

COUNTY COUNCIL OF BEAUFORT COUNTY  
 ADMINISTRATION BUILDING  
 BEAUFORT COUNTY GOVERNMENT ROBERT SMALLS COMPLEX  
 100 RIBAUT ROAD  
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 INTERIM COUNTY ADMINISTRATOR

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 CLERK TO COUNCIL

AGENDA  
 NATURAL RESOURCES COMMITTEE  
 Monday, November 19, 2018

3:00 p.m.

Executive Conference Room, Administration Building  
 Beaufort County Government Robert Smalls Complex  
 100 Ribaut Road, Beaufort

Committee Members:

Brian Flewelling, Chairman  
 Roberts "Tabor" Vaux, Vice Chairman  
 Rick Caporale  
 Gerald Dawson  
 Steve Fobes  
 York Glover  
 Alice Howard

Staff Support:

Eric Greenway, Community Development Director  
 Gary James, Assessor  
 Eric Larson, Division Director  
 Environmental Engineering  
 Dan Morgan, Mapping & Applications Director

1. CALL TO ORDER – 3:00 p.m.
2. UPDATES
  - A. Previous Planning Commission Meeting
  - B. Previous Southern Lowcountry Regional Planning Commission (SOLOCO) Meeting
3. PRESENTATION / CURRENT STORMWATER CAPITAL IMPROVEMENT PLAN (CIP) ([backup](#))
4. REQUEST FOR PROPOSALS / AGRICULTURAL – EQUESTRIAN USE OF LAND (DUNCAN FARMS) ([backup](#))
5. CONTRACT REVISION / MCBRIDE DALE CLARION / FROM \$80,000 TO \$100,000 / LADY'S ISLAND AREA PLAN SERVICES ([backup](#))
6. AMENDMENTS TO THE BEAUFORT COUNTY COMMUNITY DEVELOPMENT CODE ([backup](#))
  - A. Campground Standards: Article 4, Section 4.1.190 (Recreation Facilities: Campgrounds) - To provide distinctions between primitive, semi-developed, and developed campgrounds
  - B. Commercial Subdivisions: Article 6, Section 6.1.30 (Types of Subdivisions) - To modify the requirements to allow commercial subdivisions in all zoning districts that allow commercial uses
  - C. Small Tidal Creeks: Article 4, Section 4.2.190 (Water/Marine-Oriented Facilities) - To provide a definition of small tidal creeks
  - D. Non-Conforming Structures: Article 8, Section 8.3.40 (Non-Conforming Structures) - To clarify that structures damaged greater than 50% of value shall conform to current building code standards but not zoning standards
  - E. Vehicle Sales And Rental: Light: Article 3, Section 3.2.100 (T4 Hamlet Center Standards) - To add Vehicle Sales And Rental: Light as a Conditional Use in T4 Hamlet Center (T4HC)
  - F. Text and map amendment: Appendix B, Daufuskie Island Code to Amend the Daufuskie Island Plan ([backup](#))



7. TEXT AMENDMENTS TO RESOLUTION 2006/3: RURAL AND CRITICAL LANDS PRESERVATION PROGRAM POLICIES AND GUIDELINES ([backup](#))
8. EXECUTIVE SESSION
  - A. Receipt of legal advice regarding pending litigation (River Oaks)
  - B. Discussion of proposed New Riverside / WalCam Land Swap
  - C. Discussion of proposed Bailey Tract (54.32 acres) / Project 2018E - 75 Confederate Avenue
9. MATTERS ARISING OUT OF EXECUTIVE SESSION
10. CONSIDERATION OF REAPPOINTMENTS AND APPOINTMENTS
  - A. Historic Preservation Review Board / Two Vacancies (Historic Beaufort Foundation and Lady's Island)
  - B. Rural and Critical Lands Preservation Board / One Vacancy (Council Districts 8)
  - C. Southern Beaufort County Corridor Beautification Board / One Vacancy (Council District 5)
  - D. Stormwater Management Utility Board / One Vacancy (Stormwater District 6)
11. ADJOURNMENT

	FY2017 ACTUALS	FY2018 UNAUDITED ACTUALS	FY2019 REVISED BUDGET	FY2020 BUDGET	FY2021 BUDGET	FY2022 BUDGET	FY 2023 BUDGET	FY 2024 BUDGET	FY 2025 BUDGET	FY 2026 BUDGET	FY 2027 BUDGET	FY 2028 BUDGET	FY 2029 BUDGET	FY 2030 BUDGET
<b>CAPITAL PROJECTS</b>														
Okatie East (Completed)														
SC170/Okatie West 319 Project (Completed)	51,371	946,213	112,741											
Hwy 278 Retrofit (Completed)	20,310													
Admin Bldg Parking Lot (Pervious Paving) (Completed)														
Battery Creek 319 (Completed)	3,515	205,137												
Buckingham Plantation			276,247	276,248										
Brewer Memorial Park Demonstration Wet Pond Project		17,338	100,462	450,000										
Factory Creek M2 Phase I		62,930	5,142											
Factory Creek M2 Phase II	33,840	12,000	20,550											
Salt Creek South M1 (2017 Masterplan \$2,117,730)		26,109	444,774	1,646,847										
Shanklin Road M2 (2017 Masterplan \$3,458,787)		22,248	639,144		1,797,395	1,000,000								
Grober Hill M2 (2017 Masterplan \$2,614,801)														
Sawmill Creek / Forby Site (2017 Masterplan \$155,535)		31,181	80,819	560,000										
Camp St. Mary M2 (2017 Masterplan \$3,890,617)					342,000	165,000	1,783,617	1,600,000						
Battery Creek West M1 (2017 Masterplan \$4,287,238)														
Paige Point Overtopping														
Mossy Oaks Watershed (Partner with CoB) Phase I design		5,000	220,404											
Evergreen Tract Detention Basin (not in CIP plan or budget)		8,118	106,893	295,000	295,000									
Sawmill Branch 1 Regional BMP (2017 Master Plan \$2,063,688)						206,369		412,738	1,444,582					
Rock Springs Creek 1 Regional BMP (2017 Master Plan \$430,524)					43,052	86,105	301,367							
Sawmill Branch 2 Regional BMP (2017 Master Plan \$1,071,064)						107,106			214,213	749,745				
Lucy Point Creek Regional BMP (2017 Master Plan \$438,293)									43,829	87,659	306,805			
Albergotti Creek 2 Regional BMP (2017 Master Plan \$602,447)									60,245	120,489	421,713			
Graves / Pepperhall P3 - 50/50 Stormwater agreement (not in CIP plan or budget)														
Alljoy Regional Basin / Buy-out (not in CIP plan or budget)														
May River Sanitary Sewer Projects (not in CIP plan or budget)														
	109,036	1,336,274	2,007,175	3,228,095	2,477,447	1,564,580	2,084,984	2,012,738	1,762,868	957,893	728,518	-	-	-
<b>SUMMARY</b>														
Beginning Available Funds	3,118,606	9,085,106	9,014,283	6,460,390	3,532,021	1,306,033	5,520,672	4,029,384	2,725,408	1,359,023	5,359,306	4,459,411	4,137,208	3,495,322
Revenue	5,841,385	5,909,671	5,894,381	5,840,156	5,974,480	6,111,893	6,252,466	6,396,273	6,543,387	6,693,885	6,847,844	7,005,345	7,166,468	7,331,297
Bond Revenue	5,000,000					5,000,000				2,000,000				
Total Revenue	13,959,991	14,994,777	14,908,664	12,300,546	9,506,500	12,417,926	11,773,139	10,425,657	9,268,796	10,052,909	9,258,297	8,628,863	8,580,743	8,216,647
Total Expenditures	(4,874,885)	(5,980,495)	(8,049,829)	(8,128,167)	(7,568,381)	(6,273,629)	(7,128,787)	(7,094,137)	(7,312,719)	(7,054,671)	(7,056,475)	(6,645,983)	(7,136,710)	(6,733,994)
Ending Available Funds	9,085,106	9,014,283	6,460,390	3,532,021	1,306,033	5,520,672	4,029,384	2,725,408	1,359,023	2,410,453	1,623,518	1,414,276	885,350	934,120

	Original FY 2019	Revised FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	Total
SC170/Okatie West Land \$300K/Design \$120K/Const \$1,094,926	5,000	112,741	-	-	-	-	-	-	-	-	\$112,741
Buckingham Plantation	276,247	276,247	276,248	-	-	-	-	-	-	-	\$552,495
Brewer Memorial Park Demonstration Wet Pond Porject Feasibility	-	100,462	461,214	-	-	-	-	-	-	-	\$561,676
Factory Creek MS Phase I	-	5,142	-	-	-	-	-	-	-	-	\$5,142
Factory Creek MS Phase II	-	20,550	-	-	-	-	-	-	-	-	\$20,550
Salt Creek South M1 (2017 Masterplan \$2,117,730)	444,774	444,774	1,646,847	-	-	-	-	-	-	-	\$2,091,621
Shanklin Road M2 (2017 Masterplan \$3,458,787)	639,144	639,144	-	1,797,395	1,000,000	-	-	-	-	-	\$3,436,539
Sawmill Creek / Forby Site	560,000	80,819	560,000	-	-	-	-	-	-	-	\$640,819
Camp St. Mary M2 (2017 Masterplan \$3,890,617)	-	-	-	342,000	165,000	1,783,617	1,600,000	-	-	-	\$3,890,617
Mossy Oaks Watershed (Partner with CoB) Phase I design	220,404	220,404	-	-	-	-	-	-	-	-	\$220,404
Sawmill Branch 1 Regional BMP (2017 Master Plan \$2,063,688)	-	-	-	-	206,369	-	412,738	1,444,582	-	-	\$2,063,688
Rock Springs Creek 1 Regional BMP (2017 Master Plan \$430,524)	-	-	-	43,052	86,105	301,367	-	-	-	-	\$430,524
Sawmill Branch 2 Regional BMP (2017 Master Plan \$1,071,064)	-	-	-	-	107,106	-	-	214,213	749,745	-	\$1,071,064
Lucy Point Creek Regional BMP (2017 Master Plan \$438,293)	-	-	-	-	-	-	-	43,829	87,659	306,805	\$438,293
Albergotti Creek 2 Regional BMP (2017 Master Plan \$602,447)	-	-	-	-	-	-	-	60,245	120,489	421,713	\$602,447
Evergreen Tract Detention Basin (not in CIP plan or budget)	-	106,893	295,000	295,000	-	-	-	-	-	-	\$696,893
	\$2,145,569	\$2,007,176	\$3,239,309	\$2,477,447	\$1,564,580	\$2,084,984	\$2,012,738	\$1,762,868	\$957,893	\$728,518	\$16,835,513

-\$138,393



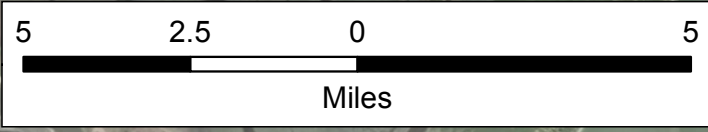
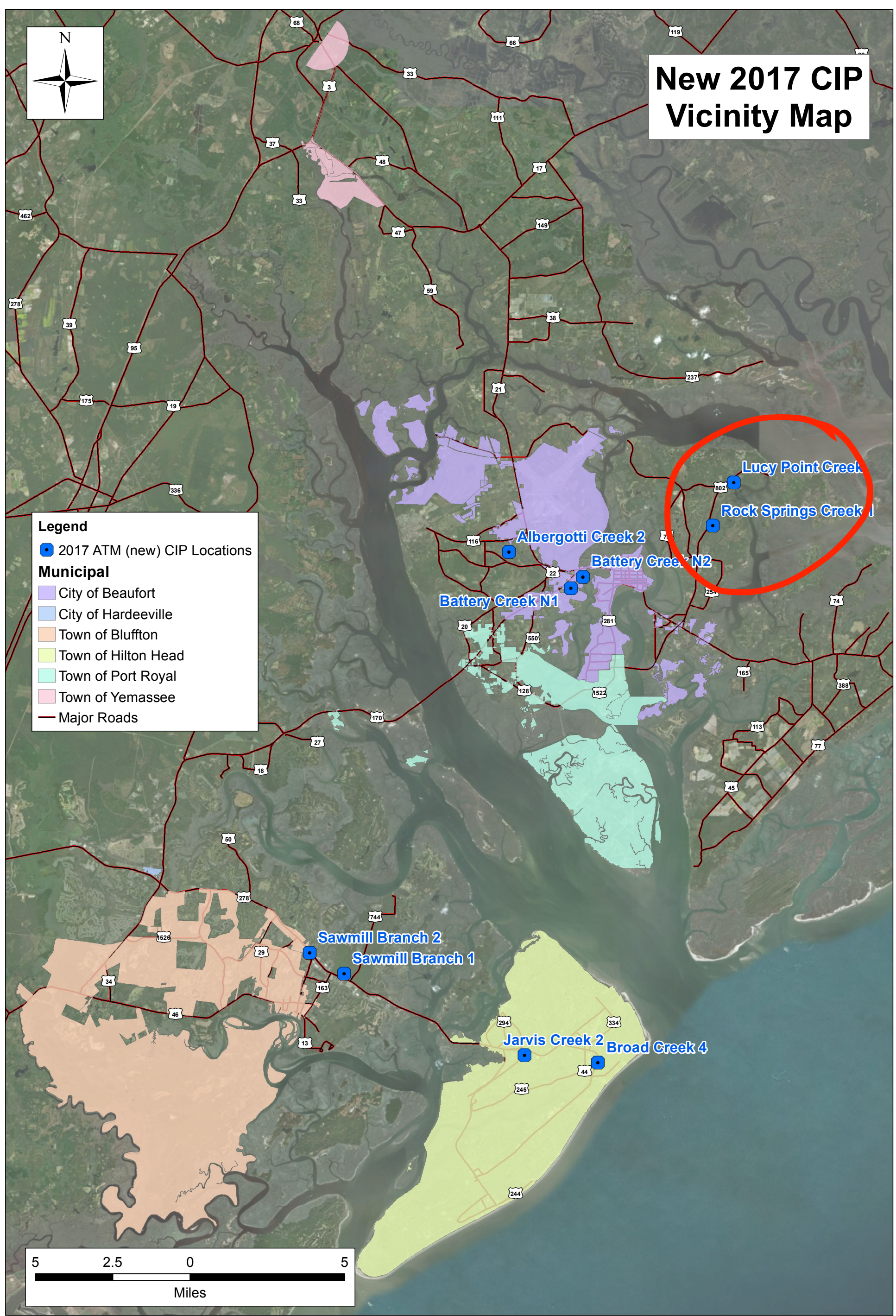
# New 2017 CIP Vicinity Map

**Legend**

- 2017 ATM (new) CIP Locations

**Municipal**

- City of Beaufort
- City of Hardeeville
- Town of Bluffton
- Town of Hilton Head
- Town of Port Royal
- Town of Yemassee
- Major Roads



CIP Vicinity Map Showing New 2017 Recommended Projects for Beaufort County.  
ESRI Aerial Imagery Shown and Municipality and Roads Layers Provided by Beaufort County.



January 2018














## Albergotti Creek 2 Regional BMP Beaufort County

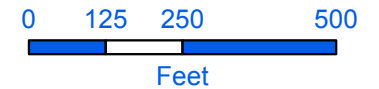


**Project Cost**  
**\$602,447**

### Drainage

#### TYPE

-  Access Pipe
-  Bleeder Pipe
-  Channel Pipe
-  Channel
-  Creek/Stream
-  Crossline Pipe
-  Driveway Pipe
-  Lateral
-  Lateral Pipe
-  River
-  Road Pipe
-  Roadside
-  Roadside Pipe

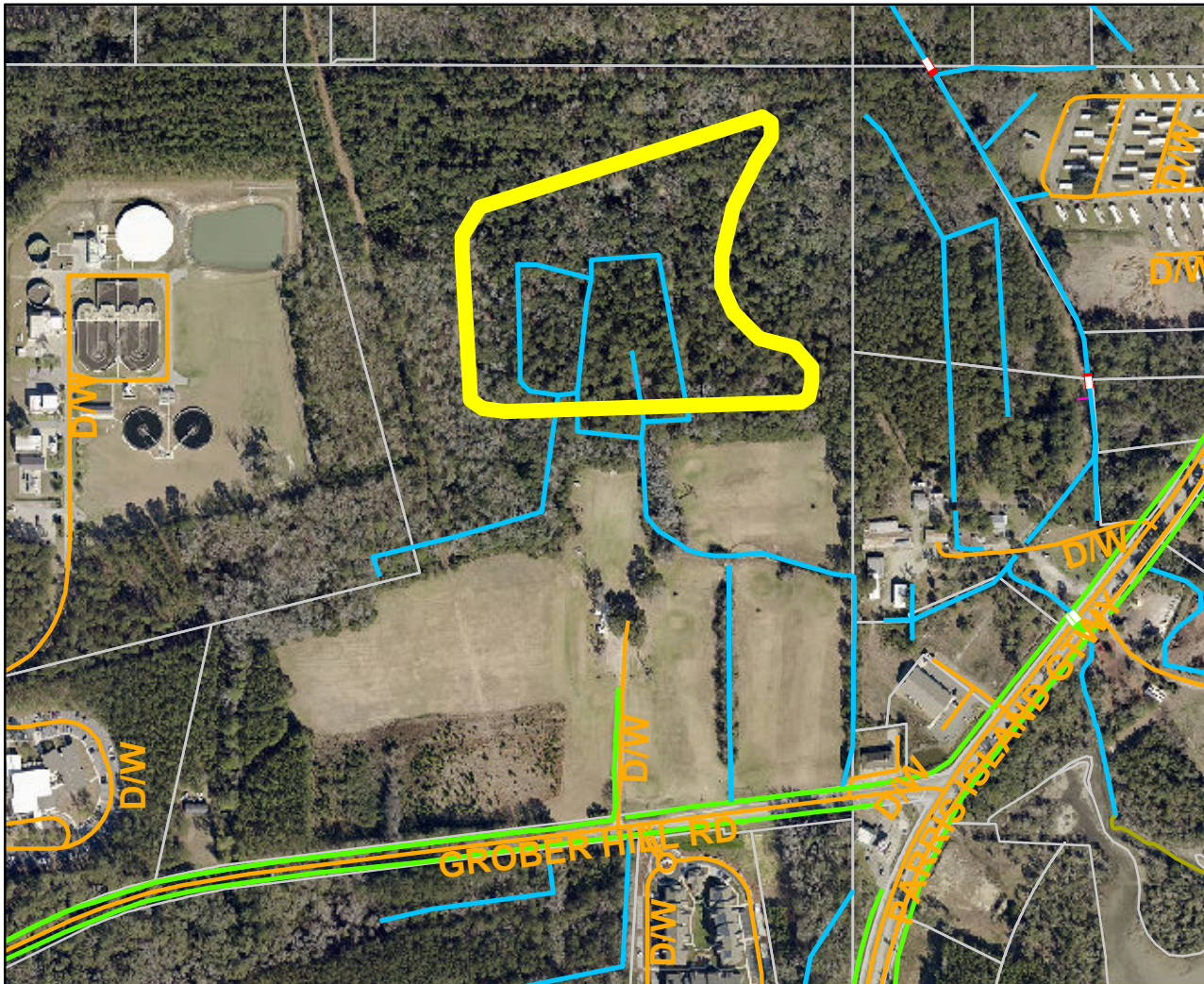


**Description:** Development in the Albergotti Creek 2 hydrologic sub-basin includes approx. 172 acres of rural and single-family development built prior to stormwater regulations. There are no stormwater best management practices, such as detention facilities, in the area. The project would be to construct a regional wet detention facility adjacent to Roseida Road to provide stormwater runoff water quality treatment and volume reduction. Due to the presence of some wetlands in the area, project design would involve delineation and avoidance of the wetlands. Albergotti Creek is impaired by bacteria pollution. The watershed of the site is located within Beaufort County.

**County Retrofit Project: Battery Creek West M1**  
**Activity: Regional BMP**  
**Township: Port Royal Island**

**Project Schedule: FY 2022-2024**

**Project Cost: \$4,140,000**  
**\$375,000 (2022)**  
**\$165,000 (2023)**  
**\$3,600,000 (2024)**



**Drainage**

TYPE	
River	Roadside
Creek/Stream	Roadside Pipe
River/Creek/Marsh BANK	Road Pipe
Channel (fka Outfall)	Crossline Pipe
Channel Pipe	Driveway Pipe
Lateral	Access Pipe
Lateral Pipe	Bleeder Pipe



**1 inch = 500 feet**

Prepared By: BC Stormwater Management Utility  
 Date Print: 5/19/14

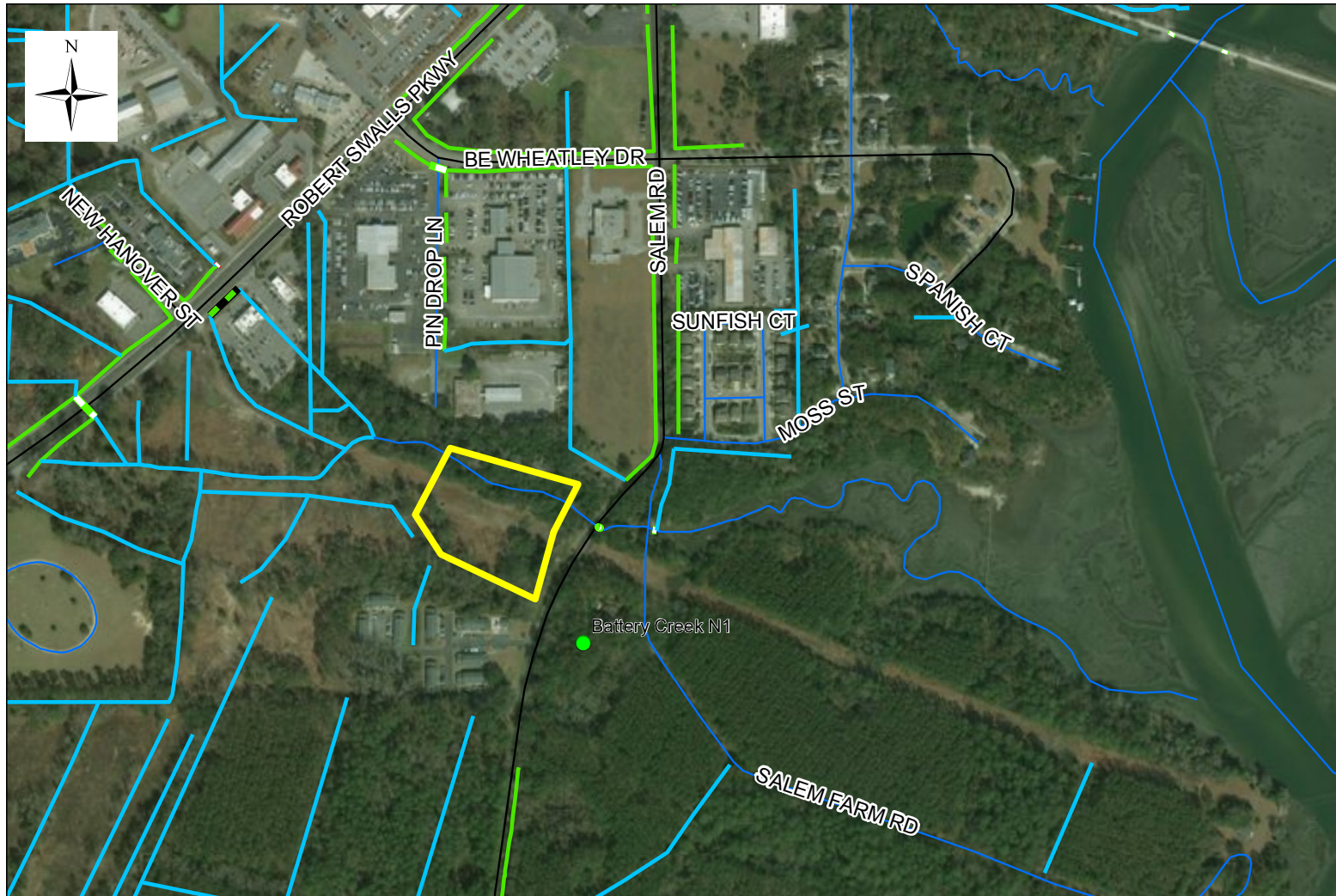
**Description:** Development in the Battery Creek West hydrologic sub-basin in the Battery Creek watershed includes approx. 500 acres of a mix of single family development and commercial development built prior to stormwater regulations. There are only a few stormwater best management practices, such as hydrodynamic separators, in the area. The project would be to construct a regional detention facility to provide stormwater runoff water quality treatment and volume reduction. Due to the grades of the area, construction will involve a large amount of earthwork, making project cost a limiting factor for project implementation. Battery Creek is impaired by bacteria pollution, a major source being urban runoff. The site is located in the Town of Port Royal.

January 2018

# Battery Creek N1 Regional BMP














## Township: Beaufort

**Project Cost**  
**\$1,369,982**



### Drainage

#### TYPE

-  Access Pipe
-  Bleeder Pipe
-  Channel Pipe
-  Channel
-  Creek/Stream
-  Crossline Pipe
-  Driveway Pipe
-  Lateral
-  Lateral Pipe
-  River
-  Road Pipe
-  Roadside
-  Roadside Pipe



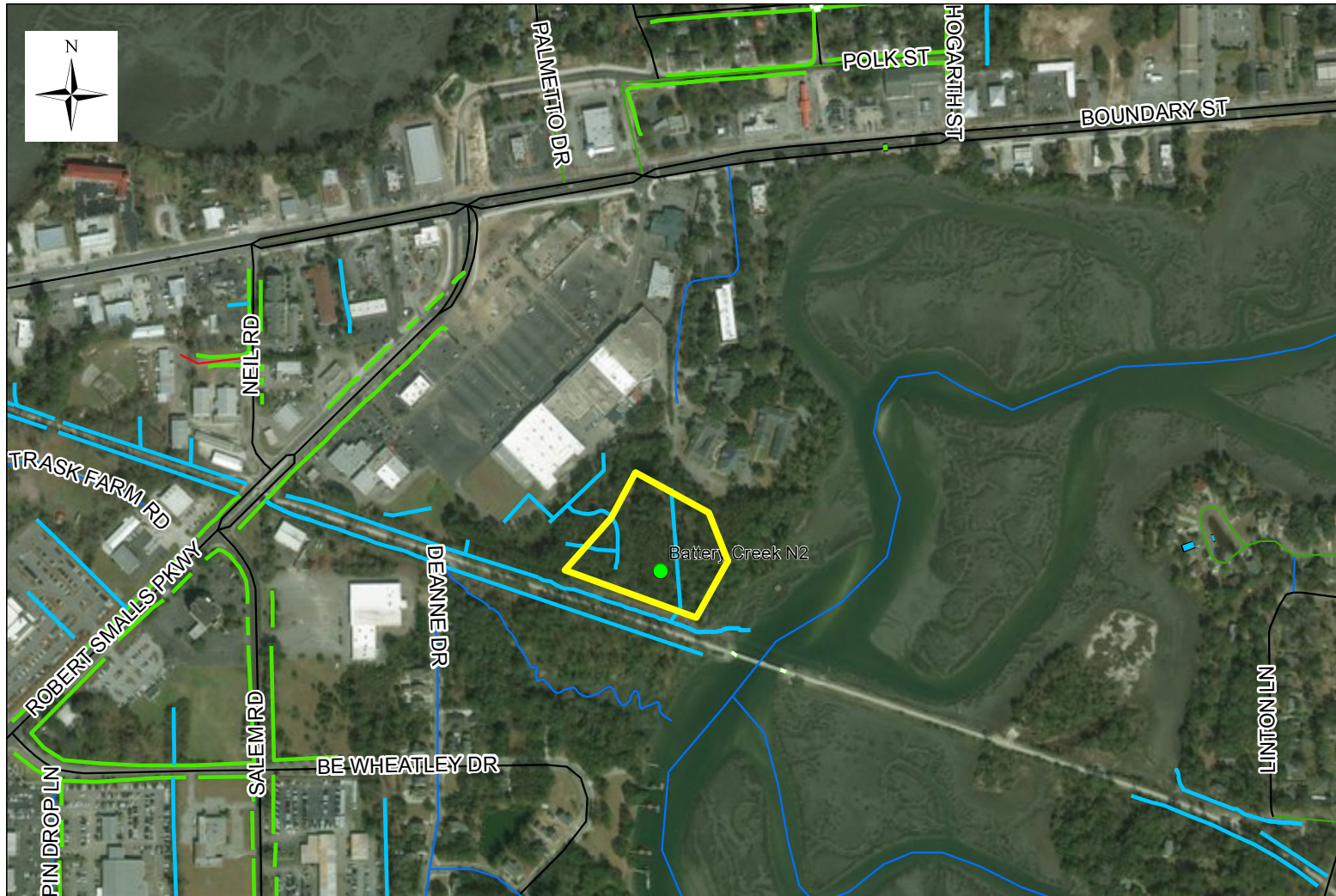
**Description:** Development in the Battery Creek 2 hydrologic sub-basin includes approx. 274 acres of commercial and residential development built prior to volume control stormwater regulations. There are no stormwater best management practices, such as detention facilities, in the area. The project would be to construct a regional wet detention facility adjacent to Salem Road to provide stormwater runoff water quality treatment and volume reduction. Due to the presence of some wetlands in the area, project design would involve delineation and avoidance of the wetlands. Battery Creek is impaired by bacteria pollution. The watershed of the site is located within Beaufort Township.



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# Battery Creek N2 Regional BMP Township: Beaufort

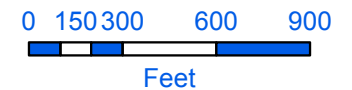
**Project Cost**  
**\$618,543**



## Drainage

### TYPE

-  Access Pipe
-  Bleeder Pipe
-  Channel Pipe
-  Channel
-  Creek/Stream
-  Crossline Pipe
-  Driveway Pipe
-  Lateral
-  Lateral Pipe
-  River
-  Road Pipe
-  Roadside
-  Roadside Pipe



**Description:** Development in the Battery Creek 2 hydrologic sub-basin includes approx. 67 acres of intense commercial development built prior to volume control stormwater regulations. There are limited stormwater best management practices, such as detention facilities, in the area. The project would be to construct a regional wet detention facility adjacent to Spanish Moss Trail to provide stormwater runoff water quality treatment and volume reduction. Due to the presence of some wetlands in the area, project design would involve delineation and avoidance of the wetlands. Battery Creek is impaired by bacteria pollution. The watershed of the site is located within Beaufort Township.

**County Retrofit Project: Brewer Memorial Park Demonstration Wet Pond Project Feasibility**  
**Activity: Demonstration BMP**  
**Township: Lady's Island**

**Project Schedule: FY 2015, 2016 & 2018**

**Project Cost: \$79,500**  
**\$9,500 (2015)**  
**\$20,000 (2016)**  
**\$50,000 (2018)**



Drainage	
TYPE	
River	Roadside
Creek/Stream	Roadside Pipe
River/Creek/Marsh BANK	Road Pipe
Channel (fka Outfall)	Crossline Pipe
Channel Pipe	Driveway Pipe
Lateral	Access Pipe
Lateral Pipe	Bleeder Pipe



**1 inch = 167 feet**

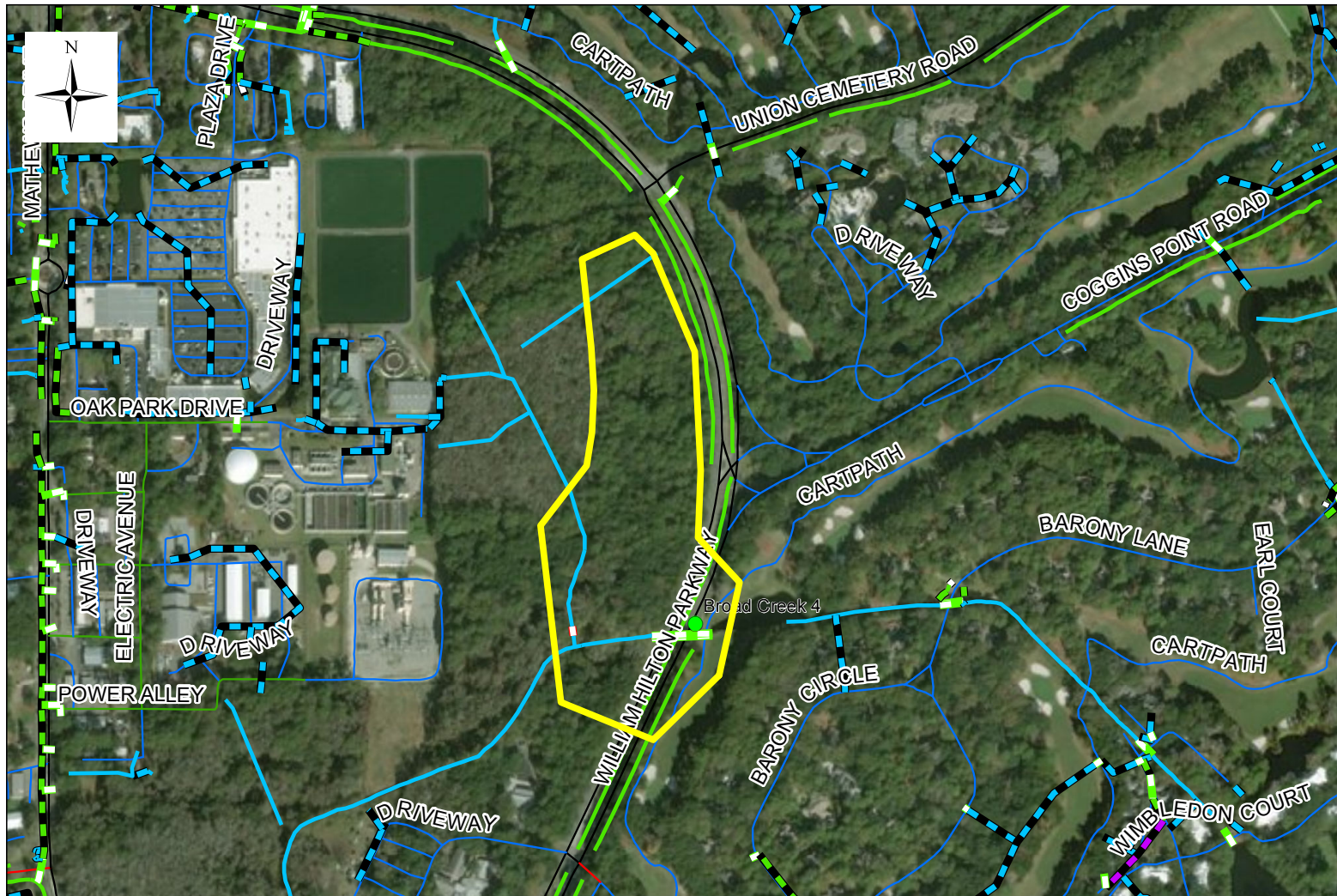
Prepared By: BC Stormwater Management Utility  
 Date Print: 5/19/14

**Description: Retrofit a former bait pond at the Brewer Memorial Park on Lady's Island. The site has runoff from Sea Island Parkway and adjacent properties that discharges directly to Factory Creek without water quality treatment or volume reduction. The site is envisioned as a demonstration site due to the high profile location. The park is being built with separate funding through the Beaufort Open Land Trust and will include a boardwalk and landscaping around the pond, providing opportunity for viewing and public education.**

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## Broad Creek 4 Regional BMP Township: Hilton Head Island

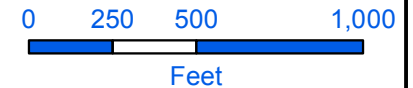
**Project Cost**  
**\$991,759**



### Drainage

#### TYPE

-  Access Pipe
-  Bleeder Pipe
-  Channel Pipe
-  Channel
-  Creek/Stream
-  Crossline Pipe
-  Driveway Pipe
-  Lateral
-  Lateral Pipe
-  River
-  Road Pipe
-  Roadside
-  Roadside Pipe



**Description:** Development in the Broad Creek 4 hydrologic basin includes approx. 750 acres of golf course and single-family development built prior to volume control stormwater regulations. There are stormwater best management practices, such as detention facilities, in the area. The project would be to create additional storage via modified structure from golf course and to construct a regional wet detention pond adjacent to William Hilton Parkway. The project will provide stormwater runoff water quality treatment and volume reduction. Due to the presence of some wetlands in the area, project design would involve delineation and avoidance of the wetlands. Broad Creek is impaired by bacteria pollution.

