

**BEAUFORT–PORT ROYAL  
METROPOLITAN PLANNING COMMISSION**

**AGENDA**

1911 Boundary Street, Beaufort, SC 29902

Phone: 843-525-7011 ~ Fax: 843-986-5606

**Monday, July 21, 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 June 16, Meeting.**
- IV. **Review of Projects for the Town of Port Royal:**
  - A. **Town of Port Royal – Text Amendments.** Amend The Port Royal Code with regard to:
    - Bracket lengths allowed for Projecting Signs.
    - Permit requirements for Construction Signs and Political Signs.
    - A Scrivener’s Error in Article 9, Section 9.1.40 A, correcting the code from the Town of Beaufort to the Town of Port Royal.
    - The exemptions from Subdivision Review, to add new items in order to comply with the requirements of the Beaufort County Register of Deeds Office.
- V. **Review of Projects for the City of Beaufort:**
  - A. **City of Beaufort – UDO Amendment.** Revisions to Landscaping and Tree Conservation Ordinance. Applicant: City of Beaufort
  - B. **City of Beaufort – UDO Amendment.** Drive-thru facilities in the Boundary Street Redevelopment District. Applicant: City of Beaufort
  - C. **City of Beaufort – UDO Amendment.** Gas station sign regulations. Applicant: City of Beaufort
  - 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 **June 16, 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, Robert Semmler and Bill Harris, City Planner Libby Anderson, and Town Planner Linda Bridges.

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 Bihl, to approve the minutes of May 19, 2014.** Commissioner Crower said that on the second page, in the last paragraph, the word "unapproved" should be "unimproved." **The motion to approve the minutes as corrected passed 5-0. Commissioner Semmler abstained from voting because he was not present at the meeting.**

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

**Linda Bridges** said she had received a letter from the applicants for the project on the agenda, stating that they have some details yet to work out in this matter, including obtaining needed signatures, so she asked that the applications for annexation and rezoning be removed from the agenda for now.

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

#### **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*

Ms. Anderson said this is a rezoning proposal brought by the City of Beaufort after a proposal presented last month. One parcel has 2 buildings on it. 701, 710 Carteret Street – There are 2 offices in one building; 705 is the applicant from last month. It is a vacant two-story building used for offices, and they would like to rezone the property. 706 and 708 Carteret Street are one-story; a vacant two-story building; a one-story building used for an office.

Ms. Anderson showed the zoning in the surrounding areas. The current zoning is Office Commercial – it doesn't allow retail, restaurants, banks, etc., but it does allow all office and

residential. They would like it rezoning to Neighborhood Commercial, which is mixed use and permits all retail except vehicle service uses, and all residential and office. 2500 square feet is the limit on the size of new development, but that's not proposed.

Ms. Anderson said they have not included the 2 lots on the north end of the 700 block which is a parking lot owned by USCB. The current use is fine as parking but not colleges. St. Peter's Catholic Church was contacted and prefers not to participate, though they are allowed in Office Commercial and Neighborhood Commercial.

The rezoning is consistent with the Comprehensive Plan. She reviewed the accepted uses in the Comprehensive Plan. They looked at the earliest Form-Based Code map and this block is designated as T-4 Urban Neighborhood. The proposed zoning is consistent with what's being contemplated under the future code. Letters of notice were sent, the public hearing notice ran in the *Beaufort Gazette*, and they have received no comments on the rezoning proposal.

Commissioner Semmler asked if the Historic District Review Board had commented. Ms. Anderson said no because no exterior changes have been proposed. The residents have been advised that if they propose to make exterior changes they will have to go to the Historic District Review Board or staff. 705 Carteret Street is the only building proposing any work, Ms. Anderson said.

Ms. Anderson said the City of Beaufort is the applicant. There was no public comment.

