BEAUFORT–PORT ROYAL
METROPOLITAN PLANNING COMMISSION
AGENDA
1911 Boundary Street, Beaufort, SC  29902
Phone: 843-525-7011 ~ Fax: 843-986-5606
Monday, August 19, 2019 5:30 P.M.
Council Chambers, Beaufort City Hall, 1911 Boundary Street, Beaufort, SC

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

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

I. Call to Order

II. Pledge of Allegiance

III. Review Commission Meeting Minutes:

A. July 29, 2019 Worksession Minutes
B. July 29, 2018 Called Meeting Minutes

IV. Questions Relating to Military Operations

V. Review of Projects for the City of Beaufort:

A. City of Beaufort – Rezoning. Rezoning one parcel of property located in the vicinity of 2811 Boundary Street, from T5-UC Urban Corridor District (T5-UC) to Regional Mixed-Use District (RMX). The property is further identified as District R120, Map 26, and Parcel 146A. Applicant: OP Acquisitions, LLC.
B. City of Beaufort – Rezoning. Rezoning one parcel of property located at 2408 Oak Haven Street, from T3-S Suburban District (T3-S) to T5-UC Urban Corridor District (T5-UC). The property is further identified as District R120, Map 5, and Parcel 257. Applicant: Samuel M. Levin
C. Update of Council Actions

VI. Review of Projects for the Town of Port Royal:

A. Town of Port Royal – Rezoning Request. Rezone District 112, Map 33B, Parcels 90A, 137, and 138. These are undeveloped parcels at Hamerick Drive and Broad River Drive. The current zoning is T3 Sub-Urban Neighborhood. The requested zoning is T3 Neighborhood.
VII. Review of Projects for Beaufort County:

A. **Town of Port Royal – Text Amendment.** “Community Development Code text amendment to the Lady’s Island Community Preservation District (LICP) and the Lady’s Island Expanded Home Business District (LIEHB) to limit residential density to developments not located on public sewer (Appendix A, Division A.2 and A.3).”

VIII. Discussion

A. **Fire Department Impact Fee**

B. **MPC Workession Schedule**

IX. Adjournment

Note: If you have special needs due to a physical challenge, please call Julie Bachety at (843) 525-7011 for additional information.
REZONING APPLICATION (EXCEPT FOR PUDS)
Community & Economic Development Department
1911 Boundary Street, Beaufort, South Carolina, 29902
p. (843) 525-7011 / E. (843) 560-7700
www.cityofbeaufort.org

OFFICE USE ONLY: Date Filed: 7/18 Application: RZ19-05 Zoning District: T5-UC

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

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

Applicant, Owner and Property Information

Property Address: 2811 Boundary Street

Property Identification Number (Tax Map & Parcel Number): R120 026 000 146A 0000

OP Acquisitions, LLC

Applicant Name:

6440 N. Central Expressway, Suite 900, Dallas, TX 75206

Applicant Address:

jsl@ojalaholdings.com

Applicant E-mail: 515-419-7912

Applicant Phone Number:

Cross Development CC Beaufort, LLC

Property Owner (if other than the Applicant):

4336 Marsh Ridge Road, Carrollton, TX 75010

Property Owner Address:

Have any previous applications been made for a map amendment affecting these same premises? ☐ YES ☒ NO

If yes, give action(s) taken:

T5-UC

Present zone classification:

RM-X

Requested zone classification:

3.334

Total area of property:

Vacant

Existing land use:

Retail/Commercial

Desired land use:

Site Constraints

Reasons for requesting rezoning:

Applicant’s Signature: __________________________ Date: 7/15/17

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

Property Owner’s Signature: __________________________ Date: 7/12/19

See Section 9.16 of The Beaufort Code for complete information about rezoning (except for PUDS) | updated February 8, 2019 | p. 1 of 1

This form is also available online at www.cityofbeaufort.org
August 19, 2019

SUBJECT: Re-zoning request (map amendment) for R120 026 000 146A 0000 neighboring 2811 Boundary

OP Acquisitions, LLC has requested a rezoning of his property in accordance with the Beaufort Development Code § 9.16.2.

In accordance with the Beaufort Development Code §9.16.3.C.2 the MPC “shall study the proposed amendment, taking into account all factors that it may deem relevant, including but not limited to”:

   a. Consistency with the Comprehensive Plan and Civic Master Plan;
   b. Compatibility with the present zoning, with conforming uses of nearby property, and with the character of the neighborhood;
   c. Suitability of the property that would be affected by the amendment;
   d. Compatibility with the natural features of – and any archaeological or cultural resources on – the property;
   e. Marketability of the property that would be affected by the amendment; and
   f. Availability of roads, sewer, water, and stormwater facilities generally suitable and adequate for the affected property.

In accordance with the Beaufort Development Code §9.16.3.C.3 the MPC shall recommend approval, modified approval, or denial of the amendment.

STAFF ASSESSMENT

Regarding “a” above:

Public Involvement and Formal Procedure. “A week-long charette was held in November 2008 to obtain public input in the comprehensive planning process.”1 City Council established a 17-

1 City of Beaufort Ordinance (O-24-09) adopting “Vision Beaufort 2009 Comprehensive Plan” as the official comprehensive plan of the City of Beaufort
member advisory committee to guide preparation of the City’s 2009 Comprehensive Plan and to serve as a source of public input. In May 2009, the draft 2009 comprehensive plan was released for public review and comment. In September of 2009, city council, the advisory committee, and the joint planning commission held a joint workshop on the draft comprehensive plan. In October 2009, the joint planning commission held a workshop on the draft plan. On November 12, 2009, the City of Beaufort – Town of Port Royal Joint Municipal Planning Commission passed a resolution recommending adoption of “Vision Beaufort 2009 Comprehensive Plan” as the comprehensive plan for the City of Beaufort. A public hearing on the recommended adoption of comprehensive plan was held on November 24, 2009, with the public notice of the hearing published in The Beaufort Gazette on October 25, 2009. After a first reading on November 24, 2009 and a second reading on December 8, 2009, the City Council of the City of Beaufort, SC, adopted “Vision Beaufort 2009 Comprehensive Plan” as the comprehensive plan of the City of Beaufort.

“Upon adoption of the Comprehensive Plan, Beaufort’s City Council gave the city’s Redevelopment Commission the . . . [task of translating] the Comprehensive Plan vision into specific parcel-level plans for public and private investment”. “The planning process spanned a period of two years and included many stakeholder meetings, several design charettes, numerous public workshops, and extensive discussion and review with non-profit partners.” The result was the Civic Master Plan and the intent was “to implement the recommendations in the Vision Beaufort 2009 Comprehensive Plan”. On November 18, 2013, the Beaufort - Port Royal Metropolitan Planning Commission unanimously passed a resolution recommending adoption of the Civic Master Plan as an amendment to the 2009 comprehensive plan. On January 14, 2014, a public hearing before city council was held; public notice of the hearing was published in The Beaufort Gazette on December 13, 2013. On February 11, 2014, City Council passed an ordinance, after two readings, amending the comprehensive plan by adopting the Civic Master Plan.

