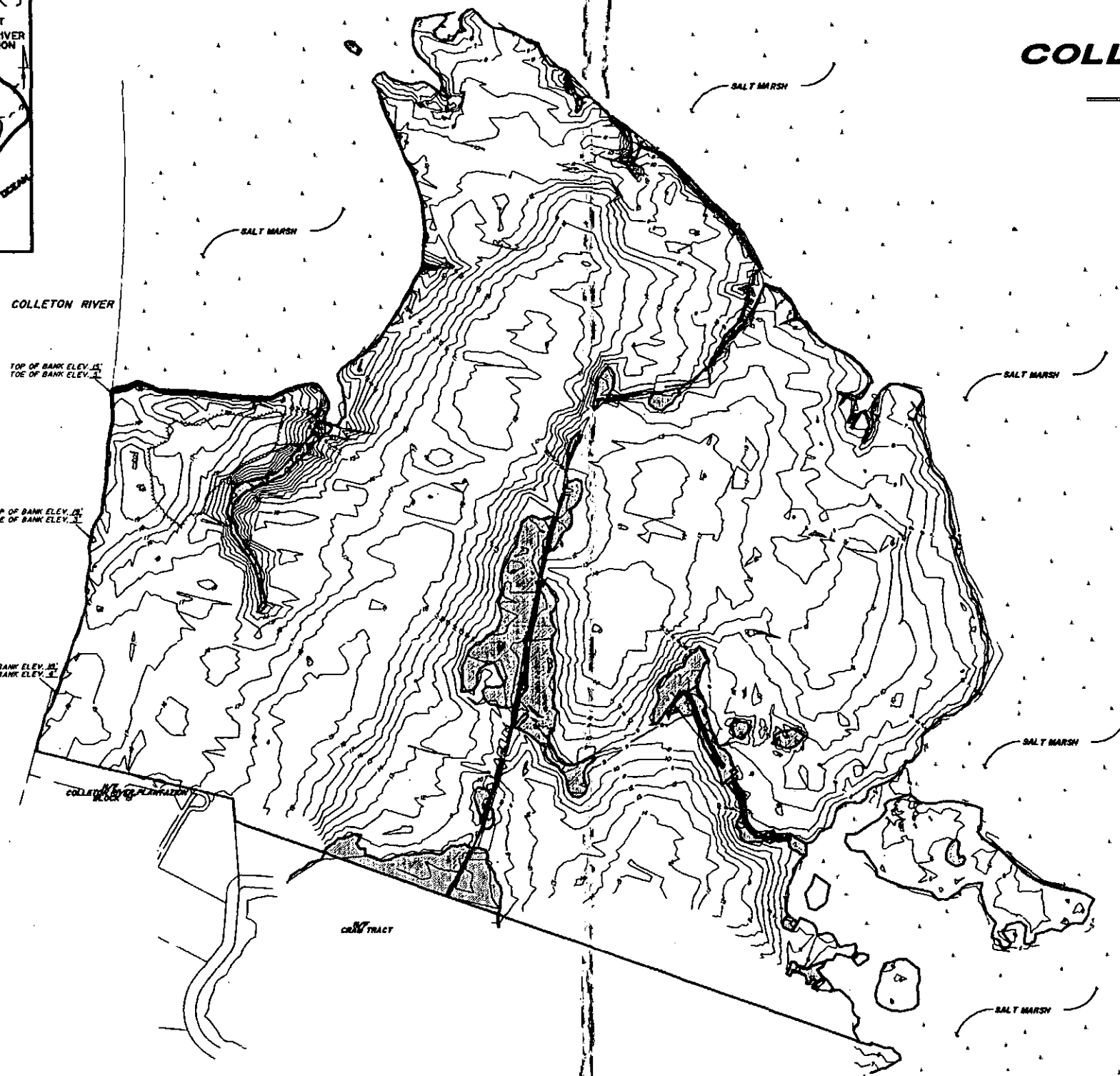
Jake Duncan
Biologist

Copy Furnished:

Mr. H. Stephen Snyder
S.C. Department of Health
and Environmental Control
Office of Ocean and Coastal
Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405



VICINITY MAP



TOPOGRAPHIC MAP
COLLETON RIVER PHASE II
(CRAM TRACT)

BEAUFORT COUNTY, SOUTH CAROLINA




PREPARED FOR:
COLLETON RIVER DEVELOPMENT, LLC
HILTON HEAD ISLAND, SOUTH CAROLINA

PREPARED BY:
THOMAS & HUTTON ENGINEERING CO.
SAVANNAH, GEORGIA

LAND PALMERS
EDWARD PINCKNEY/ASSOC., LTD.
HILTON HEAD ISLAND, SOUTH CAROLINA

JUNE 16, 1987

LEGEND:

-  = CONTOURS
-  = FRESH WATER WETLANDS
-  = SALT MARSH

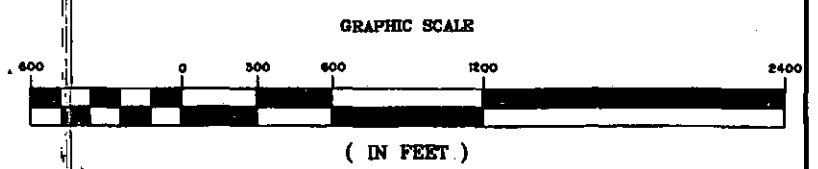
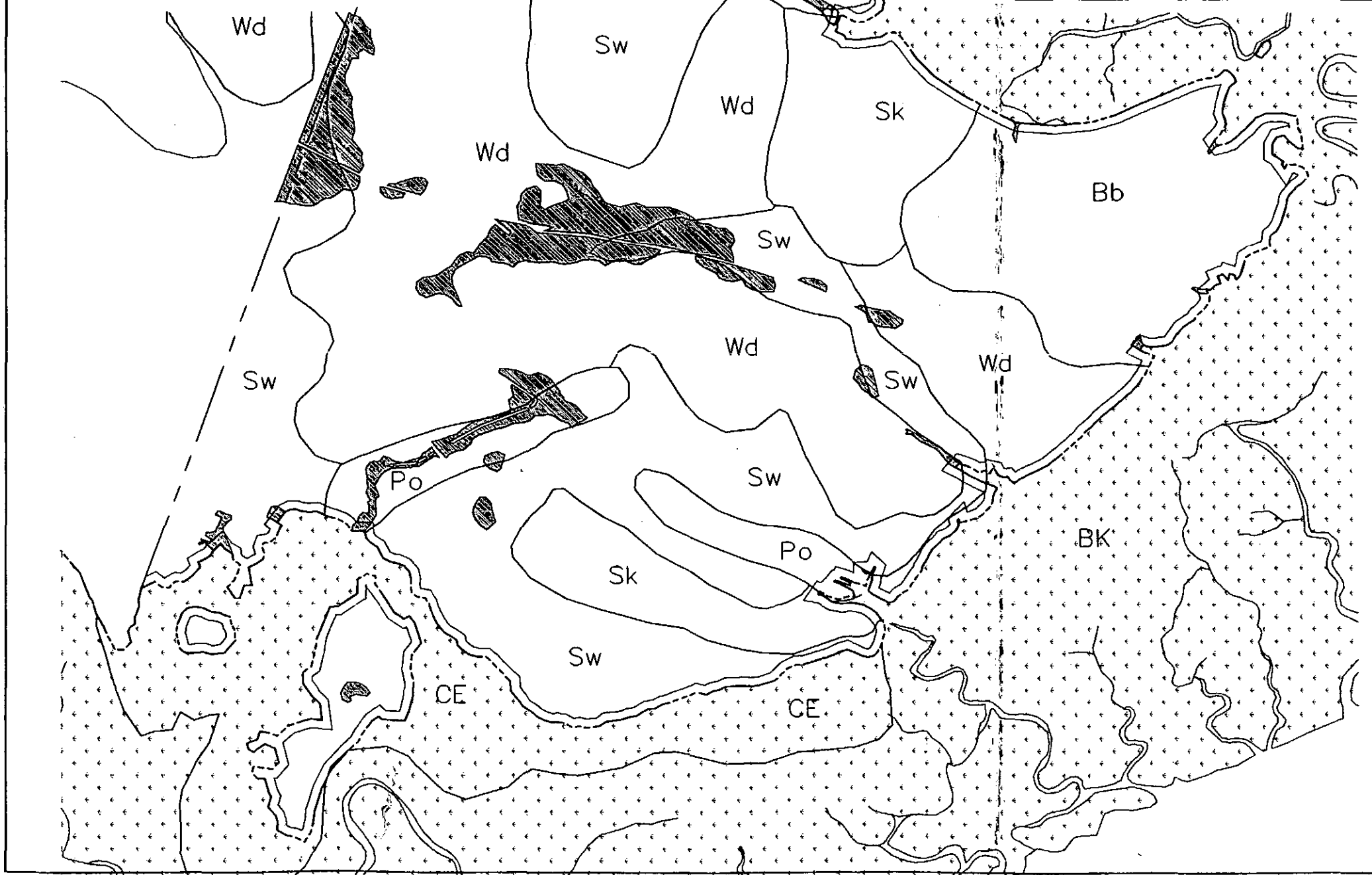


EXHIBIT G

F:\PROJECTS\150761-00\PERMITS\11X17SOIL.dwg Fri Oct 10 11:05:10 EP/A



VICINITY MAP



SOILS MAP

**COLLETON RIVER PHASE II
PRELIMINARY MASTER PLAN**

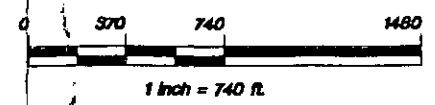
BEAUFORT COUNTY, SOUTH CAROLINA

PREPARED FOR:
COLLETON RIVER DEVELOPMENT CO, LLC
HILTON HEAD ISLAND, SOUTH CAROLINA

PREPARED BY:
EDWARD PINCKNEY/ASSOC, LTD.
HILTON HEAD ISLAND, SOUTH CAROLINA

ENGINEERING BY:
THOMAS & HUTTON ENGINEERING CO.
SAVANNAH, GEORGIA

JULY 15, 1997



REVISED: OCTOBER 11, 1997

SOIL TYPE	DESCRIPTION
Bb	Bertie series. This soil has medium potential for most urban uses. A severe limitation for septic tank absorption fields can be reduced in most areas with open ditches, tile drains, or a combination of both.
BK	Bohicket association. Flooded twice daily by saltwater. Mostly marsh vegetation, natural habitat for marine and wildlife. Very low bearing strength, not suited for row crops, pasture, trees, or urban uses.
CE	Capers association. Consists of very poorly drained, nearly level soils that are on tidal flats. They are not considered suitable for urban uses. They can be used as a natural habitat for wildlife.
Po	Polawana loamy fine sand. This soil has low potential for urban uses. Because of the hazard of flooding and the high water table, it has severe limitations for septic tank absorption fields, dwellings, and recreational uses.
Sk	Seabrook fine sand. Medium potential for most urban uses. Severe limitations for septic fields due to water table 2 to 4 feet below surface for about 4 months annually. Moderate limitations for dwellings w/o basements.
Sw	Seewee fine sand. Low urban use potential. Water table within 1 to 2 feet of surface for about 5 months annually. Severe limitations on septic fields, dwellings, & some recreation. Water table can be lowered w/ good drainage.
Wd	Wando fine sand, 0 to 6 % slopes. High urban use potential. Well suited for septic fields. Seepage could be problem near drainageways. Well suited for dwellings. Moderate limitation for recreation due to sandy texture.



POST OFFICE BOX 2149 / BEAUFORT, SOUTH CAROLINA 29901-2149
803/521/9200 803/521/2008 Engineering & Operations FAX 803/521/9203

DEAN MOSS, General Manager

May 21, 1997

Mr. James J. Collins
Thomas & Hutton Engineering
Post Office Box 14609
Savannah, Georgia 31416

Re: Colleton River Expansion

Dear Jim:

We have reviewed the preliminary master plan for Colleton River, Phase II and approve it as submitted. Water and wastewater to serve the proposed development is available.

Should you need further information, please do not hesitate to contact me.

Sincerely,

Ed Saxon, P.E.
Chief Engineer

mm

EXHIBIT I

JAMES A CARLEN, III CHAIRMAN	MICHAEL L. BELL VICE CHAIRMAN	JOHN L. BALLANTYNE, P.E. SECRETARY/TREASURER
THOMAS C. DAVIS	THADDEOUS Z. COLEMAN	CHARLENE COOLER
C. SCOTT GRABER, ESQ.	JOHN T. GRAVES	JOHN D. ROGERS

00053



May 21, 1997

Mr. Paul Simms
Colleton River Sales Office
P. O. Box 21608
Hilton Head, SC 299251608

Re: Cram Tract - North and East of Colleton River

Dear Paul:

Palmetto Electric Cooperative, Inc. has ample power available to provide service to the above-referenced location. Please provide all electrical load data, construction schedules, etc. at least ninety (90) days prior to construction to allow for proper planning on our part. There may also be aid-to-construction charges. When you have finalized your Master Plan a "cad" file will also be required.

Palmetto Electric has a very successful lighting program that we would like to discuss with you at your convenience.

If you have any questions or if I may be of further assistance, please do not hesitate to contact me.

Sincerely,

PALMETTO ELECTRIC COOPERATIVE, INC.

A handwritten signature in black ink, appearing to read "Dan", is written over the typed name of Daniel O. Wood.

Daniel O. Wood
McGarvey's District Operations Manager

DOW/jb

EXHIBIT J





Bluffton Telephone Co.
I N C O R P O R A T E D

JUNE 11, 1997

PAUL SIMMS
PROJECT MANAGER
COLLENTON RIVER PLANTATION
P.O. BOX 22989
HILTON HEAD IS., S.C. 29925

RE: COMMITMENT TO SERVE CRAM PROPERTY, CRDC INC.

MR. PAUL SIMMS

With reference to the above project, it is our desire to provide all necessary telephone facilities to accommodate your needs in accordance with our General Customer Service Tariff with an effective date of January 1, 1972.

Enclosed are three (3) original easement forms that should be included in your package to the owner/developer for completion.

The owner/developer is to complete the easement forms and attach Exhibit "A" as the legal description or a copy of the plat as recorded in the County Tax Records. This easement should be included in your return package to the Telco in order to add to our construction schedule.

Should you have any questions, concerns or comments, please do not hesitate to call me at 686-1253.

Sincerely,

Tom W. Brown
Bluffton Project Manager

TWB:md

Encl.

cc: Pat Holloway
Donnie Smith
Tom Wing

EXHIBIT K - 2 PAGES

(803) 686-1253
(803) 757-3327 FAX



P. O. BOX 346
BLUFFTON, SC 29910

PROPOSED SERVICE OR DEVELOPMENT CONSTRUCTION APPLICATION

DATE:

1. PROJECT: CRAM PROPERTY
2. PROJECT OWNER: CRDC Inc.
Address: P.O. Box 22989 N.W. Es. S.C. 29925
3. DEVELOPER: Colleton River Plantation
Address: _____ Tele # 803-837-6681
Project Manager: PAUL SIMMS
4. Total Units: Condos: _____ Lots: 308 Commercial: _____ Sq. Ft. _____
5. Proposed Start Date: _____ Proposed Completion Date: _____
6. Number of Phases: _____ Units Per Phase: _____
7. Have Site Plans Been Issued to Telco. Yes _____ No
8. The Applicant hereby understands that the following information is required by Bluffton Telephone Company, Inc., before the project is added to the construction schedule:

Water, Sewage, and Drainage Layouts
Road and Parking Layouts
Construction Schedule
Signed Easement

9. The Owner will provide a minimum 2 inch PVC conduit (schedule 40) from within 10 feet of the power meter base (MGN), to the edge of the public right-of-way. The diameter of the conduit for hotel/motel or large commercial is two (2) four (4) inch underground ducts or conduit.

Notes: CONCEPTUAL MASTER PLAN ISSUED
~~PRELIMINARY PLANS NOT FOR CONSTRUCTION.~~

Paul T. Simms 6-11-97
Project Representative Date

Thomas L. Brown 6-11-97
Tom Brown Date
Telephone Representative

RECEIVED JUL 14 1997



Bluffton Telephone Co.
I N C O R P O R A T E D

July 10, 1997

Mr. Jim Tiller
EDWARD PINCKNEY ASSOCIATES, LTD.
PO Box 5339
Hilton Head Island, SC 29938

Dear Mr. Tiller:

SUBJ: Cram Property
Colleton River Plantation
Colleton River Development Company, Inc.

Hargray CATV intends to provide all necessary cable television services to the above captioned property.

Should you have any questions, please do not hesitate to call me at (803) 686-1253.

Sincerely,


Tom W. Brown
Bluffton Project Manager

gs

EXHIBIT L

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

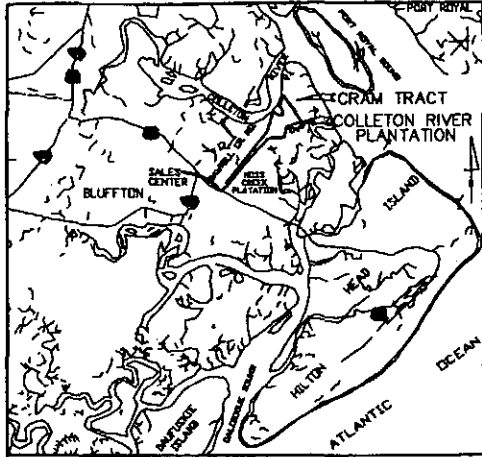
EXHIBIT M
POTENTIAL STREET NAMES

Ballybunion
Baltusrol
Bethpage
Blackwolf Run
Butler National
Canterbury
Congressional
Crystal Downs
Cypress Point
Doral
Double Eagle
Firestone
Forest Highlands
Hazeline National
Indianwood
Interlachen
Inverness
Kittansett
Lahinch
Laurel Valley

Maidstone
Merion
Midinah
Muirfield
Oak Tree GC
Oakmont
Peachtree
Pebble Beach
Pine Valley
Salem
Scioto
Shadow Creek
Shinnecock Hills
Shoal Creek
Somerset Hills
St. Andrews
Troon
Turnberry
Wentworth
Winged Foot

EXHIBIT M

F:\PROJECTS\51\50761-00\PERMITS\11x17DRNAGE.dwg Fri Oct 10 10:18:19 1997 EP/A



VICINITY MAP

STORM WATER DRAINAGE MASTER PLAN
COLLETON RIVER PHASE II
(CRAM TRACT)
BEAUFORT COUNTY, SOUTH CAROLINA

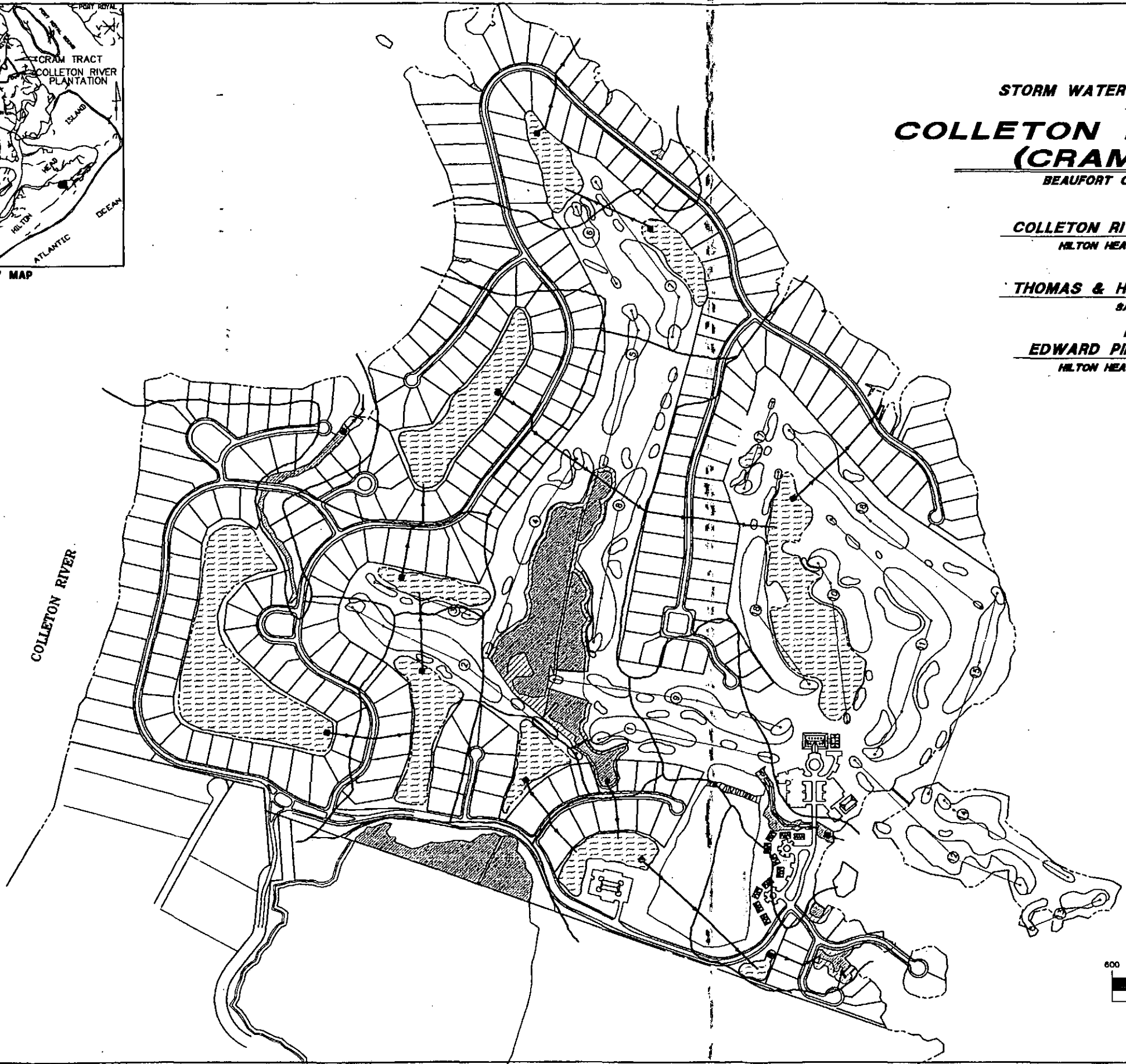
PREPARED FOR:
COLLETON RIVER DEVELOPMENT, LLC
HILTON HEAD ISLAND, SOUTH CAROLINA

PREPARED BY:
THOMAS & HUTTON ENGINEERING CO.
SAVANNAH, GEORGIA

LAND PALMERS
EDWARD PINCKNEY/ASSOC., LTD.
HILTON HEAD ISLAND, SOUTH CAROLINA

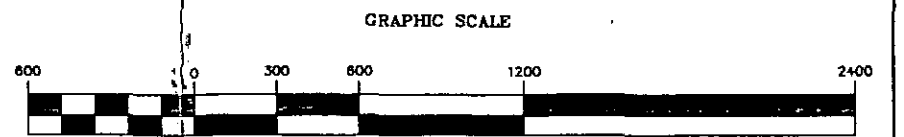
JUNE 16, 1997

COLLETON RIVER



DRAINAGE LEGEND

DRAINAGE SUB-CATCHMENT AREA	
DRAINAGE CONNECTION PIPE	
PROPOSED LAGOON	



REVISED: OCTOBER 10, 1997



Department of Health and Environmental Control

P.O. Box 587, Beaufort, SC 29901

Commissioner: Douglas E. Bryant

Board: John H. Burttis, Chairman
William M. Hull, Jr., MD, Vice Chairman
Roger Leska, Jr., Secretary

Richard E. Jabbour, DDS
Cyndi C. Moser
Brian K. Smith
Rodney L. Grandy

Promoting Health. Protecting the Environment

Bureau of Ocean and Coastal Resource Management

Christopher L. Brooks, Bureau Chief

May 22, 1997

Ms. Kristen Stinson
Thomas & Hutton Engineering Co.
PO Box 14609
Savannah, GA 31416-14609

Re: Colleton River Plantation Ph. II
Conceptual Stormwater Master Plan
Beaufort County

Dear Ms. Stinson

The staff of SCDHEC-OCRM has reviewed the draft preliminary storm drainage master plan for the above referenced project and it does meet our initial planning requirements. However, OCRM will require that a wetland master plan and a final stormwater master plan be submitted for the entire project prior to certification of the first phase of development.

The certification staff at OCRM does not object to Beaufort County proceeding with conceptual master plan review for this project; however, before any individual planning for development or before any construction may occur, the office of OCRM will require that a land disturbance permit (per S.C. Stormwater Management and Sediment Reduction Act) be obtained.

As mentioned in your preliminary storm drainage master plan, stormwater design of this project shall incorporate runoff storage standards for shellfish waters and no stormwater will be directed from any development into the Colleton River, which is classified as *Outstanding Resource Waters*. All development shall be consistent with the S.C. Stormwater and Sediment Reduction Act and the S.C. Coastal Zone Management Program. A specific sequence of construction operations must also be approved by this office prior to certification. The disposition of any archeological and/or historic areas on the site shall be addressed prior to the issuance of any land disturbance permits. If you have any questions or comments regarding this review, please do not hesitate to contact our office.

Sincerely,

Billy Webster
Engineer Associate III

EXHIBIT O



00060

THOMAS & HUTTON ENGINEERING CO.

3 OGLETHORPE PROFESSIONAL BOULEVARD
POST OFFICE BOX 14609
SAVANNAH, GEORGIA 31416-1609
TELEPHONE (912) 355-5300
FAX (912) 355-7562

July 3, 1997

Mr. Robert Klink, P.E.
Beaufort County Engineer
Beaufort County Development Division
Post Office Drawer 1228
Beaufort, SC 29901-1228

RE: Colleton River Plantation Phase II
Storm Drainage Master Plan

Dear Bob:

On behalf of our client, Colleton River Development Co., L. L. C., please find enclosed a preliminary Storm Drainage Master Plan for Colleton River Plantation Phase II. The project is located adjacent to Colleton River Plantation near Bluffton on 502 acres as shown on the attached vicinity map. The project is being submitted to Beaufort County for a preliminary planned unit development application. The enclosed master plan depicts a project which will eventually consist of approximately 310 single family units, an eighteen (18) hole golf course, golf clubhouse, and club facilities.

In an effort to reduce runoff to Outstanding Resource Waterways, no stormwater runoff generated by development of the site will be directed to the Colleton River. Storm drainage from the site will be filtered through a series of proposed lagoons prior to outfalling to the marshes of the Chechessee River. The river carries the Shellfish Harvesting stream classification (SFH) as determined by DHEC. Portions of this project, falling within the Beaufort County River Corridor Overlay District, will follow all provisions of the Development Standards Ordinance as it relates to drainage system design. As always, best management practices will be utilized to meet pollutant concentration levels required by DHEC Water Quality and OCRM prior to discharge into the marshes of the Chechessee River.

The northwestern most wetland will drain separately from the lagoon system to the marsh. Five (5) lagoons will be connected together with a system of pipes and drop structures. The system will drain into the eastern most lagoon where it will be retained before being discharged to the marsh. The two (2) northern most lagoons will be connected with a separate outfall to the northeast. The large buffered wetland in the middle of the property and the lagoon just to the left will drain to the remaining two (2) lagoons, on the south end of the property outfalling to a buffered wetland. The wetlands and lagoons will be tied together with a series of pipes and drop structures.

EXHIBIT P - 2 PAGES

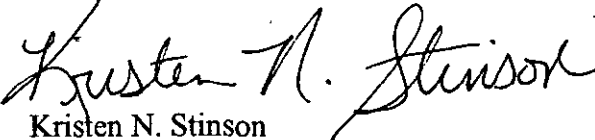
Mr. Robert Klink, P.E.
Beaufort County Engineer
Beaufort County Development Division
July 3, 1997
Page Two

We have conducted a preliminary pond routing for the twenty five (25) year storm for the project using the ICPR program developed by Streamline Technologies. The results of the routing indicate the lagoons as they are shown on the master plan provide ample storage for the project. We will submit the results of the final hydraulic routing analysis to your office for review prior to submitting a final development permit application for any phase of the project. We are requesting a letter from the Engineering Department at this time indicating any comments you office may have for this project.

If you have any questions or comments, please contact our office.

Sincerely,

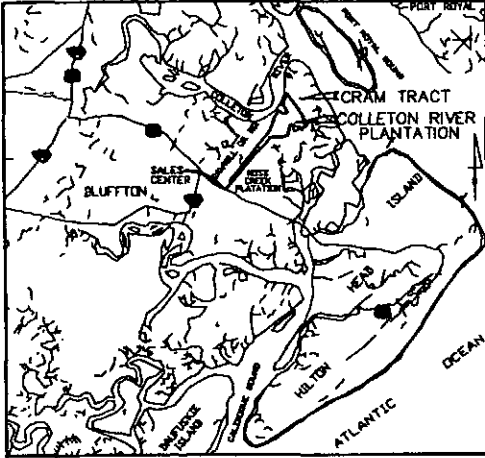
THOMAS & HUTTON ENGINEERING CO.


Kristen N. Stinson

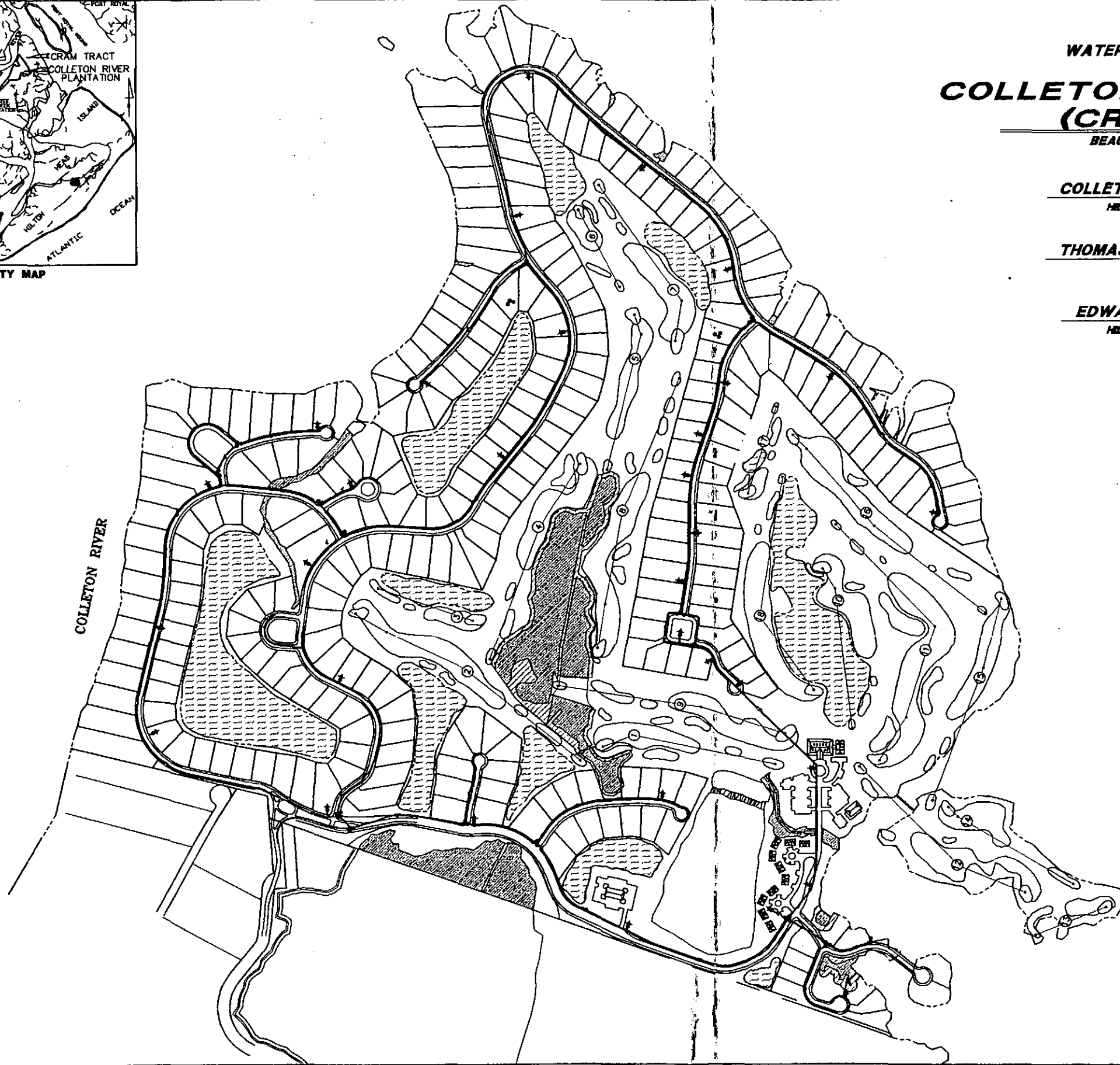
KNS/mjd

Enclosure

cc: Mr. Paul Sims



VICINITY MAP



WATER DISTRIBUTION MASTER PLAN COLLETON RIVER PHASE II (CRAM TRACT)

BEAUFORT COUNTY, SOUTH CAROLINA

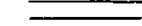


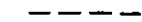
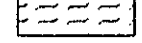
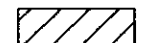
PREPARED FOR:
COLLETON RIVER DEVELOPMENT, LLC
HILTON HEAD ISLAND, SOUTH CAROLINA

PREPARED BY:
THOMAS & HUTTON ENGINEERING CO.
SAVANNAH, GEORGIA

LAND PALANNERS
EDWARD PINCKNEY/ASSOC., LTD.
HILTON HEAD ISLAND, SOUTH CAROLINA

JUNE 13, 1997

LEGEND

-  WATER MAIN
-  VALVE & BOX
-  FIRE HYDRANT W/6" VALVE & BOX
-  2"Ø WATER LINE
-  LAKES
-  FRESHWATER WETLANDS

GRAPHIC SCALE



REVISED: OCTOBER 10, 1997



Low Country District
Environmental Quality Control
1313 Thirteenth Street
Port Royal, SC 29935
803-522-9097 Fax: 803-522-8463

Serving
Beaufort, Colleton,
Hampton and Jasper Counties

May 14, 1997

Mr. Jim Collins
Thomas & Hutton Engineering Co.
Post Office Box 14609
Savannah, Georgia 31416-1609

RE: Cram Tract
Beaufort County

Dear Jim:

I am in receipt of your request for preliminary approval of water and sewer service to the proposed development. As stated in your letter, the proposed development consists of an 18 hole golf course, golf clubhouse, club facilities and 310 single family residential units on 502 acres.

Provided that the Beaufort Jasper Water & Sewer Authority has the capacity and is willing to provide water and sewer service, conceptual approval could be given. As you know, appropriate permits would have to be issued prior to the initiation of any construction of water or sewer lines. This preliminary approval does not mean that construction permits would be issued.

Should you have any questions or require any additional information, please let me know.

Sincerely,

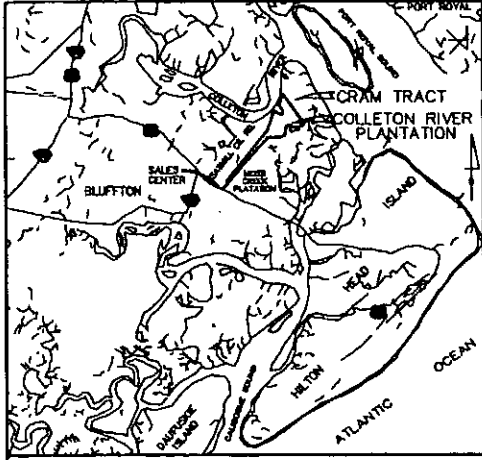
Penny Cornett
District Engineer
Environmental Quality Control
Low Country District EQC

cc: Russell Berry

EXHIBIT R

00064

F:\PROJECTS\61\50761-00\PERMITS\1x17SEWER.dwg Fri Oct 10 10:47:51 97 EP/A



VICINITY MAP

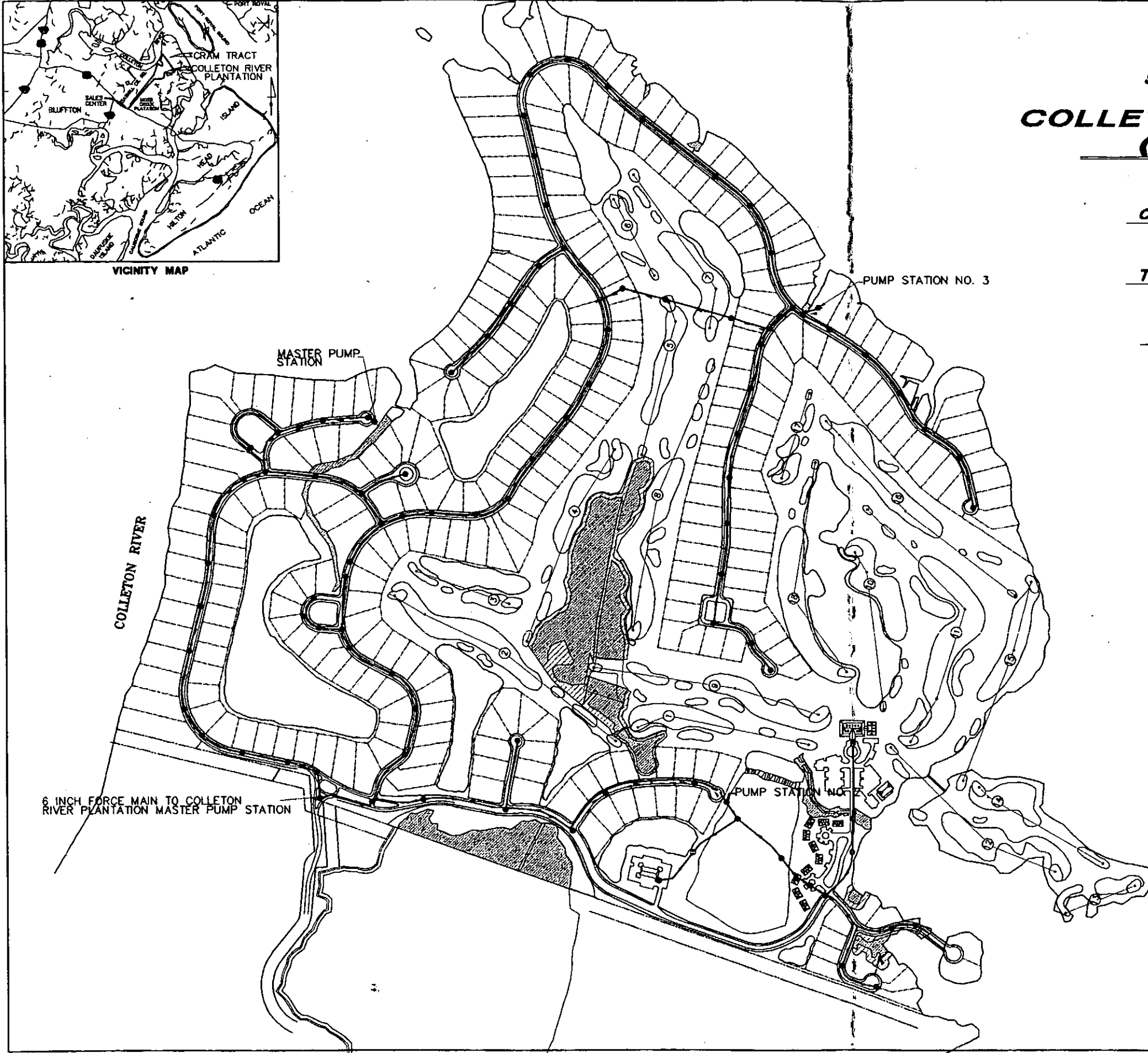
SEWER DISTRIBUTION MASTER PLAN
COLLETON RIVER PHASE II
(CRAM TRACT)
BEAUFORT COUNTY, SOUTH CAROLINA

PREPARED FOR:
COLLETON RIVER DEVELOPMENT, LLC
HILTON HEAD ISLAND, SOUTH CAROLINA

PREPARED BY:
THOMAS & HUTTON ENGINEERING CO.
SAVANNAH, GEORGIA

LAND PALMERS
EDWARD PINCKNEY/ASSOC., LTD.
HILTON HEAD ISLAND, SOUTH CAROLINA

JUNE 10, 1997



LEGEND

- 8" GRAVITY SEWER LINE
- FORCE MAIN
- MANHOLE
- ◆ PUMP STATION
- ▭ FRESHWATER WETLAND
- ▭ LAKES

GRAPHIC SCALE



REVISED: OCTOBER 10, 1997

EXHIBIT S

00065

**BEAUFORT COUNTY DEVELOPMENT STANDARDS ORDINANCE
- FIRE SAFETY STANDARDS APPROVAL FORM -**


APPLICANT (DEVELOPER) NAME, Colleton River Development Co., LLP P.O. Box 23619 Hilton Head Island, SC 29925		ADDRESS	ZONE: RDD
		PHONE # 803-689-3131	
PROJECT NAME Colleton River Plantation Phase II		TYPE Preliminary PUD	LOCATION Foot Point Plantation near Bluffton
TAX MAP # 025	PARCEL # 0002	# LOTS/UNITS 310	DENSITY N/A
LAND AREA 502 Acres	BUILDING AREA N/A	HEIGHT (FINISHED GRADE TO ROOF EAVES) N/A	
NUMBER OF BUILDINGS N/A		HEIGHT (FINISHED GRADE TO BOTTOM OF HIGHEST WINDOW) N/A	
FIRE DISTRICT Bluffton		FIRE OFFICIAL Clay M. Graves	
PROPOSED WATER SUPPLY SYSTEM BJWSA/Bluffton		ACCESS/ROADS/PARKING SURFACING Paved	
BASED ON A REVIEW OF THE SITE PLAN AND INFORMATION SUBMITTED BY THE APPLICANT, I HEREBY			
✓ APPROVE " APPROVE WITH CONDITIONS " DISAPPROVE			
 (FIRE OFFICIAL)		✓ PRELIMINARY " FINAL	
June 10, 1997 (DATE)			
CONDITIONS: <i>PRELIMINARY APPROVAL ONLY, NO CONSTRUCTION AT THIS TIME.</i>			
CERTIFICATIONS OF COMPLIANCE			
DATE INSPECTION WAS REQUESTED		D.S.O. PERMIT #	
BASED ON AN INSPECTION OF THE SUBJECT PROJECT			
" THE FOLLOWING DEFICIENCIES OR CORRECTIONS ARE NOTED AND MUST BE ADDRESSED:			
" THE COMPLETED PROJECTS IS IN COMPLIANCE WITH THE FIRE SAFETY STANDARDS OF THE DEVELOPMENT STANDARDS ORDINANCE.			
_____ (FIRE OFFICIAL)		_____ (DATE)	

EXHIBIT T



*Colleton River
Plantation*

June 18, 1997

SENT VIA FAX: 757-4046

Mr. Trew Martin
Waste Management of the Low Country
P.O. Box 1180
Bluffton, SC 29910

Dear Mr. Martin:

RE: COLLETON RIVER PLANTATION PHASE II

This will letter will serve as written notice that we understand Waste Management of the Low Country will service a new residential community to be developed adjacent to Colleton River Plantation, referred to as Colleton River Plantation Phase II. Waste Management is already servicing residents of Colleton River Plantation.

Your signature below will signify agreement of the above. Please fax reply to our office at, 837-6794. Thank you for your cooperation in this matter. If you have any questions, please do not hesitate to contact me directly.

Sincerely,

Sue Ade

Sue Ade
Office Manager

Agreed by *Trew Martin* Date: 6/20/97
Trew Martin
Waste Management of the Low Country

cc: Mr. Paul T. Sims
Colleton River Plantation Phase II
Project Manager

BROCKINGTON AND ASSOCIATES, INC.

CONSULTING ARCHAEOLOGISTS, HISTORIANS, AND PRESERVATION PLANNERS

21 July 1997

Mr. Paul Sims
Colleton River Realty
2 Colleton River Drive
Bluffton, SC 29910

Re: Archaeological Testing of 38BU1706, Beaufort County, South Carolina

Dear Mr. Sims:

On 16-17 July 1997, Brockington and Associates, Inc. conducted archaeological testing at 38BU1706, Beaufort County, South Carolina. Site 38BU1706 was originally identified during a survey of the Cram Tract by Brockington and Associates, Inc. in 1996 (Rust and Harvey 1997). Archaeological testing at 38BU1706 by Brockington and Associates, Inc. in January of 1997 produced evidence of cultural features on the site and was subsequently recommended eligible for the National Register of Historic Places (NRHP). Due to non-concurrence by the State Historic Preservation Office (SHPO), 38BU1706 was revisited by Brockington and Associates, Inc. in July 1997 to determine its true NRHP eligibility.