Commissioner Harris asked, if an applicant comes in the next block down and wants to rezone, if the city would go back to St. Peter's and ask again. Ms. Anderson said they aren't supportive of mid-block zoning, so if it were a reasonable request, maybe, "but it would be a challenge." They might work with USCB. Commissioner Harris asked if there is a reason colleges aren't permitted in Neighborhood Commercial. Chairman DeVito said a lot of the properties in the area do belong to USCB. Ms. Anderson said it's a reasonable question; on one side of the block there are developable properties, so they would have to see.

Commissioner Crower asked if there were implications for on- and off-street parking with the change in zoning. Ms. Anderson said both offices and retail have the same parking requirements, so it makes no difference to change the zoning. **Commissioner Harris made a motion to approve the rezoning as proposed. Commissioner Semmler seconded the motion. The motion passed unanimously.**

#### **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

*Applicant: City of Beaufort*

Ms. Anderson said this is coming from the PTAC, which was formerly the Tree Board. PTAC has recommended changes to 2 ordinances to help protect the tree canopy and to also provide funds for new street tree planting. The UDO requires several revisions (5). The first change from PTAC pertains to the definition of grand trees. They are currently defined as an overstory tree of 24" DBH or greater, an understory tree of 12" DBH or more, and a palmetto with a clear trunk height of 2' or more.

If you have grand trees on site, code requires specific approval for the removal of grand trees, but so does any tree over 8" DBH. The second provision gives staff authority to require replacement of the trees taken out and a formula for how to calculate remediation.

PTAC doesn't believe the current definition of grand tree reflects the diversity of the native species. Ms. Anderson showed the trees that are proposed to be considered grand trees: any DBH 4" caliper or greater Magnolia, Dogwood, Redbud, or American Holly; any Live Oak or Southern Red Cedar with a DBH of 12" caliper or greater; and any Sabal Palmetto with a clear trunk height of at least 8'.

Commissioner Howard suggested that they should add the species names to the ordinance, so there's no mistake about which plant are included. She also said that there are other kinds of hollies, like Savannah Holly, and she doesn't know if that or Japan (ese) holly, would count as grand trees. Ms. Anderson said only American holly. Commissioner Howard said pecan trees aren't native, but she understands why they're there. She was confused as to whether these particular trees were on the list because they're native. She asked if a developer would have to pay a reforestation fee or replant if what they took out was an undesirable tree. Ms. Anderson said any hardwood over 24", like a Pecan, or a Sycamore, is important because they are old and large, even if they're not indigenous. They are "grand" currently because of their age.

Ms. Anderson said that PTAC also recommends that remediation be *required*. It's currently optional and is only allowed on-site. PTAC recommends that it *must* occur, and that it be allowed through payment of a "reforestation fee," which is what Beaufort County does. If you can't plant on-site because there's no room, you can pay into a Reforestation/Tree Fund, which they are recommending to council be used for tree-related purposes: first for tree planting on public property, then for tree maintenance, and then for removal of hazard trees, the last of which the city's been doing well, Ms. Anderson said, but has not done well at planting on public property.

Implementation of the Reforestation Fund would be a change to the ordinance, and Ms. Anderson showed the new wording and an example. Replanting the same species as what was taken out is desirable, but other species would be considered; so it would be most desirable to

replace a Live Oak with a Live Oak if possible, but the administrator has the authority to dictate other trees. If trees can't be saved, the developer has to replant at 1" per 1". If they can't or won't do that, staff will consider payment of \$70 per caliper inch in lieu of replanting. The system comes from the county, Ms. Anderson said, though their definition of a grand tree is different. The landscaping at the Broad River Bridge and in the medians in Town of Port Royal and Shell Point comes from this fund, so it has been beneficial.

Ms. Anderson showed the Family Dollar example that council had seen in regard to the caliper inches of the grand trees that were removed; a Live Oak at 12" is shown as a grand tree as proposed. It also showed the inches of trees retained that apply as mitigation. Two laurel oaks, for example, count as mitigation for a total of 225" to be subtracted from 500". Staff asks for an arborist's report, and Family Dollar provided that, which would have indicated that a number of the grand trees on the site were at risk for failure, so they wouldn't be counted as "to be saved," even if Family Dollar didn't plan to remove them. So then that number is also subtracted from the amount that needed to be mitigated. There was plant-back of 24" and that's subtracted. The final number of inches to be mitigated is 43", and multiplied by \$70, they would have had to pay \$3000 to the Reforestation Fund had this system been in place at the time.

