

**BEAUFORT-PORT ROYAL  
METROPOLITAN PLANNING COMMISSION**

**AGENDA**

1911 Boundary Street, Beaufort, SC 29902  
Phone: 843-525-7011 ~ Fax: 843-986-5606

**Monday, June 16, 2014 5:30 P.M.**

**City Hall Council Chambers, 1911 Boundary Street, Beaufort, SC**

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**STATEMENT OF MEDIA NOTIFICATION:** "In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media were duly notified of the time, date, place and agenda of this meeting."

**The commission may alter the order of items on the agenda to address those of most interest to the public in attendance first. Also, in an effort to ensure that all interested persons are given the opportunity to speak on every case, a two (2) minute time limit on public comment will be in effect. Individuals wishing to speak during the hearing will be asked to sign up in advance, and will be recognized by the Chairman during the public comment section of the hearing.**

- I. Call to Order:**
- II. Pledge of Allegiance:**
- III. Review Commission Meeting Minutes:**
  - A. Minutes of the May 19, 2014 Meeting.**
- IV. Review of Projects for the Town of Port Royal:**
  - A. Town of Port Royal – Annexation. Annex four parcels of property, 551 Robert Smalls Parkway, two unaddressed parcels near Robert Smalls Parkway and 153 Castle Rock Road. The properties are further identified as District 100, Map 28, parcels 118 and 120, and District 100, Map 31, Parcels 3 and 13. The applicants are the heirs of Victoria and Joseph Middleton, Abraham Middleton, Kenneth Middleton, and Gloria Lynch. Assistance is being provided by attorney Kevin Dukes.**
  - B. Town of Port Royal – Zoning Request. Zoning four parcels of property, 551 Robert Smalls Parkway, two unaddressed parcels near Robert Smalls Parkway and 153 Castle Rock Road. The properties are further identified as District 100, Map 28, parcels 118 and 120, and District 100, Map 31, Parcels 3 and 13. The applicants are the heirs of Victoria and Joseph Middleton, Abraham Middleton, Kenneth Middleton, and Gloria Lynch. Assistance is being provided by attorney Kevin Dukes. The requested zoning designation is T4 Neighborhood Center.**
- V. Review of Projects for the City of Beaufort:**
  - A. City of Beaufort – Rezoning. Rezoning four lots in the 700 block of Carteret Street. The lots are located at 701, 705, 706, 708, and 710 Carteret Street. The property is**

identified as District 121, Tax Map 4, Parcels 539, 543, 548, and 549. The existing zoning is Office Commercial District. The proposed zoning is Neighborhood Commercial District. Applicant: City of Beaufort

- B. City of Beaufort – UDO Amendment.** Revising Section 7.3, “Landscaping and Tree Conservation,” and Section 11.2 “Defined Terms,” to change the definition of “Grand Tree” and related changes pertaining to implementation of a Reforestation Fee. Application: City of Beaufort.
- C. City of Beaufort – New street name.** Naming a new street to be developed as part of the Ashley Pointe multifamily project. The new street will intersect Greenlawn Drive. The proposed street names are Albergotti Drive and Carolina Wren Drive. Applicant: Cline Design Associates.
- D. City of Beaufort – Update on Council Actions.**

**VI. Review of Projects for the County of Beaufort:**

- A.** No projects.

**VII. Adjournment**

**Note: If you have special needs due to a physical challenge, please call Julie Bachety at (843) 525-7011 for additional information.**

A meeting of the Beaufort-Port Royal Metropolitan Planning Commission was held on **May 19, 2014 at 5:30 p.m.** in council chambers of the Beaufort Municipal Complex, 1911 Boundary Street. In attendance were Chairman Joe DeVito and Commissioners James Crower, Alice Howard, Jennifer Bihl, and Bill Harris, City Planner Libby Anderson, and Town Planner Linda Bridges.

Robert Semmler was absent.

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80(d) as amended, all local media were duly notified of the time, date, place, and agenda of this meeting.

### **CALL TO ORDER**

Chairman DeVito called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

### **MINUTES**

**Commissioner Crower made a motion, second by Commissioner Harris, to approve the minutes of April 21, 2014 as submitted. The motion passed unanimously.**

**Commissioner Howard made a motion, second by Commissioner Harris, to move agenda item 5 to the top of the agenda. The motion passed unanimously.**

### **REVIEW OF PROJECTS FOR THE CITY OF BEAUFORT**

#### **City of Beaufort – Rezoning**

Rezoning property located at 705 Carteret St, identified as District 121, Tax Map 4, Parcel 548, fro Office Commercial District to Neighborhood Commercial District

Applicant: Evelyn Sutton

Ms. Anderson said the structure has two stories and is listed as contributing on the Historic Sites Survey. Office Commercial zoning allows all types of offices and residential, but no traditional commercial uses such as retail, restaurants, and beauty salons. She showed an overview of the zoning in the area surrounding the applicant's property. The proposed zoning is Neighborhood Commercial District.

It's a mixed-use corridor, which is intended for intense types of uses, according to the Comprehensive Plan. Ms. Anderson listed appropriate uses. The property is within the regional center, and the zoning would be within the framework for the Comprehensive Plan and the Civic Master Plan. The draft form-based code shows the best zoning for this as one comparable to Neighborhood Commercial, when the form-based code is implemented.

Ms. Anderson went on to show other uses in the area. Public notice was made and no comments were received. Ms. Anderson said Neighborhood Commercial is very acceptable, and

they would look at this as a reason to zone the whole block Neighborhood Commercial, to open up more uses for those buildings that are there. Staff recommended that the application be tabled, and the surrounding owners be contacted to rezone the entire block. Ms. Anderson said they might leave USCB out, because they might prefer to stay Office Commercial, and it could take awhile to process the idea/application as a large organization. Chairman DeVito asked if the applicant was okay with the delay. **Evelyn Sutton** said she was fine with that. Ms. Anderson more closely delineated the parcels she thought should be rezoned.

Commissioner Howard asked what 613 was in the next block, and Ms. Sutton said it's a real estate company. Commissioner Crower asked Ms. Anderson why she was going across the street. Ms. Anderson said the draft zoning map shows the whole 700 block as Neighborhood Commercial. Ms. Anderson said the owner of the corner building will find this very advantageous, so they could get renters in more easily, and he's not ever applied for a rezoning.

Ms. Sutton said she has had a tour business for 22 years and would like to have her office there and end her tours there. A new radio station is looking to put in offices there, too, and she would like to have the other side be retail. She would like to see more businesses in that area as well. **Commissioner Howard, second by Commissioner Harris, recommended that the motion be tabled so the other property owners proposed by staff could be added to the rezoning. The motion passed unanimously.**

#### **CITY OF BEAUFORT – UPDATE ON COUNCIL ACTIONS**

Ms. Anderson said the UDO amendment for the tax assessment freeze had received a public hearing, and it will go for first reading next week. An update is that **Lauren Kelly** will present it to the school Board's Finance Committee, "which would make this a more interesting incentive," Ms. Anderson said. Rezoning the lots in the Marina parking lot area is on hold, she added.

#### **REVIEW OF PROJECTS FOR THE TOWN OF PORT ROYAL**

##### **Town of Port Royal – Annexation and Rezoning Request**

Annexing and rezoning three parcels of property located near Castle Rock Road and south of Windsong Road, identified as District 100, Tax Map 31, Parcels 51, 201, and 227. The existing zoning is Suburban District. The proposed zoning is T4 Neighborhood Center.

Applicants: Darryl Gardner, Jeffrey Gardner, and Arthur Gardner

Ms. Bridges said she had given the commissioners a copy of the new code and the maps, which "are correct to the parcel," as to what town council had adopted a week ago. The applicants are **Jeffrey, Darryl, and Arthur Gardner**. The site is 10 acres, approximately. The property is unapproved and has no addresses assigned to it, she said, and she showed where it is on a map.

The parcels are in Beaufort County and are zoned Suburban under the ADSO. She is asking for a recommendation for annexation and zoning.

Ms. Bridges said in regard to their Comprehensive Plan, the parcels are on the Future Land Use Map, and they are within the future growth boundary. In regard to delivery of services, they are served by BJWSA, and that will go forward with development. The Burton fire department is the first deliverer of services in the Town of Port Royal and in the Burton and Shell Point area. They have a calculation that collects tax money to help the Burton fire department deliver services on that side of Battery Creek; the Port Royal police department delivers services there already. The corporate boundaries were shown on an overhead. Also, if development happened, other municipal services would be curbside garbage and recycling and yard debris pick up for residences.

In regard to the zoning designation, Ms. Bridges showed the Future Land Use Map. It's designated Conventional Neighborhood. In regard to the Town of Port Royal's zoning map, there is some T-4 Neighborhood and T-4 Neighborhood Open, she said. The allowable uses get more intense, so they are recommending T-3 Neighborhood. More than just residential is allowed: "The form will match the geography." There is a list of uses in the new form-based code, Ms. Bridges said, and the building types are residential in nature and scale, but Article 4, the use charts, explain more about what she is asking for. Landmarks buildings are allowed in T-3, but are reserved for school and church functions.

"This is a little more formal than just residential building types," Ms. Bridges said. When development happens, they will regulate tree removal and trimming, do a traffic impact analysis ordinance, and street design regulations. The stormwater management and utility agreement with Beaufort County and the Town of Port Royal are the same as elsewhere in Beaufort County. This would be a development area, which is differentiated from the redevelopment area, so the stormwater will meet all the newest (2012) standards for Beaufort County. There are no environmental issues. Letters were sent to property owners within 400', and no response has been made to this time, Ms. Bridges said.

Ms. Bridges reiterated that the documents had been given to the Commission with the applicable new code.

Commissioner Harris said on the agenda, they "are looking for T-4," and Ms. Bridges said that was a typo, and T-3 is correct.

**Keith Strong** was present to represent the applicants but said he had "nothing to add." **Maggie McFadden**, 242 Castle Rock Road, said she lives in the area, and she had come to learn what was going on. She has lots of questions since she received the letter, but she had "no idea what would transpire or how the rules and regulations would change." She wanted to know if her

property was part of the annexation. Ms. Bridges said she thought it wasn't. Ms. McFadden owns her own property, and Ms. Bridges said she wasn't part of the annexation, then, if the Gardners didn't own it. Ms. Bridges said Ms. McFadden would not be affected. Chairman DeVito said that Ms. McFadden was sent that letter just so she "would know something was happening in the area," but she would not be involved.

Commissioner Howard asked Ms. Bridges about the Town of Port Royal police department building and other areas and if they were in the town, and Ms. Bridges explained what was already annexed.

**Commissioner Crower made a motion to recommend annexation of Parcels 51, 201, and 227, and Commissioner Howard seconded the motion. The motion passed unanimously.**

**Commissioner Crower made a motion to recommend that the parcels be zoned T-3 Neighborhood Center. Commissioner Howard seconded the motion. The motion passed unanimously.**

Ms. Bridges said they had decided to allow gas stations in T-4 Neighborhood Commercial and T-4NC Open, and there were some other caveats, e.g., a 6-pump limit. They found some small housekeeping errors, but the document has been adopted, and they are using it and the maps as well. Some things are moving out of Zoning that had been in it. Chickens are moving out of Zoning and into the Animals section. They have had first reading on keeping the same stipulations in regard to chickens, but moving them into the Animals section.

Chairman DeVito said there's a regional planning meeting this week, and Commissioner Howard noted another meeting. The county code is moving forward, Commissioner Howard said, and the city form-based code is not yet back in committee.

Chairman DeVito said in Section 5 of the Spanish Moss Trail, the paving is down, the bridge work is completed, and they are working quickly to get the section up and running. The county should be ready to connect in August or September. Section 2 in Port Royal is back online, and they are working on it diligently. Ms. Bridges said the Ports Authority has received the trail very well. Chairman DeVito said "the very, very, very ambitious goal is to have it open by Thanksgiving in Port Royal, funding willing."

**There being no further business to come before the commission, Commissioner Crower made a motion to adjourn. The motion passed unanimously, and the meeting was adjourned at 6:07 p.m.**

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**City of Beaufort - Town of Port Royal – Beaufort County**  
**Joint Metropolitan Planning Commission**  
**Annexation and Rezoning Analysis PR-AX 02-14**  
**Meeting Date: June 16, 2014**

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**Applicant**

The heirs of Victoria and Joseph Middleton, Abraham Middleton, Kenneth Middleton, and Gloria Lynch

**Site**

Approximately 30 acres The bulk of the property is undeveloped. There is a single family home at 153 Castle Rock Road.

The plat map reference for this property is: District 100, Map 31, Parcels 3 and 13, and District 100, Map 28, Parcels 118 and 120. The acreage is located at 551 Robert Smalls Parkway, two unaddressed parcels near Robert Smalls Parkway and 153 Castle Rock Road.

**Present Zoning**

The parcels are currently zoned Suburban under Beaufort County's Zoning and Development Standards Ordinance (ZDSO).

## **The Annexation**

**Comprehensive Plan**

These parcels are included on **The Future Land Use Map** in the Land Use Element of the Town's Comprehensive Plan. The parcels are within the Future Growth Boundary for the town.

**Delivery of Services**

The parcels are located in an area served by the Beaufort Jasper Water and Sewer Authority. The Burton Volunteer Fire Department will be the first deliverer of services for this area, with Port Royal as backup. The Town holds an agreement with Burton Fire District. This agreement allocates funds annually from the town to the Burton Volunteer Fire Dept.

