

O R D I N A N C E

AMENDING SECTION 6.6 OF THE CITY OF BEAUFORT UNIFIED DEVELOPMENT ORDINANCE TO REQUIRE BICYCLE RACKS IN CERTAIN NONRESIDENTIAL AND MULTIFAMILY DEVELOPMENTS

WHEREAS, the Unified Development Ordinance currently does not require bicycle racks to be installed in new developments; and

WHEREAS, the City's Comprehensive Plan encourages pedestrian and bicycle circulation; and

WHEREAS, requiring bicycle racks in commercial and multifamily developments will support bicycling in the City; and

WHEREAS, staff has drafted an ordinance that revises Section 6.8 of the Unified Development Ordinance to require bicycle racks in certain nonresidential and multifamily developments; and

WHEREAS, this amendment has been presented to the City of Beaufort-Town of Port Royal Joint Municipal Planning Commission and the Commission recommended approval; and

WHEREAS, a public hearing before the Beaufort City Council was held regarding this ordinance amendment on July 14, 2009, with notice of the hearing published in *The Beaufort Gazette* on June 29, 2009;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-760, *Code of Laws of South Carolina, 1976*, that *The Unified Development Ordinance of the City of Beaufort, South Carolina* be amended as follows:

Revise Section 6.6 "Design Districts," by deleting the current subsection F, "Additional Requirements," and adding a new subsection F to read as follows:

F. Additional Requirements

1. Outdoor Display of Merchandise

- a. Except as provided in paragraph b below, only merchandise typically used and stored outdoors may be displayed outdoors. Such merchandise shall include automobiles, trucks, boats, trailers, outdoor landscape structures (garden sheds, arbors, gazebos, etc.), plant materials, agricultural products, lawn maintenance equipment, and outdoor furniture.
- b. "Indoor" merchandise (merchandise other than that typically used and stored outdoors) may be displayed outdoors only within 5' of the building and only in front of the building or the tenant space, and shall only be displayed during business hours. Merchandise shall be arranged and spaced so as not to clutter the front of the property, as determined by the Administrator. For purposes of this section, merchandise is defined as any item that is for sale on the premises or is representative of an item that is

for sale on the premises, regardless of whether or not that particular item is available for purchase.

- c. All merchandise displayed outdoors shall be set back from the property lines the distance of the buffers required in Section 7.3, whether or not such buffers exist.
- d. Areas designated for vehicular parking may not be used as outdoor display areas.
- e. Merchandise shall not be placed on the public sidewalk or within the right-of-way without approval of the City Manager. If merchandise is displayed on any privately-owned sidewalk, a minimum of 42 inches of the sidewalk as measured from the curb must remain open and unobstructed to facilitate safe pedestrian circulation.
- f. Plans for new developments shall clearly designate any areas for outdoor display of indoor or outdoor merchandise. Outdoor display of merchandise shall only occur in areas designated for such display on the approved plan.
- g. Vending machines, except newspaper boxes, shall be screened from view from the street.
- h. Any use or premises not conforming to the requirements of this section shall be brought into compliance with these requirements within one year of the effective date of this UDO.

2. Utility Lines

All utility lines such as electric, telephone, CATV or other similar lines serving individual sites as well as all utility lines necessary within the property shall be placed underground. All utility lines shall be placed underground in new subdivisions. All junction and access boxes shall be located to the side or the rear of the building unless public safety concerns dictate otherwise. All utility pad fixtures and meters should be shown on the site plan. The necessity for utility connections, meter boxes, etc. should be integrated with the architectural elements of the site plan.

3. Mechanical Equipment

Mechanical equipment such as ventilation systems, commercial exhaust fans, rooftop terminations, commercial cooling equipment, heating and air conditioning units, TV antennas and satellite dishes shall be hidden or screened from view. Lattice, open brick enclosures, or vegetation can be used to conceal mechanical equipment. Screening material shall be properly maintained. If vegetation is used for screening, the mature size of the vegetation shall be considered so that equipment air flow will not be compromised.

4. Trash Facilities

All private trash receptacles (for example, dumpsters) shall be hidden or screened from view. Screening shall be compatible with the architectural style of the building. Unscreened facilities shall come into compliance with the provisions of this section within 18 months of adoption of this UDO. Trash