Commissioner Howard said, for example, if one of the trees left on the site were a 22" Live Oak, does the city go back and inspect the tree? And if it dies, would the developer have to pay further mitigation fees? She also wondered, of the trees that are saved, if the arborist would do a follow-up report. Ms. Anderson said she didn't know and would check on it. A tree might die a few years after construction as a result of construction. Commissioner Howard said contractors don't take proper care of the trees that they are required to replant, and then they are required to replant again. Ms. Anderson said they probably would have to either pay the fee or replant. She said the ordinance says the new plantings need to be healthy for 2 years, but she needs to look at what Commissioner Howard asked about in regard to the "saved" grand trees.

PTAC recommends changing the caliper inches, Ms. Anderson said, from those in the current ordinance, as well as adding the mitigation requirements. Another proposed provision is staff's: a certified arborist's inspection is suggested but not yet in the code. If the developer goes with mitigation, it's in the business's interest to get the report. Staff would like a certified arborist involved whenever there are grand trees removed and saved. If things aren't developed properly, the trees will die as Commissioner Howard mentioned, Ms. Anderson said, so an arborist would require the business to follow specific directions like fertilization, root pruning, and changes to the site plan for things like pervious surfaces near the base of the tree.

Chairman DeVito asked, if the arborist says a tree isn't healthy if it then wouldn't count as mitigation, and Ms. Anderson said yes, that's true. An arborist's report costs a couple hundred bucks, but could save the business several thousand, probably.

The last change is to give the administrator the authority to require mitigation for tree removal on existing developed properties – single-family residential or commercial – where the property owner proposes to remove a grand tree that is not dead or dying, or if it's the last tree remaining on the lot. 2.5" would be the minimum size required for replanting.

Commissioner Crower said he has trouble with leaving trees in place as mitigation for trees that are being cut down. He doesn't understand why the property owners get credit for the trees being left when they're cutting trees down. Ms. Anderson said theoretically, the development could have resulted in all of the trees being removed. Ms. Anderson said, "You are saving a tree and you get credit for that." It's nice to generate revenue to plant trees, she said, but removing the ones that are irreplaceable counts as credit. Chairman DeVito said in construction, it's cheaper to cut it down than save it, but if they get a credit, there's incentive not to. Commissioner Harris said there might be a site with 40 of one type of grand tree and sites with 4, so if you're taking out 4, and there are still 36 others, you might take them all out unless you get credit for the ones you retain. Ms. Anderson said the fee or need for replacement goes up as the trees-to-be-cut-down goes up.

Commissioner Howard said she'd like to see a revision with some changes. Commissioner Semmler asked how they came up with \$70. Ms. Anderson said the cost of planting a 2.5" overstory tree. Commissioner Semmler feels it should be greater. He feels there's been "too much clear-cutting, and people say, 'Oops,' and are charged just a little bit." He thinks the fund shouldn't be used to plant elsewhere. Chairman DeVito said construction cuts down trees, and they have to mitigate, but he talked about a site that was so forested, there was nowhere to plant the mitigation trees, and there was no other option but to pay into a fund, so they planted trees *under* "giant" remaining trees, and the new plantings "are not healthy."

Commissioner Semmler said he thinks "of the trees butchered because of power lines, and then they planted palmettos," which are supposedly "dwarves." Commissioner Semmler doesn't like "the dollar value" of trees in this plan, or "the lack of control," and feels that they should be harder on the developers. Publix is in the city, and Commissioner Semmler asked what they did in regard to mitigation or fees. Ms. Anderson said, "They tried to save trees." Commissioner Semmler said "there are 3" trees left there. Ms. Anderson said Publix has a landscaping plan, "but there's no room to plant." They are not mitigating inch for inch, but would have had to if the city had had this plan in place.