The current corporate boundaries are contiguous to and beyond this property therefore:

- The Port Royal Police Department has adequate staff levels to deliver services to this area.
- If developed residentially the town will provide (by contractor or town employee) curb side household garbage pick-up, curbside yard debris pick-up, curbside bulk item pick-up, and mandatory recycling pick-up.

## **Zoning**

**Proposed Zoning and Land Use Compatibility**

Please see **Exhibit A, the Future Land Use Map** and **Exhibit B, the Town's Zoning Map**. The parcels are found on the town's Future Land Use Map and are located in a Conventional Neighborhood Sector, a Walkable Neighborhood Sector and an Activity Center.

The proposed zoning is T4 Neighborhood Center. The Neighborhood Center (T4NC) Zone is intended to integrate appropriate, medium-density residential building types, such as duplexes, townhouses, small courtyard housing, and mansion apartments into a neighborhood framework that is conducive to walking and bicycling. Civic, transit, and commercial functions are located within walking distance.

In addition to use and development standards, the town's development codes regulate tree removal and pruning, traffic impact, and street design standards.

*The Stormwater Management and Utility Agreement* between Beaufort County and the Town of Port Royal, (June 12, 2012) adopted the design standards of the Beaufort County Best Management Practices (BMP) Manual for Stormwater Management.

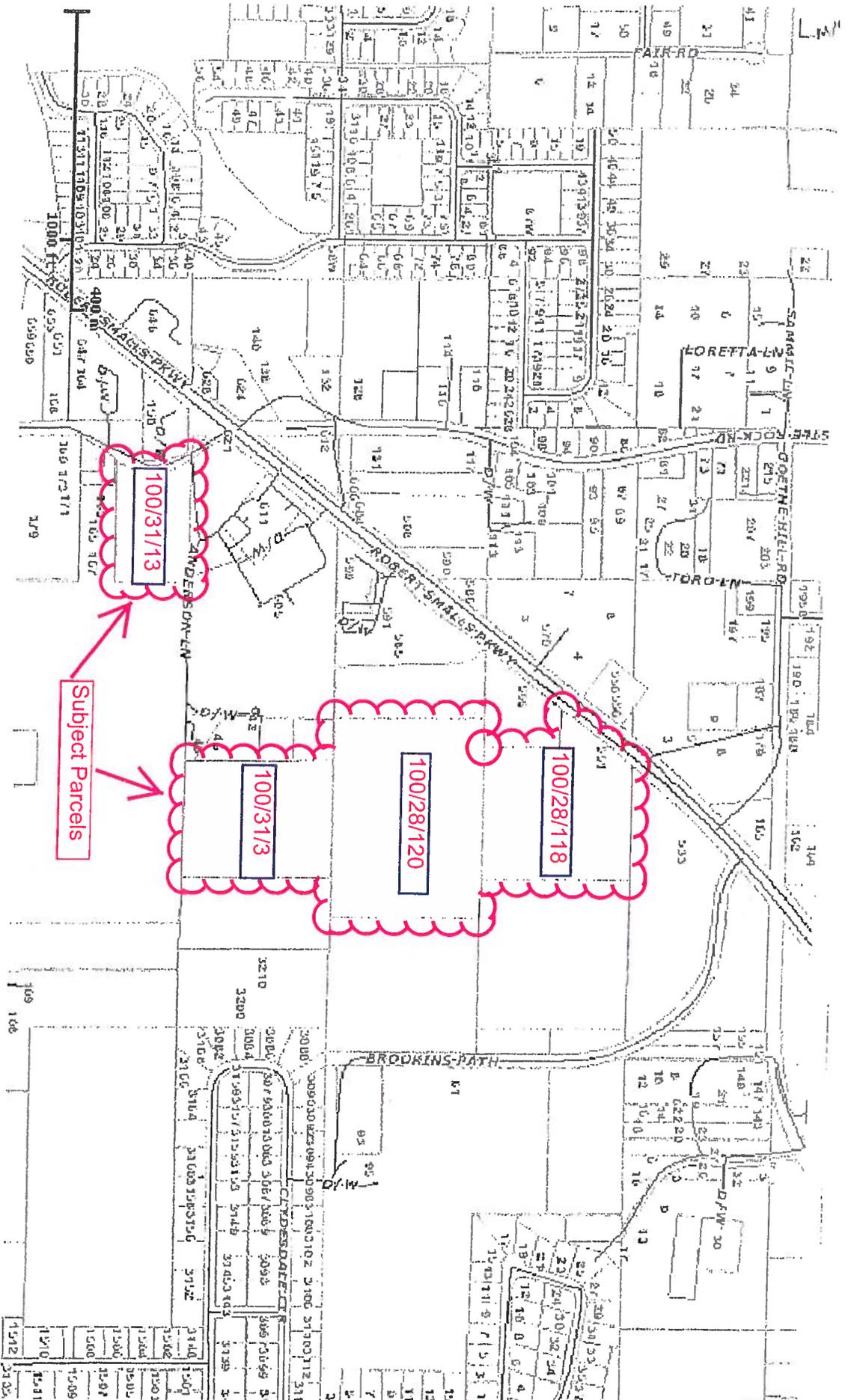
**Environmental Issues**

There are no environmental issues

**Public Notification**

Letters were sent to property owners within 400 feet of the property being annexed and rezoned.

Middleton Annexation



Subject Parcels

100/3/113

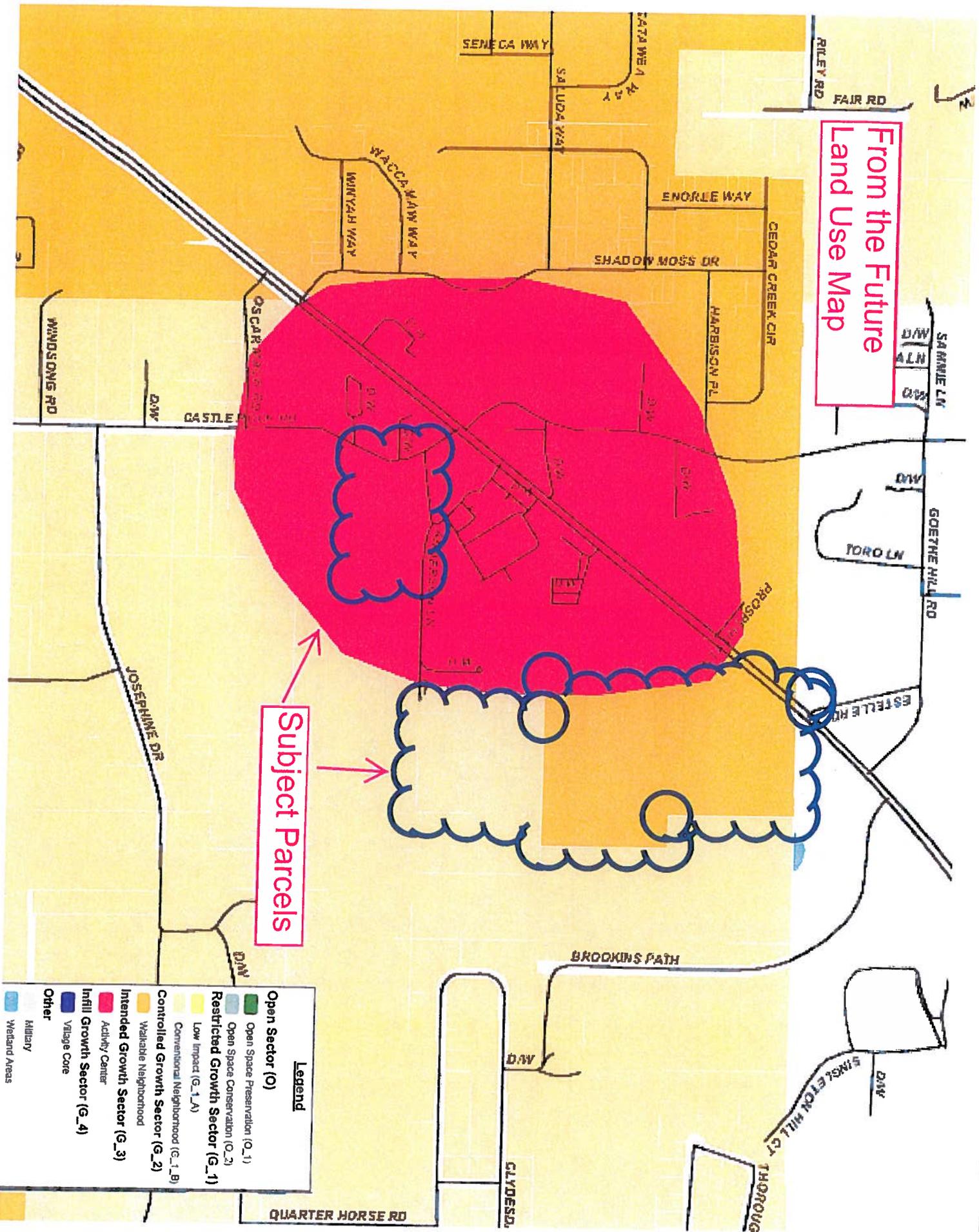
100/28/118

100/28/120

100/3/13

From the Future  
Land Use Map

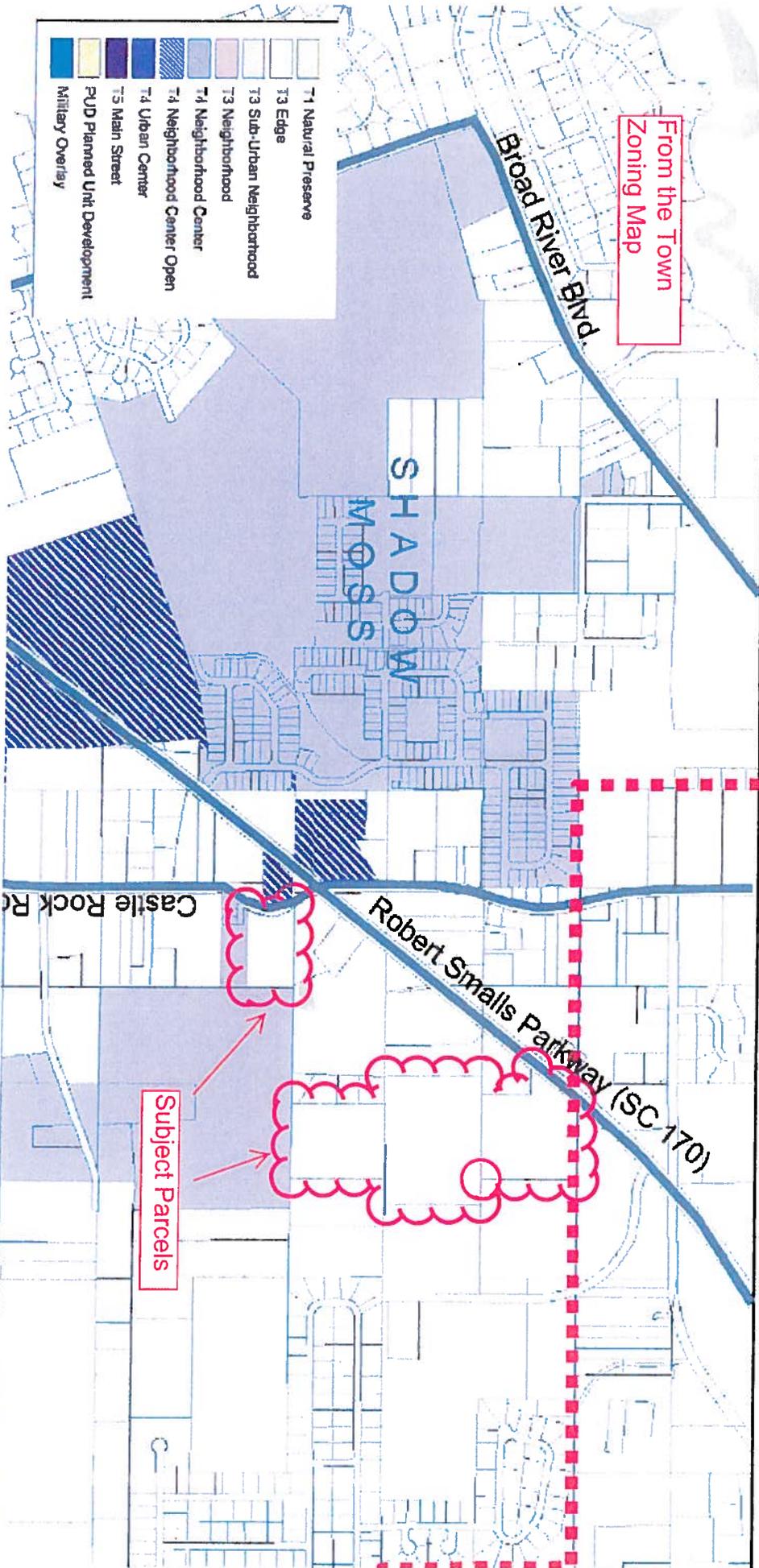
Subject Parcels



Legend	
Open Sector (O)	Open Space Preservation (O_1)
Restricted Growth Sector (G_1)	Open Space Conservation (O_2)
Controlled Growth Sector (G_2)	Low Impact (G_1_A)
Intended Growth Sector (G_3)	Conventional Neighborhood (G_1_B)
Infill Growth Sector (G_4)	Walkable Neighborhood
Other	Activity Center
	Village Core
	Military
	Wetland Areas

From the Town  
Zoning Map

- T1 Natural Preserve
- T3 Edge
- T3 Sub-Urban Neighborhood
- T3 Neighborhood
- T4 Neighborhood Center
- T4 Neighborhood Center Open
- T4 Urban Center
- T5 Main Street
- FUD Planned Unit Development
- Military Overlay



Subject Parcels

**\$ PAID**  
5/7/14 *ck*

City of Beaufort  
Department of Planning & Development Services  
1911 Boundary Street  
Beaufort, South Carolina 29902  
Phone (843) 525-7011 / Fax (843) 525-7034  
**\*Revised August 2010**

Application Fee  
\$250 + \$10 for each additional lot.

