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AGENDA NATURAL RESOURCES COMMITTEE

Monday, May 2, 2011
2:00 p.m.

Executive Conference Room, Administration Building

Committee Members:

Paul Sommerville, Chairman
Brian Flewelling, Vice-Chairman
Steven Baer
Gerald Dawson
William McBride
Jerry Stewart

Staff Support: Tony Criscitiello

2:00 p.m. 1. CALL TO ORDER

2. TEXT AMENDMENT TO THE BEAUFORT COUNTY ZONING & DEVELOPMENT STANDARDS ORDINANCE, ADDING A NEW ARTICLE: ARTICLE XVII. TRANSFER OF DEVELOPMENT RIGHTS (TDRS) ([backup](#))
3. TEXT AMENDMENT TO THE BEAUFORT COUNTY COMPREHENSIVE PLAN, APPENDIX L. BUCKWALTER PARKWAY ACCESS MANAGEMENT PLAN, FIGURE 5 (ADDS NEW FUTURE SIGNAL LOCATION ON BUCKWALTER PARKWAY) ([backup](#))
4. TEXT AMENDMENTS TO THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (ZDSO), ARTICLE XIII, SECTION 106-2796(H) AND (I) (REVISES ACCESS MANAGEMENT STANDARDS TO ENCOURAGE ROUNDABOUTS FOR BUCKWALTER AND BLUFFTON PARKWAYS) ([backup](#))
5. CHANGE OF STATUS OF PLANNING COMMISSION MEMBERS ([backup](#))
6. EXECUTIVE SESSION
 - Discussion of negotiations incident to proposed contractual arrangements and proposed purchase of property

7. ADJOURNMENT

County TV Rebroadcast	
Wednesday	9:00 a.m.
Thursday	1:00 a.m.
Friday	10:00 p.m.

Natural Resources		
Date	Time	Location
June 6	2:00 p.m.	ECR
July 11	2:00 p.m.	ECR
August 1	2:00 p.m.	ECR
September 6	2:00 p.m.	ECR
October 3	2:00 p.m.	ECR
November 7	2:00 p.m.	ECR
December 5	2:00 p.m.	ECR

A quorum of Council may be in attendance at all Committee meetings.

Please silence your cell phone during the meeting.



MEMORANDUM

TO: Natural Resources Committee of Beaufort County Council
FROM: Anthony Criscitiello, Beaufort County Director of Planning & Development *TC*
DATE: April 18, 2011
SUBJECT: Proposed Amendment to the ZDSO to adopt a Transfer of Development Rights (TDR) Program for the area surrounding MCAS-Beaufort

EXCERPT OF COUNTY PLANNING COMMISSION RECOMMENDATION from its April 4, 2011, draft meeting minutes:

Chairman Hicks gave a historical summary that led to the TDR ordinance. He noted the work by Ginnie Kozak and the Air Station.

Mr. Anthony Criscitiello, the Beaufort County Planning Director, briefed the Commission on the ordinance using a power point presentation. This is an interim provision before the Form-Based Code is adopted by the County. This is a pilot project for the property around the Air Station. None of the municipalities are involved in this project.

Chairman Hicks asked for a briefing from the Technical Advisory Committee (TAC). He noted that some of the members of the Committee were Reed Armstrong, Alice Howard, Amber Lavosky of the Department of Defense, Ginnie Kozak, David Tedder, Delores Frazier, etc. Chairman Hicks explained that a TAC was formed to determine how to establish the program. Hundreds of man-hours were involved. The TAC forwarded information to the Northern Regional Plan Implementation Committee and the Metropolitan Planning Commission for their review.

Ms. Alice Howard from the Marine Corps Air Station Beaufort reiterated that the TAC was a lot of work by a lot of people. She said serious hard thought went into the ordinance.

Mr. Criscitiello noted that there was available \$500,000 in State and Federal monies for this project. Commission discussion included clarification that the money was to purchase TDRs, clarification on details regarding the overlay district, explaining the term "in lieu of fee" where a developer pays a fee in lieu of finding a TDR sender, noting that the program was market driven, separating the TDR briefing from the public comment portion, and noting that the program served as an incentive to annex into the municipalities.

Public Comment:

1. Ms. Leilani Bessinger asked, "Do you know what the footprint is for the F-35B?" (Chairman Hicks explained that a buffer of a quarter of a mile from the existing footprint was set to anticipate the aircraft.) Ms. Bessinger asked if her property were outside of the footprint, how does she sell her property to a developer. Who will want to build with the noise? What

about heirs property? (Chairman Hicks answered her questions.) She asked for clarification on the ordinance regarding property in the AICUZ. You are setting precedence tonight that will move as needed. She mentioned that Mr. Will Cook at the community briefing at Burton Wells stating it was “takings after the fact.” She noted a Grays Hill property owner who has heirs property. She proceeded to read John Elwood’s information regarding air space training maneuvering radius increases. She commented on the relationship of the Air Station and the surrounding community. (Chairman Hicks asked her to continue her comments on the ordinance solely; he was willing to discuss the other matters with her privately, if she would make an appointment.) Ms. Bessinger ended with, “You’re setting yourself up for a lawsuit.”

2. Mr. Reed Armstrong of the Coastal Conservation League (CCL) stated the CCL has been an active participant and supporter of the TDR program. The plan is an outstanding example of cooperation between the community and the Marine Corps Air Station Beaufort. He sees the program as a model and test bed for a County-wide TDR program necessary to implement the Form-Based Code in the County and its municipalities. He requested the Commission’s endorsement of the program. (Chairman Hicks thanked Mr. Armstrong for his work on the TAC.)
3. Mr. Dave Tedder, an attorney and a member of the TDR Technical Advisory Committee, noted that he has spoken to Ms. Alice Howard of the Marine Corps Air Station Beaufort and Ms. Delores Frazier, County Assistant Planning Director, regarding the following suggestions:
 - a. Sec. 106-3299, add “for MCAS – Beaufort” at the end of *AICUZ Buffer* definition.
 - b. Sec. 106-3301(a)(1), add “and AICUZ Buffer” after Overlay District.
 - c. Sec. 106-3301(a)(2), change the sentence to read “...(RR-TO), Suburban (S), or Limited Industrial (existing residential uses only).”
 - d. Sec. 106-3302(c), add subparagraph: (4) Notwithstanding this prioritization, this subsection shall not prevent a specific funding of a purchase outside of this prioritization on a case by case basis when requested by a funding entity or organization.
 - e. Sec. 106-3305(a)(3), change the first sentence to read: “The maximum number of allowable TDRs shall be the permitted dwelling units minus....”
 - f. Sec. 106-3305(a)(4), delete “non-conforming or” from the second full sentence; and add the following sentence to the end of the paragraph: “Non-conforming residential units, including residential units in excess of the baseline density, shall be entitled to receive a TDR upon agreement to remove the non-conforming residential unit within a reasonable time.”
 - g. Sec. 106-3306(c)(3), change the first sentence to read: “At the request of....”
 - h. Sec. 106-3307(a), change the last sentence to read: “...procedures specified in the ZDSO.”

After a lengthy explanation of his suggested changes, Mr. Tedder fielded questions from the Commission including requiring written consent by lienholders on sending parcels and the value of TDRs. Mr. Tedder asked the Commission to adopt the TDR ordinance. It is a pilot program. We need to get something going even if it isn’t perfect. We can always adjust it along the way.

Chairman Hicks suggested making a motion to recommend approval or disapproval and have the Planning Department review Mr. Tedder's suggestions to deem if they are appropriate to adopt. If his suggestions are deemed to be significant, then the revised ordinance should be returned to the Metropolitan Planning Commission and back to the County Planning Commission. Without knowing the number of non-conforming units, Mr. Hicks was hesitant to recommend otherwise.

Further Commission discussion included desiring to see a complete document with the best recommendations that the Planning office can make and having the time to review the ordinance, and suggesting a 30-day delay on the ordinance or forwarding it on to County Council.

Mr. Tedder is aware that his recommendations must be reviewed; however, he noted that there is a time constraint that the state monies must be used by June 2011. The Commissioners, just having been made aware of the time constraint, indicated their decision to recommend approval of the ordinance.