Consistency with the Comprehensive Plan and Civic Master Plan. The Vision Beaufort 2009 Comprehensive Plan, aka Vision Beaufort / 2020 Comprehensive Plan, “recognizes that in order to prepare for a more compact and sustainable future, new development must be higher in density than at present. In essence, the next century for Beaufort will be a period during which

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2 City of Beaufort Resolution (R-12-08)
3 City of Beaufort Ordinance (O-24-09)
4 Ibid
5 Ibid
6 Ibid
7 Ibid
8 Civic Master Plan, City of Beaufort, South Carolina, adopted 2/11/2014. p.7
9 City of Beaufort Ordinance (O-2-14)
10 Ibid
11 Ibid
it must mature into a moderately dense, urban city to effectively and efficiently provide services and attract needed investment.” 12 The comprehensive plan lays out the future land use of the city through the framework plan. “The Framework Plan is a land use policy map intended to provide guidance to Beaufort’s leaders as they make decisions on where and how the community should grow. It provides the overall structure for orchestrating appropriate patterns of growth and environmental conservation throughout the community.” 13

The parcel in question lies within the framework zone G3-B Corridor Mixed-Use, which foresees the following zoning districts: T2, T3, T4, T5 and T6. 14 “G-3B land generally falls within areas for higher-intensity regional-serving development. . . [and is] intended for a mixture of regional-serving commercial, residential, and institutional destinations.” 15

“The purpose of the Civic Master Plan is to identify and prioritize the allocation of public investment in the City of Beaufort’s infrastructure.” 16 The property is located just outside of the Burton Industrial area. The Civic Master Plan’s redevelopment strategy for Burton Industrial Area is for the “creation of a more coherent and connected street network. Burton Hill Road would become the primary focus for internal development, while Parris Island Gateway would create a prominent external edge for infill development“.17

Regarding “b” above:
Compatibility with the Present Zoning, with Conforming Uses of Nearby Property, and with the Character of the Neighborhood. The parcel is currently zoned T5-UC as are the immediately adjacent parcels. T5-UC (Urban Corridor District) “consists of higher density, mixed-use buildings that accommodate retail, rowhomes, offices and apartments located along primary thoroughfares, with higher development than other Transect-based [sic] districts within the city”. 18 The parcel, under current zoning limits site development, which is why the applicant seeks to add the RMX designation. The Regional Center Mixed Use (RMX) “intensity accommodates region- and community-serving commercial and business uses, as well as highway-oriented businesses. Development form supports a high-quality commercial character coordinated with a uniform streetscape that enables pedestrian and transit access.” 19 A dual-zoned property would better accommodate highway-oriented businesses. The adjacent property is being used currently as an auto-body shop. Property located South West of the parcel is currently dual-zoned T5-UC/RMX.

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13 Ibid, p.55
14 Ibid
15 Ibid, p.69
16 Civic Master Plan, City of Beaufort, South Carolina, adopted 2/11/2014, p.4
17 Ibid, p.189-190
18 The Beaufort Development Code, July 10, 2018, p.13
19 Ibid, p.14
Regarding “c” above:
**Suitability of the property that would be affected by the amendment.** The property once dual-zoned will be well situated for future development as T5-UC/RMX in terms of size, location, and orientation to major thoroughfares (highway).

Regarding “d” above:
**Compatibility with the natural features of – and any archaeological or cultural resources on – the property.** Staff is unaware of any archaeological or cultural resources on the property.

Regarding “e” above:
**Marketability of the property that would be affected by the amendment.** The property dual-zoned T5-UC/RMX would allow for more flexibility in site design, and, therefore, should be more marketable. In the past seven years, the property at 2811 Boundary Street has declined in nominal value by 0.21%; and has declined in value in real terms by 23.80%.  

Regarding “f” above:
**Availability of roads, sewer, water, and stormwater facilities generally suitable and adequate for the affected property.** Public infrastructure currently exists. Suitability and adequacy of the infrastructure, given the future plans for the property, will be assessed during development review by the Technical Review Committee in accordance with the Beaufort Development Code Chapter 7 (Land Development) and Chapter 9 (Development Review Procedures).

**STAFF OPINION**

Given that the rezoning request is compatible and in accordance with the vision and goals of the City of Beaufort; and

Given that this vision and these goals were established through a democratic process and with public input and public participation; and

Given that these goals were recorded in the form of a comprehensive plan for all to see and reference; and

Given that the comprehensive plan was created through the leadership of the planning commission, responsible for determining a specific plan for the future of the city; and

Given that the city council of the City of Beaufort adopted the comprehensive plan (and Civic Master Plan) by ordinance; and

Given that, adding RMX to the existing T5-UC zoning classification is consistent with the nearby development pattern; and

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Given that, it is reasonable to expect that the change of zoning to T5-UC/RMX will improve the marketability of the property; and

Given that, any future development of the property will be able to take advantage of existing infrastructure;

The request to add RMX to T5-UC is acceptable.
MAPS: 2811 Boundary St., Beaufort, SC
REZONING APPLICATION (EXCEPT FOR PUDS)
Community & Economic Development Department
1911 Boundary Street, Beaufort, South Carolina, 29902
p. (843) 525-7011 / f. (843) 986-5606
www.cityofbeaufort.org

OFFICE USE ONLY: Date Filed: 7/9 Application #: 22A-06 Zoning District: T3-S

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

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

Applicant, Owner and Property Information

Property Address: 2108 Oak Haven Street

Property Identification Number (Tax Map & Parcel Number): R 120 005 000 0257

Applicant Name: Samuel M. Levin

Applicant Address: 156 Spanish Point Drive

Applicant E-mail: Sam.levin234@gmail.com Applicant Phone Number: 843-345-0824

Property Owner (if other than the Applicant): Bertrand Dore

Property Owner Address:

Have any previous applications been made for a map amendment affecting these same premises? ☐ YES ☒ NO

If yes, give action(s) taken:

Present zone classification: T3-S

Requested zone classification: T5-UC

Total area of property: .469 acres

Existing land use: Residential

Desired land use: Expanding Apartment Dev

Reasons for requesting rezoning: Adding property to existing tract

Applicant's Signature: Samuel M. Levin Date: July 18, 2019

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

Property Owner's Signature: Date:
CERTIFICATION:

2. TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" AS-EMBOSSED THEREIN.

A. K. KHALIL
S.C. REG. NO. 10178

THE SURVEY IS NOT VALID UNLESS IT BEARS THE ORIGINAL SIGNATURE AND EMBOSSED SEAL.
August 19, 2019

SUBJECT: Re-zoning request (map amendment) for 2408 Oak Haven Street

Mr. Sam Levin has requested a rezoning of his property in accordance with the Beaufort Development Code § 9.16.2.

In accordance with the Beaufort Development Code § 9.16.3.C.2 the MPC “shall study the proposed amendment, taking into account all factors that it may deem relevant, including but not limited to”:

a. Consistency with the Comprehensive Plan and Civic Master Plan;
b. Compatibility with the present zoning, with conforming uses of nearby property, and with the character of the neighborhood;
c. Suitability of the property that would be affected by the amendment;
d. Compatibility with the natural features of – and any archaeological or cultural resources on – the property;
e. Marketability of the property that would be affected by the amendment; and
f. Availability of roads, sewer, water, and stormwater facilities generally suitable and adequate for the affected property.