**REZONING APPLICATION**  
(Except for PUDs)

OFFICE USE ONLY: Application #: R214-03 Date Received: 5-7-14

Property Address: 705 Carteret St., Beaufort, SC 29902

District, Tax Map, Parcel #: R12L-004-000-0548-0000

Applicant: Evelyn Sutton

Applicant Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_ E-Mail Address: suttonp@earthlink.net

Applicant Address: #2 Osprey Landing Cove, Fripp Is., SC 29920

Property Owner: Surrey Estates Inc Phone #: 843-838-0842

Property Owner Address: #2 Osprey Landing Cove, Fripp Is., SC 29920

Have any previous applications been made for a map amendment affecting these same premises? ( ) YES (X) NO

If yes, give action(s) taken: \_\_\_\_\_

Present zone classification: FR

Requested zone classification: Commercial

Total area of property: 1 Lot

Existing land use: office

Desired land use: Retail + office sales

Reasons for requesting rezoning: Daughter, owner of Spirit of Old Beaufort, does tours, walking + van, has shop with historical books, history retail items, flags, misc. older antique items in her shop. She wants to move to location.

Pursuant to Section 6-29-1145 of the South Carolina Code of Laws, is this tract or parcel restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the activity described in this application? \_\_\_\_\_ Yes (X) No

You must attach a boundary map prepared by a registered land surveyor of the tract, plot, or properties, in question, and all other adjoining lots or properties under the same ownership. 12 copies of all application materials are required.

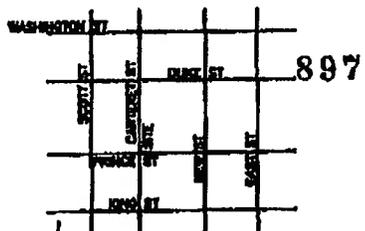
Applicant signature: Evelyn Sutton Date: 5/7/14

**NOTE:** If the applicant is not the property owner, the property owner must sign below.

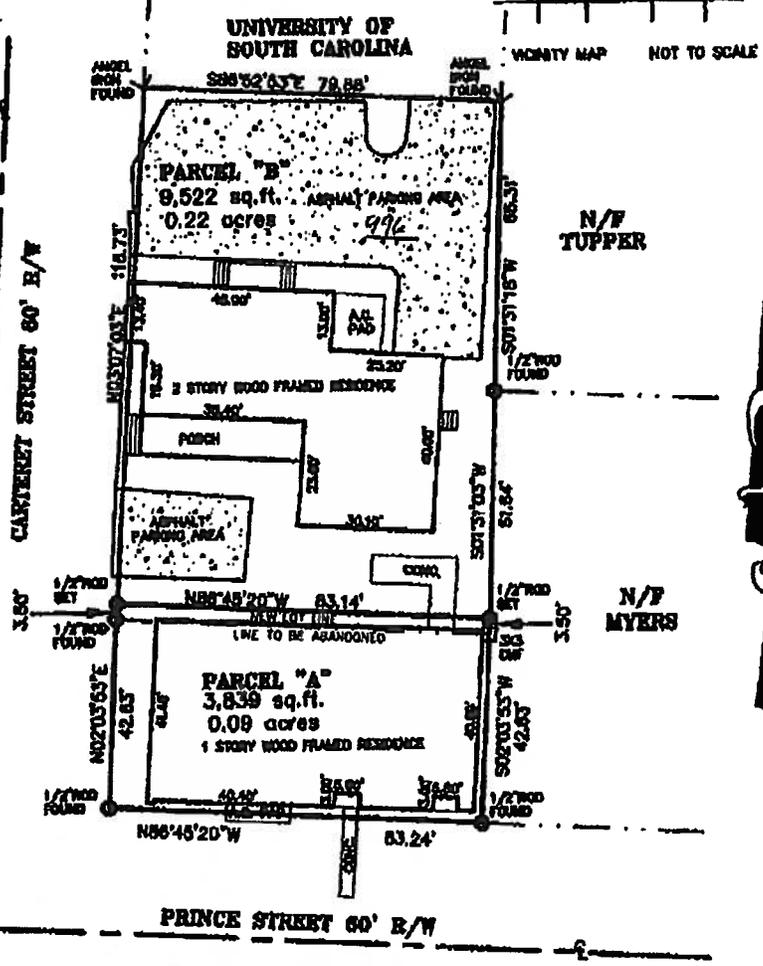
Property owner signature: Surrey Est. Inc Date: 5/7/14  
Evelyn Sutton, pres.



**GASQUE & ASSOCIATES INC.**  
**LAND SURVEYORS & PLANNERS**  
 26 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.  
 P.O. BOX 1363, BEAUFORT, S.C.  
 PHONE (843) 522-1788



The development plan shown herein is exempt from the requirements of the City of Beaufort Subdivision Regulations according to the provisions in Article VII, Section 706.1.  
 Certified by *Stacy A. Post*  
 D.S. 10/27/00



**ASBUILT SURVEY & LOT LINE REVISION PREPARED FOR**  
**CAREY HOLDINGS INC., FRANKLIN J. DRUMMOND, INVESTORS TITLE COMPANY & WEIDNER & WEGMANN LLC.**

BEING THE SOUTHWEST CORNER OF BLOCK NUMBER 33 CITY OF BEAUFORT ACCORDING TO THE SURVEY AND PLAT OF CITY OF BEAUFORT MADE BY UNITED STATES DIRECT TAX COMMISSIONERS FOR THE DISTRICT OF SOUTH CAROLINA LOCATED IN THE CITY OF BEAUFORT, BEAUFORT COUNTY SOUTH CAROLINA TAX MAP 120-004-0549 & 0548

**CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. THIS PLAT IS COPYRIGHTED AND IS INTENDED ONLY FOR THE ENTITY OR PERSON(S) SHOWN HERE ON. THIS PLAT REPRESENTS A SURVEY BASED ON THE LISTED REFERENCES ONLY AND IS NOT THE RESULT OF A TITLE SEARCH.**

**BEFORE ANY DESIGN WORK OR CONSTRUCTION ON THIS SITE IS STARTED FLOOD ZONE INFORMATION MUST BE VERIFIED BY BEAUFORT COUNTY BUILDING CODES PHONE NUMBER (843)-470-2884. THIS PROPERTY APPEARS TO LIE IN FLOOD ZONE A-1 EL. 13.00' AS DETERMINED BY F.E.M.A. FIRM COMM-PARCEL NUMBER 460085 0005 D. DATED 09/28/00 (INDEX DATE 11/04/00)**

**I UNDERSIGNED DOES NOT CERTIFY THAT THE PROPERTY SHOWN HEREON COMPLIES WITH THE COUNTY DEVELOPMENT STANDARDS ORDINANCE**

I, DAVID E. GASQUE, HEREBY CERTIFY TO CAREY HOLDINGS INC., FRANKLIN J. DRUMMOND, INVESTORS TITLE COMPANY & WEIDNER & WEGMANN LLC THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN. THIS SURVEY IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE AND HAS AN EMBOSSED SEAL. AREA DETERMINED BY COORDINATE METHOD.

30 15 0 30 60 90

2000 705304

571-36

# Building Photographs

See Instructions for Item A6.

**IMPORTANT: In these spaces, copy the corresponding information from Section A.**

Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No. 705 CARTERET STREET		
City BEAUFORT	State SC	ZIP Code 29902

FOR INSURANCE COMPANY USE	
Policy Number:	
Company NAIC Number:	

If using the Elevation Certificate to obtain NFIP flood insurance, affix at least 2 building photographs below according to the instructions for Item A6. Identify all photographs with date taken; "Front View" and "Rear View"; and, if required, "Right Side View" and "Left Side View." When applicable, photographs must show the foundation with representative examples of the flood openings or vents, as indicated in Section A8. If submitting more photographs than will fit on this page, use the Continuation Page.



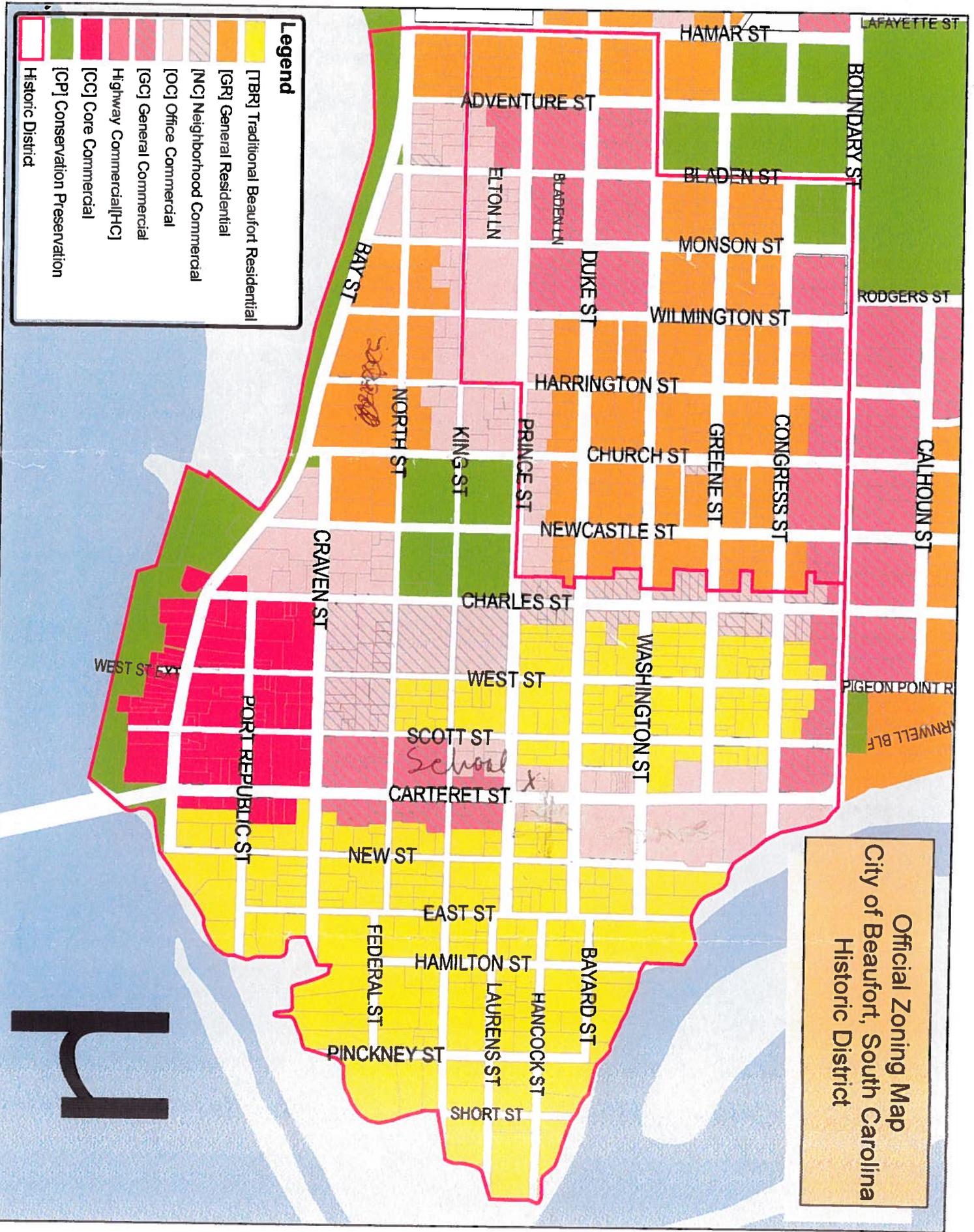
41540 FRONT VIEW



41570 REAR VIEW

**Legend**

- [TBR] Traditional Beaufort Residential
- [GR] General Residential
- [NC] Neighborhood Commercial
- [OC] Office Commercial
- [GC] General Commercial
- [HWC] Highway Commercial
- [CC] Core Commercial
- [CPC] Conservation Preservation
- [HD] Historic District



Official Zoning Map  
 City of Beaufort, South Carolina  
 Historic District

11

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**CITY OF BEAUFORT**  
**REZONING ANALYSIS RZ14-04**  
**PUBLIC HEARING DATE: JUNE 24, 2014**

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**Applicant**

The applicant is the City of Beaufort.

**Site**

Three parcels of property, located in the 700 block of Carteret Street, are proposed for rezoning (see attached Site Location Map). The property addresses, property identification number, owner, and current use of each lot is outlined below.

<u>Address</u>	<u>District, Map, Parcel</u>	<u>Owner</u>	<u>Use</u>
701 Carteret St	R121, 4, 549	Carteret Office	office
705 Carteret St	R124, 4, 548	Surry Estates	vacant 2-story building
706 Carteret St	R121, 4, 543	Kevin Livingston	vacant 2-story building
708 Carteret St	R121, 4, 543	Kevin Livingston	office

The property is located in the Historic District. Photos of the buildings are attached.