Site 38BU1706 is a small (30 m by 60 m) scatter of prehistoric (Middle/Late Woodland) ceramics and shell overlooking a small unnamed slough. During the January 1997 testing activities, reduced interval shovel testing (n=32) and mechanical scraping (34 m²) were initiated. During this mechanical scraping, a possible post hole was identified. Based on the presence of a possible cultural feature, this site was recommended eligible for the NRHP. In July of 1997, Brockington and Associates conducted more intense mechanical scraping (115 m²) of the site in order to determine whether additional features exist. In total, approximately eight percent of 38BU1706 (150 m²) has been mechanically excavated to subsoil. This scraping activity failed to produce evidence of cultural features or intact shell deposits. The possible post hole identified by Rust and Harvey (1997) likely represents a natural feature.

Intensive mechanical scraping and reduced interval shovel testing at 38BU1706 have failed to produce evidence of intact archaeological deposits and/or cultural features. Given the lack of intact deposits/features, this site lacks the ability to address research questions considered important for the region. Site 38BU1706 is recommended not eligible for the NRHP. No further management consideration is recommended for this archaeological site.

ATLANTA

8980 UNITY DRIVE, SUITE A
NORCROSS, GEORGIA 30071
770-662-0807 • Fax 770-662-5024

MEMPHIS

THE EXCHANGE BUILDING
9 NORTH SECOND STREET, SUITE 102
MEMPHIS, TENNESSEE 38103
901-527-3237 • FAX 901-527-3813

CHARLESTON

1051 JOHNNIE DODDS BOULEVARD, SUITE F
MY. PLEASANT, SOUTH CAROLINA 29454
803-881-2128 • FAX 803-848-1776

EXHIBIT V - 2 PAGES

ORIGINAL DOCUMENT
POOR CONDITION OR CONTRAST

00068

The results of these investigations will be included in the original survey/testing report and resubmitted for your review. If you have any questions or comments regarding this information, please feel free to contact me (or Eric Poplin) at (803) 881-3128. I will contact Mr. Neils Taylor at the SHPO regarding the results of this testing.

Sincerely,



Todd McMakin
Archaeologist

COLLETON RIVER PLANTATION PHASE II
PRELIMINARY MASTER PLAN

B. APPENDICES

FROM THE BEAUFORT COUNTY DSO:

ARTICLE IV - REQUIREMENTS BY DISTRICT

ARTICLE V - SITE DESIGN AND DEVELOPMENT STANDARDS

ARTICLE IV

REQUIREMENTS BY DISTRICT

Section 4.1 CPD - Conservation Preservation District

The Conservation Preservation District for Beaufort County consists of all wetland areas delineated on Official Zoning Maps and more specifically defined as:

(A) Any salt, brackish, or fresh water marsh, bog, swamp, lake, pond, meadow, flat or other area subject to tidal flow, whether or not the tidewater reaches the area naturally or through artificial water courses; and

(B) Any other areas upon which exist a natural community of one or more of the following marsh grass indications of tidal influence: *spartina alterniflora*, *spartina patenas*, and *Juncus romerianus*; and

(C) Any natural land-locked bogs, swamps, lakes, ponds, sinks, or low-lying areas determined to be unique or important wildlife habitats, or possess unique scenic and recreational value. The Development Review Team may call upon the advice of various Federal or State agencies involved in wetlands preservation in making such determination; and

(D) Any land designated as a wildlife refuge, bird sanctuary, or open land trust by various National, State or local governments, preservation groups, or agencies.

Section 4.1.1 Permitted Uses

The following uses shall be permitted in Conservation Districts:

- (A) Government nature preserves; and/or
- (B) Breeding bird and endangered species habitat; and/or
- (C) Private dock or boat house; and/or
- (D) Boat marina; and/or
- (E) Bait house; and/or
- (F) Shoreline protection areas including permitted bulkhead and erosion control devices;
and/or
- (G) Site or structures acknowledged by County Council to be of historical significance;
and/or

APPENDIX A

(H) Cemetery, with or without chapel, providing that such use includes no crematorium or dwelling unit other than for a caretaker; and/or

(I) Wildlife refuge, including one-family or two-family dwelling units limited to caretakers employed to maintain and protect the refuge; and/or

(J) Activities related to soil and water conservation, measurement, and control; and/or

(K) Public utility line(s), fire or water tower or substation; and/or

(L) Publicly owned and/or operated park, open space, recreational facility or use, and the equipment necessary for servicing such use; and/or

(M) A temporary office and/or storage building during a project involving construction but not to be used as a dwelling with the removal of same within 30 days upon completion of the project.

Section 4.1.2

Other Requirements

Uses permitted in the Conservation Preservation District shall be required to conform to the following standards:

(A) Conservation District Preservation. No conservation district shall be disturbed or altered in any manner except as provided for in Subsection (B) and (C).

(B) Water Related Development Activities. Special exception to the provisions of Subsection (A) is hereby given for the construction of certain water-related development activities in the Conservation District for which valid permits have been issued by appropriate State and Federal agencies having permitting authority over such activities. Such uses will normally include docks, wharfs, piers, marinas, bulkheads and erosion control devices.

In granting this special exception, Beaufort County does hereby reserve the right to impose the provisions of Section (A) where it is determined that the permitting of such activity by another agency is inconsistent with adopted goals and regulations of Beaufort County aimed at preserving environmental quality.

(C) Site Alteration/Disturbance. Beaufort County recognizes that not all wetlands may possess unique scenic, recreational, or wildlife habitat value or that certain wetlands, when improved, may result in enhanced scenic, recreational and wildlife habitat value.

The County may approve alteration of wetlands as a special permit condition, specifying the manner and extent of alteration permitted, based on evaluation of the affected wetland by agencies and experts deemed appropriate by the County.

(D) Disruption of Tidal Flow. No structures which impede natural tidal flow and have

the effect of reducing the quantity and frequency of water reaching marsh areas will be permitted except as approved in conjunction with nature and related uses.

Section 4.2

RDD - Rural Development District

Section 4.2.2

Permitted Uses

The following uses shall be permitted in any Rural Development District:

- (A) Any single-family or multi-family residential use at a density not exceeding four (4) dwelling units per net acre of land. For a definition of "Net Acre" see Section 10.2
- (B) Farm or establishment for the growing, care, processing, packing and handling of field crops, truck gardening products, fruit and/or nut trees, poultry and/or animals and livestock and includes aquaculture.
- (C) Tree farm, timber area, or forest management area.
- (D) Horticultural nursery.
- (E) Church, cemetery, religious, eleemosynary, semi-public philanthropic institution or camp.
- (F) Club, lodge, grange, union hall, community center or social center.
- (G) Any publicly owned and operated building, facility or land.
- (H) Unlighted, regulation size or par-three golf course.
- (I) Docks, boat marina, boat house.
- (J) Airfield, together with subordinate uses.
- (K) Wildlife refuge including caretakers' dwellings and associated facilities.
- (L) Radio and television station.
- (M) Utility lines, substations, switching stations, pump stations and treatment plants.
- (N) Customary home occupations established under the provisions of Section 5.3.
- (O) Schools, private or public; day care centers; child nurseries.
- (P) Public or private health care homes or nursing homes.

(Q) A horse riding school and/or horse training facility provided the site contains minimum of three (3) acres and provided that there shall be a minimum area of one (1) acre for the first one (1) to two (2) horses approved for the facility, plus an additional one-half (1/2) acre for each additional horse approved for the facility. Stalls or stable areas should be one hundred forty-four (144) square feet for each horse.

(R) A solid waste transfer facility, site and accessory uses, including a recycling center, provided such facility is one hundred (100) feet or greater from any residential building and it meets the development standards of this Ordinance.

(S) A temporary office and/or storage building during a project involving construction but not to be used as a dwelling with the removal of same within 30 days upon project completion.

Section 4.2.3 Conditional Uses

(A) Seafood or shellfish packaging and processing shall be permitted in a Rural Development District provided that the following conditions are met:

(1) There shall be a setback of one-hundred fifty (150) feet from the perimeter of any residential zone or Planned Unit Development District.

(2) All packaging and/or processing of seafood, shellfish, or sea plants shall meet the provisions of Section 5.2.11 of this Ordinance as related to odor, noise, smoke, or waste disposal, etc.

(B) Wastewater/Sewage Sludge Disposal shall be permitted in a Rural Development District provided a Land Application Permit for sludge disposal is granted by the South Carolina Department of Health and Environmental Control in accordance with the Land Application of Sludge Guidance Manual, dated December 1987; the Water Classification and Standards, State of South Carolina, Regulation 6168; and the Classification of Waters, State of South Carolina Regulation 6169, dated June 28, 1985.

(C) Mineral extractions - sand, clay, gravel with adequate screening as provided for in this Ordinance.

(D) Telecommunications Towers Conditional Use. Telecommunications (transmission and receiving) towers provided the site plan complies with the requirements of Section 5.2.9(F); provided towers under two hundred (200) feet are painted silver or gray or retain galvanized finish in order to camouflage against the sky (unless the Federal Aviation Administration imposes other requirements); and provided no strobe lights are used (unless required by the FAA).

Section 4.2.4 Other Requirements - Setbacks

(A) Minimum Front Yard Setback. Thirty-five (35) feet major thoroughfare four-lane fifty (50) feet. Major thoroughfare two-lane: seventy-five (75) feet.

(B) Minimum Side Yard Setback. Ten (10') feet.

(c) Minimum Rear Yard Setback. Ten (10') feet.

Section 4.3

DD - Development District

Section 4.3.1

Permitted Uses

The following uses shall be permitted in any Development District:

(A) Any single-family or multi-family residential use at a density not exceeding four (4) dwelling units per net acre of land. For a definition of "Net Acre" see Section 10.2

(B) Farm or establishment for the growing care and handling of field crops, truck gardening products, fruit and/or trees, poultry and/or farm animals and livestock and aquaculture.

(C) Tree farm, timber area, or forest management.

(D) Horticultural nursery.

(E) Church, cemetery, religious, eleemosynary, semi-public, philanthropic institution or camp.

(F) Private or semi-private club, lodge, grange, union hall, community center or social center.

(G) Animal hospital, veterinary clinic, boarding facility, and/or kennel, provided any structure shall be no closer than two hundred (200') feet to any residential zoning district perimeter or residential dwelling; provided all boarding arrangements are maintained within the facility and such noise as will be audible from the use of outside runs or exercise areas be kept to a minimum.

(H) Any publicly owned and operated building, facility or land.

(I) Regulation size or par-three golf course.

(J) Private docks, boat marina, boat house or gazebo.

(K) Airfield, together with subordinate uses.

(L) Radio and television stations.

(M) Utility lines, substations, switching stations, pump stations and treatment plants.

(N) Customary home occupations established under the provisions of Section 5.3.

(O) Hospitals and health clinics.

(P) Schools, private and public; day care centers; child nurseries.

(Q) Public or private health care homes or nursing homes.

(R) Non-commercial recreation areas including swimming pools; amusements parks providing a variety of entertainment provided the same is carried out on premises of not less than ten (10) acres in area.

(S) A horse riding school and/or horse training facility provided the site contains a minimum of three (3) acres and provided that there shall be a minimum area of one (1) acre for the first one (1) to two (2) horses approved for the facility, plus an additional one-half (1/2) acre for each additional horse approved for the facility. Stalls or stable areas should be one hundred forty-four (144) square feet for each horse.

(T) Platted patio lots as a part of a subdivision whereon the location of a building on an individual lot is in such a manner that one or more of the building's sides rest directly on or close to a lot line, thus creating a zero lot line(s).

(U) A temporary office and/or storage building during a project involving construction but not to be used as a dwelling with the removal of same within 30 days upon project completion.

Section 4.3.2 Conditional Uses

The following uses may be permitted on a conditional basis in any Development District:

(A) Residential Conditional Use. Any single-family or multi-family residential use at a density not exceeding eight (8) units per net acre of land providing that water and sewer service is available from a source other than individual well or septic tank. For a definition of "Net Acre" see Section 10.2

(B) Planned Unit Development Conditional Use. Any single use or combination of mixed uses except industrial, subject to the guidelines, standards and submission requirements established in Section 4.13 Planned Unit Development, provided that:

(1) Commercial use does not exceed twenty percent (20%) of the total development acreage.

(2) Commercial uses shall be those permitted in the Neighborhood Commercial District but may include restaurants, lodging establishments and/or a shopping center.

(C) Seafood Conditional Use. Seafood or shellfish packaging and processing shall be permitted in a Development District provided that the following conditions are met:

(1) There shall be a setback of one-hundred fifty (150') feet from the perimeter of any residential zone or Planned Unit Development District.

(2) All packaging and/or processing of seafood, shellfish, or sea plants shall meet the provisions of Section 5.2.11 of this Ordinance as related to odor, noise, smoke, or waste disposal, etc.

(D) Telecommunications Towers Conditional Use. Telecommunications (transmission and receiving) towers provided the site plan complies with the requirements of Section 5.2.9(F); provided towers under two hundred (200') feet are painted silver or gray or retain galvanized finish in order to camouflage against the sky (unless the Federal Aviation Administration imposes other requirements); and provided no strobe lights are used (unless required by the FAA).

(E) Campgrounds and Recreational Vehicle Parks provided that:

(1) No site or structure shall be continuously occupied for more than fourteen (14) days. Any tent, camper, or recreational vehicle shall be physically removed on or before the expiration of fourteen (14) days.

(2) No overflow camping shall be allowed. When a campground/RV Park is full, no more campers or vehicles shall be permitted on the grounds.

(3) The campground shall have a minimum size of twenty (20) acres. The maximum size campground shall not exceed fifty (50) acres on any single parcel.

(4) All permanent structures including cabins in a campground shall be limited to single-story structures in height.

(5) No more than eight (8) campsites/RV sites or camping structures including cabins shall be permitted per net-acre in any campground.

(6) Not less than thirty (30%) percent of all campgrounds/RV Parks shall consist of open space which shall contain no camp/RV sites and/or structures.

(7) All campgrounds and recreational vehicle parks in Beaufort County shall be in compliance with the Rules and Regulations Governing Camps of the South Carolina Department of Health and Environmental Control and have a valid permit from same for operation.

(F) Animal hospital, veterinary clinic, boarding facility, and/or kennel, provided any structure shall be no closer than two hundred (200') feet to any residential zoning district perimeter or residential dwelling; provided all boarding arrangements are maintained within the facility and such noise as will be audible from the use of outside runs or exercise areas be kept to a minimum.

Section 4.3.2.4

Lighted Golf Courses

(A) Lighting shall be allowed on golf courses that do not exceed 2,000 yards per 9 holes upon review of the County Engineer and the Planning Staff to determine the effect on surrounding properties, and

(B) Ensure no adverse impact upon adjoining residents and public roads.

Section 4.3.3 **Other Requirements - Setbacks**

(A) Minimum Front Yard Setback. Thirty-five (35') feet. Major thoroughfare four-lane: fifty (50') feet. Major thoroughfare two-lane: seventy-five (75') feet.

(B) Minimum Side Yard Setback. Ten (10') feet.

(C) Minimum Rear Yard Setback. Ten (10') feet.

Section 4.4 **GR-4 - General Residential District-4**

Section 4.4.1 **Permitted Uses**

The following uses shall be permitted in any General Residential District-4.

(A) Single-family and multi-family residential dwellings not to exceed four (4) dwelling units per net acre.

(B) Farm or establishment for the growing, care and handling of field crops, truck gardening products, fruit and/or nut trees and includes aquaculture.

(C) Tree farm, timber area, or forest management area.

(D) Horticultural nursery.

(E) Church, cemetery, or religious institution.

(F) Community center or social center.

(G) Private docks, boat marina, boat houses as an accessory to the resident dwelling.

(H) Customary home occupations established under the provisions of Section 5.3.

(I) Schools, private or public, day care centers and child nurseries.

(J) Utility lines, substations, switching stations, pump stations.

(K) Public or private emergency facilities such as fire stations, ambulance stations, or evacuation centers.

(L) Unlighted regulation-size or par-three golf courses.

(M) Platted patio lots as a part of a subdivision whereupon the location of a building on an individual lot is in such a manner that one or more of the building's sides rests directly on or close to a lot line, thus creating a zero lot line(s).

(N) A temporary office and/or storage building during a project involving construction but not be used as a dwelling with the removal of same within 30 days upon project completion.

Section 4.4.2 **Other Requirements - Setbacks**

(A) **Minimum Front Yard Setback.** Thirty-five (35') feet. Major thoroughfare four-lane: fifty (50') feet. Major thoroughfare two-lane: seventy-five (75') feet.

(B) **Minimum Side Yard Setback.** Ten (10') feet.

(C) **Minimum Rear Yard Setback.** Ten (10') feet.

Section 4.5 **GR-8 - General Residential District-8**

Section 4.5.1 **Permitted Uses**

~~The following uses shall be permitted in any General Residential District-8.~~

(A) ~~Any single-family and multi-family residential dwellings not to exceed eight (8) dwelling units per net acre. For a definition of "Net Acre" see Section 10.2.~~

(B) Farm or establishment for the growing, care and handling of field crops, truck gardening products, fruit and/or nut trees and includes aquaculture.

(C) Tree farm, timber area, or forest management area.

(D) Horticultural nursery.

(E) Church, cemetery, or religious institution.

(F) Community center or social center.

(G) Private docks, boat marina, boat houses as an accessory to the resident dwelling.

(H) Customary home occupations established under the provisions of Section 5.3.

(I) Schools, private or public, day care centers and child nurseries.

(J) Utility lines, substations, switching stations, pump stations.

(K) Public or private emergency facilities such as fire stations, ambulance stations, evacuation centers.

(L) Unlighted regulation-size or par-three golf courses.

(M) Platted patio lots as a part of a subdivision whereupon the location of a building on an individual lot is in such a manner that one or more of the building's sides rests directly on or close to a lot line, thus creating a zero lot line(s).

(N) A temporary office and/or storage building during a project involving construction but not to be used as a dwelling with the removal of same within 30 days upon project completion.

Section 4.5.2 Other Requirements - Setbacks

(A) Minimum Front Yard Setback. Thirty-five (35') feet. Major thoroughfare four-lane: fifty (50') feet. Major thoroughfare two-lane: seventy-five (75') feet.

(B) Minimum Side Yard Setback. Ten (10') feet.

(C) Minimum Rear Yard Setback. Ten (10') feet.

Section 4.6 GR-12 - General Residential District-12

Section 4.6.1 Permitted Uses

The following uses shall be permitted in any General Residential District-12.

(A) Any single-family and multi-family residential dwellings not to exceed twelve (12) dwelling units per net acre. For a definition of "Net Acre" see Section 10.2.

(B) Farm or establishment for the growing, care and handling of field crops, truck gardening products, fruit and/or nut trees and includes aquaculture.

(C) Tree farm, timber area, or forest management area.

(D) Horticultural nursery.

(E) Church, cemetery, or religious institution.

(F) Community center or social center.

(G) Private docks, boat marina, boat houses as an accessory to the resident dwelling.

(H) Customary home occupations established under the provisions of Section 5.3.

- (I) Schools, private or public, day care centers and child nurseries.
- (J) Utility lines, substations, switching stations, pump stations.
- (K) Public or private emergency facilities such as fire stations, ambulance stations, or evacuation centers.
- (L) Unlighted regulation-size or par-three golf courses.
- (M) Platted patio lots as a part of a subdivision whereupon the location of a building on an individual lot is in such a manner that one or more the building's sides rests directly on or close to a lot line, thus creating a zero lot line(s).
- (N) A temporary office and/or storage building during a project involving construction but not to be used as a dwelling with the removal of same within 30 days upon project completion.

Section 4.6.2 Other Requirements - Setbacks

- (A) Minimum Front Yard Setback. Thirty-five (35') feet.
Major thoroughfare four-lane: fifty (50') feet. Major thoroughfare two-lane: seventy-five (75') feet.
- (B) Minimum Side Yard Setback. Ten (10') feet.
- (C) Minimum Rear Yard Setback. Ten (10') feet.

Section 4.7

GR-16 - General Residential District-16

Section 4.7.1

Permitted Uses

The following uses shall be permitted in any General Residential District-16.

(A) Any single-family and multi-family residential dwellings not to exceed sixteen (16) dwelling units per net acre. For a definition of "Net Acre" see Section 10.2.

(B) Farm or establishment for the growing, care and handling of field crops, truck gardening products, fruit and/or nut trees and includes aquaculture.

(C) Tree farm, timber area, or forest management area.

(D) Horticultural nursery.

(E) Church, cemetery, or religious institution.

(F) Community center or social center.

(G) Private docks, boat marina, boat houses as an accessory to the resident dwelling.

(H) Customary home occupations established under the provisions of Section 5.3.

(I) Schools, private or public, day care centers and child nurseries.

(J) Utility lines, substations, switching stations, pump stations.

(K) Public or private emergency facilities such as fire stations, ambulance stations, or evacuation centers.

(L) Unlighted regulation-size or par-three golf courses.

(M) Platted patio lots as a part of a subdivision whereupon the location of a building on an individual lot is in such a manner that one or more the building's sides rests directly on or close to a lot line, thus creating a zero lot line(s).

(N) A temporary office and/or storage building during a project involving construction but not to be used as a dwelling with the removal of same within 30 days upon project completion.

Section 4.7.2

Other Requirements - Setbacks

(A) Minimum Front Yard Setback. Thirty-five (35') feet.
Major thoroughfare four-lane: fifty (50') feet. Major thoroughfare two-lane: seventy-five (75')

feet

(B) Minimum Side Yard Setback. Ten (10') feet.

(C) Minimum Rear Yard Setback. Ten (10') feet.

Section 4.8

GR-20 - General Residential District-20

Section 4.8.1

Permitted Uses

The following uses shall be permitted in any General Residential District-20.

(A) Any single-family and multi-family residential dwellings not to exceed twenty (20) dwelling units per net acre. For a definition of "Net Acre" see Section 10.2.

(B) Farm or establishment for the growing, care and handling of field crops, truck gardening products, fruit and/or nut trees and includes aquaculture.

(C) Tree farm, timber area, or forest management area.

(D) Horticultural nursery.

(E) Church, cemetery, or religious institution.

(F) Community center or social center.

(G) Private docks, boat marina, boat houses as an accessory to the resident dwelling.

(H) Customary home occupations established under the provisions of Section 5.3.

(I) Schools, private or public, day care centers and child nurseries.

(J) Utility lines, substations, switching stations, pump stations.

(K) Public or private emergency facilities such as fire stations, ambulance stations, or evacuation centers.

(L) Unlighted regulation-size or par-three golf courses.

(M) Platted patio lots as a part of a subdivision whereupon the location of a building on an individual lot is in such a manner that one or more the building's sides rests directly on or close to a lot line, thus creating a zero lot line(s).

(N) A temporary office and/or storage building during a project involving construction but not to be used as a dwelling with the removal of same within 30 days upon project completion.

Section 4.8.2

Other Requirements - Setbacks

(A) Minimum Front Yard Setback. Thirty-five (35) feet.
Major thoroughfare four-lane: fifty (50') feet. Major thoroughfare two-lane: seventy-five (75') feet.

(B) Minimum Side Yard Setback. Ten (10') feet.

(C) Minimum Rear Yard Setback. Ten (10') feet.

Section 4.9

NPD - Neighborhood Preservation District

Section 4.9.1

Permitted Uses

The following uses shall be permitted in any Neighborhood Preservation District:

(A) Single-family dwelling.

(B) Unlighted, regulation size or par-three golf courses.

(C) Tree farm, timber area, or forest management area.

(D) Horticultural nursery including the sale of plants, trees, bushes, and shrubbery.

(E) Farm or establishment for the growing, care and harvesting of field crops and vegetables, but not including processing and packing of such products nor the commercial raising, care and processing of poultry or swine, cattle, goats, and sheep.

(F) Customary home occupations subject to the provisions contained in the Home Occupation Section of this Ordinance.

(G) Public park, playground or other public outdoor recreation facility.

(H) Cemetery, provided that such use does not include a funeral home or crematorium.

(I) Church, synagogue, temple and other places of worship provided that such use is housed in a permanent structure.

(J) Public and private schools, kindergartens, day care centers and nurseries.

(K) Fire stations and other public emergency service facilities.

(L) Horses for private use may be permitted in any Neighborhood Preservation District

(NPD). provided that the lot shall have a minimum width of one hundred (100') feet and a minimum area of one (1) acre for the first one and two horses approved for the lot, plus an additional one-half (1/2) acre for each additional horse approved for the lot. Lots originally platted less than one (1) acre may not be combined for the purpose of meeting the minimum area requirements set forth herein. Lots on which this use is granted and the horses and related structures thereon must be maintained as follows:

(1) The lot must be designed and maintained to drain so as to prevent ponding and propagation of insects;

(2) The lot must be designed and maintained so as to prevent the pollution, by drainage, of adjacent streams and other water bodies;

(3) The premises must be maintained by keeping manure piles in covered containers at least fifty (50') feet from any dwelling or pool, patio or other recreational structure on an adjoining lot and at least twenty-five (25') feet from any property line, but notwithstanding any other provision contained in this Ordinance having requirements for covered containers;

(4) The premises must be maintained in a sanitary condition through the proper use of lime and pesticides;

(5) All manure must be removed at least twice weekly so as to prevent propagation of flies and creation of odors;

(6) All grain on the lot must be stored in rodent-proof containers;

(7) All feed spillage on the lot must be promptly removed so as to prevent attraction of flies, rodents, and birds, and the creation of odors;

(8) The exercise and training areas on the lot must be dampened so as to prevent dust;

(9) Prompt veterinary care and services must be provided for sick horses and sick horses shall be removed promptly when deemed necessary by a licensed veterinarian approved by the County;

(10) Complaints regarding a horse lot not maintained in compliance with the foregoing maintenance provisions shall be filed with the Zoning and Development Manager. Violations of these provisions may result in a revocation of the use as provided for in this Ordinance and/or in prosecution of the responsible party under the provisions of this Ordinance.

(M) A temporary office and/or storage building during a project involving construction but not to be used as a dwelling with the removal of same within 30 days upon project completion.

Section 4.9.2

Other Requirements

Uses permitted in the Neighborhood Preservation District shall be required to conform to the following standards except that the use of substandard lots of record as of the effective date of this Ordinance may be subject to relief as provided for by Section 2.3 of this Ordinance.

(A) Minimum lot size:

- (1) NPD-1: One acre (43,560 sq. ft.)
- (2) NPD-2: One-half acre (21,780 sq. ft.)
- (3) NPD-3: One-third acre (14,520 sq. ft.)
- (4) NPD-4: One-fourth acre (10,890 sq. ft.)

(B) Minimum front yard setback: Twenty-five (25') feet except where fronting on a major thoroughfare, then thirty-five (35') feet.

(C) Minimum side yard setback: Ten (10') feet.

(D) Minimum rear yard setback: Ten (10') feet.

(E) For perimeter setback and buffer standards related to subdivision development, see Section 5.2.9.

(F) Maximum building height: Thirty-five (35') feet above base flood elevation or finished grade, whichever is greater.

Section 4.10

NCD - Neighborhood Commercial District

Section 4.10.1

Permitted Uses

The following uses shall be permitted in the Neighborhood Commercial District:

(A) All uses permitted in the Neighborhood Preservation Districts. However, when such use is a residential use, the density of the Neighborhood Preservation District abutting or closest to the Neighborhood Commercial District shall be the standard. When two or more Neighborhood Preservation Districts are contiguous to the Neighborhood Preservation District, the Neighborhood Preservation District with the highest density shall prevail.

(B) Retail business involving the display and sale of merchandise inside stores only, provided, however, that agricultural products may be displayed and sold outside. Permitted retail businesses specifically include and may be similar to:

- (1) Antique store
- (2) Appliance, radio, television store
- (3) Art supply store
- (4) Book, magazine, newspaper shop
- (5) Candy store

- (6) Clothing store
- (7) Drug store or pharmacy
- (8) Florist shop
- (9) Fruit, nut and/or vegetable store
- (10) Gift or curio shop
- (11) Grocery store
- (12) Hardware store
- (13) Hobby and/or toy shop
- (14) Millinery or hat shop
- (15) Music store and/or record shop
- (16) Office supply and equipment store
- (17) Package liquor store
- (18) Photographic and camera supply and service store
- (19) Shoe store

(C) Business involving the rendering of a personal service or the repair and servicing of small equipment specifically including, but not limited to:

- (1) Appliance, radio, television repair shop
- (2) Bank, savings and loan associations, personal loan agency and branches.
- (3) Barber shop, beauty shop, or combination thereof.
- (4) Bicycle repair and sales shop
- (5) Dressmaker, seamstress, tailor
- (6) Dry cleaning self-service and/or laundry self-service facility.
- (7) Insurance agency
- (8) Jewelry and watch repair shop
- (9) Locksmith or gunsmith
- (10) Medical, dental, or chiropractic office, clinic and/or laboratory.
- (11) Office for government, business, professional, or general purposes.
- (12) Photographic studio
- (13) Real estate agency
- (14) School offering instruction in art, music, dancing, drama, or similar cultural activity.
- (15) Telegraph office

(D) Radio and/or television station

(E) Private or semiprivate club, lodge, union hall or social center

(F) Church

(G) Off-street commercial parking lot

00087

(H) Publicly owned and operated building, facility or land.

(I) A temporary office and/or storage building during a project involving construction but not to be used as a dwelling with the removal of same within 30 days upon project completion.

(J) Public utility facility including substation, switching station, telephone exchange, pump station, water tower or fire tower.

Section 4.10.2 **Conditional Uses**

The following uses shall be permitted on a conditional basis in any Neighborhood Commercial District:

(A) Auto accessory store provided there is no storage of wrecked automobiles or scrapped or salvaged auto parts on the premises.

(B) Automobile service station provided operations involving major repairs, body and fender work, and painting, are not conducted on the premises; provided all pumps are set back at least twenty-five (25') feet from the right-of-way line of all abutting streets; provided all pumps are set back at least fifty (50') feet from the right-of-way line along the major thoroughfares as identified in this Ordinance; and provided parking and/or services areas are separated from adjoining residential properties by a suitable planting screen, fence, or wall at least six (6') feet in height above finished grade.

(C) Bakery provided that goods baked on the premises are primarily sold at retail only.

(D) Contractor's office provided there is no storage of construction vehicles, equipment, or materials on the premises.

(E) Delicatessen, restaurant, soda fountain or other eating and/or drinking establishments provided no outside loud speaker systems are utilized; provided all lights or lighting arrangements used for purposes of advertising or night operations are directed away from adjoining or nearby residential properties and passing vehicular traffic by suitable planting screen, fence, or wall at least six (6') feet in height above finished grade.

(F) Dry cleaning or laundry pickup agency provided that any laundering, cleaning or pressing done on the premises involves only articles delivered to the premises by individual customers.

(G) Meat, fish, and/or poultry shop provided that no slaughtering be permitted.

(H) Pet shop, provided all animals are housed within the principal buildings so that no sound is perceptible beyond the premises.

(I) Building exceeding three thousand (3,000') square feet (pursuant to Section

4.10.3(C)) up to a maximum of twelve thousand (12,000') square feet provided it is used by agencies and organizations charged with the provision of essential public utilities or public safety services specifically including telephone, electric, gas, water, sewer, police and fire protection, emergency preparedness and telecommunications, and emergency medical services; provided it is used solely for the actual provision of those services plus activities which directly support the on-site operation and which could be carried out elsewhere only with a significant loss of efficiency; and provided it is located on a parcel(s) at least ten (10) acres in size.

(J) Telecommunications Towers Conditional Use. Telecommunications (transmission and receiving) towers provided the site plan complies with the requirements of Section 5.2.9(F); provided towers under two hundred (200') feet are painted silver or gray or retain galvanized finish in order to camouflage against the sky (unless the Federal Aviation Administration imposes other requirements); and provided no strobe lights are used (unless required by the FAA).

Section 4.10.3 Other Requirements

Uses permitted in the Neighborhood Commercial District shall be required to conform to the following standards:

(A) For front, side, and rear yard setback requirements, refer to Section 5.2.9.

(B) Maximum building height: Thirty-five (35') feet above base flood elevation or finished grade, whichever is greater.

(C) The maximum building size per parcel shall be three thousand (3,000') square feet for all uses with the exception of: residential dwelling units; churches and other places of worship; public and nonprofit schools and day care centers; clubs, lodges, union halls, social/community centers; public recreational facilities; conditional uses delineated in Section 4.10.2(I).

(D) Additional requirements: Uses permitted in the Neighborhood Commercial Zoning District shall meet all standards set forth in Section 5.2.1(E) pertaining to off-street parking, loading, and other requirements.

Section 4.11 GCD - General Commercial District

Section 4.11.2 Permitted Uses

The following uses shall be permitted in any General Commercial District:

(A) Any use permitted in any Development District, in compliance with the provisions of Section 5.2.9.

(B) Retail, wholesale or storage business involving the sale of merchandise on the premises; except those uses which involve open yard storage.

(C) Business involving the rendering of personal services other than an automobile laundry, or an automobile repair garage.

(D) Club, lodge, union hall or social center.

(E) Church or religious institution.

(F) Off-street commercial parking or garage.

(G) Hotel, bed and breakfast inns, and motels.

(H) Commercial recreation facility, specifically including billiard parlor and theater.

(I) Commercial, recreation or vocational school.

(J) Eating and/or drinking establishment.

(K) Public utility installation or sub-installation, including water towers.

(L) Office building and/or office for government, business professional or general purposes.

(M) A horse riding school and/or horse training facility provided the site contains a minimum of three (3) acres and provided that there shall be a minimum area of one (1) acre for the first one to two horses approved for the facility, plus an additional one-half (1/2) acre for each additional horse approved for the facility. Stalls or stable areas should be one hundred forty-four (144) square feet for each horse.

(N) A temporary office and/or storage building during a project involving construction but not to be used as a dwelling with the removal of same within 30 days upon project completion.

(O) Motion picture studio and/or video commercial preparation provided that the structure does not exceed 35,000 square feet for any given movie set; FAX machine services and distribution, photographic, optical goods, watches/clocks assembly and distribution provided the structure does not exceed 10,000 square feet.

(P) Needlecraft companies involved in the making of clothing from broad and narrow woven fabrics and other small wares including cotton, man-made fibers, silk and wool; knit goods, yarn, and lace goods; men's, youth's and boy's suits, coats and overcoats; men's, youth's and boy's furnishings, work clothing, and allied garments; women's, misses', juniors', girls', children's and infant's outerwear and undergarments; dress and work gloves; robes and dressing gowns; raincoats made of cloth or canvas; canvas products; curtains and draperies, provided the structure does not exceed 35,000 square feet.

(Q) Assembly of wooden containers; household wooden furniture; wood office furniture;

partitions, shelving, lockers and store fixtures; cabinet work; and custom carpentering, provided that the structure does not exceed 25,000 square feet.

(R) Assembly of electronic components and accessories provided that the structure does not exceed 35,000 square feet.

(S) A miniwarehouse(s) or self-service storage facility(ies) provided such structure(s) is located not less than fifty (50') feet from any residential structure or residential zoned district. Such facility shall not be operated during the hours of 10:00 p.m. and 6:00 a.m.

Section 4.11.3

Conditional Uses

The following uses shall be permitted on a conditional basis in any General Commercial District.

(A) Automobile service station, provided all pumps are setback at least twenty-five (25') feet from the right-of-way line of the street, and parking and/or service areas are separated from adjoining residential properties by suitable visual screen or solid fence or wall at least six (6') feet in height. There shall be a fifty (50') foot setback of all pumps at an automobile service station on a major thoroughfare.

(B) Automobile garage for the repair and servicing of vehicles, provided all operations are conducted within a fully enclosed building and there is no open storage of wrecked vehicles, dismantled parts, or parts visible beyond the premises.

(C) Newspaper publishing plant, provided that the requirements for parking, loading, and unloading conform to those for industrial buildings.

(D) Automobile carwash, laundry or washateria, provided off-street paved parking area, capable of accommodating not less than one-half (1/2) of hourly vehicle washing capacity awaiting entrance to the washing process is suitably located and maintained on the premises, and for such space to contain at least two hundred (200') square feet per waiting vehicle; and no safety hazard or impediment to traffic movement is created by the operation of such an establishment.

(E) Animal hospital, veterinary clinic or kennel, provided any structure shall be no closer than two hundred (200') feet to any residential zoning perimeter or residential dwelling; provided all boarding arrangements are maintained within the facility and such noise as will be audible from the use of outside runs or exercise areas be kept at a minimum.

(F) Junk yards, auto salvage yards, and outdoor storage of vehicles provided they are completely screened from view of adjacent properties and/or public and private roadways.

(G) A solid waste transfer facility, site and accessory uses, including a recycling center, provided such facility is one hundred (100') feet or greater from any residential building and it meets the development standards of this Ordinance.

(H) Telecommunications tower provided the site plan complies with the requirements Section 5.2.9(F); provided towers under two hundred (200') feet are painted silver or gray or retain galvanized finish in order to camouflage against the sky (unless the Federal Aviation Administration imposes other requirements); and provided no strobe lights are used (unless required by the FAA).

(I) Campgrounds and Recreational Vehicle Parks provided that:

(1) No site or structure shall be continuously occupied for more than fourteen (14) days. Any tent, camper, or recreational vehicle shall be physically removed on or before the expiration of fourteen (14) days.

(2) No overflow camping shall be allowed. When a campground/RV Park is full, no more campers or vehicles shall be permitted on the grounds.

(3) The campground shall have a minimum size of twenty (20) acres. The maximum size campground shall not exceed fifty (50) acres on any single parcel.

(4) All permanent structures including cabins in a campground shall be limited to single-story structures in height.

(5) No more than eight (8) campsites/RV sites or camping structures including cabins shall be permitted per net acre in any campground.

(6) Not less than thirty (30%) percent of all campgrounds/RV Parks shall consist of open space which shall contain no camp/RV sites and/or structures.

(7) All campgrounds and recreational vehicle parks in Beaufort County shall be in compliance with the Rules and Regulations Governing Camps of the South Carolina Department of Health and Environmental Control and have a valid permit from same for operation.

(J) New or existing businesses which contain or install video poker machines and other coin operated devices, machines and electronic gaming devices, which provide a monetary return such as a cash payoff, as defined and contained in the Code of Laws of South Carolina, 1976, as amended, Section 12-21-2720(3), shall be classified as "video poker parlors" when the structure has as its **primary use only** such machines; the number of machines or devices are four (4) or more; and the establishment exists for the principle purpose of such play, shall be permitted as a conditional use within the General Commercial District (GCD) and only if all of the following conditions are also met:

(a) Persons under eighteen (18) years of age shall not be permitted within the building or on the premises;

(b) No such business may operate in any non-permanent structure such as a tent, mobile unit, trailer, recreational vehicle, or other temporary building;

(c) Parking requirements for such businesses shall be one (1) space for each two hundred (200) square feet of floor space, **plus** one (1) space for each coin operated device or machine, and shall apply to a new or existing structure,

(d) That if there is a monetary return (cash paid) as a result of a winning combination on the coin operated device, machine or electronic gaming device, the building in which such machine(s) exist shall not be located within one thousand (1,000') feet of any church, school, educational institution, or publicly or privately owned/operated youth-oriented grounds or facilities; nor within five hundred (500') feet of any residential zoning district. Such distance shall be computed by following the shortest route of ordinary pedestrian or vehicular travel from the nearest point of the grounds in use as part of such church, school, educational institution, residential zoning district, or publicly or privately owned/operated youth-oriented grounds or facilities.

(e) No person who maintains for use or permits the use of, on any place or premise occupied by him/her, any coin operated machine, device or electronic gaming device to be operated between the hours of 2:01 a.m. and 7:59 a.m.

(K) New or existing businesses which contain or install video poker machines, and include certain coin operated devices, machines and electronic gaming devices, which provide a monetary return such as a cash payoff, as defined and contained in the Code of Laws of South Carolina, 1976, as amended, Section 12-21-2720(3), shall be classified as **secondary use only** when the structure has three (3) or less such machines and devices; and minors under eighteen (18) years of age shall not be permitted to observe or play such devices or machines at any time. Should the establishment contain or install four (4) or more such machines or devices, those machines shall be placed in a separate room(s) and no one under the age of 18 years shall be permitted in such room(s). Compliance for such separation will be no later than June 1, 1993. Such machines or devices as described above shall be permitted as a conditional use within the General Commercial District (GCD) with the provisions of this section and all of the following conditions are met:

(a) No business may operate in any non-permanent structure such as a tent, mobile unit, trailer, recreational vehicle, or other temporary building;

(b) Parking requirements for such businesses shall be one (1) space for each two hundred (200) square feet of floor space, **plus** one (1) space for each coin operated device or machine, and shall apply to a new or existing structure;

(c) That if there is a monetary return (cash paid) as a result of a winning combination on the coin operated device, machine or electronic gaming device, the building in which such machine(s) exist shall not be located within one thousand feet (1,000') feet of any church, school, educational institution, or publicly or privately owned/operated youth-oriented grounds or facilities; nor within five hundred (500') feet of any residential zoning district. Such distance shall be computed by following the shortest route of ordinary pedestrian or vehicular travel from the nearest point of the grounds in use as part of such church, school, educational institution, residential zoning district, or publicly or privately owned/operated youth-oriented grounds or facilities.

(d) No person who maintains for use or permits the use of, on any place or premise occupied by him/her, any coin operated machine, device or electronic gaming device to be operated between the hours of 2:01 a.m. and 7:59 a.m.

Section 4.11.4 **Seafood Conditional Uses**

Seafood or shellfish packaging and processing shall be permitted in a General Commercial District provided that the following conditions are met:

(A) There shall be a setback of one hundred fifty (150') feet from the perimeter of any residential zone or Planned Unit Development District.

(B) All packaging and/or processing of seafood, shellfish, or sea plants shall meet the provisions of Section 5.2.11 of this Ordinance as related to odor, noise, smoke, or waste disposal, etc.

Section 4.11.5 **Other Requirements**

Unless otherwise specified elsewhere in the Ordinance, uses permitted in the General Commercial District shall be required to conform to the following standards:

(A) Minimum lot width, measured at the building line: fifty (50') feet.

(B) For front, side, and rear yard setback requirements, refer to Section 5.2.9 of this Ordinance.

(C) Setbacks where adjacent to other zoning districts: Where adjacent zoning districts are established, the provisions contained in Section 5.2.9 of this Ordinance shall apply.

(D) Maximum building height: Fifty (50') feet above base flood elevation or finished grade, whichever is greater. For exceptions to height limitations, see Section 5.2.13(c).

Section 4.12 **ID - Industrial District**

Section 4.12.1 **Permitted Uses**

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained except for the following uses:

(A) Uses permitted in General Commercial Zones except those conditional uses permitted under Section 4.11.2(J) and 4.11.2(K) which shall be prohibited.

(B) Farm buildings, structures and uses.

(C) Public utilities and private utilities.

- (D) Mass transportation terminals.
- (E) Communication systems and appurtenances.
- (F) Temporary buildings and structures incidental to the development of land or to the erection of the same, provided such buildings and structures shall be removed at the termination of development or construction.
- (G) Radio towers, studios and business offices.
- (H) Any industrial use plus operations incidental to such use, which involves manufacturing, processing, packaging, assembly, storage operations, supporting such manufacturing processing, assembly or storage; and provided that any noise, vibration, smoke, gas, fumes, odor, dust, fire hazard, dangerous radiation or other injurious or obnoxious conditions related to the operation are not sufficient to create a nuisance beyond the premises.
- (I) Research or experimental laboratory
- (J) Public building, facility or land other than school, playground or hospital, clinic, human care home, or cultural facility.
- (K) Dwellings for caretaker and plant management.
- (L) Landfills and/or incinerators subject to adequate screening as provided for in this Ordinance.
- (M) Junk yards, auto salvage yards, and outdoor storage of vehicles subject to the screening provisions of this Ordinance.
- (N) Mineral extractions - sand, clay, gravel with adequate screening as provided for in this Ordinance.
- (O) Seafood, shellfish, or sea plants packaging and/or processing provided such operations meet the provisions of Section 5.2.11 of this Ordinance as related to odor, noise, smoke, or waste disposal, etc.
- (P) A miniwarehouse(s) or self-service storage facility(ies) provided such structure(s) is located not less than two hundred (200') feet from any residential structure or residential zoned district.