In accordance with the Beaufort Development Code § 9.16.3.C.3 the MPC shall recommend approval, modified approval, or denial of the amendment

STAFF ASSESSMENT

Regarding “a” above:

Public Involvement and Formal Procedure. “A week-long charette was held in November 2008 to obtain public input in the comprehensive planning process.”¹ City Council established a 17-

¹ City of Beaufort Ordinance (0-24-09) adopting “Vision Beaufort 2009 Comprehensive Plan” as the official comprehensive plan of the City of Beaufort
member advisory committee to guide preparation of the City’s 2009 Comprehensive Plan and to serve as a source of public input. In May 2009, the draft 2009 comprehensive plan was released for public review and comment. In September of 2009, city council, the advisory committee, and the joint planning commission held a joint workshop on the draft comprehensive plan. In October 2009, the joint planning commission held a workshop on the draft plan. On November 12, 2009, the City of Beaufort – Town of Port Royal Joint Municipal Planning Commission passed a resolution recommending adoption of “Vision Beaufort 2009 Comprehensive Plan” as the comprehensive plan for the City of Beaufort. A public hearing on the recommended adoption of comprehensive plan was held on November 24, 2009, with the public notice of the hearing published in The Beaufort Gazette on October 25, 2009. After a first reading on November 24, 2009 and a second reading on December 8, 2009, the City Council of the City of Beaufort, SC, adopted “Vision Beaufort 2009 Comprehensive Plan” as the comprehensive plan of the City of Beaufort.

“Upon adoption of the Comprehensive Plan, Beaufort’s City Council gave the city’s Redevelopment Commission the . . . [task of translating] the Comprehensive Plan vision into specific parcel-level plans for public and private investment.” The planning process spanned a period of two years and included many stakeholder meetings, several design charettes, numerous public workshops, and extensive discussion and review with non-profit partners.” The result was the Civic Master Plan and the intent was “to implement the recommendations in the Vision Beaufort 2009 Comprehensive Plan”. On November 18, 2013, the Beaufort - Port Royal Metropolitan Planning Commission unanimously passed a resolution recommending adoption of the Civic Master Plan as an amendment to the 2009 comprehensive plan. On January 14, 2014, a public hearing before city council was held; public notice of the hearing was published in The Beaufort Gazette on December 13, 2013. On February 11, 2014, City Council passed an ordinance, after two readings, amending the comprehensive plan by adopting the Civic Master Plan.

**Consistency with the Comprehensive Plan and Civic Master Plan.** The Vision Beaufort 2009 Comprehensive Plan, aka Vision Beaufort | 2020 Comprehensive Plan, “recognizes that in order to prepare for a more compact and sustainable future, new development must be higher in density than at present. In essence, the next century for Beaufort will be a period during which

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2 City of Beaufort Resolution (R-12-08)
3 City of Beaufort Ordinance (O-24-09)
4 Ibid
5 Ibid
6 Ibid
7 Ibid
8 Civic Master Plan, City of Beaufort, South Carolina, adopted 2/11/2014. p.7
9 City of Beaufort Ordinance (O-2-14)
10 Ibid
11 Ibid
it must mature into a moderately dense, urban city to effectively and efficiently provide services and attract needed investment.” The comprehensive plan lays out the future land use of the city through the framework plan. “The Framework Plan is a land use policy map intended to provide guidance to Beaufort’s leaders as they make decisions on where and how the community should grow. It provides the overall structure for orchestrating appropriate patterns of growth and environmental conservation throughout the community.”

The parcel in question lies within the framework zone G2 Urban Neighborhoods/TNDs, which foresees the following zoning districts: T2, T3, T4, and T5. “G2 lands are typically close to thoroughfares and at key cross-road locations . . . [and is] used in areas where a mixture of higher density residential types (e.g., small lot single family houses, townhomes, apartment or condominium buildings, or mixed use buildings) are already occurring or would be appropriated to transition between higher intensity commercial uses and existing lower density neighborhoods, and take advantage of proximity to existing centers of commerce, education, or employment such as the university, downtown, and the hospital.”

The parcel also lies within a designated regional center. “Regional Centers are mixed-use activity centers with employment and commercial uses that attract people from beyond the immediate neighborhoods and from surrounding communities. These centers are appropriate for commercial and employment development as well as the area’s highest density housing.”

“The purpose of the Civic Master Plan is to identify and prioritize the allocation of public investment in the City of Beaufort’s infrastructure.” The Civic Master Plan’s redevelopment strategy for South Ribaut Road, “proposes a gradual transformation into a walking-friendly neighborhood corridor anchored by a fire station and new housing opportunities. Buildings would be set close to the street with parking areas to the side and rear of the building. Over time, the underutilized parking areas and single-story structures would transition to more economically viable small and medium-sized multi-story buildings”.

Regarding “b” above:
Compatibility with the Present Zoning, with Conforming Uses of Nearby Property, and with the Character of the Neighborhood. The parcel is currently zoned T3-S as are the immediately adjacent parcels. T3-S (Suburban District) “is single-family residential in character, with less development than other Transect-based [sic] districts within the city. While almost exclusively residential, civic and park functions are also complementary to the character within the

13 Ibid, p.55
14 Ibid
15 Ibid, p.67
16 Ibid, p.69
17 Civic Master Plan, City of Beaufort, South Carolina, adopted 2/11/2014, p.4
18 Ibid, p.171
The parcel would be incorporated into the adjacent larger parcel, which is already partially zoned T5-UC. The Urban Corridor District (T5-UC) “consists of higher density, mixed-use buildings that accommodate retail, rowhomes, offices, and apartments located along primary thoroughfares.”

The current house and the adjacent houses are roughly 40 years old. Until recently the large parcel to the east was a mobile home park.

Regarding “c” above:
**Suitability of the property that would be affected by the amendment.** The property would become part of a larger property, which is already partially zoned T5-UC. The to-be-combined property is well situated for future development as T5-UC in terms of size, location, and vicinity to employment centers.

Regarding “d” above:
**Compatibility with the natural features of – and any archaeological or cultural resources on – the property.** Staff is unaware of any archaeological or cultural resources on the property.

Regarding “e” above:
**Marketability of the property that would be affected by the amendment.** The property under T5-UC would allow for a broader range of uses, and, therefore, should be more marketable. In the past six years, the property at 2408 Oak Haven Street has declined in nominal value by 40.75%; and has declined in value in real terms by 54.75%.

Regarding “f” above:
**Availability of roads, sewer, water, and stormwater facilities generally suitable and adequate for the affected property.** Public infrastructure currently exists. Suitability and adequacy of the infrastructure, given the future plans for the property, will be assessed during development review by the Technical Review Committee in accordance with the Beaufort Development Code Chapter 7 (Land Development) and Chapter 9 (Development Review Procedures).

