

**MCLEOD FARM
CONCEPTUAL MASTER PLAN / PUD**

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APPLICANT AND PLANNING TEAM

Applicant: McLeod Family

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SECTION I. INTRODUCTION AND LAND USE INTENT

A. Introduction and Narrative of Land Use Intent

The McLeod Farmstead has been in the McLeod Family since 1884 and this land was until recent times in an agriculture use. The land was purchased by Mr. Claudius E. McLeod from the Charles C. Pinckney Trust and Thomas Pinckney Trustee together with the Seabrook Family and others. The area known now as the Seabrook was named for the Seabrook Family. The area and property, however, unknown at the time of purchase by Mr. Claudius E. McLeod, as "Rest Park". It was under this name and product label that the McLeod Farm produced the farm produce of predominately Irish potatoes and cabbage. The area had been known as a rich farming culture prior to the Civil War, but this area was one of the primary producers of "truck farming" that had spread throughout the low country during the period of 1884 through 1946. "The McLeod Farmstead is one of the best examples of truck farming complex in the state" as was reported in the report prepared for the National Register of Historic Places prepared by Natalie A. Harvey of the University of South Carolina, August 1, 1996. (See Exhibit F).

Although today we have such crops come to us from all over the world, this farm was one of the first in the area to produce food crops or "car trucks", a railroad term for the cars used to roll along the tracks, as well as a term for the various crops grown. This notion of growing crops for use other than the farm family needs was new at this time and these crops were in demand in the northern United States markets.

The railroad that traverses the McLeod Farm provided a unique opportunity to the McLeod's in that the Port Royal and Augusta Railroad provided two options to them for shipping their produce to the northern markets. The rail could carry this food to the east for shipping from the port to the west with connection to other rail systems. Either way it expanded the McLeod market for their goods.

This agriculture history of over 122 years with this one family is an important part of this land and the Seabrook Settlement, including the building that remains, merit restoration to help to sustain the sense of history of this unique resource. The farm culture and history is very important to the people who come here to live. The history retained and restored here is important to the future community and this master plan is designed to preserve and reconstruct that past by providing the opportunity for the re-establishment of this areas as a core center for this community.

The plan will include the opportunity for the re-creation of these buildings and incorporate them into the Railroad Village. This village may include the village shops, stores, post office with some limited access to water that may include a marina and boat storage facility thus providing the community with access to the river. Vehicular access to this site would be maintained via the existing Seabrook Road. The commercial neighborhood development would include those uses and needs inherent to such communities. The architecture of the railroad village site would be of a type and scale that would be in keeping with the character of the architecture of the period and reminiscent of the style of



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architecture commonly referred to as “lowcountry”.

This Village is conceived as a small southern town, the village and indeed the residential community is being designed and will be developed with an understanding of the southern community design methods that were used to create some of America’s best neighborhoods and communities. It is the intent here to carry forward the best planning “town-making traditions” rather than reconstructing the past.

The residential neighborhoods, each centered on significant open spaces, are to be built and developed over time. Tree lined streets, sidewalks, parks, lakes, marshes, and river views are envisioned, providing the appropriate settings for houses, townhomes, multi-family units, condominiums, cottages and zero lot line homes. The character of these areas and the associated community open spaces will vary from neighborhood to neighborhood, and the variation will be defined, to a great extent by the style and type of housing that encompass them.

The neighborhoods will provide recreational opportunities with both active and passive recreation. This will include adequate park space for neighborhood parks and community activity areas adequate for the needs of the community. It is anticipated that access to the adjacent water will be part of the park systems. The use of existing utility corridors will be considered for trails and access ways for such trails throughout the community. Water recreation is anticipated and will be accommodated. A system of community docks is anticipated. These docks shall be valuable access for the community to both access, use and view the water which surrounds the McLeod Farm.

This Application is accompanied by a Development Agreement that establishes and provides the reasonable certainty as to the lawful requirements that must be met to protect vested property rights, while maintaining the authority and duty of government to enforce laws and regulations which provide and promote public safety, health and general welfare of the citizens of the City of Beaufort and the State of South Carolina.

The existing conditions of the site are set forth under this Narrative, and the exhibits which accompany this submission. Section II of this Narrative gives the details of the Land Use Plan proposed for the property. The Land Use Section of the Narrative, read together with the Conceptual Master Plan / PUD form the core of the PUD zoning district standards proposed for the McLeod Farm. Attachment 2 of this Narrative details the site standards, as modified, which will apply to any future development of the property.

This Narrative, together with the exhibits attached hereto, including the Conceptual Master Plan / PUD form the complete Application for PUD zoning for the McLeod Farm property. The Applicant respectfully asks the City of Beaufort to approve this Application, together with the Annexation Petition and the Development Agreement submitted with this Application.

B. The Property

The McLeod Farm is approximately 1024 acres which include lands east and west of



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Highway 21 and south and east of the Whale Branch River. The Property has the unique challenge of two corridors which bisect the land, a power utility and a railway right-of-way. These utility and railway corridors are both potential assets and liabilities, and propose challenges to the planning uses and the development of these facilities.

The survey of the Property (see Exhibit A) illustrates the present location of the natural features of the site. The survey includes the location of wetlands and critical line location on the site. The natural features of the Property are characteristic of the lowcountry. This Property has approximately \pm 6.48 acres of jurisdictional wetlands and approximately \pm 14.08 acres of non-jurisdictional wetlands, isolated freshwater wetlands (See Exhibit B). The Property has been in the McLeod Family for over 121 years and was originally part of the Reverend Charles Pinckney Estate. Since the farming was curtailed in the 1960's the land for the most part has been cultivated for tree harvest. The areas not in open fields are in a young maritime tree stand with mixed pine / hardwood vegetation. The mix and intensity of trees is dependent on soil types and wetland location.

The wetlands were delineated by the environmental consulting firm Newkirk Environmental and have been surveyed by the Gasque Surveying Company, Gasque Associates (See Exhibit B). The survey / wetlands have been submitted to the U.S. Army Corp of Engineers for verification and certification is in process currently.

Topography of the site is provided in Exhibit C, a LiDar topography is currently available. This map clearly indicates the agricultural drainage network throughout the Property.

The FEMA Flood Zones have been verified based on the Beaufort County GIS data and represented on Exhibit D. The data indicates that fifty (50) percent of the site is within the "A-11" zone and the remaining fifty (50) percent is a zone "C".

The Soils Map (See Exhibit E) provides a clear indication of the soil series and the table is referenced to the Soil Survey of Beaufort and Jasper Counties, South Carolina prepared by the U.S. Department of Agriculture Soil Conservation Service, issued January, 1980.

Attached as Exhibit F is a survey of cultural resources for the Property conducted by Dr. Eric Poplin of the firm of Brockington Associates, Inc. The survey notes the Historic Site and suggests that other sites of interest are in the area of the McLeod site.

Since the agricultural cultivation uses of the Property were curtailed the site has been used by the family for hunting and personal recreation.

C. Conceptual Master Plan / PUD Process

In accordance with the City of Beaufort, South Carolina, Article 3, Development Review Procedures, subsection 3.7, Planned Unit Development (PUD) the submission of the Conceptual Master Plan / PUD is the initial step in obtaining PUD Development District which is ultimately the City Council approval with recommendations from the Planning Commission. This Applicant wishes to obtain a Development Agreement and Petition for Annexation into the City, concurrently with the Conceptual Master Plan / PUD approval.



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The structures of the Master Plan and the written standards describe and establish land uses, densities, development standards, utility services, limited phasing and an approach to environmental quality. These Standards shall include a detailed Development Plan Approval Process as outlined in the PUD Application process.

After obtaining approval from City Council of this Conceptual Master Plan / PUD and Development Agreement, the Applicant shall come forward for Site Plan Review for each phase of development. It is understood that the standards established in the Conceptual Master Plan / PUD and Development Agreement shall be the standards for the life of the Development Agreement. This Application shall include Item I of Article 3.7 Planned Unit Development (PUD) as part of the approval for this Conceptual Master Plan / PUD and Development Agreement.

Throughout the submission of the documentation for each phase of the development, the criteria established in this process shall guide development of this land into the future.

D. Conceptual Master Plan / PUD

The Applicant's property is approximately 1024 acres of land west and a small tract east of Highway 21, north of the City of Beaufort. It is anticipated that development of the property may occur over the next 5 to 10 years or longer. The development will be in accordance with the standards established in this Conceptual Master Plan / PUD. The future submissions to the City for approval will be reviewed in accordance with the standards established by this document. The Conceptual Master Plan / PUD, the Standards of this McLeod Farm Planned Unit Development Ordinance and the Development Agreement shall govern the development of the Property, the boundaries as established herein. Where there may be conflicts between the documents the order of priority of the decision shall be governed as follows; the first order is the Development Agreement, then the PUD Standards and lastly the Conceptual Master Plan.

