

**BEAUFORT
PLANNING COMMISSION**

AGENDA

1911 Boundary Street, Beaufort, SC 29902
Phone: 843-525-7011 ~ Fax: 843-986-5606

Monday, November 18, 2024, 5:00 P.M.

City Hall, Council Chambers, 2nd Floor – 1911 Boundary Street, Beaufort, SC

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89983235264?pwd=Oo9FYc9PMYMAtafls9P5TnjvCYfwK7.1>

Password: 026413 Meeting ID: 899 8323 5264 Call in Phone #: 1+929 205 6099

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."

I. **Call to Order**

II. **Pledge of Allegiance**

III. **Review Commission Meeting Minutes:**

A. **October 21, 2024 Meeting Minutes**

IV. **Questions Relating to Military Operations**

V. **New Business:**

A. **Annexation.** The applicant, CCC Reserve at Broad River, LLC, is requesting annexation of approximately 20.06 acres property located at 14 Katie Rivers Road, 101 Broad River Boulevard, and 114 Parris Island Gateway identified as R100 029 000 0051 0000, R100 029 000 0052 0000, and R100 029 000 0295 0000.

B. **Rezoning.** The applicant, CCC Reserve at Broad River, LLC, is requesting rezoning of approximately 20.06 acres located at 14 Katie Rivers Road, 101 Broad River Boulevard, and 114 Parris Island Gateway, identified as R100 029 000 0051 0000, R100 029 000 0052 0000, and R100 029 000 0295 0000. The current zoning is Regional Mixed-Use (C5RCMU) Beaufort County. The proposed zoning is T-4N Neighborhood (T-4N) City of Beaufort.

C. **Rezoning.** The applicant is requesting rezoning of the Cuthbert Park located off of Lafayette Street, behind the National Cemetery, Beaufort, SC, identified as R120 001 000 0293 0000 from T3-Neighborhood District (T3-S) to T1-Natural Preserve District (T-1).

VI. **Old Business:**

A. **Beaufort Development Code Changes:** Amendments to the open space, land Development and subdivision requirements of Section 7 and Section 9 of the Beaufort Development Code.

VII. Discussion

- A. Public Comment Policy
- B. Timelines
- C. December PC meeting Day and Time

VIII. Adjournment

Note: If you have special needs due to a physical challenge, please call Julie Bachety at (843) 525-7011.



Planning Commission

Meeting Minutes – October 21, 2024

CALL TO ORDER

2:38

A meeting of the Planning Commission was called to order by Chairman, Benjie Morillo and was held in-person on October 21, 2024, at 5:00 PM.

ATTENDEES

Members in attendance: Benjie Morillo, Chairman, Mike Tomy, Vice-Chairman, Bill Bardenwerper, Kim McFann, Bill Suter, and Paul Trask.

Member Absent: Clinton Hallman

Staff in attendance: Curt Freese, Community Development Department Director, and Nick Navia, Community Development Planner I.

REVIEW OF MINUTES – SEPTEMBER 16, 2024

3:29

Motion: Ms. McFann made a motion to approve the September 16, 2024, minutes. Mr. Suter seconded the motion. The motion passed unanimously.

All Planning Commission meeting minutes are recorded and can be found on the City's website at <http://www.cityofbeaufort.org/AgendaCenter>.

QUESTIONS RELATING TO MILITARY OPERATIONS

3:51

There were no public comments or questions.

Mr. Morillo suggested moving the New Business to the beginning of the meeting to discuss the public comment policy.

Motion: Mr. Tomy made a motion to discuss New Business first. Ms. McFann seconded the motion. The motion passed unanimously.

Public Comment Policy Discussion:

Ms. McFann referred to the last City Council Worksession where there were a number of public comments about the Planning Commission's temporary policy for the PC work sessions. The PC requested public comment be written rather than oral. This policy was unpopular. A council member and some citizens spoke on the topic and suggested the PC revisit it. Mr. Morillo and Mr. Freese and McFann were present at the council work session. At the last PC work session, the commissioners asked that the matter of the PC work session public comment policy be added to the PC's 10/21 agenda, but it was not.

She suggested that the matter of public comment be added to the agenda for the PC's next meeting in November for consideration. She stated that in her view the public comment procedures should stay as is for regular meetings, but for purposes of the Work sessions and that the PC again change the temporary policy and encourage advance written public comment on the topics at hand, but also allow some public comment at the beginning of our work session meetings. If a commissioner member wants more public comment during the course of the work session, that should be allowed too. Ms. McFann referred to the extremely helpful written comments that Diane Farrelly has been submitting. The commissioners agreed to put the policy on the next regular meeting agenda for discussion, public comment and action.

Mr. Morillo suggested that one commission member needs have a copy of any written public comments that are received prior to work sessions and meetings, so that as the PC goes over each section, that member could make sure to bring up the public comments.

Motion: Ms. McFann made a motion to consider the matter of public comment at PC work sessions at the PC's next regular meeting and that staff specifically put that item on the agenda so the public can comment on that issue. Mr. Tomy seconded the motion. The motion passed unanimously.

Ms. McFann talked about concerns regarding timeline for progress of the PC's work on the Code including notices of work sessions and availability of packets and suggested having this issue also added to the agenda. Mr. Freese assured the PC that the goal is that regular meeting and work session packets be ready and out a week before meetings (Monday before the meeting) and for worksession the packets will go out a week before (Tuesday before the work session) and explained that due to the volume of work done in October, timing of submissions and staffing issues there had been challenges.

Motion: Mr. Tomy made a motion that the timeline be considered at the next regular Planning Commission meeting and be added to the agenda for that meeting. Ms. McFann seconded the motion. The motion passed unanimously.

OLD BUSINESS

Beaufort Development Code Changes: Amendments to the open space, land Development and subdivision requirements of Section 7 and Section 9 of the Beaufort Development Code.

Public Comment:

Diane Farrelly, 2145 Oakhaven Street, said her comments (written comments attached) were not able to be considered during the last PC work session and asked that the Commission address them at this regular meeting.

Public comment closed.

The Commissioners agreed that at the last work session the Commission had gone through all sections up to 7.4, having stopped at page 21. Mr. Morillo asked Ms. Farrelly to give the Commission her *major* comments up to page 21.

Ms. Farrelly stated some changes from may have been missed in the redraft e.g. to 7.2 regarding stubs and a few others were also noted. Mr. Freese agreed to add these.

As to the table in Section 7.3.2.D she asked if the site distance *should be* required in all cases. Mr. Morillo said this section says now that the site distance is only if required by the City. Mr. Bardenwerper said the site distance is never part of a TIA (Traffic Impact Analysis).

The Commissioners all agreed to move forward and started with Chapter 7 section 7:4 Community Green Space and Open Space where they left off at the end of their last worksession.

The following draft proposed revisions to the City Code were reviewed and discussed:

7.4.1 – Purpose and Intent. Mr. Freese stated definitions were added in this draft section which were taken from other jurisdictions' ordinances. Mr. Trask suggested that pedestrian pathways should be designated as “green space” and the Spanish Moss Trail should be added, and this would require a change in section 7.7.4.2.C.3. There was consensus that new language should be added to say, “green space an area of grass, trees or other vegetation to include pedestrian pathways set apart for recreation and atheistic purposes in a development; privately or publicly owned.

It was agreed to refer to “community” green space and “community” open space throughout.

7.4.2.A – Community Green Space and Open Space Requirement.

Public Comment

Diane Farrelly, 2145 Oakhaven Street (see attached)

The chart and exemptions were examined and discussed, as were characteristics of large properties. it was agreed to allow a discretionary exemption for properties of 3 acres or less. For 3-10 acres, 10% was agreed to.

Regarding LI and T5-UC it was noted that other sections of code have additional applicable requirements for parking and landscaping that apply. The consensus was to leave as is.

7.4.3 – Community Green Space and Open Space Types.

No public comment.

7.4.4 – Design of Community Green Space and Open Spaces. Staff agreed

to double check and correct the citations within the draft section.

Public Comment

Diane Farrelly, 2145 Oakhaven Street (see attached)

Public Comment closed.

7.4.5 – Nothing; no public comment.

Public Comment

Diane Farrelly, 2145 Oakhaven Street (see attached)

Public Comment closed.

The following new section was considered for the first time:

7.5 – Subdivision Standards.

The PC agreed to go through each section individually moving forward with the sections that have not yet been reviewed.

7.5.1 – General Provisions.

Mr. Bardenwerper noted some confusing language in the draft regarding various types of applications and applicability of this section.

All agreed in 2nd paragraph to delete the language that says, “policies and other guidelines as amended.”

Mr. Trask noted that the applicant's engineer would be addressing specifics of regulatory issues throughout the process. There was discussion regarding applicability of Chapter 9 (already reviewed) to certain properties.

All agreed to change the section title to “Subdivision and Site Plan Standards”

7.5.2 – Subdivision types and process outlines.

All agreed to change the reference to 5 or less for minor subdivision, and to clarify rules regarding future and subsequent ability to do minor subdivisions of new lots created from a parent tract. Staff will work on a clarifying rewrite. Including without limitation

7.5.2 A 1: change from six lots to five.

7.5.2 A 1: change cumulatively, to clarify no subsequent minor subdivisions from new lots or parent tract.

7.5.2 A 1: remove less than 3 acres.

7.5.2 A 3: add “not” in front of involved.

7.5.2. B 1: add “private road”

7.5.3 – Subdivision Process and Application Types.

Mr. Bardenwerper discussed practical issues for developers at the sketch plan stage. It was agreed to clarify applicability language and refer to major subdivisions.