**STAFF OPINION**

Given that the rezoning request is compatible and in accordance with the vision and goals of the City of Beaufort; and

Given that this vision and these goals were established through a democratic process and with public input and public participation; and

Given that these goals were recorded in the form of a comprehensive plan for all to see and reference; and

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19 The Beaufort Development Code, July 10, 2018, p.11
20 Ibid, p.13
Given that the comprehensive plan was created through the leadership of the planning commission, responsible for determining a specific plan for the future of the city; and

Given that the city council of the City of Beaufort adopted the comprehensive plan (and Civic Master Plan) by ordinance; and

Given that, the change of zoning to T5-UC is consistent with the nearby development pattern; and

Given that, it is reasonable to expect that the change of zoning to T5-UC will improve the marketability of the property; and

Given that, any future development of the property will be able to take advantage of existing infrastructure;

The request to rezone to T5-UC is acceptable.
MAPS: 2408 Oak Haven, Beaufort, SC

CITY OF BEAUFORT

CURRENT LAND USE
RESOLUTION

WHEREAS, state law requires local governments to update comprehensive plans every ten years; and

WHEREAS, the City's comprehensive plan is required to be updated in 2009; and

WHEREAS, it is important that there be an advisory/steering committee established to guide preparation of the comprehensive plan; and

WHEREAS, public input is critical to the planning process; and

WHEREAS, an advisory committee will also serve as a source of public input.

NOW, THEREFORE, BE IT RESOLVED, that the Beaufort City Council establishes the Comprehensive Plan Advisory Committee to guide preparation of the City's 2009 Comprehensive Plan, and that the Comprehensive Plan Advisory Committee be comprised of the following members:

- two representatives from City Council;
- the three City representatives from the Joint Municipal Planning Commission;
- the District 11 representative on the Beaufort County Council;
- a representative from the Design Review Board;
- a representative from the Historic District Review Board;
- a representative from the Redevelopment Commission;
- a representative from the Marine Corps Air Station Beaufort;
- a representative from the Beaufort County School District;
- a representative from the Lowcountry Economic Network;
- a representative from the Beaufort County Planning Commission;
- a representative from the Greater Beaufort Chamber of Commerce;
- a representative from the Historic Beaufort Foundation; and
- two at-large representatives.

IN WITNESS THEREOF, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 24th day of June, 2008.

BILL RAUCH, MAYOR

ATTEST:

BEVERLY W. GAY, CITY CLERK
ORDINANCE

ADOPTING “VISION BEAUFORT 2009 COMPREHENSIVE PLAN” AS THE OFFICIAL COMPREHENSIVE PLAN OF THE CITY OF BEAUFORT

WHEREAS, state law requires that comprehensive plans be updated every ten years; and

WHEREAS, in 2009, the City Council directed that the City’s comprehensive plan be updated in accordance with state law; and

WHEREAS, The Lawrence Group, a town planning consulting firm, was hired to update the City’s comprehensive plan; and

WHEREAS, City Council established a 17-member advisory committee to guide preparation of the comprehensive plan; and

WHEREAS, a week-long charrette was held in November 2008 to obtain public input in the comprehensive planning process; and

WHEREAS, a draft comprehensive was released in May 2009 for public review and comment; and

WHEREAS, the City Council, the Comprehensive Plan Advisory Committee, and the City of Beaufort--Town of Port Royal Joint Municipal Planning Commission held a joint workshop on the draft comprehensive plan in September 2009; and

WHEREAS, the City of Beaufort--Town of Port Royal Joint Municipal Planning Commission held a workshop on the draft comprehensive plan in October 2009; and

WHEREAS, on November 12, 2009, the City of Beaufort--Town of Port Royal Joint Municipal Planning Commission passed a resolution recommending adoption of “Vision Beaufort 2009 Comprehensive Plan” as the comprehensive plan for the City of Beaufort; and

WHEREAS, a public hearing before the Beaufort City Council was held on November 24, 2009 regarding adoption of “Vision Beaufort 2009 Comprehensive Plan,” with notice of the hearing published in The Beaufort Gazette on October 25, 2009;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-530, Code of Laws of South Carolina, 1976, that in accordance with the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, S.C. Code Section 6-29-510 through 6-29-540, “Vision Beaufort 2009 Comprehensive Plan” is adopted as the Comprehensive Plan of the City of Beaufort.

This ordinance shall become effective immediately upon adoption.
(SEAL) Attest:

BILLY KENSELMING, MAYOR

SHIRLEY D. HUGHES, ACTING CITY CLERK

1st Reading November 24, 2009

2nd Reading & Adoption December 8, 2009

Reviewed by: WILLIAM B. HARVEY, III, CITY ATTORNEY
ORDINANCE

ADOPTING THE CIVIC MASTER PLAN AS AN AMENDMENT TO "VISION BEAUFORT 2009 COMPREHENSIVE PLAN"

WHEREAS, the City of Beaufort has prepared the “Civic Master Plan, City of Beaufort, South Carolina;” and

WHEREAS, the Civic Master Plan was prepared through a carefully designed, transparent planning process; and

WHEREAS, the planning process spanned a period of two years and included many stakeholder meetings, several design charrettes, numerous public workshops, and extensive discussion and review with non-profit partners; and

WHEREAS, the draft Civic Master Plan was revised numerous times to reflect community input; and

WHEREAS, the “City of Beaufort Civic Master Plan, Volume I, Sector 1: Downtown,” was adopted as an amendment to “Vision Beaufort: 2009 Comprehensive Plan” on November 21, 2011; and

WHEREAS, the current Civic Master Plan incorporates the goals and objectives of the Sector 1 Plan Civic Master Plan and is designed to replace the Sector 1 Master Plan in the Comprehensive Plan; and

WHEREAS, the Civic Master Plan is intended to implement the recommendations in the Vision Beaufort 2009 Comprehensive Plan; and

WHEREAS, the Beaufort Redevelopment Commission recommended adoption of the Civic Master Plan at their regular meeting on October 3, 2013; and

WHEREAS, on November 18, 2013, the Beaufort--Port Royal Metropolitan Planning Commission unanimously passed a resolution recommending adoption of the Civic Master Plan as an amendment to “Vision Beaufort 2009 Comprehensive Plan;” and

WHEREAS, a public hearing before the Beaufort City Council was held on January 14, 2014 regarding adoption of the “Civic Master Plan, City of Beaufort, South Carolina,” as an amendment to “Vision Beaufort 2009 Comprehensive Plan,” with notice of the hearing published in The Beaufort Gazette on December 13, 2013;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-530, Code of Laws of South Carolina, 1976, that “Vision Beaufort 2009 Comprehensive Plan” be amended by adopting the “Civic Master Plan, City of Beaufort, South Carolina” to replace the “Beaufort Civic Master Plan, Volume I, Sector 1: Downtown.”
This ordinance shall become effective immediately upon adoption.

BILL KEYSERLING, MAYOR

IVETTE BURGESS, CITY CLERK

(SEAL) Attest:

1st Reading

January 14, 2014

2nd Reading & Adoption

February 11, 2014

Reviewed by:

WILLIAM B. HARVEY, III, CITY ATTORNEY
THE COMMUNITY FRAMEWORK MAP

O1 | PRESERVED OPEN SPACE
This sector represents the basic “green infrastructure” of the community providing critical habitat for wildlife; protection of water quality and protection from flooding and erosion; and needed recreation and greenspace for the human habitat. This category, indicated in dark green on the Framework Map, comprises lands that are already non-developable, such as wetlands, required stream buffers, and parks.