Commissioner Semmler said he agrees with Chairman DeVito, and the current Publix has too many trees, but "this one is a disgrace," and he's "not sure this handles the problem." Chairman DeVito asked if the amount could be recalculated every year. Ms. Anderson said there's a separate fee that is set by ordinance, and that had crossed her mind; that way, it could be adjusted to current market value. They "could have a somewhat set fee in the fee ordinance," and not in the UDO.

Commissioner Semmler said they might add to the plan that if a building is on a thoroughfare, it should have a green buffer, because "there's nothing there," like green space or a buffer in Beaufort, unlike in Bluffton and Hilton Head Island. Ms. Anderson said that's part of the Lady's Island Village Center district of the city's and county's code. Publix requires a build-to line, and there are 3-4 other tenant spaces to come, so the ordinance says no buffer. The marine store on Sea Island Parkway is an example: "it's a more urban look," she said. Commissioner Harris said those more urban areas don't have a buffer. It slows cars down. Ms. Anderson said on Robert Smalls Parkway, there's a 20' buffer, but it depends on where you are in the community.

**Commissioner Howard made a motion to have the ordinance resubmitted after discussion of revisions.** Commissioner Semmler said PTAC did a lot of work, "so it's not fair for Ms. Anderson to be the middleman," and maybe PTAC could meet with the Metropolitan Planning Commission, "so they know what the Planning Commission is talking about." Ms. Anderson said the arborist could attend, as could **Liza Hill**. The people on the committee are volunteers, and they worked very hard on this ordinance for a couple of years and have been before council twice on this issue. Council hasn't committed to anything yet but said to move the concept to Metropolitan Planning Commission with their general support. **Commissioner Crower seconded the motion. The motion passed unanimously.**

Chairman DeVito told Ms. Anderson to make sure PTAC knows that the MPC likes where PTAC is going, but this is "outside the norm, and there are things to discuss."

#### **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*

This is part of a new development called Ashley Pointe, Ms. Anderson said, a multi-family project with 56-units in 5 buildings. It is part of the Boundary Street Master Plan, and the developer has submitted 12 choices for a street name; they are down to 2 that can be approved. They prefer Carolina Wren Drive, and 911 has approved that. **Commissioner Semmler made a motion to accept the name; Commissioner Howard seconded. The motion passed unanimously.**

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

Ms. Anderson said at the last MPC meeting, they discussed a special district for the freeze of assessments on taxes for historic home rehabilitation. The second reading was held at the last meeting of council, and the freeze is not in effect yet, but it has been approved. The overall amendment to city code is on hold.

The rezoning (for the block that was discussed at the beginning of the meeting) has been transitioned into rezoning of the 700 block of Carteret, and a public hearing on that will be held at next week's council meeting.

Commissioner Semmler said the Northern Regional Implementation Committee has taken on oversight for the Joint Land Use Committee. Commissioner Howard said the survey is on the Chamber of Commerce web site and will be until the July 21.

Chairman DeVito said the next section of the trail from Burton Hill to Roseida Road is walkable, and there's parking at Roseida Road.

**There being no further business to come before the commission, Commissioner Howard made a motion to adjourn. The motion passed unanimously, and the meeting was adjourned at 6:27 p.m.**

## MEMORANDUM

**To:** BEAUFORT–PORT ROYAL METROPOLITAN PLANNING COMMISSION  
**From:** Linda Bridges, Planning Administrator  
**Subject:** Amend Various Articles of The Port Royal Code  
**Date:** July 14, 2014

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Staff is submitting the following amendments to The Port Royal Code.