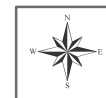
**County Retrofit Project: Camp St. Mary's M2**  
**Activity: Regional BMP**  
**Township: Bluffton**

**Project Schedule: FY 2021-2023**

**Project Cost: \$3,757,000**  
**\$342,000 (2021)**  
**\$165,000 (2022)**  
**\$3,250,000 (2023)**



Drainage	
TYPE	
—	Roadside
—	Roadside Pipe
—	Road Pipe
—	Crossline Pipe
—	Driveway Pipe
—	Access Pipe
—	Bleeder Pipe
—	River
—	Creek/Stream
—	River/Creek/Marsh BANK
—	Channel (fka Outfall)
—	Channel Pipe
—	Lateral
—	Lateral Pipe



**1 inch = 1,457 feet**

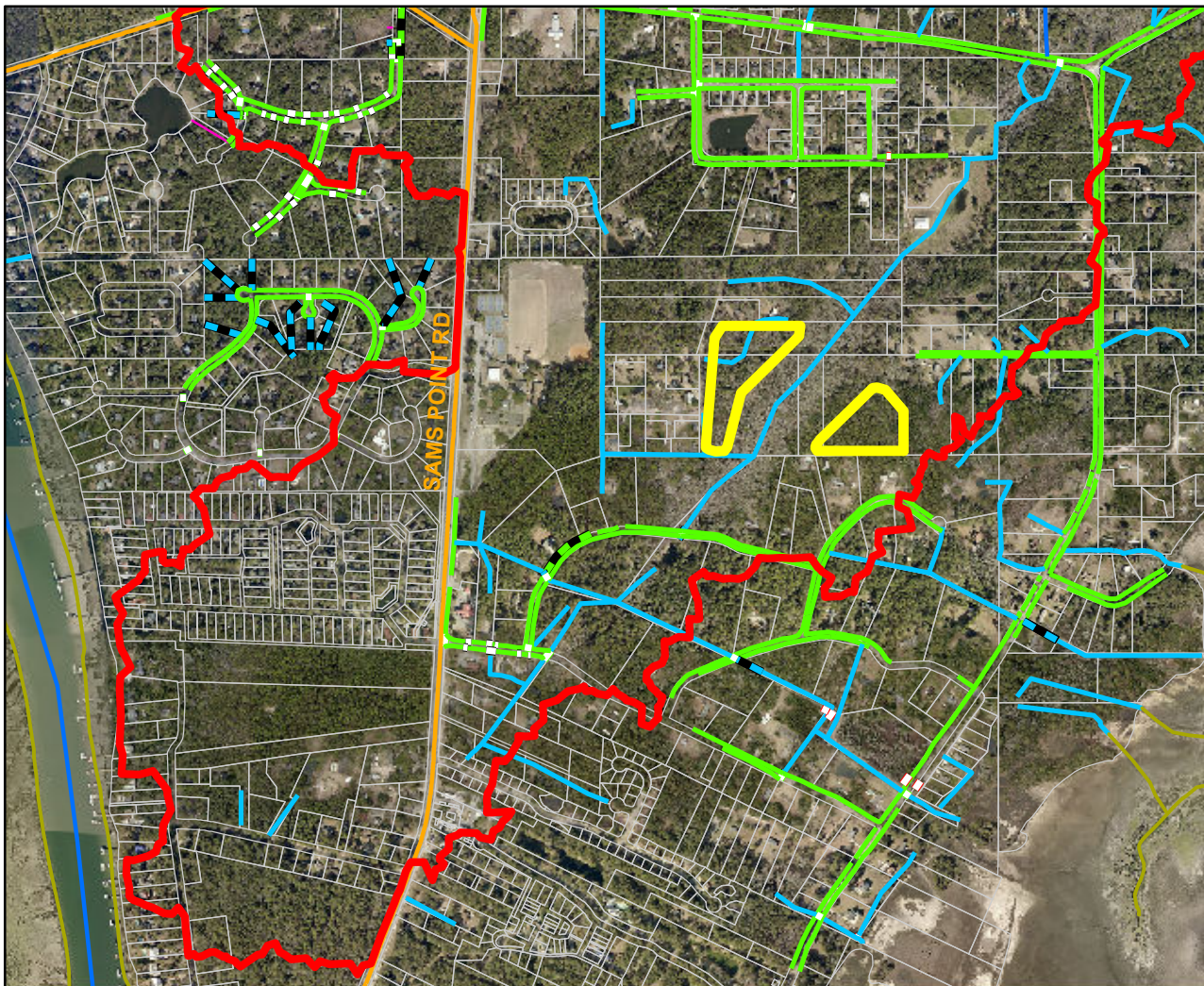
Prepared By: BC Stormwater Management Utility  
 Date Print: 5/19/14

**Description:** Development in the Camp St. Mary hydrologic sub-basin in the Okatie River watershed includes approx. 500 acres of rural and single family development built prior to stormwater regulations. There are no stormwater best management practices, such as detention facilities, in the area. The project would be to construct a regional detention facility to provide stormwater runoff water quality treatment and volume reduction. Due to the presence of multiple wetlands in the area, project design would involve delineation and avoidance of the wetlands, making construction cost a limiting factor for project implementation. Okatie River is impaired by bacteria pollution, a major source being urban runoff. The watershed of the site is located within both Beaufort and Jasper Counties.

**County Retrofit Project: Factory Creek M2**  
**Activity: Regional BMP**  
**Township: Lady's Island**

**Project Schedule: FY 2018, 2020 & 2022**

**Project Cost: \$1,740,000**  
**\$200,000 (2018)**  
**\$340,000 (2020)**  
**\$1,200,000 (2022)**



**Drainage**

TYPE	
River	Blue line
Creek/Stream	Light blue line
River/Creek/Marsh BANK	Yellow line
Channel (fka Outfall)	Light blue dashed line
Channel Pipe	Blue dashed line
Lateral	Orange line
Lateral Pipe	Orange dashed line
Roadside	Green line
Roadside Pipe	Green dashed line
Road Pipe	Purple dashed line
Crossline Pipe	Light green dashed line
Driveway Pipe	Black dashed line
Access Pipe	Red dashed line
Bleeder Pipe	Pink dashed line



**1 inch = 1,207 feet**

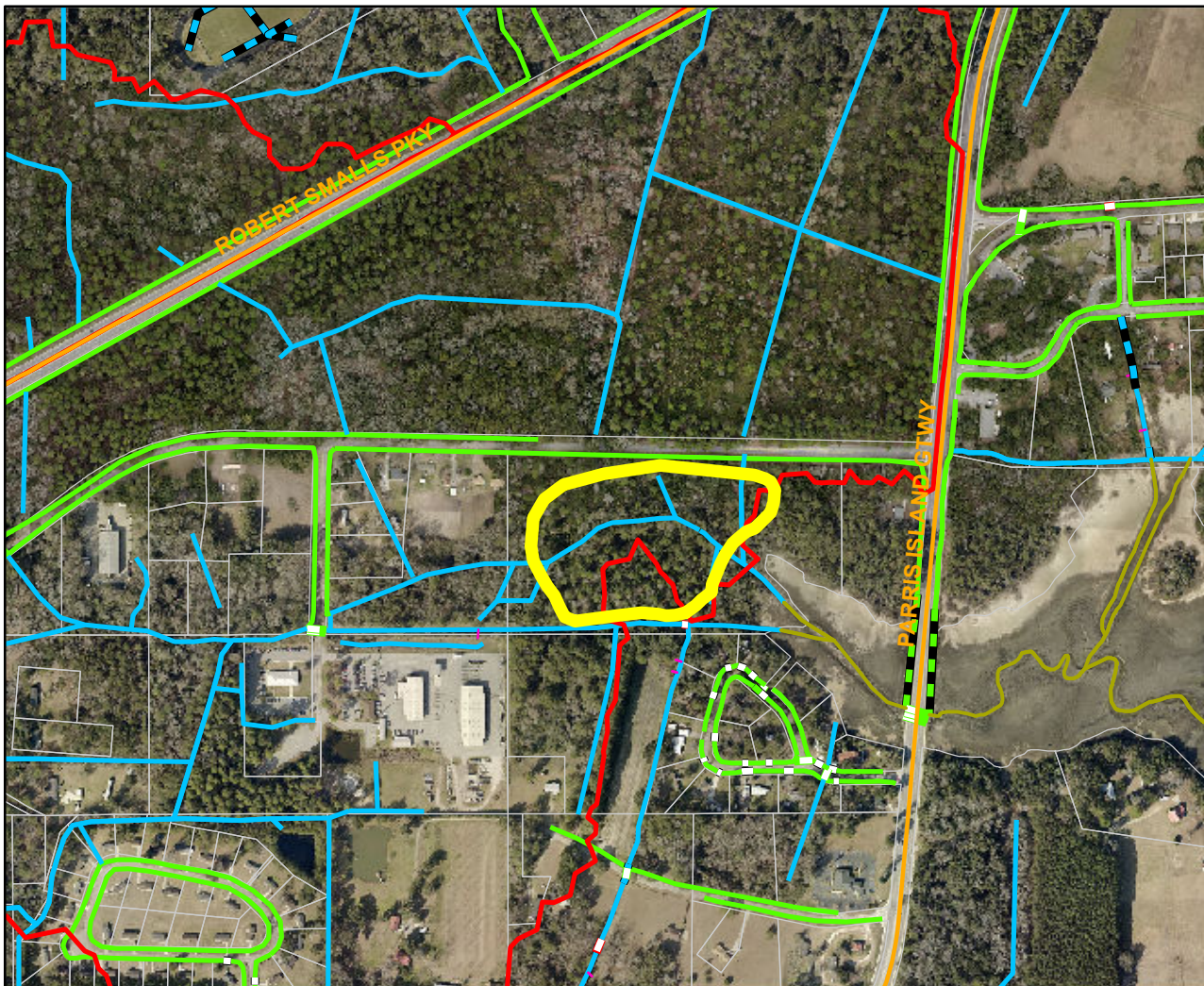
Prepared By: BC Stormwater Management Utility  
 Date Print: 5/19/14

**Description:** Development in the Factory Creek hydrologic sub-basin in the Rock Springs Creek watershed includes approx. 300 acres of a mix of single family development, and commercial/institutional development built prior to stormwater regulations. There are only a few stormwater best management practices, such as detention basins, in the area. The project would be to construct a regional detention facility to provide stormwater runoff water quality treatment and volume reduction. Due to the grades of the area and the "stop gap measure" to construct a ditch to drain a portion of the wetland, construction will involve a large amount of earthwork, making project cost a limiting factor for project implementation. Rock Springs Creek drains into the Morgan River, which is impaired by bacteria pollution, a major source being urban runoff. The site is located in Beaufort County on Lady's Island.

**County Retrofit Project: Grober Hill M2**  
**Activity: Regional BMP**  
**Township: Port Royal Island**

**Project Schedule: FY 2018,2020 & 2022**

**Project Cost: \$2,525,000**  
**\$225,000 (2018)**  
**\$900,000 (2020)**  
**\$1,400,000 (2022)**



Drainage	
TYPE	
	River
	Creek/Stream
	River/Creek/Marsh BANK
	Channel (fka Outfall)
	Channel Pipe
	Lateral
	Lateral Pipe
	Roadside
	Roadside Pipe
	Road Pipe
	Crossline Pipe
	Driveway Pipe
	Access Pipe
	Bleeder Pipe



**1 inch = 667 feet**

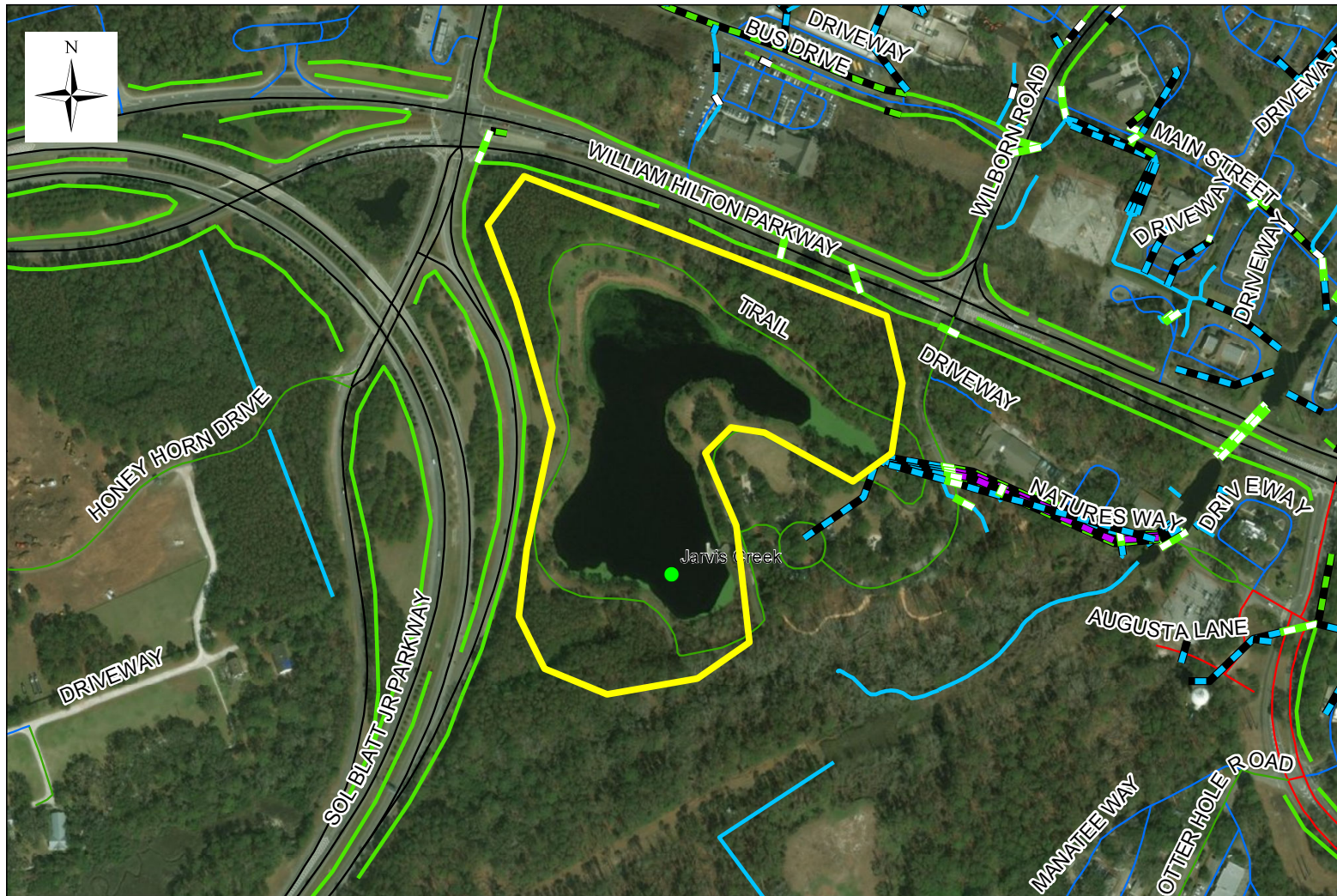
Prepared By: BC Stormwater Management Utility  
 Date Print: 5/19/14

**Description:** Development in the Grober Hill hydrologic sub-basin in the Battery Creek watershed includes approx. 130 acres of single family development built prior to stormwater regulations. There are no stormwater best management practices, such as detention facilities, in the area. The project would be to construct a regional detention facility to provide stormwater runoff water quality treatment and volume reduction. Due to the grades of the area, construction will involve a large amount of earthwork, making project cost a limiting factor for project implementation. Battery Creek is impaired by bacteria pollution, a major source being urban runoff. The site is located in the City of Beaufort.

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## Jarvis Creek 2 Regional BMP Township: Hilton Head Island

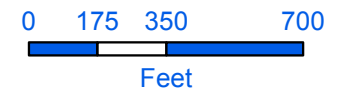
**Project Cost**  
**\$2,443,649**



### Drainage

#### TYPE

-  Access Pipe
-  Bleeder Pipe
-  Channel Pipe
-  Channel
-  Creek/Stream
-  Crossline Pipe
-  Driveway Pipe
-  Lateral
-  Lateral Pipe
-  River
-  Road Pipe
-  Roadside
-  Roadside Pipe

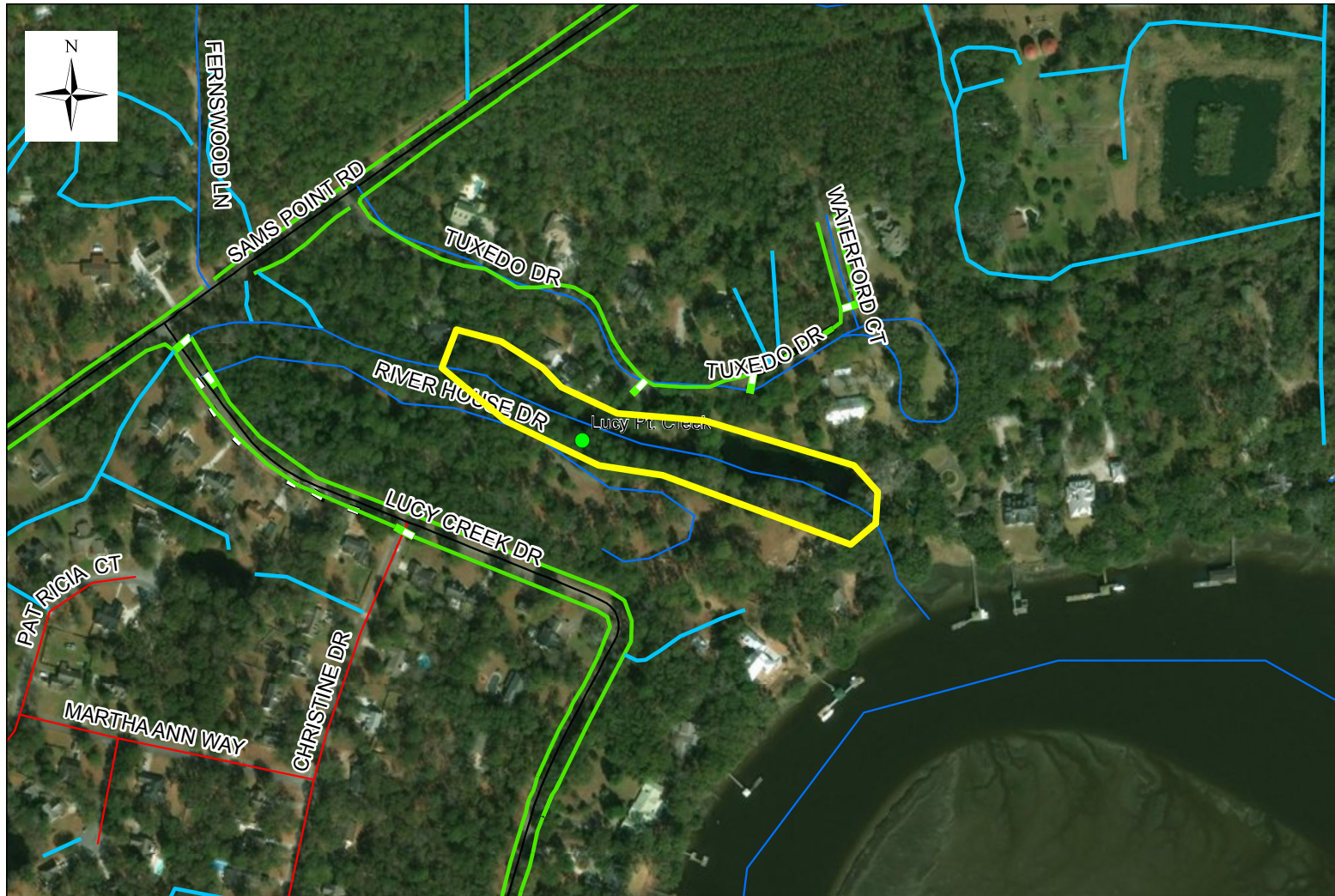


**Description:** Development in the Jarvis Creek 2 hydrologic basin includes approx. 923 acres of commercial, golf course and single-family development built prior to volume control stormwater regulations. There are stormwater best management practices, such as detention facilities, in the area. The project would be to construct modifications to the existing regional wet detention pond in vicinity of William Hilton Parkway and Sol Blatt Jr. Parkway. Proposed modifications include permanent pool expansion, littoral shelf creation and structure modification to provide stormwater runoff water quality treatment and volume reduction. Due to the presence of some wetlands in the area, project design would involve delineation and avoidance of the wetlands. Jarvis Creek is impaired by bacteria pollution.

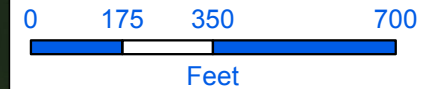
January 2018

# Lucy Point Creek Regional BMP Township: Lady's Island

**Project Cost**  
**\$483,293**



Drainage	
TYPE	
	Access Pipe
	Bleeder Pipe
	Channel Pipe
	Channel
	Creek/Stream
	Crossline Pipe
	Driveway Pipe
	Lateral
	Lateral Pipe
	River
	Road Pipe
	Roadside
	Roadside Pipe



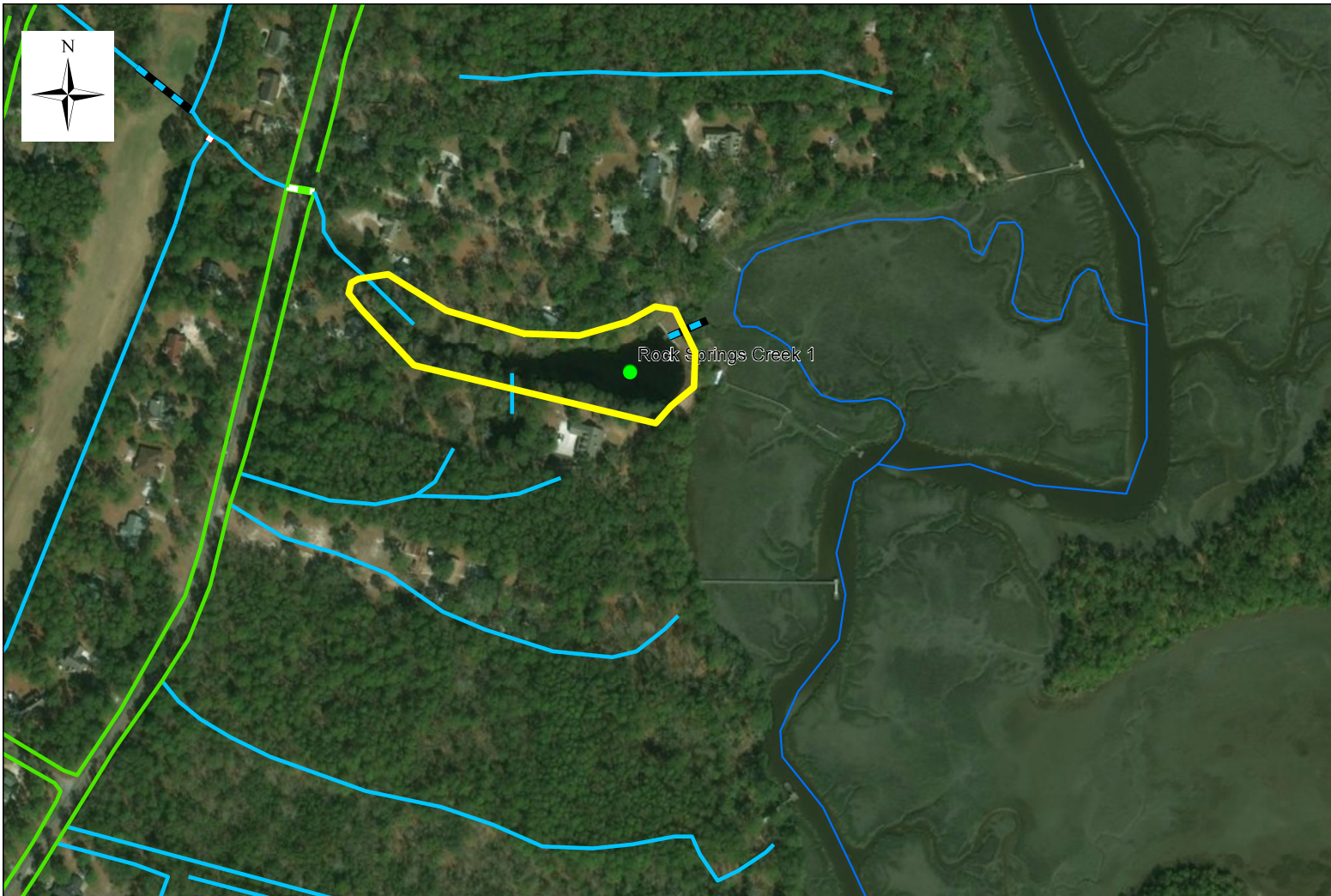
**Description:** Development in the Lucy Point Creek hydrologic sub-basin includes approx. 105 acres of rural and single-family development built prior to stormwater regulations. There are limited stormwater best management practices, such as detention facilities, in the area. The project would be to construct modifications to the existing regional wet detention pond including permanent pool expansion, littoral shelf creation and control structure modifications. The project will provide enhanced stormwater runoff water quality treatment and volume reduction. Due to the presence of some wetlands in the area, project design would involve delineation and avoidance of the wetlands. The watershed of the site is located within the Lady's Island Township.



January 2018

# Rock Spring Creek 1 Regional BMP Township: Lady's Island

**Project Cost**  
**\$430,524**



**Drainage**  
**TYPE**

- Access Pipe
- Bleeder Pipe
- Channel Pipe
- Channel
- Creek/Stream
- Crossline Pipe
- Driveway Pipe
- Lateral
- Lateral Pipe
- River
- Road Pipe
- Roadside
- Roadside Pipe

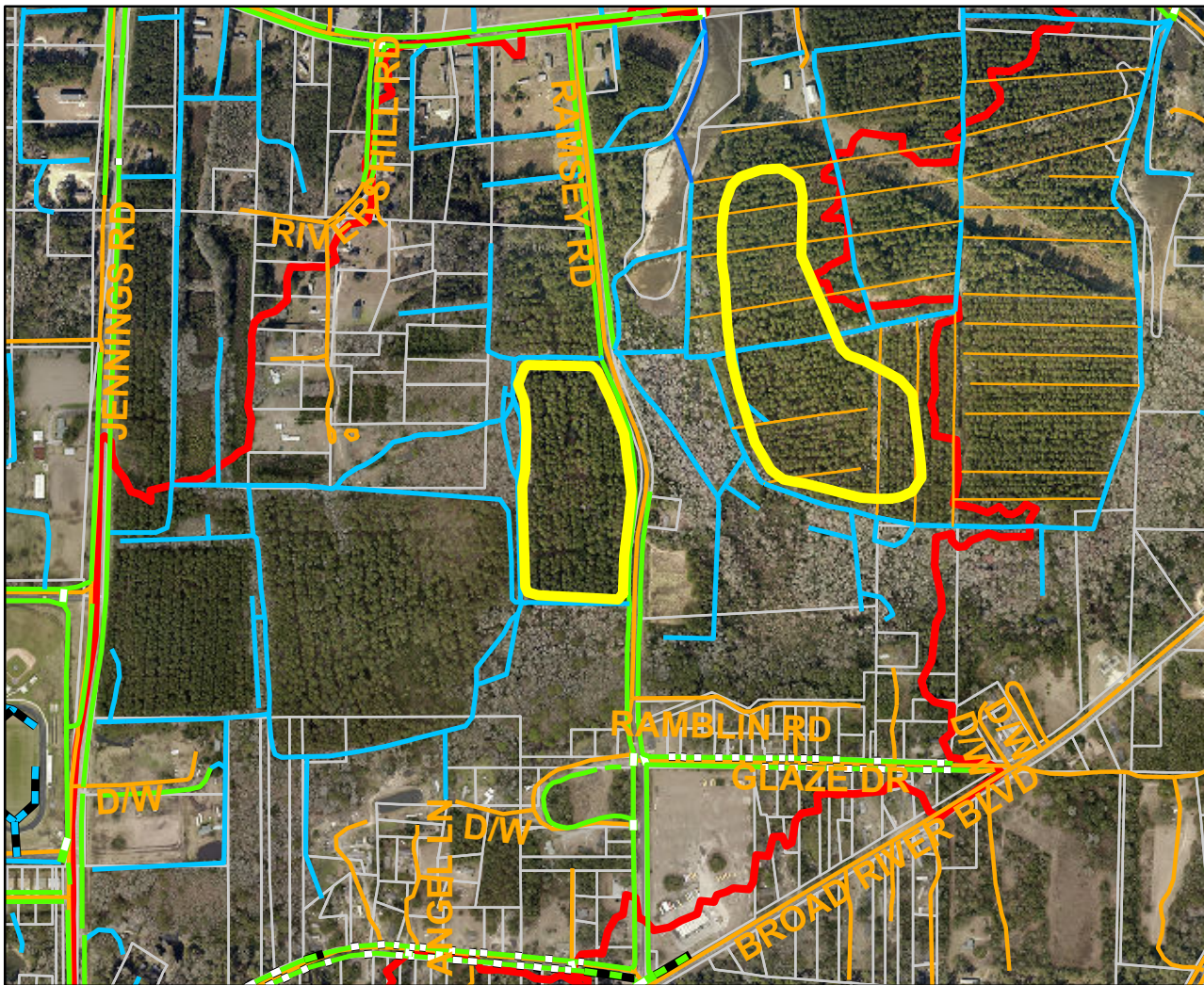


**Description:** Development in the Rock Springs Creek 1 hydrologic basin includes approx. 194 acres of golf course and single-family development built prior to volume control stormwater regulations. There are stormwater best management practices, such as detention facilities, in the area. The project would be to construct modifications to the existing regional wet detention pond including permanent pool expansion, littoral shelf creation and control structure modifications. The project will provide enhanced stormwater runoff water quality treatment and volume reduction. Rock Springs Creek is impaired by bacteria pollution. The watershed of the site is located within the Lady's Island Township

**County Retrofit Project: Salt Creek South M1**  
**Activity: Regional BMP**  
**Township: Port Royal Island**

**Project Schedule: FY 2018-2020**

**Project Cost: \$2,045,000**  
**\$245,000 (2018)**  
**\$400,000 (2019)**  
**\$1,400,000 (2020)**



Drainage	
TYPE	
River	Roadside
Creek/Stream	Roadside Pipe
River/Creek/Marsh BANK	Road Pipe
Channel (fka Outfall)	Crossline Pipe
Channel Pipe	Driveway Pipe
Lateral	Access Pipe
Lateral Pipe	Bleeder Pipe



**1 inch = 833 feet**

Prepared By: BC Stormwater Management Utility  
 Date Print: 5/19/14

**Description:** Development in the Salt Creek South hydrologic sub-basin in the Albergotti Creek watershed includes approx. 330 acres of rural and single family development built prior to stormwater regulations. There are no stormwater best management practices, such as detention facilities, in the area. The project would be to construct a regional detention facility to provide stormwater runoff water quality treatment and volume reduction. Due to the presence of multiple wetlands in the area, project design would involve delineation and avoidance of the wetlands, making construction cost a limiting factor for project implementation. Albergotti Creek is impaired by bacteria pollution, a major source being urban runoff. The Creek is being proposed for reclassification to allow shellfish harvesting, making this project a higher priority than in the past. The watershed of the site is located within Beaufort County.