McLeod Farm currently manages the property and expects to do so until such time as they may transfer ownership of all or a portion of the land for development. The current land use is expected to continue until such time as a portion of the property may come forward to the City for development. It is therefore understood by the City of Beaufort and McLeod Farm that the current land use and tax status shall not change until a particular site may be identified for development and is brought to the City for consideration under these development Standards. Although the Beaufort County Assessor's Office makes determinations regarding Agricultural and Timberland exemptions, it is understood by the City of Beaufort and McLeod Farm that the current land use and tax status should not change until a particular site may be identified for development and a site specific subdivision plan platting lots is recorded with the Beaufort County Register of Deeds all other land not under consideration for development at this time should remain in the current land use and tax status. McLeod Farm, its successors and assigns may continue its hunting, fishing, silviculture and agricultural uses, including, but not limited to, bird breeding and accumulation, controlled burns and other activities currently engaged in on the property.



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The Conceptual Master Plan (see Exhibit G) shows a total of 1024 acres in various residential uses, which will be built in phases in accordance with market demand and preference. It is anticipated that land uses shall include residential communities built in relationship to various amenities which may include golf courses, lakes, open space, parks both active and passive. Portions of the property may include neighborhood commercial, office/commercial and office/commercial/residential mixed use. It is anticipated that some institutional and governmental uses may be incorporated.

The Conceptual Master Plan shall meet or exceed the minimum of twenty (20) percent gross area open space required by Article 7.4 Planned Unit Development Standards of the City of Beaufort Unified Development Ordinance, item 10 with the exception of subitem b. The buffer at the perimeter of the PUD shall be included as open space. Other open spaces which shall qualify are road rights-of-way with trails, sidewalks, bicycle paths and the like (excluding surface of road), tree parks adjacent to roads, landscaped areas between land uses, golf courses and practice areas, lagoons, ponds, lakes, drainage easements, utility rights-of-way, freshwater non-jurisdictional and jurisdictional wetlands and wetland buffers, bicycle and walking trails and adjacent space, parks, all active play areas, waterfront parks, all ancillary recreational amenities including swimming pools (including indoor pools), water splash park, tennis courts, basketball courts, playgrounds, fishing and crabbing docks, boat docks, garden plots, flower production areas, greenhouses, activity areas and other such recreational amenities which may be developed and attributed to the total open space requirement.

The PUD document, Conceptual Master Plan and Development Agreement amend the City of Beaufort Unified Development Ordinance adopted January 28, 2003 and revised September 1, 2005 as obtained on October 28, 2005 from the City Planning Department.

E. Environmental Considerations and Responsible Storm Water Practices

The Applicant is aware of the environmental qualities that are very much a part of the quality of life issues of the Lowcountry and are an important part of why investors find the Lowcountry of Beaufort County so interesting and inviting. The same characteristics that brought the original settlers here over 300 years ago, still lures the investors and home buyers here. The environment of coastal South Carolina is sensitive to development though very resilient. If development is done with an eye toward environmental responsibility and with regard for the proper safeguards the built environment can co-exist with the natural environment without detriment to either. No area is more important to the Lowcountry than protection of water quality. The creation of water bodies for stormwater retention and detention has provided a way to create value while also functioning as a management means to treat runoff into our tidal marshes. The engineering of stormwater runoff through management practices provided in the Best Management Practices (BMPs) for stormwater management model. The BMPs provide a method to quantify and design a system for stormwater treatment. For this system to meet the water quality and anti-degradation goals established by BMPs, the stormwater management system will be designed so that the stormwater quality delivered to the outfall from the site is mitigated to a level required by the current Standards.



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It is this Applicant's intention to come forward with a stormwater management master plan. This plan will serve as the frame work for future development, and the details of that plan will, through a system of lagoons, provide for the treatment of the runoff and a control release rate appropriate for the design storm events. This plan shall be prepared and submitted after the PUD and Development Agreement approval and prior to the final development plans during the Site Plan Review process, prior to final Development Plans. All plan reviews shall be in accordance with the Conceptual Master Plan / PUD and the Development Agreement.

The freshwater wetlands are not atypical to such property throughout the Lowcountry. McLeod Farm has lagoons and ponds on its' property. These existing lagoons or ponds may have to be filled or enlarged to facilitate future development as permitted under the laws of the State of South Carolina. These issues will be formulated during future development plan submissions.

All wetland impacts associated with development activities will be permitted by the U. S. Army Corps of Engineers and certified by several State and Federal agencies, including, without limitation, SCDHEC-OCRM. As is the case with such activities, if impacts occur, mitigation will be accomplished as directed by the agencies and may include, but are not limited to providing wetland buffers or preservation.

F. Cultural and Historic Resources

City Ordinance Section 3.12 Archeological Impact Assessment requires a determination by the City Zoning Administrator. During this Conceptual Master Plan / PUD Phase, it is the Applicant's desire to withhold any such requirement until such time as a development permitting is required. During Site Plan Review, as required in Section 3.8 of the City of Beaufort, Unified Development Ordinance (UDO), if required an investigative study shall be initiated and depending upon the outcome of the initial study, the management and development of further studies by a qualified research consultant will be prepared. These studies will be conducted prior to the Site Plan Review. These cultural resources studies and findings will be documented and the appropriate reports will be forwarded to the State Historic Preservation Office (SHPO). The long term management of the findings shall be presented to the SHPO. Once the proposed management has been reviewed and approved by SHPO, the Applicant and SHPO will execute a Memorandum of Agreement, as required, based on the qualifications of the site.

Attached as Exhibit F is a study prepared for the Property by the respected firm of Brockington Associates, Inc., Dr. Eric Poplin. It discusses the associated properties in and around the site as well as the Seabrook Farmstead - Historic Site.

G. Water and Sewerage Services

It is anticipated that water and sewer services will be available to the development within this PUD. The long term development within this PUD will include a sewer system. It is anticipated that conditions may exist within the development whereby the design and implementation of sewer systems may be more detrimental to the environment that would



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the installation of a septic system. It is not the intent of this Applicant to develop the site with septic systems but, where permitted under State law, and other circumstances, a septic system may be utilized. Preliminary discussions with Beaufort Jasper Water and Sewer Authority (BJWSA) have indicated a willingness to serve the property. When installed and accepted, the sewer design and installation shall be approved by BJWSA. When accepted, BJWSA shall operate and maintain the water and sewer systems.

H. Electrical and Tele-Communication Services

The Applicant shall, as part of the subdivision design, provide electrical and tele-communication services. The Applicant shall obtain electrical service from South Carolina Electric and Gas Company.

The area is served by Sprint Telephone and Charter Cable.

I. Road and Traffic

The Applicant is aware of the potential for impact to adjacent roadways and realizes this is an issue that should be addressed prior to beginning development, in accordance with the zoning regulations as defined in the Development Agreement. Any changes shall be prepared as provided and stipulated in this PUD document as defined in the McLeod Farm Development Agreement. The fortunate issue in this case is that Highway 21, the adjacent roadway, has capacity and is currently under utilized. Traffic counts are currently running at \pm 11,798 Annual Average Trips Per Day.

The plan for McLeod Farm anticipates the development of commercial property within the site. This commercial development is intended to serve the community. This development of commercial uses will be designed to help forestall the need to travel outside the community for those daily needs. This plan will therefore avert traffic entering onto Highway 21 for such daily trips. The Applicant is confident that the internal system of roadways will help to relieve the added pressure of development on the Highway 21 corridor. Creating an internal development of commercial, office, mixed use housing and single family residential housing uses that are convenient to one another and providing the needed uses to compliment one and other would help to reduce the flow of traffic onto Highway 21.

It is understood that Beaufort County and the City of Beaufort are working on studies to improve the highway system and it is hoped that these studies include these access potentials. All access and egress points must be permitted by the South Carolina Department of Transportation.

The roads within the Conceptual Master Plan / PUD will be constructed in accordance with the development standards included in this submission. The Applicant may elect to deed to the State, Beaufort County or the City of Beaufort, SC, if accepted by one, that jurisdiction shall accept maintenance and repair of the roads. If not, the Developer or its successors or assigns shall accept the road maintenance and repair costs and responsibilities.



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J. Land Development Standards

Planning for future development areas will be governed by the Development Standards provided as a part of this document. If a conflict exists within this document, it is understood that the hierarchy of governance is, first, the Development Agreement, and second the Conceptual Master Plan / PUD and attachments.



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SECTION II. SPECIFIC LAND USE DEFINITIONS

A. Introduction

This Applicant, currently in Northern Beaufort County, is seeking annexation of this site into the City of Beaufort. The City of Beaufort, according to the Long Term Planning Initiatives and the City of Beaufort's Comprehensive Plan the annexation of McLeod Farm is within the anticipated growth area of the City. This Highway 21 area is a potential growth corridor and the development of schools and the potential of an additional high school in the area will help facilitate one of the growth needs.

The Conceptual Master Plan / PUD for McLeod Farm, as outlined here, is a development concept built to allow the flexibility needed for the Applicant to fully utilize the site potential for residential growth with corresponding balance of work place and commercial development. The Applicant has a deep appreciation of the history and beauty of the property and wishes to assure that the site development is done responsibly with an understanding of the environmental concerns for adjacent marine and estuary systems. The Applicant fully intends on providing for adequate environmental safeguards and to abide by the current requirements mandated by the state and federal agencies.