As to timeframes after sketch plan approval, Mr. Tomy raised the issue of whether 12 or 18 months was most appropriate until preliminary approval. It was agreed that it should be 18 months, with an 18 month renewal by the Administrator. This would allow a maximum of 3 years from sketch plan to preliminary approval)

It was noted that we have a 3 step approval process, sketch, preliminary and final and nothing vests at Sketch plan approval.

Ms. Farrelly raised the issue of intervening code changes, and it was noted that any of those could be addressed at preliminary approval stage.

Mr. Trask left the meeting at this time. (2:07:08)

Public Comment

Diane Farrelly, 2145 Oakhaven Street (see attached)

Public Comment closed.

The members agreed to start with Section 7.5.3: Subdivision Process and Application Types at their next work session.

The next Worksession is Tuesday, November 5 at 3:00 pm. Mr. Freese said he will send out the packet for the worksession on Tuesday, October 29. If any members or Ms. Farrelly or the public have comments he can put it into the draft that goes out.

Mr. Bardenwerper suggested that for rewrites of the draft, that repetitive requirements should be referred to rather than written out again in subsequent sections.

ADJOURNMENT

2:16:07

Motion: Mr. Bardenwerper made a motion for adjournment at 7:16 pm seconded by Mr. Suter. The motion passed unanimously.

PLANNING COMMISSION MEETING OCTOBER 21, 2024

RE: Chapters 7 & 9 Beaufort Code Amendments

Submitted by:

Dianne Farrelly
2415 Oak Haven Street
Beaufort, SC 29902

QUESTIONS, COMMENTS AND SUGGESTIONS:

7.1.3 A. Street Improvements:

I was disturbed by the comments of the DOT representative at a recent TRC meeting who advised an applicant to straighten a proposed road in a subdivision rather than maintain the gently curved road in the sketch plan that took into consideration the location of landmark trees. Who has more jurisdiction over this requirement, and can the Code allow for a more pleasing road curve to save existing trees?

7.2.2.C.3.a. Design: Stub streets and streets intended for extension during future phases shall be constructed to extend to the property line, ~~or as close to the line as practical.~~ allowing for future constructability to the adjoining property. (This was changed to the above language at the PC Worksession Meeting on 2024-10-15.)

7.2.2.C.3.d. Disclosure: The Final Subdivision Plan(t?) shall be recorded ~~stating that~~ showing the required stub(s) for any extension(s) to stub streets and streets intended for extension during future phases and how they will be connected. (This was changed to the language approximating the above at the PC Worksession Meeting on 2024-10-15.)

7.2.4.B. **Traffic Control and Signs:** Traffic signals should be used where warranted, but alternate traffic control such as roundabouts ~~will~~ should be considered first. (This was changed to the above language at the PC Worksession Meeting on 2024-10-15.)

7.3.2.D. Table:

List of all nonexistent transportation improvements assumed in the analysis

Suggest adding: List of all nonexistent transportation improvements "and re-routing regulations" or something on this order to account for recent, and possibly future, regulations such as the new truck route around the historic district.

Sight Distance – **Shouldn't this be required in all cases?**

7.3.2.M. **Traffic Service Level Goals:** The average stop time delay in seconds per vehicle for each intersection determined to be critical to the TIA for the proposed development shall be compared to the city's ~~adopted~~ (?? has this previously been adopted by the city?? – perhaps this should be researched before being taken out of the Code) traffic service level goal of "D" for the average delay for all vehicles at any signalized intersection during the a.m. and p.m. peak hours.

7.4.2.A. Table: 5-10 acres, T5-UC shows exempt. **It is my understanding that City Council wants minimum tree canopy coverage in every zone including commercial zones.**

7.4.5.E. If the owner of ~~an~~ Community Green Space and/or Open Space fails to maintain it in reasonable condition, and in accordance with approved plans, and fails to correct deficiencies cited by the city, the city shall have the authority to correct the deficiencies per the City's Code of Ordinances, Section 6-2003 (or equivalent Health and Sanitation section of any updated Code of Ordinances) **at the owner's expense (or similar language).**

7.5.6.B.4. vii. The profiles shall include existing and proposed grade at curb and gutter or centerline of street elevation at point of intersection of vertical curves, intersections, grade breaks, point of curb return (PCR), point of reverse curve (PRC), and other critical points, structures, and all other features required to enable (Sentence is not complete.)

7.5.6.C.1. e. Does not change any measurable standard (other than above) by more than 15 percent. **Does this include lots and density as it does in the preliminary plat? If so, that represents over 25% increase overall from the initial sketch plan.**

7.5.8.B.3. xxvi. Trash disposal areas and enclosures including specifications for enclosures. **(Suggest this also should be required for major subdivisions.)**

7.5.8.G.2. Following the public meeting, the Planning Commission may approve, deny, or approve with conditions the application for a **Major Minor** Development. No **Major Minor** Development shall be approved unless the following findings of fact can be made:

7.5.8.J. **Permit Validity.** Upon the approval of the **Major Minor** Development Design application, the

9.1.4 Process Table: Design Review, Site Plan, Sketch Plan, and Preliminary Plat Permit Period and Extensions - **So, if each of these permits are granted consecutively, it can allow up to 15-1/2 years approval process just through preliminary plat without having to adhere to updates in Code from the initial design review? (Minor – 8 yrs, Major – 15-1/2 yrs)**

9.1.4 Process Table: Subdivision Final Plat, Approving Agent Admin: **So, this would only go to PC if there was a problem? How would the public know to report a problem if there is no notification?**

9.1.4 Process Table: Certificate of Appropriateness - **So, 8 yrs allowed without having to adhere to updates in Code? Also, I thought you wanted to limit the allowable time for demolitions.**

9.1.4 Process Table: Relief – **Suggest extensions be limited to 12 months up to 1 time for Administrative Adjustment, Special Exception and Variance.**

9.1.9.B.3. A vested plan is subject to later local governmental overlay zoning that imposes additional site plan-related requirements, but does not affect allowable types, height as it affects density, or intensity of uses. **So, a plan can be granted immunity from type, height and density for many years (15) even if an amendment is codified?**

9.2.4.A. The Administrator shall have 5 working days to review the application materials submitted and confirm that all the required items have been submitted. **Does this give a busy office time to complete a complicated review?**

9.3. Table: Historic District Designation – **Should this be HRB?**

9.3. Table: Administrative Appeal – **Shouldn't this be a different body than the one that set the stage?**

9.5.1.E. **Fences and Enclosures: Is something missing here?**

9.8.1.B. Process Chart – **Should this be moved, and should it be the PC for appeal?**

9.8.1.J. **Permit Extension:** The Administrator may grant up to 5 one-year extensions of this time period upon submittal by the applicant of sufficient justification for the extension. Extensions shall be submitted at least 1 month prior to the expiration date. **Suggest referring to chart for relevant extension periods, however, what about if amendments are codified in the meantime?**

9.10.2.A. **Chart seems to be misplaced. Move to 9.10.1.?**

9.10.2.D.1. Demolitions - In all applications involving the demolition of a contributing primary structure or contributing accessory structure, provisions shall be made for a public hearing as set forth in Section 9.1.5. Demolition of non-contributing structures are approved by the Administrator. **I thought it was decided to be HRB in all cases.**

9.10.2.E. **I thought some changes were made to 1 and 2 during discussions in City Council.**

GRAMMAR, PUNCTUATION, CLARITY, ETC.:

7.2.1.D. Dedication of Right of Way

Where a new right-of-way that is not shown in the street regulating plan, is required as part of a new development, it shall be designed with appropriate elements based on its proposed location and zoning district.

Add comma after right-of-way.

7.2.2.C.3.d. Disclosure: The Final Subdivision Plan (should this be Plat?)

7.3.2.E. Mitigation Plan Required: If the initial analysis indicates that the city's adopted Traffic Service Level Goals (Section 7.3.2 M.) will ~~be~~ not be met, a

7.5.4.C.19. A preliminary utility plan depicting the existing capacity of the surrounding utility system, and the future capacity of the utility system for ~~the~~ both the

7.5.6.B.4. xiii. Final drainage plans and reports. Based upon the approved preliminary drainage plan, a final report is to be submitted in accordance with SOLOCO Drainage and Design Criteria, as amended or as the City Engineer may approve. The plan and report must provide: (re-number the following 2 items)

- xiv. Erosion control plans, when required.
- xv. Sizing of all pipes, inlets, conveyance ways, and other appurtenances.

7.5.8.K. **Permit Extension:** The Administrator may grant a one year extensions

9.1.4 Process Table: Section References are incorrect making it difficult to cross reference. In Public Notification Column, suggest including Section References for Levels 1,2,3. Suggest using consistent language for clarity.

9.1.4 Process Table: Subdivision Final Plat

9.4.2.G. Upon the approval of the zoning permit, the applicant shall have 6 months to take

9.8.1.C. **Process Type:** Administrative — The Administrator may submit any applications subject to staff approval to the ~~Design Review Board~~ Planning Commission for approval.

9.8.1.H. **Appeals:** Appeals of the decisions of the Administrator shall be heard by the ~~Design Review Board~~ Planning Commission

9.8.2.8.5. The Administrator shall respond in writing to all public comments after each major submittal, and the project applicant will be required to attend a TRC committee meeting before the project is issued final approval.

9.10.2.G. unless a major change has occurred in the property condition that is attributable to natural causes

9.13.2.C. **Public Notification:** Suggest adding applicable references wherever levels are noted, ex., 9.1.12 Levels 1, 2, and 3.

9.13.2.F.1. The proposed ~~uses use is compatibility~~ compatible with existing land uses in the surrounding area.

9.14.2.B. determined by the Administrator,

9.14.2.D. Suggest adding applicable references wherever levels are noted, ex., 9.1.13 Levels 1, 2, and 3.