Motion: Ms. Chmelik made a motion, and Mr. Petit seconded the motion, **to forward to County Council an adoption recommendation of the Text Amendment to the Beaufort County Zoning & Development Standards Ordinance, adding a new article: Article XVII. Transfer of Development Rights (TDRs); however, prior to forwarding, recommend that Mr. David Tedder's suggestions be reviewed by the Planning Department to determine if his suggestions should be included in the ordinance.** Further comments included Ms. LeGree noting that her questions were answered during the presentation and discussion so she did not have to ask them. The motion was **carried unanimously** (FOR: Brown, Chmelik, Hicks, LeGree, Petit, Riley, and Sutler).

Chairman Hicks commented that during the writing of the Comprehensive Plan ten years ago, Mr. Scott Graber, a Planning Commission at that time, was sent to review a TDR and noted that it was too complicated for Beaufort. He thanked the TDR Technical Advisory Committee for its work.

METROPOLITAN PLANNING COMMISSION RECOMMENDATION from its March 21, 2011, meeting:

The Metropolitan Planning Commission met on Monday, March 21, 2011, at 5:30 p.m. at City of Beaufort Council Chambers, 1911 Boundary Street, Beaufort, SC 29902. Commission members in attendance were: Jim Hicks and Robert Semmler, Beaufort County Council representatives; Alan Dechovitz (Vice Chair), City of Beaufort representative; and Joe DeVito (Chairman), Town of Port Royal representative. (Absent: Greg Huddy, City of Beaufort representative; and James Crower, Town of Port Royal representative)

Mr. Criscitiello gave the staff presentation. It was noted that at the present time, all of the identified Sending and Receiving Areas are within the unincorporated County. Mr. Criscitiello stated that he would like the Receiving Areas to remain intact if they are ever annexed into a municipality so they don't begin to shrink. There were no comments from the public. The Commission members raised questions about the cash-in-lieu process, the requirement for an

easement to be recorded to participate in the program, and the pros and cons of the program being administered by the County versus an independent entity. Mr. Dechovitz voiced several concerns about the proposed TDR program. He thought that it was not a good deal for either the sending area property owners or the receiving area developers. He thought that it would be much more straightforward to simply buy the development rights within the AICUZ. He stated that it was the Department of Defense's responsibility to compensate land owners for the devaluation of their land as a result of the AICUZ, not local developers.

Motion: Mr. Hicks made a motion to recommend approval of the proposed TDR ordinance, and to recommend that the City of Beaufort and the Town of Port Royal pass a resolution in support of the TDR program. Mr. Semmler seconded the motion. Mr. Dechovitz stated that he could not commit the City to supporting the TDR Program. The motion passed (FOR: DeVito, Hicks and Semmler; AGAINST: Dechovitz).

STAFF REPORT:

In October 2004, Beaufort County, the City of Beaufort and the Town of Port Royal adopted a Lowcountry Joint Land Use Study (JLUS), the purpose of which was to cooperatively plan for and protect the present and future integrity of operations and training at MCAS Beaufort. One of the recommendations that came out of the JLUS was for the three jurisdictions to develop a coordinated "AICUZ Overlay" district for all land affected by accident potential and/or noise zones associated with the air station. Approximately 13,000 acres of unincorporated land in Beaufort County fall within one or more of the AICUZ zones.

In December 2006, the County Council adopted AICUZ overlay regulations that limit the type and density of development that can occur within noise and accident potential zones. The overlay district was also adopted by the City of Beaufort and the Town of Port Royal.

To prevent long term encroachment of incompatible development around MCAS and to provide some economic relief for those land owners affected by the new overlay district, the three local governments have been exploring the feasibility of establishing a transfer of development rights (TDR) program. Such a program would essentially "transfer" development out of the AICUZ zones and "send" it to other areas within northern Beaufort County that have been targeted for additional density. Through a grant received from the U.S. Department of Defense, the Lowcountry Council of Governments (LCOG) contracted with a consulting firm to evaluate the feasibility of such a program and to develop a specific TDR process for Beaufort County. The attached amendment to the County's ZDSO is a result of this effort.

The proposed amendment (see attached):

- Establishes sending and receiving areas;
- Sets up a TDR Bank to assist in program management;
- Provides a methodology for calculating development rights and transfer ratios;
- Requires purchase of TDRs for all upzonings in the receiving area; and
- Provides for a cash in-lieu payment option.

Beaufort County Zoning and Development Standards Ordinance

Article XVII. Transfer of Development Rights

Sec. 106-3298. Purpose

The purpose of the Transfer of Development Rights (TDR) program is to support County efforts to reduce development potential near the Marine Corps Air Station Beaufort (MCAS—Beaufort) and to redirect development potential to locations further from the Air Station, consistent with the Beaufort County Comprehensive Plan. This preferred development pattern is intended to reduce hazards associated with aircraft operations near MCAS—Beaufort in a way that respects the rights of property owners and utilizes a free market system to achieve planning objectives. The TDR program is also intended to work in concert with other regional, County, and local programs that promote good land use planning and to facilitate inter-jurisdictional cooperation between Beaufort County, the Lowcountry Council of Governments (LOCG), the City of Beaufort, and the Town of Port Royal.

Sec. 106-3299. Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Affordable Housing Units means dwelling units that comply with Article IX (Affordable Housing Incentives) of the Zoning and Development Standards Ordinance.

Air Installations Compatible Use Zone (AICUZ) means the area surrounding MCAS - Beaufort as identified in Appendix A1 (Airport Overlay District/MCAS – Beaufort)

AICUZ Buffer means the quarter-mile area surrounding the AICUZ for MCAS - Beaufort.

Baseline Density means the maximum density allowed on a Receiving Area property under baseline zoning and applicable overlay districts without participation in the TDR program.

Baseline Zoning means the zoning in effect on a receiving area property as of the adoption of this article (insert date).

Cash In-lieu means the fee rate identified by Beaufort County that can be paid for increased density above Baseline zoning.

TDR Bank means an intermediary authorized by Beaufort County to act on its behalf in the TDR Program.

TDR Certificate means the official document issued by the County identifying the number of TDRs owned by the holder of the TDR certificate.

TDR Option means the option of a Receiving Area property owner to increase density above baseline zoning through participation in the TDR Program.

TDR Program means the rules and requirements of this article for the transfer of development rights from Sending Areas to Receiving Areas.

TDR Receiving Area means properties on which upzonings trigger the establishment of the TDR overlay district.

TDR Sending Area means areas within unincorporated Beaufort County that are eligible to sell TDRs.

Intermediary means any individual or group, other than a Sending Area landowner or Receiving Area developer, which buys and sells TDRs.

Sec. 106-3300. Voluntary Nature of Program

The participation of property owners in the TDR program is voluntary. Nothing in this article shall be interpreted as a requirement for Sending Area property owners to sell TDRs, for Receiving Areas property owners to purchase TDRs, or for any property owner or County resident to otherwise participate in the TDR program

Sec. 106-3301. Establishment of TDR Sending and Receiving Areas

(a) *Sending Areas.* TDR Sending Areas shall include all properties within unincorporated Beaufort County that are:

- (1) Located within the Airport Overlay District **and AICUZ Buffer** for MCAS-Beaufort; and
- (2) Zoned Rural (R), Rural Residential (RR), Rural - Transitional Overlay (R-TO), Rural Residential - Transitional Overlay (RR-TO), or Suburban (S).

(b) *Receiving Areas.*

- (1) TDR Receiving Areas shall include all properties within unincorporated Beaufort County that are located:
 - a. Outside of Airport Overlay District for MCAS-Beaufort and the AICUZ Buffer; and
 - b. Within the boundaries of Port Royal Island.

- (2) The cities of Beaufort and Port Royal may also participate in the TDR Program by designating TDR Receiving Areas and submitting a complimentary ordinance and interjurisdictional agreement

Sec. 106-3302. TDR Bank

(a) *Purpose.* The County may choose to contract with an outside agency, hereto referred to as a TDR Bank, to assist or manage TDR program administration, buying, holding, and selling TDRs as well as performing other functions as directed by the County Council. The purpose of the TDR Bank is to facilitate a well-functioning TDR market by performing these tasks. The County is ultimately responsible for managing and administering the TDR program and the TDR Bank.