To further the enjoyment of the site for its future residents, the Conceptual Master Plan anticipates a pedestrian / leisure trail network as an important alternative transportation network connecting residential neighborhoods with parks, office space and commercial areas. It is anticipated that wetland areas, where permitted by the appropriate permitting authority, could be utilized for interpretative trails. These, along with other trails, could be important linkages between communities and commercial areas where appropriate and permitted. It is desirable that these trails link a system of water courses and lagoons / ponds which would provide the community a system of open spaces and parks with the opportunity for recreational fishing and bird habitat. One of the important vista links that is a traditional part of the older communities of the Lowcountry area are the streets visually linking directly to water or marsh edge. The idea of a parkway along the water's edge is to provide access to the water's edge for the entire community. This parkway to the water's edge will provide pedestrian walkways along the marsh with opportunities to enjoy sun rises or the setting sun highlighting the marsh vista. It is anticipated that strategic locations will provide opportunities for seating areas, swings, rocking chairs, etc., affording the community a location to contemplate the natural beauty of this area of the Lowcountry.

The development of the Conceptual Master Plan / PUD as provided in this document is designed to provide flexibility for growth and development over many years and market cycles. The plan calls for the potential development of a light rail system which would utilize the current railway tracks which bisects a section of the property. The desire is to create a small rail transportation hub with associated train "depot" at or near the Seabrook Farmstead area in the heart of the Railroad Village. Here as the center of the railroad village center will develop a small commercial node with a traditional style village that may include the old Farmstead structure adapted to new uses and reminiscent of a small village town train stop. Here also there could be a link to the Community River Front Marina and



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Boat Storage dock which may provide water access. This link may include links to a water taxi system that could be developed as a water oriented travel system which may include other ports throughout the area, Savannah, Beaufort Waterfront Park, Harbor Town, Daufuskie Island, Charleston and beyond. These thoughts and ideas are, of course, dependent on others, either private or public, initiatives to save the rail system. This system could include light rail service for commuter traffic and tourist sightseeing tours, which is worthy of consideration. The water system of travel is also not without development challenges, but should be explored as in the future, this too has some feasibility. Historically the rivers were the highways and with the continued pressure of auto traffic, the rivers offer an opportunity for commuting to work or as tourist travel.

Aside from the “railroad village” there will be small mixed use village areas with the character of small waterfront villages of the past. The village would take on a character of its own and will be of a traditional or reminiscent of a traditional theme. The residential character may vary but an underlying theme will be that of Lowcountry architecture even though the interpretation of that style may be more contemporary. It is planned that as development moves inland from the water’s edge the residential density will decrease with the smallest density on the outer edges of the village. Beyond the Village and mixed use areas shall be a mix of residential uses, as multi-family , single family attached, single family detached, cluster development, zero lot line dwellings and townhome dwellings.

Within the residential neighborhood will be a mix of recreational uses that will be to the scale of appropriateness of the industrial neighborhood and density.

B. Development Plan

The following land use designations shall be declared for each area district, see the Conceptual Master Plan, Exhibit G. These uses and the subject of uses will be integrated with the understanding that the specific land use identified in each of the categories will be transitioned from one to the other in a gradation that is appropriate to the proposed use and the adjacent use. This transition of land uses shall occur both in residential and commercial associated uses.

The land uses provided within the districts provide the opportunity for each land use to occur, but does not obligate the Applicant at the development plan submission, to provide the use or facilities stated herein. Any conflict with this Conceptual Master Plan / PUD or Development Plan(s) with the Development Agreement, the Development Agreement will govern over the Plan.

The Conceptual Master Plan is conceptual and is subject to variations in location of roads, open space, district uses, parks, various rights-of-way may be altered to accommodate district, road, open space, boundaries.

All setbacks and buffers shall meet the minimum requirements as established in this Conceptual Master Plan / PUD documents and shall apply only to the perimeter of the PUD boundaries. The only other internal setback and buffer shall apply in accordance with internal wetland mitigation requirements.



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The permitted land use for each district is as follows:

1. Commercial District
2. Railroad Village District
3. Mixed Use District
4. Residential District
5. Park District

The Conceptual Master Plan may have an overall PUD density not to exceed three (3) dwelling units per acre for all Residential types i.e., multi-family in all its forms, attached and detached single family residential. It is further contemplated that these densities may be moved from District to District over time due to future Master Plans and Land Use Types. These density transfers, however, can not exceed the overall density stated here for the entire Conceptual Maser Plan / PUD.

The Conceptual Master Plan for the McLeod Farm PUD consists of approximately 907.0 acres to be developed as a residential land use and 117 acres or 1,287,000 square feet of commercial land use. The acreage is both residential and commercial including wetland areas. These land uses are generally depicted on the Conceptual Master Plan and may be part of one or the mixed use area which is typical to the specific District. These areas of residential and commercial uses will be modified but clarified at the time of Development Plan Approval. The Applicant or Developer reserves the right to convert up to fifty (50) percent of the commercial acreage or 58.5 acres (643,500 square feet) to residential acreage at a unit density of 3.0 units per acre. Conversely, the Applicant or Developer shall have the right to convert residential units to commercial acreage at a rate of one (1) commercial acre for three (3) residential units. In this conversion each commercial acre to residential shall result in a decrease of 11,000 square feet of commercial density per acre. With conversions, the overall density for McLeod Farm shall not exceed a total density of 3.0 units per acre applied to the entire acreage of 1,024 acres.

This density for residential and commercial use will breakdown as follows: The total acreage of McLeod Farm PUD as represented on the Conceptual Master Plan is 1,024 acres. That acreage is broken into a residential component and commercial component. Currently planned are 117 acres or 1,287,000 square feet of commercial based on 11,000 square feet per acre. The residential component acreage is therefore, 907 acres (1,024 acres - 117 acres). The density is based on the stated three (3) dwelling units per acre. Therefore the residential area shall equal 907 acres times three (3) units per acre or 2,721 units. The Development Agreement provides for the conversion of fifty (50) percent of the commercial area to residential use. Conversely, the Development Agreement provides for the conversion of residential units to commercial acreage of one (1) commercial acre (11,000 square feet) for three (3) residential units. The total commercial acreage is 117 acres or 1,287,000 square feet of which up to fifty (50) percent could be converted to residential use. Therefore 58.5 acres or 64,350 square feet of commercial could become residential, for a total conversion to 176 units (58.5 acres x 3 units per acre). This would bring the total possible units to 2,897 units (2,721 + 176).



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As to consideration for a breakdown of the commercial uses or other land use categories within each District that level of specificity is not available in this Conceptual stage. But, a general characteristic might be that development within the residential areas that may include clubs, activity areas, river club, community marina facilities and the like, not open to the general public would not be considered commercial. These areas as they relate to private community activity are not part of the commercial square footage. If, however, any commercial, waterfront activity, club open to membership to the general public, offices not related to community sales or services, retail and service business not within the community - accessible to the general public shall come out of the commercial square footage. This would include civic, school, fire and police services and considered part of the land provided in the Development Agreement.

Overall residential density shall include both attached and detached Single Family Residential. Detached guesthouse, "mother-in-law" apartments and garage apartments (for rent or not) on the same lot with a single family unit will be allowed as one structure per lot and the second structure will not be counted against the density cap, but shall be counted as 0.5 units for purposes of Development Fees. Fractional Ownership / Time Shares and Condo / Hotels count as 0.5 residential units for purposes of density. Condo / Hotels are defined as primarily transient, short term lodging facilities which have units owned by individuals / entities and may be under some type of common management / leasing program.

Multi-Family Residential shall have a density of 0.75 units per multi-family unit. Multi-Family in this case shall include apartments, condominiums, cottage use, under Single Family for further clarification) and other Multi-Family dwelling as defined under the Residential Use Categories, Item D of the City of Beaufort UDO Section 5.2 Use Categories.

At the time of Development Plan Review, the Commercial Uses as described in the various Districts other than within the Commercial District shall not be restricted except as each use must be in compliance with stormwater, parking, buffering, landscaping and other site design requirements of the UDO and PUD are met. All commercial development shall be subject to the provisions of the City of Beaufort UDO unless specifically exempted or modified by this document.

With future Development Plan submissions the individual Districts as defined herein land use area shall not exceed the following densities in any one district area:

| <u>Land Use</u> | <u>Maximum Density*</u> |
|------------------------|-------------------------|
| Multi-Family | 16 Units/Acre |
| Single Family Attached | 8 Units/Acre |
| Single Family Detached | 4 Units/Acre |

*The overall density for the PUD will not change - these represent density maximums within a sub-district.



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The Land Use Types and Acreage all tabulated in the following table:

| Land Use | Acres (AC) | % by District |
|----------------------------|------------|---------------|
| Commercial District (COM) | ± 117.00 | 11 |
| Railroad Village (RV) | ± 20.00 | 2 |
| Mix-Use District (MU) | ± 119.28 | 12 |
| Residential District (RES) | ± 736.72 | 72 |
| Park District (PD) | ± 31.00 | 3 |
| Total | ± 1024.00 | 100 |

The Applicant has intentions of providing distinctive architectural and landscape architecture design through the development of Community Covenants that provide for a uniformity of scale, form, color, and architectural character while providing restrictions on aspects that may be of detriment to the community as a whole. The Applicant intends to integrate both a vehicular circulation system with pedestrian, leisure trails, bicycle trails and street side sidewalks for connecting neighborhoods to commercial, to offices, to marsh and riverfront lineal park and residential areas. Where appropriate and possible these systems may be separated, but a system may include routing along secondary roadways.