9.15.2.D. Suggest adding applicable references wherever levels are noted

9.16.3.D.1. Suggest adding applicable references wherever levels are noted

9.16.3.D.2.&3. City Council

ANNEXATION AND ZONING BROAD RIVER



STAFF REPORT: Annexation & Zoning-Broad River and Katie Rivers Road

DATE: November 18th, 2024

| <i>GENERAL INFORMATION</i> | | |
|---|--|---|
| Applicant: | R. Mikals Realty Company LLC. | |
| Address/Parcel Number: | 14 Katie Rivers Road, 101 Broad River Boulevard, and 114 Parris Island Gateway identified as R100 029 000 0051 0000, and R100 029 000 0295 0000. | |
| Applicant's Request: | To annex the site into the City's Jurisdiction and have the property zoned T-4N | |
| Size of Request: | ~19 acres | |
| <i>ZONING DISTRICT INFORMATION</i> | | |
| | Current County Zone-C5RCMU | Requested City Zone-T4-N |
| Lot Width at Setback: | 150 ft | 40' min 60' in the Point |
| Max Lot Coverage: | N/A | 100% |
| Min. Frontage Build Out | N/A | 55% of lot area |
| Front Setback | 25 ft | 0' min/15' max |
| Side Setback | 15 ft | Average prevailing setback on block |
| Rear Setback | 10 ft | 0' alley; 15' no alley |
| Building Height: | 3 stories max | 2 stories min; 4 stories Max |
| <i>SURROUNDING ZONING, LAND USE AND REQUIRED BUFFERS</i> | | |
| <u>Adjacent Zoning</u> | <u>Adjacent Land Uses</u> | <u>Setback & Buffer required if rezoned</u> |
| North: C5RCMU (County); C3NMM (County) | Houses | |
| South: Dual Zone (T5-UC/RMX) | Vacant | |
| East: C5RCMU (County) | Industrial Building/Churches | |
| West: T-4 N/ C5RCMU (County) | Motorcycle Club | |

Background: The applicant is seeking for two parcels identified as R100 029 000 0051 0000, and R100 029 000 0295 0000, or 14 Katie Rivers Road, 101 Broad River Boulevard, and 114 Parris Island Gateway to be annexed into the City. The applicant is proposing the annexation with the T-4N zoning District. The property is currently zoned C5RCMU in the County, a mixed use district. The applicant has expressed an intention to develop the property as multi-family residential.

County and City Zoning: The County zoning district is described as the following: The Regional Center Mixed Use (C5) Zone permits a full range of retail, service, and office uses. The Zone's intensity accommodates regional and community commercial and business activities. Uses include large, commercial activities that serve the entire County and highway-oriented businesses that need to be located on major highways. While this use intends high-quality, commercial character, the setback or build-to-line, landscaping and other design requirements provide a uniform streetscape that makes provision for pedestrian and transit access. The Zone is intended to be more attractive than commercial areas in other counties to maintain the attractive tourist and business environment and have minimal impact on surrounding residential areas.

The Zone is not intended to be a strip along all arterials and collectors. In developing areas, the minimum depth of a parcel along an arterial or collector shall be 600'. The minimum zone size shall be 20 acres. In the older, built-up areas, new uses shall have depths and areas equal to or greater than similar uses in the area. This Zone shall be located in areas designated "regional commercial" in the Comprehensive Plan.

The zone has a three story max height and would allow 15 dwelling units per acre.

City T-4N Zoning:

The City T-4N district is a mixed use form based district. The T-4 district allows all types of residential uses, and limited retail and commercial uses. The T-4N district has a two story minimum with a four story maximum, and no density cap. It requires buildings along a front build to line of 0'-15', transparency or fenestration standards for all floors, and parking lots to be located behind buildings.

Compatibility with Adjacent Zoning: As aforementioned, the property is currently zoned in a high density mixed use district which allows light industrial development as a conditional use. To the west of the site is a motorcycle club, to the North is rural residential, to the South is vacant, and to the East is a industrial building.

Comprehensive Plan Compliance: The site is within the City's future land use map as general urban. The T-4N district is. The properties to the North are not within the City's future land use map, while the surrounding properties to the East, West, and South are all recommended for General Urban.

| | | | | | | |
|--|------------------|--------------|------------------|------------------|----------------------|---|
|  Land Use | Separated Uses ← | | Intensity of Use | → Separated Uses | |  order of precedence |
| | Industrial | Urban Center | General Urban | Neighborhood | Parks & Conservation | |
| Zoning Classification | LI | RMX | T5-DC | T4-HN | T1 | |
| | RMX | T5-UC | IC | T3-N | | |
| | T5-UC | IC | T4-N | T3-S | | |
| | | LI | T1 | | | |

Access: No TIA or conceptual plan was submitted with this request. Katie Rivers Road, an unimproved private road of narrow width, bisects the property and comes out to unimproved access point on Paris Island Gateway and not at a signalized intersection, considered an arterial road. A TIA would be required if development was proposed once annexed but is not required as a condition of rezoning.

Sidewalk: There is an attached sidewalk down Paris Island Gateway. There is no sidewalk on the Broad River portion, but there is a detached sidewalk on the Northern side of Broad River Boulevard.

Annexation: The property is contiguous to the City, as required by State statute. Staff reminds the PC that Annexations are voluntary and can be denied. In addition, an agreement can be entered into with Annexation, but is not required. There is no agreement or any illustrative development plan with this request.

Staff Analysis:

- a) **Staff has concerns about traffic, access points and safety, pedestrian connectivity, should the property be accessed. As per Land Use Needs and Goals (page LU-6) of the Comprehensive Plan, “The city will strive to promote diverse neighborhoods and ensure that new development is designed for pedestrian, transit, and the automobile.”**
- b) **No evidence of how the annexation will comply with the smart growth and New Urbanist goals as per Land Use Needs and Goals (page LU-6) of the Comprehensive Plan:**
 - 1) **City Codes and policy must recognize the importance of building and landscape design in the integration of the built environment and built form.**
 - 2) **Every home should be within walking distance of a park.**

-
-
- 3) **Our neighborhoods need to accommodate increased housing densities and new building types.**
 - 4) **Our neighborhoods will be based on a network of small blocks that support a wide range of housing types and sizes.**
 - 5) **The ground floor of all structures in the mixed use corridors shall encourage pedestrian activity with clear entries from the public sidewalk, a high percentage of storefront along the frontage, and awnings and canopies for weather protection.**
 - 6) **The City is committed to Mixed Use development that promotes walkability and connectivity.**
- c) **Manage growth boundaries (Land Use Objective).**
 - d) **Coordinate Development with transportation access priorities (Land use Objective).**

RECOMMENDATIONS

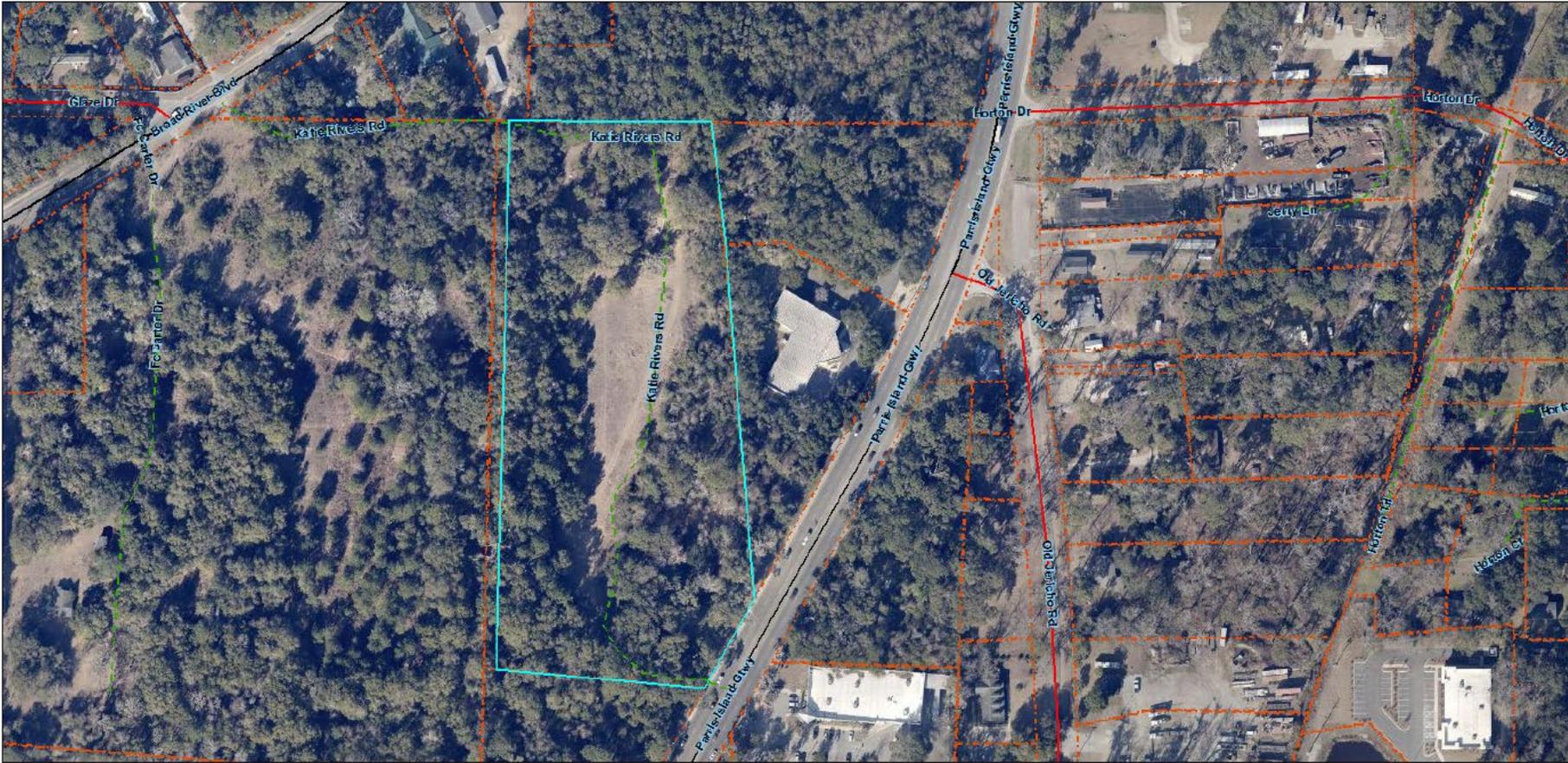
Staff Recommendation:

Staff recommends tabling the request, as the Applicant has not provided evidence of how their annexation will satisfy the Land Use goals of the Comprehensive Plan as per pages 3-4 of this staff report.