- Amend Article 5, Section 5.9.100, Table B. Standards.  
The code currently allows the sign bracket to extend to a maximum of 8.5 feet (Reference Measurement F).  
**The Proposed change is to 6 feet.** This will be 2 feet wider than the maximum width of the sign allowed. 6 feet matches the City of Beaufort's current regulation.
- Amend Article 5, Section 5.9.170, Temporary Signs.  
Construction Signs and Political Signs are listed under Permit Required.  
**The Proposed change is to No Permit Required.** We will keep the all of the restrictions but not require the construction company or the political candidate to get a permit. Permit requirements for these types of signs would be impractical for both the applicant and town staff.
- Amend a scrivener's error at Article 9, Section 9.1.40, A, Designation. Change Town of Beaufort to Town of Port Royal.
- Amend Article 2, Section 2.5.20 Applicability. Add to the existing list of exemptions:
  - Property trades or swaps between immediately adjacent landowners not resulting in the creation of new parcels of record;
  - Division of land for the purpose of sale or transfer to an immediately adjacent landowner for the sole purpose of enlarging the adjacent landowner's property, and not resulting in the creation of new parcels;
  - The recordation of a plat of land or property for purposes other than the sale or transfer of title to land including the following:
    - (1) The creation or termination of leases, easements, or liens;
    - (2) The creation or termination of mortgages on existing parcels of record, approved subdivisions or commercial projects, partly or undeveloped land;
    - (3) Lot line corrections on existing recorded properties.
    - (4) The creation, termination or amendment of private covenants or restrictions on land.

The existing list of exemptions in Section 2.5.20 was adopted at a time when the Register of Deeds Office accepted property documents with property descriptions only, no plat or survey was required. The Register of Deeds Office now requires, in most cases, a plat or survey to be recorded. These minor adjustments to lot lines, boundaries, etc are reviewed by staff to be certain that the adjustment or change complies with our code, stamped and then may be forwarded to the Register of Deeds Office to be recorded. This expanded list of exemptions will provide the specific language needed to approve the actions being taken. Note: these exemptions are copied from The Beaufort County Code.



City of Beaufort  
Planning Department  
MEMORANDUM

To: Libby Anderson, Planning Director  
From: Eliza Hill, Landscape Architect  
Date: July 14, 2014  
Subject: Grand Tree Definition and Reforestation Fee

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At the June 16<sup>th</sup> meeting of the Metropolitan Planning Commission, the Commission had a number of questions and comments about the proposed changes to the City's Landscaping and Tree Conservation Ordinance. Please see below for responses.

**Regarding page 2 of the staff report, Item II, mitigation of removed trees with same species of tree remaining on site:**

*The goal is mitigation of preferred species, such as Live oaks, with the same species thereby preserving as many preferred species on site as possible. However, this paragraph also states "alternative grand tree species may be substituted as determined by administrator". The goal is promotion of tree diversity through preservation of smaller grand tree species. This provision allows the City Arborist the opportunity to assist developer with preservation of Live oaks, Magnolias, Cedars, etc.*

*Example: Removal of large Laurel oak, usually most common species found on site, could be mitigated with other retained grand tree species. This is preferred to planting back with a quantity of Laurel oaks. This promotes careful site design and provides incentive to developer to retain tree diversity.*

**Question 1: Why allow retention of existing trees to mitigate removal of a grand tree?**

*Retention of existing tree canopy mitigates negative environmental effects of development (heat island effect, storm water runoff, air pollution, etc.) better than planting back of small canopied trees. Further, this offers monetary incentive for careful design of building and infrastructure potentially resulting in less cost to developer.*

**Question 2: How was reforestation fee, per caliper inch, determined?**

*Beaufort County charges a reforestation fee of \$56 per caliper inch. The City of Beaufort is a Tree City USA, therefore PTAC determined fee should be*

*increased to \$70 per caliper inch. This was based on a conservative average cost of \$175 for the planting of a 2.5" caliper tree ( $\$175/2.5" = \$70/\text{caliper inch}$ ).*

*Important to note: Recovery of economy has resulted in a shortage of tree availability and marked increase in wholesale tree cost. Depending on species, average wholesale cost for 2.5" caliper tree is now \$150; installed cost may range from \$300 to \$375. If Commission desires increase in reforestation fee per caliper inch, recommend an increase of \$50 to a fee of \$120 per caliper inch. Using Family Dollar example, this would result in an increase in the reforestation fee from \$3,010 to \$5,160 or a \$2,150 addition.*