(b) *TDR Bank Description.*

- (1) The TDR Bank is an intermediary specifically authorized by the County Council to perform functions assigned to it by agreement by the TDR Bank and the County Council. These functions may include the acquisition and sale of TDRs as well as TDR program promotion and facilitation.
- (2) The County Council is not required to form a TDR Bank. The County Council may instead elect to use County personnel to perform TDR Bank functions.
- (3) The establishment of a TDR Bank shall not preclude direct buyer-seller transactions of TDRs.

(c) *TDR Purchase Priorities.* The TDR Bank will prioritize the purchase of TDRs from small landowners over large landowners in the following way:

- (1) The TDR Bank will purchase TDR Certificates from Sending Area landowners based on the number of TDRs they hold, from smallest to largest. Landowners with one TDR will be bought out first, followed by landowners with two or more TDRs.
- (2) The TDR Bank will establish a time window during which it will accept letters of interest from Sending Area landowners. At the close of the time window, the TDR Bank will create a rank-order list of sellers whose TDR Certificates it will buy.
- (3) The TDR Bank will purchase TDR Certificates starting at the top of the list from landowners who have TDR Certificates. For example, if the landowner at the top of the list does not have a TDR Certificate, the TDR Bank will go down the list until it reaches a landowner with TDR Certificates.
- (4) **Notwithstanding this prioritization, this subsection shall not prevent a specific funding of a purchase outside of this prioritization on a case by case basis when requested by a funding entity or organization.**

(d) *TDR Bank Operation.* The duties and operating procedures of the TDR Bank, if established, shall be specified in an agreement between the TDR Bank and the County Council. These procedures shall reflect the TDR program goal of reducing development potential within Sending Areas.

Sec. 106-3303. Transfer of Development Rights (TDR) Overlay District

(a) *Purpose.* The purpose of the Transfer of Development Rights (TDR) overlay district is to allow Receiving Area properties to exceed Baseline Density through compliance with TDR program requirements.

(b) *Establishment of TDR Overlay Districts.* TDR overlay districts shall be established concurrently with the approval of any rezoning that increases residential density potential within a TDR Receiving Area. As part of the rezoning, the new zoning designation shall include a TDR overlay district suffix indicating the need to comply with TDR Program requirements in the event that the property owners choose to use the TDR Option and exceed Baseline Density.

(c) *Rezoning Procedure.*

- (1) Establishment of a TDR overlay district shall occur as part of the County's standard rezoning process and shall not require separate application or approval procedures. The approval or denial of a TDR overlay district shall be dependent upon the approval or denial of the requested zoning district.
- (2) The TDR overlay district does not affect County procedures for placing conditions on rezoning approvals to implement County plans and policies. The TDR program does not affect the authority of the County to initiate amendments to the Zoning and Development Standards Ordinance or County procedures for responding to rezoning applications submitted by property owners

Sec. 106-3304. TDR Certificates

(a) *General.* A TDR Sending Area property owner may choose not to participate in the TDR Program or, alternatively, may choose to participate by applying for a TDR Certificate.

(b) *TDR Certification Application Submittal, Review, and Issuance.*

- (1) To request a TDR Certificate, a property owner shall submit to the Planning Department an application that includes the information and materials required by the County for TDR Certificate applications, together with all required application fees.
- (2) The property owner shall submit to the Planning Department proof of clear title of ownership. The application shall include written approval of the TDR Certificate application from all holders of liens on the subject property.

- (3) TDR Certificate applications shall include draft easement language as required by Section 106-3306 (Sending Area Easements). At the property owner's option, this easement may preclude one, some, or all of the allowable TDRs not foregone by previous TDR easements or similar deed restrictions.
- (4) The Planning Department shall calculate the number of allowable TDRs for a Sending Area property using the methodology described in Section 106-3305 (Calculation of TDRs in Sending Areas).
- (5) Upon recordation of the easement, the Planning Director shall issue a TDR Certificate documenting the number of TDRs generated by the recorded easement, the serial numbers of all TDRs created by the easement, the Sending Area that generated these TDRs, the identity of the property owner/certificate holder, and any other documentation required by the Planning Director. **For purposes of this program, only TDR Certificates issued by the Planning Director shall be available for sale to a Receiving Site developer or to any intermediary.**

(c) *Sale and Tracking of TDRs.*

- (1) Once a Sending Area property owner receives a TDR Certificate, the property owner may sell or give one, some, or all of the TDRs documented in that TDR Certificate directly to the developer of a Receiving Site property or to any intermediary.
- (2) In accordance with procedures approved by the Planning Director, upon the sale or gift of any or all TDRs, the holder of a TDR Certificate shall notify the Planning Director, who will void the original TDR Certificate and issue one or more new TDR Certificates documenting the new owners of the TDRs.
- (3) The Planning Director shall maintain a TDR registry, publicly accessible via the internet, documenting current TDR Certificate holders and the serial numbers of the TDRs contained within all TDR Certificates. The Planning Director shall develop and implement procedures to ensure that the transfer process is accurate and transparent.

Sec. 106-3305. Calculation of TDRs in Sending Areas

(a) *Methodology.*

- (1) The Planning Department shall calculate the number of allowable TDRs for a TDR Sending Area property using the methodology for calculating residential use capacity of a parcel as outlined in Table 106-1815(1). The calculation shall be based on the baseline zoning classification, not on the limitations, if any, imposed by the airport overlay district.

- (2) When 50 percent or more of a parcel is located within a Sending Area, the calculation of maximum allowable TDRs shall be based on the entire land area of the parcel.
- (3) The maximum number of allowable TDRs shall be the permitted dwelling units minus any reduction in this calculation created by the recordation of previous TDR easements or similar deed restrictions.
- (4) The maximum permitted density shall be reduced by one TDR for each existing dwelling unit on the property. The Planning Director shall develop and implement procedures, if needed, to reduce the TDR allocation to reflect existing non-conforming or non-residential improvements if the owner declines to remove these improvements from the sending site.

(b) *Fractional Development Rights.* Any fractional development right exceeding 0.5 shall be rounded up to the nearest whole number. Only whole TDRs shall be issued and sold.

(c) *Appeals.* The Planning Director's calculation of allowable TDRs may be appealed to the ZBOA in a manner consistent with Article III, Division 6 (Appeals).

Sec. 106-3306. Sending Area Easements.

(a) *Maximum Residential Density.* Owners of TDR Sending Area properties that choose to participate in the TDR program shall record an easement that reduces the permitted residential density by one, some, or all allowable TDRs on the property.

(b) *County Review.* The Planning Department and County Attorney shall review and approve easement language as part of its review of a TDR Certificate application as specified in Section 106-3304.

(c) *Required Language.* At a minimum, easements shall specify the following information:

- (1) Serial numbers for all allowable TDRs to be certified by the Planning Department for the parcel.
- (2) Written consent of all lien holders and other parties with an interest of record in the sending parcel.
- (3) ~~If the County chooses, and~~ At the request of the property owner, a reversibility clause can be included to allow for the removal of the easement if the property owner does not sell the associated TDR certificates, chooses to not participate in the TDR program, and returns all TDR certificates to the County Planning Department within an allotted time period **30 days of issuance.** All TDR Certificates issued to a property partially within the TDR Sending Area as allowed by Section 106-3304 (TDR Certificates) may only be reversed together at the same time and shall not be unbundled.

- (4) A statement that the easement shall be binding on successors in ownership and shall run with the sending parcel in perpetuity.

(d) *Easement Monitoring and Enforcement.* The County shall be responsible for monitoring of easements or may select any qualified person or organization to maintain the easements on its behalf.

Sec. 106-3307. Development Options within TDR Overlay District

(a) *Baseline Development Option.* Owners of properties within a TDR overlay district may choose to not participate in the TDR Program and to develop the property at or below the Baseline Density. Properties developed under this option shall be subject to the requirements of the baseline zoning district before the property was upzoned and received the TDR overlay district designation as well as all applicable development standards and procedures specified in this ZDSO chapter.