Annexation & Rezoning Request

- Parcel #14 Katie Rivers Road, 101 Broad River Boulevard, and 114 Parris Island Gateway identified as R100 029 000 0051 0000, and R100 029 000 0295 0000.
- C5RCNMU-Neighborhood Mixed Use (County Zoning)
- Max Density: 15 Units in County/Unlimited in T-4N
- Setbacks (ft.): Front 0-15, Side 0-10, Rear 0-15
- Height: 2 stories min, 4 stories max (residential)
3 stories with current County Zoning

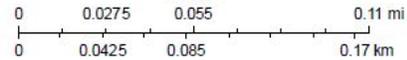
aerial map



11/8/2024, 2:59:10 PM

- Road Classifications
- Green: Band_2
 - Blue: Band_3
- STATE, PAVED
- COUNTY, PAVED
- - - PRIVATE, UNPAVED
- LiveParcels

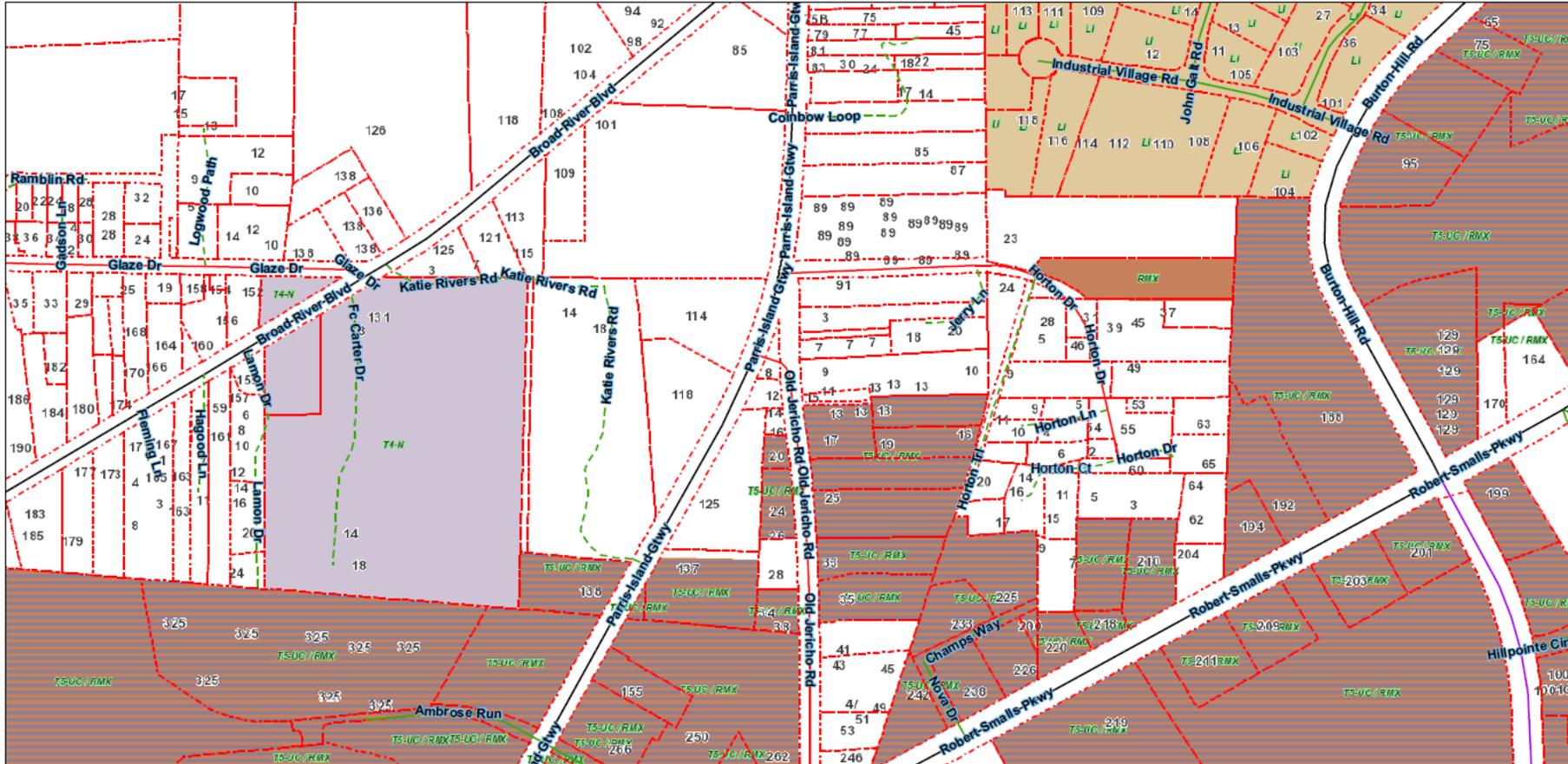
1:2,257



Proposal

- The applicant is requesting the parcel be zoned T4 after Council annexation.

City Zoning



11/8/2024, 2:57:34 PM

Road Classifications

- STATE, PAVED
- COUNTY, PAVED
- PRIVATE, PAVED
- - - PRIVATE, UNPAVED
- MUNICIPAL, PAVED

LiveParcels

- LiveParcels
- HISTORIC DISTRICT-Preservation Neighborhood
- HISTORIC DISTRICT-Conservation Neighborhood
- Bladen Street Redevelopment District
- Boundary Street Redevelopment District
- Retail Overlay (Church & Green Street)