Throughout the Conceptual Master Plan / PUD it is the desire to develop the land with the natural characteristics and cultural history as an important foundation. It is anticipated that the existing wetland areas impacts will be avoided wherever possible. These wetland areas shall, where possible and permissible, continue to be used for drainage filtration systems, natural buffers between land uses, recreational uses (interpretive trails, bird watching areas, leisure trails, etc) and as habitat for important flora and fona species.

The Property may be subjected to a future Traffic Impact Analysis ordinance when development plans are submitted for review, if the ordinance is adopted on a city wide basis, with any required mitigation to be those traffic improvements which are required on the site itself, or immediately adjacent to the site involving the interface with public roads. These immediately adjacent mitigation efforts may involve such improvements as acceleration and deceleration lanes and pro-rata contributions toward traffic signals or other adjacent intersection improvements. The Owner shall not be required to make general improvements to public roads and highways, other than those mentioned previously for near site mitigation, provided that the property may be subjected to contributions which are made pursuant to a Traffic Impact Fee ordinance, which is adopted and applied on a city wide basis.

The roadway system shows the major road system and will be supplemented with other secondary roads. This collector street, which is illustrated, conceptually, on the Conceptual Master Plan, would be designed with the intent to carry heavier traffic capacities and leisure / bicycle trails by providing larger rights-of-way. These streets, when designed, may provide the future capacity necessary to sustain the traffic generated by the PUD community. As can be seen by showing the road way system, consideration has been given to disperse and calm traffic patterns. Although the streets within the PUD are



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to be designed to the standards and requirements mandated by the City of Beaufort, Unified Development Ordinance, streets, sidewalks, pathways and bikeway standards they will be owned and maintained by a Property Owners Association (POA), the POA may, at some future date, offer the common areas, pedestrian ways, utilities and streets for public dedication.

C. Permitted Land Uses Terminology and Density Interpretations:

The terms and conditions of this Development Plan shall be as defined in the Conceptual Master Plan / PUD and/or the Development Agreement with the City of Beaufort and the City of Beaufort Unified Development Ordinance included herein as an Attachment. These documents in total will apply to the interpretation of this Land Use Plan. The Conceptual Master Plan / PUD provides the approximate location and land use proposed for the area, each area is detailed in the descriptions which follow:

1. Commercial District:

The Commercial District allows for the development of concentrated commercial and office nodes located on primary vehicular routes and associated with other adjacent similar uses. These uses would be primarily related to community commerce, with some areas serving the region as well. Its purpose is for continuance of compatible and economical health environment for business financial services and professional uses which benefit from being located in close proximity to each other. Uses will also provide a full range of retail, service and professional / office uses that serve the adjacent residential neighborhoods, both vehicular and via pedestrian ways.

a. Permitted Uses:

- (1) Establishments engaged in selling goods or merchandise to the general public for personal or household consumption (e.g. shopping centers, supermarkets, department stores, convenience stores, gas stations, etc.) and rendering services incidental to the sale of such goods; establishments providing services or entertainment to the general public including, but not limited to, eating and drinking establishments, personal service and repair business and entertainment establishments (e.g. movie theaters, bowling alleys, etc); medical and health facilities/offices, office buildings and/or office for government, business, professional or general purposes, unless specifically prohibited under Prohibited Uses below.
- (2) Uses allowed in Commercial Zoning District as discussed under Article 5.2 Special Exceptions of the City of Beaufort UDO, 9/1/2005, both by-right and conditional uses, unless modified or specifically prohibited as noted below. This shall include all Uses in the Non-Residential Use shown on the chart of the Use Table Section 5.1 under NC, OC, CC, GC and HC.
- (3) Multi-Family



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- (4) Schools, Open Space and Parks
- (5) Community Recreation
- (6) Maintenance and Utility Area
- (7) Government Facilities / Civic (police, fire and government services)
- (8) All Uses in Traditional Neighborhood District
- (9) Hotel / Inn
- (10) Bed and Breakfast (except in HC, above)
- (11) Recreational Vehicle Parks limited to self contained, motorized vehicles with a minimum length of twenty-six (26) feet (except NC, OC & CC)
- (12) Agricultural / Silviculture and current Land Use (see Development Agreement)
- (13) Water Oriented Facilities
- (14) Telecommunication towers
- (15) Roadway systems
- (16) On / Off street parking
- (17) Residential Use is allowed, such as, apartments and condominiums above commercial. A shared parking ratio shall be permitted as part of this Use. This shared parking shall be established with the Zoning Administrator at the Development Permit Phase using applied industry standards substantiated by the Developer.

b. Prohibited Uses:

The following commercial uses are specifically prohibited:

- (1) Junkyards or auto salvage yards
- (2) Campground and Recreational Vehicle Parks (not allowed in NC, OC & CC Non-Residential Uses)
- (3) Video Poker Parlors
- (4) Amusement Parks
- (5) Go-Cart Racing Facilities
- (6) Commercial Race Tracks / Facilities using automobiles, horses or dogs
- (7) Roller coasters
- (8) Sexually oriented business
- (9) Body Piercing or Tattoo Facilities
- (10) Manufactured and Wheeled In Housing (except as approved by the Covenants and Restrictions).

2. Railroad Village District:

The Railroad Village District is anticipated to be a very special area and will hopefully be the “heart” of the community. The Applicant anticipates the opportunity to recreate the Seabrook Farmstead Village and incorporate those uses into a more pedestrian friendly area. The scale shall be in keeping with the old village but may incorporate additional structures to assist the economic vitality of the area. The railroad and the uses associated with it will be part of the architectural style and theme. As much as is practical the plan will focus attention



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to a working waterfront with boating and railroad merging to a rich low country style of waterfront edge. The roadway through the village and rail crossing will be respected and retained. Every effort to restore the old buildings will be accomplished in accordance with requirements mandated by the Standards. Additional structures will be in-filled to carry forward the needs of a viable village street vocabulary of buildings. The approach will be to adapt existing structures and add new ones to establish a tapestry that create a backdrop for the pedestrian streetscape. This pedestrian oriented area will create a place for strolling and relaxing while finding a quiet corner for a cool drink or dessert at a sidewalk café. The idea is that the streets will take on the atmosphere of the old world European street or the streets as illustrated by Norman Rockwell. It is hoped that this will focus the community on this area and provide locations for entertainment and the opportunity for festive community fetes. The idea is to have the opportunity to create a small “whistle stop” town atmosphere with, if economical and practical, a working light rail system that could transport tourists and work force on the rail system. This Applicant is not proposing that he provide a system, but would support the facility and provide access.

This Railroad Village gains its name from the historic umbilical cord that linked this region to other areas of the country and world. It is contemplated here, for that sense of history, to establish and preserve its place in the history of this area. This history, linked to the railroad, the idea of making this place the center of a new community embodied in the establishment of new mixture of shops, restaurants, newspaper stands, coffee shops, open air market within a limited environment for the automobile. It is this neighborhood / work / play area that provides the highest quality of life and adds great variety and vitality to community Jane Jacobs lauds this concept “an intimate and close granted diversity of uses that give each other constant mutual support, both economically and socially”. These vital issues make a true sense of place. Just as the Design District Article 6.6 of the UDO reduces and modifies to protect and enhance the City’s aesthetic character, it is the intent here to enhance the aesthetics of the Railroad Village District character and its relationship with the adjacent residential areas.

- a. Permitted Uses (See Article 5.0 of the City of Beaufort UDO for reference to uses)
 - (1) Establishments engaged in selling goods or merchandise to the general public for personal or household and rendering services incidental to the sale of such goods; establishments providing services or entertainment to the general public including, but not limited to, eating and drinking establishments, personal service and repair business and entertainment establishments etc.); medical and health Facilities / offices, office buildings and/or office for government, business, professional or general purposes, unless specifically prohibited under Prohibited Uses below.
 - (2) All Uses in Residential, Household living, Section 5.2.D of the City of Beaufort UDO. This shall include the live above residential use, for residential above Commercial Uses.



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- (3) All Non-Residential Uses, including permitted and conditional use as are permitted in Section "E" and "F", and as defined under Section 5.1: Use Tables for NC, OC, CC and GC.
- (4) Hotel and Condo / Hotels (short term rentals including hotels and the investor owned hotel (condo / hotel).
- (5) Restaurants with drive through.
- (6) Parks and Open Space (drainage areas and ponds).
- (7) Roadway Systems.
- (8) Maintenance and Utility Areas.
- (9) Current Agricultural / Silviculture and Other Uses (See Development Agreement for Uses).
- (10) Water Oriented Facilities.
 - (a) marina fuel sales
 - (b) dry stack boat storage
 - (c) water taxi service
 - (d) river club / community center
 - (e) harbor master facilities
 - (f) communication facilities for ship to shore
- (11) Telecommunication Towers.
- (12) Roads and Pedestrian Trails.
- (13) All Uses in Traditional Neighborhood District.
- (14) Community Recreation.
- (15) Passenger Terminals.
- (16) Marina Facilities.
- (17) All Uses in Residential Uses Section 5.2.D of the City of Beaufort UDO, Household Living Permitted or Conditional except as listed as Prohibited below).

b. Prohibited Uses:

- (1) All Uses prohibited in Village / Commercial District.
- (2) Radio and/or Television Stations.
- (3) Highway Commercial Uses.