Section 4.12.2

Setbacks

Residence Setbacks. No industrial building or structure in an Industrial Zone shall be closer than two hundred (200') feet to the perimeter of a residential zoning district or an existing dwelling

Section 4.12.3

Conditional Uses

(A) Telecommunications tower provided the site plan complies with the requirements of Section 5.2.9(F); provided towers under two hundred (200') feet are painted silver or gray or retain galvanized finish in order to camouflage against the sky (unless the Federal Aviation Administration imposes other requirements); and provided no strobe lights are used (unless required by the FAA).

(B) Campgrounds and Recreational Vehicle Parks provided that:

(1) No site or structure shall be continuously occupied for more than fourteen (14) days. Any tent, camper, or recreational vehicle shall be physically removed on or before the expiration of fourteen (14) days.

(2) No overflow camping shall be allowed. When a campground/RV Park is full, no more campers or vehicles shall be permitted on the grounds.

(3) ~~The campground shall have a minimum size of twenty (20) acres. The~~ maximum size campground shall not exceed fifty (50) acres on any single parcel.

(4) All permanent structures including cabins in a campground shall be limited to single-story structures in height.

(5) No more than eight (8) campsites/RV sites or camping structures including cabins shall be permitted per net acre in any campground.

(6) Not less than thirty (30%) percent of all campgrounds/RV Parks shall consist of open space which shall contain no camp/RV sites and/or structures.

(7) All campgrounds and recreational vehicle parks in Beaufort County shall be in compliance with the Rules and Regulations Governing Camps of the South Carolina Department of Health and Environmental Control and have a valid permit from same for operation.

Section 4.12.4

Performance Standards for Industrial Districts

(A) General. No approval shall be issued for the erection, relocation, or expansion of any industrial use or building unless the same complies with the performance standards set forth herein.

(B) Storage. All materials or products shall be kept within completely enclosed buildings or screened by a solid wall or fence of a minimum height of eight (8') feet or enclosed by evergreen hedge or trees of minimum height of six (6') feet. Storage of materials within the enclosure shall not exceed the height of the wall, fence, or vegetative screen.

(C) Setbacks. See Section 5.2.9(A) of this Ordinance.

(D) Screening. See Section 5.2.9(B) of this Ordinance.

Section 4.12.5

Conditional Uses for Wastewater/Sewage

Sludge Disposal Wastewater/Sewage sludge disposal shall be permitted in an Industrial District provided a Land Application Permit for Sludge Disposal is granted by the South Carolina Department of Health and Environmental Control in accordance with the Land Application of Sludge Guidance Manual, dated December 1987; the Water Classification and South Carolina Regulation 6168, and the Classification of Waters, State of South Carolina Regulation 6169, dated June 28, 1985.

Section 4.13

PUD - Planned Unit Development District

A planned unit development ("PUD") district may be established through a rezoning procedure in any area when the applicant demonstrates that the proposal meets the requirements of this section. The purpose of the PUD is not to provide an avenue for circumventing prescribed zoning and development standards otherwise applicable, but to allow for flexibility and innovation in site planning.

Section 4.13.1

Permitted Uses

Uses permitted in a PUD district include:

(A) Any single land use or multiple land use proposed by the applicant which meets the requirements and objectives of this section.

(B) Contractors' temporary offices and/or storage buildings used during construction, including temporary offices located within a building which is intended for a permanent use authorized in (A), provided that the offices or buildings are not used as a dwelling and are removed within 30 days after completion of the project.

(C) Temporary offices for the initial sale or leasing of approved uses within the PUD during the development period, or for coordination of PUD development, including temporary offices located within a building which is intended for a permanent use authorized in (A), provided that (i) the offices are not used as a dwelling and are removed within 30 days after completion of the PUD development, and (ii) the approximate location of the offices is shown on the PUD master plan or shown on a subdivision or phase site plan which has received final approval. It is recommended that the permanent use, which will succeed the office use after the completion of the PUD development at that location, also be shown in order that a revised master plan not be required in the future.

Section 4.13.2

Master Plan

(A) The applicant shall submit a conceptual PUD master plan which delineates one or more land use areas. An accompanying list/text must be submitted which gives a designation for each land use area and specifies acreage, uses, residential density and particular development

parameters (see definition in 4.13.2(C), below) for each land use area. All uses and development parameters must be determinable for each land use area. To the extent that any use or parameter is not specified in the master plan, the uses, parameters, and requirements of Article V of this ordinance and the appropriate Beaufort County zoning district, as discussed in Section 4.13.3, below, shall apply.

(Example: if no specific open space is designated on the master plan, the provisions of Section 5.2.9(E) shall apply.)

The conceptual PUD master plan and list/text are jointly referred to in these sections as the "master plan".

(B) The definition of each land use area may be general or particular. Each may function like a specific Beaufort County zoning classification (such as Neighborhood Preservation District-2), a modified version of a specific Beaufort County zoning classification (such as Neighborhood Preservation District-2 with different building setbacks or an altered set of uses from those permitted in NPD), or a specially tailored district. Broad designations such as "residential" or "commercial" or designations of a specific use (such as a telecommunications tower) may be used. Use of more inclusive descriptions than the latter, however, is encouraged to allow for greater flexibility in modifying a project. In the case of conditional use PUD's, designations of specific uses may be appropriate since all changes to such master plans are processed administratively and do not require amendments to this ordinance.

(C) Development parameters encompass all of the elements defining the particular use of land including: elements which are ordinarily regulated under this ordinance - lot sizes, setbacks, buffers, lot widths and coverages, building heights, right-of-way widths, etc.; any standards which the applicant or reviewing boards may wish to impose such as square footage of commercial buildings; any departures from development standards of Article V; and any special provisions such as clustering of buildings, preservation of an archaeological site, provision of deeper buffers, or creation of a bicycle path.

(D) After approval by the County Council the master plan, as approved, shall be deemed part of the regulations applying to that particular PUD District. If the master plan submitted by the applicant is approved, but is modified without the written agreement of the applicant, the applicant shall have 60 days after receipt of notice of approval of the modified master plan to withdraw the master plan by written notice to the County Council. If withdrawn, the zoning for the areas within the master plan shall be unchanged from the zoning existing before the application was submitted.

(E) If a master plan is not withdrawn, or if the master plan is approved as submitted by the applicant, the uses, densities, and development parameters shall thereafter be restricted to those set forth in the approved master plan (and in any applicable portion of Section 4.13.3 below).

Unless otherwise expressly indicated by the master plan, in the situations outlined below, the permitted uses, densities, conditions, and development parameters shall be those which apply in the Beaufort County zoning classifications associated with that designation, as follows:

(A) For areas designated "Conservation", "Park", "Green Space", "Open Space", or similar wording:

(1) uses permitted and development parameters specified in open spaces by this ordinance, and

(2) uses permitted and development parameters specified in the Conservation Preservation District (excluding marinas); and those agricultural, forestry, horticultural and recreational uses and essential public facilities permitted in the Neighborhood Preservation District. Essential public facilities shall be construed to mean those public facilities which could not practically be located outside of the area designated for open space.

(B) For areas designated "Agricultural", "Farm" or similar wording: uses permitted and development parameters specified in the Conservation Preservation District (excluding marinas); and those agricultural, forestry, horticultural and recreational uses and essential public facilities permitted in the Residential Agricultural District; and dwelling units housing farm workers and their families, subject to the provisions of the Residential Agricultural District. Essential public facilities shall be construed to mean those public facilities which could not practically be located outside of the area designated for agricultural use.

(C) For areas designated "Single Family" or "Residential", or similar wording: uses permitted and development parameters specified in a Neighborhood Preservation District, as defined in this ordinance. Where density is not specified in the master plan, the density of the Neighborhood Preservation District-2 (NPD-2) shall apply. For PUD's approved prior to April 12, 1990 where density is not specified the permitted density shall be three single family lots per net acre (as defined in Section 10.2.75 of this ordinance), i.e. Section 4.9.2 (A)(3) shall not apply.

(D) For areas designated "Multifamily" or similar wording: uses permitted and development parameters specified in the General Residential District, as defined in this ordinance. Where density is not specified in the master plan the permitted density of GR-4 shall apply.

(E) For areas designated "Commercial" or similar wording: uses permitted and development parameters specified in the General Commercial District, as defined in this ordinance, except that for residential uses therein the density and development parameters of the General Residential District-4 shall apply. For areas designated "Neighborhood Commercial" or similar wording: uses permitted and development parameters specified in the Neighborhood Commercial District, as defined in this ordinance.

(F) For areas designated "Industrial" or similar wording: uses permitted and development parameters specified in an Industrial District, as defined in this ordinance. For areas designated "Light Industrial" or similar wording: uses permitted and development parameters specified in the Light Industrial District, as defined in this ordinance.

(G) In areas where types of classifications other than those listed in (A) through (F), above, are used (such as "Public Facilities") those areas may also be used for open space or any use permitted in the Neighborhood Preservation District-2, subject to the conditions and development parameters specified for that district in this ordinance, provided that the classification does not clearly imply permanent preservation as open space.

(H) In areas where specific uses are designated, such as "Telecommunications Tower", "Fire Department", or "Restaurant", those areas may also be used for uses which the Development Review Team determines to be substantially similar to the specified use in all significant respects; for open space; or for any use permitted in the Neighborhood Preservation District-2, subject to the conditions and development parameters specified for that district in this ordinance, provided that in the opinion of the Development Review Team the intended use of the area does not represent a significantly more intensive use than the designated specific use.

(I) In the event that any area is inadvertently left unspecified, that land area may only be used for open space or any use permitted in the Neighborhood Preservation District-2, subject to the conditions and development parameters specified for that district in this ordinance.

(J) If a master plan designates the use for a particular land use area within the PUD and specifies the maximum density for all such uses within the PUD; but does not specify the maximum density for the particular land use area, the maximum density for that particular land use area shall be the greater of: (1) the total density for all such uses within the PUD, divided by the total acreage designated for such use within the PUD or (2) the maximum density for such use as determined by Section 4.13.3, above. (This shall not be construed to allow a total density for all such uses within the PUD which is greater than the maximum density for all such uses specified in the master plan.)

(Example: A master plan has one land use area designated commercial and two 5 acre land use areas (total of 10 acres) and both 5 acre areas are designated multifamily. The master plan does not state the specific density for each land use area, but states that the overall PUD will contain a maximum of 60 multifamily dwelling units. The maximum total density for PUD is then 6 units per acre. Within one 5 acre land use area, the developer may build at a density of 6 units per acre (option (J)(1), above) because this density is greater than 4 units per acre (option (J)(2), above) pursuant to Section 4.13.3(D). If, however, prior to the adoption of this provision, 8 units per acre had already been developed on one 5 acre tract (a total of 40 units), only 4 units per acre (a total of 20 units) could be developed on the second 5 acre land use area (40 units plus 20 units = maximum of 60 units allowed by the master plan.)

(K) Any use which would ordinarily be permitted under this ordinance as an accessory use to a permitted use shall likewise be permitted within a PUD.

(L) Indications on the master plan of densities or numbers of units shall be construed to represent maximums, unless otherwise indicated or clearly implied. Development to those maximum figures is subject to satisfaction of other provisions in this ordinance and other regulations and is thus not assured.

Section 4.13.4 **Other Requirements**

(A) The tract of land proposed for a PUD must either:

(1) Be owned, leased or controlled by a single person or single or joint entity;

(2) Be subject to an option or other right to be acquired by a single person or single or joint entity (In such event, the actual owners shall state in writing that the applicant has authority to submit the application for PUD designation on behalf of, and act on behalf of, all signatories to the agreement in matters relating to the master plan.); or

(3) Be subject to another written agreement which, in the opinion of the Zoning and Development Manager, indicates that the signatories to the agreement (a) own, lease or control all of the land proposed to be within the PUD, and (b) agree to the provisions set forth in the second sentence of (2) above.

(B) The minimum area required for a PUD shall be five (5) contiguous acres of land. Where portions of land are separated by a road, road right-of-way, utility easement, waterway, or another like use, the land shall be deemed contiguous unless the intervening use or feature is of such a magnitude or nature that County Council (or the Development Review Team in the case of conditional use PUD's) determines that the land could not function effectively as a PUD.

(C) A PUD containing less than twenty (20) contiguous acres shall be restricted to the land uses permitted in the zoning category associated with the property prior to approval as a PUD. However, development parameters, including density, may be altered if the PUD meets the standards of this ordinance.

Section 4.13.5 **Areas of Potential Flexibility in Establishment of PUD Land Uses and Specifications**

(A) In devising the PUD master plan there is potential flexibility in the establishment of land uses, density, setbacks, buffers, building heights, lot sizes, lot dimensions and most site design and development standards as expressed in Article V.

(B) However, the setback and buffer standards of Section 5.2.9 must be implemented along the perimeter of PUD districts. The PUD as a whole shall comply with all provisions in this ordinance relating to drainage, nuisances, screening, protection of natural resources (Section 5.2.7), loading

standards and overlay districts; requirements of other local, state, and federal agencies and other applicable laws; and the Beaufort County Sign ordinance.

Section 4.13.6

Criteria for Establishment of PUD Land Uses and Specifications

The land uses, density, setbacks, buffers, building heights, lot sizes, lot dimensions and other standards established in the zoning district(s) in the area underlying the proposed PUD and the site design and development standards expressed in Article V shall constitute the baseline and frame of reference for the planning and review of the PUD master plan. The developer must provide substantial justification for any departure from those standards, including, for example: introduction of a land use that was prohibited in the prior zoning district(s), reduced building setbacks, or provision of fewer parking spaces than called for in Section 5.2.1(F)(6). Proposed deviations from road and drainage standards must be reviewed and approved by the County Engineering Department as a condition of PUD Masterplan approval.

(A) General Considerations

In examining the proposed master plan and evaluating the appropriateness of each land use and its attendant parameters, and any departures from Article V, reviewing bodies shall consider the following:

- (1) The applicant's statement describing the character of and rationale for the proposed development.
- (2) The appropriateness of each prospective zoning district if, hypothetically, each land use area were perceived as a separate zoning district.
- (3) Respective land uses recommended in plans or documents officially adopted by the County.
- (4) Whether the major components of the PUD are appropriately located and should be able to continue to function if all phases of the PUD are not completed, taking into consideration factors such as the infrastructure guarantee procedures of this ordinance (see Section 6.5.1(E)).
- (5) The compatibility of proposed land uses.
- (6) The degree of integration/interrelationship vs. independence of proposed land uses. Independence of land uses should be deemed appropriate if other objectives are met.
- (7) The extent to which major design elements, such as road systems, any pedestrian circulation networks, open space, drainage systems and utilities, are properly integrated.
- (8) Whether each nonresidential use is intended to serve the internal needs of the PUD or an external market. Serving an external market is acceptable if other standards are met.

- (9) Infrastructure capacity and effect upon public services.
- (10) Effect on property outside of the PUD.
- (11) Conformance with engineering and other technical requirements.
- (12) Probability that the project will be completed as planned.
- (13) Whether the proposed project is a genuine PUD or represents an attempt to circumvent the prescribed zoning. Industrial uses or commercial uses located on the perimeter of the PUD or along highways shall be subject to close scrutiny in this regard.
- (14) Effects upon public health, safety, and welfare.

(B) Special Considerations

In evaluating aspects of a proposed PUD master plan or an amendment to an existing PUD master plan, which may represent a more intensive level of development than the baseline and frame of reference referred to in Section 4.13.6, certain provisions may justify the more intensive development because those provisions either mitigate or compensate for potential adverse impacts of development. Incorporation of any of the following components into a PUD master plan is encouraged and may be considered grounds for increases in density, increases in multifamily or commercial uses, increases in intensity (such as reductions in lot sizes, setbacks, or buffers; increases in building height) or departures from standards otherwise applicable under this ordinance. This subsection applies to PUD's reviewed through the amendment process and to conditional use PUD's.

These components include:

- (1) Distinctiveness and excellence in design and landscaping.
- (2) Placement of structures on most suitable sites with consideration of topography, soils, vegetation, slope, etc.
- (3) Clustering of buildings.
- (4) Preservation of additional open space.
- (5) Preservation of unique and important natural features and resources.
- (6) Preservation of important cultural resources such as known or potential archaeological sites.
- (7) Development of active or passive recreational areas.
- (8) Enhanced landscaping, including higher quality landscaping, deeper vegetative

buffers, or increased planting along roadways, in open spaces and recreational areas, and along perimeter of the project.

- (9) Use of greenways or landscaped corridors linking various uses.
- (10) Use of sidewalks/footpaths or pedestrian bicycle circulation networks.
- (11) Segregation of vehicular and pedestrian/bicycle circulation networks.
- (12) Other traffic mitigation measures.
- (13) Creation of traditional neighborhood style development.
- (14) Use of rear alleys for service purposes, garage/parking access, and placement of utilities.
- ~~(15) Screening of or rear placement of parking areas.~~
- (16) Other public benefits such as provision of a community center or day care center.
- (17) Provision of subsidized affordable housing.
- ~~(18) Public access to community facilities in PUD.~~
- (19) Sensitive treatment of perimeters to mitigate impacts upon adjoining property.

Section 4.13.7

Procedure

In order to qualify for a PUD zoning classification, a proposed PUD must follow the application procedures and meet the following specific requirements of the Beaufort County Zoning and Development Standards Ordinance: Article VII, Section 7.5.2.3(B); Section 7.5.2.4; Section 7.5.2.5(B); Section 7.5.3.1(C); and Section 7.5.3.2, with the additional requirement that the Planning Board, County Council, or Development Review Team, at their discretion, may require the applicant to provide maps, data or additional studies such as environmental impact statements, traffic impact analyses, hurricane evacuation plans, etc. Due to the complexity inherent in PUD's, applicants are encouraged to attend a pre-application conference with the Planning Board Staff.

Section 4.13.8

Administrative Procedure With Regard to PUD Zoning District

(A) Any request pertaining to the establishment of a new PUD district shall be considered a proposal to amend the Zoning and Development Standards Ordinance and shall be administered and processed in accordance with the regulations set forth in Article VIII of this Ordinance. If approved by County Council, all information pertaining to the proposal shall be adopted as an amendment to the Ordinance, and shall become the standards of development for the particular Planned Unit

Development District.

(B) Once a master plan has been approved and adopted as described herein, any change(s) to that master plan, other than those set forth in Section 8.3.2, shall be administered and processed by the Development Review Team in accordance with the procedures of Sections 7.5.1, 7.5.2.2, and 7.5.2.4. The applicant shall also submit those materials set forth in Section 7.5.2.3(B) which may be required to define and explain the proposed changes.

(C) When proposed changes to an approved and adopted master plan are required in conjunction with an application for a specific development permit, and such changes do not require an amendment to this ordinance, the proposed changes to the master plan and the development permit application may be reviewed and approved at the same time.

Section 4.14

RAD - Residential Agricultural District

Section 4.14.1

Permitted Uses

The following uses shall be permitted in any Residential Agricultural District:

(A) Any single-family residential use at a density not exceeding two (2) dwelling units per net acre of land.

(B) Farm or establishment for the growing, care, preliminary processing, packaging, and handling of field crops, truck gardening products, fruit, and/or nut trees, poultry, and/or animals and livestock including aquaculture and facilities associated with the commercial fishing industry.

(C) Tree farm, timber area, or forest management area.

(D) Church, cemetery, religious semi-public or philanthropic institution or recreational camp.

(E) Club, lodge, union hall, community and social centers.

(F) Any publicly owned and operated building or facility that serves the area.

(G) Private docks and boat houses that serve as an accessory to the residential dwelling, including related docks and facilities.

(H) Wildlife refuge, including caretakers dwelling and associated facilities.

(I) Utility lines, substations, switching stations, pump stations, and treatment plants that serve the area, provided they are placed on utility easement or public right-of-way.

(J) Customary home occupations established under the provisions of Section 5.3.

(K) Schools, private or public; day care centers and child nurseries.

(L) Public or private health care facilities or nursing homes.

(M) A temporary office and/or storage building during a project involving construction but not to be used as a dwelling with the removal of same within 30 days upon completion of the project.

(N) A horse or riding school and/or horse training facility provided the site contains a minimum of three (3) acres and provided that there shall be a minimum of one (1) acre for the first one to two horses approved for the facility, plus an additional one-half (1/2) acre for each additional horse approved for the facility. Stalls or stable areas should be one hundred forty-four (144) square feet for each horse.

(O) Horticultural Nursery which only involves the cultivation and sale of plants, seeds, sod, shrubs, trees and other forms of vegetation for wholesale or retail purposes. The operation may utilize structures associated with such activity, such as greenhouses and storage sheds.

Section 4.14.2 Other Requirements

Uses in the Residential Agricultural District shall be required to conform to the following standards, except that the use of substandard lots of record as of the effective date of this Ordinance may be subject to relief as provided for by Section 2.3 of this Ordinance.

(A) Maximum Density: Two (2) dwelling units (DU) per one acre of land, regardless of the availability of water and sewer services from a source other than individual wells or septic tanks.

(B) Minimum lot size: Twenty-one-thousand seven-hundred-eighty (21,780) square feet.

(C) Minimum front yard setback. Twenty-five (25) feet from the front property line except where fronting on a major thoroughfare, then thirty-five (35) feet.

(D) Minimum side yard setback. Ten (10) feet.

(E) Minimum rear yard setback. Ten (10) feet.

(F) For perimeter setback and buffer standards related to subdivision development, see Section 5.2.9.

(G) Maximum building height. Thirty-five (35) feet above base flood elevation or finished grade, whichever is greater.

Section 4.14.3 Conditional Uses

(A) Public or private emergency facilities may be permitted provided their service area is limited to the respective Residential Agricultural District and its immediate environs.

(B) Private, non-commercial radio and transmission or receiving towers, provided their height does not exceed seventy (70') feet.

(C) Wastewater/Sewage Sludge Disposal shall be permitted in a Residential Agricultural District provided a Land Application Permit for Sludge Disposal is granted by the South Carolina Department of Health and Environmental Control in accordance with the Land Application of Sludge Guidance Manual, dated December 1987; the Water Classification and Standards, State of South Carolina Regulation 6168, and the Classification of Waters, State of South Carolina Regulation 6169, dated June 28, 1985.

(D) Mineral extractions - sand, clay, gravel with adequate screening as provided for in this Ordinance.

(E) A solid waste transfer facility, site and accessory uses, including a recycling center, provided such facility is one hundred (100') feet or greater from any residential building and it meets the development standards of this Ordinance.

Section 4.15

RCD - Residential Commercial District

Section 4.15.1

Permitted Uses

The following uses shall be permitted in any Residential Commercial District.

(A) All permitted and/or conditional uses allowed in a Residential Agricultural, unless otherwise indicated.

(B) A temporary office and/or storage building during a project involving construction but not to be used as a dwelling with the removal of same within 30 days upon completion of the project.

Section 4.15.2

Other Requirements

Uses permitted in the Residential Commercial District shall be required to conform to the following standards:

All standards are established in Section 4.12.2 as pertaining to lot size, setbacks, and other requirements.

Section 4.15.3

Conditional Uses

The following uses shall be permitted on a conditional basis in any Residential Commercial District.

All retail and/or personal service businesses permitted in a Neighborhood Commercial District, provided that such use conforms to the following standards:

(A) A commercial establishment shall be permitted only if the proposed location of such establishment is not within three hundred (300') feet of a neighboring residential structure.

(B) A commercial establishment shall be permitted only as an ancillary use to an existing residence, provided that the owner/operator of such establishment resides on the property.

(C) A commercial establishment shall be permitted only if the proposed location of such establishment does not exceed a distance of one thousand (1,000') feet from the primary residence.

(D) Front yard setback: Seventy-five (75') feet from the right-of-way, where fronting on a two-lane highway, or fifty (50') feet where fronting on a four-lane highway.

(E) Side and rear setback: As established in Section 5.2.9(a), except where such use abuts an existing residential use, then fifty (50') feet.

(F) Maximum commercial building size: One thousand five hundred (1,500') square feet.

(G) Maximum building height: Thirty-five (35') feet above base flood elevation or finished grade, whichever is greater.

(H) Additional requirements: Commercial uses permitted in the Residential Commercial District shall meet the following requirements:

(1) Buffers: As established in Section 5.2.9(B) and defined in Section 10.2.5.

(2) Screening: A highway frontage buffer shall be maintained and must contain an appropriate visual screen consisting of plant materials, that are not less than five (5') feet in height and spaced not more than twenty (20') feet apart. Chain-link or woven wire fences, visible from the highway shall be made as inconspicuous as possible by screening with appropriate plant materials.

(3) Signs: No sign shall be erected except in compliance with the Beaufort County Sign Ordinance 86-1. In addition, no signs illuminated by internal lighting will be permitted, except where such sign is placed within the commercial structure out of public view.

(I) A Boarding House for purposes of this Section is defined as a building that is the primary residence of the owner(s) and in which rooms are provided by the owner(s), for compensation, to two or more adult persons not related by blood, marriage, or adoption to the owner(s), where meals are regularly prepared and served for compensation and where food is placed upon the table family style, without service or ordering of individual portions from a menu.

(1) The structure shall not exceed Three Thousand Five Hundred (3,500') square feet in size.

(2) There shall be one (1) off-street parking space for each boarder's dwelling unit plus two (2) off-street parking spaces for the owner(s)/operator(s) of the facility.

Section 4.16

HCOD - Highway Corridor (Overlay District)

Section 4.16.1

Permitted Uses

The uses of the property contained within the Highway Corridor Overlay District, shall be prescribed by the various zoning districts underlying the overlay district as established in this Ordinance.

(A) Single family dwellings and parcels of land for single residential use shall be exempt from the provisions of Section 4.16.2 of this Ordinance.

Section 4.16.2

Standards and Guidelines

This section sets forth the standards and guidelines for development of the Highway Corridor (Overlay) District.

(A) The general purpose of the Highway Corridor (Overlay) District is to promote the safe and efficient use of highways as well as to protect the aesthetic and visual character of the adjacent lands. No restrictions beyond those prescribed by this Ordinance are placed on the basic design of the building materials that can be used within the Highway District. It is, however, essential that all structures visible from the highway be visually compatible with the land, natural vegetation, and existing or previously approved projects. An architectural rendering shall be submitted to comply with the requirements of this section of the Ordinance.

(1) Large work area doors or open bays shall comply with the provisions of Section 5.2.9 of this Ordinance when opening toward or facing the highway.

(2) Heating, ventilating, and air conditioning equipment, duct work, air compressors, and other fixed operating machinery shall be either screened from view or located so that such items are not visible from the highway. Trash receptacles, dumpsters, utility meters, above-ground tanks, etc. shall be similarly treated.

(3) No temporary structures are permitted except those in conjunction with and during construction of projects.

(4) Large, unbroken parking and drive areas exceeding five thousand (5,000') square feet are not permitted. Separation strips and parking islands shall be used and contain natural or planted trees and shrubs.

(5) The number of parking spaces shall be as required by this Ordinance in Section 5.2.1(1). There shall be a maximum of eight (8) spaces in a single row with a nine (9') feet by twenty (20') feet island separating each eight or fewer space groups. The retention of original trees is encouraged in the islands.

(6) Parking lot islands. When islands are required in parking lots, each island

shall include one (1) shade tree not less than ten (10') feet in height. The preservation of existing trees in parking islands is encouraged.

Section 4.16.3

Site Design Standards

(A) Buffers and Setbacks. Buffers and setbacks shall conform to the following criteria.

(1) Buffers as defined in Section 10.2.23.

(2) The site of service yards, utility meters, above-ground tanks, and other such equipment shall be landscaped so that such facilities are not visible from the highway and shall be located not less than ten (10') feet from side and rear property lines.

(3) Setbacks

(a) All structures fronting on a two-lane highway must have a setback of ~~seventy-five (75') feet from the right-of-way.~~

(b) All structures fronting on a four-lane highway must have a set back of fifty (50') feet from the right-of-way line.

(B) Space Required Between Parking Area and Building. A minimum distance of eight (8') feet will be maintained between any building, including any walkway immediately adjacent thereto, and the parking area. ~~This space is to be reserved for plant material, either existing or planted.~~ No such space is required at the rear of the buildings, but is encouraged.

Section 4.16.4

Landscape and Tree Standards for Highway Corridor Districts

(A) Preliminary applications for site development shall include a schematic Landscape Plan for the area to be developed followed by a detailed landscape plan at the time of final project submission.

(B) The Landscape Plan shall be consistent with the architectural rendering required in Section 4.16.2(A) above, and shall address each of the following issues:

(1) Screening requirements; and

(2) Adequate landscaped islands in parking area; and

(3) Reforestation; and

(4) Use of native plant materials; and

(5) Retention and protection of endangered and valuable native trees; and

(6) Protection and maintenance of trees and plant materials during construction and after the development is completed; and

(7) Use of shade trees, especially in the development of vehicular-use areas.

(C) The detailed Landscape Plan must include the following.

(1) All existing trees eight (8") inches in diameter and significant plant groupings, with sizes, locations, species, identification, and spacing noted; and

(2) All proposed trees and plant materials, with sizes, locations, species identification, and spacing noted; and

(3) All existing and proposed contours; and

(4) All existing and proposed structures and vehicular use areas, with sizes, square footage, materials, and circulation noted; and

(5) The relationship of the site to the surrounding land uses.

(D) Screening

(1) A highway frontage buffer shall be maintained and must contain an appropriate visual screen consisting of existing or installed trees that are not less than ten (10') feet to twelve (12') feet in height and spaced not more than twenty (20') feet apart. Existing or installed shrubbery in this area shall be not less than three (3') feet above the finished development grade. This three (3') foot requirement includes the height of any berm.

(2) Chain-link or woven fences visible from the highway in all buffer zones shall be made as inconspicuous as possible by screening with appropriate plant materials.

Section 4.16.5 **Permit Application Requirements**

(A) Developers desiring to develop property within the Highway Corridor District shall be required to submit applications for development to the Beaufort County Development Review Team in the normal manner prescribed by that body.

(B) In addition to the application requirements specified in Section 7.5.2.3, applications for development in a Highway Corridor Overlay District shall contain the following additional information.

(1) Parking lot design and materials

(2) Landscape Plan in accordance with the provisions of Section 4.16.4.

Section 4.16.6

Limiting Thoroughfare Access and Safety Stipulations

(A) Thoroughfare traffic flow shall have minimum interruptions so that it may move in a continuous fashion.

- (1) There shall be a minimum use of access points on the thoroughfare.
 - (a) Maximum use of frontage roads shall be encouraged.
 - (b) Shared access points shall be utilized whenever possible.
 - (c) Service roads shall also be used when feasible.
 - (d) Access separation along State and Federal highways shall be in accordance with the S.C.D.O.T. "Access and Roadside Management Standards."

(2) Measures shall be taken to ensure safety on high volume thoroughfares. The following are examples of safety that can be employed.

- (a) Left-turn lanes
- (b) The separation of lanes by a median
- (c) Right turns on red
- (d) Separation of lanes by installing islands
- (e) Traffic light synchronization
- (f) Collector lanes
- (g) Acceleration and deceleration lanes

Section 4.16.7

Designation of Highways in Highway Corridor Overlay District and Provisions Thereof

(A) A Highway Corridor is defined as five hundred (500') feet in depth/beginning at the highway right-of-way line, or to the rear property line fronting on the designated highway, whichever is the lesser, on both sides of the highway.

(B) The following highways are herewith designated as highway corridors in their entirety within Beaufort County.

- (1) U.S. Highway 21
- (2) U.S. Highway 278
- (3) U.S. Highway 17
- (4) S.C. Highway 116
- (5) S.C. Highway 170
- (6) S.C. Highway 280
- (7) S.C. Highway 802 from S.C. Highway 170 east to the corporate limits of the Town of Port Royal and from the eastern corporate limits of the Town of Port Royal to U

Highway 21 on Lady's Island
(8) S.C. Highway 46

Section 4.17 **AOD - Airport Overlay District**

Section 4.17.1 **Airport Districts, Beaufort County**

The standards prescribed in this section shall apply to all building or development in the Airport Overlay District.

Section 4.17.2 **Applicability**

The regulations on land set forth herein are applicable to all lands lying within delineated airport noise, accident potential and airspaces zones adopted as a part of the Beaufort County Zoning Ordinance. In addition to the zoning district regulations set forth in the underlying zoning district, the provisions of this section as they apply to a parcel of land shall also apply.

Section 4.17.3 **Recommended Uses in Airport Districts**

The following uses, based on noise levels and accident potential, are recommended in Airport Districts:

- (A) Landing and takeoff runways
- (B) Landing strips
- (C) Hangars
- (D) Taxi ways and parking ramps
- (E) Airplane repair shops
- (F) Parking as required in this Ordinance
- (G) Restaurant facilities related to airport operations
- (H) Personnel and ticket offices
- (I) Towers for control, landings and takeoffs
- (J) Industrial uses and storage of nonvolatile materials
- (K) Community parks not in the airport proper
- (L) Farming
- (M) Entertainment assembly not in the airport proper or accident potential zones.
- (N) Communication, transportation and utilities
- (O) Motor vehicle transportation
- (P) Ambulance and fire protection

Section 4.17.4 **Requirements of Airport Districts**

- (A) Airport Overlay Districts
 - (1) General Intent of District. It is the intent of this section to promote the health,

safety, and general welfare of the inhabitants of the County by preventing the creation, establishment or maintenance of hazards to aircraft, preventing the destruction or impairment of the utility of the airports in the County and the public investment therein and protecting the lives and properties of owners or occupants of lands in the vicinity of airports as well as the users of airports; and to aid and implement the overriding federal interest in the safe operation of airports and the security of land surrounding airports.

(2) **Airports Included.** Airports included and applicable to this section are the U.S. Marine Corps Air Station (MCAS), the Beaufort County Airport (Lady's Island), and the Hilton Head Airport.

(3) **Airports Environs: Accident Potential (APZs) and Noise Zones.** Airport environ zones are designated in accordance with table below:

AIRPORT ENVIRON ZONES

<u>Area</u>	<u>Characteristics</u>
A	Accident Potential Zone A
B	Accident Potential Zone B
C	Accident Potential Zone C
B3	Accident Potential Zone B and Noise Zone 3
B2	Accident Potential Zone B and Noise Zone 2
C3	Accident Potential Zone C and Noise Zone 3
C2	Accident Potential Zone C and Noise Zone 2
3	Noise Zone 3
2	Noise Zone 2

(B) Airport Potential Hazard Area (APHA)

Accident potential zones (APZs) are divided into three types of zones along primary flight paths, which are designated as Zone A, Zone B, and Zone C. Zone A is an area which possesses a high potential for accidents. Zone B is the area normally beyond Zone A which possesses a significant potential for accidents. Zone C is an area normally beyond Zone B having a measurable potential for accidents.

(C) Airport Noise Zone

The airport noise zones are defined in the table following.

<u>Airport Noise Zone</u>	<u>Decibel Level of a Day/Night Average</u>
1	Less than 65
2	65-75
3	Greater than 75

Section 4.17.5

Regulations Applicable to Designated Civilian and Military Airport Environs

(A) Allowable Land Uses

The uses to which the property contained within the Airport District(s) may be put shall be prescribed by the various zoning districts underlying the overlay district as established in this Ordinance.

(B) Conditional Uses

The following uses shall be permitted subject to the conditions prescribed herein.

(1) Commercial development in accordance with the Zoning and Development Standards Ordinance shall be permitted but are advised that reception, lounge, and office areas shall be designated with a thirty (30) decibels, A-weighted (dbA), noise level reduction (NLR).

(2) Medical and other health services such as hospitals, nursing homes, clinics, and similar uses shall be designated with a sixty (60) decibels, A-weighted (dbA), noise level reduction (NLR).

(3) Industrial uses, such as warehousing, wholesaling, assembly plants shall be permitted with the advice that reception, lounge, and office area shall be designed with twenty-five (25), A-weighted (dbA), noise level reduction (NLR).

(4) Public and quasi-public services structures such as churches, government offices, postal services, schools, libraries, museums, art galleries, and similar uses not be erected in areas where the noise level exceeds 65 or greater decibels.

Section 4.17.6

Regulations applicable to Established Military and Civil Airport Height Zones

(A) Airport Zones and Airspace Height Limitations

In order to carry out the provisions of this section, there are hereby created and established

certain zones which include all the land lying beneath the approach, transitional, horizontal, and conical surfaces as they apply to a particular airport. The area located in more than one of the described zones is considered to be only one zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

(1) **Public Civil Airport Height Zones and Limitations**

BEAUFORT COUNTY AIRPORT

(a) Primary Zone is an area longitudinally centered on a runway, extending two hundred (200') feet beyond each end of that runway with the width so specified for each runway for the most precise approach existing or planned for either end of the runway. No structure or obstruction will be permitted within the primary zone that is not part of the landing and take-off area and is of a greater height than the nearest point on the runway center line. The width of the primary zone is as follows:

Five hundred (500') feet for nonprecision-instrument runways having visibility minimum greater than three-fourths (3/4) of a statute mile.

(b) Horizontal Zone is the area around each civil airport with an outer boundary perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the primary zone of each airport's runway and connecting the adjacent arcs by line tangent to the arcs. The radius of each arc is:

Ten thousand (10,000') feet for nonprecision-instrument runways having visibility minimum greater than three-fourths (3/4) of a statute mile.

Ten thousand (10,000') feet for visual runways having only visual approaches.

The radius of the arc specified for each end of a runway will have the same arithmetical value. That value will be the highest composite value determined for either end of the runway. No structure or obstruction will be permitted in the horizontal zone that has a height greater than one hundred fifty (150') feet above the airport height.

(c) Conical Zone is the area extending outward from the periphery of the horizontal zone for a distance of four thousand (4,000') feet. Height limitations for structures in the conical zone are one hundred fifty (150') feet above the airport height at the inner boundary with permitted height increasing one (1') foot vertically for every twenty (20') feet of horizontal distance measured outward from the inner boundary to a height of three hundred (300') feet above the airport height at the outer boundary.

(d) Approach Zone is an area longitudinally centered on the extended runway center line and extending outward from each end of the primary surface. An approach zone is designed for each runway based upon the type of approach available or planned for the runway end.

The inner edge of the approach zone is the same width as the primary zone and it expands uniformly to a width of:

Five hundred (500') feet for nonprecision instrument runways having visibility minimum greater than three-fourths (3/4) of a statute mile.

Thirty-five hundred (3,500') feet for visual runways having only visual approaches. The approach surface extends for a horizontal distance of:

Ten thousand (10,000') feet for all nonprecision-instrument runways other than utility.

Five hundred (500') feet for visual runways having only visual approached.

The outer width of an approach zone to an end of a runway will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.

Permitted height limitation within the approach zone is the same as the runway and height at the inner edge and increases with horizontal distance outward from the inner edge as follows:

Beaufort County Airport Runway 6/24 permitted height increases one (1') foot vertically for every twenty (20') feet of horizontal distance for all utility and visual runways.

Beaufort County Airport Runway 6/24 permitted height increase one (1') foot vertically for every thirty-four (34') feet of horizontal distance for all nonprecision-instrument runways other than utility.

(e) Transitional Zone is the area extending outward from the sides of the primary zones and approach zones connecting them to the horizontal zone. Height limits within the transitional zone are the same as the primary zone or approach zone at the boundary line where it adjoins and increases at a rate of one (1') foot vertically for every seven (7') feet horizontally, with the horizontal distance measured at right angles to the runway center line and extended centerline, until the height matches the height of the horizontal zone or conical zone or for a horizontal distance of two thousand (2,000') feet from the side of the part of the precision approach zone that extends beyond the conical zone.

(f) Other Areas. In addition to the height limitations imposed in the aforementioned paragraphs, no structure or obstruction will be permitted within the County that would cause a minimum obstruction clearance altitude, a decision height or a minimum vectoring altitude to be raised.

HILTON HEAD AIRPORT

Section 16-7-470 (AHZ) Airport Hazard Overlay Zoning District, Applicability and Purpose, through Section 16-7-473, Nonconforming Uses or Structures, and Appendix A of the Town of Hilton Head Land Management Ordinance (LMO) shall be a part of this Ordinance and shall be

administered by the Town of Hilton Head Island.

Areas of Beaufort County outside the corporate limits of the Town of Hilton Head Island and above-referenced Airport Hazard Overlay Zoning District, are deemed necessary for airspace controls due to overflight, approaches, takeoffs, and pilot training areas.

(a) **Approach Zone.** The approach zone for the Hilton Head Island Airport for Runways 03 and 21, shall be at a distance of 1.5 miles from the runway end and of width not less than five hundred (500') feet of the sides of the primary runway and shall extend into the County as appropriate.

(b) **Height Limits in Approach Zone.** The height limits for structures in the Approach Zone shall not exceed thirty-five (35') feet within two hundred forty-five (245') feet of the sides of the primary surface of the runway or a distance of one-thousand one-hundred ninety (1,190') feet of the ends of the runway.

~~The height limits for structures in the Approach Zone shall not exceed seventy-five (75') feet within five hundred twenty-five (525') feet of the sides of the primary surface of the runway or for a distance of two-thousand five-hundred fifty (2,550') feet of the ends of the runway. The height limits for structures in the Approach Zone shall not exceed three hundred fifty (350') feet within five hundred (500') feet of the sides of the primary surface of the runway or for a distance of one and five-tenths (1.5) miles of the ends of the runways (03 and 21).~~

(c) **Transitional Zone.** ~~The transitional zone is the area ending outward from the sides of the primary zones and the approach zones connecting them to a horizontal zone. The transitional zone for Runway 03 shall be a distance of three and five-tenths (3.5) miles from the end of the primary runway and swing in an arc to meet the transitional zone line from Runway 21, or a distance of two (2) miles from the outer limits of the Approach Zone.~~

The Transitional Zone for Runway 21 shall be a distance of four and five-tenths (4.5) miles from the end of the primary runway and swing in an arc to meet the transitional zone line from Runway 03 or a distance of three (3) miles from the outer limits of the Approach Zone.

(d) **Height Limits in the Transitional Zone**

No structure in the transitional zone shall exceed three hundred fifty (350') feet without review by the Beaufort County Aviation Board and approval by the Town of Hilton Head Island and/or the Beaufort County Development Review Team.

(e) **County Airport Corridor**

There shall be established a Beaufort County Airport Corridor between the Beaufort County Airport (Lady's Island) and the Hilton Head Island Airport. The Airport Corridor shall begin at the outer limits of the Approach Zone to the Beaufort County Airport (Lady's Island) and extend to the outer limits of the Approach Zone of the Hilton Head Island Airport. The Airport Corridor shall

be three (3) miles in width. No structures in the Airport Corridor shall exceed three-hundred fifty (350') feet without the approval of the Development Review Team and shall be clearly marked and lighted as provided for by Federal Aviation Administration's (FAA) Advisory Circular 70/7460-1G, "Obstruction Marking and Lighting," or as provided for in this Ordinance if deemed that more restrictive measures are deemed necessary for aircraft safety.

(2) **Military Airport Zones**

The United States Navy (United States Marine Corps) is exempt from the provision of this part for areas under its authority which includes MCAS-Beaufort runways 04, 22, 14, and 32.

(a) Primary Zone is an area located on the ground or water, longitudinally centered on each runway and extending two hundred (200') feet beyond the runway end. The width of the primary zone is one thousand five hundred (1,500') feet.

(b) Clear Zone is the fan-shaped area adjacent to the landing threshold and expanding to two thousand two hundred eight-four (2,284') feet wide, three thousand (3,000') feet from the threshold at an angle of 7 degrees, 58 minutes, 11 seconds commencing two hundred (200') feet from the threshold.