**Present Zoning**

The lots are currently zoned “OC Office District” (OC). The OC district permits all types of office uses and all types of residential uses—single-family, two- and three-family, townhouse, and multifamily dwellings. B&Bs, inns, community service uses (ex., senior center), and day care facilities are also allowed. Restaurants, retail uses, and salons are not permitted. The attached map shows the current zoning pattern in the area.

**Proposed Zoning**

The City is requesting that the lots be rezoned “Neighborhood Commercial District” (NC) to permit retail uses. NC is a mixed-use district permitting all types of residential development as well as office and commercial uses. The footprint of new free-standing office and retail uses is limited to 2,500 square feet in an effort to prevent “big box” type commercial development, although larger facilities are allowed as part of a mixed-use development. Drive-through facilities, except for banks, are not permitted. The Use Table from the Unified Development Ordinance, which outlines the uses permitted in various zoning districts, and a copy of the development standards for the districts are attached. Also attached is a table comparing uses permitted in the OC district versus uses permitted in the NC zone.

Note: the two lots at the corner of Carteret and Duke Streets—a parking lot for the University of South Carolina Beaufort (USCB), and St. Peter’s Historic Catholic Church—are not included in this rezoning. While NC zoning permits parking lots, it does not permit colleges and universities. Although staff is not aware of any plans USCB has for building on the lot, staff felt it was better not to include this parcel in the rezoning proposal. St. Peter’s Church was contacted regarding the proposed zoning, but indicated they preferred to remain zoned OC.

**Consistency with Comprehensive Plan**

The Framework Plan in the City’s Comprehensive Land Use Plan designates these lots as “Corridor Mixed Use” (G-3B) (red) (see attached map). According to the comprehensive plan, “The G-3 sector is intended to apply along high capacity regional thoroughfares at major transportation nodes, or along portions of highly-traveled corridors. G-3 land generally falls within areas for higher-intensity regional-serving development, marked by the dark purple ½ mile radius circles . . . Corridor Mixed Use designations (G3-B) are intended for a mixture of regional-serving commercial, residential, and institutional destinations.” Appropriate land

uses in the G-3 sector include: residential development, neighborhood-serving commercial uses (retail and office), civic uses, and neighborhood centers, regional centers, and industrial districts.

The lots are also part of the downtown Regional Center (dashed purple line). According to the Comprehensive Plan, "Regional Centers are mixed use activity centers with employment and commercial uses that attract people from beyond the immediate neighborhoods and from surrounding communities. These centers are appropriate for commercial and employment development as well as the area's highest density housing. . . These centers will provide the highest concentrations of residential, employment, and commercial services in the Plan area."

An excerpt from the Comprehensive Plan describing the G-3 district and the Regional Centers is attached. The proposed rezoning appears to be consistent with the Framework Map in the Comprehensive Plan.

#### **Draft Form-Based Code Map**

A draft form-based code map (attached) shows the 700 block of Prince Street designated as T4-Urban Neighborhood (UN). The proposed T4-UN transect is comparable to existing Neighborhood Commercial zoning.

#### **Land Use Compatibility**

The Carteret Street corridor has a mix of uses. Fairly intense commercial uses are located at the southern end near Bay Street (restaurants and retail). Offices and retail uses are located in 500 and 600 blocks of Carteret. USCB facilities, offices, and a restaurant are located to the north along Carteret Street. Residential uses are located to the east along New Street and to the west along Scott Street.

#### **Suitability of Property for Uses Permitted in Current Zoning District**

The property can accommodate the office and residential uses permitted by the current OC zoning.

#### **Suitability of Property for Uses Permitted in Proposed Zoning District**

The property could also provide attractive space for retail uses and has housed retail uses in the past.

#### **Compatibility of Uses Permitted in Proposed Zoning District with Natural Features.**

This is an existing developed lot. No significant new construction is anticipated as a result of this rezoning request.

#### **Marketability of Property for Uses Permitted by Current Zoning District**

The property would likely be more marketable under NC zoning, as a wider variety of uses are permitted.

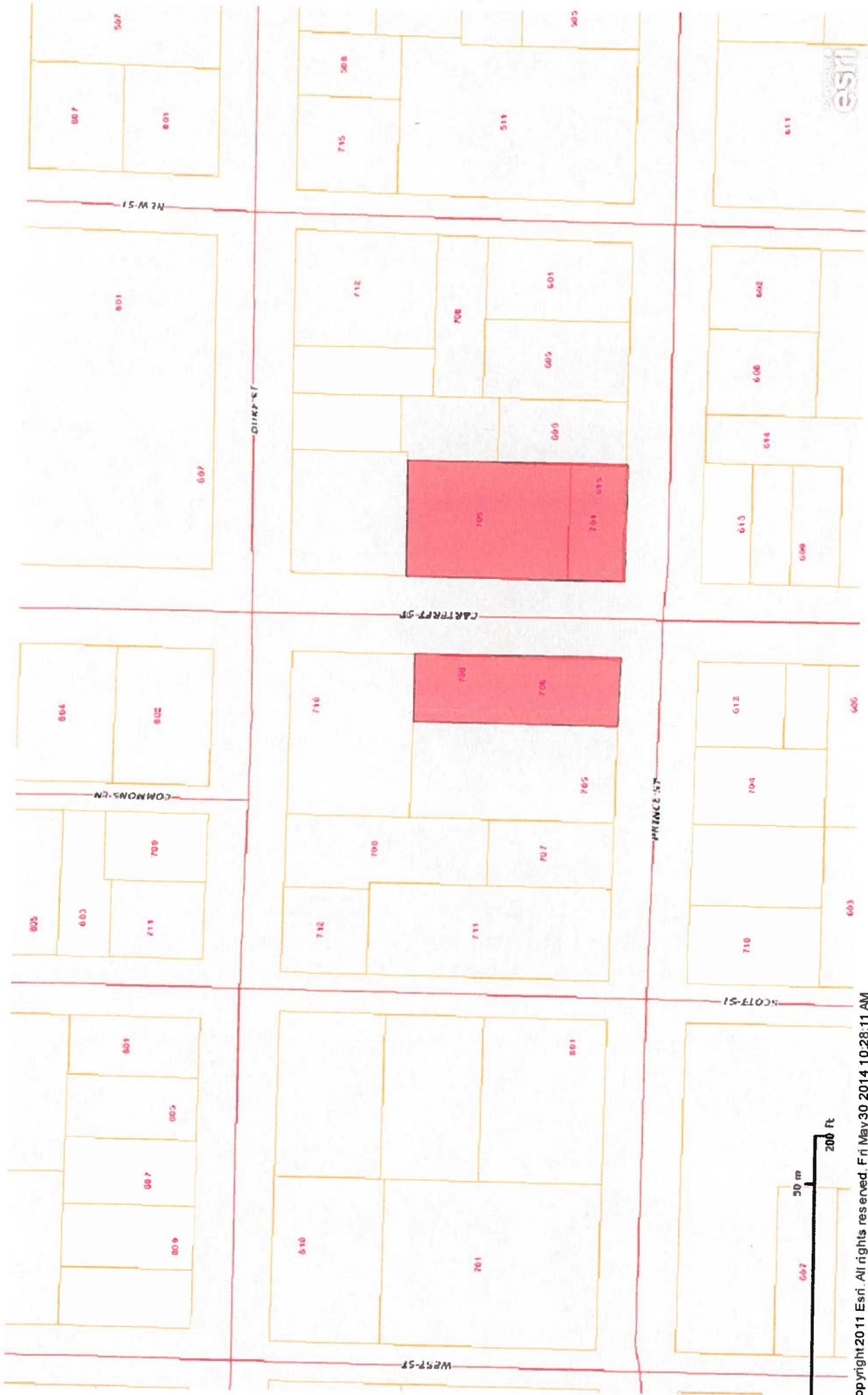
#### **Availability of Infrastructure**

The lots are served with water and sewer. On-street parking is available on Carteret Street.

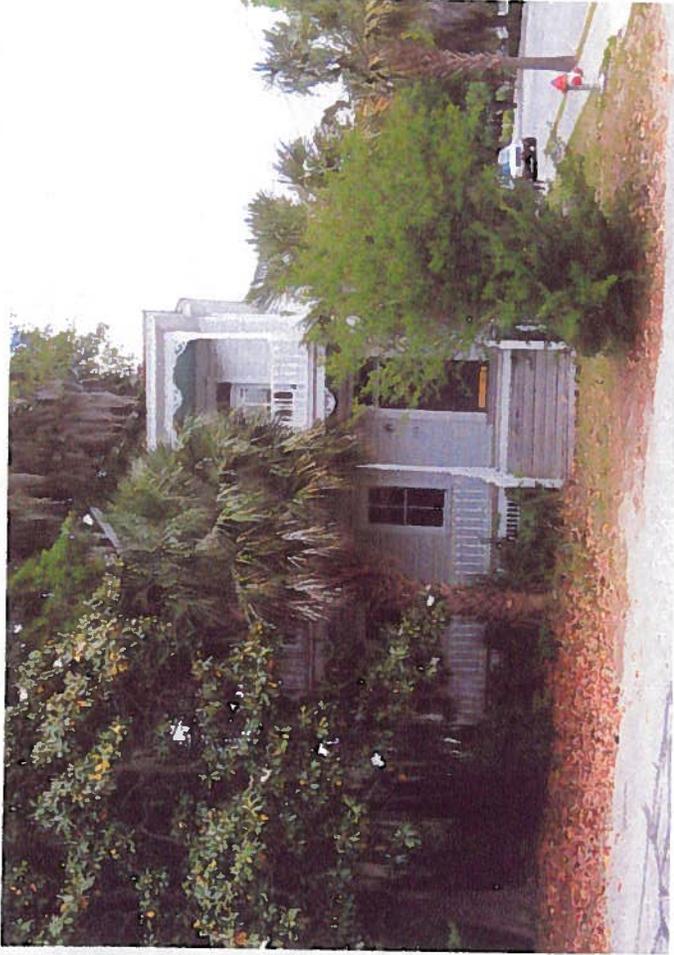
#### **Public Notification**

Letters were sent to the owners of the property to be rezoned on May 21. Letters were sent to owners of all property within 400' of the property being rezoned on May 30. The public hearing notice ran in the June 9 edition of *The Beaufort Gazette*. The property was posted on June 9. To date, staff has received no public comments on the proposed rezoning.

# Property Proposed for Rezoning



706 Carter St



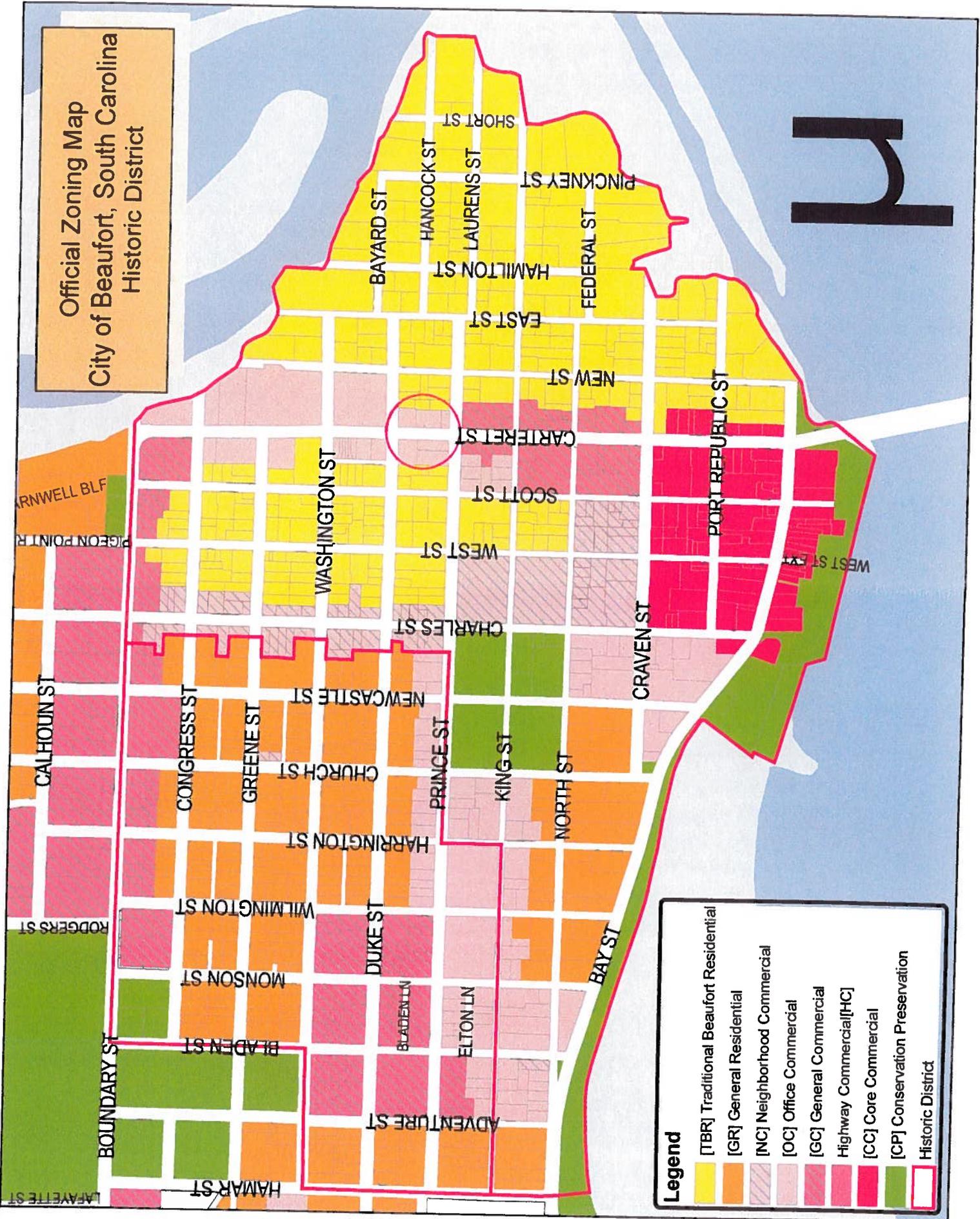
708 Carter St

701 Carter St



705 Carter St

Official Zoning Map  
 City of Beaufort, South Carolina  
 Historic District



**Legend**

- [TBR] Traditional Beaufort Residential
- [GR] General Residential
- [NC] Neighborhood Commercial
- [OC] Office Commercial
- [GC] General Commercial
- Highway Commercial [HC]
- [CC] Core Commercial
- [CPI] Conservation Preservation
- Historic District