3. Mixed Use District

The Mixed Use District shall be developed with a mixture of office, commercial and residential use that may be typical to the culture, value and traditions exemplified in the New Urbanism Movement. The principles of this include walkability, connectivity, mixed use and diversity, mixed housing, quality architecture and urban design, traditional roadway structures, increased density, smart transportation, sustainability, and quality of life. These qualities or principles provide a healthier lifestyle with a walking friendly environment, close proximity to sidewalks, trails, parks, etc. The style of living provides for opportunities to get to know your neighbors and community, more freedom and independence for all age groups. Kids and adults can walk or bike to schools or shops.

a. Permitted Uses (see Article 5, City of Beaufort UDO):



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- (1) All Uses in Residential Uses Section 5.2.d of the City of Beaufort UDO, Household Living permitted or conditional except as listed as prohibited below.
 - (2) Governmental / Civic (police, fire and government services)
 - (3) Schools, Parks and Open Space
 - (4) Religious Institutions
 - (5) Maintenance and Utilities
 - (6) Community Restaurant with seating
 - (7) Agricultural and Silvicultural Uses (see Development Agreement for definition).
 - (8) Office
 - (9) Overnight Guest Accommodations
 - (10) Banks (drive through ATM - No drive through tellers)
 - (11) Small Bed and Breakfast (1 to 5 guest rooms)
 - (12) Retail Sales
 - (a) home and business goods (convenience items)
 - (b) books
 - (c) candy, cigars, hobby supplies
 - (d) drugs / pharmacy (no drive through)
 - (e) florist
 - (f) gifts
 - (g) liquor
 - (h) magazines, newspapers and stationary
 - (i) food sales
 - (13) Retail Services
 - (a) medical
 - (b) bakery
 - (c) barber / beauty shop
 - (d) seamstress, tailor
 - (e) laundry / dry cleaner
 - (f) photo studios, copier, print
 - (g) shoe repair
 - (h) repairs - clock, bicycle, watches, shoes, office equipment
 - (14) Community Recreation
 - (15) On / Off street parking
- b. Prohibited Uses (See Article 5, City of Beaufort UDO)
- (1) Manufactured Housing
 - (2) Live Aboard Boats
 - (3) Group Dwellings
 - (4) All Retail Uses not defined above
 - (5) Home Occupation
 - (6) All Uses as prohibited in Village / Marina Residential District
 - (7) Drive through restaurants (excluding pick up window restaurant)
 - (8) All Uses prohibited in Railroad Village District

4. Residential District:



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This District consists of residential which maybe developed with lakes and/or new golf course(s) amenity as its major community focus. This community type is familiar to Southern Beaufort County in that the communities with this prototype are common. These communities may or may not be gated. This decision would be left to the market demand and Developer at the time it is presented in the next step of the Planning and Permitting process.

- a. Permitted Uses (See Article 5.0, City of Beaufort UDO for definitions and reference)
 - (1) All Uses in Residential, Household Living, Section 5.2.D of the UDO with exceptions as listed in Prohibited Uses.
 - (2) Golf Course, practice area, golf maintenance, golf cart storage, clubhouse, restaurant / grill, golf pro shop sales, storage and other accessory uses
 - (3) Community Recreation - parks, lakes, ponds, fishing, boating, docks, boat ramps, boat storage
 - (4) Community lock / inland harbor
 - (5) Water Oriented Facilities (includes clubs, hotels and condo hotels)
 - (6) All Uses in Traditional Neighborhood District
 - (7) Model Home(s) / Sales Offices including temporary construction offices
 - (8) Maintenance and Utilities areas
 - (9) Schools, Open Space and Parks
 - (10) Agricultural and Silviculture Uses (see Development Agreement for Definitions)
 - (11) Single Family Residential
 - (12) Roads and Pedestrian Trails
 - (13) On and Off Street Parking

- b. Prohibited Uses
 - (1) Manufactured Housing (houses delivered on wheels)
 - (2) Live Aboard Boats
 - (3) Group Dwellings
 - (4) Home Occupation
 - (5) All Prohibited Uses in Village / Marina Residential District

5. Community Park District:

This District provides the umbrella use for all community recreation provided throughout the community. This use may be in either a public, semi-public or private recreation facility, either indoor and/or outdoor / lighted or unlighted. It is the intent to establish facilities and a level of service which may include active and passive sports, entertainment facilities and include where appropriate shops, eateries, meeting space, community services facilities.

- a. Permitted Uses: Outdoor Recreational Facilities including but not limited to:



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- (1) Public and/or private golf courses.
- (2) Golf learning and practice facilities.
- (3) Golf cart storage barn and maintenance facilities.
- (4) Swimming pools, pool bath houses and gazebos.
- (5) Tennis courts.
- (6) Lawn games such as bocci, croquet, volleyball, etc.
- (7) Multi-use fields.
- (8) Playgrounds.
- (9) Neighborhood parks.
- (10) Community parks.
- (11) Leisure trails and bike trails.
- (12) Other recreational uses:
 - (a) Equestrian Facilities:
 - (b) Barns.
 - (c) Paddocks, stables, riding rinks.
 - (d) Bridle trails.
 - (e) Equestrian learning/teaching facilities.
- (13) Recreational building including but not limited to uses such as indoor recreation, meeting, assembly, banquet, fitness and hobby space.
- (14) Accessory buildings.
- (15) Community offices/administration buildings.
- (16) Maintenance and storage facilities.
- (17) Community service facilities which shall not be considered commercial uses and shall not be counted against the overall allowed acreage for commercial uses within the Conceptual Master Plan / PUD including:
 - (a) Public and/or private clubhouses.
 - (b) Pro shops, snack bars, grills, restaurants and lounges associated with clubhouses.
 - (c) Ancillary uses associated with community recreation facilities such as craft centers, fitness centers, etc.
 - (d) Water Oriented Facilities;
- (18) Agricultural and Silviculture Uses (See Development Agreement)

D. Other Definitions of the Land Uses within the Districts:

1. Dwelling Unit Calculations for the PUD:
 - a. Dwelling Units Per Acre (DU/AC):

A calculation which is based on the total residential units of a parcel or tract that may be brought forward at Development Permit Review. Each tract or parcel density shall be calculated based on the total acres for the parcel with exceptions to unit totals as follows:

 - (1) Hotel / Condo Hotels / Inns / Bed and Breakfast or Guesthouse Room (including cottage and cottage lock out units) shall be calculated as ½ of a dwelling unit per bedroom;
 - (2) Fractional Ownership Units (interval ownership / timeshare



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- properties) shall equal ½ dwelling unit per unit;
- (3) Multi-Family Units shall be calculated as 0.75 of a dwelling unit per unit.
- b. Maximum Dwelling Units per Acre (DW/AC Max):
An indication of the maximum density allowed within any sub-area(s) or project(s) within an identified tract per acre with the following exceptions and clarifications:
- (1) Hotel / Inn / Bed and Breakfast, Fractional Ownership Units (Interval Ownership / Timesharing Properties) or Guesthouse units shall not have a specified DU/AC maximum but shall meet the minimum required.
- (2) Maximum Dwelling Units Per Acre for Single Family Attached Residential shall be eight (8) DU/AC maximum - Detached Residential is four (4) DU/AC maximum.
- (3) Maximum Dwelling Units Per Acre for Multi-Family Residential shall be sixteen (16) DU/AC maximum
2. Governmental / Civic:
This designation allows for Governmental and Civic land uses which shall be allowed to occur as a Mixed Use throughout the entire Conceptual Master Plan / PUD. These land uses shall not count against the overall commercial acreage or residential density allowed for the Conceptual Master Plan / PUD.
- a. Civic, cultural, municipal, governmental, educational (public or private), conference centers, research or other similar facilities which may include housing for staff, faculty and professionals. Other uses allowed in this category include student housing and employee dormitories, which count as ½ Dwelling Unit against the Conceptual Master Plan / PUD residential cap Dwelling Units. Housing for staff associated with a specific project will not count against the Conceptual Master Plan / PUD residential cap, provided that the housing is located within the project requiring the staff.
- b. Churches, synagogues, temple and other places of worship provided that such use is housed in a permanent structure.
- c. Cemeteries provided that such use does not include a funeral home or crematorium.
- d. Assisted Living facilities, nursing homes and congregate care facilities.
- e. Public emergency service facilities, library, museum, day care facilities, social / community centers, etc.
3. Hotel / Inn / Condo Hotel / Cottages:
This designation is for hotels, inns, bed and breakfast, guest houses, cottages, divisible Dwelling Units and time sharing properties (Interval Ownership) that consist of building or buildings with guest rooms for sleeping and kitchens and/or a dining room to provide meals for guests. Divisible Dwelling Units (e.g. lock-out or lock-off units) will be defined using length of stay as a basis and used for sales guests only. Use of lock-outs will be limited to seven (7) days or less. Exceptions may be granted by the Planning Commission. Hotels, Inns, Bed and Breakfasts,



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Guesthouses and properties shall be considered a Residential Land Use and counted against the overall residential density cap at a rate of ½ DU per room / key and as such shall not be considered a commercial use. The rooms shall be primarily designed for and occupied by transients. A conference facility may or may not accompany the hotel / inn and may be integral to the hotel / inn or detached. Included in these Uses are a somewhat new concept of condo / hotel which allows a buyer to purchase a hotel unit and either keep the unit off the rental market or place it into a managed rental under the hotel management. Another aspect is cottage units that may be made available for rental to guests or property owners. These units, like the condo / hotels will be owned by investors and either placed on or off the rental pool as managed by the developer / real estate management company.