Retail Overlay

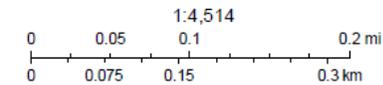
- Retail Overlay

Zoning Districts

- T1
- T3-S
- T3-N
- T4-HN
- T4-N
- T4-NA
- T5-DC
- T5-UC
- T5-UC / RMX

Zoning Districts

- RMX
- IC
- MH
- LI
- MR

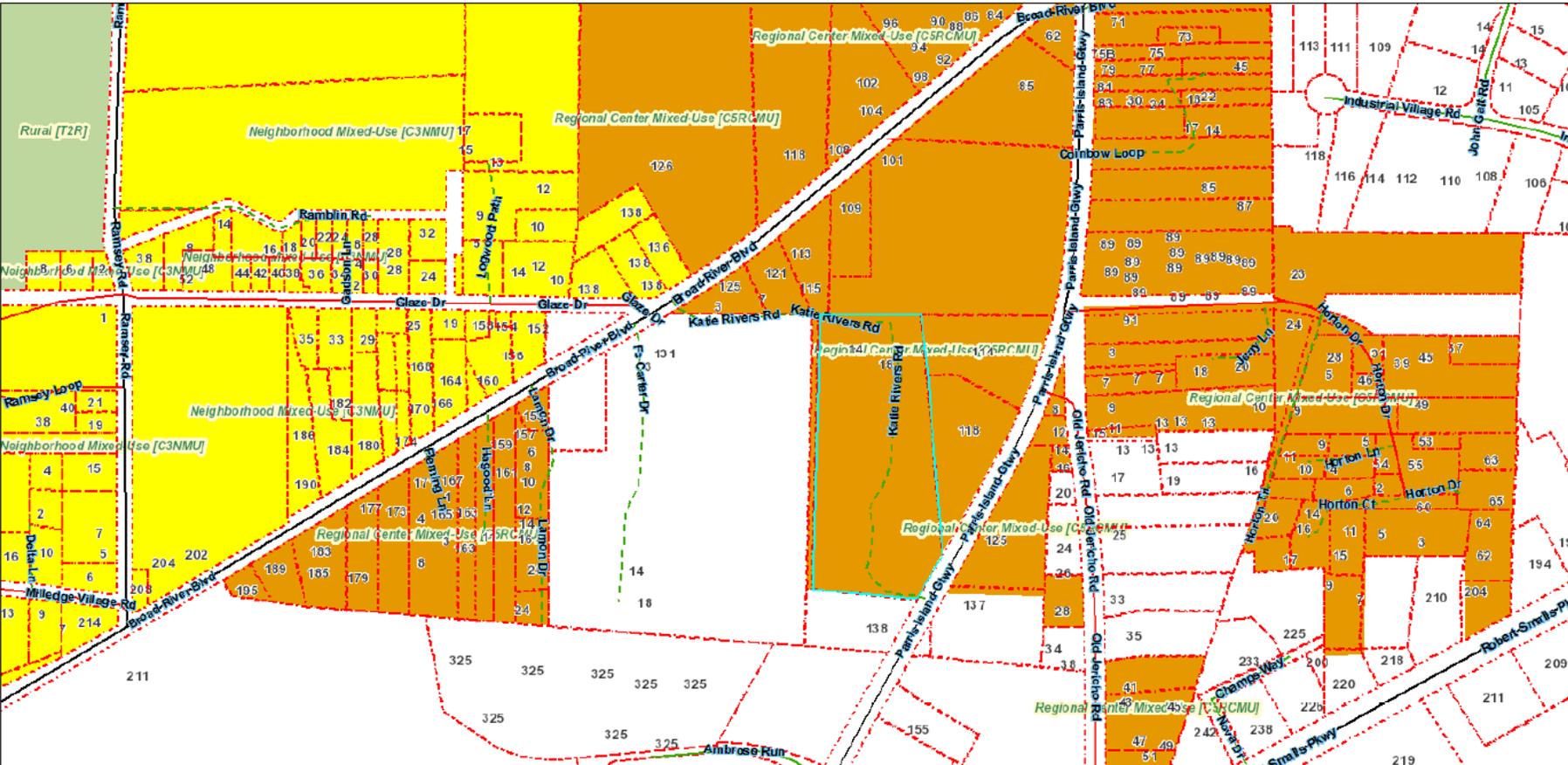


City Zoning

- Purple: T-4N
- Striped Burgundy: T5-UC
- Beige: LI

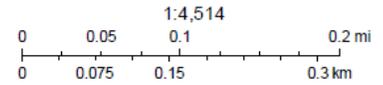
County Zoning

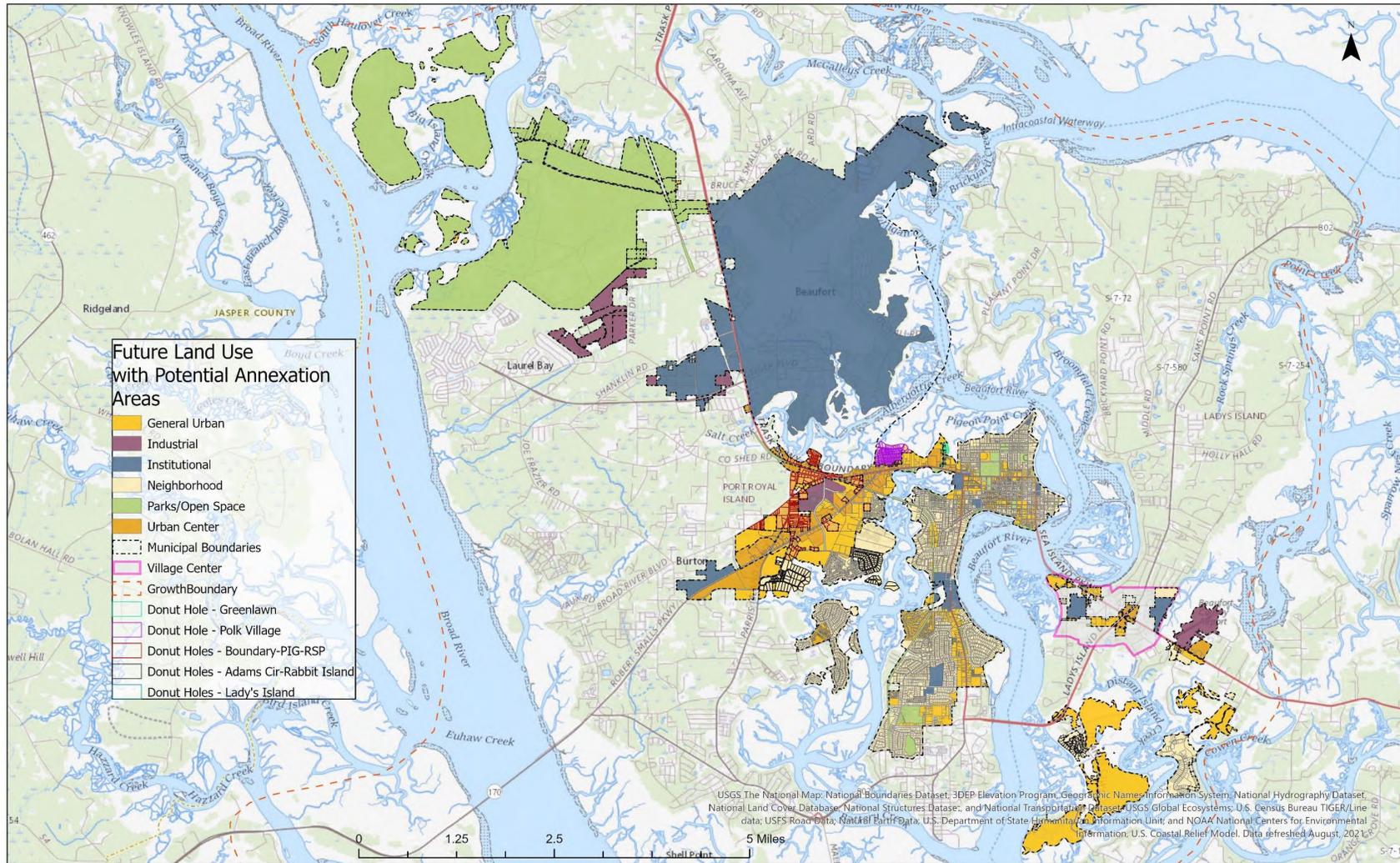
- Orange: C5RCMU
- Yellow: C3NNMU
- Green: Rural



11/8/2024, 2:55:51 PM

- Road Classifications
- STATE, PAVED
 - COUNTY, PAVED
 - PRIVATE, PAVED
 - - - PRIVATE, UNPAVED
 - - - LiveParcels
 - Heritage Corridor Overlay
 - Commercial Fishing Village Overlay
 - St Helena Cultural Overlay





Comprehensive Plan Compliance

- Listed as General Urban (Orange)



Civic Master Plan Compliance

- The site is not accounted for in the Civic Master Plan



REZONING APPLICATION (EXCEPT FOR PUDS)

Community Development Department
1911 Boundary Street, Beaufort, South Carolina, 29902
p. (843) 525-7011 / f. (843) 986-5606
Email: development@cityofbeaufort.org / www.cityofbeaufort.org

SP-10/11 online
\$475.00

Application Fee: \$400 +
\$25 for each additional lot
Receipt _____

OFFICE USE ONLY: Date Filed: 9/30 Application #: 27670 Zoning District: _____

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. Eight (8) hardcopies of all application materials are required along with a digital copy.

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: 14 Katie Rivers Road; 101 Broad River Boulevard; and 114 Parris Island Gateway

Property Identification Number (Tax Map & Parcel Number): R100 029 000 0052 0000; R100 029 000 0051 0000, and R100 029 000 0295 0000

Applicant Name: CCC Reserve at Broad River LLC

Applicant Address: 3605 Glenwood Ave., Suite 445, Raleigh, NC 27612

Applicant E-mail: edmund@chaucercreek.com Applicant Phone Number: 919-926-1874

Property Owner (if other than the Applicant): R. Mikals Realty Company Ltd. (of 114 Parris Island Gtwy)

Property Owner Address: 2966 Trask Pkwy, Beaufort, SC 29906

Have any previous applications been made for a map amendment affecting these same premises? () YES (X) NO
If yes, give action(s) taken: _____

Present zone classification: Beaufort County C-5RCMU, Regional Mixed Use

Requested zone classification: T-4N

Total area of property: 20.06 acres

Existing land use: Vacant land, zoned for Regional Mixed Use

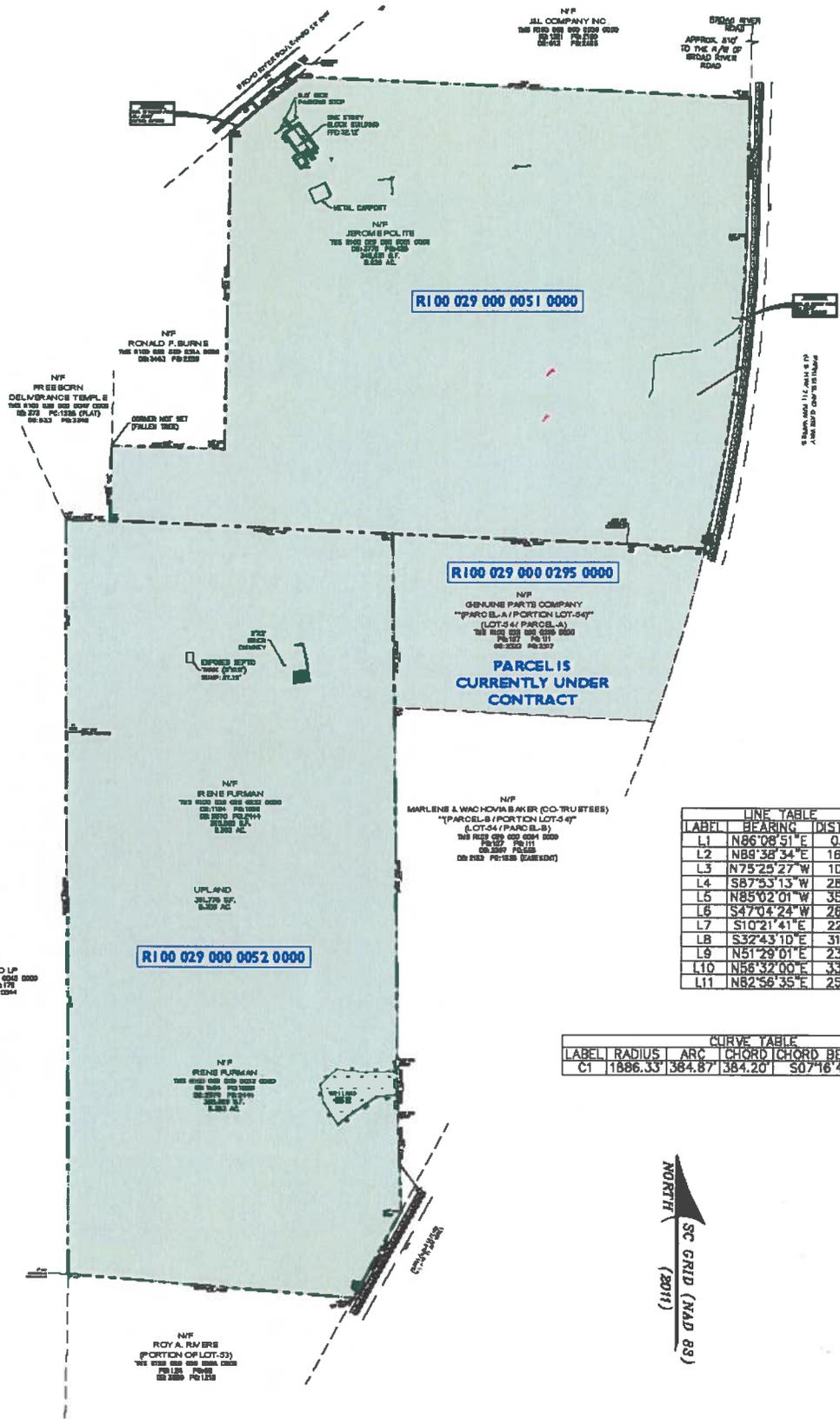
Desired land use: Multifamily residential apartment community

Reasons for requesting rezoning: For use as a multifamily apartment development. Please see the attached Narrative Supplement for additional information.