**County Retrofit Project: Sawmill Creek Overtopping/Forby Land**  
**Activity: Mitigation BMP**  
**Township: Bluffton**

**Project Schedule: FY 2016-2017**

**Project Cost: \$150,000**  
**\$125,000 (2016)**  
**\$25,000 (2017)**



**Drainage**

TYPE	
River	— River
Creek/Stream	— Creek/Stream
River/Creek/Marsh BANK	— River/Creek/Marsh BANK
Channel (fka Outfall)	— Channel (fka Outfall)
Channel Pipe	— Channel Pipe
Lateral	— Lateral
Lateral Pipe	— Lateral Pipe
Roadside	— Roadside
Roadside Pipe	— Roadside Pipe
Road Pipe	— Road Pipe
Crossline Pipe	— Crossline Pipe
Driveway Pipe	— Driveway Pipe
Access Pipe	— Access Pipe
Bleeder Pipe	— Bleeder Pipe



**1 inch = 667 feet**

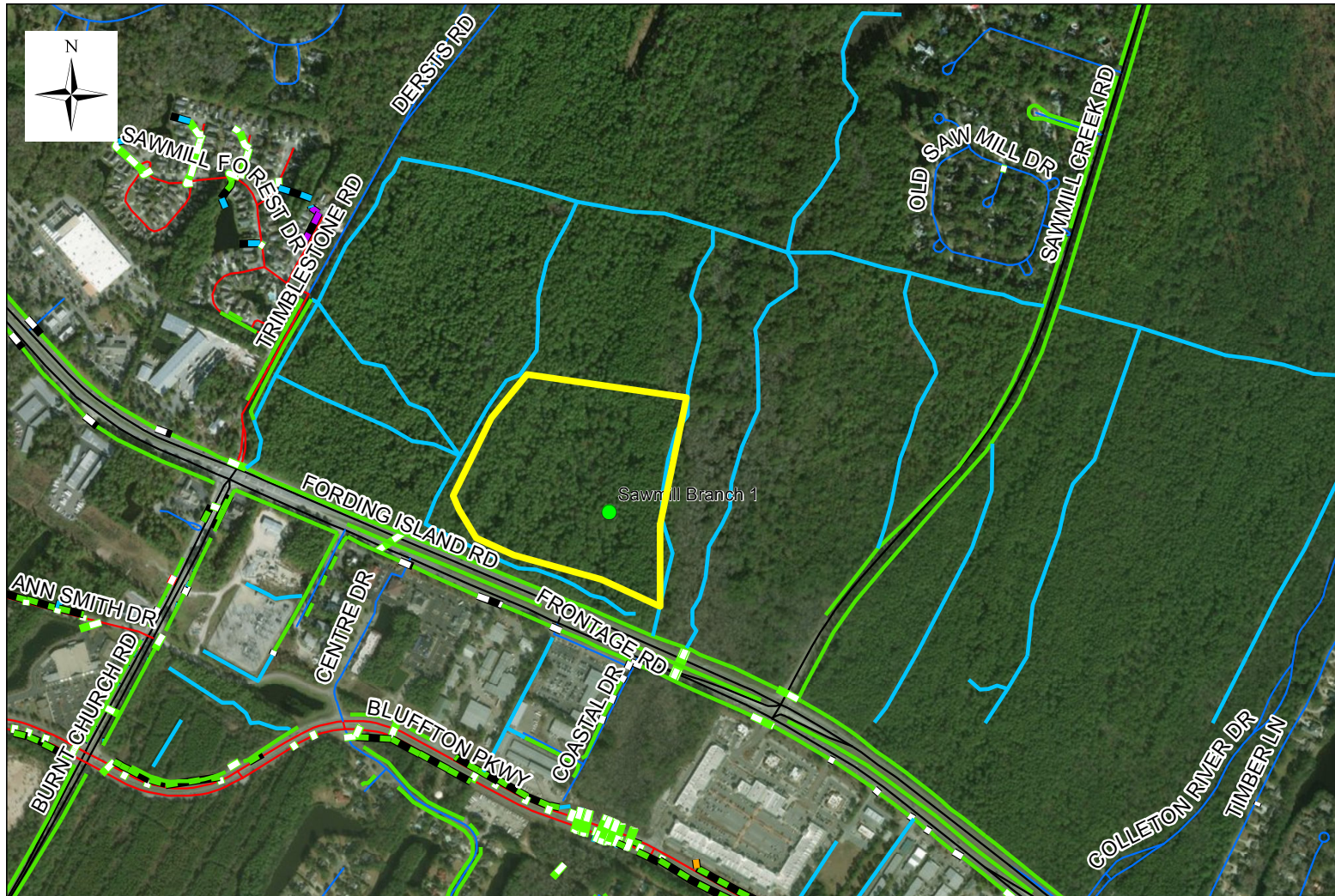
Prepared By: BC Stormwater Management Utility  
 Date Print: 5/19/14

**Description: Overtopping of US 278 near Sawmill Creek Road during a 100 - year storm event was identified in the 2006 Stormwater Master Plan. US 278 serves as an evacuation route during a hurricane. The project scope is to construct a detention pond via a wetland enhancement to slow stormwater discharge to the existing culverts under US 278 and to provide water quality treatment and runoff volume reduction. The project will be in conjunction with another project to construct a frontage road in the location providing additional interconnectivity along the south side of the highway.**

January 2018














## Sawmill Branch 1 Regional BMP Bluffton / Beaufort County

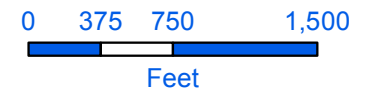
**Project Cost**  
**\$2,063,688**



### Drainage

#### TYPE

-  Access Pipe
-  Bleeder Pipe
-  Channel Pipe
-  Channel
-  Creek/Stream
-  Crossline Pipe
-  Driveway Pipe
-  Lateral
-  Lateral Pipe
-  River
-  Road Pipe
-  Roadside
-  Roadside Pipe

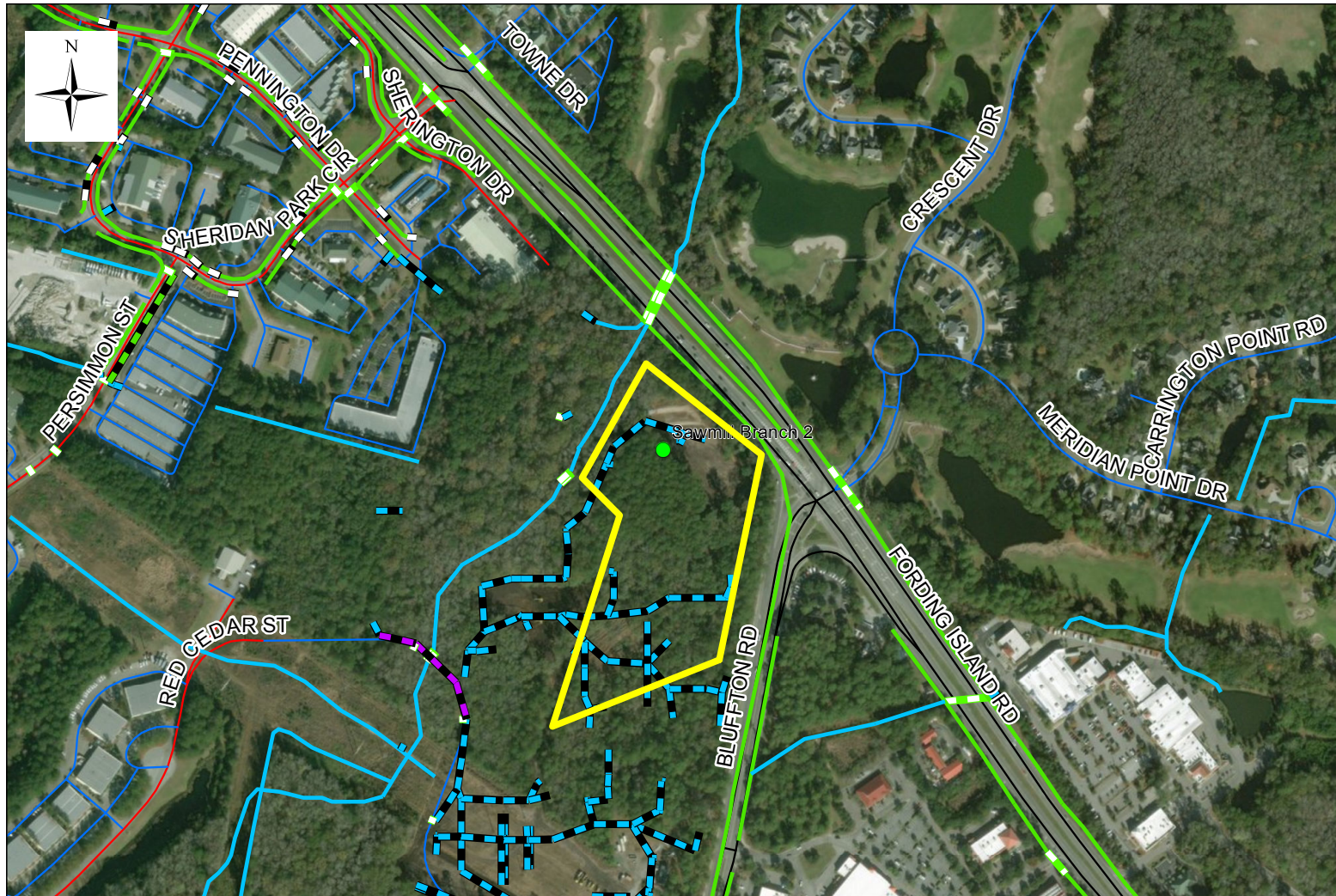


**Description:** Development in the Sawmill Branch 1 hydrologic basin in the Colleton River watershed includes approx. 310 acres of commercial and single-family development built prior to volume control stormwater regulations. There are stormwater best management practices, such as detention facilities, in the area. The project would be to construct a regional detention facility to provide stormwater runoff water quality treatment and volume reduction. Due to the presence of multiple wetlands in the area, project design would involve delineation and avoidance of the wetlands. The watershed of the site is located within Bluffton/Beaufort County.

January 2018














## Sawmill Branch 2 Regional BMP Bluffton / Beaufort County

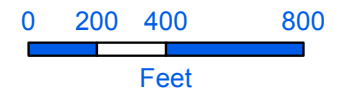
**Project Cost**  
**\$1,071,064**



### Drainage

#### TYPE

-  Access Pipe
-  Bleeder Pipe
-  Channel Pipe
-  Channel
-  Creek/Stream
-  Crossline Pipe
-  Driveway Pipe
-  Lateral
-  Lateral Pipe
-  River
-  Road Pipe
-  Roadside
-  Roadside Pipe

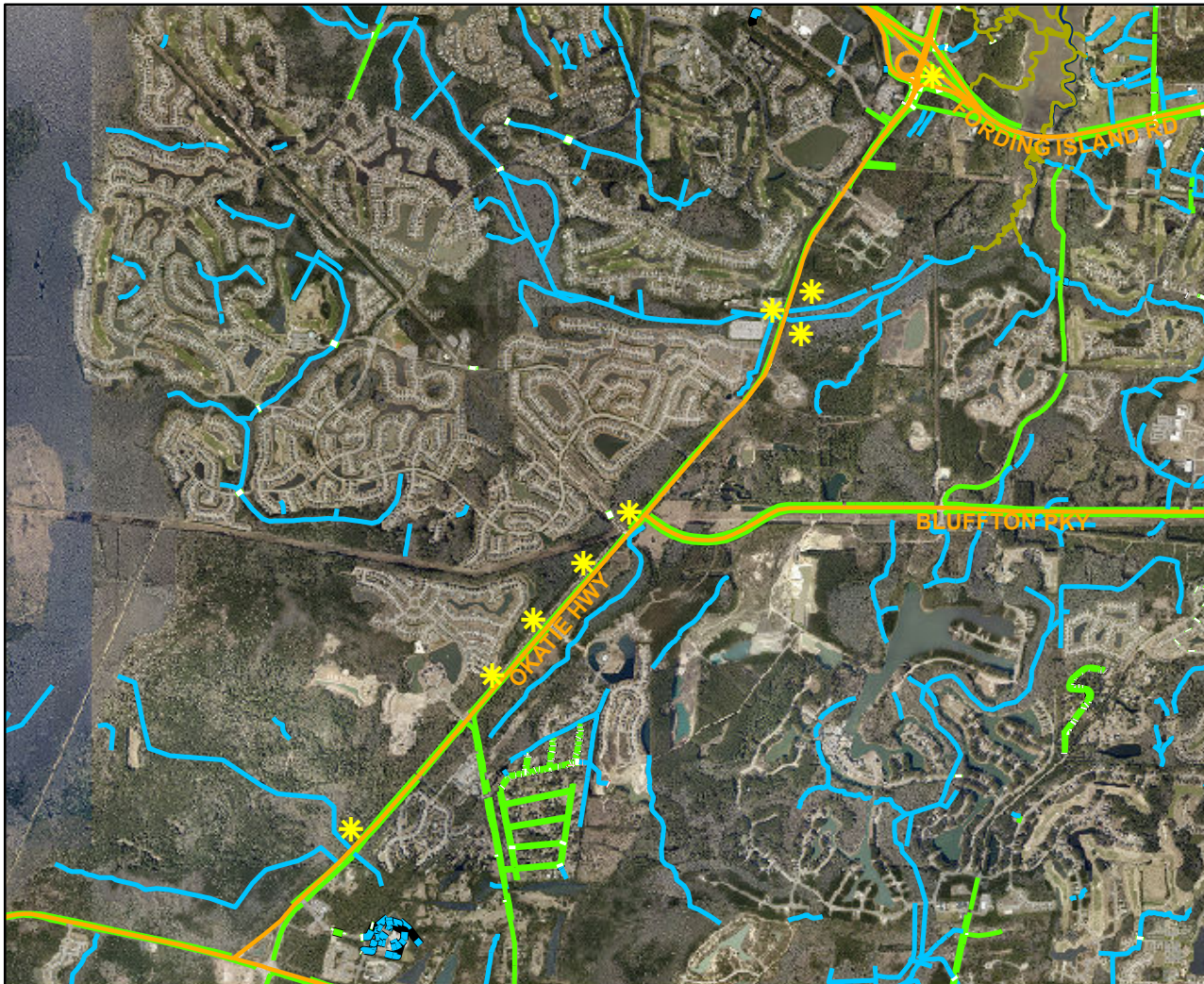


**Description:** Development in the Sawmill Branch 1 hydrologic basin in the Colleton River watershed includes approx. 270 acres of commercial and single-family development built prior to volume control stormwater regulations. There are stormwater best management practices, such as detention facilities, in the area. The project would be to construct a regional detention facility to provide stormwater runoff water quality treatment and volume reduction. Due to the presence of multiple wetlands in the area, project design would involve delineation and avoidance of the wetlands. The watershed of the site is located within Bluffton/Beaufort County.

**County Retrofit Project: SC170/Okatie West**  
**Activity: Regional/Retrofit BMP**  
**Township: Bluffton**

**Project Schedule: FY 2015-2017**

**Project Cost: \$975,000**  
 \$60,000 (2015)  
 \$315,000 (2016)  
 \$600,000 (2017)



**Drainage**

TYPE	
	River
	Creek/Stream
	River/Creek/Marsh BANK
	Channel (fka Outfall)
	Channel Pipe
	Lateral
	Lateral Pipe
	Roadside
	Roadside Pipe
	Road Pipe
	Crossline Pipe
	Driveway Pipe
	Access Pipe
	Bleeder Pipe



**1 inch = 3,771 feet**

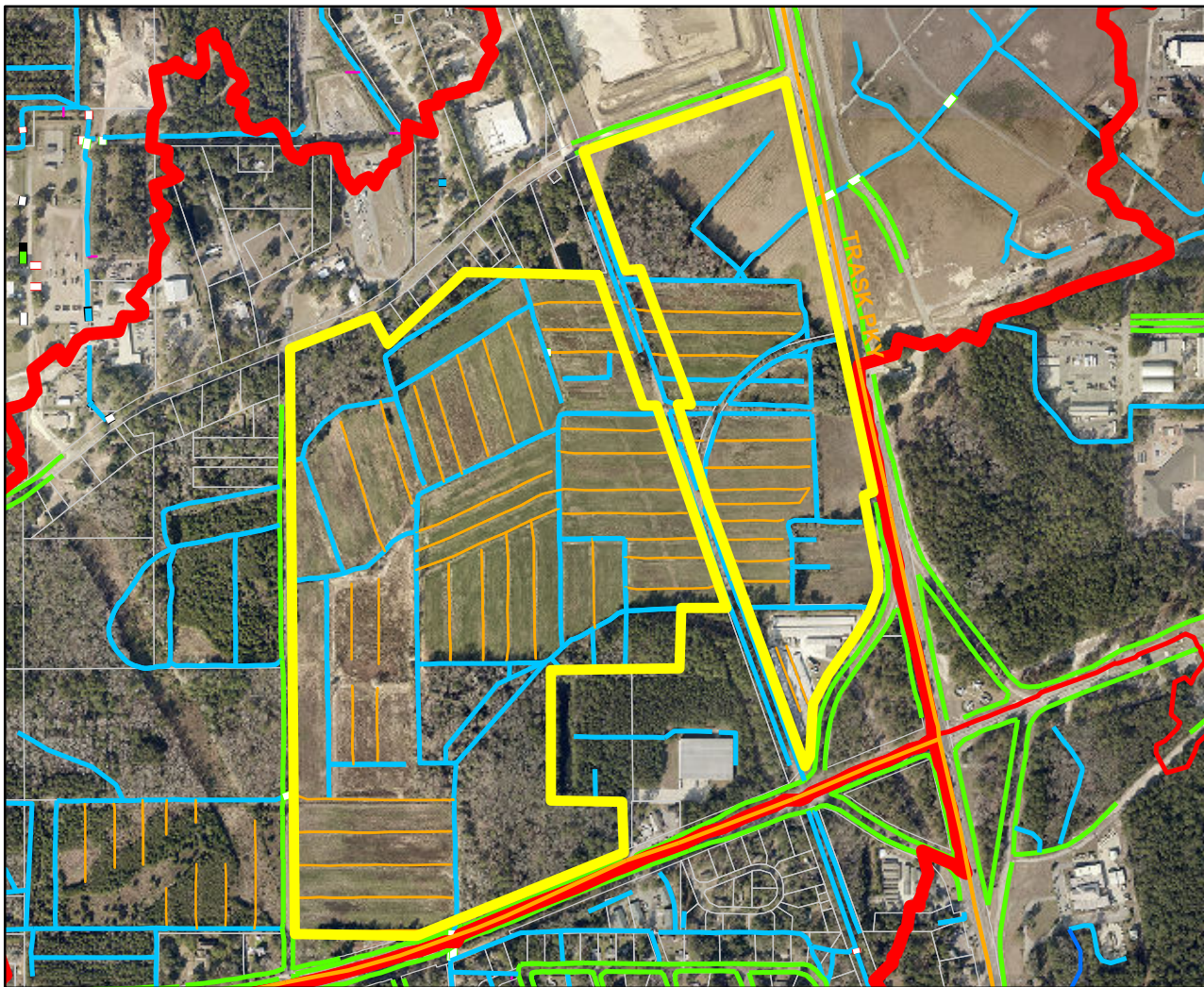
Prepared By: BC Stormwater Management Utility  
 Date Print: 5/19/14

**Description:** The Okatie River watershed has been identified as a high priority watershed for water quality improvements due to bacteria contamination. The east branch of the headwaters was improved in FY2014 with a wetland enhancement project near Island West golf course and subdivision. A similar enhancement or detention basin is planned for the west branch. Increased runoff from the widening of SC170 in the west branch subwatershed basin adds to the need for a retrofit to the watershed to improve stormwater runoff water quality and reduce runoff volume. The project is a series of detention basins along SC170.

**County Retrofit Project: Shanklin Road M2**  
**Activity: Regional BMP**  
**Township: Port Royal Island**

**Project Schedule: FY 2018-2019 & FY 2021**

**Project Cost: \$3,340,000**  
**\$330,000 (2018)**  
**\$660,000 (2019)**  
**\$2,350,000 (2021)**



**Drainage**

TYPE	
	River
	Creek/Stream
	River/Creek/Marsh BANK
	Channel (fka Outfall)
	Channel Pipe
	Lateral
	Lateral Pipe
	Roadside
	Roadside Pipe
	Road Pipe
	Crossline Pipe
	Driveway Pipe
	Access Pipe
	Bleeder Pipe



**1 inch = 917 feet**

Prepared By: BC Stormwater Management Utility  
 Date Print: 5/19/14

**Description:** Development in the Shanklin Road hydrologic sub-basin in the Albergotti Creek watershed includes approx. 600 acres of rural, single family development, commercial, and industrial built prior to stormwater regulations. There are no stormwater best management practices, such as detention facilities, in the area. The project would be to construct a regional detention facility to provide stormwater runoff water quality treatment and volume reduction. Due to the presence of multiple wetlands in the area, project design would involve delineation and avoidance of the wetlands, making construction cost a limiting factor for project implementation. Albergotti Creek is impaired by bacteria pollution, a major source being urban runoff. The Creek is being proposed for reclassification to allow shellfish harvesting, making this project a higher priority than in the past. The watershed of the site is located within Beaufort County.

# Agricultural/Equestrian Use of Land

## Request for Proposals

The Beaufort County Community Development Department is seeking proposals from non-profit organizations that wish to utilize County-owned property for agricultural and/or equestrian uses. The available property, known as Duncan Farms, is located in northern Beaufort County off of Highway 21 and Washington Farm Road (Attachments A and B). The total acreage is approximately 15 acres of wetlands and 65 acres of previously utilized farm land, which could be divided into two blocks to provide diversity of use. The County wishes to retain the agricultural nature of the site by providing the property as an opportunity for a public-private venture between the County and non-profit agricultural and/or equestrian organization(s).

The selected organization(s) shall furnish all expertise, labor and resources necessary to run the organization business, as well as any requirements as defined by a lease agreement with the County including, but not limited to, any structural and/or site improvements, insurance and liability requirements, and financial considerations. Examples of organizations being sought include Extension organizations, youth agriculture clubs, school/university agriculture groups, local farm/garden clubs, native plant societies, and equestrian societies. Due to the size of the site, more than one organization may be selected.

The selected organization(s) will be required to:

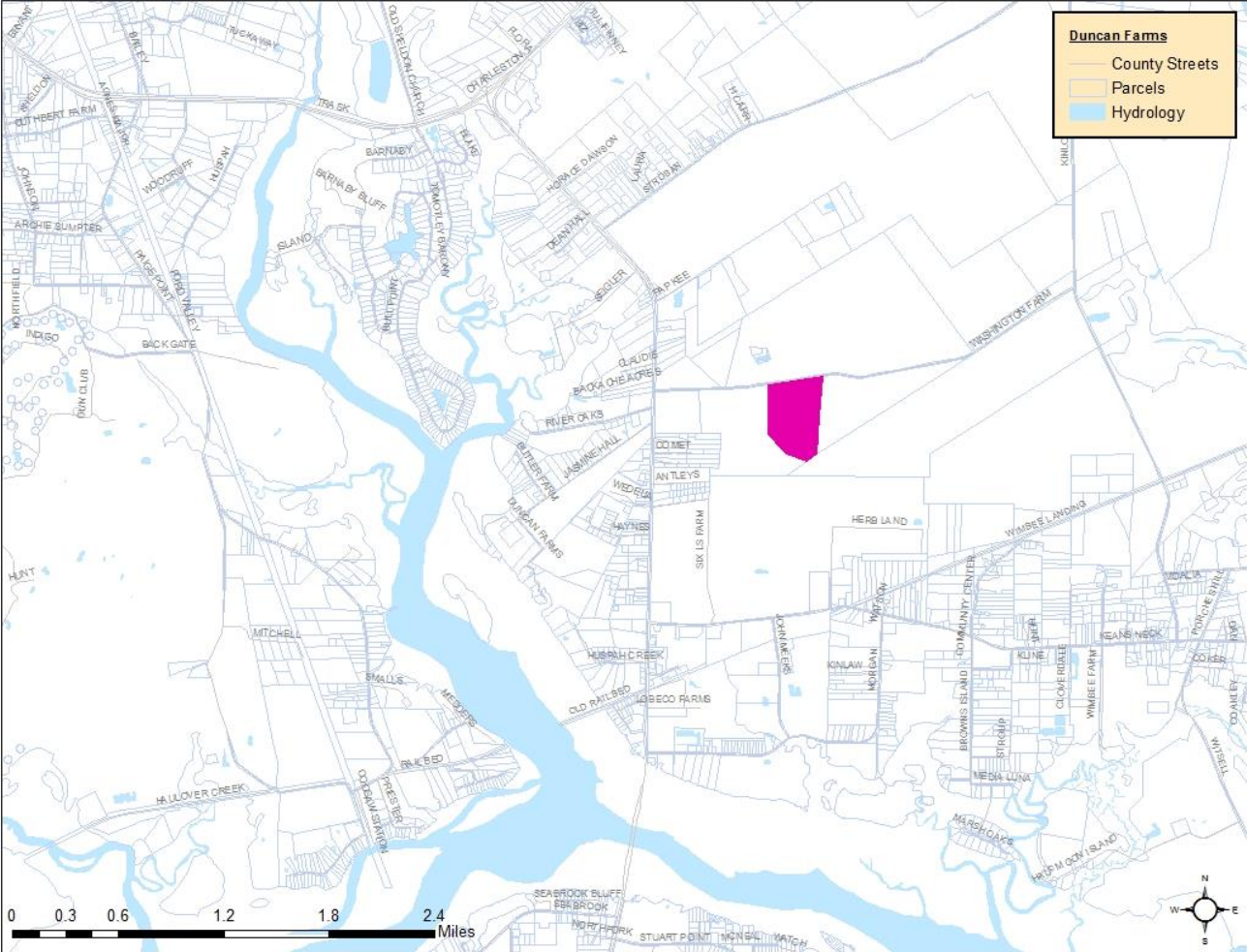
- Sign a long-term lease agreement with the County, which will include liability and insurance requirements.
- Maintain close coordination with Beaufort County's Passive Parks Manager, including quarterly status meetings and annual reporting.
- Fund any and all site improvements necessary to accomplish the proposed activity.
- Provide on-site public education and maintain mutually agreed upon hours of public access.

The following generally summarizes the requirements that the organization(s) shall need to demonstrate in their proposal:

- Executive Summary (1 page) – Clearly and concisely summarize the key points of the proposal.
- Introduction (5 page max) – Describe your organization, your organization's non-profit qualifications, a brief history of your organization, a summary of your organization's strategic plan, any partnerships with other non-profit organizations, the organizational chart and staffing levels, and organization accomplishments over the last 5-years.
- Work Plan (5 page max) – Describe your need for the property, what your organization wishes to accomplish on the property, a site plan sketch of structures/activities that may occur on the property, a timeline for project implementation, a description of measurable outcomes/deliverables, hours of operation, and a public education plan.
- Financial Plan (3 page max) – Provide your organization's financial resources and an estimate of project costs associated with the proposed activity, including any possible revenue payable to the County.



Attachment A: Location map of Duncan Farms.



Attachment B: Aerial map of Duncan Farms.



## Greenway, Eric

---

**From:** Gruber, Joshua  
**Sent:** Friday, July 20, 2018 9:01 AM  
**To:** #COUNCIL  
**Cc:** Keaveny, Thomas; Larson, Eric; Greenway, Eric; Nagid, Stefanie  
**Subject:** Okatie Reserve Horse Park plan - USCB water quality lab review  
**Attachments:** Opinion on Location of Okatie Equestrian Center, Warren, 7-19-18.docx

Good morning.

I am writing to provide you with a copy of correspondence that we have received from Dr. Alan Warren, Program Director of the Environmental Health Sciences Department at USCB. Based upon this documentation, I have asked staff to delay any additional actions with regards to the citing of an equestrian center near the headwaters of the Oakite River until such time as we can clearly determine that such actions will not negatively impact the existing waterbody's TMDL constraints with regards to fecal coliform and other pollutant runoff concerns.

Please let me know if you should have any questions or concerns.

Thanks,

-Josh-

### **Joshua A. Gruber**

Interim County Administrator

P.O. Box 1228

Beaufort, SC 29901

Phone: 843-255-2027

Fax: 843-255-9403

email: [jgruber@bcgov.net](mailto:jgruber@bcgov.net)

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U N I V E R S I T Y O F  
**SOUTH CAROLINA**  
B E A U F O R T

Date: July 19, 2018

To: Eric Larson  
Director, Environmental Engineering & Land Management  
Director, Disaster Recovery Task Force  
Manager, Stormwater Utility

From: D. Alan Warren, M.P.H., Ph.D.  
Program Director, Environmental Health Science  
University of South Carolina Beaufort

Subject: Location of Proposed Okatie Equestrian Center

This opinion letter is in response to Mr. Eric Larson's request that I opine on the suitability of a parcel of land within the Okatie River watershed to serve as the future location of an equestrian center. To inform my opinion, Mr. Larson furnished me with the following documents: Site Development Plans prepared by Carolina Engineering Consultants, Inc., Nutrient Management Plan prepared by Agri-Waste Technology, Inc. (AWT), and a map of the parcel at issue indicating existing and proposed slopes and flow directions. Additional resources examined included SCDHEC's TMDL document for the Okatie River, the Beaufort County SAMP, and numerous articles, many peer-reviewed, addressing topics such as the bacterial and nutrient removal efficiency of vegetative filter strips and the rainfall-induced release of fecal coliform bacteria and other manure constituents.

Construction of the proposed equestrian center would convert a fully-forested parcel of land into an administrative office building, riding arena, round ring, 14-stall barn, riding trail, and 9.1 acres of paddocks, the latter dominating the landscape. The paddock area will be devoid of trees and graded similar to that of a baseball diamond, with part of the paddock sheet flowing toward a dry detention pond and the remainder piped to the same BMP. As designed, the equestrian center would be physically separated from Okatie Creek East and its saltwater marsh by a 20-foot-wide vegetative filter strip at the fence line, the aforementioned dry detention pond, and narrow strip of riparian forest into which the pond outfalls. These constructed and natural buffers aside, the equestrian center's proposed location is immediately adjacent to Okatie Creek East, one of two major tributaries flowing into the Okatie River.

The Okatie River is classified as an Outstanding Resource Water, but much of it is restricted from shellfish harvesting due to exceedances of the fecal coliform standard. As a result, SCDHEC has established a fecal coliform TMDL for the Okatie River that mandates a 51% reduction in bacterial loading to the River's headwaters, an area particularly vulnerable to

environmental perturbation. Recent examination of SCDHEC water quality data (1999-2016) demonstrated trends of increasing fecal coliform and decreasing salinity at shellfish monitoring stations throughout the Okatie River, both indicative of a temporal increase in stormwater input. These trends increase in severity the further upriver the shellfish monitoring station is located (i.e., the closer one gets to the proposed site of the equestrian center). Such salinity changes, including those that occur with each significant rainfall event, might explain the findings of Van Dolah and colleagues who reported stress among benthic communities in the Okatie River's headwaters nearly two decades ago. It should also be recognized that an environmental stressor in the headwaters of the Okatie River can have a downriver influence. For example, water flow can be strong enough to suspend particles in the water column as they move downriver or simply push them along the bottom of a waterway. Soil erosion and transportation of sediment from heavy use areas (e.g., riding ring, riding trail, riding arena) during rainfall events may increase the River's turbidity, something of concern given the positive correlation that frequently exist between turbidity and fecal coliform count. This correlation is readily explained by the fact that bacteria in runoff are frequently transported as cells attached to soil or manure particles rather than free cells. The issue of runoff is made even more important by the hydric or partially hydric soils that dominate the Okatie River TMDL area and its surrounds. These soils have low infiltration rates, high water table, and high runoff potential, placing added importance on the efficiency of the proposed vegetative filter strip, dry detention pond, and narrow riparian buffer to mitigate runoff and its constituents that leave the equestrian center site.

Any decision as to the suitability of the proposed equestrian center site must consider its co-location with an already impaired river, one further threatened by near-term private development within its watershed, and one on which Beaufort County continues to expend significant resources to protect. Horse manure (i.e., feces and urine) and soiled bedding are waste products and known sources of bacteria, nutrients such as nitrogen and phosphorus, and organic matter. Should they or their leachate enter the Okatie River, they have the potential of not only adding to the well-documented problem of fecal coliform contamination, but creating conditions that favor eutrophication and increased oxygen demand. Another consideration is that of the displacement of wildlife currently inhabiting the forested parcel. It is anticipated that once clear-cutting occurs, much of the wildlife will relocate to the narrow riparian buffer into which water from the dry detention pond will fall out. This would result in additional fecal material deposited nearer the River and the potential exacerbation of the existing fecal coliform problem.

It is recognized that the proposed equestrian center site plan includes a vegetative filter strip, dry detention pond, and daily manure collection as best management practices (BMPs). Such vegetative filter strips can be highly effective at preventing stormwater runoff, and if water is encountered, removing sediment, other suspended solids, and dissolved contaminants. However, their effectiveness depends on the rate and amount of runoff and contaminant concentrations. Experimental and empirical studies of vegetative filter strips report a wide range of removal efficiencies that increase with increasing width. The NRCS Conservation Practice Standard 393, as cited in AWT's Nutrient Management Plan, states "*The minimum flow length through the filter strip will be 20 feet for suspended solids and associated contaminants in runoff and 30 feet for dissolved contaminants and pathogens in runoff*". As bacteria may be transported as free cells and nutrients as solutes, the proposed width of 20 feet seemingly falls short of the practice standard,

but is disappointing regardless given the need to protect a nearby Outstanding Resource Water from further degradation.

As for the dry detention pond, it is primarily designed for water quantity control of runoff leaving the equestrian site, and to a lesser extent for water quality control. Compared to the forested parcel, deforestation of the site and the current development plan will increase the absolute volume of water entering the adjacent riparian buffer and ultimately Okatie Creek East. Like vegetative filter strips, performance of dry detention ponds in terms of pollution retention efficiencies is highly variable. Since sedimentation is the primary mechanism of pollutant removal by dry detention ponds, they tend to be of limited effectiveness in removing dissolved substances. Likewise, their removal efficiency for free-living bacteria in the water column is estimated as low as 10%, as these organisms are extremely small and have very slow settling rates. Even if the dry detention pond is efficient at contaminant removal, water discharged into the riparian buffer is likely to be reloaded with fecal coliform bacteria during its conveyance to Okatie Creek East. Though I am not an engineer, the site development plan seemingly indicates one of two stormwater inputs to the dry detention pond in very close proximity to the outlet structure. Consideration should be given to lengthening this flow path or interrupting it with a berm or baffle, thereby increasing detention time and sedimentation. Lastly, there is no mention of a pond inspection and maintenance plan that should verify outflow release rates are as designed and provide for the removal of trash, debris, and bottom sediment as necessary. Given the proposed site's proximity to Okatie Creek East, it is also recommended that Beaufort County establish a monitoring plan to detect additional pollutant loadings from the equestrian center should construction occur.