(b) *TDR Development Option.* In addition to the requirements imposed by the underlying zoning district, developers who choose to exceed Baseline Density within a TDR overlay district shall satisfy TDR requirements in the following ways:

- (1) One TDR shall be retired for every three dwelling units of residential development in excess of baseline density.
- (2) One TDR shall be retired for every 5,000 additional square feet of commercial development beyond the maximum permitted by the baseline zoning.
- (3) Developers have the option of paying cash in lieu of each TDR that otherwise would be required in an amount specified in the County Fee Schedule.

Sec. 106-3308. Exceptions to the TDR Requirement.

(a) *Affordable Housing Projects.* Affordable Housing Units shall not be counted when calculating the extent to which a proposed development project exceeds baseline density.

(b) *Commercial Density.* The County may approve an additional 250 square feet of commercial development for each proposed residential unit that is part of a traditional neighborhood development without the use of TDRs. This exception is intended to promote mixed-use, traditional neighborhood developments in a manner consistent with the goals of the TDR program.

(c) *Industrial Development.* Industrial development shall be excluded from the TDR requirement. However, in order to be excluded from the TDR requirement, industrial development must be proposed in such a way that its floor area can be easily calculated separately from any other uses.

Sec. 106-3309. TDR Compliance

(a) *Purchase Price.* All TDR Certificate purchase prices shall be open to negotiation between the buyer and seller, except that public funds shall not be used to purchase TDRs for an amount greater than their market value. The TDR Bank shall publicly post and update the dates and sale prices of all TDR Certificate transactions.

(b) *Timing of Compliance.* A Receiving Area property owner shall transmit TDR Certificates containing the required number of TDRs, or make a cash payment in lieu of TDRs, before final subdivision plat approval of a project involving land division or prior to final development plan approval for a project that does not involve land division.

Sec. 106-3310. Development Project Procedures

(a) *Identification of TDRs.* Project applicants that propose to exceed baseline density in a TDR overlay district shall acknowledge in all official development applications the number of TDRs that must be retired prior to final project approval.

(b) *Final Approval.* The Development Review Team shall grant final approval of a project utilizing TDRs for additional development only after the applicant has transmitted TDR Certificates containing the required number of TDRs to the Planning Department or has made the required cash in lieu payment. The serial numbers of all TDRs to be retired for Receiving Area projects shall be recorded on the final plat or the development permit.

Sec. 106-3311. In-Lieu Payment Option

(a) *General.* The developer of a property in the TDR overlay district who chooses to exceed Baseline Density may satisfy TDR requirements through a cash in-lieu payment rather than, or in combination with, the retirement of TDRs.

(b) *Fee Amount.*

(1) The fee amount shall be established by the County Council.

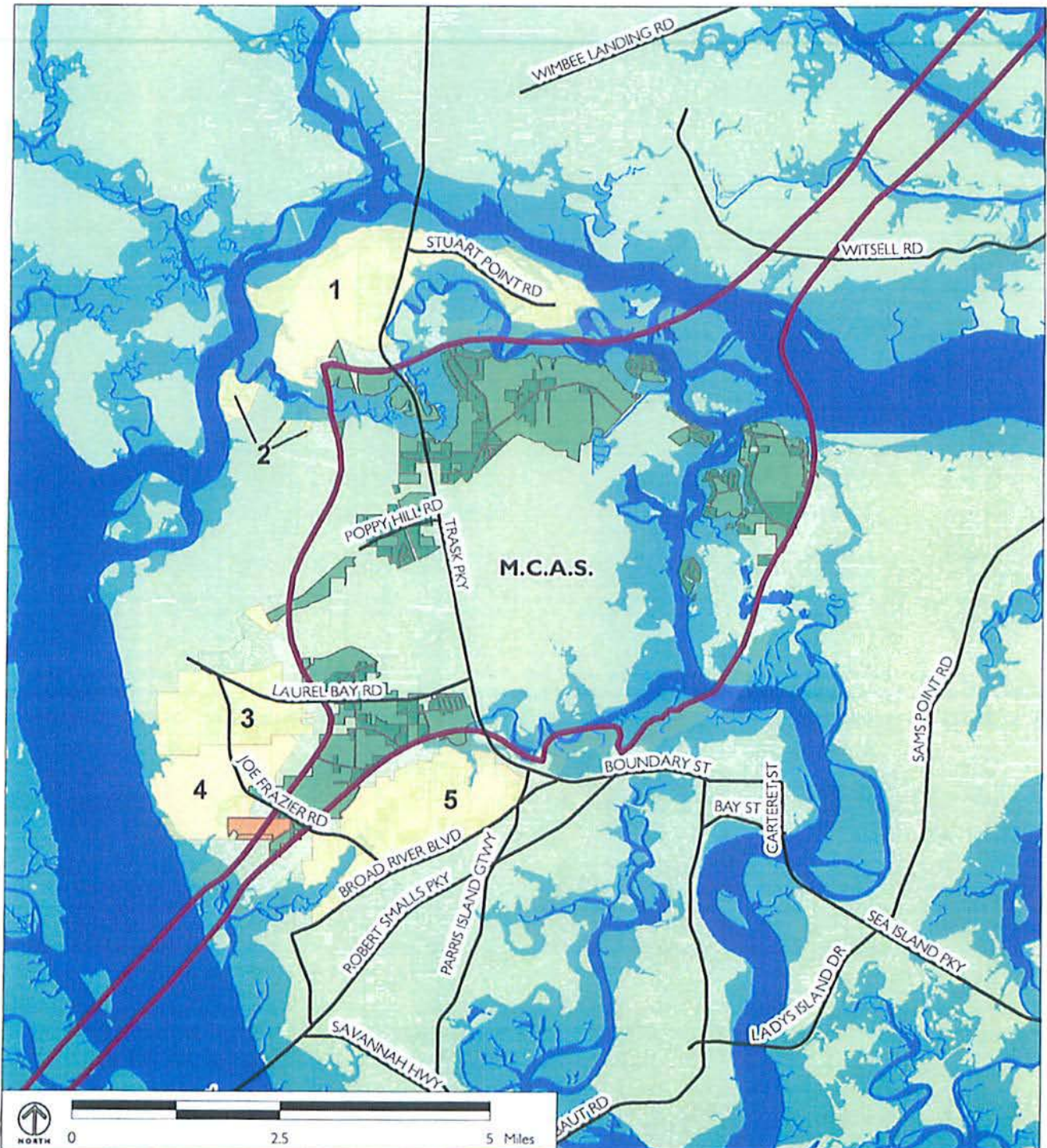
(2) The Planning Director shall submit an annual report on the TDR program to the Rural and Critical Lands Board, the Beaufort County Planning Commission, and County Council. The annual report shall include recommendations on potential changes to the cash-in-lieu amount. This recommendation shall reflect changes in the assessed value of Sending Area properties, actual TDR sales prices experiences, and general real estate trends.

(c) *Use of Revenue.*

(1) Revenue from cash in-lieu payments shall be applied exclusively to the TDR program unless the potential supply of TDRs has been depleted and/or Sending Area landowners

decline to sell their TDRs at full market value. In this event, the County Council may choose to expand the TDR program by adopting additional TDR Sending Areas.

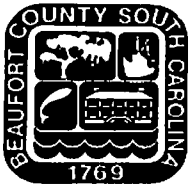
- (2) Other than TDR acquisition, revenue from cash in-lieu payments shall only be used for costs incurred in administering the TDR program, including but not limited to facilitating TDR transactions, preparing/recording TDR easements, monitoring/enforcing easements, and maintaining records.
- (3) The County Council may authorize County staff to use cash-in-lieu proceeds in accordance with procedures adopted by the Council. Alternatively, if the County Council chooses to enter into an agreement creating a TDR Bank, the Council may transmit cash in-lieu proceeds to the TDR Bank for the purposes specified by agreement between the Council and the TDR Bank. This agreement may direct the TDR Bank to combine the cash in-lieu proceeds to create a general TDR acquisition fund. All TDRs purchased with such a general TDR acquisition fund shall be offered for sale to Receiving Area developers.
- (4) The TDR program may operate with federal or other land preservation programs.