Applicant's Signature: [Signature] Date: 8/21/2024

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

Property Owner's Signature: [Signature] Date: 8/21/2024



| LINE TABLE | | |
|------------|-------------|----------|
| LABEL | BEARING | DISTANCE |
| L1 | N86°08'51"E | 0.93' |
| L2 | N89°38'34"E | 16.39' |
| L3 | N75°25'27"W | 10.21' |
| L4 | S87°53'13"W | 28.20' |
| L5 | N85°02'01"W | 35.78' |
| L6 | S47°04'24"W | 28.80' |
| L7 | S10°21'41"E | 22.13' |
| L8 | S32°43'10"E | 31.78' |
| L9 | N51°29'01"E | 23.78' |
| L10 | N58°32'00"E | 33.98' |
| L11 | N82°56'35"E | 25.75' |

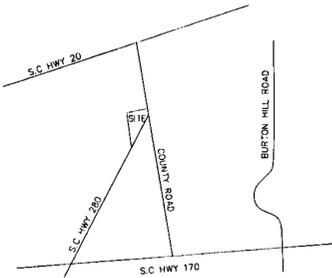
| CURVE TABLE | | | | | |
|-------------|----------|---------|---------|---------------|-----------|
| LABEL | RADIUS | ARC | CHORD | CHORD BEARING | DELTA |
| C1 | 1886.33' | 384.87' | 384.20' | S07°16'41"W | 11°41'24" |



WOOD+PARTNERS
 LANDSCAPE ARCHITECTURE
 LAND PLANNING

PARCEL BOUNDARY MAP
 City of Beaufort, SC
 7-1-2024





N/F THE HEIRS OF H.T. RIVERS

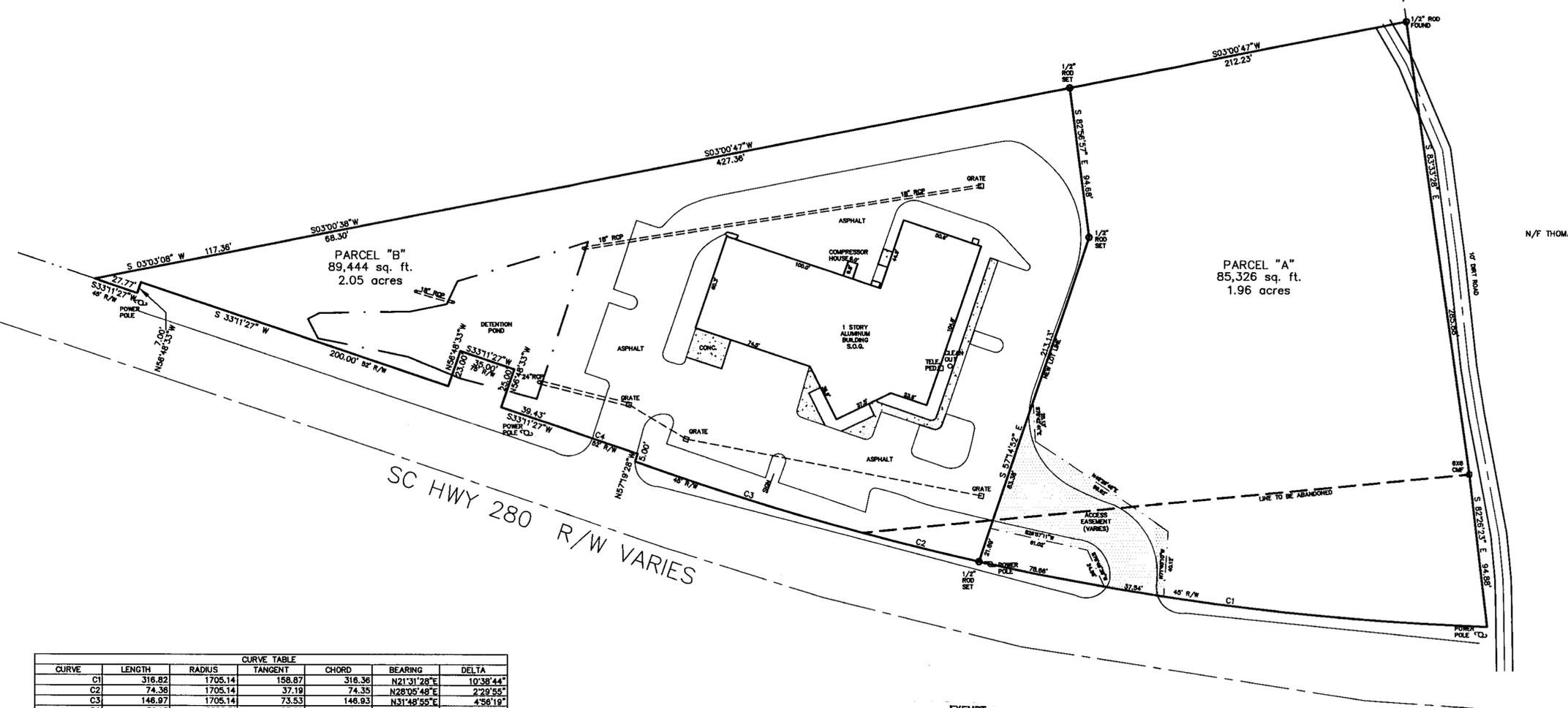
LOCATION MAP (N.T.S.)

NOTES:

- 1.) THE BEARINGS SHOWN HEREON ARE MAGNETIC AND AS SUCH ARE SUBJECT TO LOCAL ATTRACTION.
- 2.) THIS PLAT DOES NOT CERTIFY THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS.
- 3.) METHOD OF AREA CALCULATION BASED ON COORDINATE METHOD.
- 4.) LOCATION OF UNDERGROUND UTILITIES ARE FROM SURFACE INDICATIONS ONLY AND ARE NOT CERTIFIABLE.
- 5.) THIS PLAT REPRESENTS A SURVEY BASED ON THE LISTED REFERENCES ONLY AND IS NOT THE RESULT OF A TITLE SEARCH.
- 6.) CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
- 7.) THE CERTIFIER HAS NOT INVESTIGATED OR BEEN INSTRUCTED TO INVESTIGATE THE EXISTENCE OR NONEXISTENCE OF ANY OVERLAY DISTRICTS, SUCH AS; AIRPORT, MILITARY, NOISE, CRASH POTENTIAL OR ENVIRONMENTAL ISSUES.
- 8.) BEFORE ANY DESIGN WORK OR CONSTRUCTION ON THIS SITE IS STARTED FLOOD ZONE INFORMATION MUST BE VERIFIED BY PROPER BUILDING CODES OFFICIAL.
- 9.) THIS PROPERTY APPEARS TO BE IN FLOOD ZONE "C" AS DETERMINED BY FEMA FIRM COMM-PANEL NUMBER 450025 0065 D. DATED 9/29/86 (INDEX DATED 11/4/92)

REFERENCES:

- 1.) T.M.S. 100-029-0054
- 2.) PLAT BY GEORGE A.Z. JOHNSON, JR. INC. DATED: 11/21/88, REVISED 7/19/90 PLAT BOOK 39 PAGE 44 BEAUFORT COUNTY RMC OFFICE
- 3.) PLAT BY DAVID E. GASQUE DATED: 5/8/95, REVISED 7/16/98



| CURVE TABLE | | | | | | |
|-------------|--------|---------|---------|--------|-------------|-----------|
| CURVE | LENGTH | RADIUS | TANGENT | CHORD | BEARING | DELTA |
| C1 | 316.82 | 1705.14 | 158.87 | 316.36 | N21°31'28"E | 10°38'44" |
| C2 | 74.36 | 1705.14 | 37.19 | 74.35 | N28°05'48"E | 2°29'55" |
| C3 | 146.97 | 1705.14 | 73.53 | 146.93 | N31°48'55"E | 4°58'19" |
| C4 | 50.13 | 2066.51 | 25.06 | 50.12 | N33°22'13"E | 1°23'23" |

NOTE:

ALL CORNERS ARE MONUMENTED WITH A 1/2" REBAR UNLESS OTHERWISE INDICATED.