For Beaufort, this sector specifically consists of:
- parks
- open space
- preserved lands
- golf courses
- 50-ft. riparian stream buffer
- national wetlands inventory

Appropriate Land Uses/Development Types:
- conservation areas
- parks & greenways
- agricultural and forestry uses
- limited civic uses such as schools
- very low-density residential development and clustered development (maximum density: 1 dwelling unit per 5 gross acres)

G1 | RESIDENTIAL NEIGHBORHOODS
The sector, indicated by the light yellow on the Framework Map, is intended for relatively low density residential development. This sector includes existing low-density residential neighborhoods that are not appropriate for redevelopment. It also includes lands that are not proximate to thoroughfares and are not projected to be high growth areas due to limited access to transportation networks and utilities. In addition, poor soils were overlaid to show further environmental considerations when developing these parcels.

Appropriate development typically consists of cluster developments such as conservation subdivisions, or low-density residential development on relatively large lots. For Beaufort, this sector is generally located away from planned neighborhoods or regional centers and close to heavily encumbered O1 or O2 land.

Appropriate Land Uses/Development Types:
- low density cluster developments or hamlets (a clustering of buildings around a rural crossroad)
- low-density residential development (up to 1 dwelling unit per 3 gross acres)
- traditional neighborhood developments
- limited convenience retail uses
- civic uses (parks, schools, religious and government uses)

This sector also includes the area north of Burton, which is currently outside the city limits. Because it is largely undeveloped, this area is likely to be under pressure for additional urbanization in the near future. This plan recommends that additional study of this area be undertaken with area property owners, Beaufort County and the City of Beaufort to determine appropriate and feasible future road network and development patterns.

G2 | URBAN NEIGHBORHOODS/TND’S
This sector contains denser, mixed-use development at the scale of neighborhood centers, indicated by the black circles, and suburban, residential development at the scale of walkable “traditional neighborhoods” shown in orange. This type of residential development creates an identifiable center organized around a small public square or green, often with some civic facilities or a building such as a church or a small store. Local, slow-speed streets form a connected network, with larger collector streets. Paths form pedestrian connections linking sidewalks to internal parks and preserved open space along the boundaries of the neighborhood. This pattern of development can be...
more environmentally sensitive to its context and can provide improved public health benefits for citizens through its capacity for safe walking and cycling.

G2 lands are typically close to thoroughfares and at key cross-road locations. For Beaufort, the G2 sector specifically includes areas that are already developed with neighborhood-serving retail and service uses or at key cross-roads where future development of this type is likely to occur.

The G2 designation is also used in areas where a mixture of higher density residential types (e.g., small lot single family houses, townhomes, apartment or condominium buildings, or mixed-use buildings) are already occurring or would be appropriate to transition between higher intensity commercial uses and existing lower density neighborhoods, and take advantage of proximity to existing centers of commerce, education, or employment such as the university, downtown, and the hospital.

Appropriate Land Uses/Development Types:
- traditional neighborhood developments
- single-family and multifamily residential
- neighborhood mixed-use centers
- neighborhood-scale commercial uses (retail and office)
- civic uses
- light industrial uses

G3A | NEIGHBORHOOD MIXED USE
G3B | CORRIDOR MIXED USE
This sector indicated in lighter and darker red (respectively), is intended to apply along high capacity regional thoroughfares at major transportation nodes, or along portions of highly-traveled corridors. G3 land generally falls within areas for higher-intensity regional-serving development, marked by the dark purple 1/2 mile radius circles.

Care should be taken to limit the length of G3 corridor developments to avoid the creation of lengthy, undifferentiated linear strip development. Attention to local geography and environmental conditions can assist in this definition; with special attention given to areas in O1 and O2 sectors along water courses.

Appropriate Land Uses/Development Types:
- single-family and multifamily residential
- neighborhood-serving commercial uses (retail and office)
- civic uses
- traditional neighborhood developments
- neighborhood centers
- regional centers
- industrial districts

G4 | DOWNTOWN
This sector is comprised of areas with existing development, with a relatively dense street grid, and which are appropriate for redevelopment or additional development. These areas are shown in the purple color on the Framework Map, which includes the historic downtown.

This area is, in large respect, appropriate for redevelopment and new infill development and well served with infrastructure (roads, utilities, etc.), and access to services and amenities. Because this area is already well provided for in terms of urban services, it is one of the most efficient and most attractive areas for redevelopment of underutilized land or development of vacant parcels. It is also one of the best areas for development in terms of minimizing new environmental impacts to natural areas since the area has been built upon since Beaufort’s founding.

Appropriate Land Uses/Development Types:
- Higher density single-family and multi-family residential
- commercial uses (retail and office)
- vertically mixed-use development
- civic uses
- light industrial uses

SD | INDUSTRIAL/EMPLOYMENT CENTER
As regional employment centers, industrial districts also fall into the G3 sector. Industrial development is shown to the west of the Marine Corps Air Station and in areas where industrial and distribution facilities are currently concentrating.

AICUZ
Other special designations include the AICUZ noise zones, which are designed as a tool for local planning agencies. The US Department of Defense measures noise in and around the base to determine what land use activities are compatible in the area. This area, shown in hatching, outlines uses that are conditionally compatible as well as incompatible; therefore, caution should be exercised when developing within a noise zone.

REGIONAL CENTERS
Regional Centers are mixed-use activity centers with employment and commercial uses that attract people from beyond the immediate neighborhoods and from surrounding communities. These centers are appropriate for commercial and employment development as well as the area’s highest density housing. The area of these centers is based on a 1/2 mile radius (a typical 10-minute walk)—the larger purple circles on the map. Regional centers are envisioned for downtown Beaufort; around the hospital; at the intersection of Boundary Street and Robert Smalls Parkway; and around the intersection of Boundary Street and Ribaut Road. These centers will provide the
highest concentrations of residential and employment in the Plan area.
NEIGHBORHOOD CENTERS
Neighborhood Centers, shown on the framework plan in the black circles, are based on a 1/4 mile radius (a typical 5-minute walk) from a key intersection. They are intended to be mixed-use activity centers serving surrounding neighborhoods with retail, services, civic uses, and higher density housing. A neighborhood center should not contain more than 80,000 to 120,000 square feet of commercial uses. A grocery-anchored mixed-use development is a typical use for a neighborhood center. A conceptual mixed-use neighborhood center for Sea Island Parkway and Lady’s Island Drive was designed at the charrette and is detailed in the Focus Areas section.

CIVIC & INSTITUTIONAL USES
In addition to the geographic sectors, the Framework Plan indicates two related special land uses in light purple: schools and other civic sites such as the hospital, USC Beaufort, Technical College of the Lowcountry, and the library.
<table>
<thead>
<tr>
<th>Property ID (PIN)</th>
<th>Alternate ID (AIN)</th>
<th>Parcel Address</th>
<th>Data refreshed as of</th>
<th>Assess Year</th>
<th>Pay Year</th>
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<td>8/9/2019</td>
<td>2018</td>
<td>2019</td>
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</table>

**Current Parcel Information**

**Owner**: LADY'S ISLAND REAL ESTATE GROUP LLC  
**Owner Address**: PO BOX 2478, BEAUFORT SC 29901

**Legal Description**: LOT 2 RIBAUT PARK PB115 PG 89 ~1/07 SPLIT 0.26 AC 5/437

**Property Class Code**: ResImp SingleFamily

**Acreage**: .2100

**Sales Disclosure**

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<tr>
<th>Grantor</th>
<th>Book &amp; Page</th>
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<th>Sale Price</th>
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</thead>
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HPI CALCULATOR

Select:

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<th>Hilton Head Island-Bluffton, SC</th>
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<td>2012 Quarter 3</td>
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<tr>
<td>Valuation Quarter</td>
<td>2018 Quarter 3</td>
</tr>
<tr>
<td>Purchase Price</td>
<td>$140,601</td>
</tr>
</tbody>
</table>

Estimated Value: $184,125

When using the House Price Calculator, please note that it does not project the actual value of any particular house. Rather, it projects what a given house purchased at a point in time would be worth today if it appreciated at the average appreciation rate of all homes in the area. The actual value of any house will depend on the local real estate market, house condition and age, home improvements made and needed, and many other factors. Consult a qualified real estate appraiser in your area to obtain a professional estimate of the current value of your home. Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 requires that any appraisal used in connection with a federally related transaction must be performed by a competent individual whose professional conduct is subject to supervision and regulation. Appraisers must be licensed or certified according to state law.