## Article 6. District Development Standards

### 6.1 Residential District Standards

#### A. Residential Development Standards

The following table illustrates the dimensional standards that apply in the City's base Residential districts:

Standard	Zoning District						GR and TBR-Old Commons	TBR-The Point	MHP
	TR	RE	R-1	R-2	R-3	R-4			
<b>Lot Dimensions</b> Lot Area, Min. Lot Width, Min. Lot Frontage, Min.	3 AC 100 feet 20 feet	21,780 SF 100 feet 20 feet	12,500 SF 100 feet 20 feet	9,000 SF 80 feet 20 feet	6,000 SF 60 feet 20 feet	4,000 SF 40 feet 20 feet	See note 5	See note 1	5 acres 150 feet 150 feet
<b>Minimum Yards</b> Front Yard Rear yard* Side Yard*	35 feet 15 feet 15 feet	35 feet 50 feet 15 feet	30 feet 15 feet 15 feet	20 feet 15 feet 12 feet	15 feet 15 feet 10 feet	12 feet 15 feet 6 feet	See note 2 See note 6 See note 6	See note 2 15 feet 10 feet	25 feet 15 feet 15 feet
<b>Impervious Coverage</b>	N/A	N/A	40%	45%	50%	55%	50%	55%	N/A
<b>Maximum Height</b>	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet	See note 3	See note 4	35 feet

1. Minimum 6,000 SF lot area and 60 feet in width for single-family; 8,000 SF lot area and 80 feet in width for two-family and 10,000 SF in lot area and 100 feet in width for three-family.
2. In the Historic District, use average prevailing setback for front yard; accessory structure side and rear yard setbacks may be reduced to 5'.
3. Maximum height 35 feet for single-family structures, 50 feet for multifamily.
4. Maximum height 35 feet above base flood elevation.
5. For single-family development see R-4 standards; for two-family, three-family and multifamily development (GR only), minimum 6,000 SF lot area, 60 feet lot width, and 60 feet lot frontage, maximum density 25 units per gross acre.
6. For multifamily development, minimum front yard 25 feet, minimum rear yard 15 feet, and minimum side yard 10 feet; single-family development, see R-4 standards;

\*See Section 5.4.G. for setbacks for accessory structures.

#### B. Average Prevailing Setback (Front Yard)

The average prevailing front yard setback shall be measured by averaging the front yard setbacks on the three lots adjoining either side of the proposed lot. When the three lots extend more than 100 feet from the side lot line of the proposed lot, only those lots lying at least partially within 100 feet of the proposed lot line shall be used in calculating the average prevailing setback. The Administrator may exercise reasonable discretion and flexibility in determining the average prevailing front yard depth so that it is harmonious with the existing streetscape; however, the minimum front yard shall be no less than five feet.

#### C. MHP Manufactured Home Park District

##### 1. MH Park plan

In order to qualify for a MH Manufactured Home zoning classification, a proposed park must first meet the following specific requirements:

### 6.3 Nonresidential District Standards

#### A. Nonresidential Development Standards

##### 1. Commercial and Industrial Districts

The following table illustrates the dimensional standards that apply in the City's base Commercial and Industrial districts:

Standard	Zoning District					
	NC	OC	CC	GC	HC	LI
<b>Lot Dimensions</b> Lot Area, Min. Lot Width, Min.	2,500 SF 25 feet	4,000 SF 40 feet	2,500 SF 25 feet	4,000 SF 40 feet	6,000 SF 60 feet	10,000 SF 100 feet
<b>Minimum Yards***</b> Front Yard Rear Yard Side Yard	(Build-to) 3-10 feet 10 feet none	10 feet 10 feet 10 feet	none none none	(Build-to) 7-12 feet 10 feet 10 feet	25 feet 15 feet 10 feet	25 feet 35/ 50 feet** 10/ 25 feet**
<b>Impervious Surface Coverage, Max.</b>	75%	60%	N/A	65%*	60%	65%
<b>Maximum Height</b>	42 feet	50 feet	See Section 6.5.K.11	50 feet	50 feet	50 feet

\*Maximum impervious coverage may be increased to 75 percent for redevelopment sites.

\*\*35' except when property abuts another zoning district 50' is required and 10' except when property abuts another zoning district, 25' is required.

- \*\*\* a. Single-family standards should be the same as R-4.
- b. Multifamily standards should be the same as GR; maximum density 30 dwelling units per gross acre.
- c. Maximum density for Residential, Upper Story, 35 dwelling units per gross acre.

The following table illustrates the dimensional standards that apply in the City's Special Purpose districts:

Standard	Zoning District	
	MED	IP
<b>Lot Dimensions</b> Lot Area, Min. Lot Width, Min. Floor Area, Min.	5,000 SF 50 feet ---	10,000 SF 50 feet ---
<b>Minimum Yards</b> Front Yard Rear Yard Side Yard	35 feet 25 feet 25 feet	20 feet 15/50 feet* 10/35 feet**
<b>Impervious Surface Coverage, Max.</b>	65%	No Limit
<b>Maximum Height</b>	50 feet	120' except where limited by Section 6.7.B, AICUZ obstruction Height Zones

\*15' except where property abuts a non-industrial district when 50' is required.

\*\*10' except where property abuts a non-industrial zoning district when 35' is required.

## Article 4. Zoning Districts

### 4.1 Establishment of Districts

For the purpose of this UDO, portions of the City as specified on the Official Zoning Map of the City are hereby divided into the following zoning districts:

<b>BASE ZONING DISTRICTS</b>	
<b>Residential Zoning Districts</b>	
TR	Transitional Residential
RE	Residential Estate
R-1	Low Density Single-Family Residential
R-2	Medium Density Single-Family Residential
R-3	Medium-High Density Single-Family Residential
R-4	High Density Single-Family Residential
GR	General Residential
TBR	Traditional Beaufort Residential
MHP	Manufactured Home Park
<b>Commercial Zoning Districts</b>	
NC	Neighborhood Commercial
OC	Office Commercial
CC	Core Commercial
GC	General Commercial
HC	Highway Commercial
<b>Industrial Zoning Districts</b>	
LI	Limited Industrial
IP	Industrial Park
<b>Special Purpose Zoning Districts</b>	
CP	Conservation Preservation
MED	Medical
PUD	Planned Unit Development
MR	Military Reservation
<b>OVERLAY ZONING DISTRICTS</b>	
AICUZ	Air Installation Compatibility Use Zone
-D	Development Design
-H	Historic

### 4.2 Official Zoning Map

- A. The boundaries of the above zoning districts are a map or series of maps entitled "Official Zoning Map, City of Beaufort" which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this UDO. Special purpose zoning districts intended to serve as floating districts are not established on the zoning map until a specific district is proposed and approved by the City.
- B. Each map bearing the designation "Official Zoning Map, City of Beaufort" shall be identified by the signature of the Administrator, and bearing the seal of the City under the words: "Official Zoning Map, City of Beaufort, South Carolina," together with the date of the adoption of the map.

## Article 5. Use Regulations

### 5.1 Use Tables

#### A. Types of Use

All of the Use Categories listed in the Use Table are defined and described in the sections immediately following the Table.

##### 1. Uses Permitted By Right

A "P" indicates that a use is allowed by right in the respective district. Such uses are subject to all other applicable regulations of this UDO.

##### 2. Conditional Use

A "C" indicates a use that is allowed conditionally, provided that it meets the additional listed standards contained in Section 5.3, Specific Use Standards. Conditional uses are subject to all other applicable regulations of this UDO.

##### 3. Special Exception

An "S" indicates that a use is allowed only if reviewed and approved as a Special Exception, provided that it meets the listed standards contained in Section 5.3, Specific Use Standards. Special exceptions are subject to all other applicable regulations of this UDO.

##### 4. Existing Building

An "E" indicates a use category that is allowed only in existing buildings, provided that it meets the additional listed standards contained in Section 5.3.

#### B. Uses Not Allowed

A blank cell in the Use Table indicates that a Use Category is not allowed in the respective district.

#### C. Uses Not Listed

The Administrator shall determine whether or not an unlisted use is part of an existing Use Category or is substantially similar to an already defined use, using the criteria in Section 5.2, Use Categories.



Art. 5: Use Regulations  
Section 5.1: Use Tables

Use Category	Specific Use	Residential										Nonresidential							Special Purpose		
		TR	RE	R-1	R-2	R-3, R-4	GR	TBR	MHP	NC	OC	CC	GC	HC	LI	MED	CP	IP			
Institutions	Cemetery																				
	Park, Community/Neighborhood	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C			
Passenger Terminals	Open Space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				
	Religious Institution																	P			
Utilities	Major Utility	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	E			
	Minor Utility																	P			
	Public Utility Substation																	P			
COMMERCIAL (see Section 5.2F)	Restaurant, w/ Drive-thru																	C			
	Restaurant, w/o Drive-thru																	C			
	Restaurant, w/o Seating																	C			
	Restaurant, w/outdoor cooking																	C			
	Restaurant, Drive-in																	C			
Eating Establishments	Indoor Entertainment	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P			
	Outdoor Entertainment	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P			
Entertainment	Sexually-Oriented Business																	C			
	Medical Office/Clinic																	P			
Office	Other Offices																	P			
																		P			

Use Category	Specific Use	Residential										Nonresidential							Special Purpose		
		TR	RE	R-1	R-2	R-3, R-4	GR	TBR	MHP	NC	OC	CC	GC	HC	LI	MED	CP	IP			
Overnight Guest Accommodation	Bed and Breakfast						S	S		P	P	E									
	Inn (≤ 25 units)								P	P	P	P	P								
	Motel/Hotel/Extended Stay																				
	Housing, Short Term Rental	S	S	S	S	S	S	S	C	C	C	C	C	C	C						
Parking, Commercial	Recreational Vehicle Park												S								
									C	P	C	P	P	P	P			P			
Retail Sales and Service	Animal Hospital/Kennel																				
	Bakery								C	C	C	C	C	C	C						
	Banquet Facility																				
	Body Piercing Facility								P	C	P	P									
	Drug Store/Pharmacy								C	C	P	P						P			
	Tattoo Facility																				
	Other Retail Sales and Services								C	C	P	P									
Self-Service Storage	Single-Story																				
	Multi-Story																				
	Vehicle Service and Repair																				
Vehicle Sales and Service	Car Wash																				
	Fuel Sales																				
	Vehicle Service, Limited																				
	Boat Sales and Service																				
	Other Vehicle Sales and Service																				
<b>INDUSTRIAL (See Section 5.2G)</b>																					
Aviation Services																					
Light Industrial Services																					
Manufacturing and Production																					
City of Beaufort, South Carolina Unified Development Ordinance																					