4. Maintenance Areas:

The maintenance areas will contain the facilities, tools and equipment necessary to maintain the common properties and recreational facilities within the Conceptual Master Plan / PUD. These facilities may be congregated on a central site or located in separate convenient sites for different services such as general community maintenance, golf course maintenance, recreation area maintenance or individual property regime maintenance.

a. Permitted Uses include:

- (1) Vehicle maintenance.
- (2) Storage of vehicles and parts, boats, recreational vehicles and resident storage units.
- (3) Fuel storage.
- (4) Shops for woodwork, metalwork and painting.
- (5) Greenhouses, plant propagation areas and holding yards.
- (6) Mulching facility and mulch storage.
- (7) Storage of chemicals and bulk materials as permitted by law.
- (8) Offices associated with community and maintenance.

5. Model Home / Sales Center:

This designation allows for the model homes and office / administrative facilities associated with the primary sale of residential property and commercial property. The facility and/or facilities may be permanent in nature with the model homes or building(s) being sold as single family residences or office / commercial space in the future or the facility and/or facilities may be relocated from time to time during the period of development to meet the needs of development phasing.

6. Multi-Family Residential:

This designation is defined as a building or series of buildings on the same lot or portion thereof used or designed, leased, owned for the potential as a rented group of dwellings for three (3) or more families or individuals living independently of each



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other, with the number of units not exceeding sixteen (16) units per acre. Each unit shall represent 0.75 units for calculation of density for the lot or parcel as well as the density for the PUD. This definition shall include but is not limited to rooms within a residential unit for rent, apartments, apartment hotels, fraternity houses, sorority houses, YMCA, YWCA and the like.

Lot sizes referenced in Attachment 2 of this document is a minimum lot size for this use, lot sizes will vary. The allocation of density as specified allows for the clustering of development to optimize the protection of natural features and maximize open space. This does not guarantee that all property within individual planning areas can be developed at the identified maximum. Density may be transferred between the planning tracts.



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7. Open Space

The Open Space requirement for the Conceptual Master Plan / PUD is a minimum of twenty (20%) percent of the gross area of the total acreage of the property. The open space shall be calculated for the PUD are based on the total PUD and not on a site specific basis as each development phase is brought forward for consideration. The UDO Ordinance Section 7.4 - Planned Unit Development (PUD) Standards require that fifty (50%) percent of the open space be improved for passive and/or active recreational use. The open space which shall qualify for this requirement shall be considered for the total PUD and not on a specific site basis. The open space which qualifies shall be as follows:

- a. Road rights-of-way which include trails, sidewalks, bike paths and the like.
- b. Roadside and median tree parks.
- c. Landscape areas between land uses.
- d. Golf courses and practice areas (active and passive play areas).
- e. Ponds, lagoons and drainage easements.
- f. Utility rights-of-way or easements.
- g. Freshwater and Kings Grant Saltwater non-jurisdictional and jurisdictional wetlands.
- h. Wetland buffers and perimeter buffers.
- i. Trails, bicycle and pedestrian (adjacent spaces).
- j. Active and passive park areas (including ancillary facilities).
- k. Indoor and outdoor pool, water splash parks (including decks).
- l. Tennis facilities (including ancillary facilities)
- m. Playground facilities.
- n. Fishing, crabbing and boat docks.
- o. Community garden plots.
- p. Flower and greenhouse production facilities.
- q. Other such recreational amenities.

Additionally, the developers of the private recreational communities within the Conceptual Master Plan / PUD shall be encouraged to develop internal recreational facilities as part of the open space and recreational requirement. The internal recreational facilities shall be for the use and enjoyment by the property owners and their guests. The private residential communities shall be encouraged to allow access to others such as neighboring school teams, soccer leagues, softball leagues, etc to utilize the recreational facilities.

8. Roads and Access

The Conceptual Master Plan / PUD roads, as shown, are schematic and may be relocated during the submissions of development plan. Final road design and widths of right-of-way shall become more definitive as final residential densities are located and plans for vehicular, pedestrian and bicycle circulation within those communities can be delineated. The Conceptual Master Plan / PUD represents what may become the major road circulation locations, but within the Land Use Designations as the Plan becomes refined these roads will probably change and



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additional roads for vehicles, as well as, pedestrian and bicycle circulation will evolve and be refined.

It is hoped that as the plans evolve there will be flexibility to mold the roadway system to nature, reducing roadway widths for tree or wetland preservation considerations. It is further understood that roads, bike paths, leisure trails, and pedestrian ways shall be allowed to permeate the setbacks and buffers as defined herein, to access properties of the Conceptual Master Plan / PUD. Where these systems impact waters or marshes of the State of South Carolina permitting through OCRM and the other State agencies acting in conjunction with OCRM, the permitting for uses shall be the governing decision on the locations of these matters and the City of Beaufort shall not deny land side access. The design of the land side accesses and the pathways and roads shall adhere to the Best Management Practices (BMP). The ordinance is referenced in the City's UDO Article 8.3 Improvement Requirements, subparagraph B-2 Drainage.

The Conceptual Master Plan / PUD shall provide necessary roadway, bicycle, leisure and pedestrian trails and/or sidewalks to and between commercial, residential and recreational uses where feasible and practical. There are areas or districts within the Conceptual Master Plan / PUD which, in whole or in part, may be developed as private with access restricted appropriately at the Applicant's / Developer's discretion.

The Conceptual Master Plan / PUD shall have roads designed to the standards as detailed in the Beaufort County Zoning and Development Standards Ordinance, Article XIII, Subdivision and Land Development Standards, Section 106-2797, Street Design Standards or as modified in Attachment 2 or as may be modified by the Developer at the time of the Development Permit Review. It is further understood that modifications due to specific soil conditions, environmental impact considerations, physical constraints and/or design parameters.

The Conceptual Master Plan / PUD shall provide roadway linkage of major land use areas including internal linkage to commercial, residential and recreational uses. Certain areas either whole or in part may be developed as private areas with access restricted appropriately at the Developer's discretion.

Roads will be designed to reduce rights-of-way when environmental and tree preservation considerations would be improved. The developers of the property shall be encouraged to design roads to protect water quality and preservation of trees.

All roads, bike paths, leisure trails and pedestrian pathways shall be allowed to penetrate the setbacks from the OCRM Critical Line to access the property, provided the stormwater is treated in accordance with Best Management Practice Standards.

9. Setbacks and Buffers:



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Setbacks and buffers shall meet the minimum requirements established in this Conceptual Master Plan / PUD documents and shall apply only to the perimeter of the PUD boundaries, however, buffers related to PUD internal wetland mitigation buffers or setbacks shall apply in accordance with the Mitigation Agreement reached with the applicable Agency or by law.

- a. Perimeter Setback and Buffers at Adjacent Creeks, Rivers, Internal Water Systems and Marsh:
- (1) Setbacks and buffers from the OCRM Critical Line shall be fifty (50) feet for Single Family Residential structures;
 - (2) Setbacks from the OCRM Critical Line shall be one hundred (100) feet for Multi-Family and Non-Residential structures, buffers shall be fifty (50) feet, other than areas noted below.
 - (3) Where associated with the waterfront village areas and Community Riverfront Boatyard District and at all waterfront development in the internal water system (non-jurisdictional) either residential, non-residential or non-residential with residential above their shall be no buffer requirements and setbacks shall vary to a minimum of twenty-five (25) feet with an average of forty (40) feet. This can only be approved with the development of a drainage system which captures runoff and directs it to an internal drainage system which meets BMP standards as established in the City's UDO resulting in a filtered runoff from the system.
 - (4) Setbacks and buffers for Golf Course Active Play Areas shall be fifty (50) feet. Active Play shall be those areas which are mowed and/or chemically treated daily, sand traps and accessory (non-habitable) structures and facilities such as storage sheds and ball wash machines. The Golf Course will be designed to drain away from critical areas and provide treatment (stormwater management BMPs) of stormwater prior to discharge. Treatment will be in accordance with Stormwater Management BMPs.
 - (5) Other than item 3 above, selective pruning shall be allowed within the buffer and setbacks to provide views to the marsh and rivers from the Golf Course and residences.
 - (6) If runoff from the property flows toward the critical line, without being diverted and/or treated through engineered BMPs, then two-thirds (2/3) fo the total buffer area shall remain in a naturally vegetated state, except as allowed below, in order to maintain the water quality function of the buffer.
 - (7) Other than in item 3. above, each property owner is allowed to selective clear one third (1/3) of the total area, providing no more than a maximum contiguous area measuring seventy-five (75) feet in a horizontal distance parallel to the Critical Line.
 - (a) Selective clearing means: the clearing of tall trees except:
 - i) evergreen trees 16" or greater DBH,
 - ii) hardwood trees 8" or greater DBH