- | | |
|----------------------|----------------------------------|
| AICUZ Boundary | Receiving Areas |
| Sending Areas | 1 Seabrook Area |
| Rural Residential | 2 Clarendon Road Area |
| Rural | 3 Laurel Bay Road Area |
| Suburban | 4 Cherokee Farms Road Area |
| | 5 Battery Creek High School Area |

Source: Beaufort County GIS

FIGURE ES-1
 DRAFT SENDING-RECEIVING-AREAS



PLANNING DIVISION MEMORANDUM

To: Natural Resources Committee of Beaufort County Council
From: Anthony Criscitiello, Planning Director
Subject: **Amendment to the Beaufort County Comprehensive Plan, Appendix L. Buckwalter Parkway Access management Plan, Figure 5**
Date: December 21, 2010

Excerpt of PLANNING COMMISSION RECOMMENDATION from its December 6, 2010, draft meeting minutes:

Mr. Anthony Criscitiello, the County Planning Director, introduced Mr. Colin Kinton, the County Transportation and Traffic Engineer.

Mr. Kinton briefed the Commission. He noted that due to increased development in the area, a proposed connectivity to alleviate the traffic has not been able to happen. Due to timing and funding constraints, the preferred roundabout could not occur as quickly. The proposed lighted intersection is warranted.

Commission discussion included: a clarification on both the Comprehensive Plan and Zoning and Development Standards Ordinance text amendments, and a clarification on the location of the proposed lighted intersection.

Public Comment: No comments were received.

Motion: Mr. Thomas made a motion, and Mr. Sutler seconded the motion, **to recommend approval to County Council for the Text Amendment to the Beaufort County Comprehensive Plan, Appendix L. Buckwalter Parkway Access Management Plan, Figure 5, that adds a new future site location on Buckwalter Parkway.** No further discussion occurred. No discussion occurred. **The motion was carried unanimously (FOR: Chmelik, Hicks, LeGree, Petit, Riley, Semmler, Sutler, and Thomas).**

NOT TO SCALE

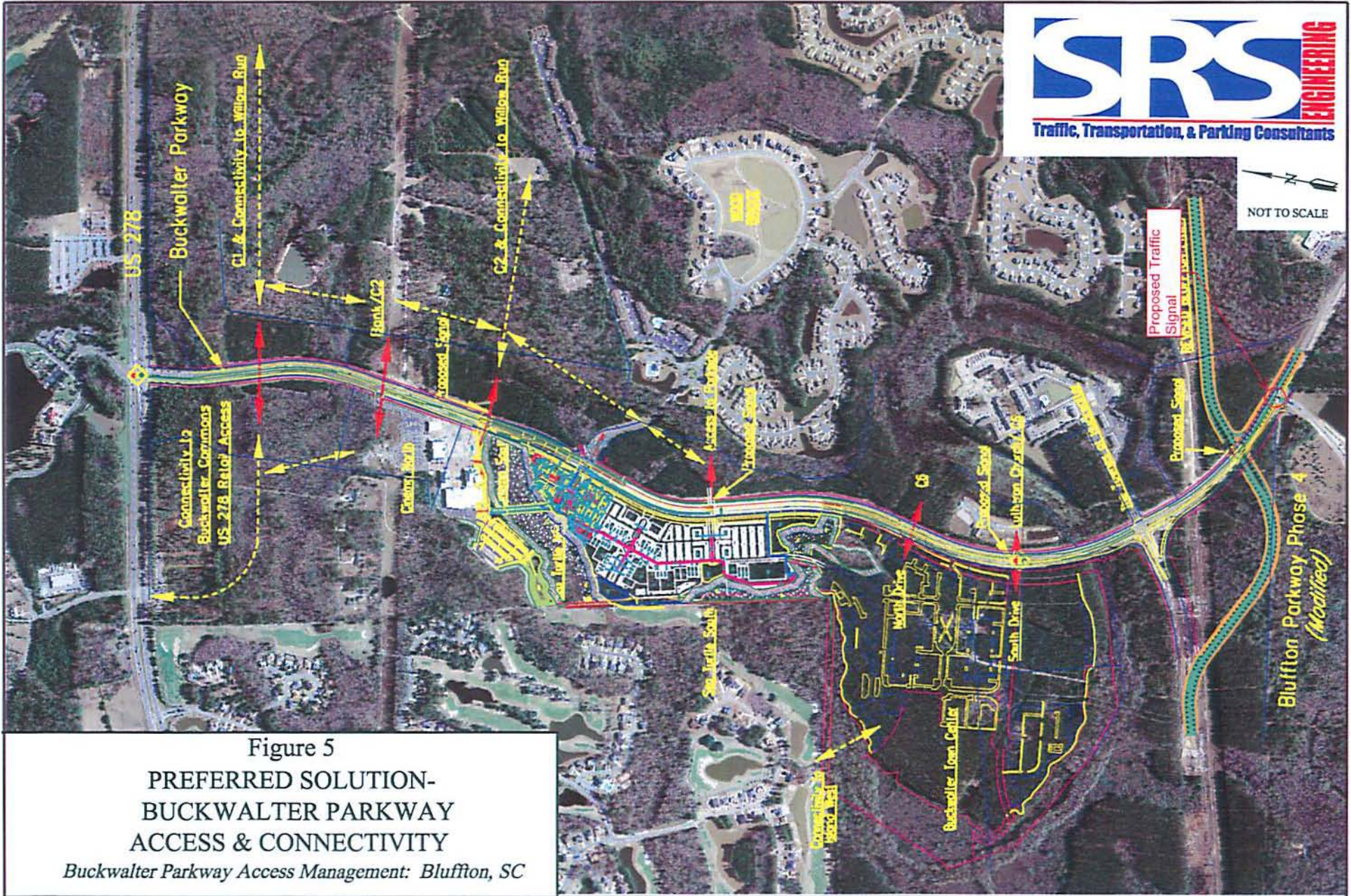


Figure 5
 PREFERRED SOLUTION-
 BUCKWALTER PARKWAY
 ACCESS & CONNECTIVITY

Buckwalter Parkway Access Management: Bluffton, SC



PLANNING DIVISION MEMORANDUM

To: Natural Resources Committee of Beaufort County Council
From: Anthony Criscitiello, Planning Director
Subject: **Proposed Amendment to the Zoning & Development Standards Ordinance (ZDSO), Article XII, Section 106-2796(h) and (i) to Encourage Roundabouts on Buckwalter and Bluffton Parkways**
Date: April 5, 2011

Excerpt of NATURAL RESOURCES COMMITTEE RECOMMENDATION from its March 14, 2011, draft meeting minutes:

Discussion: Mr. Sommerville noted this was a late-comer to the agenda for the day's meeting and by his understanding the Planning Commission unanimously passed an amendment of the ZDSO to encourage roundabouts on the Buckwalter and Bluffton Parkways. Mr. Criscitiello chimed in to say it also included a traffic light.

Mr. Criscitiello expanded to say it is to provide installation of a light at Buckwalter Parkway and Lake Point Drive and encourage, where possible, the installation of roundabouts at intersections conducive for them. The Planning Commission voted in favor of the recommendation. It is late to the agenda because of the timing of the Planning Commission meeting and the rescheduling of the Natural Resources Committee meeting. The text amendments deal with access management to Buckwalter and Bluffton Parkways with signalization and roundabouts, and the standards for access separation identified in the justification at 2,000 and 2,640-square-feet as based on access management standards.

It was moved by Mr. McBride, seconded by Mr. Flewelling, that the Natural Resources Committee approves and forwards to Council text amendments to the Beaufort County Zoning and Development Standards Ordinance (ZDSO), Article XII, Section 106-2796 (H) and (I) (that revises Access Management Standards to encourage roundabouts for Buckwalter and Bluffton Parkways).

Mr. Newton asked Mr. Criscitiello if this has to do with any particular project or whether it is in general, and the latter replied it is in general. Mr. Criscitiello went on to explain the Lake Point Drive light may in fact be related to a project, but the overall attempt is to deal with this in the future because roundabouts are considered to be, by and far, superior to the installation of traffic signals. This sets the stage for other considerations of that in the future.