Article 5: Use Regulations  
Section 5.1: Use Tables

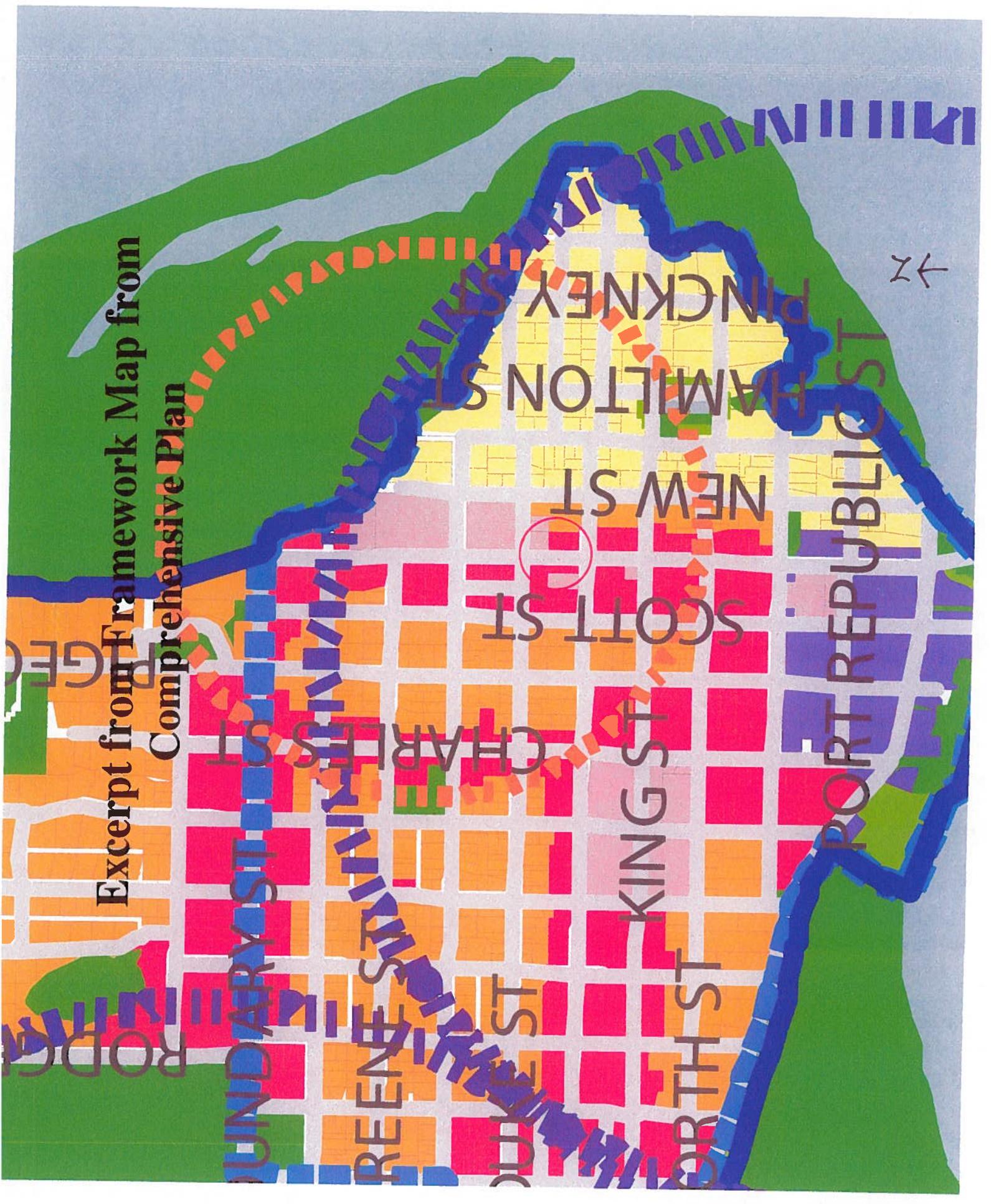
Use Category	Specific Use	Residential											Nonresidential							Special Purpose		
		TR	RE	R-1	R-2	R-3, R-4	GR	TBR	MHP	NC	OC	CC	GC	HC	LI	MED	CP	IP				
Truck Terminal																						
Warehousing																						
Waste-Related Service													S	C				P				
Wholesale Sales														S				S				
OTHER (See Section 5.2H)														C	C			P				
Agriculture	Agriculture/Horticulture	P																				
	Silviculture, Tree Farm													C	C			P				
Water Oriented Facilities																						
										P	P	P	P					P				
Telecommunication Towers																						
														C	C			C				

**DIFFERENCES IN PERMITTED USES BETWEEN OFFICE COMMERCIAL DISTRICT  
AND NEIGHBORHOOD COMMERCIAL DISTRICT**

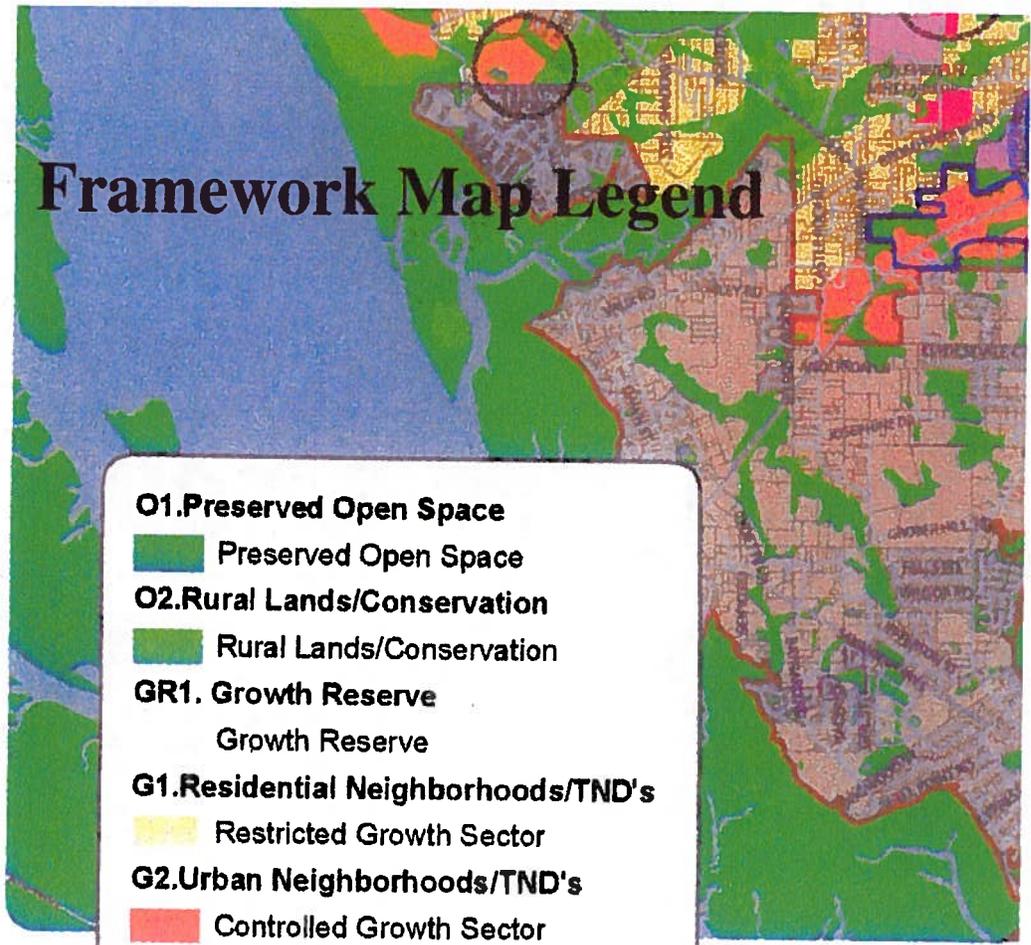
USE	OFFICE COMMERCIAL	NEIGHBORHOOD COMMERCIAL	COMMENTS
Townhouse Dwelling	C	P	Condition: must meet all design standards
Group Dwelling	-	P	
College/University	P	-	
School, Public/Private	C	P	Condition: must be at least 20' from property line
School, Trade/Vocational	C	-	Condition: must be at least 20' from property line
Health Care Facilities	P	-	
Institutions	S	-	
Restaurant w/o Seating	-	C	Condition: building footprint cannot exceed 2,500 sq ft
Restaurant w/outdoor cooking	-	S	
Indoor Entertainment	-	C	Condition: building footprint cannot exceed 2,500 sq ft
Medical Office/Clinic	P	C	Condition: building footprint cannot exceed 2,500 sq ft
Other Offices	P	C	Condition: building footprint cannot exceed 2,500 sq ft
Parking, Commercial	P	C	Condition: must have a linear building on front ground floor
Bakery	-	C	Condition: can't include a drive-thru; size limit
Banquet Facility	C	P	Condition: must be in a Contributing Structure
Drug Store/Pharmacy	-	C	Condition: can't include a drive-thru
Other Retail Sales & Services	-	C	Condition: building footprint cannot exceed 2,500 sq ft

P = Permitted by Right  
 - = Not Permitted  
 C = Conditional Use  
 S = Permitted by Special Exception

Excerpt from Framework Map from  
Comprehensive Plan



# Framework Map Legend



**O1.Preserved Open Space**

 Preserved Open Space

**O2.Rural Lands/Conservation**

 Rural Lands/Conservation

**GR1. Growth Reserve**

Growth Reserve

**G1.Residential Neighborhoods/TND's**

 Restricted Growth Sector

**G2.Urban Neighborhoods/TND's**

 Controlled Growth Sector

**G3A.Neighborhood Mixed Use**

 Intended Growth Sector

**G3B.Corridor Mixed-Use**

 Intended Growth Sector

**G4.Downtown**

 Infill Growth Sector

**SD.Industrial/Employment Center**



**Civic/Hospital**



**USCB 1/4-Mile Buffer**



**Neighborhood Centers**



**Regional Centers**



**AICUZ**



**Military**





*Mixed-use town center development*



*Mixed-use building in a regional center with residential above retail*



*Regional centers contain a mixture of higher density commercial and residential uses*



*Industrial, warehouse, or distribution-type building*

### FG 1.7 GROWTH SECTOR 3 (G-3): NEIGHBORHOOD MIXED USE (G-3A) & CORRIDOR MIXED USE (G-3B)

The G-3 sector indicated in lighter and darker red (respectively), is intended to apply along high capacity regional thoroughfares at major transportation nodes, or along portions of highly-traveled corridors. G-3 land generally falls within areas for higher-intensity regional-serving development, marked by the dark purple 1/2 mile radius circles. Neighborhood Mixed-Use designations (G-3A) are intended for a mixture of uses intended to serve the surrounding neighborhoods. Corridor Mixed-Use areas (G-3B) are intended for a mixture of regional-serving commercial, residential, and institutional destinations.

Care should be taken to limit the length of G-3 corridor developments to avoid the creation of lengthy, undifferentiated linear strip development. Attention to local geography and environmental conditions can assist in this definition, with special attention given to areas in O-1 and O-2 sectors along water courses and near sensitive lands.

#### APPROPRIATE LAND USES/DEVELOPMENT TYPES:

The full-range of community types and uses are appropriate in the G-3 sector, including:

- single-family and multifamily residential
- neighborhood-serving commercial uses (retail and office)
- civic uses
- traditional neighborhood developments
- neighborhood centers
- regional centers
- industrial districts

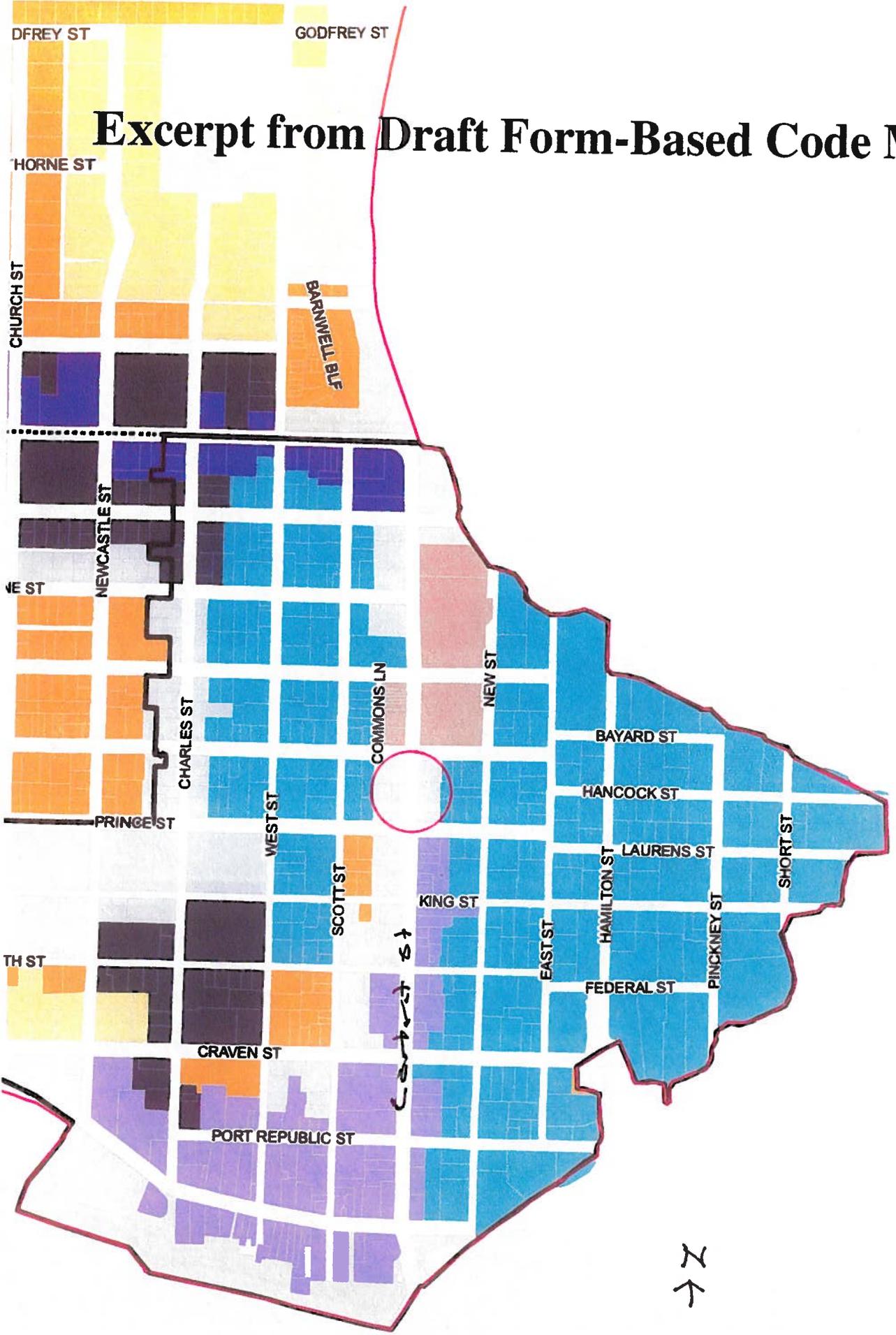
### FG 1.8 REGIONAL CENTERS

Regional Centers are mixed-use activity centers with employment and commercial uses that attract people from beyond the immediate neighborhoods and from surrounding communities. These centers are appropriate for commercial and employment development as well as the area's highest density housing. The area of these centers is based on a 1/2 mile radius (a typical 10-minute walk)—the larger circles on the map. Regional centers are envisioned for downtown Beaufort; the emerging city-county government district at Ribaut Road and Boundary Street; around the hospital and technical college campuses; at the intersection of SC 170 and SC 280; and around the intersection of US 21/Boundary Street and Robert Smalls Parkway. These centers will provide the highest concentrations of residential, employment, and commercial services in the Plan area. Regional retail and commercial centers should be located exclusively in the Regional Centers located along SC 280 and SC 170.