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- iii) Dogwood, redbud and Magnolia trees 4" or greater DBH.
 - iv) Selective landscaping means that the understory and groundcover can be replaced only with landscape vegetation, including grass, that requires no chemical treatment for survival or maintenance. In addition, non-permanent structures, (such as gazebos, trellises and decks) can be located with the one third (1/3) selectively cleared area if setback thirty-five (35) feet from the Critical Line.
- b. Perimeter Setback and Buffer (other than Highway 21 or waterfront):
- (1) All areas of the PUD not adjacent to the Critical Line or Highway 21 shall have a perimeter setback and buffer of twenty-five (25) feet.
 - (2) Buffers shall be fifteen (15) feet. Within these buffers existing trees and understory vegetation shall be retained wherever possible. If sufficient natural vegetation does not exist, plant back requirements shall be determined at the time of final development plan application. Required buffer planting shall be determined and installed on a phase by phase basis.
- c. Perimeter Buffer and Setbacks at Highway 21:
- (1) Setbacks and buffers shall be as stipulated in the Design District Standards which is fifteen (15) feet with no build to line. The side and rear setbacks shall conform to the PUD Standards for setbacks whichever is less.
 - (2) Buffer and landscape requirements in the Design District shall conform to the District requirements.
- d. General notes on development permitted within the Buffers other than listed above:
- (1) Pedestrian and/or vehicular access ways to docks, fishing/crabbing piers, boat landings, other approved water/marsh uses, provided that only permeable or semi-permeable paving materials are used for vehicular access ways;
 - (2) That portion of docks, fishing piers, boat landings, or other approved water/marsh uses that by design must tie into the high ground adjacent to the marsh/water;
 - (3) Use of grass swales or other BMPs practices rather that drainage pipes are required unless a drainage pipe is an outfall from a detention, retention or filtration system;
 - (4) Approved flood control and erosion control devices and other activities related to soil and water conservation. Proper installation and maintenance is required;
 - (5) All utility lines provided that such lines are buried underground within the buffer and the area is replanted with vegetation. This requirement may be waved by the Zoning Administrator;
 - (6) Playground equipment, benches, picnic tables and other similar



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furniture related to recreation or incidental residential use provided the ground surface remains permeable;

- (7) Roads leading to bridges or causeways that cross the waterway provided the road are configured to minimize disturbance into the buffer, provide all shoulders are grassed or runoff is effectively diverted away from the Critical line, i.e. curb and gutter and treated prior to discharge into adjacent water.
- (8) All structures and the like permitted through DHEC-OCRM Critical Area Permitting requirements shall be permitted within the buffer areas.

10. Silviculture:

This designation allows for continuation of managed forestry. Silviculture includes the practice of planting, culture and harvesting of trees for the purpose of producing wood fiber and timber. Generally accepted methods for forest management are permitted, including wildlife management, construction and use of forest roads and practices to promote health and growth of trees. This management shall include controlled burns. See the Development Agreement for further consideration of this practice. Silviculture uses may continue up to the time a subdivision plat is recorded.

11. Wetlands:

This designation allows the following uses within wetlands. Freshwater wetlands and saltwater wetlands on the property shall be those areas over which the U. S. Army Corps of Engineers claims 404 jurisdiction for freshwater wetlands and OCRM claims jurisdiction for saltwater wetlands. The use of these lands is regulated by the U. S. Army Corps of Engineers (USACOE) and the South Carolina Department of Health and Environmental Control Office of Ocean and Coastal Resource Management (SCDHEC / OCRM), and unless restricted via a future Memorandum of Agreement (MOA) to the contrary, the following are Permitted Uses:

- a. Open space and buffers.
- b. Conservation areas.
- c. Activities in all areas as permitted by the U. S. Army Corps of Engineers and the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management.
- d. Disposal of reclaimed water as permitted by SCDHEC.
- e. Storm water control and management.
- f. Boardwalks, trails, bridges and other permitted structures.
- g. Game Management.
- h. Silviculture.
- i. Causeways for road crossings, trails or others as permitted by the Agencies listed above.

12. Utilities:



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- a. This designation allows for utility service to serve the planning tracts of the Conceptual Master Plan / PUD. The following land uses shall be allowed:
- (1) Potable water supply and distribution.
 - (2) Wastewater collection, treatment and disposal.
 - (3) Stormwater collection, treatment and detention.
 - (4) Irrigation.
 - (5) Communication towers.
 - (6) Satellite antennas.
 - (7) Cable television facilities.
 - (8) Telephone facilities.
 - (9) Power transmission and distribution.
 - (10) Broad band multi-use transmission lines.
 - (11) Fiber optic lines.
- b. Certain community wide infrastructure is required for the development of any large, master planned community. This infrastructure may include, but is not limited to, the following:
- (1) Arterial streets and primary access roads.
 - (2) Water supply.
 - (3) Wastewater Treatment and Effluent disposal.
 - (4) Power sub-stations.
 - (5) Central telephone facilities.
 - (6) Storm water Management lagoons.
 - (7) Natural gas supply.
 - (8) Irrigation.

In the case of this Conceptual Master Plan / PUD, the community wide infrastructure may serve more than one planning tract. Infrastructure serving the community (on-site and off-site) is exempt from the Development Plan approval process. Infrastructure projects must receive a City of Beaufort Development Permit prior to construction, in accordance with the section of the PUD ordinance describing Development Permits.

13. Single Family Residential:

This designation allows for the development of single family residential units, up to a maximum of eight (8) units per acre on a site specific basis. Single Family Residential consists of attached or detached residential. Modular homes are not considered to be mobile homes and will be treated as single family housing. Product mix may include full size lots, attached zero lot line, patio homes sites and cottages. Product design shall be governed by the Architectural Design Standards as established and governed by the Community Covenants and Restrictions. Within the development, the market may warrant the development of a cottage area. These cottages may be used to house guests of the property owners or be utilized by property owners who may be wishing to stay in the development while awaiting the construction of their home or visiting. These cottages shall be



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considered single family, attached or detached and these single family cottages may include “lock out” units. This single family unit may be leased for short term or long term rental. Ownership may be via a fee simple lot or as a condominium. The cottage area may be developed with no minimum lot size and shall deviate from the minimum lot size stipulated under the Residential District Standards, Article 6.1 of the City of Beaufort UDO as modified in Attachment 2 of this PUD document. Because of the nature of the cottage units, no minimum street frontage shall be applicable in the cottage areas. Cottages may be developed on a site specific basis with environmental concerns being the primary constraint. When cottages are not “stick built” but modular construction the same standards as established for other areas shall be applicable.

The Architectural Guidelines as part of the Covenants and Restrictions shall govern the standards for design for all single family residences. Such standards shall also control other site constraints such as, but not limited to, the following:

- a. Screened trash service collection areas.
- b. Boats and recreational vehicles within communities will be stored in designated and screened areas per the covenants.
- c. Non-functioning vehicles will not be permitted .
- d. Paved access and circulation roads.
- e. Paved driveways and home pads.
- f. Covenants and declarations regarding landscaping, setbacks, buffers, out-buildings, maintenance buildings and yard appurtenance, such as clotheslines and recreation items.
- g. Common area amenities.
- h. Architectural Guidelines and Standards.

The allocation of density as specified allows for the clustering of development to optimize the protection of natural features and maximize open space. This does not guarantee that all property within individual planning areas can be developed at the identified maximum.

Lot sizes may range from the square footage of the foundation of cottage type product to two (2) acres or larger single family lots. Other than the cottage areas, lot minimums shall be in accordance with the standards established in the Article 6.1, Residential District Standards, with modifications under Attachment 2 of this PUD, City of Beaufort UDO.

As long as the overall density for the single family residential areas is not exceeded and the overall density for the PUD is not exceeded density transfers are permitted within the PUD.

Specific Performance Standards for this district may be modified to meet specific site conditions through the approval of the Zoning Administrator at the time of Development Plan submission and permitting.



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**Attachment 2
Modifications to City of Beaufort UDO
Articles 3.7, 5.1, 5.2, 6, 7, 8, 9, 10, 11 and Index and Appendix
and
Beaufort County ZDSO Article XIII, Section 106-2797 Street Design Standards**

The development standards for the McLeod Farm Conceptual Master Plan / PUD shall be in accordance with the City of Beaufort Unified Development Ordinance (UDO) adopted January 28, 2003 and revised September 1, 2005 and as obtained on October 28, 2005 from the City Planning Department. Architectural Guidelines and Restrictive Covenants will set standards for all design and construction materials and will meet or exceed the City of Beaufort Unified Development Ordinance adopted January 28, 2003 and revised September 1, 2005 and as obtained on October 28, 2005 from the City Planning Department as attached and referenced herein as Attachment 1 of this document.

The Development Standards for the McLeod Farm Conceptual Master Plan / PUD will meet or exceed the requirements of Articles 3.7, 5.2, 6, 7, 8, 9, 10 and 11 of the UDO, as of November 22, 2005, with certain modifications as enumerated in this Attachment 2. The Site Design and Development Standards proposed herein and referenced to the UDO as found in Attachment 1 will supersede the standards requirements outlined in the UDO.