(c) Inner Horizontal Zone is the area encompassing the runways, primary zone and clear zone perimeter formed by swinging arcs of seven thousand five hundred (7,500') feet radius about the center line at the end of each primary zone and connecting adjacent arcs by lines tangent to these arcs. No structure or obstruction will be permitted in the inner horizontal zone of a greater height than one-hundred fifty (150') feet above the airport elevation.

(d) Conical Zone is a surface extending from the periphery of the inner horizontal surface outward and upward at a slope of twenty (20) to one (1) to a height of five hundred (500') feet above the established airfield elevation.

(e) Outer Horizontal Zone is the area extending outward from the outer periphery of the conical zones for a distance of thirty thousand (30,000') feet. The height limit within the outer horizontal zone is five hundred (500') feet above airport elevation.

(f) Approach Zone is the area longitudinally centered on each runway centerline, with an inner boundary two hundred (200') feet out from the end of the runway and the same width as the primary zone, and extending outward for a distance of fifty thousand (50,000') feet, expanding uniformly in width to sixteen thousand (16,000') feet at the outer boundary. Height limits within the approach zone commence at the height of the runway end and increase at the rate of one (1') foot vertically for every fifty (50') feet horizontally for a distance of twenty-five thousand (25,000') feet, at which point it remains level at five hundred (500') feet above the airport elevation to the outer boundary.

(g) Transitional Zone is the area with an inner boundary formed by side of the primary zones and the approach zones, then extending outward at a right angle to the runway

centerline until the height matches the adjoining inner horizontal zone and increases at the rate one (1') foot vertically for every seven (7) feet horizontally to the outer boundary of the transitional zone, where it again matches the height of the adjoining outer horizontal zone.

Section 4.17.7

Application Review Requirement

All applications for structures exceeding one hundred fifty (150') feet in height in Beaufort County submitted to the Beaufort County Building Inspections Department or Development Review Team shall have automatic referral to the Beaufort Aviation Board. The Aviation Board shall have twenty-one (21) working days to respond, in writing, on the application.

Section 4.17.8

Miscellaneous Use Regulations, Variances and Nonconforming Uses

(A) Uses Which Interfere With Aircraft

It shall be unlawful and a violation of the Beaufort County Zoning Ordinance to establish, maintain or control a use within an airport accident potential, noise, or height zone in a manner as to interfere with the operation of airborne aircraft. The following special requirements shall apply to each use lawfully established in the zones:

(1) Lights or illumination used in conjunction with street, parking, signs or use of land and structures shall be arranged and operated in such a manner that is not misleading or dangerous to aircraft operating from an airport or in the vicinity thereof as determined by the airport operator.

(2) No operations of any type shall produce smoke, glare or other visual hazards within three (3) miles of a usable runway of a designated airport.

(3) No operations of any type shall produce electronic interference with navigation signals or radio communication between the airport and the aircraft.

(4) No use of land shall be permitted which encourages large concentrations of birds or waterfowl within the vicinity of an airport.

(5) All structures containing guidewires as a means of support shall have an illumination device of all weather material (plastic, aluminum, etc.) connected to the guideline(s) at twenty-five (25') foot intervals. The devices shall be not less than twelve (12") inches in length and not less than four (4") inches in width and be able to withstand high winds and inclement weather conditions.

(6) High intensity white obstruction lights shall be placed on all towers which exceed one hundred fifty (150') feet in height, at fifty (50') foot intervals

(B) Lighting

Notwithstanding the provisions of this Ordinance, the owner of a structure over two hundred (200') feet above ground level shall install lighting in accordance with Federal Aviation Administration (FAA) Circular 70-7460-1 Series and Amendments thereto on the structure and an additional provisions covering lighting contained in this Ordinance. Additionally, high-intensity white obstruction lights shall be installed on a high structure which exceeds seven hundred forty-nine (749) feet above mean sea level. The high-intensity white construction lights must be in accordance with the Federal Aviation Administration (FAA) Advisory Circular 70-7460-1E and Amendments.

(C) Hazard Marking and Lighting

A permit or variance shall require the owner to mark and light the structure in accordance with Federal Aviation Administration (FAA) Circular 70-7460-1 Series. The permit may be conditioned to permit the United States Navy (United States Marine Corps) or the County, at its owner expense, to install, operate and maintain markers and lights necessary to indicate to pilots the presence of an airspace hazard if special conditions so warrant.

(D) Variances

The Beaufort County Board of Adjustments and Appeals shall not act upon a request for a variance from this Code affecting lands laying within an airport environ or height zone until the Board of Adjustments and Appeals has received an advisory opinion from the Beaufort County Aviation Board. When the division of a lot of record existing upon the effective date of the part by an airport environ zone boundary line makes impractical the reasonable use of the lot, the Development Review Team may, when not contrary to the public interest or the spirit and intent of this part, move the boundary line to wholly encompass or exclude the lot from the zone by reclassifying the zone or by utilizing the Zoning and Development Standards Ordinance variance provisions.

(E) Nonconforming Uses and Structures

To the extent set forth herein, the restrictions or nonconforming uses and structures contained in the Zoning Ordinance, Article II, Section 2.4, are modified or supplemented as follows:

(1) The owners of a nonconforming structure shall allow the installation, operation and maintenance, during hours of darkness, of the markers and lights deemed necessary by the airport's administrative official to indicate to the operators of aircraft in the vicinity of the airport the presence of the structures or aircraft hazards. The markers and lights shall be installed, operated and maintained at the expense of the owners of the airport concerned.

(2) The owner of a tree or other natural growth which exceeds the limitations on height as provided in this Code shall allow the owner of this airport at its expense to make lower, remove, or take other action necessary to bring the tree or growth into conformity with the Code.

(3) A use which is nonconforming by virtue of the regulations contained in this part may be structurally altered, reconstructed or replaced provided there is no increase in the floor area or height of a structure.

Section 4.17.9

Helicopter Landing Sites

A landing site for helicopters or other vertical takeoff aircraft shall be a permitted use in a commercial, industrial, residential, agricultural, and rural development zoning district, provided, that this use shall not be established in a location other than an airport until a permit therefore shall have been authorized by a resolution adopted by County Council, and until FAA airspace has been authorized and until the State licensing requirements have been obtained pursuant to South Carolina Statutes.

Section 4.17.10

Disclosure Statement

All subdivisions plats, Planned Unit Development plats, townhouse plats, and/or condominium documents shall contain an approved Disclosure Statement as follows:

Airport Overlay Disclosure Statement

This property lies in an Airport Overlay District. Purchasers are required to sign a Disclosure Form per Section 4.17.10.1 of the Development Standards Ordinance and file with deed and/or plat at the Beaufort County Register of Mesne Conveyances Office (RMC Office).

Airport Zone: _____

Accident Potential Zone: _____

Noise Zone: _____

Airport Environs Area: _____

The decibel level of a day/night average ranges from _____ to _____ decibels.

Section 4.17.10.1

Disclosure Statement Form

No person shall sell any property within the airport hazard area unless the prospective buyer has been given the following notice:

To: _____

The property at _____ (address/location) is located within the airport hazard area of _____ airport. Beaufort County has determined that persons on the premises will be exposed to a significant noise level and accident potentials as a result of the airport operations. The County has established certain noise zones and accident potential zones (APZs).

The above property is located in Airport Zone _____ and in Accident Potential Zone _____ and Airport Environs Area _____

The County has placed certain restrictions on the development and use of property within airport environ areas. Before purchasing the above property, you should consult the Beaufort County Zoning and Development Manager to determine the restrictions which have been placed on the subject property.

CERTIFICATION

As the owner of the subject property, I hereby certify that I have informed _____, as a prospective purchaser, that the subject property is located in an airport hazard area.

Dated this ____ day of _____, 19____.

Witness _____ Owner _____

As a prospective purchaser of the subject property, I hereby certify that I have been informed that the subject property is in an airport hazard area, and I have consulted the Beaufort County Zoning and Development Manager to determine the restrictions which have been placed on the subject property.

Dated this ____ day of _____, 19____.

Witness _____ Purchaser _____

Section 4.17.11

Official Maps

In addition to the Official Zone Maps for the County of Beaufort, South Carolina, typical airport maps are hereby made a part of this Ordinance. The maps show the boundaries of the airports, instrument, non-instrument, VFR transition, horizontal and conical zones; airport reference points and elevations.

Section 4.18

HPOD - Historic Preservation (Overlay) District

Section 4.18.1

Identification of Historic Resources

All structures, ruins, cemeteries, and other sites of historic significance shall be identified by the Planning Board, with the assistance of appropriate persons and/or agencies.

Section 4.18.2

Permitted Uses

Any uses which may reasonably be made a structure in a Historic District, and which is permitted within the zoning district or districts which underlies the Historic District, shall be permitted. In the case of a Historic District overlaying more than one type of Zoning District, those uses permitted in the most restrictive Zoning District classification shall be permitted.

Section 4.18.3

Creation of the Historic Preservation Review Board

There is hereby created and established a Historic Preservation Review Board in accordance with the Code of Laws of South Carolina, 1976, as amended, Title 5, Chapter 23, Article 3 to provide for the preservation and protection of historically and architecturally significant structures and sites and to preserve the cultural and historical heritage of Beaufort County.

(A) Terms of Appointment

The Historic Preservation Review Board shall consist of nine (9) members.

One member will be appointed by Beaufort County Council from each of the following geographic areas of the County:

- (1) Northern Beaufort County; and
- (2) Southern Beaufort County; and
- (3) Lady's Island; and
- (4) Port Royal Island; and
- (5) St. Helena Island; and
- (6) Daufuskie Island and shall have demonstrated interest, competence and knowledge in historic preservation; and

Two members shall be statutory appointments from each of the two existing preservation organizations in Beaufort County:

- (1) Historic Beaufort Foundation; and
- (2) Bluffton Historic and Preservation Organization.

One member shall be appointed with a professional background in the discipline of architecture, history, planning, archeology, engineering, or related disciplines to the extent that such professionals are available in Beaufort County.

Members shall serve for a period of four (4) years with the terms of service to be staggered. The first members appointed shall be appointed for a term of two, three or four years.

(B) Election of Officers, Rules and Meetings

The Historic Preservation Review Board shall elect from its voting membership a Chairman and Vice Chairman who shall serve a one-year term or until their successors are elected. The Board may elect a Secretary, or appoint a Secretary who may be an official or employee of Beaufort County to keep accurate records of the meetings and proceedings of the Board. The Historic Preservation Review Board shall hold regularly scheduled meetings to transact its business and all such meetings shall be open to the public. Reasonable notice of the time and place of such meetings shall be given to the public.

Section 4.18.4

**Powers and Duties of the Beaufort County
Historic Preservation Review Board**

(A) Keep a register of all historically designated properties and structures and to provide for an ongoing survey to identify historically and architecturally significant properties, structures, or areas; and

(B) Investigate and recommend to Beaufort County Council the designation of properties, structures, or areas as having special historic, community, or architectural value as either "landmarks" or "historic districts"; and

(C) Hold public meetings and review the erection, construction, reconstruction, demolition, or relocation affecting proposed or designated historic properties, districts, and structures; and

(D) Issue or deny Certificates of Appropriateness in accordance with that criteria established in the Secretary of Interior Standards for Rehabilitation and Guidelines for rehabilitating historic buildings and to determine, based on established criteria, if an economic hardship exception should be considered; and

(E) Advise owners of National Register regulations and assist them in the process of nomination into the National Register of Historic Places; and

(F) Issue Cease and Desist orders restraining any construction, alteration, or demolition of buildings or land; and

(G) Require owners to submit plans, drawings, elevations, specifications, photograph, and other information as may be necessary to make decisions; and

(H) Consider and issue an exception when it is determined that the owner cannot earn a reasonable rate of return or cannot enjoy reasonable use of his property unless demolition or alteration is approved. The lack of reasonable return or use must be proven to the satisfaction of the Historic Preservation Review Board. Reasonable return is defined as net annual return of six (6%) percent of the valuation of the property or structure. The term net annual return is basically the same as net operating income. Net annual return excludes mortgage payments but does include a deduction for depreciation; and

(I) Present National Register of Historic Places nominations to the South Carolina Department of Archives and History, and to review and comment on any National Register nomination submitted to them; and

(J) Appoint subcommittees as may be required from time to time; and to bring in an outside consultant with such expertise as is determined necessary by the Historic Preservation Review Board deems necessary. Funds for such consulting services may be requested of County Council; and

(K) Seek assistance from the County Planning Department's staff as necessary.

Section 4.18.5

Surveys and Research

(A) The Historic Preservation Review Board shall review and evaluate any prior surveys and studies of historic structures or properties performed by any unit of government or private organization and compile appropriate descriptions, facts, photographs, and summaries of such surveys.

(B) The Historic Preservation Review Board shall provide for ongoing survey and research effort in the County to identify neighborhoods, areas, sites, structures, and unmovable objects that have historic, community, architectural, or aesthetic importance, interest, or value.

Section 4.18.6

Nominations to the National Register

The Historic Preservation Review Board will systematically identify potential historic properties/structures and adopt procedures to nominate them based upon the established criteria of the National Register of Historic Places including any amendments thereto.

Section 4.18.7

Establishment of a Certificate of Appropriateness

There shall be established an application for a Certificate of Appropriateness which shall be

available at the County Zoning and Development Manager's Office. Applications will be required for all construction, reconstruction, relocation, alteration or demolition, which affects the exterior architectural appearance of a designated historic property or structure located within a designated historic district.

The Historic Preservation Review Board shall review the application for a Certificate of Appropriateness in accordance with its By-Laws and the Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and issue or deny a Certificate of Appropriateness within thirty (30) days of receipt of the completed application. Written receipt of the approval or denial of the application with reasons stated shall be provided the applicant and the Building Department within seven (7) days following the determination and shall be accompanied by a Certificate of Appropriateness in the case of approval.

If a Certificate of Appropriateness is denied, the Historic Preservation Review Board shall make recommendations to the applicant concerning changes, if any, in the proposed action that would cause the Historic Preservation Review Board to reconsider its denial. The Historic Preservation Review Board shall confer with the applicant and attempt to resolve as quickly as possible the differences between the applicant and the Historic Preservation Review Board. The applicant may resubmit an amended application or reapply for a building or demolition permit that takes into consideration the recommendations of the Historic Preservation Review Board.

In the event that the application is still denied, the applicant may apply for an exception, if the applicant cannot enjoy a reasonable use of his property or cannot earn a reasonable rate of return unless demolition or alteration is approved.

Reasonable Use

A reasonable use for a historic structure and/or site is defined herein as a residential, commercial, recreational or industrial use which is in compliance with the Beaufort County Development Standards and Zoning Ordinance and the Beaufort County Building Codes and Licensing Ordinance; and for which a Certificate of Occupancy (CO) can be issued by the Beaufort County Department of Building Inspections. Such Certificate of Occupancy may be waived by the Historic Preservation Review Board providing said Board rules the site's primary function is for passive recreational use.

The lack of reasonable return must be demonstrated by the applicant to the satisfaction of the Historic Preservation Review Board. Reasonable return is defined as net annual return of six (6%) percent of the valuation of the property/structure. The term net annual return is basically the same as net operating income. Net annual return excludes mortgage payments but does include a deduction for depreciation.

The Historic Preservation Review Board may solicit expert testimony or require that the owner make submissions concerning any or all of the following information before it makes a determination on the application:

(A) Estimate of the cost of the proposed construction, alteration, demolition, or relocation or an estimate of any additional cost that would be incurred to comply with Design Review Guidelines or recommendations of the Historic Preservation Review Board for changes necessary for the issuance of a Certificate of Appropriateness;

(B) A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;

(C) Estimated market value of the property in its current condition and after completion of the proposed construction, alteration, relocation or demolition;

(D) Estimated market value after changes recommended by the Historic Preservation Review Board, and, in the case of a proposed demolition, after renovation of the existing property/structure for continued or new use;

(E) The annual gross income from the property for the previous two years; itemized operating and maintenance expenses for the previous two years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period; and

(F) Assessed value of the property according to the two most recent assessments; and

(G) Any other information considered necessary by the Historic Preservation Review Board to determine whether the property does yield a reasonable rate of return to the applicant(s).

The Historic Preservation Review Board shall review all evidence and information required of the applicant and consider an exception when the applicant has demonstrated that he cannot enjoy reasonable use of his property or that property cannot generate return.

Section 4.18.8

Beaufort County Historical Preservation Listing

The Beaufort County Planning Board has recognized the following historical preservation structures and/or sites:

<u>Sheldon Township</u>	<u>Tax Map No.</u>	<u>Parcel No.</u>
Auldbrass Plantation	2	1B
Old Sheldon Church	19	130

<u>Bluffton Township</u>	<u>Tax Map No.</u>	<u>Parcel No.</u>
Rose Hill Plantation	23A	125
St. Lukes Methodist Church	29	7, 16

<u>St. Helena Island</u>	<u>Tax Map No.</u>	<u>Parcel No.</u>
--------------------------	--------------------	-------------------

Emanuel Alston House	17	125
Dr. York Bailey House	16	124
Coffin Point Plantation	13	11
Coffin Pt. Plantation Praise House	13	55
Coffin Pt. Plantation Caretaker House	13	203
Corner Packing Shed	16	120
Croft Community Praise House	10	46
Mark D. Batchelder Office	16	55
Fort Fremont Hospital	6	30A
Eddings Pt. Community Praise House	6	30A
Edgar Fripp Mausoleum	23	96
Frogmore Plantation Complex	23	123A
Hunting Island Lighthouse	20	3
Mary Jenkins Community Praise House	11	30
The Oaks Plantation	15	36A
Orange Grove Plantation	22	74A
Penn Community Services, Inc. (Includes 17 Properties)	16	81
Brick Baptist Church Complex Includes:		
Brick Baptist Church		
Study House, Cemetery	16	95
Seaside Plant. (Edgar Fripp Plant.)	23	136D
Robert Simmons House	15	83
Chapel of Ease	23	96
Tombee Plantation	36	38B
Pine Island Plantation Complex	7	2

Daufuskie Island

Tax Map No.

Parcel No.

Haig Point Lighthouse	22	1
Haig Point Tabby Ruins	22	1
Haig Point Cemetery	22	1
Cooper River Cemetery	21	9
Jamie Hamilton School	25	2
Mt. Carmel Baptist Church	25	2
Webb Cemetery	24	1

Daufuskie Island

Tax Map No.

Parcel No.

Hudson House	24	99
Union Sisters & Brothers (Oyster Society Hall)	24	11
Roller House	24	19A
Maryfield Cemetery	24	20

First Union African Baptist Church	24	89
One Room School	24	75
Maryfield School	24	124
William House	24	53
Daufuskie School	24	124
Martin House	24	26/2
		Southwest corner of Parcel 41
Bloody Point Cemetery	27	9
Bloody Point War Site	27	9
Bloody Point Lighthouse	27	8F
Light Towers Buildings and Winery	27	20
Mary Dunn Cemetery	26	24A
Fripp Cemetery	26	20C

Parris Island

Tax Map No.

Parcel No.

(701) Parris Island Historical District
(703) Fort Frederick

Section 4.18.9

Standards for Review

The Historic Preservation Review Board shall use the most recent edition of the "Secretary of Interior's Standards for Historic Preservation Projects" as the Design Review Guidelines in considering an application for a Certificate of Appropriateness.

Section 4.18.10

Appeals of Decisions of the Historic Preservation Review Board

Appeals from the decisions of the Historic Preservation Review Board shall be made pursuant to the Section 5-23-340. Code of Laws of South Carolina, 1976, as amended.

The Petition shall be presented to the Court within thirty (30) days after the filing of the decision of the Board.

Section 4.19

BDOD - Beach Development (Overlay) District

All standards prescribed in this section shall apply to all site design and development hereafter undertaken within the Beach Development District or whenever a portion of a proposed development property lies within the Beach Development District.

Section 4.19.1

Preservation of Sand Dunes

No primary dune shall be leveled, breached, altered, or undermined in any way nor shall primary dune vegetation be disturbed or destroyed, with the exception of construction of boardwalks or similar beach access which have minimal effect on the natural features of the dune.

Section 4.19.2

Beach Access

Access to beach areas shall be provided by elevated walkways, when determined necessary by the County Engineer, to prevent damage to the primary dune.

Section 4.19.3

Public Beach Access Required

Public beach access shall be provided by the developer for any development including more than one thousand (1,000') feet of beach frontage according to the provisions of Section 4.19.4.

Section 4.19.4

Option to Purchase Beach Access

Upon filing of a preliminary application for an oceanfront development plan with the Zoning and Development Manager, Beaufort County shall have an option to purchase reasonable beach access as deemed necessary for the general welfare and benefit of the public. The County's option to purchase beach access shall run from the date of first submission of plans to the Zoning and Development Manager, to the date of the second regular County Council meeting following the proposed permit issue date of the Development Review Team, but in no case shall the option period be more than ninety (90) days from the date of first submission of plans.

The Development Review Team shall review a proposed oceanfront development as to the need for public beach access and shall recommend to County Council what action it feels the County should take as regards to public beach access areas in the best interest of the general public. The County Council shall notify the developer of its intentions on the option by the end of the specified option period, and shall, if electing to purchase the beach access area(s), have a period of thirty (30) days, and one extension period of thirty (30) days, from the end of the option period, to negotiate the terms of the purchase with the developer.

County Council may cause to be made an appraisal of the required beach access area(s) by a board of at least three (3) independent appraisers in order to establish the basis for a purchase offer to the developer for the beach access area.

Section 4.19.5

Beach Development Setbacks

No development shall be undertaken except in compliance with the provisions of this section. Furthermore, the requirements of paragraphs (a) and (b) of this section shall be included as covenants and restrictions for all subdivision development in the Beach Development District.

(A) No building or other structure shall be located or constructed in such a manner as to destroy, undermine, or alter any primary sand dune or disturb primary dune vegetation.

(B) No structure shall be constructed within forty (40') feet landward of the crest of a primary sand dune or seventy-five (75') feet landward of mean high water, whichever is greater, except for beach cabanas of four hundred (400') feet and less on elevated pilings or beach

boardwalks on elevated pilings.

Section 4.19.6 **Beach Protection Plan**

Development applications will indicate how the developer plans to preserve sand dunes and shore vegetation.

Section 4.20 **FHOD - Flood Hazard Overlay District**

All standards prescribed in this section shall apply to all site design and development hereafter undertaken within the Flood Hazard District. The Flood Hazard District corresponds to Special Flood Hazard areas officially designated by the Federal Insurance Administration.

Section 4.20.1 **Flood Hazard Design Standards**

All requirements of the Beaufort County Building Codes related to construction in flood hazard areas must be met.

Section 4.20.2 **Indication of Flood Hazard Areas**

Plats of development laying in a flood hazard area shall have such areas clearly delineated on the plat by indication of the topographic contour line corresponding to the 100-Year flood elevation shown on official County flood plain maps.

Section 4.20.3 **Flood Hazard Design Standards**

Engineering plans and specifications shall be submitted showing that adequate design has been incorporated to assure to the maximum extent possible that:

- (A) Water supply systems will be constructed to preclude infiltration by flood waters; and
- (B) Wastewater disposal systems, including septic tanks, will be constructed to preclude infiltration by flood waters; and
- (C) Types of and construction of fill materials used for building foundations are such so as to minimize settlement, slope erosion, siltation and facilities drainage of potential surrounding flood waters.

Section 4.20.4 **Protective Deed Restrictions Required**

Covenant or deed restrictions shall be placed in the deeds to all lots of a development lying within a flood hazard area stipulating to the owner that:

- (A) Construction of a residential structure (or commercial structure in the case of a commercial business subdivision) on that lot lying within a flood hazard area, shall have as a

minimum first floor elevation the level of the 100-Year flood or above as designated on official County flood plain maps.

(B) Construction on lots within what is defined and designated as "coastal high hazard areas" velocity shall be elevated and securely anchored to well-anchored piles or columns and have the level of the bottom of the lowest horizontal support member at or above the level of the 100-Year flood. Space below the level of the first floor level shall be free of obstruction or covered by break-away facade material capable of producing free obstruction for the impact of abnormally high tides or wind-driven water.

(C) All other requirements of the Beaufort County Code, related to construction in flood hazard areas, must be met.

Section 4.20.5 **Disclosure Statement Required**

On all plats of development for which lots, sites, or structures are to be sold or leased, the following statement shall be clearly affixed to the plat(s) and readily visible. "The areas indicated on this plat as flood hazard areas have been identified as having at least a one (1%) percent chance of being flooded in any given year by rising tidal waters associated with possible hurricanes. Local regulations require that certain flood hazard protective measures be incorporated in the design and construction of structures in these designated areas." Reference shall be made to the development covenants and restrictions of this development and requirements of the Beaufort County Building Codes Department. In addition, some agencies may require mandatory purchase of flood insurance as a prerequisite to mortgage financing in these designated flood hazard areas.

Section 4.21 **Light Industrial District**

Section 4.21.1 **Permitted Uses**

The uses specified in this section shall be permitted in any Light Industrial District provided that none of the uses or operations specified in Section 4.21.3 Prohibited Uses and Operations, below, are conducted on the premises either as independent operations or as part of the primary permitted activity.

(A) All permitted and conditional uses in the General Commercial District subject to the same conditions apply in that district except those conditional uses permitted under Sections 4.11.2(J) and 4.11.2(K) which shall be prohibited.

(B) Warehouse, wholesale, or distribution operation.

(C) Workshop for building trade other than carpentry (carpentry is included in conditional use section).

(D) Photocopying, typesetting, or stripping operation; bindery

(F) Handicrafts workshop or fine arts studio.

(F) Manufacturing, production, processing, assembly, fabrication, packaging, storage, and distribution of the following materials and products plus customarily associated operations:

(1) Computers, computer components, and computer accessories including, but not limited to: printed circuit boards, semiconductors, terminals, printers, storage devices, peripheral equipment, and software.

(2) Electrical and electronic components and systems for office and consumer use including, but not limited to: audio and video equipment, television sets, radios, telephones, telegraphs, and calculating machines.

(3) Small office supplies and machines suitable for sale in stationery store; household cooking equipment.

~~(4) Lighting fixtures, fans, lamp bulbs and tubes.~~

(5) Cameras and other photographic equipment excluding film and chemicals.

(6) Watches, clocks, meters, scales and other counting and timing devices.

(7) Medical, surgical, and dental instruments; optical and ophthalmic instruments, lenses, and eyeglasses; orthopedic and prosthetic appliances.

(8) Precision instruments and gauges used for measuring, testing, control, display, and analysis; precision instruments used for communications, search, detection, navigation, and guidance.

(9) Magnetic and optical recording media, audio/video tapes and disks.

(10) Electronic capacitors, coils, connectors, and resistors for small office and consumer products; electron tubes.

(11) Materials for fiber optic processes.

(12) Sporting and athletic goods; musical instruments; hand-held tools; lawn and garden equipment.

(13) Hand held firearms excluding ammunition.

(14) Lightweight metal or plastic furniture; drafting equipment: writing, drawing, and marking implements.

(15) Vending machines; signs and advertising specialties.

- (16) Brooms, brushes, and combs; fasteners, buttons, needles and pins.
- (17) Games, toys, dolls, figurines, and stuffed animals; small curios, novelty items, and tourist souvenirs.

Section 4.21.2 **Conditional Uses**

The uses specified in this section shall be permitted in any Light Industrial District subject to the specific conditions attached to each use and provided that none of the uses or operations specified in Section 4.21.3 Prohibited Uses and Operations, below, are conducted on the premises either as independent operations or as part of the primary permitted activity.

(A) Laboratory for research, development, experimentation or testing; or biotechnology operation provided there is no activity exceeding Biosafety Level II and no use of recombinant DNA.

(B) Textile, fabric or apparel operation specifically including woven fabric mill, knitting mill, yarn and thread mill, and cut and sew operation provided none of the following occurs on the premises: production of synthetic fibers; printing, dyeing, bleaching, finishing, or waterproofing of materials; water-jet weaving; pulling or scouring of wool; leather tanning or curing of hides.

(C) Trade shop or tool and die shop provided operations are oriented to servicing needs of types of industries permitted in this district.

(D) Carpentry workshop or cabinet making/wood furniture operation provided there is no chemical treatment of wood by immersion or pressure application, or sawing or planing of raw lumber and provided the operation does not exceed 20,000 square feet. There is no size limitation if, in addition, the operation meets the criteria specified in Section 4.21.2(H), below.

(E) Printing, lithography, and gravure provided that the operation does not exceed 20,000 gross square feet. If only water soluble inks or photocopying processes are used there is no size limitation.

(F) Bulk storage of petroleum or other flammable, volatile or hazardous materials provided they are used for operations on the premises rather than for distribution; and provided the storage arrangement complies with Occupational Safety and Health Administration and National Fire Protection Association standards.

(G) Cold storage plant provided there is no processing of food other than seafood and shellfish.

(H) Light assembly or fabrication of any product not listed in Section 4.21.1 Permitted Uses, above, or in this Section 4.21.2 Conditional Uses, provided only finished, previously prepared materials are used including, but not limited to: metal, plastic, rubber, ceramic, glass, wood, fabric, leather, canvas, fur, paper, or paperboard; provided production is carried out primarily with hand

operations or light-duty machines/tool room-type equipment; provided only simple machining, cutting, reshaping and fastening processes are involved; provided no chemicals, dyes, solutions or other applicants are used in the production process with the exception of paints and finishes applied with a small brush or jet, cleansers, lubricants, solders, and glues.

(I) Campgrounds and Recreational Vehicle Parks provided that:

(1) No site or structure shall be continuously occupied for more than fourteen (14) days. Any tent, camper, or recreational vehicle shall be physically removed on or before the expiration of fourteen (14) days.

(2) No overflow camping shall be allowed. When a campground/RV Park is full, no more campers or vehicles shall be permitted on the grounds.

(3) The campground shall have a minimum size of twenty (20) acres. The maximum size campground shall not exceed fifty (50) acres on any single parcel.

(4) All permanent structures including cabins in a campground shall be limited to single-story structures in height.

(5) No more than eight (8) campsites/RV sites or camping structures including cabins shall be permitted per net acre in any campground.

(6) Not less than thirty (30%) percent of all campgrounds/RV Parks shall consist of open space which shall contain no camp/RV sites and/or structures.

(7) All campgrounds and recreational vehicle parks in Beaufort County shall be in compliance with the Rules and Regulations Governing Camps of the South Carolina Department of Health and Environmental Control and have a valid permit from same for operation.

Section 4.21.3

Prohibited Uses and Operations

The uses, operations, processes, facilities, and equipment specified below shall not be permitted in any Light Industrial District either as independent operations or as part of the primary permitted activity.

(A) Production for sale as end product or as major component of an end product of chemicals, abrasives, acetylene, acids, asbestos, bleaches, carbon black, caustics, celluloid, chalk, cleaning compounds, dyes, inks, linoleum, oilcloth, paints, polishes, pyroxylin, soda or soda compounds, synthetic resins, turpentine, or varnish.

(B) Production of primary commodities from raw materials, specifically including: metals, plastic, rubber, and paper.

(C) Primary metal operations including, but not limited to: smelting, refining, rolling,

drawing, founding, forging, die casting, and extrusion.

(D) Manufacture of concrete, cement, brick, plaster, gypsum, lime, mortar, asphalt, tar or other paving or plastering materials.

(E) Cyanide plating; blast furnace, boiler works, coke oven, punch press over twenty tons rated capacity, drop hammer; distillation of coal, tar or wood; combustion of coal or high sulfur oil.

(F) Production of food for distribution (excluding seafood, shellfish, restaurant preparation and bakery serving local community).

(G) The storage, utilization or manufacture of materials or products which decompose by detonation including, but not limited to: primary and high explosives; blasting explosives such as dynamite and nitroglycerine; propellants such as nitrocellulose; pyrotechnics and fireworks; unstable compounds such as acetylides, tetrazoles, perchloric acid; nuclear fuels and fissionable materials.

(H) Any activity which generates high level radioactive waste.

(I) Sanitary landfill; on site storage of waste materials beyond 90 days.

(J) Mining or extraction of minerals, metals, ores, rock, sand, gravel, coal, oil, or gas.

Section 4.21.4 Setbacks

(A) No industrial building or operation in this district shall be situated closer than one hundred (100') feet from the boundary line of any property in an existing residential zoning district or in current residential use (with the exception of a property used as the caretaker's residence).

(B) See Section 5.2:9 (A) for other setback requirements.

Section 4.21.5 Other Requirements

(A) All manufacturing, processing, assembly, fabrication, servicing and repair operations must be carried out within an entirely enclosed building.

(B) All materials, merchandise, and waste/salvage, with the exception of automobiles and other motor vehicles displayed for sale, must be stored within enclosed buildings or completely screened from adjacent properties and public and private roadways by opaque walls, fences, trees and/or shrubbery.

(C) The generation of noise, light/glare, vibration, smoke, gas, odor, dust, dirt, heat or cold, electromagnetic radiation, radioactivity, fire/explosive hazard, condition conducive to the propagation of rodents or insects, or any other potentially injurious or obnoxious condition must not

be sufficient to create a nuisance beyond the property boundaries.

(D) There shall be no discharge into any public or private stream, waterway, body of water, septic or sewage disposal system or into the ground or air of any liquid, solid, or gaseous materials except in accordance with applicable law.

(E) All activities must be in conformance with the following state and federal acts, regulations and standards, as amended: Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act, Federal Water Pollution Control Act, Occupational Safety and Health Administration General Industry and Construction Standards, South Carolina Pollution Control Act, and South Carolina Stream Standards; regulations promulgated by the Environmental Protection Agency, Department of Health and Environmental Control, and Centers for Disease Control; all other applicable local, state, and federal law.

Section 4.22 **OCD - Office Commercial District**

Section 4.22.1 **Permitted Uses**

The following uses shall be permitted in any Office Commercial District:

(A) Single-family dwelling.

(B) Offices for general administrative functions including operations management, sales and marketing, clerical service, personnel management, accounting/finance, data processing, and design/engineering.

(C) Offices for business use including, but not limited to: insurance, real estate, travel, and advertising agencies; business consulting.

(D) Offices for professional use including, but not limited to: accounting, architecture, engineering, surveying, law, medicine, chiropractic, and dentistry.

(E) Offices for governmental or institutional purposes.

(F) Radio or television studio excluding telecommunications tower.

(G) School or day care center.

(H) Public emergency service facilities.

(I) Library.

(J) Museum.

(K) Church, synagogue, temple or other place of worship provided that such use is

housed in a permanent structure.

- (L) Club, business or civic association.
- (M) Conference center, retreat house.
- (N) Commercial parking lot for passenger automobiles excluding use of lot for overnight sleeping.
- (O) Farm or establishment for the growing, care and harvesting of field crops and vegetables, but not including processing and packing of such products nor the commercial raising, care, or processing of poultry, cattle, swine, goats, or sheep.
- (P) Tree farm, timber area, or forest management area.
- (Q) Horticultural nursery.
- (R) Passive public park.
- (S) Unlighted, regulation size or par-three golf course.
- (T) Cemetery, provided that such use does not include a funeral home or crematorium.
- (U) Customary home occupations subject to the provisions contained in the Home Occupation Section of this Ordinance.
- (V) Accessory uses customarily appurtenant to a permitted or conditional use.
- (W) Temporary storage of construction materials during the construction process provided the materials are removed within 30 days after project completion.

Section 4.22.2

Conditional Uses

The following uses shall be permitted on a conditional basis in any Office Commercial District:

- (A) Bank or financial institution provided there are no more than two drive-in windows.
- (B) Governmental post office provided it does not exceed 5000 square feet in size.
- (C) Restaurant provided that it is not located within one hundred (100') feet of the property line of a residential use or zoning district; it does not exceed two thousand (2,000') square feet; and there are no drive-in window
- (D) Dry cleaning establishment for pick up and drop off service only (excluding dry

cleaning on the premises).

- (E) Clothing tailoring operation including retail custom and repair work only.

Section 4.22.3 **General Requirements**

(A) The sale, rental, repair, or servicing of goods or equipment on the premises shall not be permitted unless such activity is either specifically included as, or clearly incidental and customarily accessory to, a permitted or conditional use.

(B) In addition to the specific standards of this section, all pertinent landscaping, screening, buffering, and parking lot provisions contained in the Highway Corridor Overlay District shall apply (regardless of whether or not the property is located in the HCOD).

(C) Equipment and materials must be stored within completely enclosed buildings.

(D) All trash, garbage or other waste must be retained in sanitary containers located inside the building or within a screening enclosure. Any such enclosure must be located a minimum of fifty feet from the property line of any residential use or residential zoning district.

(E) All loading berths shall be located at the side or rear of the building.

Section 4.22.4 **Dimensional Requirements**

(A) Minimum lot size: One quarter acre (10,890 square feet).

(B) Maximum building height: thirty-five (35') feet above base flood elevation or finished grade, whichever is higher.

(C) For front, side and rear yard setback and buffer requirements see Section 5.2.9.

Section 4.22.5 **Signs and Exterior Lighting**

(A) In addition to the provisions of the Beaufort County Sign Control (Article IX, Ordinance 92/3), the following provisions shall apply to signs in the Office Commercial District:

(1) Internally illuminated and neon signs shall not be permitted.

(2) If a sign is to be illuminated a white, stationary light directed solely at the sign shall be used (except for back-lit signs, below). Illuminated signs shall not have a light-reflecting background but may use light reflecting lettering.

(3) Backlighting of signs (see definition) shall be permitted provided the sign is opaque and the rear surface is not reflective.

(B) Exterior lighting shall be designed and arranged so as to minimize glare and reflection. Lighting shall be low intensity, shielded from adjacent parcels, and directed away from any adjacent residential use or zoning district. The applicant shall submit plans for approval to the Development Review Team indicating the location and type of each exterior light.

Section 4.23

**U.S. Highway 278/U.S. Highway 278 Extension
Corridor Overlay District**

Section 4.23.1

General Standards

(A) Applicability

(1) All development, including signage, as defined in this ordinance shall be subject to the provisions of this overlay district, with the following exceptions:

(a) Individual parcels in or designated for single-family residential use and family property (i.e., parcels in residential use by members of the same family). The establishment of a single-family use on such parcels, however, shall be subject to the fifty (50') foot front yard setback on an existing parcel of record and subject to the one thousand five hundred (1,500') foot distance requirement between access points for newly created parcels.

(b) Newly created single-family parcels within subdivisions, which shall be subject to the standard setback of ten (10') feet from the property line where an existing fifty (50') foot landscaped buffer is already established for the entire subdivision, under the provisions of this ordinance, and subject to the one thousand five hundred (1,500') foot distance requirement between access points.

(c) Mobile home parks, which shall be subject to their standard setback from the property line where an existing fifty (50') foot landscaped buffer is already established, under the provisions of this ordinance, and subject to the one thousand five hundred (1,500') foot distance requirement between access points.

Such regulations shall be in addition to, rather than in place of, the requirements for the underlying district.

(2) The Corridor Review Board shall review all elements of development addressed in Section 4.23.2 Landscaping and Screening, Section 4.23.3 Architectural Design, Signage and Lighting, and Section 4.23.4 Other Requirements, of this overlay district. All other elements of development, including those other elements specified within this overlay district, shall be reviewed by the Development Review Team, as required in this Ordinance.

(3) If a parcel extends beyond the boundaries of this overlay district, then the entire parcel shall be subject to review.

(4) The Corridor Review Board will review development within the five hundred

(500') foot corridor. The Corridor Review Board will waive review of development that, in its determination, will not be visible from the highway.

(B) Use

(1) The uses of property contained within the corridor shall be as prescribed by the various base districts underlying this overlay district.

(2) Trailers are not permitted for use on property within this overlay district except for exempted uses in Section 4.23.1(A)(1) and for use as a temporary on-site construction facility, whereby a trailer may be used on the property only during the life of the construction project. Modular buildings are permitted for residential or commercial use within this overlay district. A modular building is defined as any building of closed construction, regardless of type of construction or occupancy classification, other than a mobile or manufactured home, constructed off-site in accordance with the applicable codes, and transported to the point of use for installation or erection, as per Chapter 43, Section 23-43-10 of the South Carolina Modular Buildings Construction Act. Mobile or manufactured homes are not permitted for use as commercial structures within this overlay district. Where modular buildings are used, they must be underpinned, skirted, with the tongue removed, and must conform in appearance to the Architectural Design standards in Section 4.23.3. Such temporary use of trailers or modular buildings shall not continue for a period longer than two (2) years without reapplication to the Corridor Review Board for approval of up to an additional two (2) years.

(C) Access Location and Design

(1) A minimum distance of one thousand five hundred (1,500') feet shall be maintained between all access points onto the corridor, including private driveways, roads and public right-of-way. Spacing will be measured from the midpoint of each driveway. If the existence of jurisdictional wetlands precludes compliance with this provision, the Corridor Review Board shall have discretion as to the placing of an alternative access point. However, no additional curb cuts on the subject parcel should result from having the alternative access point. This minimum distance applies with the following exceptions:

(a) Access may be granted to a parcel of record existing at the time of adoption of this overlay district provided that the property owner demonstrates that he/she has made significant but unsuccessful efforts to establish alternative access, including, but not limited to, the following methods: with adjoining properties, access from adjacent roads and the establishment of frontage roads.

- (1) joint access with adjoining properties;
- (2) access from adjacent roads; and
- (3) the establishment of frontage roads.

(b) Where the South Carolina Department of Transportation has established nodes along the right-of-way of the U.S. Highway 278 Extension as access points, access

points spaced less than one thousand five hundred (1,500') feet apart may be used provided that they are spaced at least one thousand two hundred (1,200') feet apart.

(D) Parcel Dimensions and Setbacks

The following standards shall apply to all property fronting the U.S. 278 highway right-of-way.

(1) **Front Yard:** The minimum front yard setback from the right-of-way shall be fifty (50') feet for all primary and accessory structures, but not including accessory structures such as walls, fences, trellises and other landscape structures.

(2) **Side Yard:** The minimum side yard setbacks from the property line shall be fifteen (15') feet.

(3) The Corridor Review Board shall have discretion to adjust the front, side, and rear setbacks in the case of existing jurisdictional wetlands or to preserve existing specimen trees.

(4) The minimum lot width at the building setback line for newly created parcels shall be a distance of one hundred fifty (150') feet. Newly created parcels are subject to the one thousand five hundred (1,500') foot distance requirement between access points from the highway.

(E) Subdivisions

In addition to the existing standards of the Zoning and Development Standards Ordinance for subdivisions, the following requirements pertain to the overlay district.

(1) Newly created subdivisions are subject to the one thousand five hundred (1,500') foot distance requirement between access points from the highway.

(2) No subdivision of land which would create parcels fronting on the highway shall be approved unless it is established prior to subdivision approval how access will be provided to each parcel in compliance with the one thousand five hundred (1,500') foot distance requirement, i.e. frontage roads, shared access drives, etc.

(3) Newly created parcels must have sufficient depth to allow for the required fifty (50') foot highway buffer and setback required herein.

(4) A permanent fifty (50') foot highway buffer, as required in this overlay district, shall be provided for in all new residential subdivisions.

(5) If existing platted commercial subdivisions contain dedicated open space, such open space may be utilized to meet the landscaping requirements for the highway buffer.

Section 4.23.2

Landscaping and Screening

"Landscaped area" for the purpose of this section shall include all pervious areas containing existing or installed vegetation and water features. The use of existing vegetation and plant species native to the Lowcountry region is encouraged in the landscaped areas.

The Corridor Review Board shall review particular plant selections and landscaping designs only to ensure conformance with the specific requirements of this section. All landscaping required by this section and shown on the approved application shall be maintained in good condition by the property owner.

Plant materials used for installation shall conform to the standards established by the American Association of Nurserymen in the "American Standard for Nursery Stock" provisions.

Section 4.23.2.1

Highway Buffer

(A) A minimum fifty (50') foot wide landscaped buffer shall be established parallel to the entire front of the property along the U.S. 278 highway right-of-way. The buffer shall contain only vegetative landscaping materials, except for the uses listed below:

For existing lots of record with a total depth from the right-of-way lines less than 500 feet, the depth of the highway buffer will be measured at ten (10%) percent of the depth of the lot. For each 50 foot decrease from the 500 foot measure, landscaping will be required according to the following table per every 100 feet of lot width:

<u>Depth of Lot</u>	<u>Buffer Depth</u>	<u>Required Landscaping</u>		
		<u>Overstory trees</u>	<u>Understory Trees</u>	<u>Shrubs</u>
500'	50'	6	7	30
450'	45'	6	7	30
400'	40'	6	6	28
350'	35'	5	6	26
300'	30'	5	5	24
250'	25'	4	5	22

For lots that measure between the 50 foot increments, the number closest to the lot depth shall apply (i.e. a depth measuring 285 feet would be required to plant additional vegetation specified at the 300 foot level).