An additional concern is that the Nutrient Management Plan relies heavily on the daily pick up of feces by pitchfork for pollution prevention. On any given day, the average 1,000-pound horse will produce approximately 37 pounds of feces and 2.4 gallons of urine, the feces deposited in 8 to 14 piles. With ten horses on site, the collection of feces becomes a laborious and time-consuming task that must occur without regard for employee illness, holidays, or foul weather. Most horse urine is simply lost to the environment and is the major means of nitrogen excretion. As there is often a gap between stated intentions and actual behavior among even the most committed employees, considerable uncertainty surrounds the Nutrient Management Plan's effectiveness at pollution prevention and ability to occur without compromise. Regardless, it does not preclude the possibility that manure would remain in the paddock or other outdoor areas for extended periods during rainfall events, which occur in Beaufort County on average one of every five days and during the rainy season, one of every two. In addition, manure is not the only material in need of removal. Wet and soiled bedding must also be removed and can equal twice the volume of the manure itself, yet is not mentioned in AWT's Nutrient Management Plan, little of which is site specific with only a single five-sentence paragraph addressing the issue of water quality. One unanswered question is whether Taylor Nursery will pick up the wet and soiled bedding as well as manure. Another is whether a contingency plan exists in the event Taylor Nursery's 1-year commitment to pick up manure is not renewed.

Taken together, considerable uncertainties exist as to whether the proposed BMPs and Nutrient Management Plan can prevent an increase in pollutant loading to Okatie Creek East over "pre-development" levels. Given these uncertainties, it is my opinion that Beaufort County should apply the precautionary principle and in so doing, deem the proposed site unacceptable. This same

opinion holds for the Rural and Critical Land Preservation Program's Pickney Point site, considered by some as an alternative location, but likewise positioned to negatively impact an impaired portion of the Okatie River. At present, Beaufort County is engaged, at great expense, in implementing stormwater BMPs in the Okatie River watershed while retrofitting others. This is all in an effort to prevent further degradation, with the hope that some water quality improvements might be realized. The present situation affords an opportunity to take a different approach to the protection of surface water resources – one that is proactive rather than reactive. Restated, Beaufort County has an opportunity to prevent the generation of more pollutant-laden runoff from a parcel of land located a stone's throw from Okatie Creek East, rather than implementing engineering controls to mitigate it. As such opportunities rarely present themselves, it would be ashamed not to take advantage. Given Beaufort County's ongoing efforts within the watershed, failing to do so would be akin to taking one step forward and one step back. Obviously, progress is never made under such circumstances. Clearly, the work of Heroes on Horseback is commendable and I am not arguing against another equestrian center, provided it is located with the environment in mind. In closing, I am reminded of the keen interest shown by many in the prohibition of offshore drilling due to concerns for the environmental integrity of our coastline. Granted, the proposed equestrian center does not pose a similar risk for sudden environmental catastrophe. Nevertheless, the risk posed by land deposition of 80 tons/year of manure in the Okatie River watershed is real, and much more likely to be realized than another Deepwater Horizon or Exxon Valdez. It is past time that we all begin viewing environmental issues in a relative risk context and make decisions accordingly.



**COUNTY COUNCIL OF BEAUFORT COUNTY  
PURCHASING DEPARTMENT**

106 Industrial Village Road, Bldg. 2, Post Office Drawer 1228  
Beaufort, South Carolina 29901-1228

David L Thomas, Purchasing Director

dthomas@bcgov.net 843.255.2353

**TO:** Councilman Brian Flewelling, Chairman, Natural Resources Committee

**FROM:** David L Thomas, CPPO, Purchasing Director

**SUBJ:** New Contract as a Result of Solicitation  
Amendment to RFP 052917 Contract with McBride Dale Clarion for the Lady's Island Area Plan Services

**DATE:** 11/14/2018

**BACKGROUND:**

At the October 16, 2017 meeting of the Natural Resources Committee, the Committee approved a contract with McBride Dale Clarion for \$80,000 to create a plan for Lady's Island. The planning process has been underway since January 2018. The consultant has requested a revision to the contract amount for \$20,000 above the originally approved contract amount of \$80,000 to a total amount of \$100,000. The reason for this additional funding request is as follows:

- Depth of involvement of the steering committee – The Lady's Island Plan Steering Committee, a volunteer ad hoc committee, was appointed to oversee the plan and has been very engaged in the planning process. However, this involvement has resulted in more steering committee meetings than originally scheduled. They have met 12 times. They were originally scheduled to meet 5-6 times. The consultant conducted many of the meetings as conference calls which helped reduce travel costs, but each meeting still involved extensive preparation from the consultant such as power point presentations and other related support.
- Extended schedule - As a result of the depth of steering committee involvement and other factors, the schedule has been extended. This project was originally planned to be completed in June, and now is scheduled for completion at the end of the calendar year.
- Technical analysis - The land use/GIS analysis took more time than the consultant originally estimated. They understood that some analysis had already been done to forecast how much additional growth was possible under current plans and zoning, but that analysis was not usable for to the consultant as a starting point. They essentially started from scratch in terms of building the analysis model, including assembling GIS data. This was no one's fault and yielded very valuable information, but took more time than originally anticipated.

**VENDOR INFORMATION:**

McBride Dale Clarion

**COST:**

\$20,000 Additional

**FUNDING:**

Beaufort County General Fund, Community Development Department Comprehensive Plan Professional Services, 1001132-51160. \$80,000 was approved on October 16, 2017. This memo is requesting approval of \$20,000 increase to this contract for reasons stated above.



Funding approved:  By:  Date:

**FOR ACTION:**

**RECOMMENDATION:**

Attachment:

cc: John Weaver, Interim County Administrator

Approved:  Date:

Check to override approval:  Overridden by:

Override Date:

Alicia Holland, Assistant County Administrator, Finance

Approved:  Date:

Approved:  Date:

Check to override approval:  Overridden by:

Override Date:

ready for admin:

Approved:  Date:

Check to override approval:  Overridden by:

Override Date:

ready for admin:

**After Initial Submission, Use the Save and Close Buttons**



## MEMORANDUM

**TO:** Beaufort County Planning Commission

**FROM:** Eric Greenway, Community Development Director

**DATE:** October 26, 2018

**SUBJECT:** 48 Month Review of the Community Development Code.

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When County Council adopted the Community Development Code (CDC) on December 8, 2014, the motion included a 6 month and 1 year evaluation of the code as a condition of approval. These two reviews took place in 2015 and 2016. Community Development Staff sees the merit of continuing to periodically evaluate and bring forward amendments to the CDC. Staff has learned of both minor and major corrections that should be made to the ordinance based on application and enforcement of the Code. The following amendments are being proposed by staff:

- **Campground Standards:** Article 4, Section 4.1.190 (Recreation Facilities: Campgrounds) to provide distinctions between primitive, semi-developed, and developed campgrounds.
- **Short-term Rentals:** Article 3, Section 3.1.60 (Consolidated Use Table) and 3.1.70 (Land Use Definitions); Article 4, Section 4.1.360 (Specific to Use) to add new uses called limited home rental and extended home rental.
- **Vehicle Sales and Rental: Light:** Article 3, Section 3.2.100 (T4 Hamlet Center Standards) to add vehicle sales and rental: light as a conditional use in T4 Hamlet Center (T4HC)
- **Small Tidal Creeks:** Article 4, Section 4.2.190 (Water/Marine-Oriented Facilities) to provide a definition of small tidal creeks
- **Commercial Subdivisions:** Article 6, Section 6.1.30 (Types of Subdivisions) to modify the requirements to allow commercial subdivisions in all zoning districts that allow commercial uses
- **Non-Conforming Structures:** Article 8, Section 8.3.40 (Non-Conforming Structures) to clarify that structures damaged greater than 50% of value shall conform to current building code standards but not zoning standards

## Campground Standards

**Section 4.1.190: Campground Standards:** With an increasing trend in RV resort campgrounds, staff reviewed our existing campground regulations in relation to other areas across the country. While these large resort type campgrounds may be desirable in more commercial districts, it is the goal of the proposed amendment to limit the types and sizes of campgrounds located in the Natural Preserve District and the Rural District. The proposed amendment creates three distinct types of campgrounds as follows: Primitive, Semi-Developed and Developed. The amendment also requires parameters such as length of stay, buffers, and accessory structures.

### 4.1.190 Recreation Facility: Campgrounds

Campgrounds comply with the following shall be defined as the following:

**A. Primitive Campground.** A campground accessible by walk-in, equestrian, motorized trail vehicles campers. Primitive Campgrounds shall comply with the following: or vehicular traffic where basic facilities may be provided for the comfort and convenience of the

1. **Length of Stay.** All campers are limited to a 14-day length of stay.
2. **Zones.** Primitive Campgrounds are allowed in the T1 Natural Preserve zone and all T2 Rural zones.
3. **Buffers.** Any tent sites shall be located no less than 30 feet from any property line.
4. **No RV's or motorized camping trailers shall be allowed.**
5. **Tree Requirements.** Existing Trees shall be left on site, when practical. If there are no trees between campsites at least two trees shall be planted between each campsite
6. **Accessory Uses.** Facilities for the comfort and convenience of the camper may be provided such as bathing facilities, flushing toilets, grills, tables, fire pits, fire circles, and refuse collection.

**B. Semi- Developed Campground.** A campground, with two or more campsites, for a camping unit, accessible by walk-in, pack-in, equestrian campers, motorized trail vehicles or vehicular traffic. Semi-Developed Campgrounds shall comply with the following:

1. **Length of Stay.** All camping units are limited to a 30-day length of stay.
2. **Zones.** Semi-Developed Campgrounds can be located within T2 Rural Zones (neighborhood and Rural Center).
3. **Buffers.** This use shall be screened with a 100-ft wide, opaque, visual buffer next to all property lines.
4. **Minimum RV Pad Size.** If RV pads are provided they shall be a minimum of 1,600 square feet. This does not include tent only sites. A maximum number of 200 camp sites.
5. **Tree Requirements.** Existing trees shall be left between all campsites and/or RV Pads, to the maximum extent practicable. If there are no trees between campsites, tent sites or RV pads, at least two trees shall be planted between each campsite, tent site or RV Pad.
6. **Accessory Uses.** Recreational facilities and amenities shall be for the purpose of the camper enjoyment including sports facilities, equipment for amusement, playground facilities, swimming pools and a camp store/office. These amenities shall not be for general public use and shall not exceed 3,000 square feet.

**C. Developed Campground.** A campground with two or more campsites, for a camping unit, accessible by walk-in, pack-in, equestrian campers, motorized trail vehicles or vehicular

traffic. Sites may be substantially developed with tables, refuse containers, flush toilets, bathing facilities, and one or more service buildings. These campsites may have individual water, sewer, and electrical connections. Developed Campgrounds shall comply with the following:

1. Length of Stay. All camping units are limited to a 30-day length of stay.
2. Zones. Developed Campgrounds can be located within T2 (only Rural Center Zone, C3 Neighborhood Mixed Use Zone, C4 Community Center Mixed Use and C5 Regional Center Mixed Use.
3. Buffers. This use shall be screened with a 100-ft wide, opaque, visual buffer next to all property lines.
4. Minimum RV Pad Size. If RV pads are provided they shall be a minimum of 1,600 square feet. A maximum number of 400 camp sites.
5. Tree Requirement. Existing trees shall be left between all campsites and/or RV pads, to the maximum extent practical. If there are no trees between campsites or RV pads, at least two trees shall be planted between each campsite, tent site or RV Pad.
6. Accessory Uses. Recreational facilities and rural recreation businesses such as zip lines, horse riding trails, arcades, camp stores, small cafes, small offices, or a club house. Such businesses are intended to be of smaller size, intensity and scale than commercial uses, which would be more commonly found in commercial zoning districts.

~~A. Buffers. This use shall be screened with a 100 ft. wide, opaque, visual buffer next to all property lines.~~

~~B. Minimum RV Pad Size. RV pads that shall be a minimum of 1,600 square feet.~~

~~C. Tree Requirement. Existing trees shall be left between all campsites and/or RV pads, to the maximum extent practicable. If there are no trees between campsites or RV pads, at least two trees shall be planted between each campsite or RV pad.~~

~~D. Accessory Uses. A camp store and entertainment area are allowed as accessory uses to a campground provided they do not exceed 3,000 square feet for every 200 camping spaces or RV pads, and are not advertised off-site.~~

~~E. Pumpout Station. A pumpout station meeting SCDHEC requirements shall be provided for camping trailers and recreational vehicles.~~

## Short-Term Rentals

**Section 3.1.60 Consolidated Use Table; Section 3.1.70 Land Use Definitions; Section 4.1.360 Limited Home Rental and Extended Home Rental.** The purpose of this amendment is to address short-term rentals by introducing new uses that clarify the operational parameters, development standards, approval/permitting procedures and compliance processes for short-term rentals for properties within Beaufort County's jurisdiction. The code currently only allows such uses as bed and breakfast or inns and this amendment will clarify the definitions of short term rental(s) and replaces the use of bed and breakfast with Limited Home Rental (LHR) and Inns with Extended Home Rental (EHR).

### 3.1.60 Consolidated Use Table

Table 3.1.60. Consolidated Use Table (continued)																		
Land Use Type	T1 N	T2R	T2 RL	T2 RN	T2 RNO	T2 RC	T3E	T3 HN	T3 N	T3 NO	T4 HC	T4 VC	T4 HCO	T4 NC	C3	C4	C5	SI
<b>RETAIL &amp; RESTAURANTS (continued)</b>																		
15. Day Care: Family Home (up to 8 clients)	--	P	P	P	P	P	P	P	P	P	P	P	P	P	P	TCP	TCP	--
16. Day Care: Commercial Center (9 or more clients)	--	--	--	--	C	C	--	--	--	C	C	C	C	C	TCP	C	C	C
17. Lodging: Bed & Breakfast (5 rooms or less) Limited Home Rental (LHR)	--	S	S	--S	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	TCP	TCP	TCP	--
18. Lodging: Extended Home Rental (EHR)	--	S	--	--	S	S	--	--	--	--	P	P	P	P	TCP	P	P	--
19. Lodging: Inn ( up to 24 rooms)	--	S	--	--	--	P	--	--	--	--	P	P	P	P	TCP	P	P	--
20. Lodging: Hotel	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	P	P	--
21. Medical Service: Clinics/Offices	--	--	--	--	P	P	--	--	--	P	P	P	P	P	TCP	P	P	--
22. Medical Service: Hospital	--	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	--

"P" indicates a Use that is Permitted By Right.  
 "C" indicates a Use that is Permitted with Conditions.  
 "S" indicates a Use that is Permitted as a Special Use.  
 "TCP" indicates a Use that is permitted only as part of a Traditional Community Plan under the requirements in Division 2.3  
 "--" indicates a Use that is not permitted.

### 3.1.70 Land Use Definitions

<b>OFFICES AND SERVICES</b>	
This category is intended to encompass activities, without outdoor storage needs, that are primarily oriented towards office and service functions.	
Land Use Type	Definition
10. Day Care: Family Care Home	A state-licensed facility in a private home where an occupant of the residence provides non-medical care and supervision for up to 8 unrelated adults or children, typically for periods of less than 24 hours per day for any client.
11. Day Care: Commercial Center	A state-licensed facility that provides non-medical care and supervision for more than 8 adults or children, typically for periods of less than 24 hours per day for any client. Facilities include, but are not limited to: nursery schools, preschools, after-school care facilities, and daycare centers.
12. Lodging: Bed & Breakfast (B&B) Limited Home Rental (LHR)	The use of a single residential structure for commercial lodging purposes, with up to 5 guest rooms used for the purpose of lodging transient guests and in which meals may be prepared for them, provided that no meals may be sold to persons other than such guests, and where the owner resides on the property as his/her principal place of residence. A property with an owner-occupied residential dwelling where lodging is offered, advertised, or provided to Short-Term Rental Tenants (excluding family members) for a fee or any form

	of compensation, not to exceed 72 days in the aggregate during any calendar year, with individual rental terms not exceeding 29 consecutive days.
13. Lodging: Extended Home Rental (EHR)	A property with an owner- or non-owner occupied residential dwelling where lodging is offered, advertised, or provided to Short-Term Rental Tenants (excluding family members) for a fee or any form of compensation, for more than 72 days but not to exceed 144-days in the aggregate during any calendar year.
14. Lodging: Inn	A building or group of buildings used as a commercial lodging establishment having up to 24 guest rooms providing lodging accommodations to the general public.

#### 4.1.360 Short-Term Rentals

##### A. Purpose and Applicability

1. **Purpose.** The County is committed to working to protect the traditional quality of life and character of its residential neighborhoods. The County has concerns about permitted short-term rentals resulting in increased traffic, noise, trash, parking needs, safety and possible adverse impacts and other undesirable changes to the nature of the County's neighborhoods. Therefore, the County Council finds it appropriate and in the best interests of its residents, property owners, and visitors to regulate Short-Term Rental Properties (STRPs) within unincorporated County of Charleston.

This Article sets out standards for establishing and operating Short-Term Rental Properties. These regulations are intended to provide for an efficient use of residential dwellings as STRPs by:

- a. Providing for an annual permitting process to regulate STRP's;
- b. Balancing the interests of owner-occupied dwellings with properties that are frequently used in whole or in part by Short-Term Rental Tenants;
- c. Allowing homeowners to continue to utilize their residences in the manner permitted by this Ordinance for the Zoning District in which a particular home is located;
- d. Providing alternative accommodation options for lodging in residential dwellings; and
- e. Complementing the accommodation options in environments that are desirable and suitable as a means for growing tourism.

2. **Applicability.**

- a. **Short-Term Rental Types.** The following Short-Term Rentals shall be authorized
  - 1) **Limited Home Rental (LHR)** - a property with an owner-occupied residential dwelling, where lodging is offered, advertised, or provided to Short-Term Rental Tenants (excluding family members) for a fee or any form of compensation, not to exceed 72 days in the aggregate during any calendar year, with individual rental terms not exceeding 29 consecutive days.
  - 2) **Extended Home Rental (EHR)** - a property with an owner- or non-owner occupied residential dwelling where lodging is offered, advertised, or provided to Short-Term Rental Tenants (excluding family members) for a fee or any form of compensation, for more than 72 days but not to exceed 144-days in the aggregate during any calendar year, with individual rental terms not exceeding 29 consecutive days. To establish a EHR, a property owner must obtain a Special Exception from the Board of Zoning Appeals (BZA) pursuant to the requirements of Article 3.6 of this Ordinance.

- b. Applicable Zoning Districts. STRPs shall be allowed within the Zoning Districts of this Ordinance in accordance with Article 3, Section 3.1.60 (Consolidated Use Table).
  - c. Application. Applications for STRPs shall be made in compliance with this Article
3. Registration. All STRPs require a Zoning Permit and Business License. Upon adoption of this Ordinance, STRPs will have 30 calendar days to submit applications to comply with the provisions of this Article and an additional 90 calendar days to obtain all required Zoning Permits for the STRP use.

**B. Operating Standards and Requirements**

**1. Permits and Renewals**

- a. After a LHR STRP use has been authorized through the applicable zoning process(es), a Zoning Permit for a STRP use and a Business License must be obtained prior to offering, advertising, or providing Short-Term Rental Properties for lodging as provided for in this Article.
- b. After an EHR STRP use has been authorized by the Board of Zoning Appeals, a Zoning Permit for a STRP use and a Business License must be obtained prior to offering, advertising, or providing Short-Term Rental Properties for lodging as provided for in this Article.
- c. Zoning Permits for all STRP uses must be renewed annually in compliance with this Article.

**2. Short-Term Rental Property Tenant Notices**

- a. Each STRP must contain a Short-Term Rental Tenant notice posted in each room where Short-Term Rental Tenants may lodge. The notice must provide the following information:
  - 1) Contact information for the owner of the STRP;
  - 2) Zoning Permit Number for the STRP use;
  - 3) Trash collection location and schedules, if applicable; and
  - 4) Fire and Emergency evacuation routes.

**C. General Standards**

**1. Use Limitations and Standards.**

- a. Legally permitted Principal Dwelling Units and Accessory Dwelling Units may be used as STRPs, even when they are located on the same property; however, Accessory Structures shall not be used as STRPs.
- b. Parking for Short-Term Rental Tenants shall be in compliance with Division 3.2 of the County Community Development Code.
- c. Signage advertising STRPs is prohibited in Residential Zoning Districts.

**2. Advertising.** Whether by a hosting platform, via Internet or paid advertising, or other postings, advertisements, or announcements, the availability of a STRP shall include the County issued Zoning Permit Number and Business License Number.

**3. Annual Zoning Permit Renewal.**

- a. Zoning Permits for all STRPs must be renewed annually. An application for annual renewal of the Zoning Permit must include:
  - 1) The application fee;

- 2) A notarized affidavit signed by the property owner stating that the type of STRP use and the information submitted as part of the application for the previous year's Zoning Permit for the STRP use has not changed in any manner whatsoever and that the STRP use complies with the most recently adopted version of this Article (form of Affidavit Provided by the County); and
  - 3) The applicant shall file an application for a new Zoning Permit for a STRP use if the aforementioned requirements are not met.
- b. If the Director of the Community Development Department determines that the STRP use is not consistent with the Special Exception that authorizes the use and/or Site Plan Review approval that authorizes the use, the applicant shall file an application for a new Zoning Permit for the STRP use, including applicable Special Exception and/or Site Plan Review applications and fees.
  - c. By the end of January of each calendar year, the owners of all registered STRPs will be mailed an annual renewal notice informing them that they must renew the Zoning Permit for the STRP use on or before April 1st of the same calendar year or their existing Zoning Permit will expire. The Zoning Permit for the STRP use will terminate on April 1st of each year regardless of whether or not the applicant receives notice from the Zoning and Planning Department Director.

#### **D. Use Limitations and Requirements**

1. Applicability. The limitations and requirements of this Section apply to all types of Short-Term Rental Properties (STRPs).
2. Application Submittal Requirements. No application for a STRP shall be accepted as complete unless it includes the required fee and the information listed below.
  - a. The name, address, email, and telephone number of all property owners of the Short-Term Rental Property (STRP).
  - b. Completed Short-Term Rental Property application signed by all current property owner(s). For properties owned by corporations or partnerships, the applicant must submit a resolution of the corporation or partnership authorizing and granting the applicant signing and authority to act and conduct business on behalf of and bind the corporation or partnership.
  - c. Restricted Covenants Affidavit(s) signed by the applicant or current property owner(s) in compliance with state law.
  - d. Address and Property Identification Number of the property on which the STRP is located.
  - e. The type of STRP that is the subject of the application, which may be a Limited Home Rental (LHR) or an Extended Home Rental (EHR).
  - f. The type of Dwelling Unit(s) that is proposed to be used as a STRP including, but not limited to, Principal Dwelling Unit, Accessory Dwelling Unit, Single Family Detached, Single Family Attached, Manufactured Housing Unit, and/or Multi Family, and documentation of Zoning Permit and Building Permit approvals for the structures, as applicable.
  - g. The maximum number of bedrooms in the Dwelling Unit(s) proposed to be used as a STRP.

#### **E. Enforcement and Violations**

1. Notwithstanding the provisions of this Ordinance, a STRP Zoning Permit may be administratively revoked by the Community Development Department Director or his designee if the STRP has violated the provisions of this Article on three or more



occasions within a 12-month period. Provided however, a STRP Zoning Permit may be immediately revoked if the Community Development Department Director determines the STRP has Building Code violations, there is no Business License for the property, the property is being used in a manner not consistent with the Zoning Permit issued for the STRP use, or the advertisement for the STRP does not include the County issued Zoning Permit Number and Business License Number.

2. If a STRP Zoning Permit is administratively revoked or an application for a STRP Zoning Permit is administratively denied, a STRP owner (or authorized agent) may appeal the Community Development Department Director's administrative decision revoking or denying the STRP Zoning Permit to the Board of Zoning Appeals within 30 calendar days from the date of the denial or revocation. All appeals shall be addressed in accordance with the appeal procedures of CHAPTER 3, Article 3.13, of this Ordinance.
3. Subsequent Application. Once a County-issued Zoning Permit and/or a Business License for a STRP use has been revoked, no new Zoning Permit and/or Business License for a STRP use shall be issued to the applicant for the same property for a period of one year from the date of revocation. Upon expiration of the revocation period, a new Zoning Permit application for a STRP use must be submitted in accordance with this Article.

## Vehicle Sales and Rental: Light

**Section 3.1.60 Consolidated Use Table.** The purpose of this amendment is to allow Vehicle Sales and Rental: Light as a conditional use in the T4 Hamlet Center District. The use is currently allowed as a conditional use in the T4 Hamlet Center Open District.

### 3.1.60 Consolidated Use Table

Table 3.1.60. Consolidated Use Table (continued)																		
Land Use Type	T1 N	T2R	T2 RL	T2 RN	T2 RNO	T2 RC	T3E	T3 HN	T3 N	T3 NO	T4 HC	T4 VC	T4 HCO	T4 NC	C3	C4	C5	SI
RETAIL & RESTAURANTS (continued)																		
5. General Retail greater than 50,000 SF	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--	P	--
6. General Retail with Drive-Through Facilities	--	--	--	--	--	--	--	--	--	--	--	--	--	C	--	C	C	C
7. Adult Oriented Business	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	C
8. Bar, Tavern, Nightclub	--	--	--	--	--	P	--	--	--	--	--	--	P	P	--	P	P	--
9. Gas Station/Fuel Sales	--	S	--	--	--	C	--	--	--	--	C	C	C	C	C	C	C	C
10. Open Air Retail	--	--	--	--	--	P	--	--	--	--	--	--	--	--	--	--	P	--
11. Restaurant, Café, Coffee Shop	--	--	--	--	P	P	--	--	--	--	P	P	P	P	TCP	P	P	C
12. Restaurant, Café, Coffee Shop with Drive-Through Facilities	--	--	--	--	--	--	--	--	--	--	--	--	S	S	--	C	C	C
13. Vehicle Sales & Rental: Light	--	--	--	--	--	C	--	--	--	--	--C	--	C	--	--	C	C	--
14. Vehicle Sales & Rental: Heavy	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P

## Docks on Small Tidal Creeks

**Section 4.2.190 Water/Marine-Oriented Facilities.** The purpose of this amendment is to provide a definition of “small tidal creeks.” The Community Development Code regulates docks on small tidal creeks beyond the state requirements as enforced by the SCDHEC Office of Coastal Resource Management (OCRM). Specifically, the CDC restricts the length of docks on small tidal creeks to a maximum of 300 feet. Newly subdivided lots must have a minimum lot width of 250 feet to have a dock. The ordinance also encourages community docks by allowing them to be longer than 300 feet (up to 500 feet) if certain lot width conditions are met.

The issue that the Community Development Department has run into is that the CDC defines small tidal creeks by referring to a map in Appendix F. There have been several cases where the map did not indicate a particular creek that otherwise should have met the definition of a small tidal creek. Therefore, staff recommends that the CDC provide a clear definition of small tidal creeks, and use the maps as a reference tools. The maps already contain a disclaimer that puts the burden on applicants to verify the information on the map using other sources recognizing that conditions change.

SCDNR defines “tidal creeks” as those tidally influenced bodies of water that are 100 meters or less in width from marsh bank to marsh bank. Anything wider is defined by the State as “open water.” Staff recommends using the State’s definition.

### 4.2.190 Water / Marine-Oriented Facilities

Water/Marine-oriented facilities shall comply with the following standards:

- A. **Space as Far Apart as is Reasonably Feasible.** Water-oriented facilities should be spaced as far apart as is reasonably feasible.
- B. **Regulation of Navigable Structures or Aids.** The regulation of navigational structures or aids falls under the jurisdiction of the State of South Carolina Ocean and Coastal Resource Management Office (OCRM), or appropriate federal regulators.
- C. **Construction May Occur Before Principal Dwelling.** Water-oriented facilities may be constructed prior to the construction of the principal dwelling.
- D. **Docks on Small Tidal Creeks.** Private docks and community docks located on are allowed in small tidal creeks shall meet the requirements of this Section. Small tidal creeks are defined as tidally influenced bodies of water that are 100 meters or less in width measured from marsh bank to marsh bank, as shown on the Beaufort County Small Tidal Creek Delineation Maps (See Appendix F) provide an inventory of small tidal creeks in Beaufort County. The Director may request a survey from a certified land surveyor to verify the width of a creek, if they comply with the following standards:

## Commercial Subdivisions

**6.1.30 Types of Subdivisions** This amendment would allow Commercial Subdivisions to occur in any zoning district where commercial (retail, service, light industrial, etc.) uses are permitted.

The Commercial Subdivision is an option in the Community Development Code that addresses a trend among major national retailers in commercial shopping centers to want to own the land the stores reside upon and the parking areas that support the stores. Consequently, shopping center developers and their major retailers want the flexibility to use the subdivision and site plan review process to

integrate the two processes together without creating conflicts between zoning standards and subdivision regulations. Often internal setback and buffer yard requirements would cancel out the unified site plan concept inherent in a commercial subdivision within a shopping center. The Commercial Subdivision provision is designed to remedy that problem.

The commercial subdivision was originally adopted as part of the Zoning and Development Standards Ordinance (ZDSO) in 2013. At that time, it was limited to the commercial regional, commercial suburban, and industrial zoning districts. When the CDC was adopted, this provision was included and limited to the analogous districts - C5 Regional Center Mixed-Use, C4 Community Center Mixed Use and S1 Industrial. However, the CDC has several transect zones that allow commercial uses such as T2 Rural Center, and the T4 districts. Staff believes that the exclusion of these transect zones was an oversight when the CDC was adopted. It is possible for developers to utilize the commercial subdivision and still create a traditional development with a network of internal streets with on-street parking and sidewalks. Therefore, staff supports the following amendment:

### 6.1.30 Types of Subdivisions

There are three types of subdivisions allowed under this Development Code:

- A. **Minor Subdivision.** Minor subdivisions are land developments that consist of subdividing a tract or parcel of land into four lots or less, provided the subject land has not been previously subdivided within five years. Minor subdivisions shall comply with the procedures in Subsection 7.2.70.E, (Minor Subdivision Plat Procedure), the standards in this Article, and all other relevant provisions of this Development Code.
- B. **Major Subdivision.** Major subdivisions are land developments that consist of subdividing a tract or parcel of land into five or more lots. Major subdivisions shall comply with the procedures in Subsection 7.2.70.F (Major and Commercial Subdivision Plat Procedure), the standards in this Article, and all other relevant provisions of this Development Code.
- C. **Commercial Subdivision.** Commercial subdivisions are land developments that include master planning and subdividing into two or more lots any **commercial, industrial, or multi-family** tract or parcel of land located in C4, C5, and S1 districts. ~~These subdivisions are limited to commercial and/or industrial uses only.~~ Commercial subdivisions shall comply with the procedures in Subsection 7.2.70.F (Major and Commercial Subdivision Plat Procedure), the standards in this Article, and all other relevant provisions of this Development Code. This type of subdivision includes all of the following:
  1. Separate ownership of lots, coupled with undivided interest in common property;
  2. Restrictive land use covenants or easements that govern use of both the common area and separate ownership interests; and
  3. Management of common property and enforcement of restrictions by a property owners' association.

## Non-Conforming Structures

**8.3.40 Non-Conforming Structures:** This amendment will clarify that structures damaged greater than 50% of value as a result of fire, storm, or flood is not required to meet current zoning standards when rebuilt. It is important to note that the structure would need to comply with current building codes and flood elevation standards.

### 8.3.40 Reconstruction or Repair after Casualty Damage of Nonconforming Use or Structure

The reconstruction or repair of a nonconforming use or structure damaged as a result of a fire, natural disaster or other unforeseen and unpreventable accident or occurrence shall be subject to the following provisions.

- A. **Damage of 50 Percent or Less of Value.** If a nonconforming use or structure is damaged to an extent whereby the cost of restoring the use or structure to its before-damaged condition would be 50 percent or less of its market value before the damage, the use or structure may be reconstructed or repaired if:
1. The reconstruction or repair does not increase, expand, enlarge, or extend the degree of nonconformity beyond what is allowed in this Article; and
  2. The reconstruction begins within six months after the damage and is diligently pursued to completion.
- B. **Damage Greater than 50 Percent of Value.** Any nonconforming building or portion thereof may be replaced if razed by fire, natural causes, or other natural disasters, provided, the replacement does not increase the degree of nonconformity in any respect and a zoning compliance is issued within six months of the date of the damage. Any nonconforming building or portion thereof which is not razed by fire, natural causes, or other natural disasters will be required to conform to all applicable development standards upon reconstruction. ~~If a nonconforming use or structure is damaged to an extent whereby the cost of restoring the use or structure to its before-damaged condition would exceed 50 percent of its market value before the damage, the use or structure shall not be reconstructed or repaired except in conformity with the provisions of this Development Code, unless:~~
- ~~1. The structure is a single-family residential use, in which case it may be rebuilt as long as it complies with all applicable building codes;~~
  - ~~2. It is rebuilt using the former building footprint and does not increase the nonconformity of the structure; and~~
  - ~~3. Substantial reconstruction is started within one year of the date of destruction, and completed in good faith.~~
- C. **Damage That Creates Unsafe Condition.** Regardless of the percent of damage to a nonconforming structure, any structure deemed unsafe by the Building Codes Official and is a threat to the life and safety of repair crews, the public, or neighbors, shall be demolished and terminated. Future structures then shall comply with the requirements of this Development Code.



# MEMORANDUM

**TO:** Brian Flewelling, Chairman, Natural Resources Committee

**FROM:** Robert Merchant, AICP, Assistant Community Development Director

**DATE:** November 19, 2018

**SUBJECT:** Proposed Amendment to Appendix B of the Beaufort County Community Development Code – Daufuskie Island Community Development Code

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Attached to this memo are the following documents:

- The Daufuskie Island Community Development Code
- The Daufuskie Island Zoning Map

Over the last year, the Daufuskie Island Council has worked with Ecological Planning Group out of Savannah and RS & H, to develop a new island wide comprehensive plan and zoning ordinance. The Daufuskie Island Council is an organization designated to serve as a liaison between the people of Daufuskie Island and local, state and federal governments and agencies to help address the needs and concerns of island residents. The Council and consultants took part in an extensive public process that involved surveys, public meetings and community workshops.

Beaufort County Council gave third and final reading to the Daufuskie Island Plan at their October 8, 2018 meeting, which provides a planning framework for the proposed amendments to the Community Development Code which are being presented today. Community Development staff worked closely with the project consultants to refine and reformat the Daufuskie Island Community Development Code to ensure that it is consistent and works seamlessly with the Community Development Code.

**Planning Commission Recommendation:** At its September 6, 2018 meeting, the Beaufort County Planning Commission unanimously recommended approval of the proposed amendments to Appendix B (Daufuskie Island Community Development Code) and the proposed amendments to the zoning map for Daufuskie Island.