### FG 1.9 SPECIAL DISTRICT (SD): INDUSTRIAL/EMPLOYMENT CENTERS

As regional employment centers, industrial districts also fall into the G-3 sector. Industrial development is shown around the existing Beaufort Commerce Park and in areas where industrial and distribution facilities are currently located or approved for development by current zoning.

# Excerpt from Draft Form-Based Code Map



# Legend from Draft Form-Based Code Map

DRAFT - FEB. 5, 2013



CITY



HISTORIC DISTRICT OVERLAY



NEIGHBORHOOD CONSERVATION DISTRICT



PUD

T1



T5-DC

T3-E



T5-UC

T3-S



RMX

T3-N



IC

T4-UN



MH

T4-HN



LI

T4-NC



MR

City of Beaufort Department of Planning and Development Services

MEMORANDUM

**TO:** Beaufort--Port Royal Metropolitan Planning Commission  
**FROM:** Libby Anderson, Planning Director  
**DATE:** June 12, 2014  
**SUBJECT:** UDO Amendments to Implement a Reforestation Fee

=====

The Park and Tree Advisory Commission (PTAC), formerly the Tree Board, has recommended several changes to local ordinances to help protect the City's existing tree canopy and to provide a source of funds for new street tree planting. These changes require revisions to the Unified Development Ordinance (UDO), as outlined below.

The first change recommended by PTAC is to revise the definition of a Grand Tree. Currently, Grand Trees are defined as any broad-leave overstory tree with a DBH of 24" or greater; any existing understory tree with a DBH of 12" or greater; and any Palmetto tree having a clear trunk height of at least 2' (see attachment). The current ordinance sets out the following provisions related to Grand Trees:

- Section 7.3.C.3.b (attached) requires specific approval for removal of grand trees. Approval is already required for removal of any tree over 8" DBH, so it is not clear that paragraph b is adding an additional requirement; and
- Section 7.3.G.b (attached) give the administrator the authority to require replacement planting for removal of grand trees. Paragraph c sets out a recommended formula for replacement planting.

PTAC believes the current definition of a Grand Tree does not reflect the diversity and levels of importance of the area's indigenous tree species. PTAC recommends that the definition of Grand Trees be revised to read as follows:

**Grand Tree.** For purposes of this UDO, a Grand Tree is defined as:

- a. Any Dogwood, Redbud, Magnolia and American Holly with a DBH of 4" caliper or greater;
- b. Any Live oak or Southern Red Cedar with a DBH of 12" caliper or greater;
- c. Any Sabal palmetto having a clear trunk height of at least 8';

- d. Any Black oak, White oak, Black Tupelo, Bald Cypress, Southern Red oak, Red Maple, Beech, Hickory and Sycamore with a DBH of 16" caliper or greater; and
- e. All other trees (Laurel oak, Water oak, Pecan, Pine, etc.) with a DBH of 24" caliper or greater.

PTAC is also recommending that mitigation be required for the removal of Grand Trees. Currently, mitigation is optional. In addition, mitigation is only permitted by on-site planting.

PTAC is recommending that mitigation could also occur through payment of a "Reforestation Fee." This is the approach currently taken by Beaufort County. PTAC has recommended to City Council that any revenue from this fee be devoted exclusively to tree planting and maintenance activities. Implementation of a Reforestation Fee would be a revision to Section 7.3.G.3. The existing paragraphs b and c would be replaced with a new paragraph b to read as follows:

- b. The removal of Grand Trees in conjunction with development shall be mitigated as follows:
  - (1) The total caliper inches of Grand Trees to be removed shall be mitigated with existing 8"+ caliper trees of the same species which are to remain on site; alternative Grand Tree species may be substituted as determined by Administrator;
  - (2) If the number of 8"+ caliper Grand Trees to remain does not equal the number of Grand Tree caliper inches removed, trees, minimum 2.5" caliper, in a quantity which equals the total unmitigated caliper inches removed, shall be planted on site; and
  - (3) If site size or other factors do not allow plant-back of trees as specified above, a reforestation fee of \$70 per caliper inch shall be paid. This fee shall be paid before the tree removal permit is issued.

An example of how this fee would have applied to a recent commercial project is attached.

If the recommendation to require mitigation for removal of Grand Trees, is approved, staff recommends removal of Section 7.3.D.1, "Tree Coverage Requirement for Overall Site" (attached), as it would become somewhat redundant.

The design review boards or staff, typically require a report from a Certified Arborist when Grand Trees are proposed to be removed or saved as part of a development project. The report is particularly important in cases where trees are proposed to be saved, as certain mitigation techniques such as root fertilization, root pruning, and crown cleaning are needed to ensure the tree survives during construction. In addition, certain modifications to the site plan might be needed (ex., use of pervious paving), to help the tree survive in the post-construction environment. Staff recommends that an arborist's report be required for any Grand Trees on the site. This would be done by revising Section 7.3.C, "Tree Removal Provisions," to add a new paragraph 5 to read as follows:

## 5. Arborist's Report Required for Grand Trees

When any Grand Tree is proposed to be removed, or when any Grand Tree is proposed to be saved as part of a development project, a report from a Certified Arborist is required. This report shall outline the tree's condition based on structural and health factors. For trees to be saved, the report shall outline recommendations for ensuring the tree's survival during construction and health in the post-construction environment.

Finally, staff recommends giving the Administrator the authority to require mitigation for tree removal on existing developed residential and commercial lots in the case of removal of a Grand Tree, or when the tree requested for removal is the last tree on the lot. This would be implemented by a revision to Section 7.3.G.3.a as follows:

### 3. Replacement Planting and Mitigation

a. Replacement planting of trees or other landscaping features or other appropriate mitigation measures shall occur in the following situations:

- (1) Where any vegetation used to comply with the requirements of this section, does not survive in a healthy condition. For trees this requirement is for two years; for other vegetation this requirement is for twelve months.
- (2) Where the Administrator approves removal of trees or other landscaping features which were counted toward meeting a specific requirement of this section or this manual including, for example, required ACI and plantings in buffer areas.
- (3) ~~Where the Administrator approves removal of trees or other landscaping features on nonconforming property where any nonconformity will increase as a result of the removal, e.g. where the property does not meet the ACI requirement and the removal of a diseased tree is approved.~~ On existing developed lots (residential and commercial), where a Grand Tree is approved for removal, or where the tree requested to be removed is the last remaining tree on the lot.
- (4) Where any trees or other landscaping features are removed or impacted in violation of this UDO.

City Council has discussed these changes in two workshop sessions and has given staff approval to move them forward to the Planning Commission.

attachments

- 
- Grand Tree.** Any existing broad-leaved overstory tree with a DBH of 24 inches or greater; any existing understory tree with a DBH of twelve inches or greater; and any Palmetto tree having a clear trunk height of at least two feet.
- Ground Cover.** Vegetation growing close to the ground including grass, ivy and some species of juniper.
- Ground disturbance.** Any activity which would result in any tangible modification to the surface of the ground including, but not limited to, building new structures or additions, paving, grading, excavating or tree removal.
- Hardscape.** Any nonliving material such as berms, mulch, walls and fences commonly used in landscaping designs.
- Height of Freestanding Sign.** The vertical distance measured from the average elevation of the nearest road centerline to the top of the sign face or sign structure, whichever is greater.
- Historic Resources.** According to the National Historic Preservation Act of 1966, as amended through 1992, (16 U.S.C. 470 et seq.) Section 101(a)(1)(A):
- The secretary of the Interior is authorized to expend and maintain a National Register of Historic Places composed of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture.
- Criteria set forth by the Secretary of the Interior states that any district, site, building, structure, or object that is at least 50 years of age, is significant in American history, architecture, archeology, engineering, and culture may be considered for inclusion on the National Register of Historic Places.
- Home Occupation.** An occupation conducted from a residence in accordance with the provisions of this ordinance.
- Hotel/Motel.** A lodging establishment of 26 or more guest rooms providing overnight accommodations to transient guests.
- Housing, Short Term Rental.** A single-family or individual two-family or multifamily dwelling that is available for use or is used for accommodations or lodging of guests paying a fee or other compensation for a period of less than 30 days.
- Impervious Surface.** Any area of land that cannot be landscaped or planted and which does not allow for the natural passage of water through it, including paved areas, all buildings, and asphalt or concrete parking areas, driveways, roads, sidewalks and any areas of concrete or asphalt and/or any water bodies, and roof surfaces.
- Infill.** Development or redevelopment of land that has been bypassed, remained vacant, and/or is underused as a result of the continuing urban development process.
- Inn.** A building used as a lodging establishment having six to 25 guest rooms providing overnight accommodations and breakfast to transient guests.
- Intensive Level Survey.** An Intensive Level Survey will be based on a systematic approach to the entire tract, to differentiate between having high or low potential for containing archeological resources. Topography and soil types are also taken into consideration to help determine the areas of high and low potential. In addition, sub-surface activity, such as shovel tests are done (unless surface exposure is evident) and the materials are

possible while allowing for access, reasonable visibility, and other uses permitted in the buffer area which practicably are best located within the buffer.



- b. Approval is specifically required to remove any grand tree anywhere on the property. Reasonable design alternatives shall be explored to preserve these trees to the extent practicable, but where their preservation would prevent reasonable development of the site their removal shall be approved.
- c. In exceptional cases where the Administrator determines that the species of a tree or grouping of trees is on an official state or federal list of threatened or endangered species then approval is specifically required for removal. Where the applicant can demonstrate that preservation of the tree or trees would prevent his intended use of the property then approval for removal shall be granted.

**4. Criteria for Reviewing Applications for Tree Removal**

Criteria to be considered in determining whether removal of a tree or trees is warranted are listed below. A favorable condition regarding one or more criteria may or may not justify removal; the administrator shall consider and weigh all pertinent criteria.

- a. Species (giving greater weight to significant species), size, and health of the tree;
- b. Overall tree coverage and landscaping of the site;
- c. Constraints for reasonable development of the site including location of structures and vehicular use areas, proposed grade changes, surface water drainage, and utility installations;
- d. Whether a hazard is presented to pedestrian or vehicular traffic;
- e. Whether a hazard is presented to buildings, structures, or utility lines;
- f. Cost and effectiveness of potential alternatives to tree removal;
- g. Whether the tree contributes to meeting any of the landscaping and tree coverage requirements of this manual;
- h. Whether the tree is damaged, diseased, dying, or dead; and
- i. Good forestry practice.

**D. Tree Planting Provisions**

**1. Tree Coverage Requirements for Overall Site**

**a. In General**

A certain threshold of tree coverage - expressed as required Adjusted Caliper Inches (ACI) - is required for every development site, except for lots zoned Limited Industrial or Industrial Park. Adjusted Caliper Inches is a measurement of the sum of the diameters of all of the trees which will be on the site after development is complete including preserved (existing) and planted (new) trees weighted for species of tree and whether the tree is preserved or planted.

.6

- (3) Where the Administrator approves removal of trees or other landscaping features on nonconforming property where any nonconformity will increase as a result of the removal, e.g. where the property does not meet the ACI requirement and the removal of a diseased tree is approved.
- (4) Where any trees or other landscaping features are removed or impacted in violation of this UDO.



b. The Administrator may require replacement planting for approved removal of grand trees or endangered species in conjunction with development.



c. Where replacement planting is required the total caliper inches of replacement trees shall equal at least one-third of the total DBH of the trees to be removed. However, where replacement planting is required as a result of a violation of this UDO, the total caliper inches of replacement trees shall equal at least 100 percent of the total DBH of the trees that were removed.

**4. Tree Lists**

The following commonly found species of tree are listed by category: broad-leaved overstory, cone-bearing overstory, or understory. The lists are not exhaustive and applicants are not required to select species found on these lists.