If an existing lot measures less than 250 feet in depth, the minimum depth of the highway buffer shall be 25 feet.

This sliding scale provision for the highway buffer does not apply to any lot with a depth greater than 500 feet, which would be required to provide for the 50 foot buffer.

If due to site constraints and location of existing vegetation, the number of total

required landscaping materials cannot be reasonably placed within the highway buffer, the individual plant materials are still required but may be placed elsewhere along the side buffers, rear buffer or within the parking medians. The CRB shall have discretion over the alternate placing of materials.

The buffer shall contain only vegetative landscaping materials, except for the uses listed below:

- (1) Vehicular access drives placed approximately perpendicular to the right-of-way;
- (2) Foot and bicycle paths;
- (3) Walls and fences less than six (6') feet in height;
- (4) Landscaping sculpture, lighting fixtures, trellises and arbors;
- (5) Bus shelters;
- (6) Signage;
- (7) Water, sanitary sewer, electrical, telephone, natural gas, cable and other service lines provided that they are placed approximately perpendicular to the right-of-way. Where existing lines or planned lines must run parallel to the right-of-way, an equivalent amount of buffer may be required beyond the fifty (50') feet if the character of the buffer is greatly disturbed. To the extent possible, such service lines should be consolidated with vehicular access routes.

Electrical, telephone, gas, water supply and sewage disposal and other utilities may be constructed within the required buffer area and after installation of such services and to meet the requirements of this section, the developer shall be required to restore the buffer area as approved by the County.

(8) Drainage and stormwater detention areas. Where existing or created lagoons and drainage swales will occupy a substantial portion of the highway buffer because of natural land forms or drainage patterns, additional buffer depth may be required to achieve the visual softening intent of this Section. If the development is proposed for an existing platted lot and the size of the lot makes adherence to these standards impractical, the Corridor Review Board may relax these standards as reasonably necessary to be consistent with the Development and Standards Ordinance.

(B) No tree six (6") inches in diameter at four (4') feet dbh (diameter breast height) or larger may be removed from the highway buffer except for access drives, sight triangles and diseased trees as approved by the Corridor Review Board. Where groupings of native shrubs are present, their preservation with minimal disturbance is strongly encouraged.

(C) Landscaping

The purpose of this subsection is to achieve at maturity a semi-continuous and semi-opaque vertical plane of tree canopy, understory trees and shrubbery coverage in order to soften the appearance of structures and parking lots visible from the highway, to screen headlight glare on and off site, and to mitigate commercial lighting as seen by neighboring properties and from the highway. Natural appearing landscape forms are encouraged.

(1) For every 100 linear feet (or portion thereof) of frontage on the highway, a **minimum** of six (6) broad-leaved overstory trees, seven (7) understory trees, and thirty (30) shrubs are required in the buffer. The plant materials shall be generally distributed along and throughout the buffer in order that there not be significant gaps without plantings (except as required at sight triangles and road intersections).

(2) Three (3) cone-bearing overstory trees may substitute for one (1) broad-leaved overstory tree. However, for each substitution of three (3) cone-bearing overstory trees, one (1) additional understory tree shall be required.

(3) Existing, as well as installed, vegetation may be included in meeting the requirement, but if there is not sufficient distribution within the buffer, then additional plantings will be required; i.e. existing healthy trees which are grouped closely together (such that the canopies are closely intertwined) shall be considered as a group rather than tallied individually. Appropriate credit shall be allocated at the discretion of the Corridor Review Board.

(4) Existing evergreen or deciduous understory trees may be counted for credit to meet the requirements; however, understory trees to be newly planted must be evergreen.

(5) Installed overstory trees used to meet this requirement shall be at least two and one half (2) caliper inches and ten (10') feet tall when planted. Installed understory trees used to meet this requirement shall be at least one (1) caliper inch and eight (8') feet tall when planted. Installed shrubs used to meet this requirement shall be at least two and one half (2') feet tall when planted.

(6) The Corridor Review Board may reduce the planting requirement where existing plant materials are of sufficient sizes and forms to satisfy the purpose of this subsection.

(7) Where commercial parking areas would be visible from the highway, additional vegetation, walls, fences, berms, or some combination shall be used to screen those areas. The effectiveness of proposed screening materials shall be subject to the review and discretion of the Corridor Review Board. This provision shall not apply to those commercial uses exempted for the outside display of merchandise in Section 4.23.4, except for the commercial parking areas which are part of such uses.

(8) Trees and shrubs shall not be pruned in any manner that would significantly diminish the desired softening character of the buffer except in accordance with standard

horticultural practice. Trees shall not be limbed-up from the ground more than six (6') feet to the lowest branches except as required within sight triangles at intersections or to provide adequate light for understory plantings.

The following list contains overstory and understory trees which are found in the lowcountry region and are recommended for use in meeting the landscaping requirements of this section. Other trees used will be reviewed by the Corridor Review Board as to their compatibility and hardiness in the lowcountry region.

BROAD-LEAVED OVERSTORY TREES

American Beech	<i>Fagus grandifolia</i>
American Elm	<i>Ulmus americana</i>
American Sycamore	<i>Platanus occidentalis</i>
Ashleaf Maple	<i>Acer negundo</i>
Black Oak	<i>Quercus velutina</i>
Black Gum	<i>Nyssa sylvatica</i>
Eastern Cottonwood	<i>Populus deltoides</i>
Honeylocust	<i>Gleditsia triacanthos</i>
Laurel Oak	<i>Quercus laurifolia</i>
Live Oak	<i>Quercus virginiana</i>
Pecan	<i>Carya illinoensis</i>
Palmetto (over 20' in height)	<i>Sabal Palmetto</i>
Pignut Hickory	<i>Carya glabra</i>
Pumpkin Ash	<i>Fraxinus profunda</i>
Shumard Oak	<i>Quercus shumardii</i>
Southern Magnolia	<i>Magnolia grandiflora</i>
Southern Red Oak	<i>Quercus falcata</i>
Swamp Chestnut Oak	<i>Quercus michauxii</i>
Sweet Gum	<i>Liquidambar styraciflua</i>
Water Tupelo	<i>Nyssa aquatica</i>
White Oak	<i>Quercus alba</i>
Willow Oak	<i>Quercus phellos</i>

CONE-BEARING OVERSTORY TREES

Bald Cypress	<i>Taxodium distichum</i>
Loblolly Pine	<i>Pinus taeda</i>
Long Leaf Pine	<i>Pinus palustris</i>
Pond Cypress	<i>Taxodium distichum var. mutans</i>
Pond Pine	<i>Pinus serotina</i>
Slash Pine	<i>Pinus elliotii</i>
Short Leaf Pine	<i>Pinus echinata</i>
Spruce Pine	<i>Pinus glabra</i>

UNDERSTORY TREES

Allegheny Chinkapin	<i>Castanea pumila</i>
American Holly	<i>Ilex opaca</i>
American Plum	<i>Prunus americana</i>
Bigleaf Snowbell	<i>Styrax grandifolia</i>
Bitternut Hickory	<i>Carya cordiformis</i>
Black Cherry	<i>Prunus serotina</i>
Black Willow	<i>Salix nigra</i>
Blackjack Oak	<i>Quercus marilandica</i>
Bluejack Oak	<i>Quercus incana</i>
Buckthorn Bumelia	<i>Bumelia lycioides</i>
Cabbage Palmetto (under 19' in height)	<i>Sabal palmetto</i>
Carolina Ash	<i>Fraxinus caroliniana</i>
Carolina Basswood	<i>Tilia caroliniana</i>
Carolina Buckthorn	<i>Rhamnus caroliniana</i>
Carolina Laurelcherry	<i>Prunus caroliniana</i>
Carolina Silverbell	<i>Halesia carolina</i>
Chickasaw Plum	<i>Prunus angustifolia</i>
Coastal Plain Willow	<i>Salix caroliniana</i>
Common Elderberry	<i>Sambucus Canadensis</i>
Common Hoptree	<i>Ptelea trifoliata</i>
Common Persimmon	<i>Diospyros virginiana</i>
Common Sweetleaf	<i>Symplocos tinctoria</i>
Crepe Myrtle	<i>Lagerstroemia indica</i>
Dahoon Holly	<i>Ilex cassine</i>
Devilwood	<i>Osmanthus americanus</i>
Eastern Coralbean	<i>Erythrina herbacea</i>
Eastern Hornbeam	<i>Ostrya virginiana</i>
Eastern Redbud	<i>Cercis canadensis</i>
Eastern Red Cedar	<i>Juniperus virginiana</i>
Flatwoods Plum	<i>Prunus umbellata</i>
Florida Basswood	<i>Tilia floridana</i>
Florida Maple	<i>Acer barbatum</i>
Flowering Dogwood	<i>Cornus florida</i>
Fringetree	<i>Chionanthus virginicus</i>
Green Ash	<i>Fraxinus pennsylvanica</i>
Hercules Club	<i>Zanthoxylum clava-herculis</i>
Ironwood	<i>Carpinus caroliniana</i>
Littlehip Hawthorn	<i>Crataegus spathulata</i>
Loblolly Bay	<i>Gordonia lasianthus</i>
Mockernut Hickory	<i>Carya tomentosa</i>
Myrtle Oak	<i>Quercus myrtifolia</i>
Overcup Oak	<i>Quercus lyrata</i>

UNDERSTORY TREES

Parsley Hawthorn	<i>Crataegus marshallii</i>
Pawpaw	<i>Asimina triloba</i>
Planer Tree	<i>Planera aquatica</i>
Possumhaw Holly	<i>Ilex decidua</i>
Post Oak	<i>Quercus stellata</i>
Red Buckeye	<i>Aesculus pavia</i>
Red Maple	<i>Acer rubrum</i>
Red Mulberry	<i>Morus rubra</i>
Redbay	<i>Persea borbonia</i>
River Birch	<i>Betula nigra</i>
Sand Hickory	<i>Carya pallida</i>
Sassafras	<i>Sassafras albidum</i>
Sourwood	<i>Oxydendrum arboreum</i>
Southern Bayberry	<i>Myrica cerifera</i>
Southern Crab Apple	<i>Malus angustifolia</i>
Southern Red Cedar	<i>Juniperis silicicola</i>
Sparkleberry	<i>Vaccinium arboreum</i>
Sugarberry	<i>Celtis laevigata</i>
Swamp Cottonwood	<i>Populus heterophylla</i>
Sweetbay	<i>Magnolia virginiana</i>
Tough Bumelia	<i>Bumelia tenax</i>
Turkey Oak	<i>Quercus laevis</i>
Water Hickory	<i>Carya aquatica</i>
Water Oak	<i>Quercus nigra</i>
Waterlocust	<i>Gleditsia aquatica</i>
Wax Myrtle	<i>Myrica cerifera</i>
Windmill Palm	<i>Trachycarpus fortunei</i>
Witch Hazel	<i>Hamamelis virginiana</i>
Yaupon Holly	<i>Ilex vomitoria</i>

Section 4.23.2.2

Other Buffer and Landscaping Standards

(A) **Perimeter Buffers:** Landscaped buffers at least ten (10') feet in width shall be maintained along the side and rear property boundaries. These buffers may be penetrated for vehicular and pedestrian passageways linking adjoining properties provided the passageways are placed approximately perpendicular to these buffers.

(B) **Foundation Buffers:** A landscaped buffer at least eight (8') feet wide shall be maintained between any structure and any parking or driving area, except for loading areas and areas where drive-through facilities are utilized. This space is to be reserved for plant material, either existing or planned. No such space is required at the rear or other sides of the building, but is encouraged. Sidewalks and handicap ramps may be placed adjacent to the buffer on either side.

The buffer may be penetrated to provide for access to the building and is not required in loading areas.

(C) Any opaque or partially opaque walls or fences installed along the front of the property, including those used for screening of parking areas, must be softened with landscaping materials.

(D) **Frontage Roads:** Frontage roads shall be located behind the front buffer.

(E) **Parking Lot Requirements**

(1) Parking lots shall include landscaped medians and landscaped peninsulas as follows:

(a) **Landscaped Median**

~~A minimum of five (5') foot wide landscaped median shall be installed alongside (perpendicular to) parking spaces on the interior portion of a parking lot with more than one (1) parking bay. Wheel stops shall be placed within all parking spaces at the standard distance from every landscaped median to protect plantings.~~

Shrubs and/or trees shall be installed in the median to provide for semi-continuous planting along the median. Shrubs shall be at least one (1') foot in height at installation and reasonably projected to grow at least two (2') feet in height within three (3) years.

(b) **Landscaped Peninsula**

A minimum nine (9') by twenty (20') foot landscaped peninsula shall be installed parallel to the parking spaces every eight (8) or fewer spaces and at the end of the parking aisle in order to separate the last space from any adjacent travelways.

Each landscaped peninsula shall contain one (1) broad-leaved overstory tree with a minimum size of two and one half (2) caliper inches at dbh and a minimum height of ten (10') feet.

Section 4.23.2.3 Penalties for Removing Trees in the Site Development Area

If any trees are accidentally or purposefully removed after the approval of the landscape plan by the Corridor Review Board, the trees must be replaced by the developer before the issuance of the certificate of occupancy of the project.

The total number of caliper inches removed must be calculated, and fifty percent (50%) of the total caliper inches must be replaced. An example for illustration would be that if a 36" live oak were removed, exactly 18 inches of live oak trees, however that would be distributed in numbers of trees, must be replanted. The developer may substitute any trees in the same category as the one removed, as approved at the discretion of the CRB on a case to case basis. These requirements are

in addition to the requirements of the Beaufort County Tree protection Standards. Below are listed the categories of trees:

CATEGORY I

Broad-leaved Evergreen Overstory Hardwoods and Endangered Species

American Holly	<i>Ilex opaca</i>
Bald Cypress	<i>Taxodium distichum</i>
Laurel Oak	<i>Quercus laurifolia</i>
Live Oak	<i>Quercus virginiana</i>
Pond Cypress	<i>Taxodium distichum</i>
Southern Magnolia	<i>Magnolia grandiflora</i>
Spruce Pine	<i>Pinus glabra</i>

CATEGORY II

Deciduous Overstory

Allegheny Chinkapin	<i>Castanea pumila</i>
American Beech	<i>Fagus grandifolia</i>
American Elm	<i>Ulmus americana</i>
American Sycamore	<i>Platanus occidentalis</i>
Bigleaf Snowbell	<i>Styrax grandifolia</i>
Bitternut Hickory	<i>Carya cordiformis</i>
Black Cherry	<i>Prunus serotina</i>
Black Oak	<i>Quercus velutina</i>
Black Tupelo	<i>Nyssa sylvatica</i>
Black Willow	<i>Salix nigra</i>
Blackjack Oak	<i>Quercus marilandica</i>
Buckthorn Bumelia	<i>Bumelia lyciodes</i>
Carolina Ash	<i>Fraxinus caroliniana</i>
Carolina Basswood	<i>Tilia caroliniana</i>
Carolina Buckthorn	<i>Rhamnus caroliniana</i>
Carolina Silverbell	<i>Halesia caroliniana</i>
Coastal Plain Willow	<i>Salix carolina</i>
Common Hoptree	<i>Ptelea trifoliata</i>
Common Persimmon	<i>Diospyros virginiana</i>
Common Sweetleaf	<i>Symplocos tinctoria</i>
Devilwood	<i>Osmanthus americanus</i>
Eastern Cottonwood	<i>Populus deltoides</i>
Eastern Hornbeam	<i>Ostrya virginiana</i>
Florida Basswood	<i>Tilia floridiana</i>
Florida Maple	<i>Acer barbatum</i>
Green Ash	<i>Fraxinus pennsylvanica</i>
Hercules Club	<i>Zanthoxylum clava-herculis</i>
Honeylocust	<i>Gleditsia tricanthos</i>

CATEGORY II
Deciduous Overstory

Ironwood	<i>Carpinus caroliniana</i>
Loblolly Bay	<i>Gordonia lasianthus</i>
Mockernut Hickory	<i>Carya tomentosa</i>
Myrtle Oak	<i>Quercus myrtifolia</i>
Overcup Oak	<i>Quercus lyrata</i>
Pawpaw	<i>Asimina triloba</i>
Pecan	<i>Carya illinoensis</i>
Pignut Hickory	<i>Carya glabra</i>
Planer Tree	<i>Planera aquatica</i>
Post Oak	<i>Quercus stellata</i>
Pumpkin Ash	<i>Fraxinus profunda</i>
Red Buckeye	<i>Aesculus pavia</i>
Red Maple	<i>Acer rubrum</i>
Red Mulberry	<i>Morus rubra</i>
Redbay	<i>Persea borbonia</i>
River Birch	<i>Betula nigra</i>
Sand Hickory	<i>Carya pallida</i>
Sassafras	<i>Sassafras albidum</i>
Shumard Oak	<i>Quercus shumardii</i>
Southern Bayberry	<i>Myrica cerifera</i>
Southern Red Oak	<i>Quercus falcata</i>
Sugarberry	<i>Celtis laevigata</i>
Swamp Chestnut Oak	<i>Quercus michauxii</i>
Swamp Cottonwood	<i>Populus heterophylla</i>
Sweet Gum	<i>Liquidamber styraciflua</i>
Sweet Bay	<i>Magnolia virginiana</i>
Water Hickory	<i>Carya aquatica</i>
Water Oak	<i>Quercus aquatica</i>
Water Tupelo	<i>Nyssa aquatica</i>
Waterlocust	<i>Gleditsia aquatica</i>
White Oak	<i>Quercus alba</i>
Willow Oak	<i>Quercus phellos</i>
Witch Hazel	<i>Hamamelis virginiana</i>

CATEGORY III:
Cone Bearing Evergreens

Eastern Red Cedar	<i>Juniperus virginiana</i>
Loblolly Pine	<i>Pinus taeda</i>
Long Leaf Pine	<i>Pinus palustris</i>
Pond Pine	<i>Pinus serotonia</i>
Slash Pine	<i>Pinus elliotii</i>

Slash Pine
Short Leaf Pine
Southern Red Cedar

Pinus elliottii
Pinus echinata
Juniperus virginiana

CATEGORY IV
Ornamentals and Palms

American Plum
Cabbage Palmetto
Carolina Laurelcheery
Chickasaw Plum
Crepe Myrtle
Dahoon Holly
Eastern Coralbean
Eastern Redbud
Flatwoods Plum
Flowering Dogwood
Fringtree
Littlehip Hawthorn
Parsely Hawthorn
Southern Bayberry
Southern Crab Apple
Wax Myrtle
Yaupon Holly

Prunus americana
Sabal palmetto
Prunus caroliniana
Prunus augustifolia
Lagerstroemia indica
Ilex cassine
Erythrina herbacea
Cercis canadensis
Prunus umbellata
Cornus florida
Chionanthus virginicus
Crataegus spathulata
Crataegus marshallii
Myrica cerifera
Malus augustifolia
Myrica cerifera
Ilex vomitoria

Section 4.23.3

Architectural and Site Design

(A) Architectural Design

The Corridor Review Board shall review the design of all structures (except those exempted in Section 4.23.1(A), including habitable structures, walls, fences, signs, light fixtures and accessory and appurtenant structures. It is the intent of this section to encourage architecture that is unobtrusive and of a design, material and color that blend harmoniously with the natural surroundings and the form and scale of neighboring architecture, provided the latter conforms with the intent of this section. Architectural review is not meant to stifle innovative design or diversity, but to safeguard property values and long-term economic assets through quality design and development.

The Corridor Review Board shall review elements of design, including form, mass, scale, proportion, height, texture, color, architectural style, individual architectural elements, or orientation or specific location upon the site. If the Corridor Review Board disapproves a design, the Corridor Review Board must establish significant justification for such denial in accordance with the intent of this section. The Corridor Review Board may require adjustments to the design and site location of proposed structures, and reasonable conditions may be attached to an approval.

(1) General Principles

(a) Architectural styles should be reflective of, or at least compatible with, architectural styles which exemplify the unique character of the Lowcountry region and conform to general standards of architectural quality.

(b) Multi-unit developments shall utilize a consistent or at least stylistically compatible palette of scale, forms, colors, materials and textures.

(c) Accessory structures should be architecturally compatible with primary structures.

(d) **Ratio of Building Setback to Building Height.** The maximum building height shall be seventy-five (75%) percent of the building setback from the edge of right-of-way. Using the calculation x feet of building setback \times 75%, or a ratio of 3 to 4, the maximum height shall be rounded up to the nearest whole number in case of fractions. The maximum building height refers to the height of the main roof line and does not apply to architectural features such as church steeples and cupolas, which are exempt from the building height provision as approved by the Corridor Review Board.

<u>Building Setback (from r.o.w.)</u>	<u>Maximum Building Height</u>
50 Feet	38 Feet
55 Feet	42 Feet
60 Feet	45 Feet
65 Feet	49 Feet

These setback standards should also apply to fixed or unfixed equipment whether stationary or not, animated structures and recreational structures.

(2) Appropriate Exterior Materials and Architectural Elements

The exteriors of structures only are subject to review. The following are some materials and elements are considered compatible and appropriate for primary and accessory structures:

Other materials and elements consistent with the General Principles outlined above will be considered by the Corridor Review Board.

(a) **Siding:** Wood clapboard, wood board and batten, wood shingle siding, brick, stucco, tabby, natural stone, faced concrete block, and artificial siding which closely resembles painted wood clapboard. Wood siding may be painted, stained, weathered or left natural.

(b) **Roofs:** Wood shingles, slate shingles, multi-layered asphalt shingles, metal raised seam, or tiles, roof overhangs, and the use of pitched roofs. (A 4 in 12 pitch or greater) Consideration will be given by the CRB on the individual merits of each project for alternative roof

design solutions.

(c) Use of pitched roofs, roof overhangs, covered porches, canopies, awnings, trellises, gazebos and open wood fences are encouraged.

(d) Colors considered to be compatible with the Lowcountry or coastal vernacular palette are earth tones (greens, tans, light browns, terra cotta), grays, pale primary and secondary colors (with less than 50% color value), white and cream tones, and oxblood red.

However, any accent color (i.e. black, dark blue, greys, and other dark or strong colors) may be used on limited basis as an architectural motif and will be allowed according to the discretion of the CRB and on the merits of its use in the overall design, and the use of corporate logos will be considered on a case to case basis.

(3) Inappropriate Exterior Materials and Architectural Elements

The following materials and elements are considered incompatible and inappropriate for primary and accessory structures:

(a) Plywood, cinderblock, unfinished poured concrete, unfaced concrete block and plastic or metal not closely resembling painted wood clapboard.

(b) Partial (less than three sides) mansard roofs, flat roofs (including a minimum pitch less than 4 in 12) without a pediment, long unarticulated roofs.

(c) Long, unarticulated or blank facades.

(d) Incongruity of architectural details or color contrasts resulting in a clearly disturbing appearance.

(e) Unscreened chain link or woven metal fences.

(f) Use of reflective materials as the main building material or texture.

(g) Use of highly reflective glass.

(4) Accessory Buildings

The design of accessory buildings should reflect and coordinate with the general style of architecture inherent in the primary structure on the property.

(5) Any exterior architectural or structural element that is visible from the highway shall not be internally illuminated or highlighted by neon lighting.

(B) Signage

(1) General Requirements

In addition to the provisions of the Beaufort County Sign Ordinance, the following provisions shall apply to signs in this overlay district:

(a) Signage, including overall design, materials, colors, and illumination, must be compatible with the overall design of the main structure and building site. Details of the sign, such as typeface and layout, shall be subject to minimal review only to prevent obtrusive designs.

(b) Any freestanding sign must be no closer than ten (10') feet from the highway right-of-way line.

(c) Internally illuminated signs (except halo lit signs) and neon signs shall not be permitted. Any interior sign which is visible from the highway shall not be internally illuminated.

(d) If a sign is to be illuminated, a stationary lights directed solely at the sign shall be used. No more than two (2) stationary lights may be used for any one (1) sign face. Illuminated signs shall not have a light reflecting background, but may use light reflecting lettering.

(e) Changeable copy signs shall not be permitted except for gasoline price signs, directory signs listing more than one tenant and signs advertising films and live entertainment which change on a regular basis. Gasoline price signs must be displayed on a single sign.

(f) Lighting for signs shall be of a moderate intensity and designed and arranged so as to minimize glare and reflection. Light sources should be concealed.

(g) An integrated sign system shall be required for all new PUDs, commercial and residential subdivisions, office complexes and shopping centers. The establishment of integrated sign systems for existing developments is strongly encouraged. These systems shall be reviewed for materials, colors, shapes, sizes, compatibility with architecture and establishment of unity of design for the development. Individual signs shall be reviewed for conformance with the sign systems, whether newly established or existing and substantially in compliance with this ordinance.

(h) Pole signs are permitted, provided that no pole shall be higher than four feet (4') from the ground to the base of the sign, and no pole sign shall exceed a maximum of ten feet (10') total in height, as measured from the ground.

(i) Any graphic accent color (i.e. black, dark blue, greys, and other dark or strong colors) may be used for graphic accents only, and the use of corporate logos may be considered on a case to case basis.

00156

(2) The provision of this ordinance regarding colors, materials, and overall design of signage shall not apply to temporary and political signs, as defined in the Beaufort County sign ordinance.

(C) Lighting

(1) General Provisions

(a) Any lighting used to illuminate parking areas, access drives or loading areas shall be of such a design or level of illumination so as to minimize the amount of ambient lighting perceptible from adjacent properties and that would impair the vision of motorists on the corridor.

(b) Exterior architectural, display and decorative lighting visible from the corridor shall be generated from concealed light source, low level light fixtures.

(c) All interior lighting shall be so designed to prevent the light source or high levels of light from being visible from the corridor.

(d) Entrances into developments from the highway may be lighted for traffic safety reasons provided such lighting does not exceed the foot candle requirements for lighting walkways and streets, per Section 4.23.3(C)(2)(4) of this Ordinance. Lighting poles mounted within fifty (50') feet from the highway right-of-way may not exceed a height of twenty (20') feet, and only forward-throw or Type IV lights may be used to light entrances.

(e) The Corridor Review Board will have the discretion to allow limited flexibility as to variations in the minimum and average levels if the proposed levels are below the ordinance standards, depending on site and traffic conditions. The Corridor Review Board will not allow flexibility for proposed levels which exceed the maximum levels, unless such levels strictly conform to the recommended levels within the IESNA Lighting Handbook, the accepted industry standards.

(2) Lighting Standards

(a) All lighting fixtures designed or placed so as to illuminate any portion of a site shall meet the following requirements:

(1) Fixture (luminaire)

Any light fixture shall be a cutoff luminaire whose source is completely concealed with an opaque housing and shall not be visible from any street. This provision includes lights on mounted poles as well as architectural display and decorative lighting visible from the corridor.

(2) Light Source (Lamp)

Only incandescent, fluorescent, metal halide, mercury vapor or color corrected high-pressure sodium light may be used. The same type must be used for the same or similar type of lighting on any one site or Planned Unit Development.

No colors other than white or off-white (light yellow tones) may be used for any light source for the lighting of signs, structures, or the overall site.

(3) Mounting

Fixtures must be mounted in such a manner that the cone of light is not directed at any property line of the site.

The minimum mounting height for a pole shall be twelve (12') feet.

(4) Illumination Levels

All site lighting shall be designed so that the level of illumination as measured in footcandles (fc) at any one point meets the following standards. Minimum and maximum levels are measured at any one point.

Average level is not to exceed the calculated value, and is derived using only the area of the ~~site included to receive illumination. Points of measurement shall not include the area of the~~ building or areas which do not lend themselves to pedestrian traffic. Also, if the major portion of the lighting design is to be in the front of a building, the average level should not be affected by adding a light or two in the back of the same building, which would lower the average of the intended area for lighting.

Illumination levels are as follows:

<u>Location or Type of Lighting</u>	<u>Minimum Level (fc)</u>	<u>Average Level (fc)</u>	<u>Maximum Level (fc)</u>
Areas for Display of Outdoor Merchandise	1.0	5.00	15.0
Commercial Parking Areas	0.6	2.40	10.0
Multi-Family Residential Parking Areas	0.2	1.50	10.0
Walkways and Streets	0.2	1.00	10.0
Landscape and Decorative	0.0	.50	5.0

(b) **Requirements**

- (1) A site lighting plan shall be submitted at 1" = 20' scale minimum.
- (2) Site Lighting Plans shall include:
- (a) Location and mounting information for each light;
 - (b) Illumination calculations showing light levels in footcandles at points located on a ten (10') foot center grid, including an illustration of the areas masked out per the requirements above regarding points of measurements;
 - (c) A fixture schedule listing fixture design, type of lamp, and wattage of each fixture; and number of lumens after using 85% depreciation for both metal halide and high pressure sodium of initial output;
 - (d) Manufacturer's photometric data for each type of light fixture, including initial lumens and mean depreciation values.
 - (e) An illumination summary, including the minimum, average and maximum foot candle calculations ("array values") and the total number of array points (points used on the ten (10') foot grid for the calculation.

Section 4.23.4 Other Requirements

- (A) All trash receptacles, dumpsters, ductwork, fixed operating machinery, and other such utility equipment shall be either screened from view or located so that they are not visible from the highway, and shall be located not less than ten (10') feet from side and rear property lines.
- (B) There shall be no outside display of merchandise except for automobiles, trucks, boats, tractors, outside landscape structures (garden sheds, arbors, gazebos, etc. but not outdoor furniture), plant materials and agricultural products.
- (C) Outside storage of other merchandise is permitted only at the rear of the property or behind completely opaque walls and screens.
- (D) **Nonconforming Uses**

Any existing nonconformity presently not meeting the site design standards, general standards, landscaping, lighting and sign standards of this section shall be brought into compliance if any portion of the site design, general landscaping, and lighting standards is changed, expanded, or altered, to the greatest degree practical, as defined in Section 2.2.1. Land uses discontinued for more than six (6) months shall conform to the landscaping, sign, lighting and site design provisions of this section as reasonably related to existing site constraints, at the discretion of the Corridor Review Board. If the existing structure or sign is to be repainted with a different color, the new color(s) must be in conformance with the architectural color palette stated in this ordinance. If new siding is applied to the exterior of the structure, the siding should conform in type or material and

color allowed by this ordinance.

Section 4.24

S.C. Highway 170/U.S. Highway 278 Corridor Overlay District

Section 4.24.1

General Standards

A. Applicability

1. All development, including signage, as defined in this ordinance shall be subject to the provisions of this overlay district, with the following exceptions:

a. Individual parcels in or designated for single family residential use and family property (i.e. parcels in residential use by members of the same family). The establishment of a single family use on such parcels, however, shall be subject to the ~~seventy-five (75') feet front yard setback from the existing highway right-of-way~~ on an existing parcel of record and subject to the one thousand five hundred (1,500') foot distance requirement between access points for newly created parcels.

b. Newly created single family parcels within subdivisions, which shall be subject to the standard setback of ten (10') feet from the property line where an existing twenty five (25') foot landscaped buffer is already established for the entire subdivision, under the provisions of this ordinance, and subject to the one thousand five hundred (1500') foot distance requirement between access points.

c. Mobile home parks, which shall be subject to their standard setback from the property line were an existing twenty-five (25') foot landscaped is already established, under the provisions of this ordinance, and subject to the one thousand five hundred (1500') foot distance requirement between access points.

Such regulations shall be in addition to, rather than in place of, the requirements for the underlying district.

2. The Corridor Review Board shall review all elements of development addressed in Section 4.24.2 Landscaping and Screening, Section 4.24.3 Architectural Design, Signage and Lighting, and Section 4.24.4 Other Requirements of this overlay district. All other elements of development, including those other elements specified within this overlay district, shall be reviewed by the Development Review Team (the "DRT"), as required in this ordinance.

3. If a parcel extends beyond the boundaries of this overlay district, then the entire parcel shall be subject to review.

4. The Corridor Review Board (hereinafter "CRB") will review development within the five hundred (500') foot corridor. The CRB will waive review of development that, in its determination, will not be visible from the highway.

structures such as walls, fences, trellises and other landscape structures.

2. Side Yard: The minimum side yard setbacks from the property line shall be fifteen (15') feet.

3. The Corridor Review Board shall have discretion to adjust the front, side and rear setbacks in the case of existing jurisdictional wetlands or to preserve existing specimen trees.

4. The minimum lot width at the building setback line for newly created parcels shall be a distance of one hundred fifty (150') feet. Newly created parcels are subject to the one thousand five hundred (1500') foot distance requirement between access points from the highway.

E. Subdivisions

In addition to the existing standards of the Zoning Ordinance for subdivisions, the following requirements pertain to the overlay district:

1. Newly created subdivisions are subject to the one thousand five hundred (1,500') foot distance requirement between access points from the highway.

2. No subdivision of land which would create parcels fronting on the highway shall be approved unless it is established prior to subdivision approval how access will be provided to each parcel in compliance with the one thousand five hundred (1,500') foot-distance requirement; i.e. frontage roads; shared-access-drives; etc.

3. Newly created parcels must have sufficient depth to allow for the specified **twenty-five (25) foot**-highway buffer and setback required herein.

4. A permanent **twenty-five (25') foot** highway buffer, as required in this overlay district, shall be provided for in all new residential subdivisions.

5. If existing platted commercial subdivisions contain dedicated open space, such open space may be utilized to meet the landscaping requirements for the highway buffer.

Section 4.24.2

Landscaping and Screening

"Landscaped area" for the purpose of this section shall include all pervious areas containing existing or installed vegetation and water features. The use of existing vegetation and plant species native to the Lowcountry region are encouraged in the landscaped areas.

The Corridor Review Board shall review particular plant selections and landscaping designs only to ensure conformance with the specific requirements of this section. All landscaping required by this section and shown on the approved application shall be maintained in good condition by the property owner. Plant materials used for installation shall conform to the standards established by the American Association of Nurserymen in the "American Standard for Nursery Stock" provisions.

B. Use

1. The uses of property contained within the corridor shall be as prescribed by the various base districts underlying this overlay district.

2. Trailers are not permitted for use on property within this overlay district except for exempted uses above (Section 4.24.1.A.1.) and for use as a temporary on-site construction facility, whereby a trailer may be used on the property only during the life of the construction project. Modular buildings are permitted for residential or commercial use within this overlay district. A modular building is defined as any building of closed construction regardless of type of construction or occupancy classification, other than a mobile home or manufactured home, constructed off-site in accordance with the applicable codes, and transported to the point of use for installation or erection, as per Chapter 43, Section 23-43-10 of the South Carolina Modular Buildings Construction Act. Mobile or manufactured homes are not permitted for use as commercial structures within this overlay district. Where modular buildings are used, they must conform in appearance to the Architectural Design standards in Section 4.24.3.

Such temporary use shall not continue for a period longer than two (2) years without reapplication to the CRB for approval of up to an additional two (2) years.

C. Access Location and Design

1. Minimum distance of one thousand five hundred (1,500') feet shall be maintained between all access points onto the corridor, including private driveways, roads and public rights-of-way. Spacing will be measured from the midpoint of each driveway. If the existence of jurisdictional wetlands precludes compliance with this provision, the Corridor Review Board shall have discretion as to the placing of an alternative access point. However, no additional curb cuts on the subject parcel should result from having the alternative access point. This minimum distance applies with the following exceptions:

a. Access may be granted to a parcel of record existing at the time of adoption of this overlay district provided that the property owner demonstrates that he/she has made significant but unsuccessful efforts to establish alternative access, including but not limited to the following methods:

1. joint access with adjoining properties
2. access from adjacent roads
3. the establishment of frontage roads

D. Parcel Dimensions and Setbacks

The following standards shall apply to all property fronting the highway right-of-way:

1. Front Yard: The minimum front yard setback from the right-of-way shall be seventy-five (75') feet for all primary and accessory structures, but not including accessory

Landscaping requirements of this ordinance shall not interfere with fire and life safety standards according to the Development Standards Ordinance and other adopted ordinances and requirements.

Section 4.24.2.1 **Highway Buffer**

A. A **minimum** twenty-five (25') foot wide landscaped buffer shall be established parallel to the entire front of the property along the highway right-of-way. The buffer shall contain only vegetative landscaping materials, except for the uses listed below:

1. Vehicular access drives placed approximately perpendicular to the right-of-way;
2. Foot and bicycle paths;
3. Walls and fences less than six (6) feet in height;
4. Landscaping sculpture, lighting fixtures, trellises, and arbors;
5. Bus shelters;
6. Signage;
7. Water, sanitary sewer, electrical, telephone, natural gas, cable and other service lines provided that they are placed approximately perpendicular to the right-of-way. Where existing lines or planned lines must run parallel to the right-of-way, additional landscape plantings or an equivalent amount of buffer beyond the twenty-five (25') feet may be required by the Corridor Review Board if the character of the buffer is greatly disturbed. To the extent possible, such service lines should be consolidated with vehicular access routes.

Electrical, telephone, gas, water supply and sewage disposal and other utilities may be constructed within the required buffer area and after installation of such services and to meet the requirements of this section, the developer shall be required to restore the buffer area as approved by the County.

8. Drainage and stormwater detention areas. Where existing or created lagoons and drainage swales will occupy a substantial portion of the highway buffer because of natural land forms or drainage patterns, additional buffer depth may be required to achieve the visual softening intent of this section. If the development is proposed for an existing platted lot and the size of the lot makes adherence to these standards impractical, the Corridor Review Board may relax these standards as reasonably necessary to be consistent with the Development Standards Ordinance.

B. No tree six (6") inches in diameter at four (4") feet dbh (diameter breast height) or larger may be removed from the highway buffer except for access drives, sight triangles and diseased trees as approved by the Corridor Review Board. Where groupings of native shrubs are present, their preservation with minimum disturbance is strongly encouraged.

C. Landscaping

The purpose of this subsection is to achieve at maturity a semi-continuous and semi-opaque vertical plane of tree canopy, under story trees, and shrubbery coverage in order to soften the

appearance of structures and parking lots visible from the highway, to screen headlight glare on and off site, and to mitigate commercial lighting as seen by neighboring properties and from the highway. Natural appearing landscape forms are encouraged.

1. For every one hundred (100) linear feet (or portion thereof) of frontage on the highway, a minimum of six (6) broad-leaved over story trees, seven (7) under story trees, and thirty (30) shrubs are required in the buffer. The plant materials shall be generally distributed along and throughout the buffer in order that there not be significant gaps without plantings (except as required at sight triangles at road intersections).

2. Three (3) cone-bearing over story trees may substitute for one (1) broad-leaved overstory tree. However, for each substitution of three (3) cone-bearing over story trees, one (1) additional under story tree shall be required.

3. Existing, as well as installed, ~~vegetation is included in meeting the requirement but if there is not sufficient distribution within the buffer then additional plantings will be required;~~ i.e. existing healthy trees which are grouped closely together (such that the canopies are closely intertwined) shall be considered as a group rather than tallied individually. Appropriate credit shall be allocated at the discretion of the CRB.

4. Installed over story trees used to meet this requirement shall be at least two and one half (2 1/2") caliper inches and ten (10') feet tall when planted. ~~Installed under story trees used to meet this requirement shall be at least one (1") caliper inch and eight (8) feet tall when planted.~~ Installed shrubs used to meet this requirement shall be at least two and one half (2 1/2') feet tall when planted.

5. The CRB may reduce the planting requirement where existing plant materials are of sufficient sizes and forms to satisfy the purpose of this subsection.

6. Where commercial parking areas would be visible from the highway, additional vegetation, walls, fences, berms, or some combination shall be used to screen those areas. The effectiveness of proposed screening materials shall be subject to the review and discretion of the Corridor Review Board. This provision shall not apply to those commercial uses exempted for the outside display of merchandise in Section 4.24.4, except for the commercial parking areas which are part of such uses.

7. Trees and shrubs shall not be pruned in any manner that would significantly diminish the desired softening character of the buffer except in accordance with standard horticultural practice. Trees shall not be limbed-up from the ground more than six (6') feet to the lowest branches except as required within sight triangles at intersections or to provide adequate light for under story plantings.

8. Existing evergreen or deciduous under story trees may be counted for credit to meet the requirements; however, under story trees to be newly planted must be evergreen.

PS - 00164

The following list contains over story and under story trees which are found in the Lowcountry region and are recommended for use in meeting the landscaping requirements of this section. Other trees will be reviewed by the CRB as to their compatibility and hardiness in this region.

BROAD-LEAVED OVER STORY TREES

American Beech	<i>Fagus grandifolia</i>
American Elm	<i>Ulmus americana</i>
American Sycamore	<i>Platanus occidentalis</i>
Ashleaf Maple	<i>Acer negundo</i>
Black Oak	<i>Quercus velutina</i>
Black Gum	<i>Nyssa sylvatica</i>
Eastern Cottonwood	<i>Populus deltoides</i>
Honeylocust	<i>Gleditsia triacanthos</i>
Laurel Oak	<i>Quercus laurifolia</i>
Live Oak	<i>Quercus virginiana</i>
Pecan	<i>Carya illinoensis</i>
Pignut Hickory	<i>Carya glabra</i>
Pumpkin Ash	<i>Fraxinus profunda</i>
Shumard Oak	<i>Quercus shumardii</i>
Southern Magnolia	<i>Magnolia grandiflora</i>
Southern Red Oak	<i>Quercus falcata</i>
Swamp Chestnut Oak	<i>Quercus michauxii</i>
Sweet Gum	<i>Liquidambar styraciflua</i>
Water Tupelo	<i>Nyssa aquatica</i>
White Oak	<i>Quercus alba</i>
Willow Oak	<i>Quercus phellos</i>

CONE-BEARING OVERSTORY TREES

Bald Cypress	<i>Taxodium distichum</i>
Loblolly Pine	<i>Pinus taeda</i>
Long Leaf Pine	<i>Pinus palustris</i>
Pond Cypress	<i>Taxodium distichum</i> var. <i>mutans</i>
Pond Pine	<i>Pinus serotina</i>
Slash Pine	<i>Pinus elliotii</i>
Short Leaf Pine	<i>Pinus echinata</i>
Spruce Pine	<i>Pinus glabra</i>

UNDERSTORY TREES

Allegheny-Chinkapin	<i>Castanea pumila</i>
American Holly	<i>Ilex opaca</i>

American Plum
 Bigleaf Snowbell
 Bitternut Hickory
 Black Cherry
 Black Willow
 Blackjack Oak
 Bluejack Oak
 Buckthorn Bumelia
 Cabbage Palmetto
 (under 19' in height)
 Carolina Ash
 Carolina Basswood
 Carolina Buckthorn
 Carolina Laurelcherry
 Carolina Silverbell
 Chickasaw Plum
 Coastal Plain Willow
 Common Hoptree
 Common Persimmon
 Common Sweetleaf
 Crepe Myrtle
 Dahoon Holly
 Devilwood
 Eastern Coralbean
 Eastern Hornbeam
 Eastern Redbud
 Eastern Red Cedar
 Flatwoods Plum
 Florida Basswood
 Florida Maple
 Flowering Dogwood
 Fringetree
 Green Ash
 Hercules Club
 Ironwood
 Littlehip Hawthorn
 Loblolly Bay
 Mockernut Hickory
 Myrtle Oak
 Overcup Oak
 Parsley Hawthorn
 Pawpaw
 Planer Tree
 Possumhaw Holly
 Post Oak

Prunus americana
Styrax grandifolia
Carya cordiformis
Prunus serotina
Salix nigra
Quercus marilandica
Quercus incana
Bumelia lycioides
Sabal palmetto

Fraxinus caroliniana
Tilia caroliniana
Rhamnus caroliniana
Prunus caroliniana
Halesia carolina
Prunus angustifolia
Salix caroliniana

Ptelea trifoliata
Diospyros virginiana
Symplocos tinctoria
Lagerstroemia indica
Ilex cassine
Osmanthus americanus
Erythrina herbacea

Ostrya virginiana
Cercis canadensis
Juniperus virginiana
Prunus umbellata
Tilia floridana
Acer barbatum
Cornus florida
Chionanthus virginicus
Fraxinus pennsylvanica
Zanthoxylum clava-herculis
Carpinus caroliniana
Crataegus spathulata
Gordonia lasianthus
Carya tomentosa
Quercus myrtifolia
Quercus lyrata
Crataegus marshallii
Asimina triloba
Planera aquatica
Ilex decidua
Quercus stellata

Red Buckeye	<i>Aesculus pavia</i>
Red Maple	<i>Acer rubrum</i>
Red Mulberry	<i>Morus rubra</i>
Redbay	<i>Persea borbonia</i>
River Birch	<i>Betula nigra</i>
Sand Hickory	<i>Carya pallida</i>
Sassafras	<i>Sassafras albidum</i>
Sourwood	<i>Oxydendrum arboreum</i>
Southern Bayberry	<i>Myrica cerifera</i>
Southern Crab Apple	<i>Malus angustifolia</i>
Southern Red Cedar	<i>Juniperis silicicola</i>
Sparkleberry	<i>Vaccinium arboreum</i>
Sugarberry	<i>Celtis laevigata</i>
Swamp Cotton wood	<i>Populus heterophylla</i>
Sweetbay	<i>Magnolia virginiana</i>
Tough Bumelia	<i>Bumelia tenax</i>
Turkey Oak	<i>Quercus laevis</i>
Water Hickory	<i>Carya aquatica</i>
Water Oak	<i>Quercus nigra</i>
Waterlocust	<i>Gleditsia aquatica</i>
Wax Myrtle	<i>Myrica cerifera</i>
Windmill Palm	<i>Trachycarpus fortunei</i>
Witch Hazel	<i>Hamamelis virginiana</i>
Yaupon Holly	<i>Ilex vomitoria</i>

Section 4.24.2.2

Other Buffer and Landscaping Standards

A. Perimeter buffers: Landscaped buffers at least ten (10') feet in width shall be maintained along the side and rear property boundaries. These buffers may be penetrated for vehicular and pedestrian passageways linking adjoining properties provided the passageways are placed approximately perpendicular to these buffers.