# DAUFUSKIE ISLAND COMMUNITY DEVELOPMENT CODE

Revised Draft– August 13, 2018

## Appendix B: Daufuskie Island Community Development Code

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## **Division B.I: Transect Zones**

### **Sections:**

- B.1.10 Purpose
- B.1.20 Applicability
- B.1.30 Transect 1: Natural Preserve (D1) Standards
- B.1.40 Transect 2: Rural (D2R) Standards
  - Rural Historic (D2R-CP) Standards
  - Gullah Heritage (D2R-GH) Standards
- B.1.50 Transect 3: General Neighborhood (D3GN) Standards
- B.1.60 Transect 4: Mixed Use (D4MU) Standards
- B.1.70 Transect 5: Village Center (D5VC) Standards
- B.1.80 Transect 5: Gateway Corridor (D5GC) Standards

### **B.1.10 Purpose**

This Division provides regulatory standards governing land use and building form within the transect zones. The Form-Based Code reflects the community vision for implementing the intent of the Comprehensive Plan to preserve Daufuskie Island’s character and create livable and walkable places. These standards are intended to ensure that proposed development is compatible with existing character and future development on neighboring properties produces an environment of desirable character.

### **B.1.20 Applicability**

The requirements of this Division shall apply to all proposed development within the transect zones and shall be considered in combination with the standards for specific uses in Article 4 (Specific to Use), if applicable, and the development standards in Article 5 of the Beaufort County Community Development Code (Supplemental to Zones). If there is a conflict between any standards, the provisions of Article 4 of the Beaufort County Community Development Code (Specific to Use) control over this Article 3 (Specific to Zones) and Article 5 (Supplemental to Zones).

**B.I.30 Transect I: DI Natural Preserve (DINP) Standards**

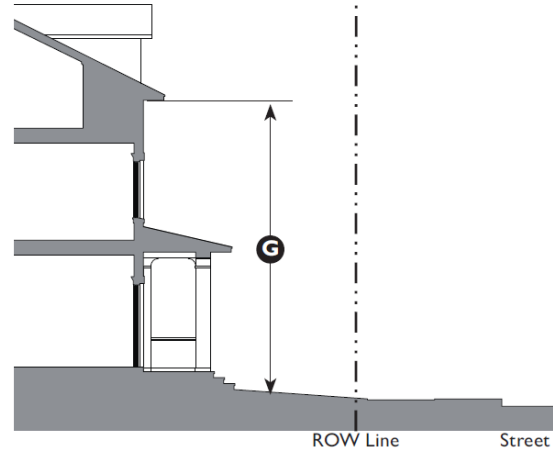
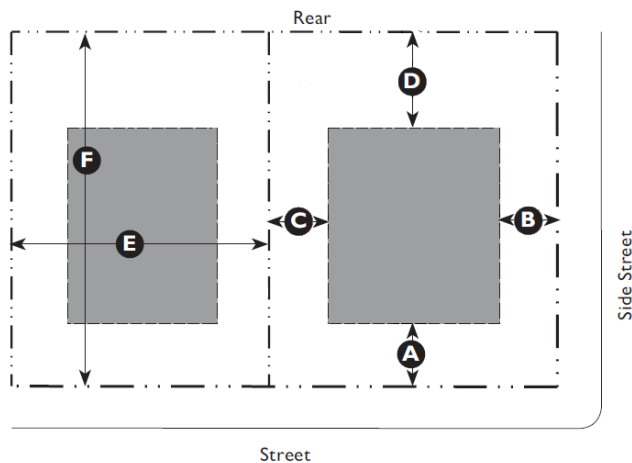


*General note: the illustrations above are intended to provide a brief overview of the transect zone and are descriptive in nature.*

**A. Purpose**

The Natural Preserve (DINP) Zone is intended to preserve areas that contain sensitive habitats, open space, and limited agricultural uses. This Zone typically does not contain buildings; however, single-family dwellings, small civic buildings or interpretive centers may be located within this zone if approved as a part of a conservation agreement.

**Division B.I: Transect Zones**  
**DI Natural Preserve**



**Key**

- ROW / Property Line
- Setback Line
- Building Area
- ▨ Facade Zone

<b>B. Building Placement</b>		
<b>Setback (Distance from ROW/Property Line)</b>		
Front	50' min.	<b>A</b>
Side Street	50' min.	<b>B</b>
Side:		
Side, Main Building	50' min.	<b>C</b>
Side, Ancillary Building	20' min.	
Rear	100' min.	<b>D</b>
<b>Lot Size (One Acre Minimum)</b>		
Width	150' min.	<b>E</b>
Depth	n/a	<b>F</b>
<b>Miscellaneous</b>		

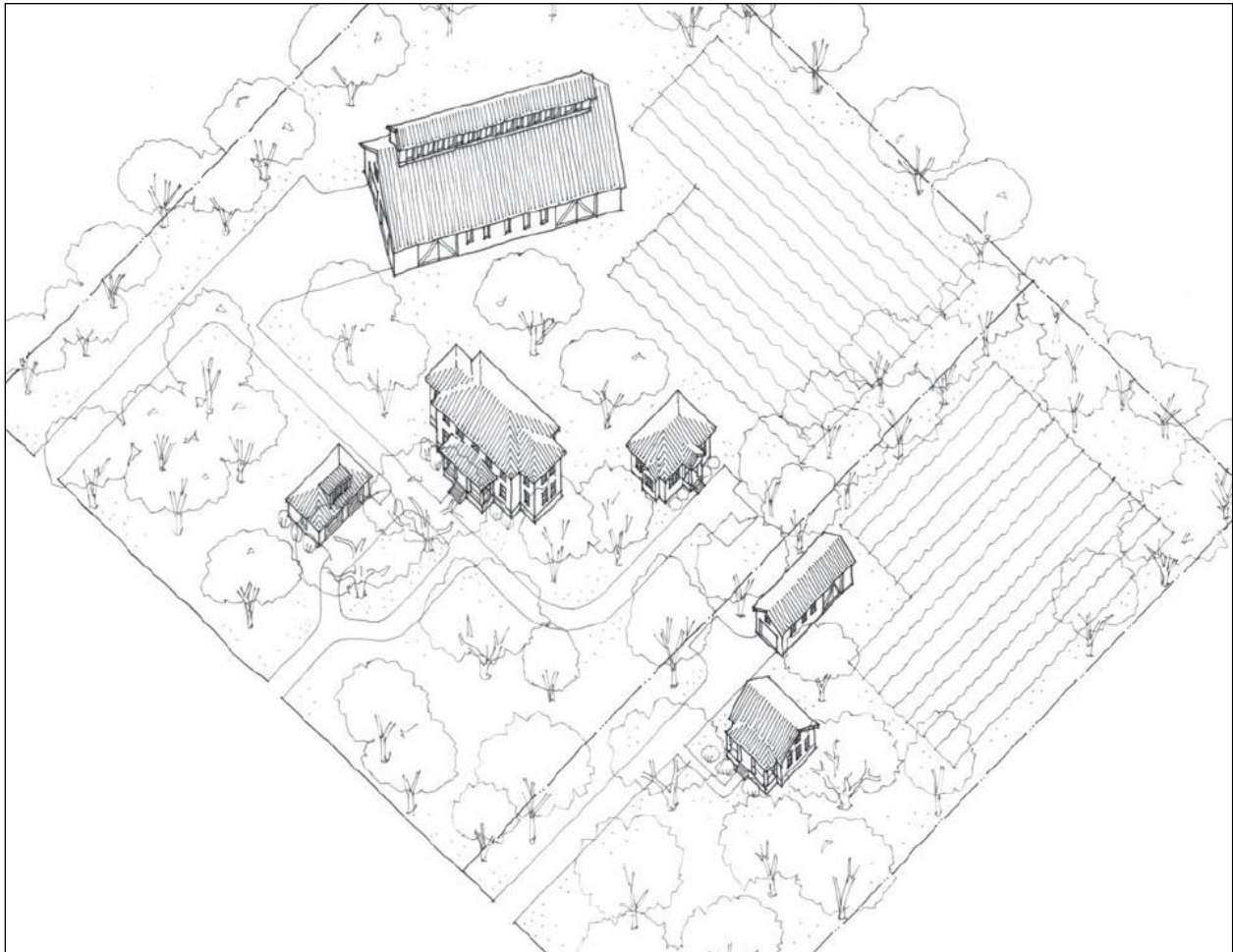
Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the façade of the front-most immediately adjacent property.

<b>C. Building Form</b>		
<b>Building Height</b>		
Main Building	35 feet / 2 stories max.	<b>G</b>
Ancillary Building	35 feet / 2 stories max.	
Ground Floor Finish Level <sup>1</sup>	No minimum	
<b>Footprint</b>		
Maximum Lot Coverage	n/a	
Lot coverage is the portion of a lot that is covered by any and all buildings including accessory buildings.		
<b>Notes</b>		
<sup>1</sup> Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes		
<b>D. Gross Density<sup>2</sup></b>		
Gross Density	0.1 d.u./acre	

<sup>1</sup>Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes

<sup>2</sup>Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)

**B.I.40 Transect 2: D2 Rural (T2R) Standards**



*General Note: The illustration above is intended to provide a brief overview of the transect zone and is descriptive in nature.*

**A. Purpose**

The zones within transect 2 are rural in character. This transect, and the zones included, implement the Comprehensive Plan goals of preserving the rural and historic character of Daufuskie Island.

The Rural (D2R) Zone is intended to preserve the rural character of Daufuskie Island. This Zone applies to areas that consist of sparsely settled lands in an open or cultivated state. It may include large lot residential, small commercial or restaurant uses, farms where animals are raised, or crops are grown, parks, woodland, grasslands, trails, and open space areas.

The D2R Rural Zone implements the Comprehensive Plan goals of preserving the rural and historic character of Daufuskie Island.

**B. Subzones**

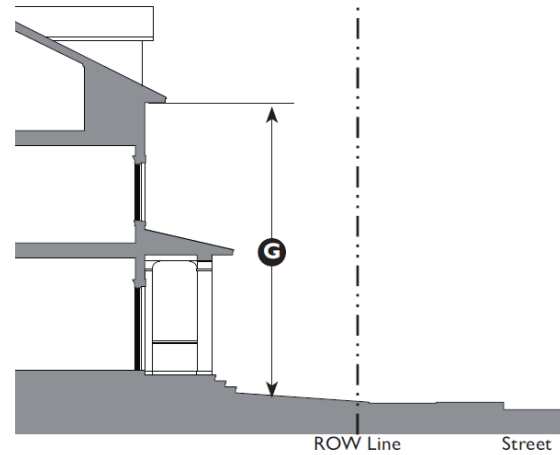
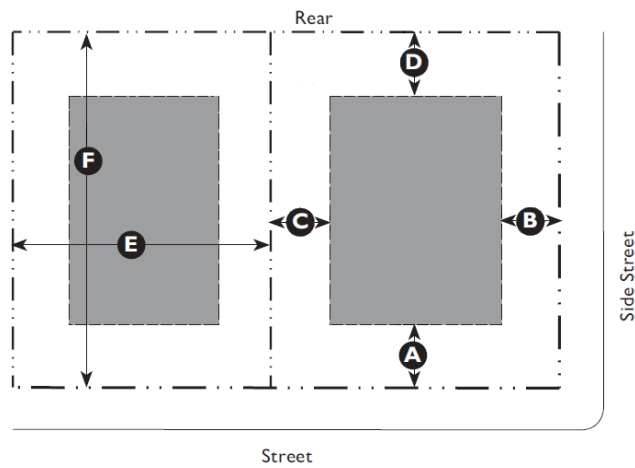
**D2R-CP (Rural-Conventionally Platted)**

The intent of the D2R-CP subzone is to provide a district that preserves the currently approved conventionally platted subdivisions within this area of Daufuskie Island. This subzone allows for smaller lots that have already been approved by Beaufort County, however no further subdivision or recombination of the existing lots is allowed without obtaining a special permit from Beaufort County.

**D2R-GH (Rural-Gullah Heritage)**

The intent of the D2R-GH subzone is to provide a district that preserves the Gullah heritage, while maintaining the rural character within this area of Daufuskie Island. This subzone preserves the Gullah heritage sites and ensures that new development is in character with the Gullah heritage.

**Division B.1: Transect Zones**  
**D2 Rural**



**Key**

- ROW / Property Line
- Setback Line
- Building Area
- ▨ Facade Zone

**C. Building Placement**

**Setback (Distance from ROW/Property Line)**

Front	50' min.	<b>A</b>
Side Street	50' min.	<b>B</b>
Side		
Side, Main Building	20' min.	<b>C</b>
Side, Ancillary Building	20' min.	
Rear	50' min.	<b>D</b>

**Lot Size (One Acre Minimum)**

Width	100' min.	<b>E</b>
Depth	n/a	<b>F</b>

**Miscellaneous**

Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the facade of the front-most immediately adjacent property.

**D. Building Form**

**Architectural Guidelines**

Although not required, the preferred architectural style in Transect 2 is Lowcountry Vernacular as illustrated in 5.3.40.B of the Beaufort County Community Development Code. Also allowed in Transect 2 is a style referred to as Everyday Island. The Everyday Island style of architecture includes a large group of structures and construction techniques for those not wanting the traditional local vernacular. This Everyday Island style also includes modular and prefab construction. These preferred building types and everyday island styles apply in all zones and subzones in Transect 2.

**D. Building Form (Continued)**

**Building Height**

Main Building	2 stories max.	<b>G</b>
Ancillary Building	2 stories max.	
Ground Floor Finish Level <sup>1</sup>	No minimum	
Footprint		
Maximum Lot Coverage <sup>2</sup>	n/a	

**Miscellaneous**

Loading docks, overhead doors, and other service entries may not be located on street-facing facades.

**Notes**

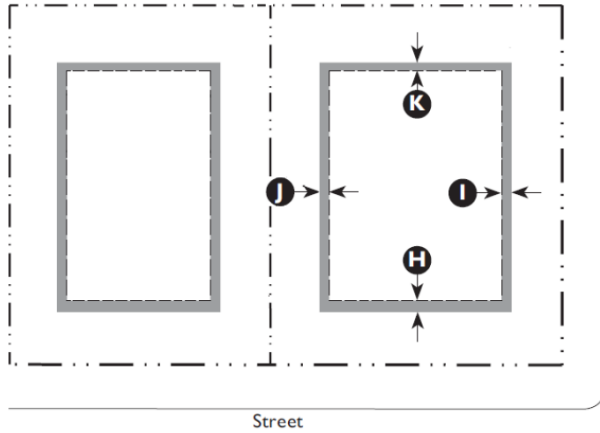
<sup>1</sup>Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.

<sup>2</sup>Lot coverage is the portion of a lot that is covered by any and all buildings including accessory buildings.

**E. Gross Density<sup>3</sup>**

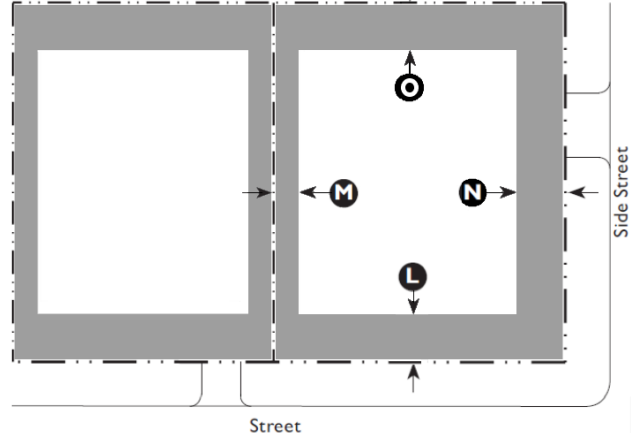
Gross Density	1.0 d.u. per acre
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<sup>3</sup>Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)



**Key**

- ROW / Property Line
- Setback Line
- Encroachment Area



**Key**

- ROW / Property Line
- Setback Line
- Allowed Parking Area

**F. Encroachments and Frontage Types**

**Encroachments**

Front	5' max.	H
Side Street	5' max.	I
Side	5' max.	J
Rear	5' max.	K

Encroachments are not allowed within a Street ROW/  
Alley ROW, or across a property line.

**G. Buffers**

In both D2R and D2R-HC a buffer of natural vegetation and trees shall be retained when developed. If the buffer area has been cleared prior to development, or does not exist, a buffer consisting of natural vegetation and trees shall be installed. Minimum buffer requirements are:

**Width of Buffer**

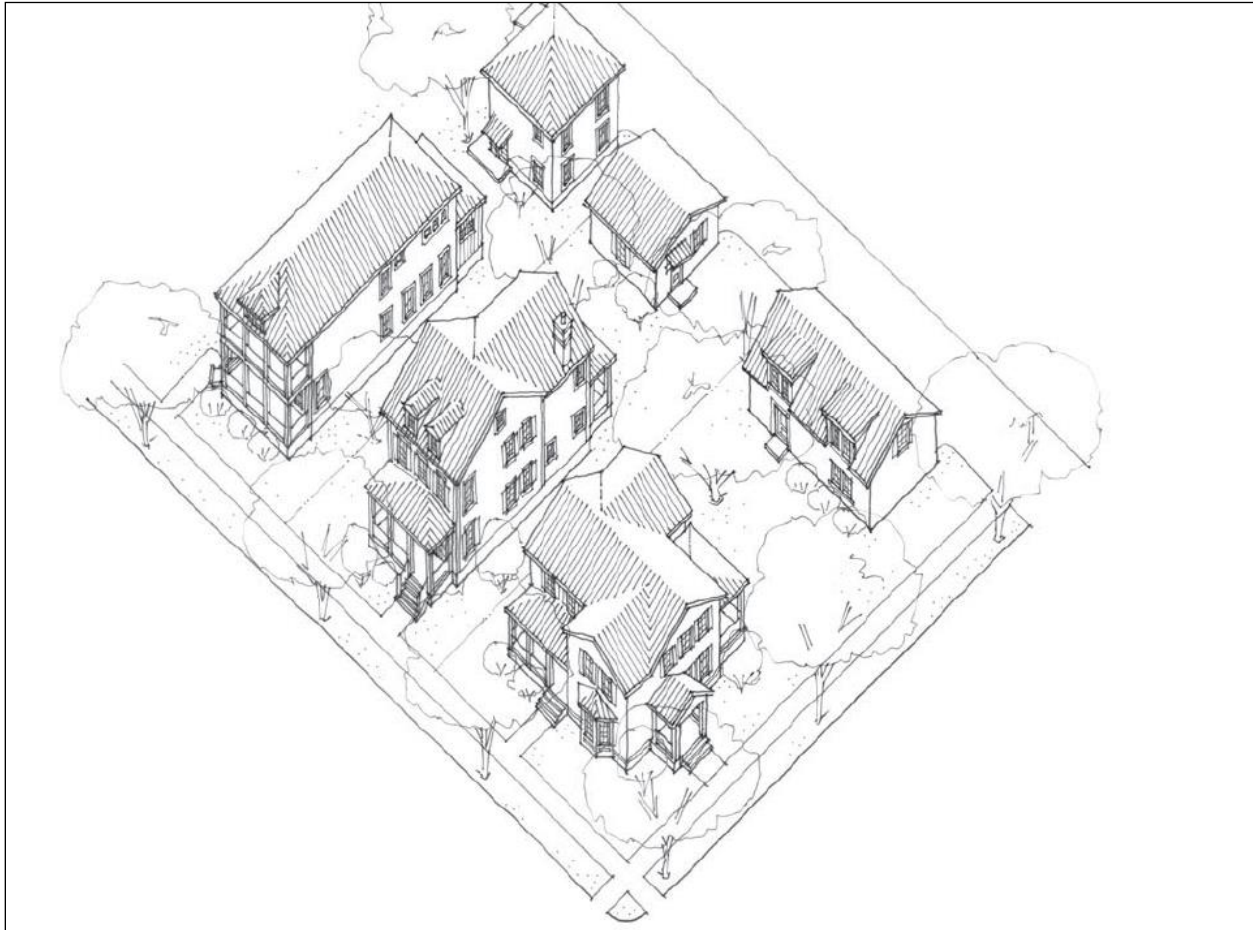
Front	20' min.	L
Side Street	20' min.	M
Side	10' min.	N
Rear	20' min.	O

**Miscellaneous**

All development in both D2R and D2R-HC abutting any street or road open and used by the public shall be subject to the requirements of the thoroughfare buffer for 2 or 3 lanes as described in Division 5.8.50 of the Beaufort County Community Development Code. These buffers do not apply to the CP and GH sub-districts, however if a property is located in one of these sub-districts and lies within the Heritage Corridor Overlay District, the buffers in the Overlay District shall apply.

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**B.I.50 Transect 3: D3 General Neighborhood (D3GN) Standards**



General note: The illustration above is intended to provide a brief overview of the transect zone and is descriptive in nature.

**A. Purpose**

The (D3GN) Zone is intended to preserve the historic character and natural environment of Daufuskie Island. The (D3GN) Zone is intended to provide a walkable, predominantly single-family neighborhood that integrates compatible multi-family housing types, such as duplexes and cottage courts within walking distance to village centers and commercial areas.

The D3GN Zone implements the Comprehensive Plan goals of preserving and building upon the walkable character of portions of Daufuskie Island.

**B. Allowed Building Types**

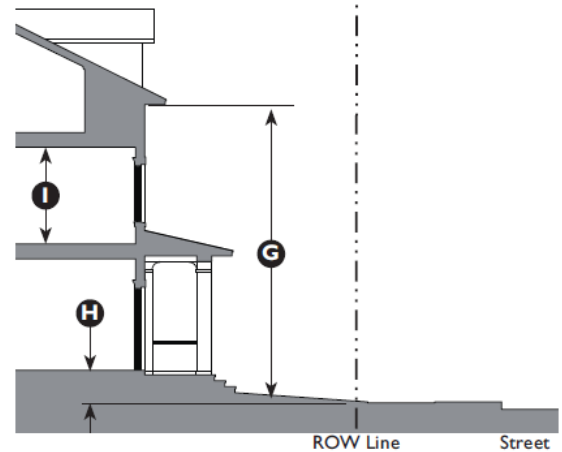
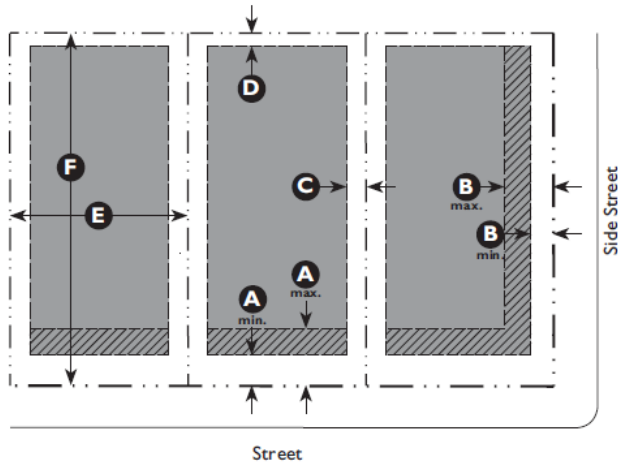
Building Type	Specific Regulations
Carriage House	5.1.40
Estate House	5.1.50
Village House	5.1.60

**Miscellaneous**

Existing manufactured homes that are being replaced with another manufactured home that does not exceed the size and/or setbacks of the existing unit are exempt from Building Type (Division 5.1) and Private Frontage (Division 5.2) Standards.



**Division D.I: Transect Zones**  
**D3 General Neighborhood**

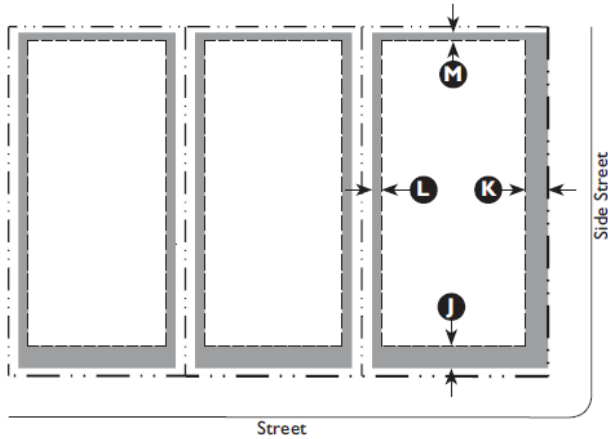


**Key**

- ROW / Property Line
- Setback Line
- Building Area
- ▨ Facade Zone

C. Building Placement		
Setback (Distance from ROW/Property Line)		
Front	15' min., 50' max.	(A)
Side Street	10' min., 50' max.	(B)
Side:		
Side, Main Building	7 ½' min.	(C)
Side, Ancillary Building	5' min.	
Rear		
Rear, Main Building	15' min.	(D)
Rear, Ancillary Building	5' min.	
Façade within Façade Zone:		
Front	75%	
Side Street	50%	
Lot Size (43,560 SF Maximum)		
Width	100' max.	(E)
Depth	200' max.	(F)
Miscellaneous		
Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the façade of the front-most immediately adjacent property.		
Maximum lot size does not apply to Recreation, Education, Safety, Public Assembly uses		

D. Building Form		
Building Height		
Main Building	2 stories max.	(G)
Ancillary Building	2 stories max.	
Ground Floor Finish Level <sup>1</sup>	18" min.	(H)
Upper Floor(s) Ceiling	8' min. clear	(I)
Footprint		
Maximum Lot Coverage <sup>2</sup>	30% of lot area	
Miscellaneous		
Loading docks, overhead doors, and other service entries may not be located on street-facing facades.		
Notes		
<sup>1</sup> Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.		
<sup>2</sup> Lot coverage is the portion of a lot that is covered by any and all buildings including accessory buildings.		
E. Gross Density <sup>1</sup>		
Gross Density	3.0 d.u. per acre	
<sup>1</sup> Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)		



**Key**

- ROW / Property Line
- Setback Line
- Encroachment Area

**F. Encroachments and Frontage Types**

**Encroachments**

Front	5' max.	J
Side Street	5' max.	K
Side	3' max.	L
Rear	5' max.	M

Encroachments are not allowed within a Street ROW/Alley ROW, buffers, or across a property line.

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

**Allowed Frontage Types**

Common Yard	Porch: Engaged
Porch: Projecting	Porch: Side Yard

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**B.I.60 Transect 4: D4 Mixed Use (D4MU) Standards**



General note: The illustration above is intended to provide a brief overview of the transect zone and is descriptive in nature.

**A. Purpose**

The Mixed Use (D4MU) Zone is intended to integrate vibrant residential, commercial and retail environments, providing access to day-to-day amenities within walking distance within the zone as well as to the village centers.

The Mixed Use Zone implements the Comprehensive Plan goals of creating areas of higher intensity residential and commercial uses for Daufuskie Island.

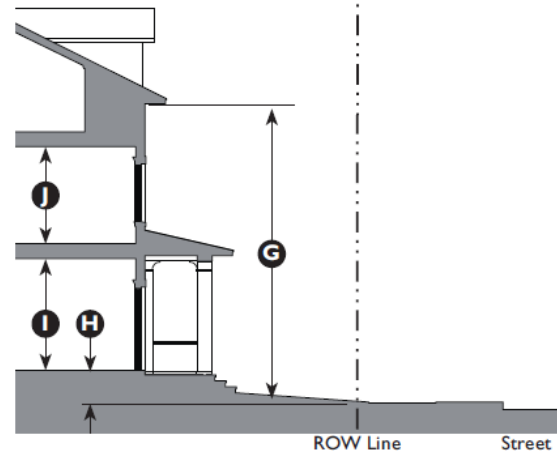
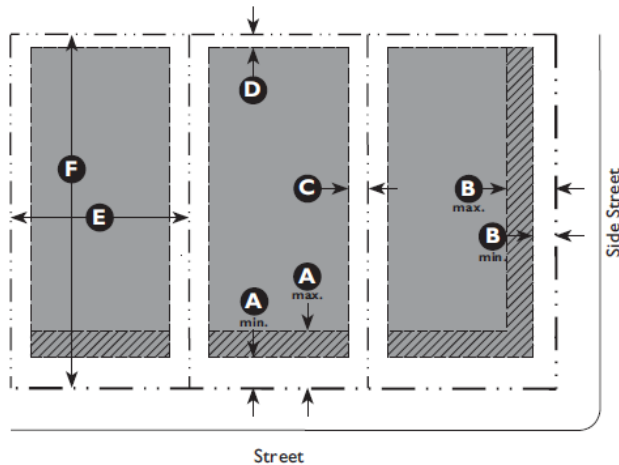
**B. Allowed Building Types**

Building Type	Specific Regulations
Carriage House	5.1.40
Village House	5.1.60
Small Lot House	5.1.70
Cottage Court	5.1.80
Duplex	5.1.90
Townhouse	5.1.100
Mansion Apartment	5.1.110
Apartment House	5.1.120
Industrial/Agricultural	5.1.140

**Miscellaneous**

Existing manufactured homes that are being replaced with another manufactured home that does not exceed the size and/or setbacks of the existing unit are exempt from Building Type (Division 5.1) and Private Frontage (Division 5.2) Standards.

**Division B.I: Transect Zones**  
**D4 Mixed Use**



**Key**

- ROW / Property Line
- Setback Line
- Building Area
- ▨ Facade Zone

<b>C. Building Placement</b>		
<b>Setback (Distance from ROW/Property Line)</b>		
Front	15' min., 30' max.	<b>A</b>
Side Street	10' min., 30' max.	<b>B</b>
Side:		
Side, Main Building	7 ½' min.	<b>C</b>
Side, Ancillary Building	5' min.	
Rear:		
Rear, Main Building	15' min.	<b>D</b>
Rear, Ancillary Building	5' min.	
<b>Lot Size (20,000 SF Maximum)</b>		
Width	100 ft. max.	<b>E</b>
Depth	200 ft. max.	<b>F</b>

**Miscellaneous**

Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the façade of the front-most immediately adjacent property.

Maximum lot size does not apply to Recreation, Education, Safety, Public Assembly uses, and buildings with a footprint Exceeding 10,000 square feet.

<b>D. Building Form</b>		
<b>Building Height</b>		
Main Building	2 stories max.	<b>G</b>
Ancillary Building	2 stories max.	
Ground Floor Finish Level: <sup>1</sup>	18" min.	<b>H</b>
Ground Floor Ceiling:	10' min.	<b>I</b>
Upper Floor(s) Ceiling	8' min.	<b>J</b>
Ground Floor lobbies and Common areas in multi-unit buildings may have a 0" to 6" ground floor finish level.		

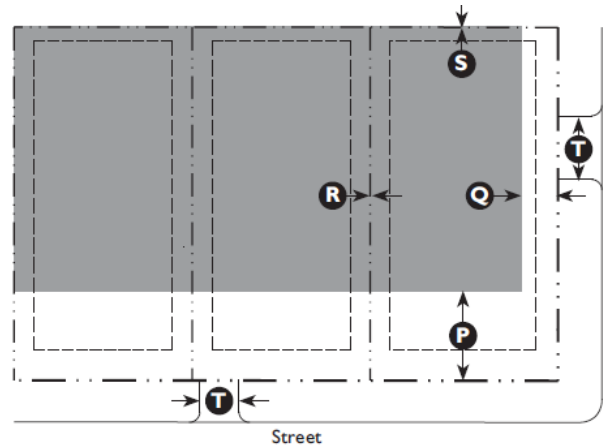
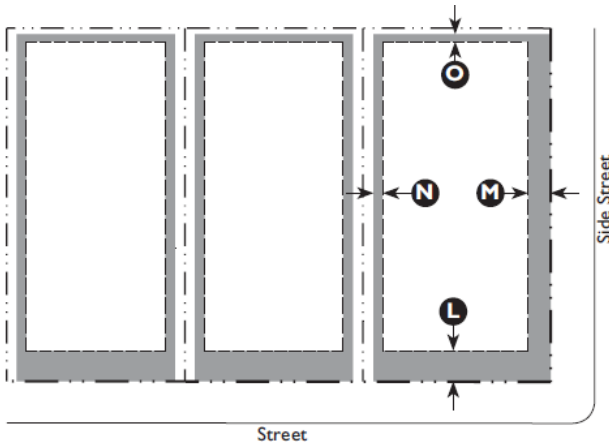
<b>Footprint</b>	
Maximum Lot Coverage <sup>2</sup>	30% of lot area

**Notes**

<sup>1</sup>Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.

<sup>2</sup>Lot coverage is the portion of a lot that is covered by any And all buildings, including accessory buildings.

<b>E. Gross Density<sup>1</sup></b>	
Base site area less than 5 ac.	8.0 d.u. per acre
Base site area greater than 5 ac.	4.0 d.u. per acre
<sup>1</sup> Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)	



**Key**

- ROW / Property Line
- Setback Line
- Encroachment Area

**Key**

- ROW / Property Line
- Setback Line
- Allowed Parking Area

**F. Encroachments and Frontage Types**

Encroachments		
Front	12' max.	L
Side Street	12' max.	M
Side	3' max.	N
Rear	5' max.	O

Encroachments are not allowed within a street ROW, property line, or across a curb.

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

**Allowed Frontage Types**

Common Yard	Forecourt
Porch: Projecting	Dooryard
Porch: Engaged	Porch: Side Yard
Stoop	

**G. Parking**

Location (Setback from Property Line)		
Front	5' behind front façade of main building	P
Side Street	5' behind front façade of main building	Q
Side	0' min.	R
Rear	5' min.	S

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**B.I.70 Transect 5: Village Center (D5VC) Standards**



General note: The illustration above is intended to provide a brief overview of the transect zone and is descriptive in nature.

**A. Purpose**

The zones within transect 5 are the most urban in character. This transect, and the zones included, implement the Comprehensive Plan goals of preserving the character of Daufuskie Island while providing for the commercial needs of the island.

The Village Center (D5VC) Zone is intended to integrate vibrant main-street commercial and retail environments, providing access to day-to-day amenities within walking distance, creating potential for water ferry embarkation points, and serving as a focal point for Daufuskie Island.

The Village Center Zone implements the Comprehensive Plan goals of creating areas of higher intensity residential and commercial uses for Daufuskie Island.