The House Price Calculator uses the FHFA Purchase-Only House Price Index (not seasonally adjusted) for all states, including the District of Columbia, and for the largest 100 Metropolitan Statistical Areas and Divisions. For all other Metropolitan Statistical Areas and Divisions the FHFA All-Transactions Index is used. For a list of the largest 100
Metropolitan Statistical Areas and Divisions, click here. For a discussion of the differences between the Purchase-Only Index and the All-Transactions Index, click here.

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City of Beaufort - Town of Port Royal – Beaufort County  
Joint Metropolitan Planning Commission  
Rezoning Analysis 04-19  
Meeting Date: August 19, 2019

Applicant  
Hammock 15 LLC

Site  
Approximately 15 acres located on Hamrick Drive at Broad River Drive, also identified as District 112, Map 33B, Parcels 137, 138 and 90A. See Location Map, Exhibit A.

Present Zoning and Existing Development  
The parcels are zoned T3 Sub-Urban Neighborhood. The parcels are undeveloped. The property was annexed into the Town in 2001 and zoned General Residential.

Proposed Zoning  
The proposal is to rezone the acreage to T3 Neighborhood. The Neighborhood (T3N) Zone is intended to provide a predominantly single-family area in which compatible multi-family housing types, such as duplexes and cottage courts are integrated into the neighborhood framework. Civic and park functions, as well as transit, and commercial functions are located within walking distance. See Exhibit B, Zoning Map and Text. There is a public park, medical offices and commercial development to the north of the subject property.

Comprehensive Plan / Land Use Compatibility  
The Future Land Use map from the Comprehensive Plan classifies this portion of the parcel in a Restricted Growth Sector (G-1), Conventional Neighborhood area and a northern portion in a Controlled Growth Sector (G-2). See Exhibit C, The Future Land Use Map.

![Image of Land Use Map]

Property zoned T3 Neighborhood (County Designated) is adjacent to the north of the subject property. T3 Hamlet Neighborhood (County Designated) is to the south. See Exhibit D, the County Zoning Map.

Please note the applicant’s submittal and narrative. The rezoning will allow the applicant the opportunity to develop duplexes.

In the event of development the town’s development codes will also regulate tree removal and pruning, traffic impact, storm water management, and street design standards.

Environmental Issues  
No environmental issues noted.

Public Service Issues  
None

Letters were sent to property owners within 400 feet of the property being rezoned.
The Application
PROPOSED ZONING AMENDMENT
Town of Port Royal South Carolina

To The Honorable Mayor and Town Council:
The undersigned hereby respectfully request that the Town of Port Royal Ordinance be amended as described below:

1. This is a request for a change in the: (Check one)
   ( √) Zoning Map (fill in items #2, 3, 4, 5, 6, and 8 only)
   ( ) Zoning Text (fill in items #7 and 8 only)

2. Give exact address and plat map reference for property you propose a zoning change:
   District No. ______  Map: 33B Parcel(s) 90A, 137, 138 and 60A
   Address: Hammrick Drive, Beaufort SC 29906

3. Area of subject property 656.449.2 Sq. Ft. or acres (Port Royal)

4. Current Zoning (remember to list any overlays)
   R 100-033-00B-0138-0000
   R 112-033-00B-090A-0000
   R 100-033-008-0137-0000

5. Proposed Zoning (remember to list any overlays)

* Under item #8 explain why this area should be zoned as you proposed.

6. Does the applicant own all of the property proposed for this zoning change?
   ( √) YES ( ) NO If NO, give the address of the property involved which he does not own and the owner’s name and contact information:

7. Proposed language for TEXT change N/A

8. Explanation: See attached

(If more space is needed, continue on back)

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

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proving the need for the proposed amendment rests with the applicant.

Date: July 15 19 Owners Name: Hammrick IS LLC

Phone #: 843.379.311 Email: rrefo@ym.com

Address: rrefo@ym.com Port Royal SC 29906
#8- Rezoning will allow the dwelling units to be moved to north side of property and provide a buffer for all of the residents adjacent to the south side of the property thus eliminating the currently approved plan where every resident on the south side will share a fence and common property line with at least one dwelling unit.
3.2.60 T3 Neighborhood (T3N) Standards

General note: The illustration above is intended to provide a brief overview of the transect zone and is descriptive in nature.

A. Purpose
The Neighborhood (T3N) Zone is intended to provide a predominantly single-family area in which compatible multi-family housing types, such as duplexes and cottage courts are integrated into the neighborhood framework. Civic and park functions, as well as transit, and commercial functions are located within walking distance.

B. Allowed Building Types

<table>
<thead>
<tr>
<th>Building Type</th>
<th>Specific Regulations</th>
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</thead>
<tbody>
<tr>
<td>Carriage House</td>
<td>5.1.40</td>
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<tr>
<td>Detached House – Medium</td>
<td>5.1.60</td>
</tr>
<tr>
<td>Detached House – Compact</td>
<td>5.1.70</td>
</tr>
<tr>
<td>Cottage Court</td>
<td>5.1.80</td>
</tr>
<tr>
<td>Duplex</td>
<td>5.1.90</td>
</tr>
<tr>
<td>Mansion Apartment</td>
<td>5.1.110</td>
</tr>
<tr>
<td>Landmark Building</td>
<td>5.2.30</td>
</tr>
</tbody>
</table>
T3 Neighborhood (T3N) Standards

Key
--- ROW / Property Line  Building Area
--- Setback Line  Facade Zone

C. Building Placement
Setback (Distance from ROW/Property Line)
- Front  15' min., 20' max.
- Side Street  10' min., 20' max.
- Side:
  - Side, Main Building  10' min.
  - Side, Ancillary Building  5' min.
- Rear  5' min.

Facade within Facade Zone:
- Front  40% min.
- Side Street  20% min.

Lot Size (20,000 SF max.)
- Width  100' max.
- Depth  200' max.

Miscellaneous
Where existing adjacent buildings are in front of the regulated build-to-line (BTL) or front setback, the building may be set to align with the façade of the front-most immediately adjacent property.
The Administrator may exempt the following uses from the maximum lot size requirement:
- Parks & Open Areas; School: Public or Private;
- Water or Marine Oriented Facility.