EXEMPT
This plat of property is exempt from having to obtain a subdivision approval under the provision of the Beaufort County Development Standards Ordinance as provided for in Article 1, Division 1, Section 106-80(c)(3) of the Code of Ordinances.
6-16-05

BEAUFORT COUNTY SC - ROD
BK 00107 PG 0111
FILE NUM 2005051631
06/29/2005 02:55:50 PM
REC'D BY B BING RCPT# 341955
RECORDING FEES 10.00

UNCONSOLIDATION & RECONFIGURATION PLAT

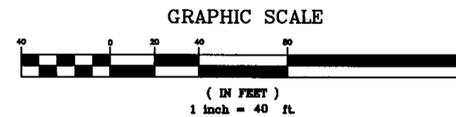
PREPARED FOR: JAMES LIVINGSTON
BURTON HILL
BEAUFORT COUNTY-----SOUTH CAROLINA

GASQUE & ASSOCIATES INC.
LAND SURVEYORS - PLANNERS

28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
P.O. BOX 1363, BEAUFORT, S.C.
(843) 522-1798

I, David E. Gasque, a Registered Professional Land Surveyor in the State of South Carolina, certify to client(s) shown hereon that to the best of my knowledge, information and belief, the survey shown hereon was made in accordance with the requirements of the minimum standards manual for the practice of land surveying in South Carolina, and meets or exceeds the requirements for a CLASS 2 survey as specified therein, also there are no encroachments or projections other than shown. This survey is not valid unless it bears the original signature and has an embossed seal.

[Signature]
6-16-05
David E. Gasque, R.L.S.
S.C. Registration Number 10508



DATE: 6/01/05 SCALE: 1"=40'
REVISED: 6/15/05

**NARRATIVE SUPPLEMENT
TO
THE APPLICATION FOR ANNEXATION AND ZONING MAP AMENDMENT
OF
CCC RESERVE AT BROAD RIVER LLC
CONCERNING REAL PROPERTY KNOWN AS
101 BROAD RIVER BOULEVARD, 114 PARRIS ISLAND GATEWAY, AND 14 KATIE RIVERS
ROAD
TO THE
CITY OF BEAUFORT, SOUTH CAROLINA**

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| C. Current and Proposed Density and Use..... | 3 |
| II. REZONING CRITERIA..... | 3 |
| A. Applicability..... | 3 |
| B. Application Review Criteria..... | 3 |
| III. CONCLUSION..... | 12 |

List of Exhibits

| | <u>Title</u> | <u>Exhibit</u> |
|----|---|-----------------------|
| 1. | South Carolina Secretary of State Business Filings Report | A |
| 2. | Deed | B |
| 3. | Deed | C |
| 4. | Owner Authorization Letter | D |

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT) BEFORE THE PLANNING COMMISSION
) OF THE
) CITY OF BEAUFORT, SOUTH CAROLINA

NARRATIVE SUPPLEMENT
TO
THE APPLICATION FOR ANNEXATION AND ZONING MAP AMENDMENT
OF
CCC RESERVE AT BROAD RIVER LLC
CONCERNING REAL PROPERTY KNOWN AS
101 BROAD RIVER BOULEVARD, 114 PARRIS ISLAND GATEWAY, AND 14 KATIE RIVERS
ROAD
TO THE
CITY OF BEAUFORT, SOUTH CAROLINA

This Narrative Supplement is submitted with and is intended to be incorporated in and comprise a part of the Application for Annexation and Zoning Map Amendment (collectively sometimes the “**Application**”) of CCC Reserve at Broad River LLC, a North Carolina limited liability company authorized to conduct business in South Carolina¹ and R. Mikals Realty Company Ltd., a South Carolina corporation² (collectively the “**Applicant**”). This narrative is submitted to the Planning Commission and the City Council of the City of Beaufort, South Carolina (the “**City**”) to describe how the Application meets the criteria of Section 9.16.3 of the City of Beaufort Development Code (the “**Code**”).

I. **NARRATIVE**

A. **Introduction and Request.**

The Applicant is the owner of an approximate 9.97 acre parcel of unimproved real property located at 14 Katie Rivers Road, Beaufort, South Carolina identified by Beaufort County Tax Map Number **R100 029 000 0052 0000** (“**Katie Property**”); and also the owner of an approximate 8.13 acre parcel of unimproved real property located at 101 Broad River Boulevard, Beaufort, South Carolina and being identified by Beaufort County Tax Map

¹ See Business Filings Report of the South Carolina Secretary of State attached as Exhibit A.

² R. Mikals Realty Company Ltd. joins in this Application solely due to its ownership of a 1.96 acre portion of the Property under contract to be purchased by CCC Reserve at Broad River LLC.

Number **R100 029 000 0051 0000** (“**Broad River Property**”); and the Applicant is the contract purchaser of an approximate 1.96 acre parcel of real property located at 114 Parris Island Gateway, Beaufort South Carolina and being identified by Beaufort County Tax Map Number **R100 029 000 0295 0000** (“**Parris Island Property**”) (the Katie Property, the Broad River Property and the Parris Island Property are sometimes hereinafter collectively referred to as the “**Property**”). The Property comprises approximately 20.06 acres and is adjacent to a recently annexed 19 acre parcel of real property located at 14 FC Carter Drive, Beaufort South Carolina and being identified by Beaufort County Tax Map Number **R120 029 000 0045 0000** (“**Carter Property**”). The Carter Property is within the T-4N Neighborhood zoning district described in 2.3.2 of the Code. The Property and Carter Property are identified on the City of Beaufort Future Land Use Map as future portions of the City of Beaufort.³ The Applicant is concurrently applying for annexation of the Property into the City of Beaufort pursuant to a Petition of Annexation.

The Applicant submits this Application requesting the approval of the annexation of the Property into the City of an amendment to the City’s official zoning map, described in Section 2.2 of the Code, to rezone the Property to T-4N Neighborhood defined in Section 2.3.2 of the Code.

B. Background.

The Applicant acquired the Katie Property pursuant to a deed dated August 9, 2022 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina (“**ROD**”) in **Book 4174 at Pages 1489**.⁴ The Applicant acquired the Broad River Property pursuant to a deed dated October 13, 2022 and recorded in the ROD in **Book 4193 at Page 525**.⁵ The Applicant is currently the contract purchaser of the Parris Island Property pursuant to a Purchase and Sale Agreement. The Property is currently unimproved vacant land. The Katie Property is accessed via Katie Rivers Road and Parris Island Gateway. The Broad River Property is accessed via Broad River Boulevard. The Parris Island Property is accessed via Parris Island Gateway. Currently the zoning district for the Property is C-5RCMU and is located in unincorporated Beaufort County. Together with

³ Page LU-1, Land Use, City of Beaufort Comprehensive Plan 2021

⁴ See attached as Exhibit “B” - copy of Deed.

⁵ See attached as Exhibit “C” - copy of Deed

this Application, the Applicant is submitting a Petition for Annexation (the “**Annexation Petition**”). The Annexation Application contemplates the annexation of the Property into the City of Beaufort. This Application and the Annexation Petition are contemplated by and contingent conditions of the contract of sale and are supported by the Owner.⁶

The Applicant is proposing the construction of a multifamily apartment development on the Property and Carter Property.

C. **Current and Proposed Density and Use.**

The Property is currently vacant land and is zoned Beaufort County C-5RCMU, Regional Mixed Use, with a density of 15 units per acre intended to contain regional and community commercial and business activities. The Applicant proposes to develop the Property into a high quality, aesthetically pleasing multifamily residential apartment community with associated parking, infrastructure and amenities (the “**Project**”). The Project amenities proposed may include a pool, outdoor seating, clubhouse, community pavilion, fire pit and pickle ball court.

II. **REZONING CRITERIA.**

A. **Applicability.** The existing land use is C-5RCMU . Section 9.16.1 of the Code requires “[w]hen the public necessity, convenience, general welfare, or good zoning practice justify such action, and after the required review and report by the Planning Commission, the City Council may undertake the necessary steps to amend this Code.” The future land use map in the City’s Comprehensive Plan (“**Comprehensive Plan**”) indicates that the Property is intended to be annexed into the City.

B. **Application Review Criteria.** Section 9.16.3.C of the Code sets forth the review criteria for consideration by the City’s Planning Commission and City Council when reviewing an application for a Zoning Map / Text Amendment. The Applicant proposes that this Application satisfies or exceeds the requirements for a Zoning Map / Text Amendment as set forth below.

⁶ See attached Exhibit “D” - copy of Owner Authorization Letter.

1. **Consistency with the Comprehensive Plan.**

a. **Population.** *The Population Element of the Comprehensive Plan considers historic trends and projections, household numbers and sizes, educational levels, and income characteristics.*⁷ The zoning district proposed by the Applicant is consistent with the Population Element of the Comprehensive Plan as it provides new, quality residential housing and serves to support the existing and future population of the City as it ages as well as provides opportunities for people to live in the City. The Project directly supports the Population Element of the Comprehensive Plan's needs and goals that "Beaufort should be a place for everyone; a place where everyone can thrive; a place of equity and safety." The Project provides the opportunity for a safe, quality multifamily development in the City where residents of all ages can live, work and retire in the City, thus ensuring greater participation by citizens of all ages in the governance and engagement of the City.

b. **Economic Development.** *The Economic Development Element considers labor force and labor force characteristics, employment by place of work and residence, and analysis of the economic base.*⁸ The Comprehensive Plan recognizes that economic development plays a direct role in all three of the City's overarching goals: to create economic opportunities, to promote a diverse and equitable city, and to accommodate balanced growth through infill.⁹ The Comprehensive Plan describes the City's economy as based largely on the service industry. The Comprehensive Plan explains that the City will strengthen and diversify its economy and build employment opportunities through partnerships and innovation.¹⁰

⁷ See Population, Page P-1, 2021 Comprehensive Plan.

⁸ See Economic, Page ED-1, 2021 Comprehensive Plan.

⁹ See Economic, Page ED-1, 2021 Comprehensive Plan.

¹⁰ See Economic, Page ED-5, 2021 Comprehensive Plan.