**B. Allowed Building Types**

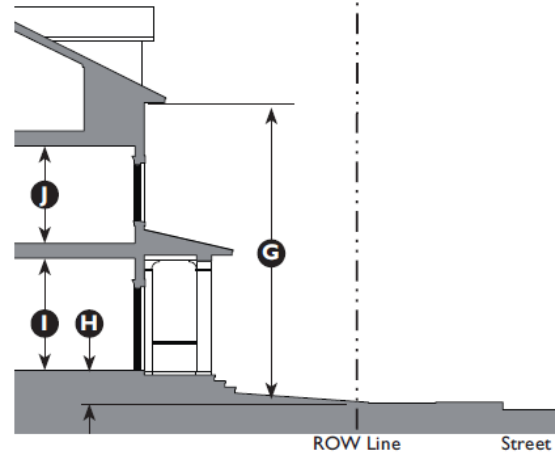
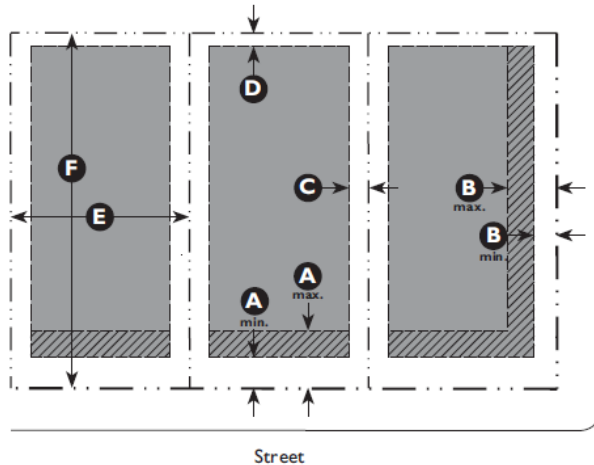
Building Type	Specific Regulations
Carriage House	5.1.40
Small Lot House	5.1.70
Cottage Court	5.1.80
Duplex	5.1.90
Townhouse	5.1.100
Mansion Apartment	5.1.110
Apartment House	5.1.120
Main Street Mixed Use	5.1.130
Industrial/Agricultural	5.1.140

**Miscellaneous**

Existing manufactured homes that are being replaced with another manufactured home that does not exceed the size and/or setbacks of the existing unit are exempt from Building Type (Division 5.1) and Private Frontage (Division 5.2) Standards.



**Division D.1: Transect Zones**  
**D5 Village Center**



**Key**

- ROW / Property Line
- Setback Line
- Building Area
- ▨ Facade Zone

**C. Building Placement**

**Setback (Distance from ROW/Property Line)**

Front	5' min., 20' max.	<b>A</b>
Side Street	5' min., 20' max	<b>B</b>
Side:		<b>C</b>
Main Building	7 1/2' min.	
Ancillary Building	5' min.	
Rear		<b>D</b>
Main Building	15' min.	
Ancillary Building	5' min.	

**Lot Size (20,000 SF Maximum)**

Width	100' max.	<b>E</b>
Depth	200' max.	<b>F</b>

**Miscellaneous**

Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the facade of the front-most immediately adjacent property.

Maximum lot size does not apply to Recreation, Education, Safety, Public Assembly uses, and buildings with a footprint exceeding 20,000 square feet.

**D. Building Form**

**Building Height**

Main Building	2 1/2 stories max.	<b>G</b>
Ancillary Building	2 stories max.	
Ground Floor Finish Level: <sup>1</sup>		<b>H</b>
Residential	18" min.	
Commercial	6" max.	
Ground Floor Ceiling:	10' min.	<b>I</b>
Upper Floor(s) Ceiling	8' min.	<b>J</b>

Ground floor lobbies and common areas in multi-unit buildings may have a 0" to 6" ground floor finish level.

**Footprint**

Maximum Lot Coverage <sup>2</sup>	30% of lot area
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**Miscellaneous**

Loading docks, overhead doors, and other service entries may not be located on street-facing facades.

**Notes**

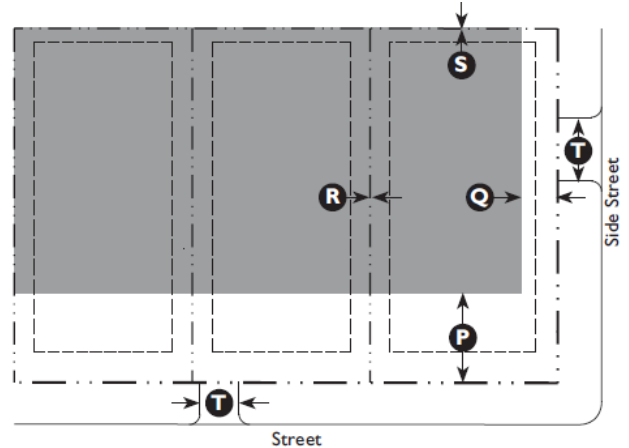
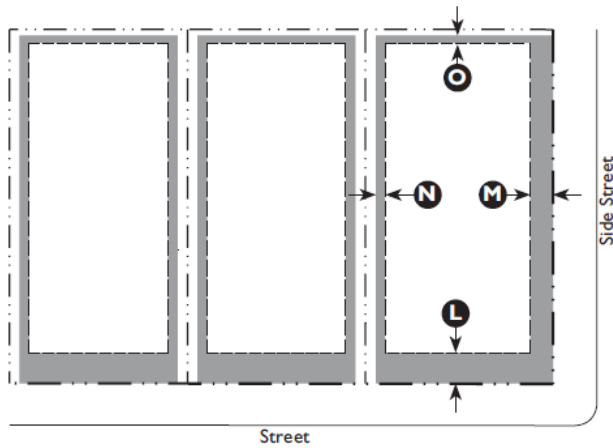
<sup>1</sup>Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.

<sup>2</sup>Lot coverage is the portion of a lot that is covered by any and all buildings, including accessory buildings.

**E. Gross Density**

Gross Density <sup>1</sup>	8.0 d.u. per acre
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<sup>1</sup>Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)



**Key**  
 ---- ROW / Property Line    ■ Encroachment Area  
 --- Setback Line

**Key**  
 ---- ROW / Property Line    ■ Allowed Parking Area  
 --- Setback Line

**F. Encroachments and Frontage Types**

Encroachments		
Front	12' max.	L
Side Street	12' max.	M
Side	3' max.	N
Rear	5' max.	O

Encroachments are not allowed within a street ROW, Alley ROW, or across a property line.

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Awnings, Galleries and Arcades may encroach further into the street ROW to within 2' of the face of curb. Eaves may encroach up to 3' into the street ROW. All other encroachments are not allowed within street ROW.

**Allowed Frontage Types**

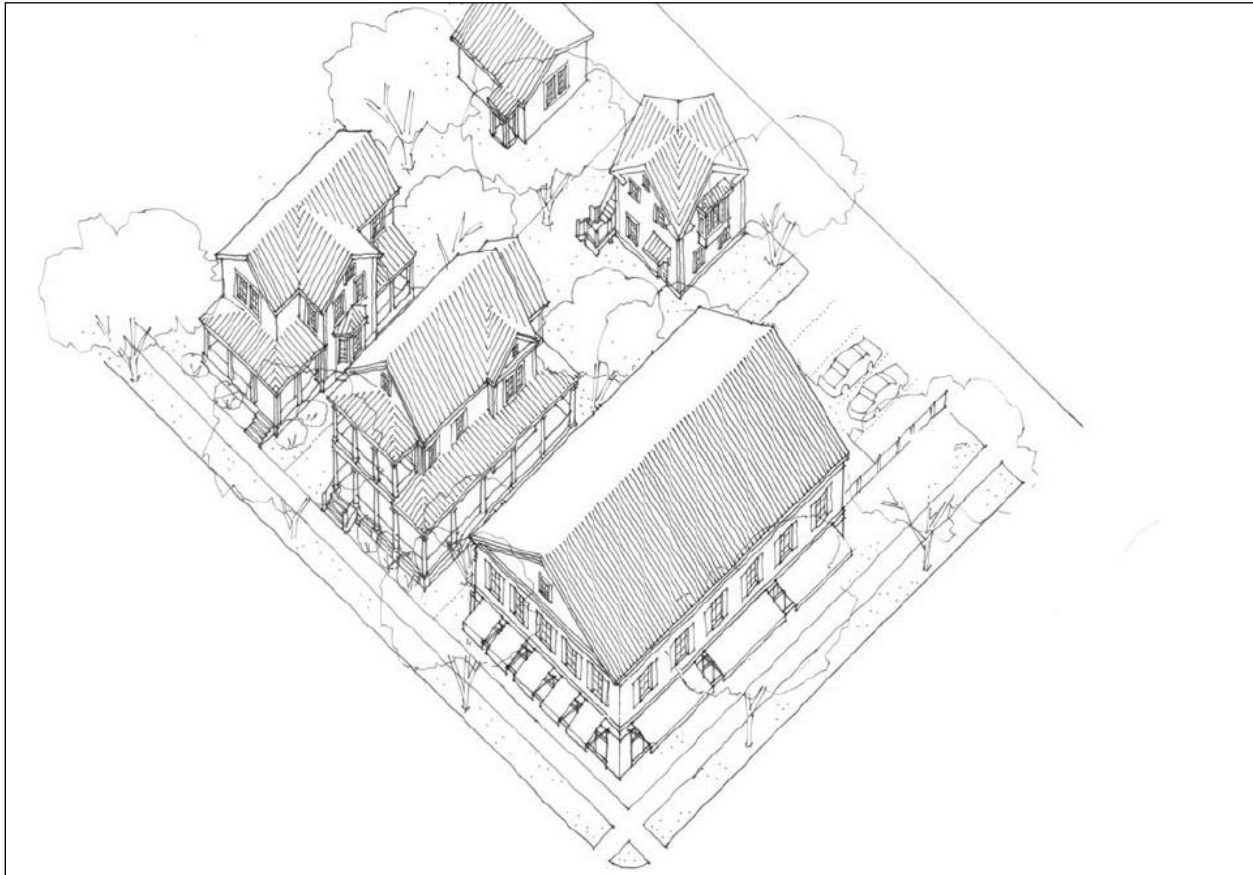
Porch: Projecting	Dooryard
Porch: Engaged	Porch: Side Yard
Stoop	Shopfront
Forecourt	Terrace

**G. Parking**

Location (Setback from Property Line)		
Front	40' min.	P
Side Street	15' min.	Q
Side	0' min.	R
Rear	5' min.	S

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**B.I.80 Transect 5: Gateway Corridor (D5GC) Standards**



General note: The illustration above is intended to provide a brief overview of the transect zone and is descriptive in nature.

**A. Purpose**

The zones within transect 5 are the most urban in character. This transect, and the zones included, implement the Comprehensive Plan goals of preserving the character of Daufuskie Island while providing for the commercial needs of the island.

The Gateway Corridor (D5GC) Zone is intended to extend the concept of a vibrant main-street commercial and retail environments from the Village Center to public places in the Gateway Corridor, providing access to day-to-day amenities within walking distance, creating, and serving as a focal point for public space for Daufuskie Island.

The Gateway Corridor Zone implements the Comprehensive Plan goals of creating areas of higher intensity residential and commercial uses for Daufuskie Island and provide for public and civic uses.

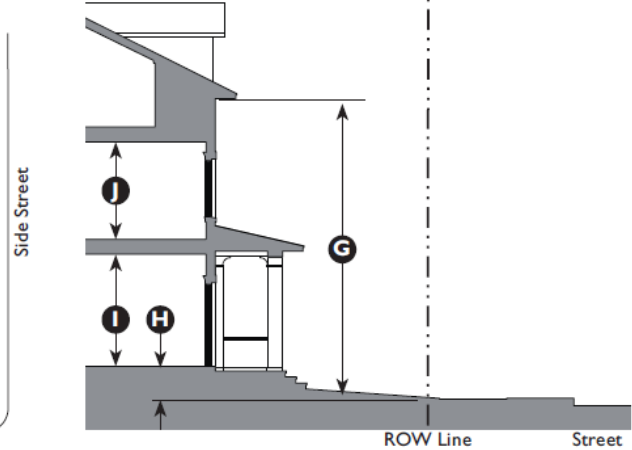
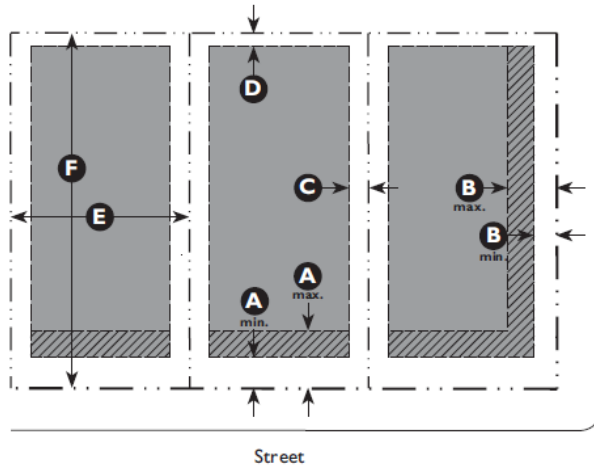
**B. Allowed Building Types**

Building Type	Specific Regulations
Carriage House	5.1.140
Small Lot House	5.1.170
Cottage Court	5.1.180
Duplex	5.1.190
Townhouse	5.1.100
Mansion Apartment	5.1.110
Apartment House	5.1.120
Main Street Mixed Use	5.1.130
Industrial/Agricultural	5.1.140

**Miscellaneous**

Existing manufactured homes that are being replaced with another manufactured home that does not exceed the size and/or setbacks of the existing unit are exempt from Building Type (Division 5.1) and Private Frontage (Division 5.2) Standards.

**Division D.I: Transect Zones**  
**D5 Gateway Corridor**



**Key**

- ROW / Property Line
- Setback Line
- Building Area
- ▨ Facade Zone

**C. Building Placement**

**Setback (Distance from ROW/Property Line)**

Front	15' min., 30' max.	<b>A</b>
Side Street	10' min., 30' max	<b>B</b>
Side:		<b>C</b>
Main Building	7 1/2' min.	
Ancillary Building	5' min.	
Rear		<b>D</b>
Main Building	15' min.	
Ancillary Building	5' min.	

**Lot Size (20,000 SF Maximum)**

Width	100' max.	<b>E</b>
Depth	200' max.	<b>F</b>

**Miscellaneous**

Where existing adjacent buildings are in front of the regulated BTL or front setback, the building may be set to align with the facade of the front-most immediately adjacent property.

Maximum lot size does not apply to Recreation, Education, Safety, Public Assembly uses, and buildings with a footprint exceeding 20,000 square feet.

**D. Building Form**

**Building Height**

Main Building	2 stories max.	<b>G</b>
Ancillary Building	2 stories max.	
Ground Floor Finish Level: <sup>1</sup>		<b>H</b>
Residential	18" min.	
Commercial	6" max.	
Ground Floor Ceiling:	10' min.	<b>I</b>
Upper Floor(s) Ceiling	8' min.	<b>J</b>

Ground floor lobbies and common areas in multi-unit buildings may have a 0" to 6" ground floor finish level.

**Footprint**

Maximum Lot Coverage <sup>2</sup>	30% of lot area
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**Miscellaneous**

Loading docks, overhead doors, and other service entries may not be located on street-facing facades.

**Notes**

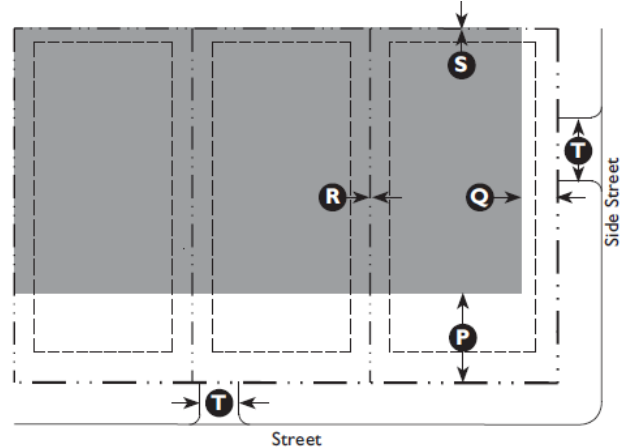
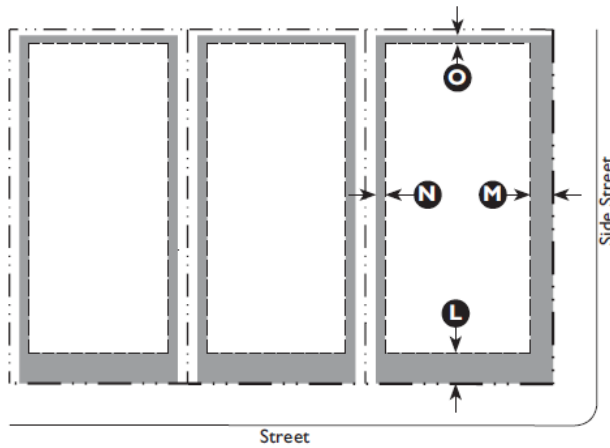
<sup>1</sup>Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with Beaufort County Building Codes.

<sup>2</sup>Lot coverage is the portion of a lot that is covered by any and all buildings, including accessory buildings.

**E. Gross Density**

Gross Density <sup>1</sup>	4.0 d.u. per acre
----------------------------	-------------------

<sup>1</sup>Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)



**Key**  
 ---- ROW / Property Line    ■ Encroachment Area  
 --- Setback Line

**Key**  
 ---- ROW / Property Line    ■ Allowed Parking Area  
 --- Setback Line

**F. Encroachments and Frontage Types**

Encroachments		
Front	12' max.	L
Side Street	12' max.	M
Side	3' max.	N
Rear	5' max.	O

Encroachments are not allowed within a street ROW, Alley ROW, or across a property line.

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Awnings, Galleries and Arcades may encroach further into the street ROW to within 2' of the face of curb. Eaves may encroach up to 3' into the street ROW. All other encroachments are not allowed within street ROW.

**Allowed Frontage Types**

Porch: Projecting	Dooryard
Porch: Engaged	Porch: Side Yard
Stoop	Shopfront
Forecourt	Terrace

**G. Parking**

Location (Setback from Property Line)		
Front	40' min.	P
Side Street	15' min.	Q
Side	0' min.	R
Rear	5' min.	S

## **Division B.2: Overlay Zones**

### **Sections:**

- B.2.10 Purpose
- B.2.20 Applicability
- B.1.30 Heritage Corridor Overlay (HCO) Standards

#### **B.1.10 Purpose**

This Division provides regulatory standards governing land use and building form within special overlay zones. These zones are typically applied to certain areas of the County on Daufuskie Island where extreme physical or cultural constraints need increased planning guidelines and consideration.

#### **B.1.20 Applicability**

The requirements of this Division shall apply to all proposed development within the overlay zones and shall be considered in combination with the standards for specific uses in Article 4 (Specific to Use), if applicable, and the development standards in Article 5 (Supplemental to Zones) of the Beaufort County Community Development Code. If there is a conflict between any standards, the provisions of Article 4 (Specific to Use) control over Article 3 (Specific to Zones) and Article 5 (Supplemental to Zones).

#### **B.1.30 Heritage Corridor Overlay (HCO) Standards**

- A. Purpose.** The Heritage Corridor Overlay (HCO) zone is established to provide for the long-term protection of the culturally significant resources found on Daufuskie Island. The zone acknowledges Daufuskie Island's historic cultural landscape and its importance to Daufuskie Island and Beaufort County's most notable concentration of Gullah culture.
- B. District Boundaries.** The boundaries of the HCO zone on Daufuskie Island are depicted on the Beaufort County Official Zoning Map. The Overlay District extends 200 feet from the centerline of each street that is identified on the Zoning Map, and any parcel that abuts the defined boundary shall be considered to be included within the overlay corridor and its standards. Where the zone applies, the permitted uses shall be limited to the base zoning in D2R, except where additional limitations are established within the overlay zone.
- C. Site Design and Architecture.** Design features that impact other culturally significant locations, and franchise design are prohibited. All development within 200 feet of the streets of roads that define the district boundary in this zone shall be reviewed by the Beaufort County Design Review Board for both the site design and building style. Any development outside of this 200-foot standard shall not require review by the Design Review Board. All design and buildings shall meet the requirements of Lowcountry Vernacular design architectural style as set forth in Division 5.3 of the Beaufort County Community Development Code.
- D. Use Limitations.** The following specific uses are deemed to be incompatible with the DI-HC-O zone; and therefore, are prohibited:

1. **Restricted Access (Gated Communities).** An intentionally designed, secured bounded area with designated and landscaped perimeters, usually walled or fenced, that are designed to prevent access by non-residents.
  2. **Resorts.** This use includes lodging that serves as a destination point for visitors and designed with some combination of recreation uses or natural areas. Typical types of activities and facilities include marinas, beaches, pools, tennis, golf, equestrian, restaurants, shops, and the like. This restriction does not apply to ecotourism or its associated lodging.
  3. **Golf Courses.** This use includes regulation and par three golf courses having nine or more holes.
- E. **Buffers.** A buffer of natural vegetation and trees shall be retained when developed. If the buffer area has been cleared prior to development, or does not exist, a buffer consisting of natural vegetation and trees shall be installed. Minimum buffer requirements are in Table B.1.30.E.

<b>Table B.1.30.E: Heritage Corridor Overlay District Buffer Requirements</b>	
<b>Buffer</b>	<b>Width</b>
Front	50 feet minimum
Side Street	20 feet minimum
Side	10 feet minimum
Rear	20 feet minimum

All development shall be subject to the requirements of the thoroughfare buffer for 2 or 3 lanes as described in Division 5.8.50 of the Beaufort County Community Development Code.



## Division B.3: Permitted Uses and Definitions

**Sections:**

- B.3.10 Purpose
- B.3.20 Consolidated Land Use Table and Land Use Definitions

### B.1.10 Purpose

This Division establishes the land uses allowed in all zones within the County on Daufuskie Island and defines each of the land uses.

### B.1.20 Consolidated Land Use Table and Land Use Definitions

The following table shown in B.3.20 defines the land uses that are allowed in each zone on Daufuskie Island. The uses are indicated as:

- **Permitted Use.** A use that is permitted by right in a zone.
- **Conditional Use.** A use that is permitted in a zone subject to the standards specified for that use being met, as determined by the Planning Commission.
- **Special Use.** A use that may be permitted within a zone upon approval of a special use permit by the Zoning Board of Appeals (ZBOA). See Section 7.2.130 (Special Use Permits).
- **Not Permitted Use.** A use that is not allowed or permitted in a zone.

The following table also B.3.20 defines the land use types for Daufuskie Island.

Table B.3.20. Consolidated Use Table

Land Use Type	D1	D2	D2	D2	D3	D4	D5	D5	Definition
	NP	R	CP	GH	GN	MU	VC	GC	
<b>AGRICULTURE</b>									
1. Agriculture & Crop Harvesting	P	P	--	P	P	--	--	--	A nursery, orchard, or farm, greater than 10,000 SF, primarily engaged in the growth and harvesting of fruits, nuts, vegetables, plants, or sod. The premises may include agricultural accessory structures, plant nurseries, and secondary retail or wholesale sales.
2. Agricultural Support Services	P	P	--	P	P	--	--	--	Nursery, orchard, forestry, or farm supply and support services including, but not limited to: equipment dealers, support uses for agricultural, harvesting, and/or animal production, seasonal packing sheds, etc.
3. Animal Production	--	C	--	C	C	--	--	--	The raising, breeding, feeding, and/or keeping of animals for the principal purpose of commercially producing products for human use or consumption, including, but not limited to: cattle, pigs, sheep, goats, fish (aquaculture), bees, rabbits, and poultry. This does not include "Factory Farming" operations.
4. Animal Production: Factory Farming	--	S	--	S	S	--	--	--	The raising, breeding, feeding, and/or keeping of livestock (typically cows, pigs, turkeys, or chickens) in confinement at high stocking density for the purpose of commercially producing meat, milk, or eggs for human consumption.
5. Seasonal Farmworker Housing/ Construction Worker Housing	--	S	--	S	S	S	S	S	Housing designated for temporary occupancy for workers during seasonal farming or construction activity.
6. Forestry	P	P	P	P	P	P	P	P	Perpetual management, harvesting, replanting, and enhancement of forest resources for ultimate sale or use of wood products, subject to S.C. Forestry Commission BMPs.
7. Commercial Stables	--	C	--	C	C	--	--	--	Stabling, training, feeding of horses, mules, donkeys, or ponies, or the provision of riding facilities for use other than by the resident of the property, including riding academies. Also includes any structure or place where such animals are kept for riding, driving, or stabling for compensation or incidental to the operation of any club, association, ranch or similar purpose.
<b>RESIDENTIAL</b>									
1. Dwelling: Single Family Detached Unit	--	P	P	P	P	P	P	P	A structure containing one dwelling unit on a single lot.
2. Dwelling: Single Family Attached Unit	--	--	--	--	--	P	P	P	A structure containing one dwelling unit on a single lot and connected along a property line to another dwelling unit on an adjoining lot by a common wall or other integral part of the principal building such as a breezeway or carport.
3. Dwelling: Two Family Unit (Duplex)	--	--	--	--	--	P	P	P	A structure containing two dwelling units on a single lot.
4. Dwelling: Multi-Family Unit	--	--	--	--	--	P	P	P	A structure containing three or more dwelling units on a single lot.
5. Dwelling: Accessory Unit	--	P	P	P	P	P	P	P	An auxiliary dwelling unit, no larger than 800 SF attached to a principal dwelling unit or located within an accessory structure on the same lot.
6. Dwelling: Family Compound	--	P	--	P	--	--	--	--	A form of traditional rural development which provides for the placement of additional single-family detached dwelling units on, and/or subdivisions of, a single parcel of land owned by the same family for at least 50 years.

**Division B.3: Permitted Used and Definitions**

**Table B.3.20. Consolidated Use Table (continued)**

Land Use Type	D1 NP	D2 R	D2 CP	D2 GH	D3 GN	D4 MU	D5 VC	D5 GC	Definition
<b>RESIDENTIAL (continued)</b>									
7. Dwelling: Cluster Compound	--	P	--	P	P	--	--	--	A form of development which provides for the placement of small, single family detached dwelling units on, and/or subdivisions of, a single parcel of land. Central facilities that provide services to the residents of the cluster compound may be included.
8. Dwelling: Group Home	--	P	P	P	P	P	P	P	Residential facility for nine or fewer mentally or physically handicapped persons providing care on a 24-hour basis and licensed by a state agency or department, or is under contract with a state agency or department, for that purpose.
9. Community Residence (dorms, convents, assisted living, temporary shelters)	--	S	--	S	S	S	S	S	<p>1. Dormitory: A building, or portion thereof, which contains living quarters for five or more students, staff, or members of a college, university, primary or secondary boarding school, theological school, or other comparable organization, provided that such building is either owned or managed by such organization, or is under contract with such organization for that purpose.</p> <p>2. Convent or Monastery. The living quarters or dwelling units for a religious order or for the congregation of persons under religious vows.</p> <p>3. Assisted Living Facility: A state-licensed facility for long-term residence exclusively by seniors and persons with disabilities who require assistance with daily activities, and which may include, without limitation, common dining, social and recreational features, special safety and convenience features designed for the needs of the elderly or disabled, such as emergency call systems, grab bars and handrails, special door hardware, cabinets, appliances, passageways, and doorways designed to accommodate wheelchairs, and the provision of social services for residents which must include at least two of the following: meal services, transportation, housekeeping, linen, and organized social activities. May include an accessory skilled nursing component.</p> <p>4. Group Home (more than 9 persons). A state-licensed residential facility for more than 9 mentally or physically handicapped persons providing care on a 24-hour basis.</p> <p>Temporary Shelter: A supervised publicly or privately operated shelter and services designed to provide temporary living accommodations to individuals or families who lack a fixed, regular and adequate residence. This does not include residential substance abuse facilities or halfway houses (see "Community Care Facility").</p>
10. Home Office	--	P	P	P	P	P	P	P	An office use carried out for gain by a resident and conducted entirely within the resident's home. This use permits the employment of one individual who does not live in the home.

Table B.3.20. Consolidated Use Table (continued)

Land Use Type	D1 NP	D2 R	D2 CP	D2 GH	D3 GN	D4 MU	D5 VC	D5 GC	Definition
<b>RESIDENTIAL (continued)</b>									
11. Home Business	--	P	P	P	P	P	P	P	An office or service use carried out for gain by a resident and conducted entirely within the resident's home and/or accessory structures. This use permits the employment of up to three individuals who do not reside on the premises.
12. Cottage Industry	--	P	S	P	S	--	S	S	Light industrial uses and boat, small engine (e.g. lawn mowers, but not vehicles), and farm equipment repair services carried out for gain by a resident and conducted on, or adjacent to, the property that contains the operator's residence. This use permits the employment of up to six individuals who do not reside on the premises.
13. Live/Work	--	P	C	P	C	P	P	P	An integrated housing unit and working space, occupied and utilized by a single household in a structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes: complete kitchen, living, and sleeping space and sanitary facilities in compliance with the Building Code, and working space reserved for and regularly used by one or more occupants of the unit. Workspace is limited to a maximum fifty percent (50%) of the structure and located on the first floor with living space located to the rear or above. Activities are limited to those uses permitted in the underlying Zone in which the Live/Work unit is located.
<b>RETAIL AND RESTAURANTS</b>									
1. General Retail 3,500 SF or less	--	P	--	P	P	P	P	P	Stores and shops that sell and/or rent goods and merchandise to the general public. This category does not include "Open Air Retail," "Vehicle Sales and Rental," or "Gas Stations/Fuel Sales."
2. General Retail 10,000 SF or less	--	S	--	--	--	--	P	P	
3. General Retail over 10,000 SF	--	--	--	--	--	--	S	S	
4. Bars, Taverns and Nightclubs	--	--	--	--	--	S	P	P	1. Bar, Tavern. A business where alcoholic beverages are sold for on-site consumption that is not part of a larger restaurant. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May also include beer brewing as part of a micro brewery ("brew-pub"), and other beverage tasting facilities. 2. Night Club. A facility serving alcoholic beverages for on-site consumption, and providing entertainment, examples of which include live music and/or dancing, comedy, etc. Does not include adult oriented businesses.
5. Gas Stations and Fuel Sales	--	--	--	--	--	P	P	P	An establishment where petroleum products are dispensed for retail sale. This use may include a retail convenience store and/or a single bay carwash. It does not include towing, vehicle body or engine repair (see "Vehicle Services"), or overnight vehicle storage.
6. Open Air Retail	--	P	--	P	P	P	P	P	A retail sales establishment operated substantially in the open air including, but not limited to: flea markets, monument sales, beach recreation rentals, and the like. Does not include "Vehicle Sales and Rental", agricultural equipment sales and rental (see "Agricultural Support Services"), plant nurseries (see "Agriculture and Crop Harvesting"), or roadside stands and farmers markets (see "Temporary Uses").

Table B.3.20. Consolidated Use Table (continued)

Land Use Type	D1	D2	D2	D2	D3	D4	D5	D5	Definition
	NP	R	CP	GH	GN	MU	VC	GC	
<b>RETAIL AND RESTAURANTS (continued)</b>									
7. Restaurant, Café, Coffee Shop: Less than 40 seats in structure	--	P	--	P	P	P	P	P	A retail business selling ready-to-eat food and/or beverages for on- or off-premise consumption. These include eating establishments where customers are served from a walk-up ordering counter for either on- or off-premise consumption ("counter service"); and establishments where customers are served food at their tables for on-premise consumption ("table service"), that may also provide food for take-out, but does not include drive-through services, which are separately defined and regulated. This use includes all mobile kitchens.
8. Restaurant, Café, Coffee Shop: 40 seats or more in structure	--	--	--	--	--	P	P	P	
9. Vehicle Sales and Rental - Light	--	--	--	--	--	S	P	P	
<b>OFFICES &amp; SERVICES</b>									
1. General Offices and Services 3,500 SF or less	--	C	--	C	C	P	P	P	<ol style="list-style-type: none"> <li>1. <u>Bank/Financial Services.</u> Financial institutions, including, but not limited to: banks, credit agencies, investment companies, security and commodity exchanges, ATM facilities.</li> <li>2. <u>Business Services.</u> Establishments providing direct services to consumers, including, but not limited to: employment agencies, insurance agent offices, real estate offices, travel agencies, landscaping and tree removal companies, exterminators, carpet cleaners, and contractors' offices without exterior storage.</li> <li>3. <u>Business Support Services.</u> Establishments providing services to other businesses, including, but not limited to: computer rental and repair, copying, quick printing, mailing and mailbox services.</li> <li>4. <u>Personal Services.</u> Establishments providing non-medical services to individuals, including, but not limited to: barber and beauty shops, dry cleaners, small appliance repair, laundromats, massage therapists, pet grooming with no boarding, shoe repair shops, tanning salons, funeral homes. These uses may include incidental retail sales related to the services they provide.</li> <li>5. <u>Professional and Administrative Services.</u> Office-type facilities occupied by businesses or agencies that provide professional or government services, or are engaged in the production of intellectual property.</li> </ol>
2. General Offices and Services 10,000 SF or less	--	--	--	--	--	P	P	P	
3. Animal Services: Clinic/Hospital	--	--	--	--	--	C	P	P	

Table B.3.20. Consolidated Use Table (continued)

Land Use Type	D1	D2	D2	D2	D3	D4	D5	D5	Definition
	NP	R	CP	GH	GN	MU	VC	GC	
<b>OFFICES &amp; SERVICES (continued)</b>									
4. Animal Services: Kennel	--	C	--	C	C	C	P	P	A commercial facility for the boarding, breeding, and/or maintaining of animals for a fee that are not owned by the operator. This use includes pet day care facilities, animal training facilities (except horses – see “Commercial Stables”), and may include grooming as an accessory use. This use includes the breeding of animals in outdoor structures, cages or pens for sale, but does not include animals for sale in pet shops (see “General Retail”).
5. Body Branding, Piercing, Tattooing	--	--	--	--	--	S	S	S	An establishment whose principal business is the one or more of the following: any invasive procedure in which a permanent mark is burned into or onto the skin using either temperature, mechanical or chemical means; creation of an opening in the body for the purpose of inserting jewelry or other decorations (not including ear piercing); and/or placing designs, letters, figures, symbols or other marks upon or under the skin of any person using ink or other permanent coloration.
6. Day Care: Family Home (up to 8 clients)	--	C	--	C	C	C	S	S	A state-licensed facility in a private home where an occupant of the residence provides non-medical care and supervision for up to 8 unrelated adults or children, typically for periods of less than 24 hours per day for any client.
7. Day Care: Commercial Center (9 or more clients)	--	--	--	--	--	C	S	S	A state-licensed facility that provides non-medical care and supervision for more than 8 adults or children, typically for periods of less than 24 hours per day for any client. Facilities include, but are not limited to: nursery schools, preschools, after-school care facilities, and daycare centers.
8. Lodging: Bed and Breakfast (5 rooms or less)	--	C	--	C	C	P	P	P	The use of a single residential structure for commercial lodging purposes, with up to 5 guest rooms used for the purpose of lodging transient guests and in which meals may be prepared for them, provided that no meals may be sold to persons other than such guests, and where the owner resides on the property as his/her principal place of residence.
9. Lodging: Inn (up to 24 rooms)	--	--	--	--	S	P	P	P	A building or group of buildings used as a commercial lodging establishment having up to 24 guest rooms providing lodging accommodations to the general public.
10. Lodging: Hotel (25 to 50 rooms)	--	--	--	--	--	S	P	P	A lodging establishment of 25 or more rooms in a building or group of buildings offering transient lodging accommodations on a daily rate to the general public.
11. Residential Storage Facility	--	--	--	--	--	S	S	S	A building or buildings consisting of individual, small, self-contained units that are leased or owned for the storage of household goods. Outdoor storage of boats, trailers, and vehicles may be provided as an accessory use.
12. Medical Service: Hospital	--	--	--	--	--	S	P	P	An institution licensed by the State, where people, including inpatients, receive medical, surgical or psychiatric treatment and nursing care.