B. Foundation buffers: A landscaped buffer at least eight (8') feet wide shall be maintained between any structure and any parking or driving area, except for loading areas and areas where drive-through facilities are utilized. This space is to be reserved for plant material, either existing or planned. No such space is required at the rear of the building, but is encouraged. Sidewalks and handicap ramps may be placed adjacent to the buffer on either side. The buffer may be penetrated to provide for access to the building and is not required in loading areas.

C. Any opaque or partially opaque walls or fences installed along the front of the property, including those used for screening of parking areas, must be softened with landscaping materials.

D. Frontage Roads: Frontage roads shall be located behind the front buffer.

E. Parking Lot Requirements

1. Parking lots shall include landscaped medians and landscaped peninsulas as follows:

a. Landscaped median

A minimum five (5') foot wide landscaped median shall be installed alongside (perpendicular to) parking spaces on the interior portion of a parking lot with more than one (1) parking bay. Wheel stops shall be placed within all parking spaces at the standard distance from every landscaped median to protect plantings.

Shrubs and/or trees shall be installed in the median to provide for semi-continuous planting along the median. Shrubs shall be at least one (1') foot in height at installation and reasonably projected to grow to at least two (2') feet in height within three (3) years.

b. Landscaped peninsula

A minimum nine (9') by twenty (20') foot landscaped peninsula shall be installed parallel to the parking spaces every eight (8) or fewer spaces and at the end of the parking aisle in order to separate the last space from any adjacent travelways.

Each landscaped peninsula shall contain one (1) broad-leafed over story tree with a minimum size of two and one half (2 ½") caliper inches at dbh and a minimum height of ten (10') feet.

Section 4.24.3

Architectural Design, Signage and Lighting

A. Architectural Design

The Corridor Review Board shall review the design of all structures (except those exempted in Section 4.24.1.A), including habitable structures, walls, fences, signs, light fixtures, accessory and appurtenant structures and any vertical construction over 18" in height. It is the intent of this section to encourage architecture that is unobtrusive and of a design, material and color that blend harmoniously with the natural surroundings and the form and scale of neighboring architecture, provided the latter conforms with the intent of this section. Architectural review is not meant to stifle innovative design or diversity, but to safeguard property values and long-term economic assets through quality design and development.

The Corridor Review Board shall review elements of design, including form, mass, scale, proportion, height, texture, color, architectural style, individual architectural elements, or orientation or specific location upon the site. If the CRB disapproves a design, the CRB must establish significant justification for such denial in accordance with the intent of this section. The CRB may require adjustments to the design and site location of proposed structures, and reasonable conditions may be attached to an approval.

1. General Principles

a. Architectural styles should be reflective of, or at least compatible with, architectural styles which exemplify the unique character of the Lowcountry region and conform to general standards of architectural quality.

b. Multi-unit developments shall utilize a consistent or at least stylistically compatible palette of scale, forms, colors, materials, and textures.

c. Accessory structures should be architecturally compatible with primary structures.

d. Ratio of Building Setback to Building Height

The maximum building height shall be 75% of the building setback from the edge of right-of-way. Using the calculation x feet of building setback \times 75%, or a ratio of 3 to 4, the maximum height shall be rounded up to the nearest whole number in case of fractions. The maximum building height refers to the height of the main roof line and does not apply to architectural features such as church steeples and cupolas, which are exempt from the building height provision as approved by the CRB.

Building Setback (from r.o.w.)

Maximum Building Height

50 feet	38 feet	38 feet
55 feet	42 feet	42 feet
60 feet	45 feet	45 feet
65 feet	49 feet	49 feet

These setback standards should also apply to fixed or unfixed equipment whether stationary or not, animated structures and recreational structures.

2. Appropriate Exterior Materials and Architectural Elements:

The exteriors of structures only are subject to review. The following are some materials and elements considered compatible and appropriate for primary and secondary structures. Other materials and elements consistent with the General Principles outlined above will be considered by the Corridor Review Board.

a. **SIDING:** Wood clapboard, wood board and batten, wood shingle siding, brick, stucco, tabby, natural stone, faced concrete block, and artificial siding which closely resembles painted wood clapboard. Wood siding may be painted, stained, weathered or left natural.

b. **ROOFS:** Wood shingles, slate shingles, multi-layered asphalt shingles, metal raised seam, or tiles, and the use of pitched roofs (4 and 12 pitch or greater), roof overhangs, covered porches, canopies, awnings, trellises, gazebos, and open wood fences.

c. Colors considered to be compatible with the Low-country or coastal vernacular palette are earth tones (greens, tans, light browns, terra cotta), grays, pale primary and secondary colors (with less than 50% color value), white and cream tones, and oxblood red.

d. However, any accent color (i.e. black, dark blue, greys, and other dark or strong colors) may be used on a limited basis as an architectural motif and will be allowed according to the discretion of the Corridor Review Board and on the merits of its use in the overall design, and the use of corporate logos will be considered on a case by case basis.

3. Inappropriate Exterior Materials and Architectural Elements:

The following materials and elements are considered incompatible and inappropriate for primary and accessory structures:

a. Plywood, cinder block, unfinished poured concrete, unfaced concrete block, and plastic or metal not closely resembling painted wood clapboard

~~b. Partial (less than three sides) mansard roofs, flat roofs (including a minimum pitch less than 4/12) or unarticulated roofs~~

c. Long, unarticulated or blank facades

d. Incongruity of architectural details or color contrasts resulting in a clearly disturbing appearance

e. Unscreened chain link or woven metal fences

f. Use of reflective materials as the main building material or texture

g. Use of highly reflective glass.

4. Accessory Buildings

a. The design of accessory buildings should reflect and coordinate with the general style of architecture inherent in the primary structure on the property.

B. Signage

1. General Requirements

In addition to the provisions of the Beaufort County Sign Ordinance, the following provisions shall apply to signs in this overlay district:

a. Signage, including overall design, materials, colors, and illumination, must be compatible with the overall design of the main structure and building site. Details of the

sign, such as typeface and layout, shall be subject to minimal review only to prevent obtrusive designs.

b. Any freestanding sign must be no closer than ten (10') feet from the highway right-of-way line.

c. Internally illuminated signs (except halo lit signs) and neon signs shall not be permitted.

d. If a sign is to be illuminated, stationary lights directed solely at the sign shall be used. No more than two (2) stationary lights may be used for any one (1) sign face. Illuminated signs shall not have a light reflecting background, but may use light reflecting lettering.

e. Changeable copy signs shall not be permitted except for gasoline price signs, directory signs listing more than one tenant and signs advertising films and live entertainment which change on a regular basis. Gasoline price signs must be displayed on a single sign.

f. Lighting for signs shall be of a moderate intensity and designed and arranged so as to minimize glare and reflection. Light sources should be concealed.

g. An integrated sign system shall be required for all new PUDs, commercial and residential subdivisions, office complexes and shopping centers. The establishment of integrated sign systems for existing developments is strongly encouraged. These systems shall be reviewed for materials, colors, shapes, sizes, compatibility with architecture and establishment of unity of design for the development. Individual signs shall be reviewed for conformance with the sign systems, whether newly established or existing and substantially in compliance with this ordinance.

h. Pole signs are permitted, provided that no pole shall be higher than four (4') feet from the ground to the base of the sign, and no pole sign shall exceed a maximum of ten (10') feet total in height, as measured from the ground.

i. Any graphic accent color (i.e. black, dark blue, greys and other dark or strong colors) may be used for graphic accents only, and the use of corporate logos may be considered on a case by case basis.

C. Lighting

1. General Requirements

a. Any lighting used to illuminate parking areas, access drives or loading areas shall be of such a design or level of illumination so as to minimize the amount of ambient lighting perceptible from adjacent properties and that would impair the vision of motorists on the corridor.

b. Exterior architectural, display and decorative lighting visible from the corridor shall be generated from concealed light source, low level light fixtures.

c. All interior lighting shall be so designed to prevent the light source or high levels of light from being visible from the corridor.

d. Entrances into developments from the Highway may be lighted for traffic safety reasons provided such lighting does not exceed the foot candle requirements for lighting walkways and streets, per Section 4.24.3.C.2.a.iv of this ordinance. Lighting poles mounted within fifty (50') feet from the highway right-of-way may not exceed a height of twenty (20') feet, and only forward-throw or Type IV lights may be used to light entrances.

2. Lighting Standards

(a) All lighting fixtures designed or placed so as to illuminate any portion of a site shall meet the following requirements:

(i) Fixture (luminaire)

Any light fixture shall be a cut-off luminaire whose source is completely concealed with an opaque housing and shall not be visible from any street. This provision includes lights on mounted poles as well as architectural display and decorative lighting visible from the corridor

(ii) Light Source (lamp)

Only incandescent, fluorescent, metal halide, mercury vapor or color corrected high-pressure sodium may be used. No colors other than white or off-white (light yellow tones) may be used for any light source for the lighting of signs, structures, or the overall site. The same type must be used for the same or similar type of lighting on any one site or Planned Unit Development.

(iii) Mounting fixtures must be mounted in such a manner that the cone of light is not directed at any property line of the site.

The minimum mounting height for a pole shall be twelve (12') feet.

(iv) Illumination levels

All site lighting shall be designed so that the level of illumination as measured in foot candles (fc) at any one point meets the following standards. Minimum and maximum levels are measured at any one point.

Average level is not to exceed the calculated value, and is derived using only the area of the site included to receive illumination. Points of measurement shall not include the area of the building or areas which do not lend themselves to pedestrian traffic. Also, if the major portion of the lighting design is to be in the front of a building, the average level should not be affected by

adding a light or two in the back of the same building, which would lower the average of the intended area for lighting.

Illumination levels are as follows:

<u>Type of Lighting</u>	<u>Minimum Level (fc)</u>	<u>Average Level (fc)</u>	<u>Maximum Level (fc)</u>
Commercial Parking Lots	0.6	2.40	10.0
Residential Parking Lots	0.2	1.50	10.0
Walkways and Streets	0.2	1.00	10.0
Landscape and Decorative	0.0	0.5	5.0

(b) Requirements

(i) A site lighting plan shall be submitted at 1" = 20' scale minimum.

(ii) Site Lighting Plans shall include:

a. Location and mounting information for each light and number of total lights

b. A fixture schedule listing fixture design, type of lamp, and wattage of each fixture; and number of lumens after using an 85% depreciation for both metal halide and high pressure sodium of initial output.

c. Manufacturer's photometric data for each type of light fixture, including initial lumens and mean depreciation values.

d. An illumination summary, including the minimum, average and maximum foot candle calculations ("array values") and the total number of array points (points used on the ten (10') foot grid for the calculation).

Section 4.24.4

Other Requirements

A. All trash receptacles, dumpsters, ductwork, fixed operating machinery, and other such utility equipment shall be either screened from view or located so that they are not visible from the highway, and shall be located not less than ten (10') feet from side and rear property lines.

B. There shall be no outside display of merchandise except for automobiles, trucks, boats, tractors, outside accessory structures (garden sheds, arbors, gazebos, etc.), plant materials, and agricultural products.

C. Outside storage of other merchandise is permitted only at the rear of the property or behind completely opaque walls and screens.

D. Nonconforming Uses

Any existing commercial or industrial use presently not conforming to the site design standards, general standards architectural, landscaping and lighting standards of this section shall be brought into compliance if any portions of the site design, general, architectural and lighting standards are changed, expanded, or altered. Land uses discontinued for more than six (6) months shall conform to all, provisions of this section as reasonably related to existing site constraints, at the discretion of the Corridor Review Board. If the existing structure or sign is to be repainted, the new color(s) must be in conformance with the architectural color palette stated in this ordinance. If new siding is applied to the exterior of the structure, the siding should conform in type of material and color allowed under this district.

Section 4.25

Beaufort County River Protection Overlay District

(A) Applicability

(1) Standards prescribed in this section shall apply to all building, development, and site alteration in the River Protection District, and shall apply to all property in this district, regardless of use or ownership, except as provided below:

(a) The establishment of a single-family use on individual parcels in or designated for single-family residential use and family property (i.e., parcels in residential use by members of the same family) shall be subject to all provisions except those in Section 4.25.5 regarding Stormwater Management. Residential subdivisions approved after the effective date of the ordinance are subject to all provisions.

(b) Existing agricultural activities are exempt from the buffer zone requirement of this section. Agricultural activities within 50 feet of the Critical Line that result in the discharge of sediments, nutrients, pesticides or other non-point source pollutants are strongly encouraged to prepare a mitigation plan that utilizes Best Management Practices to minimize or avoid continued discharge of pollutants into the ORW. The County Engineer will provide technical assistance in the design of an appropriate mitigation plan.

(2) Existing structures within the setback can be expanded, repaired, restored or rebuilt provided that the reconstruction does not increase the horizontal area in the direction of the Critical Line.

(B) All property within this overlay district is also subject to the requirements of a base zoning district included elsewhere in Article 4. In cases where standards prescribed in the River Protection District differ from those prescribed in the base zoning district or in any other applicable local, state, or federal regulation, the more restrictive standard shall apply.

Section 4.25.1

Delineation of District

(A) The Beaufort County River Protection Overlay District consists of

- that portion of the following bodies of water in Beaufort County designated Outstanding Resource Waters (ORW) which is contained within the Critical Area as defined by South Carolina Office of Ocean and Coastal Resource Management (O.C.R.M.), and

- that portion which is contained within the Critical Area of all other water systems which may be classified Outstanding Resource Waters in the future, provided that County Council has approved the inclusion of any new ORW water body in the District;

- as well as the land abutting those waters extending one thousand five hundred (1,500') feet perpendicular to and in a horizontal plane from the OCRM Critical Line.

In situations where the OCRM Critical Area narrows as it extends inland, the River Protection Overlay District shall be measured at the location where the distance between two opposite Critical Lines narrows to a width of 20 feet for at least a length of 50 feet.

- (1) The Colleton River - the entire stream tributary to the Chechesee River
- (2) The Okatie River - the entire river tributary to the Colleton River
- (3) Saw Mill Creek - the entire creek tributary to the Colleton River
- (4) Callawassie Creek - the entire creek tributary to the Colleton River
- (5) The Chechesee Creek - the entire creek tributary to the Colleton River and the Chechesee River
- (6) The May River - the entire stream tributary to Calibogue Sound
- (7) Bass Creek - the entire creek tributary to the May River
- (8) The Cooper River - the river from New River to Ramshorn Creek
(Note: The remaining portion of the Cooper River is not classified ORW)
- (9) Bull Creek - the entire tributary to the Cooper River and the May River

(B) Site plans and subdivision plats submitted to the Building Inspections Department or Development Review Team must delineate the OCRM Critical Line, and the Buffer Zone and appropriate Setback Line when these are located on the parcel. All site plans to be used during construction for any land clearing, grading or earthmoving activities shall clearly show the Buffer Zone and appropriate Setback Line.

(C) The County GIS Department shall prepare advisory maps indicating the approximate location of the OCRM Critical Line, the 1,500 foot district, and the buffer zones and setback lines. These maps will be available for public review at the County Planning Department.

Section 4.25.2 **Buffer Requirement**

(A) In order to protect and conserve the waters located in this district, a buffer strip of existing or planted vegetation is maintained within the District, extending fifty (50') feet perpendicular to and in a horizontal plane from the O.C.R.M. Critical Line.

(B) The objectives of this buffer strip are to:

- (1) provide for the removal or reduction of sediments, nutrients, and potentially harmful or toxic substances in runoff entering the waters;
- (2) minimize erosion and help stabilize the streambank;
- (3) provide a natural habitat for the flora and fauna that exist in this important transition area between wetland and upland areas; and
- (4) encourage the retention of the visual character of the water bodies.

In order to maintain all four objectives, it is encouraged that the required buffer remain an undisturbed natural area.

(C) Cutting, pruning of branches, and removal of vegetation, as provided below (C1-C4), is permitted provided that vegetative cover is immediately replaced and maintained throughout the buffer to prevent the creation of bare ground.

(1) If the landowner can clearly demonstrate that runoff from the property will be effectively diverted away from the Critical Line and/or treated through sediment reduction and nutrient and pollutant removal Best Management Practices (BMPs) so that the nutrients, sediments and potentially harmful or toxic substances in runoff are removed prior to discharge into the ORW waters, then cutting, removal and planting of vegetation according to a plan prepared by, or for, the landowner will be allowed following review and approval of the plan by the Development Review Team.

Plans will be reviewed by the Development Review Team to ensure the proposed BMPs are appropriate for the site and are adequately designed to provide effective treatment of any runoff from the site during and after construction, and that the proposed vegetation removal and replacement plan will provide the remaining objectives of the buffer.

Note: Acceptable BMPs for erosion control, sediment reduction, and nutrient and pollutant removal can be found in "A Guide to Site Development and Best Management Practices for Stormwater Management and Sediment Control" or in Appendix I of "South Carolina Stormwater Management and Sediment Control Handbook for Land Disturbance Activities", both of which are distributed by SCDHEC).

Note: The County staff, in coordination with members of the community, will develop guidelines, or "Visual Quality Best Management Practices" to serve as a guide to the landowner in preparing a plan, and to guide the review of the proposed plan for maintaining minimum visual quality.

(2) If runoff from the property flows toward the critical line, without being diverted and/or treated through engineered BMPs, then 2/3 of the total buffer zone area shall remain in a naturally vegetated state, except to allow for the uses specified in (D) below, in order to maintain the water quality function of the buffer. In areas which have been previously cleared, it is encouraged that trees be planted and the buffer return to maritime forest. For parcels that are to be subdivided, the entire buffer zone shall remain in a naturally vegetated state until the subdivided lots are approved for building permits.

In order to accommodate for landowner view, 1/3 of the total buffer zone area, to be selected by the landowner, can be selectively cleared and selectively landscaped, provided that no more than a maximum contiguous area measuring 75 feet in a horizontal distance parallel to the Critical Line occurs at any one location.

(i) Selective clearing means: the clearing of all trees except

- evergreen trees 16" or greater DBH,
- hardwood trees 8" or greater DBH, and
- Dogwood, Redbud, and Magnolia trees 4" or greater DBH.

(ii) Selective landscaping means that the understory and groundcover can be replaced only with landscaping vegetation, including grass, that requires no chemical treatment for survival or maintenance. In addition, non permanent structures, (such as gazebos, trellises and decks) can be located within the 1/3 selectively cleared area if setback 35 feet from the Critical Line.

(3) Single family property owners may remove, and other owners may remove upon development plan approval, any tree less than 24" in diameter in the buffer to accommodate permitted development specified in (D) below;

ORIGINAL DOCUMENT
POOR CONDITION OR CONTRAST

(4) Property owners may remove any dead, diseased, unsafe or fallen tree.

(D) No development is permitted in the buffer with the exception of the following seven uses. Accordingly, sections of the buffer may be cleared, as defined above in C (3), in order to accommodate these uses provided that the minimum land area required to serve the purpose is disturbed and that proper erosion control measures are in place during the period of disturbance:

(1) Pedestrian and/or vehicular access ways leading to docks, fishing piers, boat landings, other approved water/marsh uses, provided that only permeable (excluding bare ground) or semi-permeable paving materials (such as open lattice block pavers) are used for vehicular access ways.

(2) That portion of docks, fishing piers, boat landings, or other approved water/marsh uses that by design must tie into the high ground adjacent to the marsh/water.

(3) Use of grassed swales rather than drainage pipes is required unless a drainage pipe is an outfall from a detention, retention, or filtration system. Additional alterations associated with water diversion and treatment as approved under Section 4.25.(C)(1).

(4) Approved flood control (from rising waters or tidal surge) and erosion control devices and other activities related to soil and water conservation. All erosion control devices must be properly installed prior to any disturbance to the soil, and must be properly maintained until vegetation is adequately established.

(5) Utility lines which must cross the buffer area, provided that such lines are buried underground within the buffer area and the area is replanted with vegetation. This provision applies to water, sewer, electric, gas, cable, telephone and irrigation lines. This requirement can be waived if the County Engineer determines that burial of lines would pose unreasonable technical or financial burdens. In such a case, utility lines must be placed approximately perpendicular to the line of the buffer.

(6) Installation of playground equipment or benches, picnic tables or other similar outdoor furniture related to recreational or incidental residential use provided the ground surface remains permeable.

(7) Roads leading to bridges or causeways that cross the waterway provided the roads are configured to minimize disturbance into the buffer, and provided all shoulders are grassed or runoff is effectively diverted away from the Critical Line, i.e. curb and gutter, and treated prior to discharge into the ORW.

Section 4.25.3

Development Setbacks

(A) The following uses within the River Protection Overlay District shall be set back a minimum of fifty (50') feet from the South Carolina OCRM Critical Line:

(1) Detached single family residential dwelling units

(2) All uses customarily accessory to single family residential property that contribute nutrients, sediments and potentially harmful or toxic substances to runoff, including vehicular garages, driveways and septic systems. With respect to individual on site sewage disposal systems, it is strongly encouraged that the system be located on that portion of the property, outside the 50 foot buffer zone, that allows for the maximum vertical distance, up to 24 inches, between the bottom of the trench and the mean high water table. Regular septic tank pumpouts are also encouraged to reduce risk of system failure.

(3) New agricultural uses including the growing, care and harvesting of field crops, fruit and nut trees, timber and livestock, except the processing and packing of same and open storage of manure or similar which are subject to the 150' setback as provided in © below.

(4) Regulation golf courses including all areas that are regularly mowed and/or chemically treated, sand traps, and accessory (non-habitable) structures and facilities such as storage sheds, signs, and ball-washing machines.

(5) Noncommercial recreational parks and playgrounds.

(6) Built and landscape structures associated with the use and enjoyment of nature preserves and wildlife refuges (such as boardwalks and interpretative features).

(7) Uses specified in Section 4.25.2(D), however utility lines need not be buried underground landward of the buffer (unless otherwise required).

(8) Drainage systems and retention ponds (with the exception of 4.25.2 (D) (3) and (4)).

(B) For existing platted and recorded single family residential lots, a waiver can be obtained, by application to the Development Review Team (DRT), for the setback under the following conditions:

(1) For situations where an existing platted and recorded lot does not provide the appropriate depth for the construction of a single-family dwelling given the setback, the setback will either:

- be adjusted by the DRT from 50 feet down to an appropriate distance to a minimum of 35-feet from the Critical Line; or
- be established through the waiver process, as described in 4.25.3 (E), to determine the maximum allowable setback that will accommodate construction of the structure, provided that the setback meets the minimum County standard of 20 feet. Nothing in this section shall render an existing lot unbuildable.

- application to the DRT for a waiver will follow normal Development Permit procedures and:

- (1) apply for the waiver two (2) weeks prior to review
- (2) post a public notice to that effect (obtained from the Zoning and Development Administrator
- (3) provide recent (within the last 36 months) OCRM certification of the Critical Line

(2) For situations where existing adjacent houses in a Subdivision or a Planned Unit Development create a de facto setback, provided that it meets the minimum County standard of 20 feet, a waiver can be obtained through the waiver process, as described in 4.25.3 (E).

In either case, the remaining buffer shall be subject to the water quality treatment requirements of the buffer zone as provided for in Section 4.25.2 (C)(1) or (C)(2).

(C) The following uses within the River Protection Overlay District shall be set back a minimum of one hundred (100') feet from the South Carolina OCRM Critical Line:

- (1) Multi-family and attached single family uses
- (2) All uses customarily accessory to residential property, that contribute nutrients, sediments and potentially harmful or toxic substances to runoff, including vehicular garages and driveways serving multifamily or attached single family dwelling units.
- (3) Noncommercial clubs, lodges, community centers, research centers, museums, and conservation/nature oriented schools, less than or equal to four thousand (4,000) square feet.
- (4) Parking lots and accompanying access drives and maneuvering lanes serving boat landings and other nonresidential uses provided each parking lot contains space for no more than six automobile parking stalls or 1000 square feet (whichever is greater) and provided such parking lots are separated from each other by at least 50 feet of vegetated buffer.
- (5) Two-lane local road, the purpose of which is primarily to provide access service to abutting residential property rather than to provide for through traffic.

(D) All other uses, not specified in (A) and (B) and (C), above, shall be set back a minimum of one hundred fifty (150') feet from the South Carolina OCRM Critical Line.

(E) A waiver for sections (B), © or (D) may be approved by the Development Review Team provided the landowner can demonstrate that the required setback is impractical for the proposed development, the development proposal creates the minimal amount of impervious surface necessary for the proposal, the proposal provides sufficient treatment of runoff prior to discharge

into the ORW. during and after construction, and the proposal meets the remaining intent of the Ordinance.

Section 4.25.4

Standards for Docks, Fishing Piers, Boat Landings, and Activities In Or Over The Water Marsh

(A) Docks, piers, and boat landings are to be used for non-commercial purposes only, i.e., no fee or rent may be charged except to a resident of an on-site residential community and said facilities are not to be used in connection with commercial uses or structures such as a processing plant, fish market, restaurant, or commercial marina. However, a commercial fisherman may launch and come ashore from public boat landings, or a dock attached to his/her primary residence or a dock that he/she has preapproved access from the owner. Existing docks, piers and boat landings in commercial use are allowed to remain in operation regardless of ownership, provided that there is no increase in impact.

(B) Docks must be for the exclusive use of occupants/owners/ guests of residential dwelling units on waterfront lots or occupants/owners/ guests of residential dwelling units in an on-site residential community where the dock serves that community exclusively. Shared multiple user docks are encouraged over multiple single user docks.

(C) Docks (other than community docks) must be connected with adjacent waterfront lots that have seventy-five (75') feet of water frontage along the marsh/water edge and at least seventy five (75') feet of frontage along the water between extended property lines. Lots with less than this required frontage but with at least fifty feet of frontage both on the marsh edge and along the water between the extended property lines may be eligible to share a dock with adjacent property.

(D) There may be no habitable structures located on the dock, fishing pier, or boat landing nor elsewhere upon waters in this district. Only open shelters and limited storage (e.g. for water skis, anchors, fishing equipment) are permitted.

(E) Pumping of fuel is not permitted at docks, fishing piers or boat landings, nor elsewhere upon waters in this district.

(F) Utility lines which must cross the water/marsh to serve facilities on the opposite side or upon the water/marsh shall be submerged below the surface or buried underground. This requirement can be waived if the County Engineer determines that burial of lines would pose unreasonable technical or financial burdens. In such a case, utility lines must be placed in a configuration that minimizes impact.

(G) Prior to construction of any dock, pier, or boat landing in the River Protection Overlay District, in addition to the OCRM permit, the applicant must receive a permit or approval from the Building Codes Department or Development Review Team stating that the proposed construction complies with the pertinent provisions of this section.

(H) Projects which received approval from OCRM prior to the establishment of this overlay district are exempt from this section.

Section 4.25.5

Stormwater Management

(A) Any and all development located within the River Protection Overlay District shall pay special attention to stormwater management system designs with respect to the environmental quality of the stormwater discharge leaving the development. Therefore, peak discharge rates for stormwater management systems shall not exceed the pre-development peak discharge rate for the mean annual storm event for a twenty-four (24) hour duration for a 2, 5, 10, 25, 50, & 100-year return period. The stormwater management facilities shall be designed to entrap or settle silt. Other erosion control devices may be required to ensure that excessive siltation does not occur and does not exceed predevelopment siltation of the Outstanding Resource Waters.

As an alternative to providing for a pre-development peak discharge rate for the mean annual storm event for a twenty-four (24) hour duration for a 50- and 100 year-period; designs for the 50- and 100-year storm events may be approved by the County Engineer if the design engineer demonstrates the following for unstabilized sites:

- (1) Adequate sediment basins and retention areas for the 25-year storm event, which exceeds OCRM current requirements.
- (2) Design based on site specific soil condition.
- (3) Appropriate and additional use of sediment control practices such as silt fence, rock check dams, raised catch basins, and other accepted Best Management Practices.

When the site is stabilized, stormwater facilities shall be designed to accommodate the 25 year design event. The design engineer shall indicate the impact of the 50- and 100-year flood events in the design considerations.

These stormwater management facilities must be installed and/or constructed and be in place prior to any building construction.

(B) Stormwater runoff from any bridge or road crossing a waterway must first be routed through an approved detention, retention, filtration and/or swale system before being discharged into the river/marsh-system, unless the County Engineer determines that this provision is technically impractical.

Section 4.25.6

Additional Standards

(A) All use of herbicides, pesticides or fertilizers must be in full compliance with the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA); South Carolina Pesticide Control Act; and South Carolina Fertilizer Law; and in strict accordance with pesticide label instructions in order that there be a "no adverse effect level" of surface runoff or airborne drift of these materials beyond

the area of direct application.

(B) The practice of natural pest control management and the use of natural fertilizers and herbicides is strongly encouraged.

Section 4.25.7

Section Review

The provisions of Section 4.25 will be evaluated by the County no later than 1 year from the effective date to determine if modifications should be made based on the review of any new information.

	off-street spaces for loading and unloading.
Church	One (1) space for each six (6) seats in the main assembly room.
Driving Range	One (1) space for each driving tee.
Elementary School	One (1) space for each vehicle owned or operated by the school plus two (2) spaces for each faculty member and administrative office.
Fire Stations	One (1) space for each employee and one (1) space for each three (3) volunteer personnel on a normal shift.
Funeral Home	One (1) space for each four (4) seats in the chapel or parlor, plus one (1) space for each employee.
Golf Course	Four (4) spaces for each green plus requirements for any other associated use, except in planned residential, resort, or commercial developments which have otherwise adequate provisions for parking.
Hospital	One (1) space for each six (6) patient beds excluding bassinets, plus one (1) space for each medical staff member or visiting doctor, plus one (1) space for each four (4) employees.
Hotel, Motel, or Motor Court	One (1) space for each room to be rented, plus one (1) additional parking space for each three (3) employees, plus requirements for any other use associated with the establishment.
Indoor and Outdoor Commercial Recreation	Adequate parking facilities or contemplated use. The required Commercial Recreation parking spaces for any multiple use area shall be either (a) that number of spaces required for such single use having the greatest parking needs plus ten percent (10%) of the combined required for all other uses in the area, or (b) that number of spaces shown to be necessary and reasonable by data submitted by the developer, whichever is less.
Industrial Manufacturing and Wholesale Uses	One (1) space for each two (2) employees on the employees on the largest shift, one (1) space for each

number of the managerial or office staff; and one (1) visitor parking space for each ten (10) persons on the managerial staff; and one (1) space for each vehicle used directly in the conduct of business.

Junior High School

One (1) space for each vehicle owned or operated by the school, plus three (3) spaces for each faculty member, plus one (1) space for each five (5) seats in the auditorium or gymnasium.

Mobile Home Park

Two (2) spaces for each mobile home.

Nursing Home

One (1) space for each five (5) beds intended for patient use, plus one (1) space for each shift employee.

Office and/or Professional
Building; Office, Medical
or Dental

One (1) space for each two-hundred (200') square feet of gross floor space, plus one (1) space for each two (2) employees

Planned Shopping

Four (4) spaces for every one thousand square feet (1,000 SF) of gross leasable floor area.

Public or Private Club

One (1) space for each two-hundred square feet (200 SF) of gross floor space.

Public Utility Building

One (1) space for each employee.

Residential

One and one-half (1-1/2) spaces for each dwelling unit.

Restaurant

One (1) space for each three (3) seats, plus one (1) space for each two (2) employees.

Retail Business

Five (5) spaces for every one thousand square feet (1,000 SF) of gross floor area, except as otherwise specified below:

Appliance and Furniture Store

Two (2) spaces for every one thousand square feet (1,000 SF) of gross floor area, plus one (1) space for each employee.

Automobile (Vehicle) Dealership

One (1) space per one thousand square feet (1,000 SF) of gross floor area, plus one (1) space for each employee.

Building Supply Store	Three (3) spaces per one thousand square feet (1000 SF) of gross floor area, plus one (1) space for each employee.
Feed and Seed Store	Two (2) spaces per one thousand square feet (1000 SF) of gross floor area, plus one (1) space for each employee.
Sales and Service Establishments Not Listed Elsewhere, Which Deal With Customers on the Premises	One (1) parking space for each two-hundred (200') square feet of gross floor area, plus one (1) space for each two (2) employees.
Senior High School	One (1) space for each vehicle owned or operated by the school, plus seven (7) spaces for each faculty member, plus one (1) space for each administrative office, plus one (1) space for each four (4) students enrolled.
Stadium	One (1) space for each four (4) spectator seats.

Section 5.2.1.2

Off-Street Loading Requirements

Any industrial operation and wholesale building shall provide sufficient off-street space for the loading and unloading of vehicles. Loading berths and parking areas for waiting vehicles shall be designed in accordance with the needs of the proposed operations subject to the minimum standards indicated in the following schedule:

<u>Square Feet of Gross Floor Areas in Structure</u>	<u>Number of Berths or Parking Spaces</u>
0 - 25,000	1
25,000 - 40,000	2
40,000 - 100,000	3
100,000 - 160,000	4
<u>Square Feet of Gross Floor Areas in Structure</u>	<u>Number of Berths or Parking Spaces</u>
160,000 - 240,000	5
240,000 - 320,000	6
320,000 - 400,000	7
Each 90,000 above 400,000	1

All retail uses and office buildings, with a total floor area of twenty thousand square feet (20,000 SF), shall have one (1) loading berth or parking space for each twenty thousand square feet

(20,000 SF) of floor area.

Off-street loading areas shall be designed so that vehicles can maneuver for loading and unloading entirely within the property lines of the premises.

Section 5.2.1.3 **Parking Accessibility and Usability for Physically Handicapped People**

All parking areas and accessible routes to buildings or structures must be designed to meet the minimum requirements of the American National Standards, ANSI A117.1-1986 and all amendments thereto.

Section 5.2.1.4 **Access to Major Thoroughfares**

Street, driveway, or other access separation along State and Federal Highways shall be in accordance with the S.C.D.O.T. "Access and Roadside Management Standards."

Relief requested from this provision, in the form of the stated exception or by request for a variance, must be accompanied by:

- (1) Ownership and recording data associated with lot of record; and
- (2) Evidence that the applicant has explored all alternatives for access other than by variance or exception to the prescribed standards, include but not limited to, joint use with adjoining properties, access from adjacent minor street, establishment of frontage roads, etc.; and
- (3) Qualification of request for variance consistent with provisions of Section 6.6; and
- (4) Map or plan showing surveyed distance to nearest existing ingress/egress points from those proposed.

Section 5.2.1.5 **Driveway Linkage Between Commercial and Development**

To the extent practical - as determined by the Development Review Team - driveways on adjacent commercial and office uses shall be linked, to provide for movement from one such development to another without necessitating return to the public roadway. A driveway stub out section shall be incorporated adjacent to the vacant land, if that vacant land is located in a commercial or industrial zoning district. This requirement shall not apply where a frontage road system is planned or in place. All driveways and driving areas (including those through parking lots) designated for such movement shall be paved.

Section 5.2.1.6 **Street Thoroughfare Standards**

(A) **Intent:** While it is the intent of this section to provide ample flexibility in the layout

of streets, proposed street systems will be reviewed as to their design, safety, and convenience to users, as well as adjacent property owners; provided such review shall be conducted in accordance with reasonable street design standards and with generally accepted engineering and development practices. Emphasis should be placed on safety at curves and intersections.

(B) **Continuation of Existing Street Pattern**: The layout of proposed streets as to the arrangement, width, grade, and location should be coordinated with the street system in the adjoining street systems, adjoining properties, topography, natural features, and drainage systems to be provided. Minor residential streets shall be laid out, so that their use by through traffic will be discouraged.

(C) **Access to Adjoining Property**: Upon determination that reasonable access to adjoining property(s) would be seriously effected by a proposed subdivision design, the Zoning and Development Manager will notify the adjacent property owner, by registered mail of his findings, and recommend that he/she take whatever action deemed necessary based on that finding. This provision is merely for the purpose of notifying an adjacent property owner and in no way obviates existing laws regarding access to properties by right-of-necessity.

(D) **Naming of Streets**: Proposed streets, which are obviously in alignment with other existing named streets, shall bear the assigned name of the existing street. Proposed street names shall not be phonetically similar to existing street names, regardless of the use of suffixes such as street, avenue, boulevard, drive, place, court, etc. In no case shall the name be used which will be confused with other existing streets. A house or lot numbering (address) system shall be designed, utilizing an extension of an existing system in the area where one exists, and shall be placed on the final plat. This requirement is subject to Section 5.5.1.

(E) **Collector Streets**: Where a subdivision abuts or contains an existing or proposed collector or through street, the Zoning and Development Manager may require marginal access streets, reverse frontage with screen planting, deep lots, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(F) **Visual Obstructions**: No fence, wall, tree, terrace, building, sign, shrubbery, hedge, or other planting or structure or object capable of obstructing driver vision will be allowed at intersections.

(G) **Street Jogs**: Street jogs, or centerline offsets in the horizontal alignment of streets across intersections of less than one-hundred and fifty feet (150') shall be prohibited.

(H) **Intersections**: The centerline of no more than two (2) streets shall intersect at any one point. Streets shall be laid out so as to intersect as nearly as possible at right angles, and no streets shall intersect any other street at less than sixty degrees (60°). Curbed streets shall have a minimum tangent of one-hundred feet (100') at intersections.

(I) **Minimum Curb and Street Radius**: The lot line radius at intersecting streets shall

be not less than twenty feet (20'), unless the developer demonstrates to the County Engineer valid reasons to utilize less than twenty feet (20') radii. The centerline radius of all curvilinear streets shall be not less than one-hundred feet (100').

(J) **Street Name Signs:** Street name signs, constructed to County specifications, shall be installed at all street intersections. Street names proposed by the Developer shall be approved by E-911 and the Development Division.

(K) **Dead-end Street and Cul-de-sac:** Dead-end streets, designed to be so permanently, shall be no longer than 1800 feet and shall be provided with a cul-de-sac. The cul-de-sac shall have a right-of-way radius of fifty feet (50') and a solid paved circular area with a radius of forty feet (40'). Temporary dead-end streets shall be provided with a temporary turnaround area which shall be designed considering traffic usage, maintenance, and removal. Planned Unit Developments may utilize landscaping in the center of the cul-de-sac turnaround areas.

(L) **Minimum Right-of-Way and Pavement Widths:**

<u>Type</u>	<u>Row</u>	<u>Pavement</u>
Local	50 Feet	22 Feet
Collector	60 Feet	22 Feet

(M) **Design Drawings and Certification:** Professional Engineers, registered in the State of South Carolina, shall prepare plans, profiles, cross-sections, and specifications for all subdivision roads and streets. Said engineers shall certify roads/streets are built to their approved plans and specifications. Cross-sections shall be developed every one-hundred feet (100') at intersections and break-points in grade. Cross-sections shall show travel-way, shoulders, ditches (or curb and gutter if applicable) and utility location.

(N) **Additional Right-of-Way:** A proposed subdivision that includes a platted street which does not conform to the minimum right-of-way requirements of this Ordinance shall provide for the dedication of additional right-of-way along either one or both sides of said street, so that the minimum right-of-way(s) required by this Ordinance can be established. If the proposed subdivision abuts only one side of said street, then a minimum of one-half of the required extra right-of-way shall be dedicated by such subdivision.

(O) **Reverse Curves:** The minimum distance between reverse curves shall be one-hundred feet (100').

(P) **Specifications for Construction of Roads and Streets:** All new roads intended to become County roads shall be paved, to meet the minimum requirements for road construction as follows:

(1) **Commercial Subdivisions:**

Wearing Surface: Minimum thickness of two inches (2") of Asphalt pavement, as specified in Section 400 titled, "Bituminous Pavements," and Section 403, "Hot Laid Asphalt Concrete Surface Course," Type I.

Base Course shall be a minimum thickness of eight inches (8") and shall comply with Section 306, titled "Stabilized Aggregate Base Course." Prime Coat shall meet the requirements of Sections 304.14 and 401.22.

(2) **Residential Subdivisions:**

Wearing Surface: Minimum thickness of one and one-half inches (1-1/2") of Asphalt pavement, as specified in Section 400 titled, "Bituminous Pavements," and Section 403, "Hot Laid Asphalt Concrete Surface Course," Type I.

Base Course shall be a minimum thickness of six inches (6") of stone and shall comply with Section 306, titled "Stabilized Aggregate Base Course." Prime Coat shall meet the requirements of Sections 304.14 and 401.22.

(3) **Shoulder Slope:**

Maximum slope of shoulders shall be 1 inch per foot. Minimum slope of shoulders shall be 1/2 inch per foot.

(Q) **Planned Unit Development and/or Private Roads:** Private roads, when approved for a project, are not to become County responsibility, and are to be so indicated on any plat(s) of the subdivision and to be so noted in covenants and agreements which control or follow the property.

(1) **Minimum Specifications and Design Parameters for Inverted Crown Roads:**

- (a) Transverse slopes shall be a two percent (2%) minimum.
- (b) Longitudinal slopes shall be a one percent (1%) minimum.
- (c) No utilities shall be placed under pavement, excluding stormwater drainage.
- (d) A soil report and analysis shall be performed by a qualified soil professional, to determine if the soil is suitable for Inverted Crown Roads. The water table elevation shall also be determined.
- (e) The road cross-section shall consist of the following:

(1) Twenty-four inches (24") compacted sub-base with satisfactory soils that conform to requirements of Section 208 of the South Carolina Highway Department Standard Specifications;

(2) Six inch (6") Stabilized Aggregate Base Course, that conforms to requirements of Section 306 of the South Carolina Highway Department Standard Specifications;

(3) Two inch (2") Hot Laid Asphalt Concrete Surface Course, that conforms to requirements of 306 of the South Carolina Highway Department Standard Specifications;

(4) The Surface Course shall be Type 1.

(f) All designs shall be a minimum of fifty feet (50') of six inch (6") perforated pipe subgrade drain encased with minimum of six inches (6") of #57 stone and wrapped completely with filter fabric on each side of drop inlets.

(g) Road shall consist of twenty foot (20') pavement, with two foot (2') shoulders.

(h) Road shall have a minimum inlet spacing of five-hundred feet (500') or less, depending on stormwater inlet spread calculations.