**Question 3: If an existing, preserved tree dies during construction, what is recourse?**

*The code is not clear on this issue. Staff is proposing to revise Section 7.3.G.6 of the ordinance to address the Commission's concerns.*

**Question 4: Would a Certified Arborist perform a follow up report? Should this be a requirement and if so, when should it be done?**

*Follow up inspection, for return of maintenance guarantee bond, is performed by City Arborist at the end of the two year guarantee period. 'Saved' grand trees would also be evaluated at this time. Any 'saved' trees initially in good to excellent health at time of final acceptance which are found to be at high risk of failure or dead at time of follow up evaluation would require mitigation before return of bond.*

**Question 5: Is developer required to mitigate or pay a reforestation fee if 'undesirable' tree is removed?**

*If tree is found to be healthy and at low risk of failure per certified Arborists report and follows definition of grand tree, then mitigation required.*

**Comment 1:**

- Savannah and Japanese Hollies: All Hollies are of the genus Ilex. Ilex opaca (American Holly) is a tree native to North America. 'Savannah' Holly is a hybrid derived from I. opaca. Ilex crenata is the genus and species for many varieties of Japanese Holly. All are shrubs. Neither Savannah Holly nor Ilex crenata will be found in undeveloped areas unless purposefully planted.

**Comment 2:**

- Pecan trees (Carya illinoensis): This tree is a native to North America. Tree species specified in grand tree listing are not all native trees. Rather, trees named for preservation are the more important and common trees found in the coastal plain.

**Comment 3:**

- Reforestation fund should not be used for planting trees in locations other than site where trees were removed for development: Overcrowding of trees, planted back on site due to mitigation requirements, is detrimental to the urban forest. Over planting causes excessive competition for air, water, light and nutrition resulting in poorly developed, weak trees. Reforestation fund allows for planting of trees in public areas lacking or void in tree canopy which ultimately is of greater benefit to the general public and environment.

**Comment 4:**

Publix - Final numbers of trees retained/removed/planted back on City portion of site:

- Total 8" caliper+ trees on site: 466
- Total trees retained: 88
- Total trees removed: 378
- Total grand trees (24" caliper+ hardwoods): 61
- Total grand trees retained: 20
- Total caliper inches requiring replacement: 474" (per current UDO Section 7.3)
- Trees to be planted back:
  - 29 – 6" caliper trees
  - 70 – 4" caliper trees
  - 8 – 2.5" caliper trees

This project went through nine meetings total with DRB, staff, developers and engineers. Primary concern was salvaging as many trees as possible. City Arborist worked carefully with developer, engineer and landscape architect to both preserve and mitigate the trees. Of the 378 trees removed, 265 were Laurel oaks, Pines, palms and Sweetgums. Of the 41 grand trees removed, 7 were Live oaks, 1 Hickory, 16 Laurel oaks, 7 Sweetgum and 10 Water oaks. Final plan saved 15 live oaks, 5 of which are grand. The goal was to save the best trees, ensuring protection during construction and commitment to future health. The process of merely retaining trees on site is not preservation. Preservation of poorly structured or weak trees on construction sites is generally futile. Construction conditions have the capacity to exacerbate these problems and usually results in death or failure at a time that adds great expense to their removal; not to mention the exposure to risk factors involved.

City of Beaufort Department of Planning and Development Services

MEMORANDUM

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

**FROM: Libby Anderson, Planning Director**

**DATE: July 14, 2014**

**SUBJECT: Revisions to Landscaping and Tree Conservation Ordinance**

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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.

**I. Change Definition of Grand Tree**

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.

**II. Require Mitigation for Removal of Grand Trees**

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 as set out in the City's Fee Schedule 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.

**III. Removal of Tree Coverage Requirement for Overall Site**

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.

**IV. Certified Arborist Report Required for Grand Trees**

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.