The Development Standards for the McLeod Farm Conceptual Master Plan / PUD shall also be in accordance with the Beaufort County Street Design Standards as provided as part of Attachment 1 to this document. The standard for Street Design for the PUD shall meet or exceed the standards of Section 106-2797 of the Beaufort County Zoning and Development Standards with certain modifications as enumerated in this Attachment 2. These standards shall supersede the standards provided in the ZDSO of Beaufort County.

Modifications to UDO as follows:

Article 3 Development Review Procedures

Section 3.7 Planned Unit Development (PUD)

Item J. Expiration of Approval - Delete in its entirety and refer to the Conceptual Master Plan PUD Development Agreement.

Article 5 Use Regulations

Section 5.1 Use Table

Add the following:

“D. The Uses allowed within the Conceptual Master Plan PUD are identified by specific reference in each Land Use District. See Section I and II for the detailed Use Categories.”

Section 5.2 Use Categories

Subparagraph H. Other Use Categories

Item 2. Water Oriented Facilities:



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Just under the heading and before Item A, add the following:

“All construction related to docks, ramps, water dependent buildings, railings, color, size, bulkhead design and type, rip-rap, and erosion control devices shall be controlled and governed by the Guidelines, Covenants adopted by the Applicant / Developer of the adjacent property and the requirements of South Carolina Department of Health and Environmental Control Division of Ocean and Coastal Resource Management (OCRM). This requirement and ordinance issue, here state, supersedes any other rule, regulation, policy or other requirements related to docks, ramps, water dependent buildings, railings, color, size, bulkhead design and type, rip-rap and erosion control devices. Any City Ordinance requirements in conflict with either or both the Covenant or OCRM ruling on the matter shall not apply to this PUD.”

Article 6.1 Residential District Standards

A. Residential Development Standards: - Delete entire section A. and add the following:

Residential lot widths, minimum yard, maximum height shall be established based on the following criteria. All setbacks standards and residential lots shall meet the following minimums:

- A. Single Family Residential: For All Districts which permit Single Family residential uses.
- (1) The designation allows for the construction of single family units both detached and attached. All residential areas must conform to the development standards established in the architectural guidelines and community covenants and restrictions.
 - (2) Where the Development of Fee Simple Condominium sites are developed the minimum lot shall be the size of the building unit and the relationship of that unit may be the surrounding regime of Property Owner property that shall have some relationship to shared access and parking. An example is proposed in the Conceptual Master Plan PUD as a cottage under the Single Family Use definition.
 - (3) The minimum lot size shall be 3000 square feet for single family residential whether attached or detached. The minimum setback shall be 15 feet front yard, 6 feet side yard and three feet rear yard.
 - (4) The maximum height for single family residential structures shall be 35 feet measured from finish grade adjacent to the structure to the eave of the roof. Roof pitch shall be as stipulated in the architectural guidelines established by the architectural covenants established at the Site Plan Review Phase.
 - (5) Multi Family Residential minimum lot size shall be 6,000 square feet with minimum lot width of 60 feet and 60 foot frontage.
 - (6) The maximum density shall be 16 units per acre.
 - (7) Maximum building height for multi-family residential shall be 50 feet as measured from finish grade to the eave of the roof.



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- (8) Reference here is Section 5.4 - Accessory Uses, Article 5 Use Regulations, Item G. "Setback and Other Yard Requirements for Accessory Uses"

Delete Item G and add the following:

"All accessory uses operated in structures above ground level, including in-ground or above ground pools shall observe all setbacks as established as follows:

- (1) Water oriented facilities such as docks, marinas, boat houses, etc., which shall be allowed to infringe into required setback areas along shorelines and into rivers, lakes, streams and other waterways.
- (2) On single family and two family residential lots, the side and rear yard setbacks for non-habitable accessory structures less than 500 square feet in size and 15 feet in height may be reduced to 5 feet.
- (3) In the Village / Commercial, Village / Marina and Traditional Districts, the side and rear yard setbacks for accessory structures may be reduced to 3 feet.
- (4) On lots 4,000 square feet and smaller, the side and rear yard setbacks from non-habitable accessory structures less than 500 square feet in size and 15 feet in height may be reduced to 3 feet (height as measured to the eave).

B. Average Prevailing Setback (Front Yard) (No Change)

C. MHP Manufactured Home Park District (No Change)

Article 6.2 Alternative Residential Development Options

A. Purpose (No Change)

B. General (Delete)

C. Zero Lot Line (No Change)

B. [sic] Village House (Delete)

C. [sic] Cluster Development (Delete)

D. Townhouse (delete Item 4 and Item 6)

E. Multi-Family Residential (Delete Item 4 - Design Standards and refer to Community Architectural Guidelines.)

Article 6.3 Non Residential District Standards

Nonresidential Development Standards (Delete and add the following):

- A. Non-Residential Development Standards:



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1. Commercial Districts: Village / Commercial (VC), Village Marine (VR), Traditional Neighborhood (TN) and Community Riverfront Boatyard District (BY) District shall have the following required minimums:

| Standard | VC District | VR District | TN District | BY District |
|---------------------------------|-------------|-------------|-------------|-------------|
| Lot Dimensions | | | | |
| Lot Area | 4000 SF | 4000 SF | 2500 SF | 4000 SF |
| Lot Width | 25 Feet | 25 Feet | 25 Feet | 50 Feet |
| Minimum Yard | | | | |
| Front | 10 Feet | 10 Feet | 3 - 10 Feet | 10 Feet |
| Rear | 10 Feet | 10 Feet | 10 Feet | 10 Feet |
| Side | 0 Feet | 0 Feet | 0 Feet | 10 Feet |
| Maximum Pervious Surface | 75% | 75% | 75% | 75% |
| Maximum Height* | 50 Feet | 50 Feet | 50 Feet | 75 Feet |

*Measured from finish grade to the eave

Article 6.4 Beaufort Historic District Standards (Delete)

Article 6.5 Measurement and Exceptions (Delete Items G, H, I, J and K)

Article 6.6 Design Districts

Subparagraph C. Site Design

Item 1. - The second item "b" retention... - delete and add the following:

(sic) "b. Storm drainage shall be designed for the entire Conceptual Master Plan / PUD and on site detention / retention shall not be a site issue in the Design District of Highway 21. If retention or detention ponds are considered in the Design District strict adherence to aesthetic standards will be used and shall be part of the presentation to the City."

Item 2. - Subparagraph c - delete

Item 3. - Setbacks - delete Item B.

Article 6.7 Air Installation Compatibility Use Zone (No Change)

Article 7. General Development Standards

7.4 Planned Unit Development (PUD) Standards

Item D. General Design Criteria and Development Standards

Subparagraph 4. - Delete and add the following:

"4. Setbacks and buffer requirements for the Conceptual Master Plan / PUD are delineated in detail in Section II-9. Setbacks and Buffers of the PUD."



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Subparagraph 10. - Delete Item "A" and "B" - and replace with the following:
"a. A minimum of one-half of the open space shall be improved and provided as outlined in Section II, Item 7 of the Conceptual Master Plan / PUD.

Article 8.2 Subdivision Design Standards (Revise as follows):

8.2.A Streets (revised as follows)

Subparagraph 11. Delete and Add the following:

11. Sidewalks

- a. Sidewalks shall be provided throughout the development. The plan is to utilize the existing powerline easement as a Leisure Trail System that will link the community to the Park Area at the southern end of the property. The adjacent residential area trails will be designed to accommodate an overall pathway system which will interconnect various neighborhoods, amenity areas, and the commercial areas. These systems, in conjunction with street side sidewalks that will be included in the commercial areas, Railroad Village, parks and residential neighborhoods will provide an alternative mode of travel for children to school, adults to commercial areas and family recreation.
- b. The sidewalks shall be placed as follows in the mixed use, traditional and commercial areas:
- c. delete
- d. delete
- e. delete
- f. delete and replace with the following:
The PUD area shall develop a trail system that shall link major leisure trails to neighborhood trails. The system will tie neighborhood to other neighborhoods, schools, recreational amenities, parks and commercial areas. The conveyance and construction material may vary due to potential impacts either environmentally or relationship to architectural scale and type. The system shall be provided for review by the Zoning Administrator at the time of Development Plan review."

8.2.C. Blocks (Delete)

Article 9. Nonconformities (No Change)

Article 10. Enforcement (No Change)

Article 11. Definitions (No Change)

Index (No Change - except as non applicable to this PUD)



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Appendix A (No Change - except as non applicable to this PUD)



January 10, 2006
Revised February 5, 2006

Attachment 2-6

**MCLEOD FARM
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Modifications to Beaufort County ZDSO Article XIII as follows (note that no other Article of the Beaufort County ZDSO applies to this PUD):

Section 106-2797 Street design standards.

Paragraph (B) General Requirements
Subparagraph (1) - Delete
Subparagraph (2) - Delete
Subparagraph (3) - Delete

Paragraph (C) General Requirements
Subparagraph (6) - Delete



January 10, 2006
Revised February 5, 2006