(i) All inlet shall be 2 feet by 4 feet (2' x 4') minimum.

(j) All intersections shall have enough inlets to keep stormwater out of the intersection.

(k) All discharges of stormwater in saltwater wetlands shall meet or exceed the Water Quality Control Standards of the Office of Ocean and Coastal Resource Management.

(l) There shall be a fifty foot (50') minimum transition area for intersections and changing to a different road cross-section.

(m) Road shall be designed so that potential for hydroplaning be reduced to a minimum (i.e., stormwater spread calculations).

(n) The Engineer designing the road will produce a summary on how these criteria are accomplished.

(o) Inverted Crown Roads are to be utilized for residential, low volume traffic usage only

(p) The existing tree root systems within the right-of-way shall be

trimmed and cut back, to eliminate and reduce intrusion or presence within the road subgrade including the twenty-four inch (24") compact subgrade. No existing standing trees which are adversely impacted by the root pruning shall be left standing such that they would present a dangerous or hazardous condition within the right-of-way. The developer or its contractor shall use the services of a qualified arborist in determining the impact and survivability of individual trees.

(2) **Minimum Specifications and Design Parameters for Unpaved Roads**

(a) Normal Crown cross-section transverse slopes shall be a two percent (2%) minimum.

(b) Longitudinal slopes shall be a one percent (1%) minimum.

(c) A soil report and analysis shall be performed, by a qualified soil professional to determine if the soil is suitable for unpaved roads. The water table elevation shall also be determined.

(d) The road cross-section shall consist of the following:

(1) Strip and remove all deleterious and organic material from sub-base, and compact to a ninety-five percent (95%) of density in six inch (6") to eight inch (8") lifts, to a depth that will accommodate the vehicular loadings so structural failure will not occur;

(2) Six inch (6") Stabilized Aggregate Base Course, that conforms to the requirements of Section 306 of the South Carolina Highway Department Standard Specifications, with prime coat or other suitable approved means of dust control.

(e) Road shall consist of twenty foot (20') roadway with four foot (4') shoulders and roadside ditches.

(f) All intersections shall be designed to keep stormwater out of intersection.

(g) All discharges of stormwater in saltwater wetlands shall meet or exceed the Water Quality Control Standards of the Office of Ocean and Coastal Resource Management.

(h) Road shall be designed so that potential for maintenance be reduced to a minimum (i.e., maintenance plan for roadway).

(i) Engineer shall design so that runoff will not create an erosion problem and damage the structural integrity of the road.

(j) Unpaved roads are to be utilized for residential, low volume traffic.

usage only

(k) The engineer designing the road will produce a summary on how these criteria are accomplished.

(l) The existing tree root systems within the right-of-way shall be trimmed and cut back, to eliminate and reduce intrusion or presence within the road subgrade, including the twenty-four inch (24") compact subgrade. No existing standing trees which are adversely impacted by the root pruning shall be left standing such that they would present a dangerous or hazardous condition within the right-of-way. The developer or its contractor shall use the services of a qualified arborist in determining the impact and survivability of individual trees.

Section 5.2.2

Subdivision Layout Standards

All lots which shall hereafter be established within a subdivision shall comply with the following design standards:

(A) **Street Access:** All lots shall abut on a street which conforms to the design requirements of this ordinance. Minimum street frontage shall be fifty feet (50'), except on cul-de-sacs which shall have a minimum of thirty feet (30'), and fifty feet (50') at the building line.

(B) **Lot Lines:** Insofar as practical, side lot lines shall be at right angles to straight street lines and radial to curved street lines. Excessive lot depth in relation to lot width shall be avoided. The depth of residential lots shall not be less than one nor more than five times their width.

(C) **Corner Lots:** Corner lots shall be of sufficient size and shape to permit required building setback and orientation to both streets.

(D) **Double Frontage Lots:** Double frontage lots are lots what the front and rear property lines border a street. Double Frontage lots shall only be permitted where it shall be found necessary to separate a development from Major thoroughfares, or to overcome specific disadvantages of topography and orientation.

(E) **Usable Lot Area:** Each lot shall have a minimum usable lot area equal to or greater than fifty percent (50%) of the gross lot area. This is calculated by subtracting the area of wetlands and setbacks from the gross area.

(F) **Minimum Lot Elevation and Drainage:** Lots shall be provided with adequate drainage and shall be graded, so as to drain surface water away from the building. The minimum elevation of the lot shall be a level that will prevent ponding or flooding as a result of heavy rain, or during abnormally high tides. The entire lot shall be properly drained at a minimum slope of one-eighth inch (1/8") per foot toward roadside and/or lot swales.

(G) **Intersecting Streets:** In order that there may be convenient access between various parts of a subdivision and between the subdivision and surrounding areas and in order to help prevent traffic congestion and traffic hazards, the length between intersecting streets hereafter shall not exceed eighteen-hundred feet (1,800').

(H) Any remnants of land not meeting all the requirements of this ordinance shall be incorporated into either existing or proposed lots, or shall be legally deeded to the Homeowners Association.

(I) **Surveys Requiring Ties to Geodetic Control Monuments:**

Any subdivision of ten or more lots on ten or more acres, or any Institutional/Industrial/Commercial development of ten or more acres. Beaufort County has a major investment in a Geographical Information System (GIS) which is a modern computerized mapping system used for E-911, planning, engineering, etc. Designers who generate plats with computer-aided drafting procedures are requested to provide the county with an electronic file copy.

Plat requirements when tying to Geodetic Control Monuments:

(1) State Plane Coordinates will be shown on the plat, for at least two (2) property corners. The geodetic monument(s) used for control will be shown on the plat, with the grid distance and azimuth to the coordinated property corners shown.

(2) Horizontal ground distances (not grid distances) will be shown on the plat for all segments of the boundary survey. a combined state plane coordinated-sea level reduction factor will be noted on the plat. Area will be based on horizontal ground distances.

(3) All bearings will be referenced to state plan coordinate grid north.

(J) **Surveys Requiring Two Locator Ties:** It is considered very desirable for surveyors to tie all surveys, whenever possible, to the state plane coordinate system.

With the exception of Closing/Loan or Mortgage surveys in existing subdivisions, all surveys not tied to geodetic control shall have two (2) "locator ties." a locator tie is defined as a bearing and distance tie, from a property corner to the nearest tie point; intersections of a street or right-of-way and/or property corners on adjoining properties used in the establishment or verification of property corners.

Plat Requirements for Showing Locator Ties: All locator tie points must be described on the plat, with data given to show their location and type. The tie line shall be shown between the locator tie point and the property corner, with its bearing and distance, to an accuracy consistent with the class survey.

(K) **Survey Requirements:** Survey Requirements specified in this document area only for control survey connections between geodetic survey monuments and land parcels. Boundary

surveys shall be performed, in accordance with the State Minimum Standards published by the State Board of Registration for Professional Engineers and Land Surveyors unless more stringent requirements are specified herein. Insofar as possible, control surveys between geodetic monuments and property boundaries shall be extended from the nearest geodetic monument(s). County Specifications for horizontal control are as follows:

(1) **Terrestrial Surveys:**

(a) If control is extended no more than one-half (½) miles from control monument to property boundary, third-order Class I (1/10,000) specifications shall be followed.

(b) If control is extended more than one-half (½) miles from the control monument to the property boundary, second-order Class II (1/20,000) specifications shall be followed.

(2) **Global Positioning System (GPS) Surveys:** If GPS is used, procedures shall be followed to insure compatibility with the nearest geodetic control monuments to the accuracy specified under (K)(1)(a) and (b) or 0.2 feet, whichever is the most stringent.

Section 5.2.3

Required Services

All development shall be provided with minimum services, in conformance with the provisions of this Section. The property owner or developer, his agents or his assignees shall assume responsibility for the provision of basic services within the proposed development. The requirement of services, as a prerequisite for development, does not in any way obligate the County Council or its departments or agents to furnish such services.

(a) **Minimum Services Requirements:**

No development shall be undertaken, if provision has not been made for the following basic services where applicable:

(1) Potable water supply of sufficient quantity to satisfy domestic needs; and

(2) Water supply of acceptable quality and sufficient quantity to satisfy commercial and industrial demand; and

(3) Means for treatment and disposal of domestic sewage and other liquid waste; and

(4) Means for collection and disposal of solid wastes except for single-family residential subdivisions; and

(5) Vehicular access to existing streets or highways; and

(6) All driveways shall be paved, from the property line to the edge of pavement except for private dirt roads; and

(7) Power supply, normally electricity; and

(8) Water supply for fire protection, as prescribed by Section 5.2.3.(D).

(B) Conformance to Standards and Regulations:

No development shall be undertaken except in conformance with all applicable standards, regulations, specifications, and permitting procedures established by any duly authorized governmental body or its authorized agents, for the purpose of regulating utilities and services. It shall be the responsibility of the developer to show that the development is in conformance with all standards, regulations, specifications, and permitting procedures.

(C) Easements:

No development shall be undertaken, unless adequate easements are provided to accommodate all required or planned utilities and drainage. The developer shall also demonstrate that adequate provisions have been made for access to, and maintenance of all easements.

(D) Providing Community Services:

~~In providing fire protection for his development, the developer shall have the option of:~~

(1) Tying into an existing public or quasi-public water system capable of providing required fire flow; or

(2) Installing an approved alternate system, as listed in National Fire Protection Association (NFPA) 1231, and installed according to code; or

(3) Presenting an approved engineering system designed to meet the required fire flow.

~~Private water systems shall be designed to handle fire flow in that subdivision by water mains or an approved alternative system, per fire safety standards.~~

The required fire flow shall be determined according to the Insurance Services Office's determination guide.

(E) Utilities Underground:

All electrical, telephone, and gas utility lines in a development shall be installed according to plans and specifications approved by the respective utility companies providing such service

addition, all such utility lines shall be installed underground, unless it is determined that a variance to allow for overhead facilities is warranted due to exigencies of construction, undue and unreasonable hardship, or other conditions to the development.

Section 5.2.4 **Monuments and Markers:**

All property corners shall be identified with a concrete or iron rod monument. For horizontal control and to reestablish lost monuments, concrete control monuments shall be placed on corners of the subdivision.

To establish vertical control for use with setting finished floor elevations, construction of drainage systems, and benchmark monuments referenced to NGVD 1929, shall be located a minimum of one every 4 acres, and reference elevations shall be placed on the subdivision plat.

Section 5.2.7 **Tree Protection Standards**

No development shall be undertaken, except in conformance with the provisions of this Section.

Section 5.2.7.1 **Intent**

It is the expressed intent of these tree protection standards that all site planning and design for development of land be undertaken with a survey of trees on the property and that the final placement of buildings, structures, and roads, utilities, and other features minimizes the removal of existing trees on the property.

Section 5.2.7.2 **Protected Trees**

No person shall cut, destroy, cause to be destroyed or remove any tree trunk diameter at breast height (dbh) of eight (8") inches (25 inch circumference) or larger or any Dogwood, Redbud or Magnolia tree with a trunk diameter of four (4") inches dbh or larger in preparation for, anticipation of or in conjunction with any development activity as defined in Section 2.2 until such removal has been approved as part of the overall site development approval process of this ordinance. The saving of existing trees less than the protected size is encouraged and may be utilized in some cases to meet the requirements of Section 5.2.7.7 pertaining to replacement of trees that are approved for removal. Upon written certification of a certified arborist or forester and upon development plan approval, sick or diseased trees may be removed.

Section 5.2.7.3 **Tree Survey Required**

A survey of all trees with a trunk diameter of eight (8") inches dbh and larger and all dogwoods, redbuds, and magnolia trees with a trunk diameter of four (4") inches dbh and larger shall be made within the area to be modified from its natural state and seventy-five (75') feet beyond in each direction or to the property lines, whichever is less. The survey shall be conducted and certified by a registered land surveyor or engineer and include the type and size of trees. Tree

surveys for streets shall extend twenty-five (25') feet beyond either side of the street right-of-way lines.

Applications for subdivision approval must also include an estimate of existing tree cover on each lot of the proposed subdivision indicating tree types, average size, and approximate density of trees per acre.

Residential/commercial lot tree cover estimates may be certified by a registered land surveyor, engineer, or landscape architect.

Section 5.2.7.4

Site Design Emphasis on Significant Trees

While all types of trees are protected under these standards, special emphasis is placed on preservation of large trees and certain significant and more valued species listed herein. The highest site design priority shall be given to preservation of live oaks with a trunk diameter of twenty-four (24") inches or larger. Removal of this valued tree is highly discouraged, and will only be approved upon the determination of the Development Review Team that all responsible design alternatives have been explored by the applicant and removal cannot be avoided. If a twenty-four (24") inch or larger significant tree must be removed, the planting of new trees of the same species or live oak trees, if the same species is not available, totaling the same number of inches in diameter will be required, only 50% of which may be allowed to be used for credit towards the minimum requirement of 15 trees per acre.

Significant Trees

American Holly	Redbud (4")
Bald Cypress	Red Maple
Black Oak	Southern Red Oak
Black Tupelo	Southern Magnolia (4")
Cedars	Sycamore
Dogwood (4")	Walnut
Hickory	Any other species 24" diameter and larger
Live Oak	
Palmetto (may be relocated on site)	
Pecan	

For development sites that do not contain any or very few of these significant trees, design emphasis should be shifted to preserving other species present.

Section 5.2.7.5 Minimum Tree Coverage

The minimum allowable post-development tree cover for all development shall be fifteen (15) existing trees, eight (8") inches, dbh (diameter breast height) and larger, per acre of disturbed area. Pairs or groups of trees with trunk spacing or separation of five (5') feet or less shall count as one (1) tree towards meeting the minimum allowable coverage. Each tree with a trunk diameter of thirty-six (36") inches dbh or larger may count as two (2) trees towards meeting the minimum allowable coverage.

Disturbed area shall mean the limits of the site project activity (buildings, roads, parking areas, retention ponds and the like) including the required front, rear and side yard setbacks or to the property line, whichever is less.

Section 5.2.7.6 Tree Replacement

(A) In those cases where site design alternatives cannot achieve the minimum allowable existing tree cover or where predevelopment tree cover is less than the prescribed minimum, the Developer shall be required to plant two (2) replacement hardwood trees of the same type cut down or one (1) live oak tree, with a minimum trunk diameter of 2.5 inch dbh for each existing protected tree under the minimum requirement of fifteen (15) trees per acre of disturbed area.

(B) Proposed or required planted or replacement tree design, types and locations, shall be prepared by a certified arborist or landscape architect and should take into account site soil types and conditions, existing tree species to be preserved and their locations, and the species to be planted that would be best suited to site conditions, proposed activities and impervious surface areas.

(C) Existing significant hardwood trees and dogwood trees, less than eight (8") inches dbh but not less than 2.5" dbh, may be used in place or relocated on-site to meet prescribed

minimums in lieu of purchased trees. Planted or re-located trees should be appropriately designated as such on the site plan and placed so as to enhance the overall landscaping of the site. Required replacement trees in residential subdivisions should be planted on the residential lots outside of the assumed building area.

(D) In commercial projects, replacement trees should be utilized in landscaped islands to enhance parking area and areas of the project site most visible to traveled thoroughfares.

(E) Where the Development Review Team determines that a reduced plantback is necessary due to the size and shape of property and/or structures, and/or other design limitation, or other viable site constraints, such reduction shall be subject to a general forestation fee. This fee shall be the actual and verified cost of the required tree plantback, per tree reduced and shall be paid to the Treasurer of Beaufort County before final approval is given for the development plan. The funds collected through this forestation fee shall be used by Beaufort County to plant trees and other landscaping in highway medians, along-side roads and on other public properties as deemed appropriate.

(F) The survival of any tree planted and/or replanted as above shall be guaranteed with a tree maintenance and replacement bond for a period of one year. The required bond amount shall equal 125% of the actual cost to replace each tree that is planted or relocated (replanted) on the development site.

(G) All trees preserved, planted or relocated on the site must be protected and nurtured for the life of the project approved. Any tree lost subsequent to development approval and certification of compliance shall be replaced with 2 ½" dbh tree of the same type, or live oak, with a minimum height of twelve (12') feet at planting. In the event any twenty-four (24") inch dbh or larger live oak is lost subsequent to development, it shall be replaced with an equivalent number of caliper inches of live oaks each with a minimum diameter of 2 ½" dbh and height of twelve (12') feet.

Section 5.2.7.7

Tree Protection Zones

Tree protection zones shall be established and maintained for each tree preserved or planted on a development site. The area within the tree protection zone must be open and unpaved except where approved perforated pavers may be utilized or tree aeration systems and tree wells installed.

If a Developer can demonstrate that a tree protection zone less than that described can be designed so as not to injure the tree under consideration, based upon the use of a certified arborist, the Development Staff Review Team may approve the alternate tree protection zone.

(A) Maintaining open space around the base of a tree is one of the most important factors in promoting the health and longevity of the tree. The root system within the drip line is generally considered to be the critical root zone.

(B) A permanent tree protection zone surrounding both preserved and planted trees shall

be established. This tree protection zone shall apply during the construction phase, as well.

(C) Tree protection zones should vary according to the species, size location, and health of a tree and be designed for maximum flexibility of shape and minimum effectiveness of size. However, where compelling information to the contrary regarding a particular tree in its particular setting is not available the minimum tree protection zones shall be established as follows:

(1) For existing trees: a circle with a radius of one half foot for every inch of D.B.H. or five feet, whichever is greater (the circle of protection may be offset as much as 1/3 of its total diameter).

(2) For newly planted trees:

a. understory tree: a circle with a radius of two (2') feet

b. overstory tree: a circle with a radius of three (3') feet

(3) For Palmetto trees, a circle with a radius of two (2') feet

(D) The size of the protection zone may be reduced, the shape adjusted, or other encroachments may occur within the zone where any of the following measures or techniques are deemed to sufficiently mitigate such a change and certified as acceptable by a reputable tree service, arborist, or other qualified party:

- (1) limb and root pruning
- (2) fertilization
- (3) aeration
- (4) irrigation
- (5) restoring the natural grade of the soil
- (6) tree feeders
- (7) porous paving materials
- (8) tree well

(E) In general, where a tree well is used it should encompass at least half the area beneath the canopy of the tree and extend in every direction no less than half way from the trunk to the tree's dripline.

(F) Prior to commencing construction or any site alterations a conspicuous four (4') foot high barrier sufficiently prominent visually to prevent encroachment by people and vehicles shall be erected around the protection zone and approved by the Building Official. Barriers may be erected around groupings of trees, where feasible. Use of orange polyethylene safety fencing or a similar material is recommended. The barrier shall remain in place until the Certificate of Occupancy is issued.

(G) Passive forms of tree protection - such as continuous rope or flagging - may be

utilized to mark tree save areas which are remote from areas of land disturbance, if approved by the Building Official. Signage designating such areas shall be put in place.

(H) No building materials, dirt, debris, oils, paints, or any other materials, equipment, or vehicles shall be placed or deposited within the protection area nor shall any trenching or paving be done within the protection area.

(I) No change in grade shall be permitted within the tree protection zone except for a two (2") inch cut or two (2") inch fill of topsoil, sod or mulch.

(J) Underground utility lines shall be routed around and away from tree protection zones. Necessary installation through protection zones shall be accomplished through tunneling rather than cutting open trenches (which sever tree roots).

(K) Where machinery must pass within a tree protection zone during construction, approval shall be required from the Building Official. To protect tree roots from excessive compaction during construction, special cushioning measures may be required by the Building Official such as a heavy layer of chip mulch or pine straw or a "bridge" of boards.

(L) Remedial site reclamation and tree care procedures (such as those mentioned in (D) above, may be required at the reasonable discretion of the Building Official when encroachment or construction activity within protective zones has caused damage to either a tree or tree growing site. Any such treatment shall be in accordance with accepted International Society of Arboriculture practices. Such treatment shall occur prior to the issuance of a Certificate of Occupancy. At the discretion of the Building Official the planting of additional trees may be required if trees are damaged or destroyed.

Section 5.2.7.8

Tree Protection During Construction

Those trees designated for preservation as shown on the approved landscape plan and/or development site plan shall be marked on site with a bright blue ribbon encircling the trunk and a minimum four (4') foot high barricade shall be erected around each tree or clusters of trees at a distance no less than the extent of the required tree protection zone from the base of the tree or preferably at the drip line the tree. No construction activity, other than finish grading in accordance with the provisions of Section 5.2.7.7, or any storage of construction materials or parking of vehicles during construction is allowed within the barricaded area.

Section 5.2.7.9

Master Plans

It is recognized that certain large tracts of land are master planned for residential development or planned unit developments and are developed in phases over many years. Large portions of these planned developments remains forest lands for many years and periodically require removal of certain trees in order to maintain a healthy forest and allow remaining trees to grow better.

For those residential lands of twenty (20) acres and larger, silviculture or selective thinning will be allowed subject to the following conditions:

(A) An approved preliminary plan or master plan on file with the Beaufort County Zoning and Development Administrator.

(B) An application for a development permit for selective harvesting must be filed and include a map or plat of the property indicating the area to be harvested together with silviculture plan prepared by a registered forester or horticulturist. The silviculture plan must contain proposed methods for protection of hardwoods from damage during the timber operation.

(C) Only pine trees may be harvested and only to the extent that there remains in the harvest area the minimum site coverage standards of Section 5.2.7.5.

(D) Clear cuts are strictly prohibited.

Section 5.2.7.10

Special Conditions/Exemptions

(A) Golf Courses

For new golf course developments, and for additions to, or renovations of, existing golf courses, the following tree surveying and replacement standards will apply:

(1) Those areas in which golf course clubhouses, cart barns, snack bars, rest facilities, maintenance buildings, storage areas, and parking lots are to be located will adhere fully to all foregoing sections of this Ordinance.

(2) Active playing areas (including proposed fairways, adjoining mowed grass rough, and new water hazards) and outdoor practice/training areas (including driving range, practice putting greens, etc.) will be exempt from the tree survey requirements of Section 5.2.7.3, and will instead require survey, including species, size and location, of all hardwood trees with a trunk diameter of twenty-four (24") inches dbh or larger.

Such areas will also be exempt from the tree replacement requirements of Section 5.2.7.6, except as such apply to all hardwood trees of twenty-four (24") inches dbh or greater located within these areas.

(3) All other portions of the golf course property shall have trees with a trunk diameter of twelve (12") inches dbh or greater surveyed. Any trees of this size which are proposed to be removed will be replaced pursuant to Section 5.2.7.6 requirements, regardless of species.

(B) Commercial Sod Farms and Vegetable Farms

The active growing areas, plus a twenty (20') foot roadway circumscribing such areas, of proposed new sod and vegetable farms, or of areal expansions of such existing farming areas, shall

be exempt from all requirements of this Ordinance.”

Section 5.2.8

Pollution, Nuisance, and Hazard.

No development shall be undertaken, except in conformance with the provisions of this Section.

(A) No development shall directly contribute to pollution of the land, air, or water; constitute a nuisance; or pose a hazard to life or property. Conformance with all existing local, state, and federal statutes shall be construed as conformance with this provision.

(B) **Aesthetic Standards.** Any junk yard, storage or work area, or other such area shall be screened with a fence or buffer approved by the Development Review Team.

Section 5.2.9

Site Design and Density Standards.

The site design and density standards prescribed herein shall apply to all development activity. For purposes of this Section, density is expressed in terms of dwelling units per net acre of land. The acreage established, upon which density is based, must be under deed to the developer.

(a) **Setbacks.** For purposes of determining required setbacks, all development is classified as follows:

(LR) **Light Residential** - 1 to 4 du/acre.

(MR) **Moderate Residential** - 5 to 8 du/acre.

(IR) **Intense Residential** - 9 to 15 du/acre.

(HIR) **High Intense Residential** - 16 du/acre and greater.

(C/I) **Commercial/Industrial Development** - any establishment included in the buying, selling, or manufacturing of goods or services, except as provided for under institutional development.

(INST) **Institutional** - shall include schools, churches, medical, rehabilitative, correctional and/or charitable shelters, or other public buildings or grounds.

Required setbacks are determined by relationship of proposed development to existing development on contiguous property. Adjacent vacant property shall be classified as light residential, except where preliminary approved or final approved plans indicate another classification, or where the County considers that the development of the surrounding area is such to warrant a lesser setback distances applying to commercial development. For each habitable story over two (2), setback is computed by adding base figure, as shown in chart, to the initial setback.

TABLE: 1

(Feet of Setback for One or Two Habitable Stories)
Existing Adjacent Use

<u>PROPOSED USE</u>	<u>LR</u>	<u>MR</u>	<u>IR</u>	<u>HOTEL/MOTEL</u>	<u>CI</u>	<u>INST.</u>
LR	10	10	15	15	20	15
MR	10	10	10	15	20	15
IR	20	15	15	10	20	20
HIR (Hotel/Motel)	20	20	15	10	20	20
C/I	30	30	30	30	10	30
INST	20	25	25	30	30	20

The required setback shall be measured inward from the property line to the first vertical wall, excluding fences, map posts, and the like. Exception to this standard is made for any recreational amenity ancillary to the approved project. Such recreational amenities may be constructed in the non-buffer portion of the setback area.

The setback requirements of this Section shall not apply to the separation of patio homes, within a specific patio home development. However, in no case shall the separation between such patio homes be less than three feet (3') from the property line of the adjacent lots.

When road right-of-way and easements, or dedicated recreation or open space exists between the property lines of existing and proposed land uses, the setback for the proposed use shall be measured from the property line of the existing use. However, in no case shall side, rear, or front yard setback of the proposed use be less than ten feet (10') measured from its property line, except from patio lot sidelines. Such rights-of-way, easements, or dedicated open space shall be construed as being a part of the required setback.

Adjacent landowners may choose to waive the required setbacks, where common party wall development is desired by:

- (1) Filing with the Zoning and Development Manager a statement of mutual agreement prior to development plan approval for one or both tracts; and
- (2) Recording the agreement as a property deed covenant in the deed affected properties, prior to development plan approval for one or both tracts.

(B) Setbacks from Major Thoroughfares.

No structure, except signs, shall be erected nearer than fifty feet (50') of the right-of-way line of a major thoroughfare so designated on the Official District Map.

Setbacks from all other roadways to be one-half (½) the right-of-way (i.e., 50' road ROW, setback 25'; 60 road ROW, setback 30').

(C) Setbacks at Intersections.

There shall be no interference with the vision clearance at any street intersection. No fence, wall, terrace, building, sign, shrubbery, hedge, planing, etc., above the height of three feet (3'), measured from the finished street centerline level, shall be planted, placed, erected, or maintained within the triangular area created by a line connecting points of the front and side lot lines at a distance from the intersection of said lines, or the extension of said lines.

At an Intersection Involving:

- (1) Driveway and a street; Ten feet (10')
- (2) An alley and a street; Ten feet (10')
- (3) a street and a street; Thirty feet (30')
- (4) Major thoroughfares; Fifty feet (50')

(D) Buffer Requirements.

In order to provide protection for potential incompatibility between neighboring land uses of different types and/or intensity, the following buffer requirements shall apply to the setback areas prescribed in subpart (a) of this Section.

TABLE: 2						
Percentage (%) of TABLE 1: Buffer Standards						
<u>PROPOSED USE</u>	<u>Existing Adjacent Use</u>					
	<u>LR</u>	<u>MR</u>	<u>IR</u>	<u>HOTEL/MOTEL</u>	<u>CI</u>	<u>INST.</u>
LR	0	0	0	0	0	0
MR	50	50	50	50	50	50
IR	60	50	50	50	50	50
HIR (Hotel/Motel)	70	50	50	50	50	50
C/I	80	50	50	50	50	50
INST.	50	50	50	50	50	50

Buffer standards are computed as a percentage of required setbacks, established in subpart (a) of this section, and measured inward from the property line of the proposed use. Buffer areas must be left undisturbed, except that underbrush may be cleared and the area landscaped. Underbrush is defined as a thick growth of bushes, vines, sapling size sprouts, twigs, and trees that do not exceed two inches in diameter. Underbrushing, when approved, shall mean the act of removing such bushes, vines, sapling size sprouts, twigs, and trees by use of a mechanical bushhog device applied in a horizontal manner or manually within like constraints; for the purpose of opening up a property for surveyor teams, or engineers, or health department personnel to accomplish soil suitability evaluations. Underbrushing to improve visual appearance shall not be undertaken, unless approved as a part of project permitting. Maintenance underbrushing is permissible, if accomplished within these guidelines. Nothing herein shall be construed as preventing the removal of junk, debris, or abandoned structures, fences, and the like from the buffer area in the interest of aesthetic improvement.

In the absence of adequate natural vegetation to effect the buffer required herein, the developer shall be required to plant trees, bushes, or shrubs for a minimum depth of fifty percent (50%) of the setback from Table 1, or ten feet (10'), whichever is greater, inward from the development property line to achieve the required buffer. The type, height, and density of planted vegetation shall be approved by the Development Review Team.

When roads or dedicated or covenants, open space or passive recreation areas exist between the property lines of existing and proposed land uses, no buffer area shall be required.

In the case of planned unit developments, the specific requirements for setbacks and buffering shall apply to the perimeter of the PUD only and does not apply to individual development sites or tracts within the overall PUD consistent with the intent and spirit of these provisions.

The balance of the setback area, required in Subpart (a) of this Section, not reserved as buffer area may be utilized in the site development for roads, parking, drainage facilities, and recreational amenities ancillary to the development.

Electrical, telephone, gas, water supply, and sewage disposal and other utilities may be constructed in the required buffer area; and after installation of such services and to meet the requirements of this Section, the developer shall be required to restore the buffer area, as approved by the County

(E) Open Space Standards

Open space, as required herein, shall mean all areas not utilized for buildings, sidewalks, roads, and parking. Areas qualifying as open space are landscaped areas, lagoons, ponds and lakes, natural freshwater wetlands, dedicated wildlife preserves, buffer areas required in Subpart (B), and ancillary recreational amenities such as swimming pools, tennis courts, and golf courses.

Required open space, as shown in Table 3, shall be computed as the aggregate sum of the respective open space percentages, computed for the various designated land uses and districts.

within the overall PUD. The total open space required may be provided anywhere within the boundaries of the PUD.

In the case of development fronting on tidal wetlands, the developer may utilize a portion of the wetlands, for which title is held, to meet up to seventy-five percent (75%) of the open space required in Table 3. The Open Space Credit may not exceed the total amount of the wetlands for which title is held.

Example: Development tract size (including wetlands) equals seven acres

High Ground	=	6.00 Acres
Wetlands	=	1.00 Acre
Proposed Density	=	9.0 Du./Acres
Required Open Space from Table 3		
40% x 7 acres	=	2.80 Acres
Total Open Space Required	=	2.80 Acres
75% Credit for Wetlands		2.18 Acres
Wetlands Held	=	(1.00) Acres
Open Space Required on High Ground	=	1.80 Acres

TABLE 3

Percent Open Space Required By
Land Use and Density

(1) Residential			
(a)	Single Family Less Than 10 Acres		N/A
(b)	Single Family Greater Than 10 Acres		10%
(c)	Multi-Family	2 - du/acre	20%
	Multi-Family	3 - 8 du/acre	30%
	Multi-Family	9 - 15 du/acre	40%
	Multi-Family	16 & Up du/acre	50%
(2)	Institution		15%
(3)	Commercial		15%
(4)	Industrial		20%
(5)	Hotel/Motel (Equivalent of 40% of a Residential Unit)*		

* Required open space percentage of total hotel/motel tracts is computed by dividing the hotel/motel units per acre by 2.5 and applying the resultant residential density requirement.

Example: Hotel development at 30 units/acre. Take 30 du/acre divided by 2.5 which equals 12 du/acre or 40% open space required.

(F) **Telecommunications Towers**

The distance from the base of a telecommunications tower to any existing residential structure must be no less than the tower height plus five (5') feet for self-supporting towers and no less than the guy anchor radius (distance from tower base to anchor) or seventy (70%) percent of tower height, whichever is larger, plus five (5') feet for guyed towers.

Telecommunications towers shall be set back from each property line according to the category in which the land use (as defined in Section 5.2.9(A) above) of the adjoining property falls. In Table 4, below, Category I includes all residential uses (LR, MR, IR, HIR) plus major thoroughfares; Category II includes hotels, motels, vacant property (unless preliminary or final approved plans indicate another classification), agricultural uses, institutional and public uses and roadways other than major thoroughfares, Category III includes commercial and industrial uses.

Towers must be set back a distance equal to the lesser of the percentage of tower height specified in Column A or the number of feet specified in Column B, with a minimum setback of thirty (30) feet from all property lines and roadway rights-of-way. The minimum setback from the right-of-way of major thoroughfares is fifty (50') feet.

TABLE: 4
(Setbacks for Telecommunications Towers from property lines)

<u>Land Use</u>	<u>A</u>	<u>B</u>
Category I	50%	200'
Category II	25%	100'
Category III	10%	40'

In order to screen the tower from adjacent properties and roadways a planting strip at least twenty (20') feet in width, starting at the property line shall be installed with at least one row of evergreen trees. These trees shall measure at least one (1") inch in diameter three (3') feet above grade when planted, shall be spaced not more than twenty (20') feet apart, and shall have an expected height of at least forty (40') feet at maturity. The Development Review Team, at its discretion, may relax the one (1") inch standard where certain species, such as pine, are normally planted as smaller saplings, and the twenty (20') foot standard where certain species, such as live oak, develop a larger canopy width at maturity. The selection of tree species and their arrangement within the planting strip shall be approved by the Development Review Team. Installation of new planting will not be required in those places where the Development Review Team determines that the presence of existing vegetation or structures is sufficient to screen the tower. The purpose of this paragraph is to provide for a continuous landscaping screen around the property with maximum canopy height.

All tower supports and guy anchors must be located within the property and set back a minimum of twenty (20') feet from the property line.

Section 5.2.10

Declaration of Land Use and Density

No development shall be undertaken except where master plans, site plans or plats have been submitted to and approved by the County clearly denoting all proposed use of the land and the maximum density or size of such uses thereon.

Such declared uses, density and size shall not deviated from until such proposed changes are submitted to and approved by the County.

Undesignated areas on master plans, site plans or plats shall be considered as open space and any proposed use thereof, other than open space, shall be submitted to and approved by the County

Section 5.2.11 **Special Nuisances**

The following uses of land, buildings, and structures within the County are deemed to constitute special nuisances which would endanger the health, safety, and welfare of residents and property owners in the County and shall only be permitted in accordance with the provisions of Section 5.2.12.

(A) Other than normal, acceptable businesses which have a history of safety and regulation, such uses that create a risk of fire, explosion, noise, radiation, injury, damage or other physical detriment to any person, structure or plant growth beyond the boundaries of the premises on which such use is located.

(B) Racing tracks for automobiles, motorcycles, grand prix midget racers, go-carts and similar activities.

(C) Commercial amusement parks, ferris wheels, roller coasters, water slides, carnival rides and carnival-like activities except those nonprofit organizations, agricultural or institutional fairs, displays and games in place and operated at special times of the year for thirty (30) days or less.

(D) Commercial wild animal parks, alligator farms and other animal displays and use activities requiring admission for entry; provided, however, that this provision shall not apply to a marine ecology center or aquarium, animal protection shelter, kennels, dog or horse training facilities, boarding and riding stables or similar educational facilities, provided they do not create a nuisance beyond the property boundary.

(E) Businesses such as junkyards, salvage material yards, open storage yards supplies and equipment in disarray, solid waste landfill areas, depositories for nuclear waste, chemicals or other industrial or agricultural wastes.

(F) Any use causing or resulting in the emission of toxic or corrosive gases, radiation, interference with television or radio reception, or other physical or electronic disturbance perceptible beyond the boundaries of the premises on which such use is conducted.

(G) Any light or source illumination either interior or exterior that casts disturbing rays or creates glare so as to constitute a nuisance to nearby residences or creates a hazard by impairing vehicular driver vision.

(H) Such special nuisances as defined above which result in the production or discharge

of smoke or other air contaminants as dark or darker in shade than as designated as No. 2 on the Latest Edition Ringlemann Chart as published by the United States Bureau of Mines for a period or periods aggregating more than three (3) minutes in any one hour.

(I) Such special nuisances as defined above which result in the production or discharge of offensive odors exceeding the standards established by Table III (Odor Threshold) in Chapter 5 of Manufacturing Chemists Association, "Air Pollution Abatement Manual," Latest Edition.

(J) Such special nuisances as defined above which result in the production of noise levels in excess of sixty (60) dBA measured at the property line.

Section 5.2.12 **Special Nuisance Standards**

(A) All land uses and land use activities outlined in Section 5.2.11 (A) through (E) shall be screened from view from any public highway, street or road, adjacent existing and approved residential uses and institutional uses such as churches, schools, cemeteries and libraries. Required screening and buffering may be accomplished with natural and/or landscaped plantings or combination thereof, including berms, walls or fencing that effectively prevent from view the nuisance. Not acceptable for fencing/screening is any plastic or fiberglass fabric or sheeting, or cyclone fence inserts. Painted or manufactured color finishes shall be such as to harmonize with the property and surrounding areas. Approved residential uses as described herein shall mean those residential uses shown on plans on file in the office of the Beaufort County Zoning and Development Manager having either preliminary (including master plan approval) or final plan approval under the provisions of this Ordinance.

(B) The applicant shall demonstrate through design and the use of plantings, wall, buffers, setbacks and the like compliance with radiation, light, smoke, odor and noise provisions as established in Section 5.2.11 (F), (G), (H), (I), and (J).

(C) Exceptions to the smoke, odor and noise standards prescribed in Section 5.2.11 (H), (I), and (J) is hereby made for certain temporary activities such as construction, land clearing, special events and the like where, owing to the nature of such activity, temporary nuisance is unavoidable.

(D) Exception to the noise level prescribed in Section 5.2.11 (J) is hereby made for publicly owned airfields and landing strips.

Section 5.2.13 **Fire Safety Standards**

The Fire Safety Standards prescribed herein shall be in accordance with Beaufort County Ordinance 89/5, as amended, other life, fire, building and safety codes that are adopted by Beaufort County and the State of South Carolina and shall apply to all development activity.

The local Fire Official having jurisdiction shall review all new development for compliance with fire and life safety standards of Beaufort County.

(1) Water Supply for Fire Protection

All new development serviced by a public or quasi-public water system and approved by the South Carolina Department of Health and Environmental Control shall provide firefighting capability through the provision and placement of fire hydrants and adequate flow pressure. The location and spacing of hydrants shall be as follows:

(a) Subdivision. Fire hydrants shall be required for all subdivision of property except single-family subdivisions of four (4) lots or less. Hydrants shall be placed along streets and roads at intervals not to exceed one thousand (1,000') feet. In no case shall the nearest property line of a subdivided lot exceed five hundred (500') feet from a fire hydrant.

(b) All Premises where buildings or portions of buildings, other than one or two family dwellings, are located more than one hundred fifty (150') feet from a public or quasi-public water main shall be provided with approved fire hydrants connected to a water system capable of supplying the required fire flow unless the fire district has approved an alternate fire protection plan. The location and number of such on-site hydrants shall be as designed by the Fire Official with the minimum arrangement being so as to have a hydrant available for distribution of hose to any portion of any building on the premises at distances not exceeding five hundred (500') feet. Commercial buildings existing prior to adoption of this section shall not be required to meet Fire Safety Standards for approved changes which do not involve or affect the structure(s). Refer to Article II, "Non-Conforming" for other requirements."

(2) Alternative Water Supply. An alternative method of water supply for fire protection can be utilized if first approved by the local Fire official. The alternative method shall provide a degree of fire protection that is at least equivalent to that required by the adopted codes. In rural areas that have no suitable public or quasi-public water system available, water supply for fire protection shall be provided that complies with National Fire Protection Association 1231 as a viable alternative method of providing the required fire flow.

(3) Other Conditions for Water Supply. In the event that required water supply will not be contrary to the public interest and where, owing to conditions peculiar to the property and not as result of any action on the part of the property owners, an enforcement of this standard would result in unusual and undue hardship, the local Fire Official may approve alternate protection systems.

(B) Development Plan Review

The local Fire Official having jurisdiction shall review development site plans of all proposed development as it relates to fire and life safety standards contained in this section.

Prior to the final plan approval, the local Fire Official shall make written recommendations to the Development Review Team indicating approval of the design as submitted or delineating needed design changes consistent with fire and life safety standards and practices.

The local Fire Official shall inspect the completed development site for compliance with the approved plans and submit his findings to the Zoning and Development Manager prior to issuance of a Certificate of Compliance.

(C) **Building Height Restriction**

All occupancies, excluding single-family and two-family dwellings, that exceed 35 feet in height or exceed a total fire flow demand of 3,500 gallons per minute (GPM) as referenced in the Insurance Service Organization (ISO) requirements for specialized equipment, must have adjustments to plans approved by the Fire District Fire Chief and the County Building Official and, as necessary, reach financial arrangements acceptable to the Fire District and the County Council which provide assistance in purchasing the appropriate fire-fighting apparatus or equipment. This standard shall be applied to the fire management plan as defined in each Fire District program.

(D) **Emergency Vehicular Access**

No development shall be constructed in any manner so as to obstruct emergency vehicular access to the development property or associated buildings and structures.

To insure that access will not be impaired in any emergency situation, attention should be given to the design and layout of such features as signs, fences, walls, street intersections and curves, parking lots, sidewalks, ditches, lagoons, recreational amenities, landscaping and maintenance of roads.

Section 5.2.14 **Access to Development**

(A) While it is the intent of this Ordinance that all property proposed for development have legal and adequate access to public thoroughfares, it is recognized that often times such legal right of access may not be clearly established at the time of proposed development activity. For development activity not involving the sale of lots or residential units to consumers, the concern over questionable legal access is not as great except that such proposed development may impact other property across which access to the development depends.

It is, however, of great concern that projects proposed for the sale of lots or dwelling units to consumers have clear legal access to avoid potential legal litigation involving unsuspecting consumers.

To this end, all applicants for development approval on property not immediately contiguous to deeded public rights-of-way shall submit.

(1) Copies of recorded deeds, plats and easements clearly documenting access to the development property or,

(2) In the absence of such recorded documents, evidence that reasonable effort has been made to acquire necessary easements from property owners whose lands over which access

is dependent, and

(B) Development involving the sale of lots, tracts, or units for which the provisions of subpart (A) (1) of this section cannot be met must include on the face of recorded plats and surveys and in the body of associated deeds, master deeds, covenants and restrictions the following disclosure:

Disclosure Statement

"It has been determined by Beaufort County that access to all lots or units contained in this development is not clearly and legally established or defined at the time of approval of this development for construction and sale of lots or units to the general public."

For development not involving the sale of lots or units which cannot meet the provisions of subpart (a) (1) of this section, the Zoning and Development Manager shall send notice of development intent by certified mail to all affected property owners, whose land over which access to the proposed development property is dependent, at least fourteen (14) days in advance of scheduled project review.

(C) The Zoning and Development Manager shall review all applications for physical adequacy of access on a case-by-case basis and may deny development approval where access is inadequate for emergency vehicles or users may experience unwarranted inconvenience.

Section 5.3 **Home Occupation Standards**

Section 5.3.1 **Definition**

The term home occupation shall mean an occupation conducted in a dwelling unit by the resident family.

Section 5.3.2 **Conditions**

A home occupation may be permitted under the following conditions:

(A) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes.

(B) No accessory building or out-structure shall be used in conjunction with the home occupation.

(C) No more than two (2) employees other than members of the resident family shall be engaged in such home occupation.

(D) Not more than twenty-five percent (25%) of the floor area of the dwelling unit shall be used in the conduct of the home occupation.

(E) There shall be no change in the outside appearance of the dwelling or the premises or any visible evidence of the conduct of the home occupation other than one (1) sign not exceeding four (4) square feet in area, non-illuminated.

(F) No traffic shall be generated in greater volumes than normally expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met by off-street parking and not in the required front yard.

(G) Normal business operating hours shall be limited to 8:00 a.m. to 6:00 p.m. Businesses that operate between the hours of 6:00 p.m. and 6:00 a.m. shall be of a type that is quiet in nature such as clerical, bookkeeping, accounting, computer, etc.

(H) No equipment or process shall be used which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premise or cause fluctuation of line voltage off the premises.

(I) There shall be no outside display of goods or commodities visible from the street or adjacent residential properties.