Mr. Stewart said he wants to make it clear so everyone understands what is going on. There are two things in the proposed text amendments. First, there is a recommendation of roundabouts as the procedure / mechanism of choice, which is not his problem. Second, there is, before any changes, a traffic signal located at Buckwalter Parkway and Lake Point Drive, which was not approved in the original Access Management Plan. Before anything should be done, building permits issued, etc. that should have come before the Beaufort County Council, put into the ZDSO and amended prior

to the building's construction, Mr. Stewart explained. Unfortunately, the building is already there, the business is operating, and it was permitted by the Town of Bluffton without coming to the County Council. Now, after the fact, the County is being asked, "oh, by the way, how about if you will do this and put a traffic signal where it never was meant to be?" Mr. Stewart explained. Further, later this afternoon there will be a recommendation for moving the 5B intersection by using roundabouts, which he said he has no idea about how they will be funded. He went on to explain that in doing so, the lighted intersection already approved for the Bluffton Parkway and Buckwalter Parkway intersection will be closer to the traffic signal proposed now; it will become more of a problem than before. Mr. Stewart stated he was appalled by people not going through the process, again, to do a project in a way it should have been. A building should have never been built or allowed a permit prior to coming before Beaufort County Council and receiving a vote on whether or not it is willing to amend the ZDSO. He stated he is absolutely opposed and acknowledged there are good reasons because there are other ways to do this – a ride-in / ride-out, close the median strip, etc. He admitted he heard there were many meetings between many people and this was approved, but he said he was not a party to those meetings. Again, there is a procedure to go through to get things before Council's review for approval and it is high time to put Council's foot down and abide by them, Mr. Stewart reiterated.

Mr. Newton said he agreed to most of what Mr. Stewart commented on, except the conclusion. He said he was part of the meetings with the Town of Bluffton and Beaufort County after the building in question was built and the [certificate of occupancy] was issued by the Town of Bluffton. It was an "oh my god! This issue has never been resolved" situation, Mr. Newton explained. Beaufort County issued an encroachment permit. At that meeting, Mr. Newton said he voiced his support because this is really the only way to solve. To close the median in front of Lake Point Drive, where there are more than 600 families residing, because of a collective mistake is not a good solution. He said the people penalized by turning down this amendment are the 600 families that cannot now get in and out of their neighborhood because of an unfortunate set of circumstances in the way this thing came forward. To show up and close the median cut for these people because of what was allowed to be built across the street is not something he will support. Mr. Newton noted those families are all in his district, his constituents and have begun asking why a light is not installed. While the circumstances are not ideal, it is what it is, Mr. Newton admitted. He said it was a situation of "the milk has been spilt. What can we do to keep these 600 families from entering in and out of an unsafe condition?"

Mr. Stewart argued that the officials knew the milk would be spilt before moving ahead; that is wrong. The real problem is that the station was built. The permit should have never been issued, he said.

Mr. (Marc) Orlando (of the Town of Bluffton) said Mr. Stewart is point(ing) at him. Mr. Stewart disagreed and said he was gesturing in general.

Mr. Flewelling asked why no maps were given with the item for the Natural Resources Committee review.

Mr. Newton said this does not allow or approve anything, yet. This just puts the vehicle in place to allow this activity to come forward. Mr. Stewart disagreed by saying this text amendment has specific language allowing the light. He cited Section 106-2796. Access (3)(b) of the proposed text amendments.

Mr. Stewart said the intersection of Bluffton Parkway and Buckwalter will move south, closer to the proposed light. He said the way to solve is to make a modification which will be presented later tonight, again coming at the nth hour. He said he would vote for it, simply because it gives the right for the traffic light.

Mr. Rodman said the way the proposed text amendments are worded, they “encourage roundabouts” and the word “encourage” to him means to spend money and override what would otherwise be good, sound traffic decisions. He did say he believes roundabouts are good where there is roughly equal traffic. However, if there is a lot of traffic in one direction, a traffic signal could work better to control the timing. He asked if there is a rush or if there is a reason to rush this item.

Mr. Sommerville asked if this text amendment is voted down what would happen, who will be hurt. Mr. Criscitiello explained this is a staff recommendation, brought forward from the Planning Commission. Council can take it up and vote yes or no. There is no actual applicant. Mr. Sommerville said there is some confusion on his part understanding all the issues. Mr. Criscitiello answered there is a spirit of intergovernmental cooperation with the Town of Bluffton.

Mr. Newton offered that, in part, the sense of urgency may be that in October there were discussions, the encroachment issued by the County in April had one of the items on it amending this ordinance to allow the driveway at that intersection. While it may be having drawings, maps, etc. may be helpful regardless of how this thing got to the point of where it is, it did. Mr. Newton said while he appreciates the suggestion of leaving the median open and closing the encroachment permit he said he does not believe all access to an up-and-running business can be cut without the prospect of litigation. There is no good solution, he admitted. It was recognized it would be better to have a roundabout at this location, as the encroachment permit issued by the County suggested but no one has the money. The County is confronted with the situation, like it or not, of an existing business across the street from 600 houses built and a curb cut. It has been acknowledged to be dangerous and that a traffic light is warranted. He offered that it does not fit with the access management plan as originally determined, but the encroachment permit issued said this could happen. In order for that to happen, the ZDSO must be amended. It is unfortunate to look at it after the business has been built.

Mr. Baer said once again, the Natural Resources Committee is asked to vote on a matter without maps, pictures or context. He said they have also been told within an hour, at the County Council meeting, something contextually connected with the matter currently being discussed may happen. Mr. Rodman whispered something in Mr. Baer’s ear, he said. Mr. Baer agreed and said this calls for putting it on hold until the Natural Resources Committee members have a chance to review some maps or context. Mr. Baer suggested postponing for 30 days until there are maps, pictures, etc.

Mr. Sommerville asked if a motion to postpone is debatable and Mr. McBride said it was.

It was moved by Mr. Baer, seconded by Mr. Stewart, to postpone for 30 days consideration of text amendments to the Beaufort County Zoning and Development Standards Ordinance (ZDSO), Article XII, Section 106-2796 (H) and (I) (that revises Access Management Standards to encourage roundabouts for Buckwalter and Bluffton Parkways).

Mr. Newton interrupted to say while Mr. Orlando is present it is appropriate to let him speak. Mr. Newton said the 5B on the Council agenda under the County Administrator’s Report does not have anything to do with the matter being discussed. Mr. Newton noted when asked by Mr. Baer that

realignment for 5B has been requested, but administratively the County staff says there is no need to reconsider. He said he is not opposed to a 30 day delay as it will not change the circumstances on the ground, but it will punish the 600 families who live there.

Mr. Sommerville noted there is a motion to postpone and a second. The Natural Resources Committee is in discussion. He then allowed Mr. Orlando to speak.

Mr. Orlando recapped the events for Committee members to provide the Town of Bluffton's perspective. Before September 2009, he said he received a phone call from someone wanting to put a gas station on Buckwalter Parkway. He explained it is important to have a gas station on Buckwalter Parkway because there are thousands of units along the street and a lack of gas stations not on U.S. 278. Formally, he said Bluffton realized the applicant, Parkers Market, applied for an encroachment permit in December 2009. That encroachment permit, worked through with Colin Kinton and Rob McFee to make it sound and comply with standards, somewhere along the line the access management standards were not adopted in Bluffton. He explained the standards adopted in were for the intersections of Buckwalter and Bluffton Parkways north; the Town's in the south were silent. Mr. Orlando said in good faith, as he looked at the master plan, the gas station, access, 5B, current conditions he did not realize that the access management standards were adopted in Beaufort County south of the intersection with different standards than those for the Town. He said they simply operated in good faith that those access management standards aligned. As the Town started working through this, an encroachment permit issued to allow the business to begin with some conditions. Those being things the Town needed to create a much safer intersection, especially when considering the land uses surrounding the road. Right, wrong or indifferent, the Town is here to fix this, Mr. Orlando said. They want to fulfill the conditions of the encroachment permit and know, perhaps, long term a roundabout may be warranted as the best use, but for the time being for the 600 people who live in the subdivision and drive up Buckwalter daily it is important. 5B aside, this can be figured out. There is some urgency to this. Mr. Orlando admitted the Town got itself in a situation where someone needed a signal on an opposite side of a road from where 600 houses lie and he said he did his best. It might not be the best situation, but he said he wants to fix it.

Mr. Flewelling asked Mr. Kinton for the traffic counts. Mr. Kinton said the developer did a traffic count and traffic signal warrant study for this intersection and said he would get the information to Mr. Flewelling. Mr. Flewelling said this reminded him of the discussion of the Cane Island intersection at S.C. 802 on Lady's Island in that this will make an intersection very difficult by having people travel a long way.

