

## ORDINANCE

0-07-09

AMENDING SECTIONS 8.2.A AND 8.4 OF THE CITY OF BEAUFORT UNIFIED DEVELOPMENT ORDINANCE PERTAINING TO SUBDIVISION IMPROVMENTS AND PERFORMANCE GUARENTEES

WHEREAS, the Unified Development Ordinance currently does not contain specific requirements for traffic control and street name signs as part of subdivision development; and

WHEREAS, it is important that temporary street name signs and traffic control signs be in place when building construction begins, and that permanent signs be in place by the time that building construction is completed; and

WHEREAS, the Unified Development Ordinance currently does not limit the length of time that infrastructure may be guaranteed; and

WHEREAS, staff has drafted an ordinance that revises the subdivision regulations in the Unified Development Ordinance to require street name and traffic control signs, and gives staff the authority to limit the length of performance guarantees; 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 February 24, 2009, with notice of the hearing published in *The Beaufort Gazette* on February 9, 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:

1. Revise Section 8.2.A "Subdivision Design Standards, Streets," by adding a new paragraph 18, "Traffic Control and Street Name Signs," to read as follows:

**18. Traffic Control and Street Name Signs**

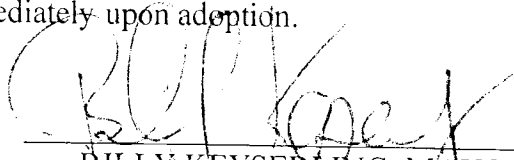
Traffic control and street name signs shall be installed at all street intersections. The type and location of these and other traffic control signs shall be approved by the Technical Review Committee. No certificate of occupancy shall be issued for any structure on the street until permanent traffic control and street name signs are installed as approved. No building permit shall be issued for any structure on a street until either permanent or temporary traffic control and street name signs as approved by the Technical Review Committee have been installed.

2. Revise Section 8.4.A. "Subdivision Improvement Guarantees." by deleting the current subsection A "Types Allowed." and replacing it with a new subsection A to read as

**A. Types Allowed**

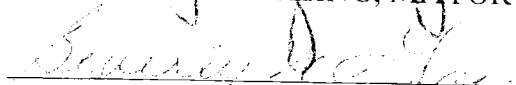
The subdivider shall provide a performance guarantee to ensure the completion of required improvements within a period of time specified by the Administrator and expressed in the guarantee. Such guarantee may be in the form of either a performance bond, a surety bond, cash deposit or a letter of credit. A performance guarantee shall be posted in the amount of 125 percent of the total cost of improvements.

This ordinance shall become effective immediately upon adoption.

  
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BILLY KEYSERLING, MAYOR

(SEAL)


Attest:

  
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BEVERLY W. GAY, CITY CLERK

1st Reading March 10, 2009

2nd Reading & Adoption March 24, 2009

Reviewed by:

  
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WILLIAM B. HARVEY, III, CITY ATTORNEY