**a. Broad-Leaved Overstory Trees**

<b>Broad-Leaved Overstory Trees</b>	
American Beech	<i>Fagus grandifolia</i>
American Elm	<i>Ulmus americana</i>
American Sycamore	<i>Platanus occidentalis</i>
Ashleaf Maple	<i>Acer negundo</i>
Black Oak	<i>Quercus velutina</i>
Black Gum	<i>Nyssa sylvatica</i>
Eastern Cottonwood	<i>Populus deltoides</i>
Honeylocust	<i>Gleditsia triacanthos</i>
Laurel Oak	<i>Quercus laurifolia</i>
Live Oak	<i>Quercus virginiana</i>
Pecan	<i>Carya illinoensis</i>
Pignut Hickory	<i>Carya glabra</i>
Pumpkin Ash	<i>Fraxinus profunda</i>
Red Maple	<i>Acer rubrum</i>
Shumard Oak	<i>Quercus shumardii</i>
Southern Magnolia	<i>Magnolia grandiflora</i>
Southern Red Oak	<i>Quercus falcata</i>
Swamp Chestnut Oak	<i>Quercus michauxii</i>
Sweet Gum	<i>Liquidamber styraciflua</i>
Water Tupelo	<i>Nyssa aquatica</i>
White Oak	<i>Quercus alba</i>
Willow Oak	<i>Quercus phellos</i>

**b. Cone-Bearing Overstory Trees**

<b>Cone-Bearing Overstory Trees</b>	
Bald Cypress	<i>Taxodium distichum</i>
Loblolly Pine	<i>Pinus taeda</i>

## Tree Reforestation Fund Example - Family Dollar

### SCHEDULE OF TREES TO BE REMOVED

TREE TYPE	8"	10"	11"	12"	13"	14"	15"	16"	17"	18"	19"	20"	21"	22"	23"	24"	26"	27"	29"	32"	33"	38"	42"	TOTALS (TYPE)	
LIVE OAK		1		1			1							1											4
LAUREL OAK	1	1	2		1	2	3	1	4	1	1	1	2			1		3		2	1	1	2		30
WATER OAK		1											1												2
CHERRY	1	2			1	1				1	1					1									8
SWEETGUM	1																								1
PINE	1			1			2	2				2	3	2	1	2	1		1						18
<b>TOTALS (SIZE)</b>	<b>4</b>	<b>5</b>	<b>2</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>6</b>	<b>3</b>	<b>4</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>6</b>	<b>3</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>63</b>	

### SCHEDULE OF TREES TO BE SAVED

TREE TYPE	8"	15"	18"	19"	22"	25"	29"	36"	45"	TOTALS (TYPE)
LIVE OAK		1			1			1	1	4
LAUREL OAK	2			1		1	1			5
PECAN			1							1
<b>TOTALS (SIZE)</b>	<b>2</b>	<b>1</b>	<b>10</b>							

#### Summation:

Caliper inches of grand trees removed: 500 (highlighted in yellow)

Caliper inches of trees retained that can be used for mitigation: 225 (highlighted in green)

Allowance for grand trees at high risk of failure per arborists report: 208

Caliper inches of hardwood trees planted on site per landscape plan: 24

Unmitigated caliper inches subject to reforestation fee: 43 (500 - 225 - 208 - 24 = 43)

Reforestation fee amount due: \$3,010.00 (43" x \$70.00/caliper inch = \$3,010.00)

possible while allowing for access, reasonable visibility, and other uses permitted in the buffer area which practicably are best located within the buffer.

- b. Approval is specifically required to remove any grand tree anywhere on the property. Reasonable design alternatives shall be explored to preserve these trees to the extent practicable, but where their preservation would prevent reasonable development of the site their removal shall be approved.
- c. In exceptional cases where the Administrator determines that the species of a tree or grouping of trees is on an official state or federal list of threatened or endangered species then approval is specifically required for removal. Where the applicant can demonstrate that preservation of the tree or trees would prevent his intended use of the property then approval for removal shall be granted.

**4. Criteria for Reviewing Applications for Tree Removal**

Criteria to be considered in determining whether removal of a tree or trees is warranted are listed below. A favorable condition regarding one or more criteria may or may not justify removal; the administrator shall consider and weigh all pertinent criteria.

- a. Species (giving greater weight to significant species), size, and health of the tree;
- b. Overall tree coverage and landscaping of the site;
- c. Constraints for reasonable development of the site including location of structures and vehicular use areas, proposed grade changes, surface water drainage, and utility installations;
- d. Whether a hazard is presented to pedestrian or vehicular traffic;
- e. Whether a hazard is presented to buildings, structures, or utility lines;
- f. Cost and effectiveness of potential alternatives to tree removal;
- g. Whether the tree contributes to meeting any of the landscaping and tree coverage requirements of this manual;
- h. Whether the tree is damaged, diseased, dying, or dead; and
- i. Good forestry practice.

 **D. Tree Planting Provisions**

**1. Tree Coverage Requirements for Overall Site**

**a. In General**

A certain threshold of tree coverage - expressed as required Adjusted Caliper Inches (ACI) - is required for every development site, except for lots zoned Limited Industrial or Industrial Park. Adjusted Caliper Inches is a measurement of the sum of the diameters of all of the trees which will be on the site after development is complete including preserved (existing) and planted (new) trees weighted for species of tree and whether the tree is preserved or planted.

**b. ACI Formula**

The formula for ACI is:

**ACI** = number of trees x diameters of trees x Tree Species Factor x New Tree Factor

**c. Required ACI**

The number of required ACI for each acre, or pro rata portion of an acre, in parcel size is established as follows:

- (1) Sites located in the Core Commercial (CC) zoning district - no ACI is required.
- (2) Sites less than three-fourths acre in size - 125 ACI per acre.
- (3) Sites three-fourths acre and greater in size - 200 ACI per acre.

**d. Approach to Meeting Requirements**

Subject to specific limitations in this Section, the applicant may determine unilaterally how to meet the required ACI, i.e., which trees are to be preserved, which trees are to be newly planted, and where.

**e. Retention of Existing Trees**

The property owner is strongly encouraged to retain existing trees to meet the ACI requirements and specific requirements as set forth in this section - for trees in front and side buffers and within 55 feet of parking spaces - thereby reducing or eliminating the need for additional new planting.

**f. Tree Species Factor (TSF)**

Each preserved or planted tree is assigned a Tree Species Factor as follows:

- (1) Broad-leaved overstory trees have a species value of 2.
- (2) Coniferous overstory and understory trees have a species value of 1.

**g. New Tree Factor (NTF)**

The purpose of the new tree factor is to reduce the otherwise burdensome planting requirements for properties with few existing trees. Each tree is assigned a New Tree Factor as follows:

- (1) Preserved (existing) trees have a value of 1.
- (2) Planted (new) trees have a value of 3.

**h. Illustration**

In order to illustrate the formula consider a two-acre parcel which is to be developed. The required ACI is therefore 400. The requirement can be met in countless ways; one way is shown below:

Sample Developer's Plan	# of trees	x diameter	x TSF	x NTF	=ACI
5 - 4" Live Oaks preserved	5	4	2	1	40
2 - 16" Live Oaks preserved	2	16	2	1	64
1 - 48" Live Oaks preserved	1	48	2	1	96
3 - 8" Pines preserved	3	8	1	1	24
6 - 4" Crepe Myrtles preserved	6	4	1	1	24
8 - 3" Live Oaks planted	8	3	2	3	144
3 - 2" Crepe Myrtles planted	3	2	1	3	18
			<b>Total ACI</b>		<b>410</b>

- i. At least one-fourth of the required ACI shall be met by broad-leaved overstory trees (preserved or planted). At least one-fourth of the required ACI shall be from trees in the interior portion of the parcel, i.e., outside of perimeter buffers as specified in this manual.
- j. In unusual cases where there are few existing trees on a site and the planned development is small in size relative to the size of the parcel, then the administrator may adjust the required ACI downward in order not to require excessive planting out of proportion to the scale of the development.
- k. In the case of multi-phase developments on one parcel, the required ACI may be adjusted according to the size of each phase of the development at the reasonable discretion of the Administrator.
- l. The planting of additional trees beyond the minimum specified coverage is encouraged and such additional plantings may be any size and species.

**2. Significant Species**

Significant species are deemed to be of especially high value. Preserving and planting significant species is encouraged. Trees included in this category are:

Significant Species	
Live Oak	<i>Quercus virginiana</i>
Southern Magnolia	<i>Magnolia grandiflora</i>
Sweet Bay	<i>Magnolia virginiana</i>
Tulip Poplar	<i>Liriodendron tulipi fera</i>
American Elm	<i>Ulmus Americana</i>
American Holly	<i>Ilex opaca</i>
Bald Cypress	<i>Taxodium distichum</i>
Pond Cypress	<i>Taxodium Dist. carnutans</i>
Spruce Pine	<i>Pinus glabra</i>
Loblolly Bay	<i>Gordonia lasianthus</i>
Palmetto Tree	Sabal palmetto

**3. Tree Protection Zone Requirements**

- a. Maintaining open space around the base of a tree is one of the most important factors in promoting the health and longevity of the tree. The root system within the drip line is generally considered to be the critical root zone.

**City of Beaufort Department of Planning and Development Services**

**MEMORANDUM**

**TO:** Beaufort-Port Royal Metropolitan Planning Commission

**FROM:** Libby Anderson, City of Beaufort Planning Director

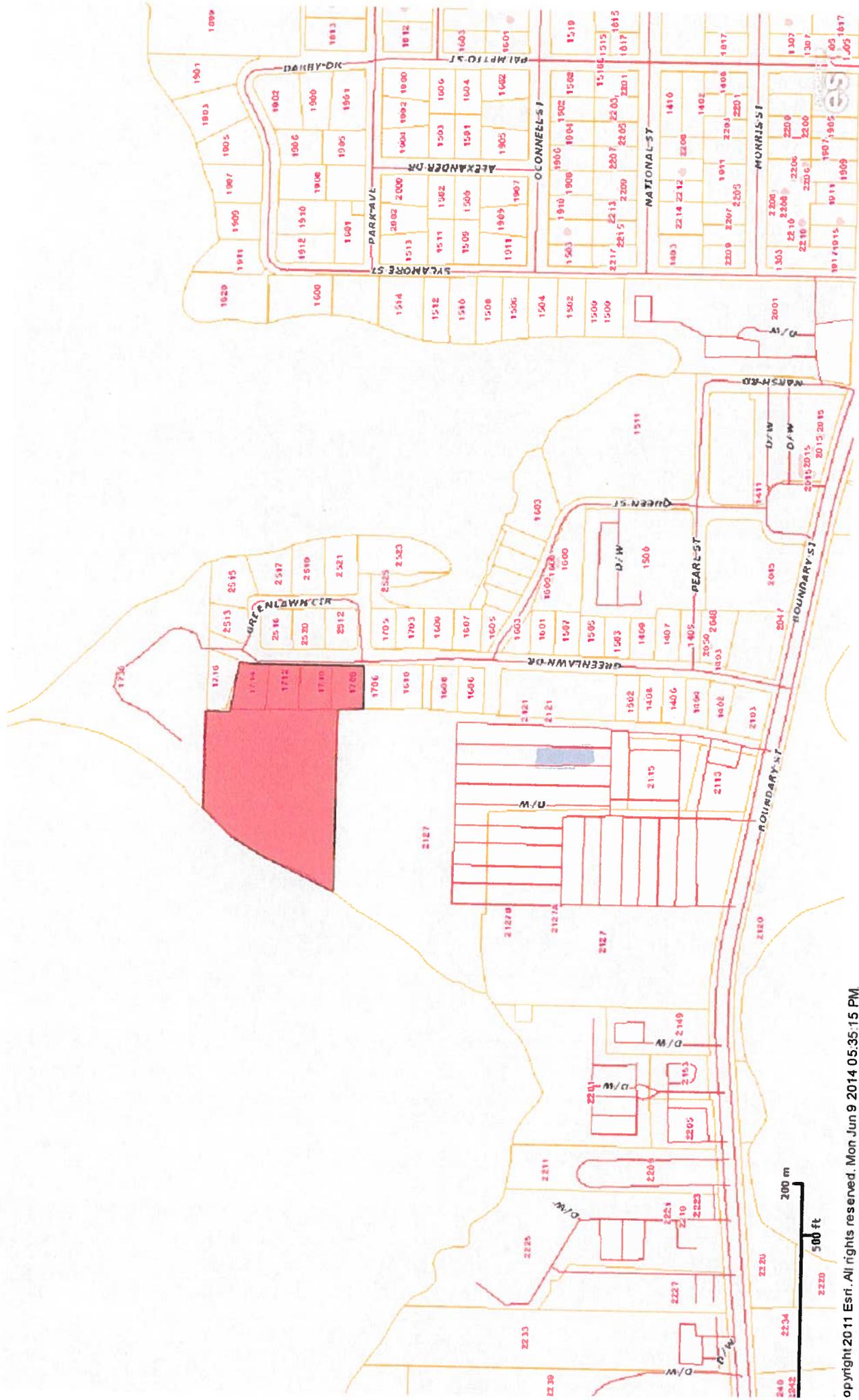
**DATE:** June 9, 2014

**SUBJECT:** Request for New Street Name

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According to the Unified Development Ordinance (UDO), the Planning Commission approves the name of new streets. The City has received an application to name a new street to be constructed as part of the Ashley Pointe project. Ashley Pointe is a multifamily project to be developed off Greenlawn Drive (see attached site location map). The project involves construction of 56 multifamily units in five buildings. A community building is also proposed. The proposed street name is either Albergotti Drive or and Carolina Wren Drive. The proposed names have been approved by the County E911 Office.

# Site Location Map



**City of Beaufort Department of Planning and Development Services**

**MEMORANDUM**

**TO: Beaufort-Port Royal Metropolitan Planning Commission**  
**FROM: Libby Anderson, City of Beaufort Planning Director 525-7012**  
**DATE: June 9, 2014**  
**SUBJECT: Status Report on City Council Actions**

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**UDO Amendment Pertaining to Special Assessment for Rehabilitated Historic Properties.** A public hearing was held at the May 13 City Council meeting. First reading of the ordinance amendment was held at the May 27 City Council meeting. Second and final reading of the ordinance is scheduled for the June 10 City Council meeting.

**Rezoning 705 Carteret Street.** This application has been folded into the rezoning of the 700 block of Carteret Street to be heard at the June Planning Commission meeting.

Please contact me with any questions on this information.

Thank you.