### **V. Mitigation Option for Removal of Grand Trees in Existing Development**

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.

### **VI. Require Mitigation if Grand Trees to be Saved Dies**

At your June meeting, the Commission asked what happens if a tree shown to be saved dies after the project is completed. The ordinance currently stipulates that trees used to comply with

required maintenance guarantee is only for one year, so if the tree dies, it may be difficult to have it replaced. Staff is proposing to increase the length of time the maintenance guarantee is held from one to two years, and to clarify that Grand Trees that were to be saved are included under the maintenance guarantee requirement.

## **6. Landscaping Installation and Guarantee**

- a.** No certificate of occupancy for any development on a site subject to the landscaping and tree conservation requirements of this UDO article shall be issued until all landscaping materials are in place according to the approved plan or a cash performance guarantee is posted with the Administrator for 125 percent of the cost of the uncompleted landscaping, including labor, as determined by the Administrator. The cost estimate shall be prepared by a qualified landscape contractor or nurseryman using prevailing material and labor costs.
- b.** The life of the guarantee shall not exceed twelve months. If the approved landscaping is not properly installed within twelve months of the Certificate of Occupancy, the guarantee shall be forfeited to and used by the City to complete the approved landscaping, with any remaining funds returned to the person who posted the guarantee.
- c.** A maintenance bond (in the form of a cash performance guarantee) equal to 20 percent of the cost of all required landscaping, including labor, as determined by the Administrator based on a cost estimate prepared by a qualified landscape contractor or nurseryman using prevailing labor and costs, shall be held for a period of ~~one~~ **two** years following completion of landscape installation.
- d.** The maintenance bond shall be returned only where the landscaping has been surveyed by the City and determined to be in good health. Where any portion of the required landscaping is dead, dying or in a significant state of decline ~~significantly diseased~~, including Grand Trees that were approved to be saved, the landowner shall be responsible for its replacement, or in the case of the Grand Trees, replacement of total caliper inches and/or ~~for~~ payment of the Reforestation Fee, prior to release of the bond. Where replacement landscaping is required, and such landscaping exceeds 25 percent of the required project landscaping, the maintenance bond shall be held one additional year to ensure successful installation of the replacement landscaping.

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

-  **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>

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:

<b>Significant Species</b>	
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	<i>Sabal palmetto</i>

**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.

## 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					2	2				2	3	2	1	2	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)

City of Beaufort Department of Planning and Development Services

MEMORANDUM

**TO:** Beaufort--Port Royal Metropolitan Planning Commission  
**FROM:** Libby Anderson, Planning Director  
**DATE:** July 15, 2014  
**SUBJECT:** Drive-Thru Facilities in Boundary Street Redevelopment District

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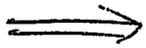
Staff is proposing two revisions to the Boundary Street Redevelopment District as it pertains to drive-thru facilities.

The first change is to permit menu boards with drive-thru facilities. Currently, drive-thru facilities are permitted by special exception by the Zoning Board of Appeals (see Section 6.8.H.8 attached). Although a drive-thru window is permitted, an outside menu board is not. In addition, the stacking lane is limited to three vehicles.

If a drive-thru window is to be allowed, it follows that an outdoor menu/order board will be desired. This was the case with the two drive-thru special exceptions that have been approved in the Boundary Street District. In both cases, the applicants requested and were approved variances for an outdoor menu/order board. Staff is proposing to permit outdoor menu/order boards in conjunction with a drive-thru window under these conditions:

One outside menu/order board is permitted. The menu board shall be one-side, maximum of 24 square feet, with a maximum height of 8' above grade. The menu board must be screened from the primary street(s) by a building, wall or fence, or other element that is at least 90% opaque. A pre-order board may also be permitted if it can be screened as per the requirements above. Pre-order boards shall be limited to one-half the size of the menu board.