Table B.3.20. Consolidated Use Table (continued)

Land Use Type	D1	D2	D2	D2	D3	D4	D5	D5	Definition
	NP	R	CP	GH	GN	MU	VC	GC	
<b>OFFICES &amp; SERVICES (continued)</b>									
13. Medical Service: Clinics/Offices	--	--	--	--	--	P	P	P	<p>1. <u>Clinic</u>. A facility other than a hospital where medical, mental health, surgical and other personal health services are provided on an outpatient basis. Examples of these uses include: Medical offices with five or more licensed practitioners and/or medical specialties, outpatient care facilities, urgent care facilities, other allied health services. These facilities may also include incidental medical laboratories and/or pharmacies. Counseling services by other than medical doctors or psychiatrists are included under "General Services - Professional/Administrative."</p> <p>2. <u>Medical Office</u>. A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis, and that accommodates no more than four licensed primary practitioners (for example, chiropractors, medical doctors, psychiatrists, etc., other than nursing staff) within an individual office suite. A facility with five or more licensed practitioners is classified under "Medical Services – Clinic." Counseling services by other than medical doctors or psychiatrists are included under "General Services – Professional / Administrative."</p>
14. Vehicle Services: Minor Maintenance and Repair	--	C	--	C	C	P	P	P	Incidental minor repairs to include replacement of parts and service to passenger cars and light trucks, but not including any operation defined as "Vehicle Services - Major Maintenance and Repair" or any other operation similar thereto. Examples include quick service oil, tune-ups, tires, brake and muffler shops. This use also includes car washes and detailing businesses as a principal use.
15. Vehicle Services; Major Maintenance and Repair	--	--	--	--	--	S	S	S	General repair, rebuilding or reconditioning of boats and/or motor vehicles; collision service including body or frame straightening or repair; vehicle paint shops; auto wrecker services.
<b>RECREATION, EDUCATION, SAFETY, PUBLIC ASSEMBLY</b>									
1. Community Oriented Cultural Facility (less than 5,000 SF)	--	C	--	C	C	P	P	P	Public or non-profit facilities that provide educational and cultural experiences for the general public, examples of which include: aquariums, arboretums, art galleries, botanical gardens, libraries, museums, planetariums, civic centers and theaters predominantly used for live performances, and zoos. May also include accessory retail uses such as a gift/book shop, restaurant, etc.
2. Community Oriented Cultural Facility (5,000 SF or greater)	--	C	--	C	C	C	P	P	Public or non-profit facilities that provide educational and cultural experiences for the general public, examples of which include: aquariums, arboretums, art galleries, botanical gardens, libraries, museums, planetariums, civic centers and theaters predominantly used for live performances, and zoos. May also include accessory retail uses such as a gift/book shop, restaurant, etc.
3. Community Public Safety Facility	--	P	P	P	P	P	P	P	A public safety facility operated by a public agency including fire stations, other fire preventive and fire fighting facilities, police and sheriff substations and headquarters, including interim holding facilities. May include ambulance dispatch on the same site. Does not include "Detention Facilities."

Table B.3.20. Consolidated Use Table (continued)

Land Use Type	D1	D2	D2	D2	D3	D4	D5	D5	Definition
	NP	R	CP	GH	GN	MU	VC	GC	
<b>RECREATION, EDUCATION, SAFETY, PUBLIC ASSEMBLY (continued)</b>									
4. Institutional Care Facility	--	--	--	--	S	S	S	S	Facilities licensed by the State that provide living, sleeping, and sanitation accommodations in coordination with the provision of social, rehabilitative and/or medical services in a protective living environment for persons residing voluntarily, by court placement, or under protective control of the federal, state or county government; including, but not limited to, post-correctional facilities, residential substance abuse treatment facilities, residential treatment facilities for the mentally ill, skilled nursing homes not part of an assisted living or continuing care facility (see "Community Residence").
5. Detention Facility	--	--	--	--	S	S	S	S	A facility operated by a public agency, or is under contract with a public agency, that houses persons convicted of, or being held for, a crime. Such facilities include: prisons, detention facilities, work-release facilities, work camps, etc.
6. Meeting Facility/Place of Worship (less than 15,000 SF)	--	P	--	P	P	P	P	P	A facility for public or private meetings, including: community centers, places of worship (e.g., churches, mosques, synagogues, etc.), meeting halls for clubs and other membership organizations, etc. This use includes all cemeteries.
7. Meeting Facility/Place of Worship (15,000 SF or greater)	--	C	--	C	C	P	P	P	
8. Park, Playground, Outdoor Recreation Areas	S	P	P	P	P	P	P	P	An outdoor recreation facility that may provide a variety of recreational opportunities including playground equipment, playing fields, outdoor tennis and basketball courts, outdoor swimming pools, boat ramps and fishing piers; and areas for passive recreation such as hiking trails, picnic areas and bird blinds.
9. Recreation Facility: Community Based	--	P	--	P	P	P	P	P	A community recreation center that may include one or more of the following: gymnasium; indoor swimming pool; indoor tennis, racquetball, and/or handball courts, and other indoor sports activities. This use includes all not-for-profit organizations chartered to provide community-based recreation services. Does not include commercial health/fitness facilities, which are included under "General Offices and Services."
10. Recreation Facility: Commercial Indoor	--	--	--	--	S	P	P	P	An establishment providing indoor amusement and entertainment services, often for a fee or admission charge, including, but not limited to : bowling alleys, coin-operated amusement arcades, movie theaters, electronic game arcades (video games, pinball, etc.), indoor ice skating and roller skating rinks, pool and billiard rooms as primary uses. Does not include adult-oriented businesses. May include bars and restaurants as accessory uses. Any establishment with four or more electronic games or amusement devices (e.g., pool or billiard tables, pinball machines, etc.) or a premise where 50 percent or more of the floor area is occupied by electronic games or amusement devices is considered an indoor recreation facility; three or fewer machines or devices are not considered a use separate from the primary use of the site.



Table B.3.20. Consolidated Use Table (continued)

Land Use Type	D1 NP	D2 R	D2 CP	D2 GH	D3 GN	D4 MU	D5 VC	D5 GC	Definition
<b>RECREATION, EDUCATION, SAFETY, PUBLIC ASSEMBLY (continued)</b>									
11. Recreation Facility: Commercial Outdoor	--	--	--	--	S	P	P	P	A facility for outdoor recreational activities where a fee is often charged for use. Examples include, but are not limited to, amusement and theme parks; go-cart tracks; golf driving ranges; miniature golf courses; marinas; watercraft rentals; and water parks. May also include commercial facilities customarily associated with the above outdoor commercial recreational uses, including bars and restaurants, video game arcades, etc. Marinas may include marine-related retail (bait and tackle, boat supplies), fuel sales, minor boat repair, and boat storage. This use does not include golf courses or campgrounds.
12. Recreation Facility: Campground	--	S	--	S	S	S	S	S	Form of lodging where guests bring tents, travel trailers, campers, or other similar forms of shelter to experience natural environments. Campgrounds rent two (2) or more pads or spaces to guests. May also include accessory uses such as a camp store, shower/bathroom facilities, and recreational facilities.
13. Ecotourism	S	C	--	C	P	P	P	P	Organized, educational and mainly outdoor recreation with or without lodging that invites participants to learn about and promote ecological preservation, conservation, and sustainability. This use shall include at least two of the following characteristics: 1. Located near or within a wilderness setting, park, or protected area; 2. Interpretive educational program with or without guides; 3. Outdoor activities; or Cultural experiences.
14. School: Public or Private	--	C	--	C	S	P	P	P	A public or private academic educational institution, including elementary (kindergarten through 6th grade), middle and junior high schools (7th and 8th grades), secondary and high schools (9th through 12th grades), and facilities that provide any combination of those levels. May also include any of these schools that also provide room and board.
15. School: Specialized Training/ Studios	--	S	--	S	S	P	P	P	Small-scale facilities that provide individual and group instruction, education and/or training, including tutoring and vocational training in limited subjects, including, but not limited to: the arts, dance, photography, martial arts training, gymnastics instruction, production studios for individual musicians, painters, sculptors, photographers, and other artists, business and vocational schools, and driver education schools.
16. School: College or University	--	--	--	--	S	S	S	S	A facility for post-secondary education that grants associates, bachelors, masters, or doctoral degrees, and may include research functions. Includes professional schools (law, medicine, etc.) and technical colleges.
<b>INFRASTRUCTURE, TRANSPORTATION, COMMUNICATIONS</b>									
1. Airport, Aviation Services	--	S	--	--	--	--	--	--	An airport, runway, landing strip, seaport, or heliport providing accommodations by public, private, or not-for-profit entities for the conveyance of persons from one location to another by airplane, seaplane, helicopter, or other means of aviation. Includes facilities for loading and unloading areas.

**Table B.3.20. Consolidated Use Table (continued)**

Land Use Type	D1 NP	D2 R	D2 CP	D2 GH	D3 GN	D4 MU	D5 VC	D5 GC	Definition
<b>INFRASTRUCTURE, TRANSPORTATION, COMMUNICATIONS (continued)</b>									
2. Infrastructure and Utilities: Regional (Major)	--	C	--	S	C	C	C	C	Utility facilities that provide County-wide or regional service. Examples include public utility substations; water towers; waste treatment plants; and electrical substations.
3. Parking Facility: Public or Commercial	--	--	--	--	S	P	P	P	A public or commercial parking lot or structure providing parking either for free or for a fee. Does not include towing impound and storage facilities.
4. Transportation Terminal	--	--	--	--	S	P	P	P	A public or commercial site or structure providing access via water ferry or aviation, such as helicopter, to transport people or goods to a mainland location. Parking facilities either for free or for a fee may be included.
5. Waste Management: Community Collection and Recycling	--	C	--	S	C	C	S	S	A site, location, tract of land, or building that may be used for the purpose of collecting all types of residential waste and recyclables that are generated "off site" in the local community to be transported by public or private companies to a waste recycling, transfer or disposal/recovery facility, permitted by South Carolina Department of Health and Environmental Control (SCDHEC) as required. This use includes county collection (convenience) centers.
6. Waste Management: Regional Waste Transfer and Recycling	--	S	--	S	S	S	S	S	Disposal uses including sanitary landfills, construction waste and debris landfills, sludge disposal or storage; and resource recovery facilities, excluding disposal of industrial or radioactive waste materials.
7. Wireless Communication Facility	--	S	S	S	S	S	S	S	Public, commercial and private electromagnetic and photoelectric transmission, broadcast, repeater and receiving stations for radio, television, telephone, data network, and wireless communications, including commercial earth stations for satellite-based communications. Includes antennas, commercial satellite dish antennas, and equipment buildings. Does not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections.
<b>INDUSTRIAL</b>									
1. Manufacturing, Processing, and Packaging – Light (Less than 15,000 SF)	--	C	--	--	S	P	P	P	A facility accommodating manufacturing processes involving less intense levels of fabrication and/or production such as the assembly, fabrication, and conversion of already processed raw materials into products, where the operational characteristics of the manufacturing processes and the materials used are unlikely to cause significant impacts on surrounding land uses or the community. The premises may include secondary retail or wholesale sales. Examples of light manufacturing uses include: artisan / craft product manufacturing; clothing and fabric product manufacturing; furniture and fixtures manufacturing, cabinet shop, media production, photo/film processing lab not accessory to a retail business, printing & publishing, food preparation and packaging, winery, micro-brewery.
2. Manufacturing, Processing, and Packaging – Light (15,000 SF or greater)	--	S	--	--	S	S	S	S	Examples of light manufacturing uses include: artisan / craft product manufacturing; clothing and fabric product manufacturing; furniture and fixtures manufacturing, cabinet shop, media production, photo/film processing lab not accessory to a retail business, printing & publishing, food preparation and packaging, winery, micro-brewery.
3. Mining & Resource Extraction	--	S	--	S	S	S	S	S	Extractive uses such as surface mining for sand, gravel, clay and topsoil and any other such use. Quarrying is not permitted.

**Division B.3: Permitted Used and Definitions**

**Table B.3.20. Consolidated Use Table (continued)**

Land Use Type	D1	D2	D2	D2	D3	D4	D5	D5	Definition
	NP	R	CP	GH	GN	MU	VC	GC	
<b>INDUSTRIAL (continued)</b>									
4. Outdoor Maintenance / Storage Yard	--	S	--	S	S	S	S	S	An outdoor storage area for large equipment, vehicles, and/or other materials used by a public agency or a general or specialty contractor; lumberyards; and other industrial outdoor storage uses, excluding salvage operations. May include an accessory office.
5. Warehousing	--	--	--	--	S	S	P	P	Facilities for the storage of furniture, household goods, or other commercial goods of any nature. May include an outdoor storage component, provided that the outdoor storage is not the primary use. Does not include mini-storage facilities offered for rent or lease to the general public (see "Residential Storage Facility") or warehouse facilities primarily used for wholesaling and distribution (see "Wholesaling and Distribution").
6. Wholesaling and Distribution	--	--	--	--	S	S	P	P	An establishment engaged in selling merchandise in bulk quantities to retailers; to contractors, industrial, commercial, agricultural, institutional, or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies.

## Division B.4: Developments Within Rural Areas

### Sections:

- B.4.10 Purpose
- B.4.20 Applicability
- B.4.30 Small Lot Cottage Court Subdivisions
- B.4.40 Family Compound Standards

### B.4.10 Purpose

The purpose of this Division is to:

- A. Provide standards for the subdivision of rural lands on Daufuskie Island that maintain the character and heritage of the rural lands while allowing to opportunity to provide for small dwellings in a Cottage Court design in Cluster Compounds to provide for affordable housing and housing that will allow the elderly to remain on Daufuskie Island.
- B. Allow long-time rural residents to protect a traditional way of life and provide affordable housing for family members that in turn helps stabilize and preserve the Island's traditional rural communities.

### B.4.20 Applicability

The standards found in this Division apply to zones and subzones within D2R district of Transect 2 on Daufuskie Island.

### B.4.30 Small Lot Cottage Court Subdivision

- A. **Intent.** The rural small lot subdivision, or also known as the cottage close type of development, is designed to allow landowners of rural lots greater flexibility to subdivide land that is generally not allowed to be subdivided under this Development Code because of the density limitations in the D2R Zone to provide for Cluster Compound developments.
- B. **Applicability.** Use of the rural small lot cottage court subdivision option is limited as identified in Table 2.1.30.A and cannot be transferred to any other parcel.
- C. **Minimum Development Standards for Rural Small Lot Cottage Court Subdivisions.** Rural small lot cottage court subdivisions shall comply with the following:
  - 1. **Parent Parcel.** The parent parcel constitutes the total site. Any development of this type shall require a minimum of a four-acre parent parcel with a maximum parent parcel of eight acres. All residential units or parcels shall be clustered around a courtyard or small access street, and the area not developed shall be preserved and all significant tress saved.
  - 2. **Residential Units or Lots.** The number of lots or units allowed in a rural small lot subdivision is established in Table B.4.30.C. All lots or residential structures shall be clustered within a one or two-acre envelope as shown in Table 2.1.30.A

**Table B.4.30.C: Maximum Number of Lots that can be Subdivided from a Parcel of Record Utilizing the Small Lot Cottage Court Subdivision**

Parent Parcel Size	Maximum Number of Residential Units	Maximum Area or Envelope to be Developed
4 acres	6	1 acre
6 acres	8	1 ½ acres
8 acres	12	2 acres

**D. Restrictions on Future Subdivisions.** A note shall appear on all plats for rural small lot cottage court subdivisions specifying the number of remaining by-right lots that can be subdivided from the parent tract should the maximum lots or residential units defined in Table 2.1.30.A not be developed initially. If all by-right lots are subdivided or units constructed, the note shall state that no subdivisions of the parent parcel shall be allowed.

**B.4.40 Family Compound Standards**

Family compounds shall comply with the following standards

- A. Fifty (50) Years of Ownership.** A single member of the family, multiple members of the family, or an unbroken succession of family members shall own a family compound property for no less than 50 years. All owners of the property shall request the family compound.
- B. Familial Relationship of those Receiving Property and/or Dwelling Unit.** The person(s) for whom the family dwelling units are built, and/or the property subdivided shall be related to the owner of the property by blood, marriage, or adoption.
- C. Property May be Subdivided.** Family compounds shall be developed, and the dwelling units built, or the family compound property may be subdivided and conveyed by the landowner to a family member to build a dwelling unit. Family compounds that are subdivided are limited to the maximum number of units without clustering shown in Table 2.7.40.A.
- D. Family Compound Design.** The family compound shall be designed as follows:
  - 1. Lots or dwelling units may be designed in a conventional form, or as a traditional cluster. For the purposes of this Section, traditional cluster means there must be a minimum of two dwelling units on the parcel and the average distance between dwelling units is no greater than 50 feet.
  - 2. The maximum density that may be achieved on family compounds is outlined in Table 2.1.40.A (Maximum Densities of Family Compounds). This maximum density includes dwelling units and accessory dwelling units.
  - 3. For family compounds that are clustered:
    - a. There is no minimum lot area;
    - b. The minimum separation between dwelling units is 15 feet; and
    - c. A land development plan shall be submitted for approval. See Section 7.2.60 (Land Development Plan). The land development plan shall be drawn to scale

and clearly indicate all property lines and the location of all existing and proposed structures.

4. For family compounds that are not clustered the minimum lot area is one-half acre.

- E. Covenants Required.** Family compounds that are subdivided shall be accompanied by covenants and cross easements, or similar restrictions and reservations, guaranteeing essential infrastructure and 50 feet of vehicular access for each lot.
- F. Septic Systems and Reserve Areas.** No family dwelling unit shall be built unless the appropriate agency has determined that septic systems and reserve areas in the family compound are sufficient to serve all units in the compound.
- G. Leasing.** No family dwelling unit shall be leased for five years from the date of approval unless the lessee is related to the property owner by blood, marriage, or adoption.
- H. Conveyance of Land Approved as Family Compound.** No portion of a tract of land approved as a family compound in accordance with this Section shall be conveyed for five years from the date of approval of the family compound unless the grantee is related to the property owner by blood, marriage, or adoption. This limitation on conveyance shall:
  - 1. Be recorded on the plat of the property, on the plats of any property subdivided and conveyed by the landowner(s) under this Section, and in a database accessible to county staff.
  - 2. Not operate to prohibit actions in foreclosure brought by lenders that are participating in the secondary mortgage market.
  - 3. Not operate to prohibit sale by the county of the entire tract or a portion of it for nonpayment of property taxes.
- I. Affidavit Required.** Applicants must submit a sworn affidavit recorded in the Register of Deeds Office with the following information:
  - 1. There has been no intentional misrepresentation during the application process;
  - 2. There shall be no lease of a family dwelling unit to a nonfamily member within five years of approval; or
  - 3. There shall be no conveyance of any portion of a tract of land granted a dwelling unit or lot under this section to a nonfamily member within five years of approval.
- J. Violations and Enforcement.**
  - 1. A violation of this section shall consist of the following:
    - a. Intentional misrepresentation during the application process;
    - b. Lease of a family dwelling unit to a nonfamily member within five years of approval; or
    - c. Conveyance of any portion of a tract of land granted a dwelling unit or lot under this section to a nonfamily member within five years of approval.
  - 2. Penalties may be waived by the Director if it can be shown that lease or conveyance to a nonfamily member was absolutely necessary to avoid foreclosure on either a family dwelling unit or any portion of a tract granted a dwelling unit under this section.

**Division B.4: Developments Within Rural Areas**

3. Until the violation has been addressed in accordance with Article 9 (Enforcement), the Director shall not permit additional dwelling units on the family compound or further subdivision under this section in the violator’s family compound.
4. As a condition of approval, the applicant and the person(s) for whom the family dwelling unit is to be built or the property subdivided shall read and sign disclosure forms describing any violations of this section and applicable penalties.
5. A violation shall not have the effect of clouding the title of a parcel subdivided under this Section.

**Table B.4.40.D: Maximum Densities of Family Compounds**

Minimum Site Area (in Acres)	Maximum Number of Units (with Clustering)	Maximum Number of Units (without Clustering)
Up to 1.00	3	2
2	4	3
3	6	4
4	8	6
5	10	8
6	12	10
7	14	12
8	16	14
9	18	16
10	20	18
Greater than 10	2.0 units per acre	1.8 units per acre

## Division B.5: Applicability of the Community Development Code

**Sections:**

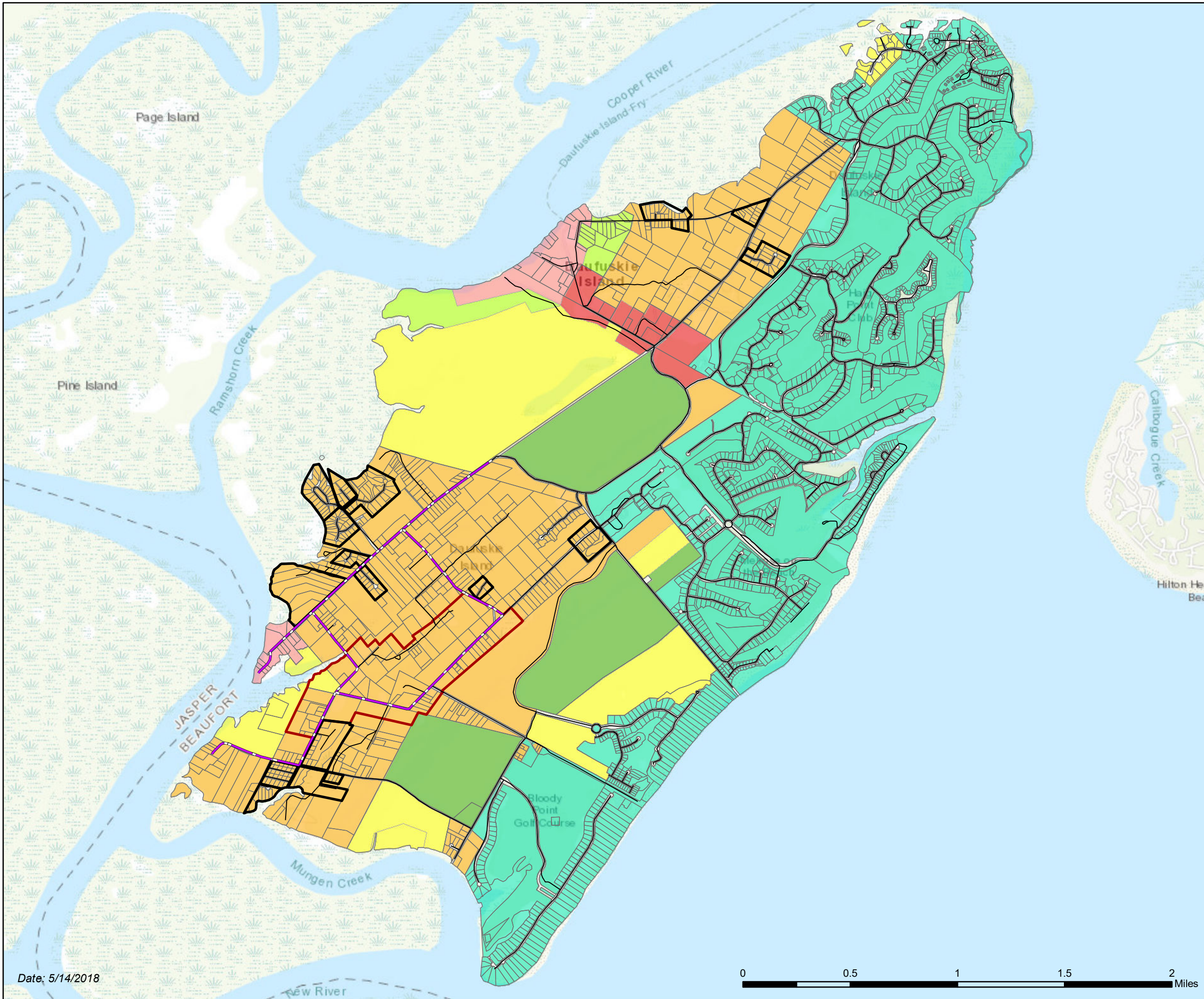
B.5.10 Applicability of the Community Development Code

### B.5.10 Applicability of the Community Development Code

Table B.5.10 provides a listing of each of the relevant articles and sections of the CDC and their applicability to Appendix B.

<b>Table B.5.10: Applicability of the Community Development Code</b>	
<b>Article or Division</b>	<b>Applicability to Appendix B</b>
Article 1: General Provisions	Applicable
Article 2: Multi-lot Single-Lot Community Scale Development	Limited Applicable (see below)
Division 2.1: Overview	Applicable
Division 2.2: General to Community Design	Applicable
Division 2.3: Traditional Community Plans	Not Applicable
Division 2.4: Multi-Family Oriented Communities	Not Applicable
Division 2.5: Manufactured Home Communities	Not Applicable
Division 2.6: Commercial Oriented Communities	Not Applicable
Division 2.7: Developments within Rural Areas	Not Applicable
Division 2.8: Civic and Open Space Standards	Applicable
Division 2.9: Thoroughfare Standards	Applicable
Division 2.10: Transfer of Development Rights	Not Applicable
Article 3: Specific to Zones	Not Applicable
Article 4: Specific to Use	Limited Applicable (see below)
Division 4.1: Specific to Use	Applicable
Division 4.2: Accessory Uses and Structures	Applicable
Division 4.3: Temporary Uses and Structures	Not applicable
Article 5: Supplemental to Zones	Limited Applicable (see below)
Division 5.1: Building Type Standards	Applicable
Division 5.2: Private Frontage Standards	Applicable
Division 5.3: Architectural Standards and Guidelines	Section 5.3.30.B is applicable.
Division 5.4: Fences and Walls	Applicable
Division 5.5: Off-Street Parking	Applicable
Division 5.6: Sign Standards	Applicable
Division 5.7: Exterior Lighting	Applicable
Division 5.8: Landscaping, Buffers, and Screening Standards	Applicable
Division 5.9: Neighborhood Compatibility Standards	Not Applicable
Division 5.10: Historic Preservation	Applicable
Division 5.11: Resource Protection Standards	Applicable
Division 5.12: Stormwater Standards	Applicable
Article 6: Subdivision and Land Development	Applicable
Article 7: Procedures	Applicable
Article 8: Nonconformities	Applicable
Article 9: Enforcement	Applicable
Article 10: Definitions	Applicable













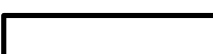

**Zoning Classifications**

*Daufuskie Island, SC*



**Zoning Classifications**

-  DI-2R
-  DI-3E
-  DI-4SU
-  DI-5GC
-  DI-5VC
-  DI-6PUD
-  DI-IP

**Subzones**

-  DI-2R-GH
-  DI-2R-CP
-  DI-HCO Overlay District

**Legend**

-  Roads
-  Parcels



*Note: All platted subdivisions approved by Beaufort County may not be shown*



## RESOLUTION /

### TEXT AMENDMENTS TO RESOLUTION 2006/3: BEAUFORT COUNTY RURAL AND CRITICAL LANDS PRESERVATION PROGRAM POLICIES AND GUIDELINES

#### 1. Applicability and General Process.

- a. Land that is to be considered for acquisition through the Rural and Critical Lands Preservation Program (RCLP) shall first be investigated by the Program management and appropriate County staff. Background information including property surveys, if available, property tax information, site investigation and an average of the combined rankings of Program management and County staff rankings using the RCLP criteria will be assembled by the Program management staff as part of the staff summary report provided to the Rural and Critical Lands Preservation Board (RCLPB).
- b. ~~Among other things~~ Additionally, the staff will ~~determine confirm that~~:
  1. The owner wishes to preserve the property;
  2. The owner is agreeable to the sale of an interest in the property; and
  3. Whether or not the owner is willing to consider a bargain sale or other form of charitable donation for the planning, development and stewardship of the property.
- c. Any property proposed for acquisition and/or sale under the RCLP shall first be reviewed by the RCLPB. Following its review, the RCLPB shall prepare its recommendation and forward it to the ~~Land Management~~ Natural Resources Committee (LMNRC) of ~~the~~ Beaufort County Council (Council). In making its recommendation to the LMNRC, the RCLPB shall consider the following information as provided in the summary report:
  1. The property's Location in relation to the focus areas established by the Greenprint approved by Council;
  2. The average Average Ranking score of the property by ~~the RCLPB staff~~ in accordance with criteria established by the RCLPB;
  3. Suitability of the property for other public purposes;
  4. The project's Relationship to priorities for allocation of available funding through the RCLP; and
  5. Availability of other public or private funds to assist in the acquisition including donation of land value by the seller (owner).
- d. Any property proposed for acquisition under the RCLP and reviewed recommended by the RCLPB shall be considered by the LMNRC for recommendation to Council for appropriate action.

e. In making its recommendation to Council , the ~~LMNRC~~ shall:

1. Consider the recommendation of the RCLPB;
2. Consider County financial resources available;
3. Consider ~~the~~ the economic impacts of the acquisition to the tax base of the County; and
4. Consider ~~the~~ the costs of managing the property if the County ~~would~~will own the property.

## 2. Types of Acquisition.

There are two types of property interests that can be acquired under the provisions of this ~~Ordinance~~Resolution. They are Purchase of Development Rights (PDR) and Purchase of Fee Simple Interests (PFSI).

- a. Purchase of Development Rights (PDR) – Development rights will typically be purchased in areas designated Rural, although there may be instances where PDR may be appropriate for purchase in other zoning designations. Generally, properties considered for PDR are those areas of the County where:
  1. There are conservation values in or on the property to be preserved;
  2. Public access to the property is not required or desirable;
  3. Development of the property would result in adverse impacts to the environment or public infrastructure serving the property;
  4. The character of the property and its surrounding area would be threatened by proposed or possible future development; and
  5. The owner wishes to retain ownership of the property.
- b. If the development rights are to be purchased, the property will ~~also~~ be subject to the provisions of a conservation easement which will assure that the property is protected from development other than what is permitted by the ~~PDR agreement and the~~ conservation easement. Conservation easements will normally be ~~assigned~~held by the County ~~to or~~ an appropriate-accredited Land Trust.
- c. Any PDR will be subject to all due diligence being satisfactorily completed, reviewed and approved by the County and the proposed holder of the conservation easement.
- d. Purchase of Fee Simple Interests (PFSI) – Fee simple interest may be purchased from property owners willing to sell in those instances where:
  1. There are conservation values in or on the property to be acquired and the owner is only willing to sell all of their interest in the property;
  2. Public access to the property is required or desirable;
  3. Development of the property for public access and passive recreational use is desirable; and

4. Development of the property would result in adverse impacts to the environment or public infrastructure serving the property.
- e. Any PFSI in property will be subject to all due diligence being satisfactorily completed and approved by the County.

### 3. Due Diligence.

Before any property interest is acquired through the RCLP, all necessary due diligence shall be completed, reviewed and approved by the County. All due diligence shall be reviewed by the Program management and appropriate County staff prior to the closing date. Due diligence shall include:

- a. Title Search and Title Insurance Commitment with only normal title exceptions. Title Insurance will not normally be required for PDR.
- b. A boundary survey completed by a South Carolina Registered Land Surveyor. ~~In those instance where the County will own the property to be acquired~~ For a PFSI, a topographic survey, tree survey and archaeological survey shall also be obtained when appropriate.
- c. A Phase I ~~e~~ Environmental Assessment shall be obtained. In instances where the Phase I report so indicates, a Phase II report, including a plan for any remediation, by the seller or purchaser, is required for the property to remove ~~any and~~ all environmental concerns on the part of the County.
- ~~d.~~ An appraisal of the value of the interest being acquired prepared by a qualified real estate appraiser, preferably a Member of the Appraisal Institute (MAI) or with equal qualifications in the opinion of staff. An appraisal will be obtained prior to RCLPB review.
- ~~e.~~
- ~~f.d.~~ All due diligence shall be reviewed by the Program management staff and by the appropriate County staff before being sent to County Council for action.

### 4. Conservation Easement Requirements.

Conservation easements shall be placed on property where development rights are purchased through the RCLP.

- ~~a.~~ The development rights sold shall be transferred to Beaufort County by a Deed of Development Rights.
- ~~b.a.~~ The Conservation easement placed on the property by the owner shall govern the future use and maintenance of the property consistent with the rights retained by the owner which may include limited future development of portions of the property.

~~e.b.~~ Generally, there would be no public access granted in a conservation easement placed on any property.

~~d.c.~~ The conservation easement may be granted ~~directly to~~ the County or an appropriate accredited Land Trust ~~by the owner or assigned by the entity acquiring the development rights~~. The selection of the Land Trust to hold the easement shall be recommended by the RCLPB to the ~~Beaufort County Council~~ NRC.

~~e.d.~~ The endowment ~~required requested~~ by the ~~easement holder Land Trust~~ to monitor and enforce the easement in perpetuity ~~defend and provide the necessary annual due diligence required for the easement~~ shall be granted by the donor of the easement or by the RCLP depending on the ~~nature of the~~ agreement reached with the donor.

## 5. Covenants and Restrictions.

- a. Covenants and restrictions ~~shall~~ may be placed on Property where the fee simple interest has been acquired by the RCLP and in those instances where the seller or a co-owner has required such covenants or restrictions or where the RCLPB determines that such are appropriate.
- b. Generally, covenants and restrictions will describe in some detail how a property is to be developed, used and maintained as a public space consistent with the conservation value of the property.