D. Building Form
Building Height
- Main Building  2.5 stories max.
- Ancillary Building  2 stories max.
- Ground Floor Finish Level  18' min., 60' max.
- Upper Floors(s) Ceiling  8' min. clear

Appurtenances
- Architectural (cupolas, towers, steeples, chimneys, etc.):
  - Roof Area (combined)  25% max.
  - Height  15' max
- Mechanical, Structural (heat and air, elevator enclosure, etc.):
  - Roof Area (combined)  25% max.
  - Height  15' max

Footprint
- Lot Coverage  50% of lot area max.

Notes
1 Buildings located in a flood hazard zone will be required to be built above base flood elevation in accordance with the building code.
T3 Neighborhood (T3N) Standards

**Key**
- --- ROW / Property Line
- --- Setback Line
- Encroachment Area
- Allowed Parking Area

**E. Encroachments and Frontage Types**

<table>
<thead>
<tr>
<th>Encroachments</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Front</td>
<td>5' max.</td>
</tr>
<tr>
<td>Side Street</td>
<td>5' max.</td>
</tr>
<tr>
<td>Side</td>
<td>3' max.</td>
</tr>
<tr>
<td>Rear</td>
<td>5' max.</td>
</tr>
</tbody>
</table>

Encroachments are not allowed within a Street ROW/Alley ROW, buffer, or across a property line.

See Division 5.3 (Private Frontage Standards) for further refinement of the allowed encroachments for frontages.

**Required Frontage Types**

<table>
<thead>
<tr>
<th>Common Yard</th>
<th>Porch, Engaged</th>
</tr>
</thead>
<tbody>
<tr>
<td>Porch, Projecting</td>
<td>Stoop</td>
</tr>
</tbody>
</table>

*Accessory steps may exceed the maximum encroachment.

Additional Frontages are permitted for Landmark Buildings.

**Additional Encroachments Permitted**

<table>
<thead>
<tr>
<th>Balconies</th>
<th>Chimneys</th>
<th>Ramps</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bay Windows</td>
<td>Decks</td>
<td>Stairway</td>
<td></td>
</tr>
</tbody>
</table>

These elements may encroach as conveyed above.

**F. Parking**

<table>
<thead>
<tr>
<th>Required Spaces</th>
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<tbody>
<tr>
<td>Principal Residential Uses:</td>
</tr>
<tr>
<td>All Allowed Uses</td>
</tr>
<tr>
<td>Office and Service or Retail and Restaurant Uses:</td>
</tr>
<tr>
<td>Lodging, Short Term Rental / B&amp;B</td>
</tr>
<tr>
<td>All Other Allowed Uses</td>
</tr>
</tbody>
</table>

For parking requirements for:
- Recreation, Education, Safety, Public Assembly
- Transportation, Communication, Infrastructure

see Table 5.6.30.A (Parking Spaces Required).

**Location (Setback from Property Line)**

| Front | 40' min. |
| Side Street | 15' min. |
| Side | 0' min. |
| Rear | 5' min. |

**Miscellaneous**

Curb Cut or Parking Driveway Width:

- Residential Uses | 10' max. |
- Non-residential Uses | 14' max. |

**G. Allowed Uses**

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<tr>
<th>Type of Use</th>
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<tr>
<td>Principal Uses</td>
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<tr>
<td>Temporary</td>
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</table>

**Use Definitions**

| Principal Uses | See Sec. 4.1.40 (Principal Use Definitions) |

**H. Lots with Buildings Oriented to Water or Marsh**

**Building Location**

If a site is designed to address the water/marsh the ADU may locate between the Main Building and the Front Street.

Front Setback - ADU | 3' or 12' (not in between) |
Front Setback - Main Building | 25' min. |
Separation b/t ADU and Private | 10' min. |
Frontage on Main Building: | (may include breezeway) |

**Miscellaneous**

Garage Doors may face the street.
Corner Lot: ADU shall locate adjacent to Side Street.
Exhibit C
Future Land Use Map
County Zoning

Exhibit D

T3 Neighborhood

T3 Hamlet Neighborhood

1 Aug 2019 09:57:49 AM.
MEMORANDUM

To: Metropolitan Planning Commission
From: Robert Merchant, Deputy Community Development Director
Subject: Text amendment to the Lady’s Island Community Preservation District (LICP) and the Lady’s Island Expanded Home Business District (LIEHB) to limit residential density to developments not located on public sewer (Appendix A, Division A.2 and A.3).
Date: August 19, 2019

STAFF REPORT:

A. BACKGROUND:

Case No. ZTA 2019-01
Applicant: Community Development Department
Proposed Text Change: Amend Appendix A of the Community Development Code to limit residential density when public sewer is not available in the Lady’s Island Community Preservation District (LICP) and the Lady’s Island Expanded Home Business District (LIEHB).

B. SUMMARY OF REQUEST. Both the Community Preservation District and the Expanded Home Business District on Lady’s Island allow residential development of up to three dwelling units per acre to occur with no requirement to tap into public sewer. This amendment would limit residential density in these districts to one dwelling unit per two acres for development served by on-lot septic systems. The purpose of the proposed amendment is to manage growth on Lady’s Island by encouraging more orderly development patterns. This amendment also promotes environmental health by limiting the proliferation of on-lot septic systems on small lots.

The amendment would do the following in the LICP and LIEHB Districts:
- Limit minimum lot size for minor subdivisions (4 lots or fewer) to ½ acre.
- Limit density of major subdivisions (greater than 4 lots) that are served by on-lot septic systems to one dwelling unit per 2 acres.

The minimum lot size for minor subdivisions provides flexibility for owners of small properties without public sewer access. These owners would otherwise not be permitted to subdivide their properties if an outright density restriction of 1 dwelling unit per 2 acres were applied.

C. LADY’S ISLAND PLAN. This proposed amendment is specifically recommended in the Lady’s Island Plan as one component of an overall growth management strategy for the island. The plan raised concern that the amount of growth that could happen under current policies and regulations could exceed the capacity of infrastructure and natural systems on the island. The plan offers the following framework for growth management on Lady’s Island:

1. Match provision of sewer or septic to development density.
2. Consider policies and regulations to limit fill dirt.
3. Consider establishment of a Sea Level Rise Overlay Zone.
4. Modify the growth boundary.
5. Monitor growth trends to ensure infrastructure concurrency.
7. Consider other growth management tools.

The Community Development Department is currently working with other local governments and stakeholders to address other items in the list above.

D. ANALYSIS: Sec. 7.7.30(C). Code Text Amendment Review Standards. The advisability of amending the text of this Development Code is a matter committed to the legislative discretion of the County Council and is not controlled by any one factor. In determining whether to adopt or deny the proposed text amendment, the County Council shall weigh the relevance of and consider whether, and the extent to which, the proposed amendment:

1. Is consistent with the goals, objectives, and policies of the Comprehensive Plan:

   The proposed amendment is consistent with the goal of the Comprehensive Plan to maintain a distinct regional form of compact urban and suburban development surrounded by rural development for the purpose of reinforcing the valuable sense of unique and high quality places within the region (Land Use Element pg. 4-1). Also, Beaufort County should not target the expansion and location of new regional sewage collection and transmission facilities in rural areas except where a documented public health or environmental safety issue has been identified (Community Facilities Element pg. 11-51). Finally, this amendment implements a key growth management recommendation in the Lady’s Island Plan.