(J) A home occupation shall not be considered to include experimentation that may involve the use of chemicals or other substances which may create noises, odors, or hazards to the health, safety and welfare of the neighborhood.

Section 5.4 **Stormwater Management Standards**

Section 5.4.1 **Intent**

No development shall be undertaken, except where adequate drainage is provided in conformance with the provisions prescribed in this Section.

No development shall be undertaken that increases the surface runoff reaching adjacent or surrounding property. Surface runoff shall be dissipated by detention or retention on the development parcel, percolation into the soil, evaporation, or by transport by natural or man-made drainage way or conduit (protected by legal easement) to a County approved point of discharge.

In Planned Unit Developments and/or private drainage systems and easements, when approved for a project, are not to become County responsibility; are to be so indicated on any plat(s) of the subdivision and are to be so noted in covenants and agreements which control or follow the property.

Section 5.4.2 **Drainage Easement**

Drainage easements are utilized to provide for the protection and legal maintenance of

drainage systems not within a right-of-way. Drainage easements shall be required over any portion of a drainage system not within a right-of-way and necessary for the functioning of the system.

Drainage easements for all facilities must be shown on construction drawings and approved by the County Engineer. The easements shall be executed prior to issuance of a site permit and recorded in Public Records.

The minimum allowable width of drainage easements shall be as follows:

<u>Drainage System</u>	<u>Minimum Easement Width</u>
Closed Drainage Systems	(diameter + 4 feet + 2D) Where D = Depth from grade to pipe invert (20' minimum)
Open Drainage Systems	
Bottom Width 20' or less	15' + BW + 2SD (30' minimum)
Bottom Width 20' to 40'	30' + BW + 2SD
Bottom Width greater than 40'	40' + BW + 2SD Where BW = Bottom width D = Depth of opening S = Side slope

The minimum required width of drainage easements may be increased if deemed necessary by the County Engineer, only for justifiable reasons.

Drainage easements shall be conveyed as follows:

(A) Platted subdivisions (greater than 10 acres)

Drainage easements which are required within a platted subdivision shall be clearly identified on the face of the plat and included in the dedication of right-of-ways and easements. Retention/detention ponds within platted subdivisions shall be protected and platted as a separate tract of land dedicated to the entity responsible for its maintenance.

If it is desired to place all or a portion of a detention/retention pond on a buildable lot, not more than fifty (50%) percent of the buildable lot can be used for this purpose; and the detention/retention pond shall be clearly marked on the recordable survey or plat of the lot indicating the location of the 25-year and 100-year storm. Additionally detention/retention ponds may be placed within the open space as required by this Ordinance.

Public drainage facilities, which are located within a private subdivision, shall be granted a drainage easement by conveyance recorded in the official record books of the County.

(B) Unplatted Land

Developments may contain drainage systems which traverse property not included in the plat. These may be adjacent lands which were not platted, future phases of the development to be platted at a later date, or may be part of an overall master plan, as in a Planned Unit Development. The drainage systems must be provided with an easement granted by conveyance recorded in the official record books of the County.

(C) Off-Site

Developments may require off-site drainage improvements in order to ensure the proper functioning of the on-site system. Such off-site improvements shall be provided with a drainage easement granted by conveyance and recorded in the official record books of the County.

Section 5.4.3

Design Criteria

Section 5.4.3.1

Design Storm (minimum)

<u>Facility</u>	<u>Design Storm</u>
Retention/detention ponds (with positive outfall)	25-year, 24-hour
Retention/detention ponds (Landlocked, without positive outfall)	100-year, 24-hour Total retention
Collector, local streets and closed drainage systems	25-year, 24 hour Hydraulic gradient line 1.0 feet below gutter line
Roadside swales	25-year, 24-hour
Canals, major ditches	25-year, 24-hour
Bridges	100-year

As an alternative to providing for the 100-year, 24-hour storm, if the design engineer can clearly demonstrate that the 100-year, 24-hour storm causes no flooding that is damaging within the subdivision upstream and/or downstream of the subdivision the County Engineer will approve such a drainage system which meets the intent of this Ordinance.

Section 5.4.3.2

Stormwater Methodology

(A) Hydrologic Models

The two (2) accepted hydrological methods for computing surface runoff are "The Rational Method" and "U.S.D.A. SCS T.R.-55". Other methods approved by the County Engineer are allowable.

The Rational Method may be utilized for developments up to 50 acres. "TR-55" or other approved method can be used to model developments of any size. Developments shall consider the hydrological features within the total watershed including the development site, upstream and downstream areas.

(B) General Requirements

(1) The use of wetlands for storing and purifying runoff is strongly encouraged. However, care must be taken not to overload their capacity, thereby harming the wetlands and transitional vegetation. Priority wetlands identified on the official Beaufort County Conservation District Maps or wetlands defined in Sections 4.1 and 10.2.129 of this Ordinance, or the Federal National Wetlands Inventory, U.S. Department of Commerce, should not be injured by the construction of detention ponds in them or sufficiently near to deprive them of required runoff or to lower their normal water table elevations. Adjacent detention ponds that benefit retention of normal wetland water table elevations are acceptable. If a retention or detention pond's proposed location is near a priority wetland, the applicant must provide data showing that impacts will not be detrimental to the wetland.

(2) the first flush runoff (0.5 - 1.0 inch) from paved streets and parking areas may be detrimental to maintenance of water quality standards. Therefore, filtering of runoff from streets and parking areas through vegetation, grass, gravel, sand or other filter mediums to remove oil, grease, gasoline, particulates and organic matter is required before the runoff enters any natural waterbody.

(3) Detention and retention ponds shall be designed so that shorelines are meandering where possible to increase the length of shoreline, thus offering more space for the growth of littoral vegetation for filtering purposes.

(4) Detention and retention ponds shall be designed to provide at least one (1) foot of vertical detention storage volume for runoff above the proposed dry weather water level design elevation. Major drainage canals shall not be used for storage where this may impact the storm hydrology upstream and downstream. Use of rectangular weir outlets will be allowed only where this weir will provide better outlet control needed for a given situation than that provided by

a V-notched weir. V-shaped or V-notched weir outlets are recommended to achieve detention storage. Use of innovative outlet structures such as pipe/culvert combinations, perforated riser pipe, or special graduated opening outlet control boxes, is encouraged as ways of reproducing predevelopment runoff conditions. Design data for storage volume and detention outlet requirements shall be submitted and approved by the County Engineer prior to final plan approval.

(5) Detention and retention ponds shall be designed for ten-year sediment loads before the one-foot storage volume requirement is included and in accordance with any State or Federal laws regarding erosion and sedimentation.

(6) Where cleared site conditions exist around detention or retention areas, the banks shall be sloped to the proposed dry weather water surface elevation and planted for stabilization purposes. Where slopes are not practical or desired, other methods of bank stabilization will be used and noted on plans submitted for preliminary approval.

(7) Golf course and private lagoons shall be exempt from the above requirements subject to clear demonstration by the design engineer that no damaging flooding will occur during the 100-year, 24-hour, storm and any safety concerns are addressed.

(C) Direct Stormwater Discharge

(1) Channeling runoff directly into natural waterbodies from pipes, curbs, lined channels, hoses, impervious surfaces, rooftops or similar methods shall not be allowed unless methods of filtration are provided, either at the intake or outfall and approved by the County Engineer. Runoff shall be routed through swales, drywells, or infiltration ditches and other methods to increase percolation, allow suspended solids to settle and remove other pollutants.

(2) Where specific site hardships require a modification to allow direct discharge into tidal areas, prior approval by the Office of Ocean and Coastal Resource Management (O.C.R.M.), Department of Health and Environmental Control (DHEC), County Engineer, Corps of Engineers (C.O.E.) and Water Resources Commission approval is required. Granting of a modification by the County Engineer will be based upon unique site hardships. Where specific site hardships may require a modification to allow direct discharge into a natural water body, methods of diffusing and filtering the discharge and of reducing the velocity will be required.

(3) Dredging, clearing, deepening, widening, straightening, stabilizing or otherwise altering natural water bodies or canals may be permitted by the County Engineer only when a positive benefit can be demonstrated. Such approval by Beaufort County does not obviate the need for State or Federal agency approvals where applicable.

(4) Vegetative strips shall be retained or created along the banks or edges of all wetlands. The following shall be the minimum setbacks for construction from the edge of all wetlands:

Single-family Residential 20 feet

Multifamily Residential	50 feet
Commercial or Industrial	50 feet
Impervious Parking Areas or as established by <u>O.C.R.M.</u> Charleston, SC District whichever is greater	30 feet

A modification may be granted by the County Engineer if the specific project design provides for the drainage or channeling of runoff away from natural watercourses, marshes, wetlands or tidal areas and if such runoff is filtered through a vegetated strip. Vegetative strips shall be retained or created in a natural vegetated or grassed condition to allow for periodic flooding, provide drainage access to the water body, and to act as filter to trap sediment and other contaminants to stormwater runoff.

(5) No new stormwater discharge shall be permitted onto any beaches/shorelines.

(6) Final landscape designs and plantings shall not adversely impact the stormwater runoff controls and drainage concepts approved as part of the preliminary development permit approval process. Landscape design and plantings should enhance opportunities for percolation, retention, detention, filtration and plant absorption of site-generated stormwater runoff.

(7) The Developer shall provide adequate outfall ditches, pipes and easements downstream from his proposed discharge if adequate public or private drainage facilities do not exist to carry the proposed discharge. If the outfall ditches, pipes and easements required for adequate drainage are larger than those needed to carry the additional proposed discharge from the development sought by the applicant, then Beaufort County may bear those incremental costs which are greater than those properly allocable to the development. Beaufort County shall have the authority, however, to condition use of such expanded system by subsequent users on contributions by such users for allocable portions of the cost borne by Beaufort County.

(D) Water Surface Elevations

No Developer will be permitted to construct, establish, maintain or alter the surface water elevation of any waterbody or wetland in such a way as to adversely affect the natural drainage from any upstream or to any downstream areas of the drainage basin on a permanent basis.

The County Engineer shall review and approve any water surface elevations proposed for lagoons or waterbodies. The developer will submit sufficient groundwater and topographic elevation data around the proposed waterbody site to assist in establishing the water surface elevations.

It may be required as a condition of drainage plan approval that adjustments be made to

existing or approved water surface elevations if upstream or downstream areas require such adjustments to provide required drainage flows. The County may assist the Developer in negotiating with the affected parties on an equitable distribution of cost under such conditions and if necessary, initiate condemnation proceedings if the County Council so deems appropriate and the developer pays all costs associated with any condemnation proceedings.

(E) Exemptions from Site Runoff and Drainage Planning

The following activities shall be exempt from the requirements of site runoff control and drainage planning:

- (1) Any maintenance, alteration, renewal use or improvement to an existing drainage structure as approved by the County Engineer which does not create adverse environmental or water quality impacts and does not increase the velocity, volume or location of stormwater runoff discharge; and
- (2) Developments, where adequate drainage exists of less than four (4) residential dwelling units not a phase of a larger development, not involving a main drainage canal; and
- (3) Site work on existing one (1) acre sites (or less) where impervious area is increased by less than 2%; and
- (4) Site work on existing one (1) acre sites (or less) where impervious area increased by less than two (2%) percent; and any earthwork that does not increase runoff and eliminate detention/retention facilities and/or stormwater storage; and
- (5) Agricultural activity not involving relocation of drainage canals; and
- (6) Work by agencies or property owners required to mitigate emergency flooding conditions. If possible, emergency work should be approved by the duly appointed officials in charge of emergency preparedness or emergency relief. Property owners performing emergency work will be responsible for any damage or injury to persons or property caused by their unauthorized actions. Property owners will restore the site of the emergency work to its approximate pre-emergency condition within a period of sixty (60) days following the end of the emergency period.

Section 5.4.3.3

Retention-Detention Facilities

(A) Design Criteria For Developments

- (1) **Peak Attenuation:** The peak discharge as computed from the design storm for post-development shall not exceed the peak discharge for the design storm for predevelopment or existing conditions.
- (2) **Total Retention.** Developments which are unable to secure a positive out

for discharge shall retain all runoff resulting from the design storm as computed for the developed condition. As an alternate, the design engineer can comply with Section 5.4.3.1

(B) **Design Criteria For Redeveloped Sites**

Redevelopments which have no increase or a net decrease in impervious area yet lack evidence of a functioning retention/detention facility may be required to retrofit the site to current County standards.

(C) **Design Based On Soils**

The design of stormwater management facilities should be based upon soil conditions. In areas where soils have been classified under the Soil Conservation Service (SCS) Hydrologic Soil Classification System as Types A or B (pervious), the overall storm water management strategy should be that of on-site retention and infiltration into the ground.

The areas where the soils have been classified under the SCS Hydrologic Soils Classification as Types C and D (impervious) or A/D, B/D, and C/D (high ground water table areas) the overall storm water management system shall be that of providing detention basins to attenuate peak from the contributory drainage area and to settle solids washed off or eroded therefrom.

(1) Detention ponds shall be designed to attenuate peak outflows to predevelopment rates and to provide filtration.

(2) Retention ponds shall be designed to provide for total retention of design storm as computed for the developed condition.

(3) Exfiltration systems shall be designed to store and exfiltrate over the duration of the storm the difference in runoff volume between pre- and post-development. Exfiltration systems shall be designed with a safety factor 1.5 (design using seventy-five percent (75%) of the permeability rate or 75% of the time for drawdown).

(D) **Outfall**

Unless otherwise approved by the County Engineer, outfall structures shall be as simple as possible and shall employ fixed control elevations (i.e. no valves, removable weirs, etc.).

(1) Detention ponds shall be required to have an outfall structure to limit peak off-site discharges to pre-development rates. The location of the structure and the shape of the pond shall be designed such that no "short-circuiting" of flow occurs and that maximum retention of suspended solids is achieved.

(2) Retention ponds may be required to provide outfall structures where deemed necessary by the County Engineer. In all cases retention ponds shall be designed considering the event of a possible overflow. A path for such overflow shall be determined, and no structures in the

development can be situated such that flood damage can occur either on-site or off-site.

(3) Exfiltration systems may be required to connect to an outfall system as deemed necessary by the County Engineer. In all cases, exfiltration systems shall be designed considering the event of a system surcharge. A pathway for excess runoff shall be determined and structures in the development shall be situated such that no flood damage shall occur either on-site or off-site.

Section 5.4.3.4

Open Drainage Systems - Ditches and Ponds

- (A) Access easement shall be provided to all drainage ponds and ditches.
- (B) Maintenance access shall be built and protected by drainage easements, as follows:

<u>Ditch or Canal Width</u>	<u>Minimum Unobstructed Access</u>
20 feet or less	15 feet one side
20 feet to 40 feet	15 feet both sides
Greater than 40 feet	20 feet both sides
Ponds, with fencing	20 feet around pond
Ponds, without fencing	15 ft. around pond

The cross slopes of maintenance berms shall be 15:1.

(C) Areas adjacent to open drainage ways and ponds shall be graded to preclude the entrance of stormwater except at planned locations.

(D) **Maximum Side Slopes Allowed Without Fencing**

<u>Open Drainage Ways</u>	<u>Side Slopes</u>
Swale, ditch, or canal	3:1
Ponds (normally dry)	3:1
Ponds (normally wet)	4:1 (to 3' below the normal water level 2:1 to pond bottom)

Minimum bottom width for ditches or canals shall be two feet.

(E) Slope protection

The disturbed areas in and around the ponds and ditches shall be revegetated as follows:

Side slopes and Berms	Sod or hydroseed with maintenance bond
Bottom (Dry Ponds)	Grass Seeded

(F) Fencing Requirements - If Necessary for Safety

The following fencing recommendations are not required; however, the design engineer shall carefully take into account the following fencing criteria and determine or render a professional opinion as to the necessity of fencing as discussed below.

(1) Canals will not be approved which, along easements or right-of-way, do not meet the provisions of Section 5.4.3.4(D).

(2) Ponds, which present a hazard, should have six (6') feet chain-link fence or other access-proof fence to prevent entry to the facilities. Fences will be required for retention/detention areas where one or more of the following conditions exist:

(a) Rapid stage changes that would make escape practically impossible for small children.

(b) Dry bottom ponds where side slopes are steeper than 4:1 and the design high water elevation exceeds two (2') feet.

(c) Wet bottom ponds where the side slopes are steeper than 4:1 (to 3' below the normal water level and 2:1 to pond bottom).

(G) Freeboard

Open drainage ways and ponds shall have a one (1') foot minimum freeboard above design high water elevation except retention ponds with positive outfall depending upon the design of the outfall structure.

(H) Berms Constructed on Fill

Where fill berms are proposed, calculations supporting the stability of the fill berms are to be submitted by the Design Engineer. Where excess seepage may be expected through the berm, a clay core may be required.

Section 5.4.3.5

Hydraulic Design Criteria

(A) **Roadway Drainage Design**

Good roadway drainage design consists of the proper selection of grades, cross slopes, curb types, inlet location, etc., to remove the design storm rainfall from the pavement in a cost effective manner while preserving the safety, traffic capacity and integrity of the highway and street system. These factors are generally considered to be satisfied, provided that excessive spreads of the water are removed from the vehicular traveled way and that siltation at pavement low points is not allowed to occur. The standards included herein will accomplish these objectives.

(1) **Roadway grade.** The minimum allowable centerline grade for all streets shall be 0.5%.

(2) **Minimum centerline elevation** shall be 7.50 NGVD. (NGVD is very close to MSL, however is more accurate measurement)

(3) **Minimum cross-slope** for all streets shall be 1/4" per foot. All streets shall drain from the road centerline to curb and gutter or drainage ditches. Inverted Crown Roads shall **not** be permitted for roads intended for County Acceptance and/or maintenance.

(4) **All drainage structures**, unless specifically detailed in these guidelines, shall conform to the latest edition of the SC DOT standards or designed in conformance with good engineering practices and shall require approval by the County Engineer.

(5) **Design Criteria For Underdrains**

All new streets shall be designed to provide a minimum clearance of one (1') foot between the bottom of the base and the estimated seasonal highwater table, or the artificial water table induced by an underdrain system. The following requirements and limitations apply to the design of underdrains:

(a) The underdrain trench bottom should not be placed below the seasonal low water table elevation.

(b) The distance between the bottom of the under- drain trench and the bottom of the roadway base shall not be less than 24 inches.

(c) The bottom of the base course of underdrains shall be placed more than twenty-four (24") inches below the seasonal high water table elevation.

(d) The developer's design engineer shall provide the following design certification:

This is to certify that the underdrain design for _____ road, extending from station _____ to station _____ has been designed such that the separation between the bottom of the base and the artificially induced we

season water table is no less than one (1') foot for the entire width of pavement.

(e) The installation shall be inspected by the project design engineer who shall then certify that the underdrain installation procedures and materials are in accordance with the approved plans.

(f) The stormwater facilities shall be designed to accommodate expected flow contributed by the underdrain system.

(g) The County shall inspect the underdrain system for compliance prior to the issuance of final approval.

(6) Roadside Swales

Swale drainage will be permitted only when the wet season water table is minimum of one (1') foot below the invert of the swale. Where roadside swales are required, a positive outfall for the drainage may be required depending on the soil classification and topography.

(7) Curbs and Gutters

All roadway drainage not considered suitable for swale and/or ditch type drainage shall be designed as one of the following:

(a) Mountable Curb and Gutter Section: Maximum 600 feet run between inlets

(b) Standard Curb and Gutter Section: Maximum 1,200 feet run between inlets

Any modification to the above runs must be substantiated with calculations.

The width of curb and gutter shall be a minimum of eighteen (18") inches and shall be either standard or mountable (subdivisions only) curb and gutter, depending upon flow to be handled.

There shall be stabilized subgrade beneath all curbs and gutter for one (1') foot beyond the back of curb.

No new water valve boxes, meters, portions of manholes, or other appurtenances of any kind relating to any underground utilities shall be located in any portion of a curb and gutter section.

The minimum allowable flow line grade of curbs and gutter shall be 0.5%, except in intersections where flatter grades shall be allowable. The tolerance for ponded water in curb construction is one-fourth inch (1/4") maximum, if exceeded, the section of curb shall be removed and reconstructed to grade.

Plastering shall not be permitted on the face of the curb. Joints shall be sawed (unless an alternate method is used) at intervals of ten (10) feet, except where shorter intervals are required for closures, but, in no case, less than four (4) feet.

After concrete has set sufficiently, but in no case later than three (3) days after construction, the curbs shall be backfilled.

All cross-street valley gutters shall be constructed of concrete.

(8) Runoff Determination

The peak rates of runoff for which the pavement drainage system must be designed, shall be determined by the Rational Method. The time of concentration, individual drainage areas and rainfall intensity amount shall be submitted as part of the drainage plans.

A separate Rational Runoff Coefficient (C) shall be determined for the specific contributing area to each inlet/catch basin within the proposed storm sewer system. A composite C value shall be computed for each contributing area based on an individual C value of 0.9 for the estimated impervious portion of the actual area and an individual C value of 0.2 for the remaining pervious (grassed) portion of the actual area.

(9) Stormwater Spread Into Traveled Lane

Inlets shall be spaced at all low points, intersections and along continuous grades so as to prevent the spread of water from exceeding tolerable limits. The acceptable tolerable limits for collector roadways is defined as approximately one half the traveled lane width. Acceptable tolerable limits for interior subdivision roadway are defined as a maximum of one (1) inch above the crown of the road.

(10) Low Point Inlets

All inlets at low points (sumps) shall be designed to intercept one hundred (100%) percent of the design flow without exceeding the allowable spread of water onto the traveled lanes as defined above. On collector roadways, in order to prevent siltation and to provide for a safety factor against clogging of single inlet in a sump location, it is required to consider constructing multiple inlets at all sump locations or provide for other safety factor against clogging. Preferably two (2) inlets should be constructed on each side of the roadway. Open bottom inlets are encourage in effective recharge areas.

(B) Storm Sewer Design

(1) Design Discharge

Storm sewer system design is to be based upon a 25-year frequency event. The system shall be designed to handle the flows from the contributory area within the proposed subdivision. The

the system shall be analyzed a second time to insure that any off-site flows can also be accommodated. This second analysis shall consider the relative timing of the on-site and off-site flows in determining the adequacy of the designed system.

(2) Minimum Pipe Size

The minimum size of pipe to be used in storm sewer systems is fifteen (15") inches or equivalent elliptical. Unless otherwise approved by County Engineer, designs shall be based upon six (6) inch increments in sizes above 18 inches.

(3) Pipe Grade

All storm sewers shall be designed and constructed to produce a minimum velocity of 2.0 fps when flowing full, unless site conditions do not allow. No storm sewer system or portion thereof will be designed to produce velocities in excess of 10 fps.

(4) Pipe Clearance

Unless otherwise authorized by the County Engineer, the minimum clearance for all storm pipes shall be:

<u>Description</u>	<u>Clearance</u>
From bottom of roadway base to outside crown of pipe	1.0 Feet
Utility crossing, outside edge to outside edge	0.5 Feet

(5) Roadway Cross Pipes

All pipes crossing major highways, collectors, and arterials shall be reinforced concrete pipe.

(6) Interference Manholes

Interference manholes shall be used only when there is no reasonable alternative design. Where it is necessary to allow a sanitary line or other utility to pass through a manhole, inlet or junction box, the utility shall be ductile iron or another suitable material. A minimum of 1.0 feet vertical clearance shall be required between the bottom of the manhole and face of utility pipe.

Interference manholes shall be oversized to accommodate the decreased maneuverability inside the structure and flow retardant.

(7) Maximum Lengths of Pipe

The following maximum runs of pipe shall be used when spacing access structures of a types:

<u>Pipe Size</u>	<u>Maximum</u>
15 Inches	300 Feet
18 Inches	300 Feet
24 to 36 Inches	400 Feet
42 Inches and Larger	500 Feet

(8) Design Tailwater

All storm sewer systems shall be designed taking into consideration the tailwater of the receiving facility. In the case where the detention pond is the receiving facility, the design tailwater level can be estimated from the information generated by routing through the pond the hydrograph resulting from a 25-year frequency storm of duration equal to that used in designing the pond. Then the design tailwater level can be assumed to be the 25-year pond level corresponding to the time at which peak inflow occurs from the storm sewer into the pond. In lieu of the above detailed analysis, however, a simpler design tailwater estimate can be obtained by averaging the established 25-year Design High Water elevation for the pond and the pond bottom elevation for "dry bottom" ponds or the normal water elevation for "wet bottom" ponds.

(9) Hydraulic Gradient Line Computations

The Hydraulic Gradient Line for the storm sewer system shall be computed taking into consideration the design tailwater on the system and the energy losses associated with entrance into and exit from the system, friction through the system, and turbulence in the individual manholes/catch basins/junctions with the system.

The energy losses associated with the turbulence in the individual manholes are minor for an open channel or gravity storm sewer system and can typically be overcome by adjusting (increasing) the upstream pipe invert elevations in a manhole by a small amount. However, manholes can be significant for a pressure or surcharged storm sewer system and must be accounted for in establishing a reasonable hydraulic gradient line. Acceptable head loss coefficients (K) for various types of surcharged manholes/catch basins/junctions shall be used.

(C) Culvert Design

(1) Minimum Size

(a) Pipe

The minimum size of pipes to be used for culvert installations under roadways shall be 18 inches. The minimum size of pipes to be used for driveway crossings shall be twelve (12") inches or equivalent elliptical.

(b) **Box**

Unless otherwise approved by the County Engineer, box culverts shall be 3' x 3' minimum. Unless otherwise approved by the County Engineer, increments of 1 foot in height or width should be used above this minimum.

(2) **Maximum Pipe Grade**

The maximum slope allowable shall be a slope that produces 10 fps velocity within the culvert barrel. Erosion protection and/or energy dissipaters shall be required to properly control entrance and outlet velocities.

(3) **Maximum Lengths of Structure**

The maximum length of culvert conveyance structure without access shall be as allowed in Section 5.4.2.5. (B) (7).

Note: For box culverts use five hundred (500') feet maximum.

(4) **Design Tailwater**

All culvert installation shall be designed taking into consideration the tailwater of the receiving facility.

(5) **Allowable Headwater**

The allowable headwater of a culvert installation should be set by the designer for an economical installation. When end walls are used, the headwater should not exceed the top of the endwall at the entrance. If the top of the endwall is inundated, special protection of the roadway embankment and/or ditch slope may be necessary for erosion protection.

(6) **Design Procedure**

The determination of the required size of a culvert installation can be accomplished by mathematical analysis or by the use of design nomographs.

Section 5.4.3.6

Plan Requirements

(A) **Drainage Plans**

A master drainage map showing all existing and proposed features shall be included in the

construction plans. The map is to be prepared preferably on twenty-four (24") inch by thirty-six (36") inch sheet on a scale not to exceed 1" = 200'. In cases where the drainage area will not fit on the sheet, a larger scale may be needed in some cases, to be approved by the County Engineer. Listed below are the features that are to be included on the drainage map.

- (1) Drainage bounds, including all offsite areas draining to the proposed development.
- (2) Sufficient topographical information with elevations to verify the location of all ridge, streams, etc. (one foot contour intervals).
- (3) Highwater data on existing structures upstream and downstream for the development.
- (4) Notes indicating sources of highwater data.
- (5) Notes pertaining to existing standing water, area of heavy seepage, or springs.
- (6) Existing drainage features (ditches, roadways, ponds, etc.). Existing drainage features are to be shown a minimum of 1000 feet downstream of the proposed development unless the ultimate outfall system is a lesser distance.
- (7) Drainage features, including location of inlets, swales, ponding areas, etc.
- (8) Delineation of drainage sub-areas.
- (9) Show retention/detention areas and ingress/egress areas for retention/detention facilities.
- (10) General type of soils (obtain from soil survey of Beaufort County).
- (11) Flood hazard classification.
- (12) Description of current ground cover and/or land use.
- (13) Drainage plans shall also include the following:
 - (a) Cross-section of retention/detention facilities.
 - (b) Typical swale, ditch or canal cross-sections and profiles.
 - (c) All driveway pipe size and inverts will be shown on the site plan and installed at time of and as part of the building and driveway construction. Minimum driveway pipe shall be 12" RCP with all pipe having flared ends.

(d) Drainage rights-of-way, or easements.

(e) Typical fencing detail.

(f) Note on the design plans that an erosion control plan will be submitted to the Zoning/Development Manager. The erosion control plan shall be in accordance with State and/or Federal laws concerning erosion control. Engineering shall review for approval prior to the preconstruction conference.

(14) The overall drainage plan shall be placed on the final plat, showing proposed finished contour elevations for the entire subdivision and proposed minimum first floor elevations of all proposed structures. This overall drainage plan shall be prepared by the Professional Engineer and approved by the County Engineer.

(B) **Subsoil Investigation**

A subsoil report by a Professional Engineer may be required by the County Engineer. A minimum of two (2) locations will be indicated per retention/detention area in order to determine the location of groundwater elevation and/or soil conditions.

(C) **Stormwater Calculations**

Stormwater calculations for retention/detention areas, including design high water elevations for the 25-year and/or 100-year storm events shall include the following:

Storm sewer tabulations including, but not limited to, the following:

- (1) Locations and types of structures.
- (2) Types and lengths of line.
- (3) Drainage sub-area tributary to each structure.
- (4) Runoff coefficient per sub-area.
- (5) Time of concentration to structure.
- (6) Hydraulic gradient for the 25-year frequency storm event.
- (7) Estimated receiving water (tailwater) elevation with sources of information, if available.
- (8) Diameters of pipe.
- (9) Outlet and other pipe velocities.

(D) **Off-Site Improvements**

For all off-site improvements involving roadways, cross sections showing all existing and proposed topographic features within the right-of-way shall be plotted at 50 foot intervals or as approved by the County Engineer and at all locations where the roadway features change significantly. Plotted centerline profile of the existing and proposed roadways shall also be required

Section 5.4.4

Material Specifications

Section 5.4.4.1

Pipe

Reinforced concrete pipe shall conform to the latest edition of the SC DOT Standard Specifications for Highway Construction.

Corrugated aluminum pipe shall conform to AASHTO M-196, M-197, and Federal Spec. WW 442-C. Corrugated polyethylene pipe shall conform to AASHTO M-252, M-294, Type "S". All pipe shall have a minimum cover so as not to pose structural damage to pipe and as per manufacturer's technical specifications and recommendation.

Section 5.4.4.2

Inlets, Manholes, and Junction Boxes

All materials used in the construction of inlets, manholes and junction boxes shall conform to the latest editions of the SC DOT Standard Specifications for Highway Construction.

Section 5.4.4.3

Underdrains/Exfiltration Systems

All materials used in the construction of underdrains shall conform to the latest edition of the SC DOT Standard Specifications for Highway Construction.

The following is a list of underdrain materials acceptable for use in Beaufort County.

(a) **Perforated Corrugated Tubing**

Corrugated, polyethylene tubing perforated throughout and meeting the requirements of AASHTO M-252 or M-294.

(b) **Perforated PVC Pipe**

Polyvinyl-chloride pipe conforming to the requirements of ASTM D-3033. The perforations shall meet the requirements of ASTM C-508.

(c) **Exfiltration Pipe**

The following is a list of pipe materials acceptable for use in exfiltration systems:

(1) Aluminum Pipe Perforated 360°, meeting the requirements of AASHTO M-196.

(2) Perforated Class III Reinforced Concrete Pipe with Perforations meeting the requirements of ASTM C-444.

(3) Polyvinyl-chloride Pipe Perforated 360°, meeting the requirements of ASTM

D-3033.

(d) **Coarse Aggregate**

Clean stone containing no friable materials and a gradation equivalent to size number 56 or 57.

Section 5.4.4.4 **Drainage Structures**

All materials used in the construction of drainage structures shall conform to the latest editions of the SC DOT Standard Specifications for Highway Construction.

Rip-rap is not an acceptable material for drainage structure, but can be used for erosion control.

Section 5.4.4.5 **Fencing**

Unless otherwise approved by the County Engineer, all fencing shall be six (6') foot chain link or access-proof fence with a minimum 15-foot wide double gate opening conforming to the SC DOT specifications.

Section 5.4.4.6 **Sod, Seed, Hydroseed & Mulch**

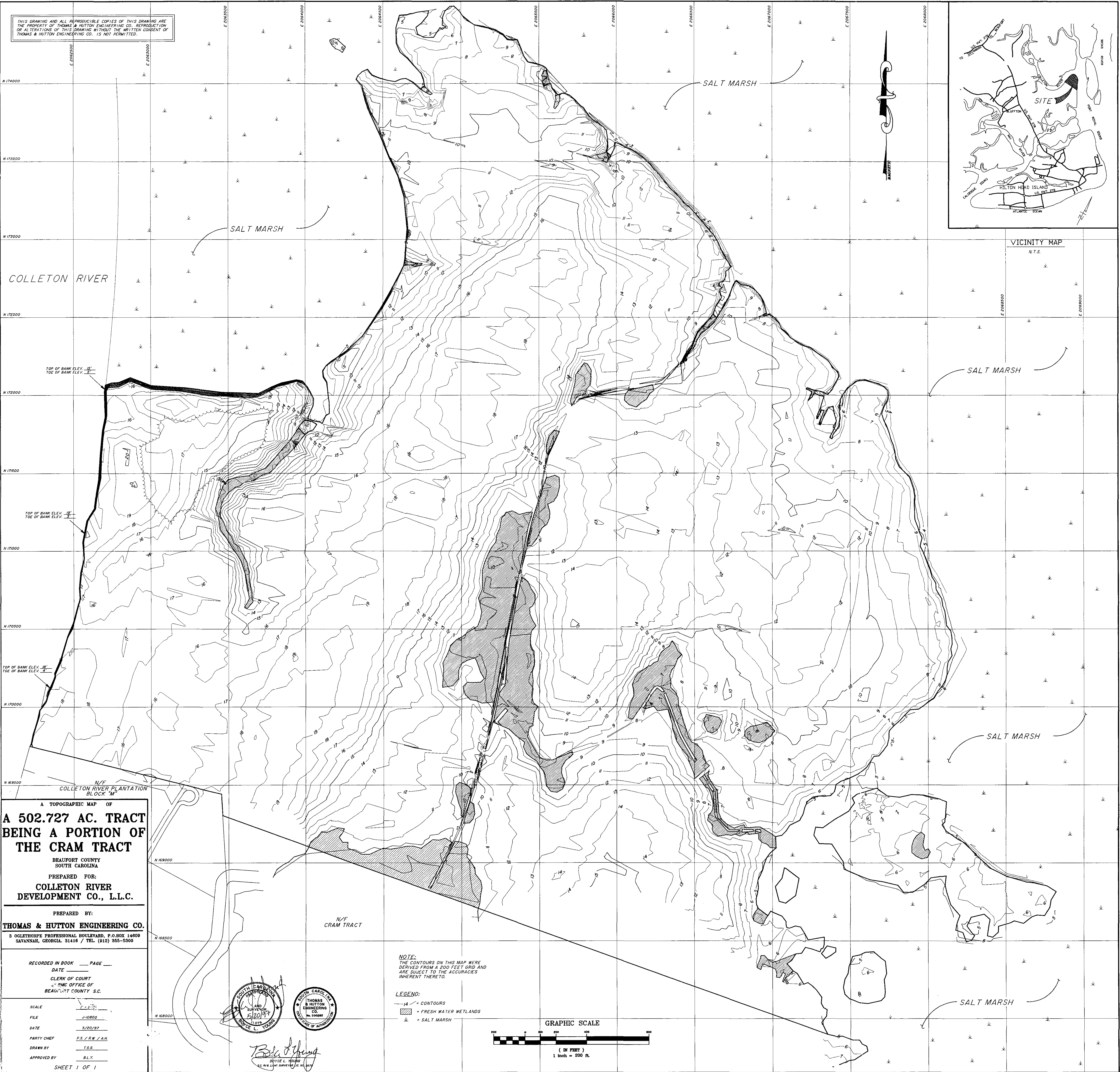
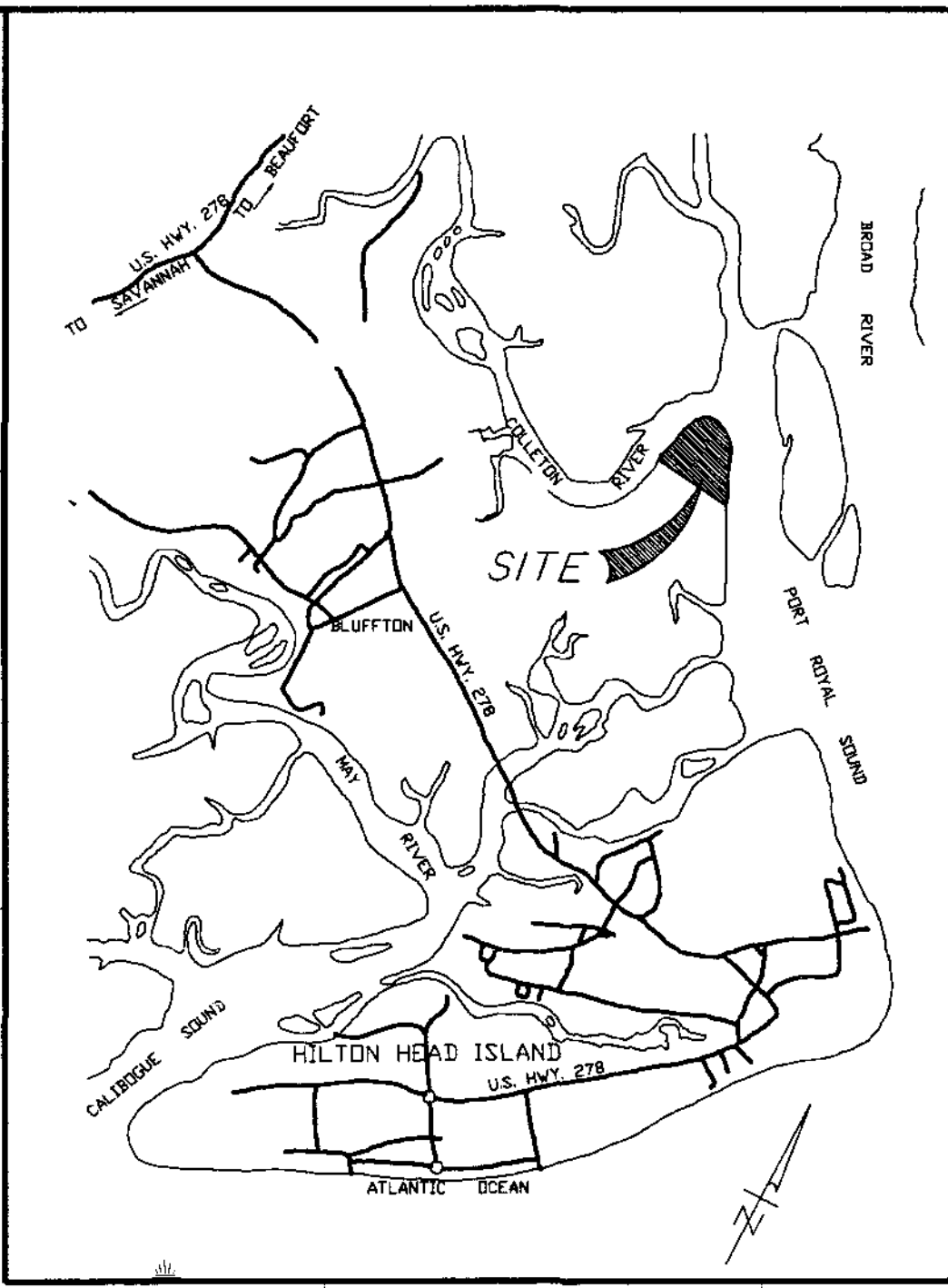
All sod, seed, hydroseed and mulch materials and installation shall conform to the latest edition of the SC DOT Standard Specifications for Highway Construction.

Section 5.4.5 **Planning and Design Certification**

Professional Engineers, registered in the State of South Carolina, shall prepare detailed drainage report, design and certify all subdivision grading, drainage, roads, parking lots, and water and sewer systems. Tier B Land Surveyors, registered in the State of South Carolina, may design and certify drainage systems as limited by State Regulations. An as-built field survey shall be submitted to the County Engineer showing controlling stormwater invert elevations and spillways and outlet structures of commercial and industrial developments and residential developments requiring drainage systems.

Landscape Architects, registered in the State of South Carolina, shall certify drainage features pertinent to their Landscape design drawings. Design engineers or landscape architects may perform, design and/or certify their plans in accordance with South Carolina rules and regulations governing their professions.

THIS DRAWING AND ALL REPRODUCIBLE COPIES OF THIS DRAWING ARE THE PROPERTY OF THOMAS & HUTTON ENGINEERING CO. REPRODUCTION OR ALTERATIONS OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF THOMAS & HUTTON ENGINEERING CO. IS NOT PERMITTED.



COLLETON RIVER

SALT MARSH

SALT MARSH

SALT MARSH

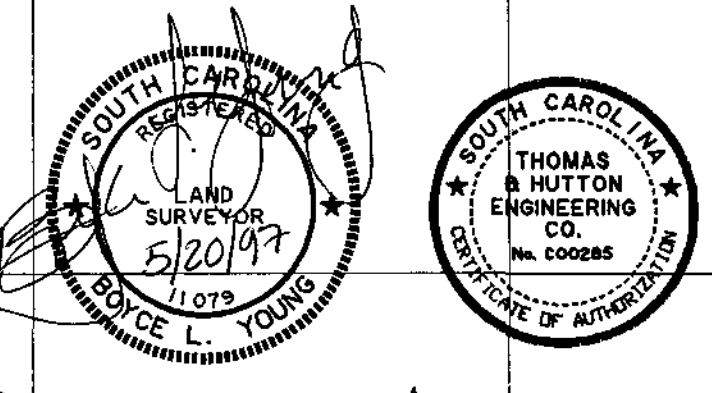
SALT MARSH

SALT MARSH

A TOPOGRAPHIC MAP OF
A 502.727 AC. TRACT
BEING A PORTION OF
THE CRAM TRACT
 BEAUFORT COUNTY
 SOUTH CAROLINA
 PREPARED FOR:
COLLETON RIVER
DEVELOPMENT CO., L.L.C.

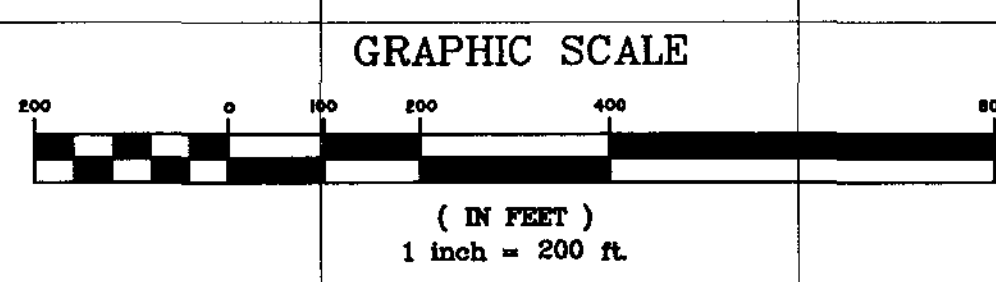
PREPARED BY:
THOMAS & HUTTON ENGINEERING CO.
 3 OGLETHORPE PROFESSIONAL BOULEVARD, P.O. BOX 14609
 SAVANNAH, GEORGIA 31418 / TEL. (912) 955-5300

RECORDED IN BOOK _____ PAGE _____
 DATE _____
 CLERK OF COURT
 RMC OFFICE OF
 BEAUFORT COUNTY S.C.
 SCALE _____
 FILE J-10600
 DATE 5/20/97
 PARTY CHIEF P.S. / R.W. / A.H.
 DRAWN BY T.G.S.
 APPROVED BY B.L.Y.
 SHEET 1 OF 1



NOTE:
 THE CONTOURS ON THIS MAP WERE
 DERIVED FROM A 200 FEET GRID AND
 ARE SUBJECT TO THE ACCURACIES
 INHERENT THERETO.

LEGEND:
 -|- CONTOURS
 [Hatched Box] FRESH WATER WETLANDS
 * SALT MARSH



VICINITY MAP
 N.T.S.