Mr. Stewart clarified that he is sympathetic with those who live in the subdivision and said no one wants to endanger them or create a safety problem. He admitted the light will alleviate some of the problems although it is in its own right a problem. He said he is not opposed to safety or helping those in the developments on the west side, but also that the Council is remiss in that all the developments only have one way in or out. He did say he is complaining to Council that he is upset about the procedure and how things progress / evolved. This happens too frequently, he said and cited Olive Garden. Mr. Stewart said people are too lax at giving past or explicit approval above their ability to do so. In this case, it is clear it should have come to Council for amendment to the Access Management Plan prior to the business starting, he said. There are too many instances when they come back to solve a problem after the fact and Council needs to abide by the ordinances and rules / regulations in place, the sequence and manner, he said. Then he added it is unreasonable for this person to ask for a permit in 2009 and it is now 2011 before it was brought forward. Not only

does this create a problem for the gentlemen with the gas station but also for the 600 residents. He said it might be illogical, but there must be a way to solve this without putting in a light.

Mr. Stewart then asked staff to find alternatives to putting in a traffic light. Mr. Stewart then discussed financing of the intersection, be it a traffic light or roundabout, and said that would need to be determined whether it is the developer's or Town's responsibility. He said he would support the motion to postpone the amendment and asked staff's look at alternatives to this matter.

Mr. Baer and Mr. Stewart, as maker and seconder of the original motion, accepted the addition. The vote was: FOR – Mr. Baer, Mr. Dawson, Mr. McBride and Mr. Stewart. OPPOSED – Mr. Flewelling, Mr. Newton and Mr. Sommerville. The motion passed.

Recommendation: This item will come before the Natural Resources Committee after being postponed 30 days.

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Excerpt of PLANNING COMMISSION RECOMMENDATION from its March 7, 2011, draft meeting minutes:

Mr. Colin Kinton, the County Traffic and Transportation Engineer, briefed the Commission. He noted the December 2010 revision brought before the Planning Commission resulted into more access management standards needed. He noted the benefits for roundabout including traffic calming, u-turns allowed, etc.

Public Comment: No comments were received.

Commission discussion included applauding the use of roundabouts versus lighted intersections, concern for large vehicles maneuvering the roundabout, the walkability of roundabouts, the rationale for assessing roundabout needs, desiring to see a roundabout in Shell Point, and the roundabout on Parris Island at a three-way stop.

Motion: Mr. Petit made a motion, and Mr. Thomas seconded the motion, to recommend approval to County Council of the Text Amendments to the Beaufort County Zoning and Development Standards Ordinance (ZDSO), Article XII, Section 106-2796(h) and (i) that revises access management standards to encourage roundabouts for Buckwalter and Bluffton Parkways. No further Commission discussion occurred. The motion was carried unanimously (FOR: Hicks, LeGree, Petit, Riley, Semmler, Sutler, and Thomas).

Buckwalter Parkway at Lake Point Drive Alternatives

Alternative	Planning/Ordinance consideration	Cost	Timeline	Issues
Traffic Signal	Text change required	\$150k	6 weeks	
Roundabout	None required	\$600k	6 months	
Old Miller/Lake Point Connection	None required	\$1,000k	1 Year	Right-of-way
Bluffton Parkway/Lake Point Connection	Not in CIP	\$1,000k	1.5 Years	No Set alignment
Median Modification	None required	\$40k	4 weeks	Inverse Condemnation, heavy U-turns



MEMORANDUM

TO: Beaufort County Planning Commission
FROM: Colin Kinton, PE, County Traffic & Transportation Engineer *SK*
DATE: February, 25, 2011
RE: Amendment to ZDSO

ZDSO Section – 106-2796 (Access Standards)

Summary of Proposed Amendment - This amendment provides for an additional traffic signal to be installed on Buckwalter Parkway at Lake Point Drive, which was not previously planned for signalization. Access is further limited to un-signalized intersections by encouraging the use of roundabouts to provide the safest at grade intersection treatment.

Justification – The access management standards for Buckwalter and Bluffton Parkways recommend spacing between traffic signals at 2,000 ft and 2,640 ft, respectively. However, several full access intersections along the parkways may be possible at spacings considerably less than 2,000 ft, which would not be appropriate for traffic signal control and may also create an increased potential for accidents. In order to provide for the safest roadway without impeding access, standards have been revised to encourage the use of roundabouts that have significant safety benefits over un-signalized and signalized intersections. In addition, existing un-signalized median openings are subject to closure or conversion to roundabouts in order to prevent the severity of vehicle crashes.

The proposed change allows for traffic signals at pre-defined spacings that meet minimum traffic volume warrants. Other accesses on the Buckwalter and Bluffton Parkways would be provided either a roundabout or right-in/right-out control.

Proposed Amendment – Proposed deletions are shown ~~struck-through~~ and additions are underlined.

ARTICLE XIII. SUBDIVISION AND LAND DEVELOPMENT STANDARDS*
DIVISION 2. STREET STANDARDS

Sec. 106-2796. Access.

(h) *Access management standards for Buckwalter Parkway. It is the clear and stated position that roundabouts are the preferred traffic control solution to at-grade intersections along Buckwalter Parkway. Roundabouts have been proven to reduce overall crash rates and injuries while providing for improved pedestrian access, calming of traffic and improving traffic flow.*¹ The following access management standards apply to all properties within Beaufort County's jurisdiction on Buckwalter Parkway between the intersection of US 278 and SC 46 (May River Road).

(1) Roundabouts should be considered as a first priority during any intersection improvement, construction or access project. Design of roundabouts shall conform to the standards and guidance presented in the NCHRP Report 672 – Roundabouts: An Informational Guide, Second Edition.

(2)(1) Traffic Signal spacing. The recommended spacing between full signalized accesses **intersections** is 2,000 feet.

(3)(2) Future traffic signal locations. The specific signalized access locations shall correspond to the programmed signal locations provided in Figure 5 in Appendix L: Buckwalter Parkway Access Management Plan of the Beaufort County Comprehensive Plan. If a modification of the defined signal locations is desired to meet the demands of a specific development, the following conditions shall be satisfied:

- a. **An analysis of the intersection shall be completed for a roundabout design first in order to determine suitability. Traffic signals shall not be permitted at accesses and intersections where roundabouts will suffice.** ~~The modified location must meet the warrants for signalization with the proposed development as defined in the Manual on Uniform Traffic Control Devices (MUTCD) by the Federal Highway Administration (FHWA) with the analysis and specific application of traffic signal warrants to be approved by the Beaufort County traffic engineer.~~
- b. The modified location must provide adequate spacing (as defined in the spacing standards indicated above) from existing traffic signals, programmed traffic signals, and future signalization of primary roadway intersections, including:

¹ National Cooperative Highway Research Program (NCHRP) Report 672 – Roundabouts: An Informational Guide, Second Edition, 2010

Buckwalter Parkway at US 278

Buckwalter Parkway at Cinema South (2,800 feet south of US 278)

Buckwalter Parkway at Sea Turtle South (2,050 feet south of Cinema South)

Buckwalter Parkway at Buckwalter Town Center South (2,550 feet south of Cinema South)

Buckwalter Parkway at Bluffton Parkway and the Townes of Buckwalter (this signal will be relocated once Phase 5b of the Bluffton Parkway is completed)

Buckwalter Parkway at Lake Point Drive (1,550 feet South of Buckwalter Parkway at Bluffton Parkway)

Buckwalter Parkway at Bluffton Parkway and Hampton Hall

Buckwalter Parkway at H.E. McCracken Circle and Old Bridge Drive

Buckwalter Parkway at SC 46 (May River Road)

- c. The future signalized intersection location shall not have an adverse impact on existing or future LOS based on comparative analysis of conditions with the recommended signal locations indicated in Appendix L: Buckwalter Parkway Access Management Plan of the Beaufort County Comprehensive Plan above. The developer shall be required to conduct LOS and signal system progression analysis to demonstrate compatibility of the proposed signal location with operation of the remainder of the signal system.

d. Traffic signals shall be constructed using steel mast arms meeting the design details for mast arm construction in southern Beaufort County.