## 6. Resale or Lease of Property Acquired.

There may be instances where property acquired under the program for its conservation value(s) and possibly to mitigate the impacts of development, may not be suitable ~~or needed~~ for county ownership in the future. In such cases, the County Council may request the RCLPB evaluate leasing or selling the property, in whole or in part, for limited development consistent with the conservation values that are to be retained and ~~make a~~ RCLPB shall make such recommendation to the LMCNRC. In those instances, the RCLPB shall ~~be guided by the following~~ use the following guidelines:

- a. That the resale or lease of the property, or a portion of the property, for a use to be determined not have any adverse impact on the conservation value(s) of the property, can be assured through the placement of a conservation easement or permanent deed restriction on the ~~entire~~ property.
- b. That the development of the property for use(s) permitted under a deed restriction or a conservation easement will be carefully monitored by the county and the easement holder, if applicable.

Any property considered for sale or lease would require appropriate action by Council following prescribed procedures for sale or lease of county-owned land.

#### **7. Sale or Condemnation of County-owned PFSI Properties.**

If all or a part of an RCLP purchased PFSI property is sold, exchanged, involuntarily converted or taken by exercise of the power of eminent domain, all owners of the property including the County shall be respectively entitled to compensation in accordance with applicable law and as provided in this Resolution.

- a. All owners of the property shall divide the net proceeds after the payment of all expenses of the sale, exchange, condemnation or extinguishment in accordance to the ratio of each owner's contribution towards the purchase price.
- b. All such proceeds received by the County shall be allocated exclusively to the RCLP and used in a manner consistent with Ord. No. 2006/2, 1-9-2006.

#### **7.8. Rural and Critical Lands Preservation Board Report.**

The Rural and Critical Lands Preservation Board shall submit to the County Council an annual report in December based on all of the activities carried out pursuant to the Rural and Critical Lands Preservation Program. The report shall include but is not limited to the following:

- a. Map indicating the location of the total parcels of lands that have been acquired;
- b. Total number of acquired lands, number of acres and type of acquisitions of each of the acquired lands throughout the county;
- c. Number of landowners contacted or properties received for consideration for Program in the given year;
- d. Number of lands acquired, number of acres of each and type of acquisitions of each land acquired throughout the county in the given year;
- e. Total dollars spent in the Program and total dollars leveraged with the Program; and
- f. Dollars spent and leveraged in a given year for the Program.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2018.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: \_\_\_\_\_  
D. Paul Sommerville, Chairman

APPROVED AS TO FORM:

\_\_\_\_\_  
Thomas J. Keaveny, II  
County Attorney

ATTEST:

\_\_\_\_\_  
Connie L. Schroyer, Clerk to Council

DRAFT

# ADD-ONS

The document(s) herein were provided to Council for information and/or discussion after release of the official agenda and backup items.



Topic: Resolution Amending Seabrook Solar Development Agreement

Date Submitted: November 19, 2018

Submitted By: Nicole Scott

Venue: Natural Resources Committee

RESOLUTION NO. 2018/\_\_\_

**A RESOLUTION APPROVING AN AMENDMENT TO THAT CERTAIN SEABROOK SOLAR DEVELOPMENT AGREEMENT BY AND BETWEEN SEABROOK SOLAR, LLC, AND BEAUFORT COUNTY, SOUTH CAROLINA**

**WHEREAS**, the South Carolina Local Government Development Agreement Act, South Carolina Code of Laws, Title 6, Chapter 31 (1976, as amended) (the “Act”), authorizes local governments to enter into development agreements with a developer as therein defined; and

**WHEREAS**, Seabrook Solar, LLC (the “Property Owner”) and County entered into that certain Development Agreement on \_\_\_\_\_, and recorded on \_\_\_\_\_, in the office of the Beaufort County Register of Deeds in Book \_\_\_\_\_, at Page \_\_\_\_ (the “Development Agreement”); and

**WHEREAS**, Beaufort County Council held a public hearing to receive comment on a proposed amendment to the Development Agreement on December 10th, 2018; and

**WHEREAS**, the County and the Property Owner have now concluded their negotiations with respect to the terms for an amendment to the Development Agreement.

**NOW, THEREFORE, BE IT ORDAINED** by Berkeley County Council, in a meeting duly assembled:

Section 1. The Chairman and Clerk of Beaufort County Council are hereby authorized to execute an amendment to the Development Agreement on behalf of Beaufort County, said Amendment to the Development Agreement being attached to this Resolution as Exhibit A and incorporated herein by reference.

Section 2: This Resolution shall become effective immediately upon adoption by Berkeley County Council.

**ADOPTED** this 10th day of December 2018.

**BEAUFORT COUNTY, SOUTH CAROLINA**

\_\_\_\_\_  
PAUL D. SOMMERVILLE, CHAIRMAN  
BEAUFORT COUNTY COUNCIL

ATTEST:

---

Connie L. Schroyer  
Clerk of Council

Approved as to form:

---

Thomas Keaveney  
County Attorney

**Exhibit A**

Amendment to Development Agreement

STATE OF SOUTH CAROLINA         )         AMENDMENT TO THE  
    )         SEABROOK SOLAR  
    )         DEVELOPMENT AGREEMENT  
 COUNTY OF BEAUFORT                 )

This **AMENDMENT TO THE SEABROOK SOLAR DEVELOPMENT AGREEMENT** (the "Amendment") is made and entered into as of the \_\_\_ day of \_\_\_, 2018, by and among **SEABROOK SOLAR, LLC**, a Delaware limited liability company ("Property Owner") and **BEAUFORT COUNTY**, a political subdivision of the State of South Carolina (the "County").

**RECITALS**

**WHEREAS**, Property Owner and the County entered into that certain Seabrook Solar Development Agreement, dated as of \_\_\_\_\_, and recorded in Book \_\_\_\_, Page \_\_\_\_ of the Beaufort County Register of Deeds Office (the "ROD") (the "Development Agreement"); and

**WHEREAS**, Property Owner is developing a solar facility on approximately six hundred twenty-seven and sixty-two hundredth acres of the Real Property, as defined in the Development Agreement, commonly known as the "Paragon Site" as more fully described and shown on the attached Exhibit A, which is attached hereto and incorporated herein by reference; and

**WHEREAS**, due to the unique requirements of solar facilities, strict adherence to certain landscaping standards as set forth in Division 5.8 of the Beaufort County Development Code (the "Development Code") prevents development of a use that otherwise advances the purposes served by the Development Code and the Beaufort County Comprehensive Plan; and

**WHEREAS**, County and Property Owner desire to amend the Development Agreement to address certain buffering and landscaping requirements, and matters related to tree mitigation, for the Paragon Site; and

**WHEREAS**, pursuant to the Code of Laws of South Carolina Section 6-31-60, the County conducted a public hearing regarding its consideration of this Amendment on \_\_\_\_\_, 2018, after publishing and announcing notice; and

**WHEREAS**, the County, acting by and through County Council, adopted Resolution Number \_\_\_\_ on \_\_\_\_\_, 2018 approving this Amendment.

**NOW, THEREFORE**, in consideration of the foregoing and the terms and conditions set forth in this Amendment, the receipt and sufficiency of such consideration being acknowledged by the parties, and pursuant to the South Carolina Local Government Development Agreement Act, codified as S.C. Code §§ 6-31-10 to -160, the parties to this Amendment, intending to be legally bound, agree as follows:

1. Recitals. The recitals set forth above are incorporated herein by reference.

2. Landscaping standards. The Property Owner shall establish the following buffers and screening for the solar facility to be located on the Paragon Site:

(1) A 100' buffer around the entire perimeter of the solar facility pursuant to Section 4.1.120 of the Development Code, consisting of existing vegetation; and

(2) An additional 50' planted Thoroughfare Buffer along Trask Parkway and Keans Neck Road pursuant to Table 5.8.50 of the Development Code,

all as more particularly shown and described in Exhibit A. The buffers and screening described herein are the only buffers and screenings required for the solar facility located on the Paragon Site; provided, however, that a 50' strip of existing vegetation shall remain around any jurisdictional wetlands.

3. Tree Mitigation. The Property Owner is permitted and authorized to remove specimen trees in the tree removal areas designated on Exhibit B, which is attached hereto and incorporated herein by reference. However, in no event shall the total diameter of all specimen trees removed exceed 7,900 inches. In lieu of a general reforestation fee as provided for in Section 5.11.D and in consideration of the authorization to remove said specimen trees, the Property Owner shall make the following contributions:

(1) A contribution of ~~\$850,000~~ to the County, to be paid within thirty (30) business days of the start of construction of the solar facility as evidenced by the earlier of (i) issuance of full notice to proceed pursuant to the project's engineering, procurement, and construction contract; or (ii) the driving of piles for the first mounting structure at the Paragon site for a solar array (exclusive of any mounting structures installed for purposes of gathering meteorological, solar insolation and similar data) (the "Start of Construction"). This contribution shall be utilized evenly between the northern and southern portions of the county, i.e., \$475,000 shall be utilized in that portion of the county north of the Broad River and \$475,000 shall be utilized in that portion of the County south of the Broad River;

(2) A contribution of \$250,000 to the Friends of the Spanish Moss Trail for the construction of the Spanish Moss Trail across Ribaut Road in Port Royal, to be paid within thirty (30) business days of the Start of Construction as defined above.

In addition to the above, at the County's election following the third (3rd) year of commercial operation, the Property Owner will either contribute an additional \$200,000 to the County, to be used at its discretion, or install supplemental on-site plantings in areas identified by the County along the perimeter of the project site at a cost not exceed \$200,000, inclusive of materials, labor, irrigation or other establishment costs.

At the beginning of the fourth (4th) year of commercial operation, the County shall notify the Property Owner, in writing, of its election. The supplemental on-site plantings, if

elected, shall be installed in the fourth (4th) year of commercial operation, in a manner and at a time determined by the Property Owner. In the event the County elects to receive the contribution, Property Owner shall remit said contribution to the County within sixty (60) days of receipt of the written notice.

County and Property Owner acknowledge and agree that no additional fees or on-site mitigation is now required or shall be required in the future for the Paragon Site.

4. Subdivision Plan and Development Permit Approval. Notwithstanding the provisions of Section XXIV.B., in no event shall the fees for the Paragon Site exceed the amounts set forth on Exhibit C, attached hereto and incorporated herein by reference. The County acknowledges and agrees that the fees set for on Exhibit C are the only fees necessary for the development of a solar facility on the Paragon Site.

5. Notice. Paragraph (e) of Section XXIX of the Development Agreement shall be amended to reflect the following addresses for Property Owner:

Seabrook Solar, LLC  
350 West Washington Street  
Suite 600  
Tempe, Arizona 85281  
Attention: General Counsel  
Email: [GeneralCounsel@firstsolar.com](mailto:GeneralCounsel@firstsolar.com)

Seabrook Solar, LLC  
11757 Katy Freeway  
Suite 400  
Houston, TX, 77079  
Attention: Omar Aboudaher  
Email: [Omar.Aboudaher@firstsolar.com](mailto:Omar.Aboudaher@firstsolar.com)

Seabrook Solar, LLC  
11757 Katy Freeway  
Suite 400  
Houston, TX, 77079  
Attention: Geoff Suttle  
Email: [Geoff.Suttle@firstsolar.com](mailto:Geoff.Suttle@firstsolar.com)

6. Effect. Terms and provisions of the Development Agreement that are not expressly modified by this Amendment shall remain in full force and effect. All of the provisions of the Development Agreement affected by this Amendment shall be deemed amended, whether or not actually specified herein, if such amendment is clearly necessary to effectuate the intent of the parties hereto. The Development Agreement, as modified hereby, is hereby ratified and approved in all respects.

7. Final Agreement. This Amendment and the Development Agreement, as amended by the Amendment, represent the final agreement between the parties regarding the subject matter hereof and may not be contradicted by evidence of prior, subsequent or contemporaneous oral agreements of the parties. No amendment or modification hereto shall be valid and binding unless expressed in writing and executed by both parties hereto.

8. Counterparts. This Amendment may be executed in any number of counterparts, each of which shall be deemed an original and all of which together shall comprise the same instrument.

[SIGNATURE PAGES TO FOLLOW]



IN WITNESS WHEREOF, this Agreement has been executed by the Parties as of the day and year first above written.

Witnesses:

**BEAUFORT COUNTY, SOUTH CAROLINA**

\_\_\_\_\_

By: \_\_\_\_\_

D. Paul Sommerville, Chairman

\_\_\_\_\_

Attest: \_\_\_\_\_

Thomas J. Keaveny II, County Attorney

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF BEAUFORT )

ACKNOWLEDGMENT

I, \_\_\_\_\_, Notary of the Public of the State of South Carolina, do hereby certify that the County of Beaufort, by D. Paul Sommerville, its Chairman, and Thomas J. Keaveny II, its County Attorney, personally known to me or having provided satisfactory proof of their identity, appeared before me this \_\_\_\_ day of \_\_\_\_\_, 2018, and acknowledged the execution of the foregoing instrument.

\_\_\_\_\_  
Notary Public for South Carolina

Print Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Witnesses:

\_\_\_\_\_  
\_\_\_\_\_

**SEABROOK SOLAR, LLC,**  
a Delaware limited liability company

By: \_\_\_\_\_  
Kathryn Arbeit  
Its: Vice-President, Project Development

STATE OF \_\_\_\_\_ )  
 )  
COUNTY OF \_\_\_\_\_ )

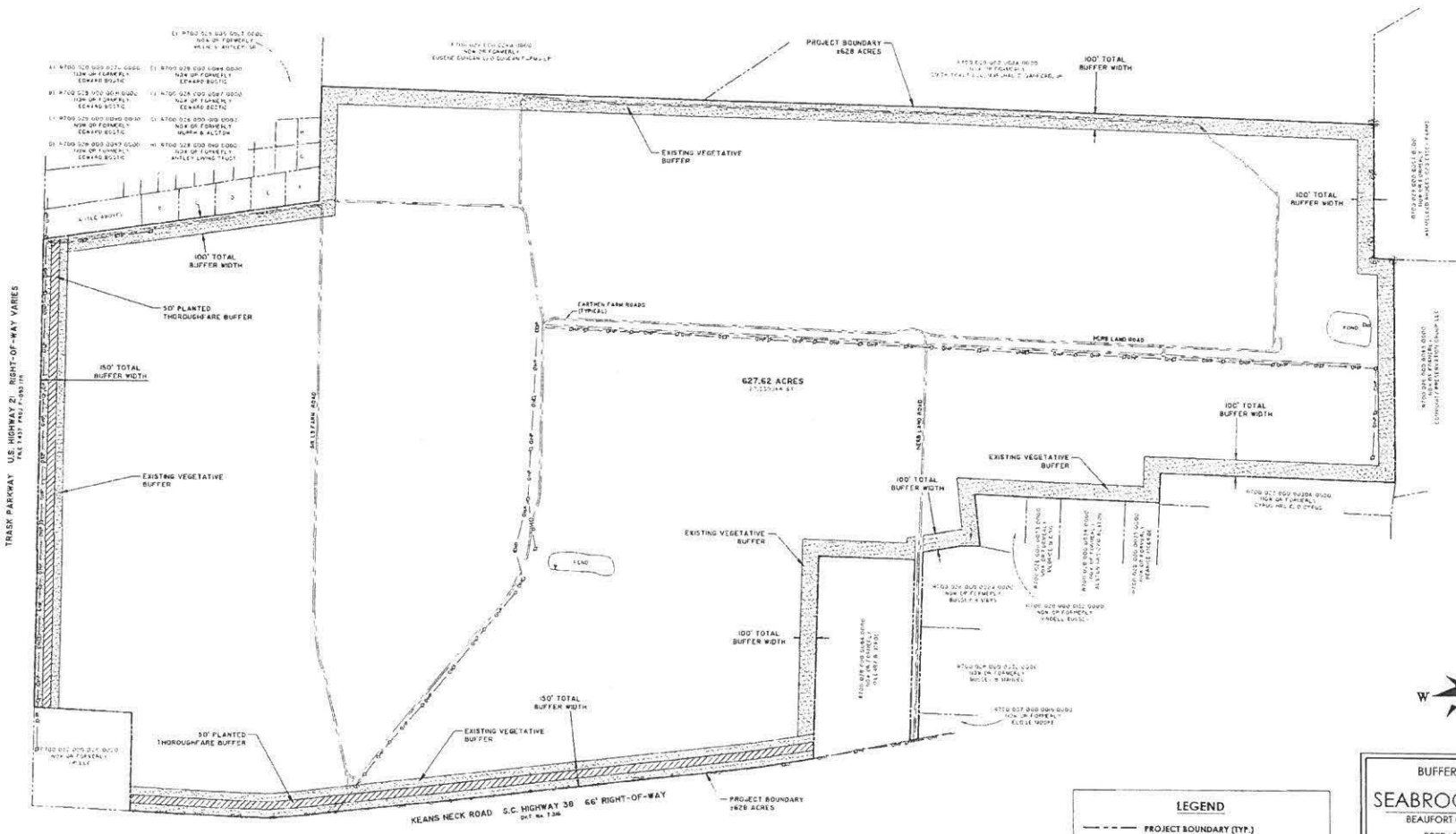
ACKNOWLEDGMENT

I, \_\_\_\_\_, Notary of the Public of the State of \_\_\_\_\_, do hereby certify that Seabrook Solar, LLC, by Kathryn Arbeit, its Vice-President, Project Development personally known to me or having provided satisfactory proof of their identity, appeared before me this \_\_\_\_ day of \_\_\_\_\_, 2018, and acknowledged the execution of the foregoing instrument.

\_\_\_\_\_  
Notary Public for \_\_\_\_\_  
Print Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**Exhibit A**

Buffers and Landscaping  
Paragon Site



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**LEGEND**

- PROJECT BOUNDARY (TYP.)
- OVERHEAD POWER LINE
- /// 50' PLANTED THROUGHFARE BUFFER
- ..... EXISTING VEGETATIVE BUFFER (100' TOTAL WIDTH)

\*EXISTING VEGETATIVE BUFFER - THESE BUFFERS MAY BE DISTURBED DURING CONSTRUCTION AND ARE EXPECTED TO NATURALLY REVEGETATE WITHOUT INSTALLED PLANTINGS.

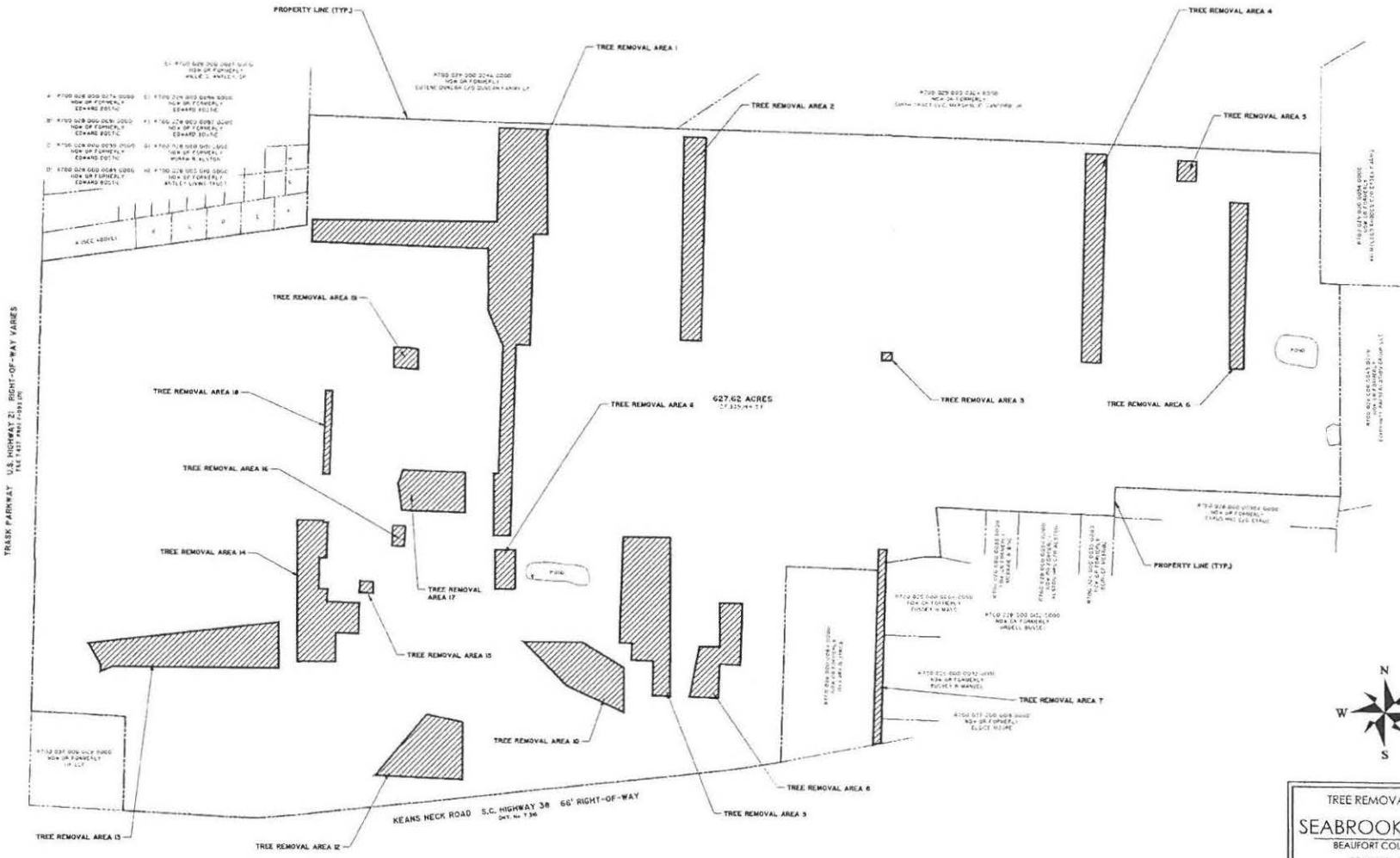
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BUFFER EXHIBIT

**SEABROOK SOLAR**  
 BEAUFORT COUNTY, SC  
 PREPARED FOR:  
 SEABROOK SOLAR, LLC  
 PREPARED BY:  
**THOMAS & HUTTON**  
 Surveyors, Engineers, Planners, Architects  
 30 Park Street, Suite 100  
 Greenville, SC 29615  
 www.thomasandhutton.com

JOB NO. 230118003	DATE: 11/19/24
DRAWN: JHC	SCALE: 1"=400'
APPVED: EUS	SHEET: FOUR

**Exhibit B**  
Tree Removal  
Paragon Site



**LEGEND**

— PROJECT BOUNDARY (TYP.)

▨ TREE REMOVAL AREA

**TREE REMOVAL PLAN**  
**SEABROOK SOLAR**  
 BEAUFORT COUNTY, SC  
 PREPARED FOR:  
 SEABROOK SOLAR, LLC  
 PREPARED BY:  
**THOMAS & HUTTON**  
 67 Park St. Commercial Bldg.  
 Beaufort, SC 29505 • 813.234.1875  
 www.thomashutton.com

FILE NO.	220413.000	DATE	11/21/19
DRAWN	PHS	CHECKED	PHS
REVISION	PHS	DATE	01/11/20

**Exhibit C**  
Fees  
Paragon Site

Building Permit:	\$ 169,505
Plan Review:	\$ 84,752
Road Impact Fee:	\$ 115,979
Fire Impact Fee:	\$ 5,000
Filing/Engineering Insp.	\$ 2,000
Zoning Permit	\$ 25
Stormwater Review	\$ 75
Site Plan Review	\$ xx

## MEMORANDUM

**TO:** Beaufort County Natural Resources Committee  
**FROM:** Nicole Scott Ewing, Esq.  
**DATE:** November 19, 2018  
**RE:** Amendment to Seabrook Solar Development Agreement

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Beaufort County Council approved the Seabrook Solar Development Agreement on August 27, 2018 (the "Development Agreement"). The Property Owner intends to establish a photovoltaic solar energy facility within the County and anticipates investing \$100,000,000 in the project. The Development Agreement vests the Property Owner's development rights and provides a decommissioning process and a \$266,000 per year development fee paid to the County for 30 years (just over \$8 million in total). Beaufort County Council also approved a fee-in-lieu of tax ("FILOT") agreement for the facility and agreed to place the property in a multi-county industrial park.

Subsequent to approval of the Development Agreement, the Property Owner learned its interpretation of the Beaufort County Development Code regarding buffers and screening differed from that of the Community Development Department, resulting in a significant increase in project costs that would render the project unviable. In order to mitigate those increased costs and focus dollars on public-benefit projects instead of redundant landscaping along the tree-lined perimeter of the site not visible to the public, the Property Owner proposes a development agreement amendment that meets the County's goals and ensures the project's success. The amendment provides:

- Contribution In-Lieu (Start-Construction): Property Owner will make a payment of \$850,000 to the County at start of construction.
- Contribution In-Lieu (Year 4): At the County's election following the 3<sup>rd</sup> year of operation, Property Owner will either make an additional \$200,000 payment to the County or install \$200,000 in supplemental on-site plantings in areas identified by the County along the perimeter of the project site.
- Donation to Public-Benefit Project: The Property Owner will contribute \$250,000 to Friends of the Spanish Moss Trail.
- Vegetative Screen: Property Owner will install a 50-foot wide vegetative screen along Trask Parkway and Keans Neck Road at an estimated cost of \$565,000. Plantings will include a mixture of shrubs and understory trees as described in the Buffer & Screening Proposal Exhibit.



- Removal of Trees: Property Owner is authorized to remove no more than 7,900 inches of specimen trees from the Property in order to address site constraints and shading that would reduce electricity generation and undermine viability of the project.

The Property Owner respectfully requests that the Natural Resources Committee recommend approval of the amendment for the following reasons:

1. The proposal meets the County's goal of screening the solar facility from Trask Parkway and Keans Neck Road;

2. The County will receive just over \$8 million in increased revenue during the term of the 30-year FILOT compared to an estimated \$80,000 in taxes over 30 years if the property continues its agricultural use designation;

3. Land may be returned to previous agricultural use at end of project life, which protects 636 acres along the Trask Parkway Corridor from being permanently subdivided into residential lots or developed for mining & resource extraction, waste management or other T2 allowed use;

4. The facility generates significant revenue for the County while placing little to no demand on County infrastructure and services, including roads, water, sewer, fire, EMS and schools;

5. The facility will generate enough clean, renewable electricity to power 13,100 homes without using water, creating air emissions or producing waste products; and

6. The facility's low visual profile and quiet operations preserve the rural, open-space character of the area.

PROJECT OVERVIEW:

# SEABROOK SOLAR

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November 19, 2018



LEADING THE WORLD'S  
SUSTAINABLE ENERGY FUTURE



# PROJECT OVERVIEW

Seabrook Solar is a 72 MW solar project under development in Beaufort County, SC

Technology	<ul style="list-style-type: none"> <li>• First Solar solar photovoltaic modules</li> <li>• Single-axis trackers</li> </ul>
Project Site	<ul style="list-style-type: none"> <li>• 628 acres of private land located at Trask Parkway &amp; Keans Neck Road</li> </ul>
Schedule	<ul style="list-style-type: none"> <li>• Construction Start Mar. 2019</li> <li>• Commercial Operation Dec. 2019</li> </ul>
Offtake	<ul style="list-style-type: none"> <li>• 20-year Power Purchase Agreement with South Carolina Electric &amp; Gas (“SCE&amp;G”)</li> </ul>
Interconnection	<ul style="list-style-type: none"> <li>• Connects to SCE&amp;G’s Burton–Yemassee 115kV transmission line via on-site switchyard</li> </ul>
Construction & Operations	<ul style="list-style-type: none"> <li>• First Solar Electric will serve as EPC</li> <li>• First Solar Energy Services will provide O&amp;M</li> </ul>



## PROJECT BENEFITS

### Seabrook Solar benefits to Beaufort County:

- Generates over \$8 million in revenue for County over 30 year term of the project's Fee In-Lieu of Property Tax Agreement (\$267,000 per year) compared to an estimated \$80,000 in taxes over 30 years if property continues its agricultural use designation
- Contributes \$1.1 million to the County and public-benefit projects at start of construction, and – at the County's discretion - an additional \$200,000 in year 4 of operation
- Protects 636 acres along the Trask Parkway Corridor from being permanently subdivided into residential lots or developed for mining & resource extraction, waste management or other T2 allowed use; land may be returned to previous agricultural use at end of project life
- Places little to no demand on County infrastructure and services, including roads, water, sewer, fire, EMS and schools
- Generate enough clean, renewable electricity to power over 13,000 homes without using water, creating air emissions or producing waste products
- Low visual profile and quiet operations preserve the rural, open-space character of the area



## INTRODUCTION TO FIRST SOLAR

## FIRST SOLAR AT A GLANCE



U.S. company headquartered in Arizona with manufacturing facilities in Ohio



Over **17GW** sold worldwide and over **\$14.5B** in project financing facilitated



Partner of choice for leading utilities and global power buyers since 1999



Strongest **financial stability & bankability** in the industry

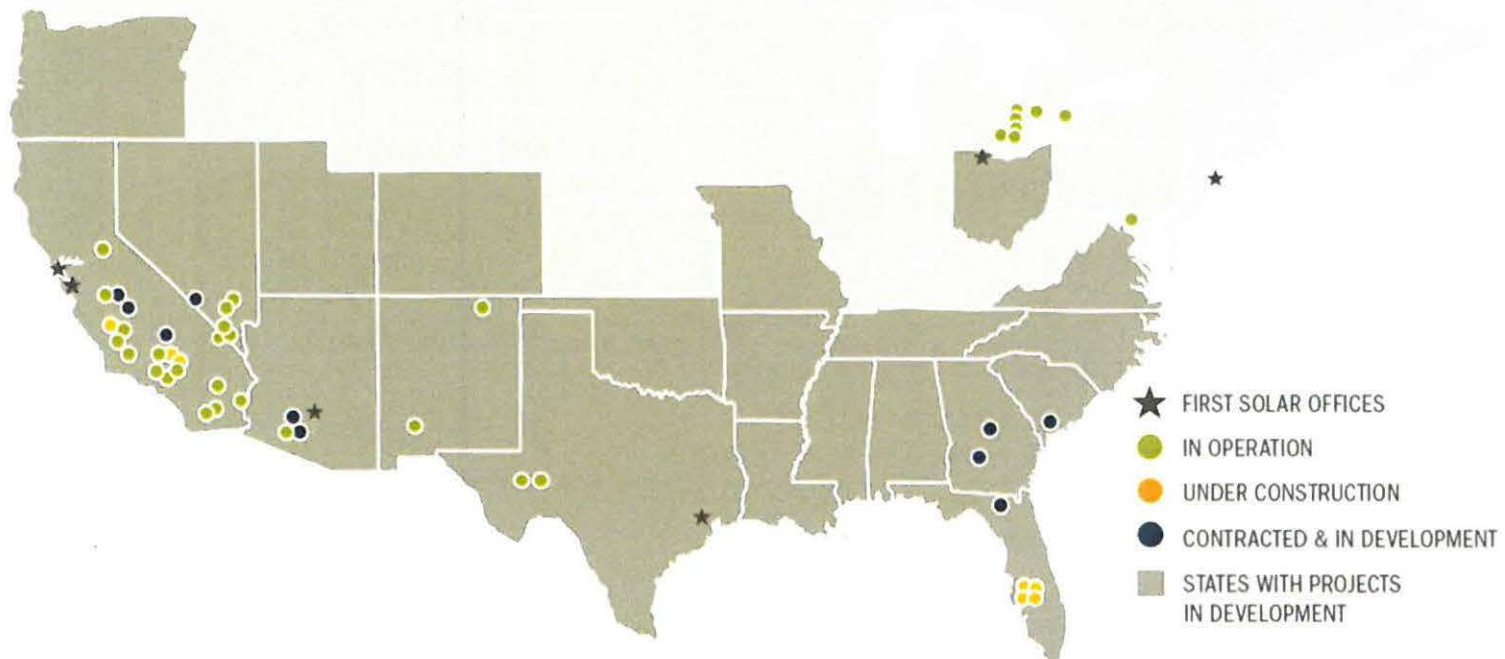


History of solar innovation with **world record efficiency**



## FIRST SOLAR ONE OF THE MOST SUCCESSFUL DEVELOPERS IN N. AMERICA

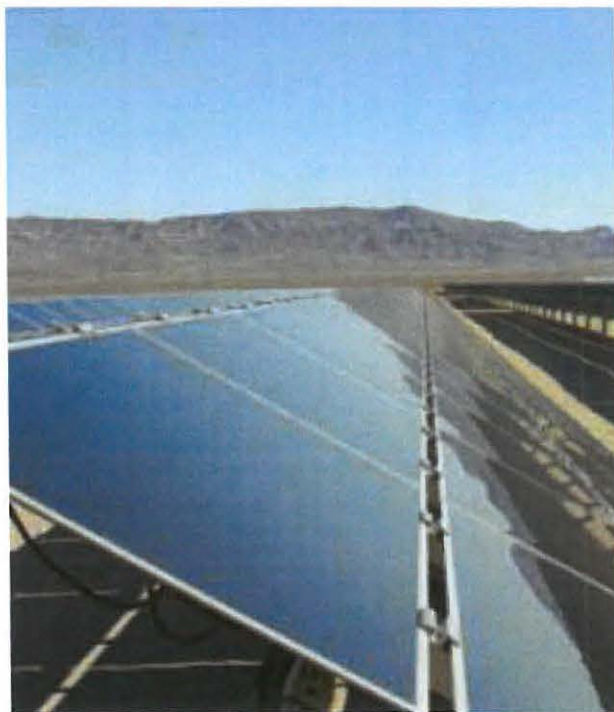
6.3 GW of First Solar technology in operation, construction or contracted development in N. America



First Solar Proprietary & Confidential - General

## BENEFITS OF FIRST SOLAR POWER PLANTS

Solar energy is cost-competitive today with gas, coal & nuclear energy on *unsubsidized* basis



First Solar modules provide up to 7.5% energy advantage over industry-standard crystalline silicone (c-Si) modules

First Solar is largest utility-scale solar O&M provider in the world and services over 7.4 GW in N. America

Generate electricity with no water, no air emissions, and no waste production

Low visual profile, quiet operations

Land may be returned to previous use at end-of-life

First Solar Proprietary & Confidential - General





LEADING THE WORLD'S  
SUSTAINABLE ENERGY FUTURE