2. Is not in conflict with any provision of this Development Code or the Code of Ordinances:

   The proposed change does not conflict with any other provisions of the Community Development Code or Code of Ordinances.

3. Is required by changed conditions: Not Applicable

4. Addresses a demonstrated community need: The Lady’s Island Plan expresses the need for a clearly defined and coordinated pattern of growth that respects the capacity of the island’s infrastructure, public services, and natural resources, including emergency evaluation needs (pg. 31). This amendment would address that need by limiting the density of single family development which will help to establish a more orderly growth pattern.

5. Is consistent with the purpose and intent of the zones in this Development Code, or would improve compatibility among uses and ensure efficient development within the County: This amendment is consistent with the intent of the LICP and LIEHB districts. It is the intent of the LICP to guide residential development in such a manner as to encourage and plan for the availability of public services and infrastructure, and this amendment would align with that purpose. The same standards should be adopted in the LIEHB, as development in this district must blend into and maintain the residential fabric of the area.

6. Would result in a logical and orderly development pattern: See response to Item 4 above.

7. Would not result in adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment: The proposed amendment would not result in adverse impacts on the natural environment.

E. RECOMMENDATION: Staff recommends approval.

F. ATTACHMENTS:

- Proposed changes to the CDC
- Map of Impacted Zoning Districts
Lady’s Island Community Preservation (LI CP)

A.2.50 Conditional and Special Use Standards

This section describes the standards governing conditional and special uses as designated in Table A.2.40.A of this division. These standards are in addition to other standards required elsewhere in the Beaufort County Community Development Code (CDC), but supersede the conditional, special use, and accessory use standards in Article 4 of the CDC.

M. Single-family detached, single-family cluster, and duplexes

a. Major Subdivisions
   i. With public sewer. Major subdivisions (see Subsection 6.1.30.B) with public sewer shall have a maximum gross density of two dwelling units per acre and a minimum site area of one acre, as per Table A.2.60.A.
   ii. Without public sewer. Major subdivisions without public sewer shall have a maximum gross density of one dwelling unit per two acres.

b. Minor Subdivisions (see Subsection 6.1.30.A) without internal streets and served by public sewer shall have a minimum site area of one-half acre, as per Table A.2.60.A.

c. Single-family clusters and duplexes are required to be served by public sewer.

A.2.60 Development Standards

Table A.2.60.A Open Space and Density Standards

<table>
<thead>
<tr>
<th>Residential Type</th>
<th>Minimum open space requirement (% of site area)</th>
<th>Density (per acre)</th>
<th>Wastewater Treatment</th>
<th>Minimum Site Area (acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family without sewer</td>
<td>20%</td>
<td>0.5</td>
<td>OS</td>
<td>0.5</td>
</tr>
<tr>
<td>Single-family with sewer</td>
<td>20%</td>
<td>2.0</td>
<td>OS, P</td>
<td>1</td>
</tr>
<tr>
<td>Single-family Cluster</td>
<td>35%</td>
<td>2.2</td>
<td>OS, P</td>
<td>5</td>
</tr>
<tr>
<td>Duplex</td>
<td>35%</td>
<td>3.0</td>
<td>OS, P</td>
<td>5</td>
</tr>
<tr>
<td>Multifamily (mansion apartments and apartment houses)</td>
<td>45%</td>
<td>4.0</td>
<td>P</td>
<td>15</td>
</tr>
<tr>
<td>Traditional Community Plan</td>
<td>See Article 2, Section 2.3.80</td>
<td>3.5</td>
<td>n/a</td>
<td>P</td>
</tr>
<tr>
<td>Other Permitted Uses</td>
<td>35%</td>
<td>n/a</td>
<td>n/a</td>
<td>OS</td>
</tr>
</tbody>
</table>

Table A.2.60.B Lot and Building Standards

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Minimum Lot Size</th>
<th>Minimum Lot Width</th>
<th>Minimum Minimum Setback</th>
<th>Maximum Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family without sewer</td>
<td>21,780 SF</td>
<td>100 feet</td>
<td>20 feet</td>
<td>35 Feet</td>
</tr>
<tr>
<td>Single-family</td>
<td>10,890 SF</td>
<td>80 feet</td>
<td>20 feet</td>
<td>35 Feet</td>
</tr>
</tbody>
</table>
Lady’s Island Expanded Home Business (LIEHB)

A.3.50 Conditional and Special Use Standards

This section describes the standards governing conditional and special uses as designated in Table A.3.40.A of this division. These standards are in addition to other standards required elsewhere in the Beaufort County Community Development Code (CDC), but supersede the conditional, special use, and accessory use standards in Article 4 of the CDC.

G. Single-family detached, single-family cluster, and duplexes

1. Major Subdivisions

a. With public sewer. Major subdivisions (see Subsection 6.1.30.B) with public sewer shall have a maximum gross density of two dwelling units per acre and a minimum site area of one acre, as per Table A.3.60.A.

b. Without public sewer. Major subdivisions without public sewer shall have a maximum gross density of one dwelling unit per two acres.

2. Minor Subdivisions (see Subsection 6.1.30.A) without internal streets and served by public sewer shall have a minimum site area of one-half acre, as per Table A.3.60.A.

3. Single-family clusters and duplexes are required to be served by public sewer.

A.3.60 Development Standards

Table A.3.60.A Open Space and Density Standards

<table>
<thead>
<tr>
<th>Residential Type</th>
<th>Minimum open space requirement (% of site area)</th>
<th>Density (per acre)</th>
<th>Wastewater Treatment</th>
<th>Minimum Site Area (acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family without sewer</td>
<td>20%</td>
<td>0.5</td>
<td>OS</td>
<td>0.5</td>
</tr>
<tr>
<td>Single-family with sewer</td>
<td>20%</td>
<td>2.0</td>
<td>OS P</td>
<td>1</td>
</tr>
<tr>
<td>Single-family Cluster</td>
<td>35%</td>
<td>2.2</td>
<td>OS P</td>
<td>5</td>
</tr>
<tr>
<td>Duplex</td>
<td>35%</td>
<td>3.0</td>
<td>OS P</td>
<td>5</td>
</tr>
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<td>Multifamily (mansion apartments and apartment houses)</td>
<td>45%</td>
<td>4.0</td>
<td>P</td>
<td>15</td>
</tr>
<tr>
<td>Traditional Community Plan</td>
<td>See Article 2, Section 2.3.80</td>
<td>3.5</td>
<td>n/a</td>
<td>P</td>
</tr>
</tbody>
</table>

Table A.3.60.B Lot and Building Standards

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Minimum Lot Size</th>
<th>Minimum Lot Width</th>
<th>Minimum Setback</th>
<th>Maximum Building Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential without sewer</td>
<td>21,780 SF</td>
<td>100 feet</td>
<td>20 feet</td>
<td>35 feet</td>
</tr>
<tr>
<td>Residential with sewer</td>
<td>10,890 SF</td>
<td>80 feet</td>
<td>20 feet</td>
<td>35 feet</td>
</tr>
<tr>
<td>Non-Residential</td>
<td>10,000 SF</td>
<td>60 feet</td>
<td>30 feet</td>
<td>35 feet</td>
</tr>
</tbody>
</table>
Districts impacted by proposed amendment.