(4)(3) *Driveway spacing.* Additional access points above the full accesses indicated in subsection 106-2796(h)(2)b. may be granted for right-in/right-out **only** ~~or other controlled movement access~~ with a minimum spacing of 500 feet. Single parcel access is strongly discouraged and connectivity to adjacent parcels should be provided. Joint access driveways are encouraged for small parcels to adhere to the 500-foot spacing. Driveways should be limited to the number needed to provide adequate access to a development. Factors such as alignment with opposing driveways and minimum spacing requirements will have a bearing on the location and number of driveways approved. For parcels/developments that have frontage on Buckwalter Parkway and have access to a signalized intersection location

recommended in the Buckwalter Parkway Access Management Plan, minimum spacing shall be 800 feet unless specified in Figure 5 of the Buckwalter Parkway Access Management Plan: **to ensure adequate separation from existing traffic signals, minimize conflicting turning movements and minimize negative impacts to the signalized intersections.**

~~(5)~~(4) *Driveway design.* Driveway width and turning radii shall conform to SCDOT's Access and Roadside Management Standards.

~~(6)~~(5) *Driveway linkages.* See subsection 106-2796(c).

~~(7)~~(6) *Deceleration lanes.* Deceleration lanes shall be required when the volume of traffic turning at a site is high enough in relation to the through traffic to constitute the potential for disruption as indicated in the traffic impact analysis.

~~(8)~~(7) *Retrofitting existing driveways.* As changes are made to previously developed property or to the roadway, driveways will be evaluated for the need to be relocated, consolidated, or eliminated if they do not meet the access management standards.

~~(9)~~ **Median Openings. All unsignalized median openings are subject to closure by Beaufort County or conversion to a roundabout control in the future for safety purposes.**

(i) *Access management standards for Bluffton Parkway.* **It is the clear and stated position that roundabouts are the preferred traffic control solution to at-grade intersections along Bluffton Parkway. Roundabouts have been proven to reduce overall crash rates and injuries while providing for improved pedestrian access, calming of traffic and improving traffic flow.**² The following access management standards apply to all properties within Beaufort County's jurisdiction on Bluffton Parkway between the intersection of SC 170 and US 278.

~~(1)~~ **Roundabouts should be considered as a first priority during any intersection improvement, construction or access project. Design of roundabouts shall conform to the standards and guidance presented in NCHRP Report 672 – Roundabouts: An Informational Guide, Second Edition.**

~~(2)~~(1) *Traffic signal spacing.* The recommended spacing between full signalized accesses **intersections** is 2,640 feet (one-half mile).

~~(3)~~(2) *Future traffic signal locations.* The specific signalized access locations shall correspond to the programmed signal locations provided in Figures 2-A and 2-B in Appendix M: Bluffton Parkway Access Management Plan of the Beaufort

² National Cooperative Highway Research Program (NCHRP) Report 672 – Roundabouts: An Informational Guide, Second Edition, 2010

County Comprehensive Plan. If a modification of the defined signal locations is desired to meet the demands of a specific development, the following conditions shall be satisfied:

a. **An analysis of the intersection shall be completed for a roundabout design first in order to determine suitability. Traffic signals shall not be permitted at accesses and intersections where roundabouts will suffice.** ~~The modified location must meet the warrants for signalization with the proposed development as defined in the Manual on Uniform Traffic Control Devices (MUTCD) by the Federal Highway Administration (FHWA) with the analysis and specific application of traffic signal warrants to be approved by the Beaufort County traffic engineer.~~

b. The modified location must provide adequate spacing (as defined in the spacing standards indicated above) from existing traffic signals, programmed traffic signals, and future signalization of primary roadway intersections, including:

Bluffton Parkway and SC 170

Bluffton Parkway and Lawton Station Access (1,750 feet east of SC 170)

Bluffton Parkway and Sandhill Tract (2,100 feet east of Lawton Station intersection)

Bluffton Parkway and Hampton Parkway (2,450 feet east of Sandhill Tract intersection)

Bluffton Parkway and Parcel 10B (2,550 feet east of Hampton Parkway)

Bluffton Parkway and Parcel 12A and 12B (2,600 feet east of Parcel 10B intersection)

Bluffton Parkway and Buckwalter Parkway and the Townes of Buckwalter (this signal will be relocated once Phase 5b of the Bluffton Parkway is completed)

Bluffton Parkway and Buckwalter Parkway and Hampton Hall

Bluffton Parkway and Buck Island Road

Bluffton Parkway and Simmonsville Road

~~Bluffton Parkway and SC 46 (roundabout)~~

Bluffton Parkway and Burnt Church Road

Bluffton Parkway and Malphrus Road

~~Bluffton Parkway and Buckingham Plantation Drive~~

- c. The future signalized intersection location shall not have an adverse impact on existing or future LOS based on comparative analysis of conditions with the recommended signal locations indicated in Appendix M: Bluffton Parkway Access Management Plan of the Beaufort County Comprehensive Plan above. The developer shall be required to conduct LOS and signal system progression analysis to demonstrate compatibility of the proposed signal location with operation of the remainder of the signal system.

d. Traffic signals shall be constructed using steel mast arms meeting the design details for mast arm construction in southern Beaufort County.

- ~~(4)(3)~~ *Driveway spacing.* Additional access points above the full accesses indicated in subsection 106-2796(i)(2)b. may be granted for right-in/right-out only ~~or other controlled movement access~~ with a minimum spacing of 800 feet unless specified in Figures 2-A and 2-B of the Bluffton Parkway Access Management Plan. Single parcel access is strongly discouraged and connectivity to adjacent parcels should be provided. Joint access driveways are encouraged for small parcels to adhere to the 800-foot spacing. Driveways should be limited to the number needed to provide adequate access to a property. Factors such as alignment with opposing driveways and minimum spacing requirements will have a bearing on the location and number of driveways approved: to ensure adequate separation from existing traffic signals minimize conflicting turning movements and minimize negative impacts to the signalized intersections. ~~For parcels/developments that have frontage on Bluffton Parkway and have access to a signalized intersection location recommended in the Bluffton Parkway Access Management Plan, minimum spacing shall be 800 feet unless specified in Figures 2-A and 2-B of the Bluffton Parkway Access Management Plan.~~
- ~~(5)(4)~~ *Driveway design.* Driveway width and turning radii shall conform to SCDOT's Access and Roadside Management Standards.
- ~~(6)(5)~~ *Driveway linkages.* See subsection 106-2796(c).
- ~~(7)(6)~~ *Deceleration lanes.* Deceleration lanes shall be required when the volume of traffic turning at a site is high enough in relation to the through traffic to constitute the potential for disruption as indicated in the traffic impact analysis.
- ~~(8)(7)~~ *Retrofitting existing driveways.* As changes are made to previously developed property or to the roadway, driveways will be evaluated for the need to be

relocated, consolidated, or eliminated if they do not meet the access management standards.

- (9) **Median openings: All unsignalized median openings are subject to closure by Beaufort County or conversion to a roundabout control in the future for safety purposes.**

From: Jim Hicks [jbhicks@hargray.com]
Sent: Thursday, April 07, 2011 4:30 PM
To: Paul Sommerville; Rainey, Sue
Cc: Criscitiello, Anthony; Ron Petit; Bob Semmler; Vonharten, Laura; Glaze, Herbert; Flewelling, Brian; Childs, Barbara
Subject: Change of Status of Planning Commission Members

Paul (as Chairman of the Natural Resources Committee) and Sue (as the lady who keeps count of all appointments),

Planning Commission member Bob Semmler who was appointed by council as the representative for Port Royal Island has recently moved from Port Royal to St. Helena. Planning Commission member Ron Petit who was appointed as an "at large" member lives within City of Beaufort. To ensure there are no grounds for challenging the legality of future votes by Mr. Semmler please consider officially changing the appointed status of these two individuals to Mr. Semmler being "At Large" and Mr. Petit as the Port Royal representative for the remainder of their terms.

Mr. Semmler is presently serving as one of the two county representatives on the recently formed Metro Planning Commission and I offer his status on that body is not effected by his recent relocation.

Thanks,

Jim

No virus found in this message.
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Version: 10.0.1209 / Virus Database: 1500/3557 - Release Date: 04/07/11