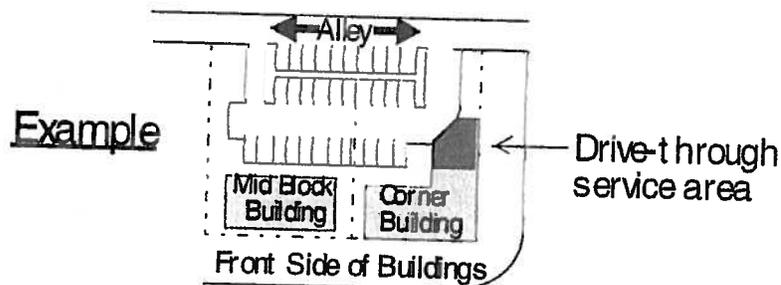
The final change is a proposal to increase the maximum stacking lane from three vehicles, to five vehicles. This was the length recently approved for proposed Starbucks facility.



### 8. Drive-thrus

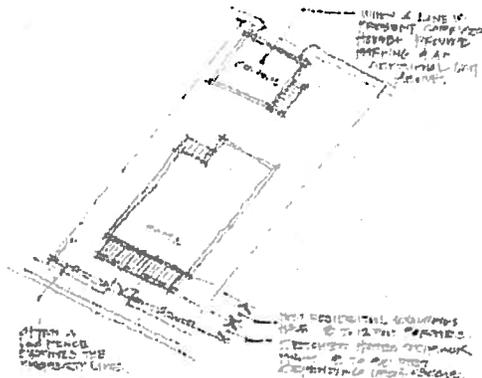
Drive-thrus, drive-thru windows, and drive-ups (collectively called "drive-thrus") are not permitted by-right within the Boundary Street Redevelopment District. Drive-thrus, except those at banks, may only be allowed when granted approval by the Zoning Board of Appeals as a special exception. Banks with drive-thrus may be approved by the City Architect under the conditions outlined below. In order for a drive-thru to be considered for approval by the Zoning Board of Appeals, it must conform with the following conditions:

- Drive-thru service windows must be located in the rear of properties, in mid-block and alley accessed locations;
- There shall be no minimum stacking requirements for vehicles; the maximum stacking allowed for vehicles shall be three vehicle lengths;
- There is only one drive-thru window;
- There is no outside menu board or order board;
- The drive-thru window is not located on the façade of the building facing the primary street.



### 9. Fences

Fences shall be a minimum of 25% opaque. Fences shall be constructed of materials that continue the architecture of the building that it abuts.



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

**M E M O R A N D U M**

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

**FROM: Libby Anderson, Planning Director**

**DATE: July 15, 2014**

**SUBJECT: Gas Station Sign Regulations**

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Staff is proposing to change the sign regulations in the Unified Development Ordinance (UDO) as these apply to gas stations. Freestanding signs in the Boundary Street and Lady's Island Village Center Design Districts, and the Boundary Street Redevelopment District, are limited to 5, 10, or 18 square feet depending on the width of the lot. These size limitations seem restrictive for gas stations, which typically desire to display prices in addition to business name and logo. The Boundary Street Redevelopment District Corridor currently has four gas stations and the Boundary Street Design District has one. Staff recommends permitting additional signage on gas stations on small lots. Staff is proposing to amend Section 7.2.G.4 of the ordinance, "Service Station Signs," to add a new paragraph c. to read as follows:

- c. For gas stations where the permitted freestanding sign size is 10 square feet or less per side, including facilities in the Boundary Street Redevelopment District, an additional 10 square feet of signage per side will be permitted to display gasoline prices and/or incorporate a reader board.

Staff reviewed recent gasoline station signage on Ribaut Road to develop these recommendations.

**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: July 15, 2014**  
**SUBJECT: Status Report on City Council Actions**

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**UDO Amendment Pertaining to Special Assessment for Rehabilitated Historic Properties.** Second and final reading of the ordinance was held at the June 10 City Council meeting.

**Rezoning 700 Block of Carteret Street.** A public hearing on the proposed rezoning was held at the June 24 City Council meeting. First reading of the ordinance rezoning the lots was held at the July 8 City Council meeting.

Please contact me with any questions on this information.

Thank you.