To that end, the Comprehensive Plan recognizes that having an “adequate workforce is critical to attracting businesses to the City.”¹¹

The Project proposes the development of high quality multifamily apartment living facilities, which will provide significant economic benefits to the City. The Applicant’s proposed change in use provides the City’s residents and workers with an additional mix of housing opportunities for both young and older residents seeking the opportunity to live in a quality affordable apartment in the City. The Project when complete will provide housing opportunities so that City workers will have more opportunities to live near their work rather than commute from outside the City which will contribute to a more diverse workforce.

- c. **Natural Resources.** *The Natural Resources Element of the Comprehensive Plan considers coastal resources, slope characteristics, prime agricultural and forest land, plant and animal habitats, parks and recreation areas, scenic views and sites, wetlands, and soil types.*¹² The Applicant is seeking to amend the Official Zoning Map to T-4N to create a new planning area adjacent to a recently rezoned parcel also zoned T-4N. Once the annexation rezoning is approved, the Applicant proposes the development of the Property as described in this Application. Development of the Property will allow the Applicant to develop the Property in a manner consistent with the City’s development standards, stormwater standards, and water quality standards. The development of the Property will result in development compliant with current stormwater standards, landscaping and buffers and setbacks and will be served by sewer. The Project is therefore consistent with the goals and implementation strategies of the Natural Resources Element of the Comprehensive Plan. The Applicant’s Project proposes to include an urban tree canopy in compliance with the Comprehensive Plan and

¹¹ See Economic, Page ED-5, 2021 Comprehensive Plan.

¹² See Natural Resources, Page N-1, 2021 Comprehensive Plan.

establish a tree planting plan that identifies key goals for preservation and expansion of the canopy.

- d. **Cultural Resources.** *The Cultural Resources Element of the Comprehensive Plan considers historic buildings and structures, commercial districts, residential districts, unique, natural, or scenic resources, archaeological, and other cultural resources.*¹³ The proposed amendment does not impact the Culture Resources Element of the Comprehensive Plan since there are no known or identified cultural or historic features existing on the Property. The Project supports the Cultural Resources Element of the Comprehensive Plan by providing new quality housing opportunities for those who live and work in the City. Doing so supports the Cultural Resources Element by providing a part of the City's goal to provide an inclusive and accessible place for all residents and embracing the authenticity and historic presence of the City.¹⁴
- e. **Community Facilities Vision.** *The Community Facilities Element of the Comprehensive Plan considers water supply, treatment, and distribution; sewage system and wastewater treatment; solid waste collection and disposal, fire protection, emergency medical services, and general government facilities; education facilities; and libraries and other cultural facilities.*¹⁵ The approval of this Application supports the Community Facilities Element because the infrastructure for the use proposed in the Application, including major roadways, potable water, electricity, telephone and cable, is already in place, and shall continue to serve the Property. Sanitary sewer, solid waste, and stormwater drainage systems shall be installed as part of the Project making the Property compliant with applicable regulations and laws concerning sewer and stormwater. The Project will be served by Beaufort-Jasper Water and Sewer service district, Palmetto Electric, and Hargray Communications. The Applicant's

¹³ See Cultural Resources, Page C-1, 2021 Comprehensive Plan.

¹⁴ See Cultural Resources, Page C-12, 2021 Comprehensive Plan

¹⁵ See Community Facilities, Page CF-1, 2021 Comprehensive Plan

proposed change in use supports and is consistent with the Community Facilities Element of the Comprehensive Plan, as by providing additional housing opportunities, which include new sanitary sewer and solid waste disposal, and stormwater treatment and control, the Project contributes to the development of community facilities needed for continued growth and development of the City. Furthermore, the development of associated community amenities and infrastructure for the Project enhances the quality of life of citizens in the City.

- f. **Housing.** *The Housing Element of the Comprehensive Plan considers location, types, age, and conditions of housing, owner and renter occupancy, and affordability of housing.*¹⁶ The Housing Element of the Comprehensive Plan envisions that the City will support the development of “a safe, and equitable City and pursue affordable housing opportunities for all segments of the population.”¹⁷ The Applicant’s proposed use provides additional multifamily housing opportunities to address the decline in the number of multifamily housing units as compared to single family housing for the City and its residents. Implications for the Comprehensive Plan include the concept that while an increase in the total number of housing units contributes to the economic tax base for the City, both the quantity as well as quality of housing stock is maintained to sustain the current and future population and overall property values. As the amount of available land declines for new development, a diverse and high quality stock of housing opportunities must be maintained. The availability of various housing types is important for the continued viability of the housing market to accommodate the diverse needs of the City’s population.
- g. **Land Use.** *The Land Use Element of the Comprehensive Plan considers existing and future land use by categories, including residential, commercial, industrial, agricultural, forestry, mining, public and quasi-*

¹⁶ See Housing, Page H-1, 2021 Comprehensive Plan.

¹⁷ See Housing, Page H-13, 2021 Comprehensive Plan.

*public, recreation, parks, open space, and vacant or undeveloped land.*¹⁸

The Land Use Element of the Comprehensive Plan seeks to maintain the City's authenticity and attractiveness, while accommodating future growth.¹⁹ The Applicant's change in use is consistent with the Comprehensive Plan's Future Land Use Map which shows the Property as being a part of the City.²⁰ While the Applicant's proposed change in use requires the development of the Property, the impact will be consistent with the Comprehensive Plan as currently envisioned.

- h. **Transportation.** *The Transportation Element of the Comprehensive Plan considers transportation facilities, including major road improvements, new road construction, transit projects, pedestrian and bicycle projects, and other elements of a transportation network.*²¹ The City seeks to "promote countywide, multijurisdictional, agency efforts that improve the quality of life of Beaufort residents."²² Under the use proposed, the multifamily residential apartment use will be accessed via Broad River Boulevard and Parris Island Gateway, two (2) existing and well-established roadways. The change in use by the Applicant will not produce an undue burden on the City's transportation system. It will, however, enhance quality of life of residents in the City by development of streets with on street parking, sidewalks and street trees.

- i. **Priority Investment Act.** *The Priority Investment Act Element considers the likely federal, state, and local funds available for public infrastructure and facilities during the next 10 years and recommends the projects for expenditure of those funds during the next 10 years for needed public infrastructure and facilities.*²³ The City's key goal emphasizes economic

¹⁸ See Land Use, Page LU-1, 2021 Comprehensive Plan.

¹⁹ See Land Use, Page LU-6, 2021 Comprehensive Plan.

²⁰ See Land Use, Page LU-13, 2021 Comprehensive Plan.

²¹ See Transportation, Page T-1, 2021 Comprehensive Plan.

²² See Transportation, Page T-18, 2021 Comprehensive Plan.

²³ See Priority Investment, Page PR-1, 2021 Comprehensive Plan.

development support of affordable housing, and reliable transportation.²⁴ The Applicant's proposed use of the Property will contribute to the development of infrastructure and facilities through private development. The Project includes the development of drives, stormwater infrastructure, drainage and pathways. The Applicant's proposed use does not require the use of public funds and should not impact the City's capital improvement projects or funds as the Applicant intends to use private funds. The Applicant's proposed use will enhance economic prosperity and maintain and encourage marketplace competitiveness by providing City workers a place to reside that is close to work and affordable. It will, however, enhance quality of life of residents in the City by development of streets with on street parking, sidewalks and street trees.

- j. Resiliency.** *The Resiliency Element of the Comprehensive Plan considers the impact of flooding, high water, and natural hazards on individuals, communities, institutions, businesses, economic development, public infrastructure and facilities, and public health, safety, and welfare.*²⁵ The Comprehensive Plan encourages planning for resiliency to enable Beaufort to avoid costly expenditures to recover and rebuild long term, and to allow citizens to enjoy a high quality of life without fear of devastation or economic ruin from coastal or storm flooding.²⁶ The use proposed by the Applicant helps the City achieve its goals of building homes, businesses and infrastructure out of the path of destructive flooding and will allow for the construction of energy efficient homes and clean and sustainable operations which will contribute to long term resilience.

²⁴ See Priority Investment, Page PR-2, 2021 Comprehensive Plan.

²⁵ See Resiliency, Page R-1, 2021 Comprehensive Plan.

²⁶ See Resiliency, Page R-5, 2021 Comprehensive Plan.

2. **Consistency with the Civic Master Plan.**

- a. **Public Waterfront.** The Project is not located along public waterfront areas and therefore does not impact access to waterfront and waterways for residents and visitors.
- b. **Celebrating and Expanding The Downtown.** The Project is not located in downtown Beaufort and therefore does not impact the downtown area as it relates to attention, maintenance, infill and reinvestment.
- c. **Protecting and Expanding Natural Infrastructure.** The Project is not located along salt marshes or coastal waters. The Property is currently vacant land and not a park or community facility. The Project therefore will not impact the natural coastal environment or remove an existing natural resource benefitting the local community. The Project intends, however, to protect trees in conformance with the Code.
- d. **Community Mobility.** The Project will connect to Broad River Boulevard and Parris Island Gateway, two already existing well-established connector roads. The Project will not require additional connections to be constructed and will fit seamlessly into the existing connectivity structure of the City. The Project will not negatively impact the Spanish Moss Trail or require boat or water taxi access.
- e. **A City of Walkable Neighborhoods.** The Project intends to be constructed as a neighborhood with community facilities located within the Property including walkable streets and sidewalks, thereby allowing for a walkable community. The Project is not located within historic portions of the City and therefore will not impact existing walkable, urban, mixed-use neighborhoods established by the historic core of the City.
- f. **A City of Grand Civic Institutions.** The Project is not intended to add or remove any educational, religious, military or healthcare facilities. The Project will add additional housing for City residents to utilize the educational, religious, military and or healthcare facilities in the City and thus aiding in the expansion of the aforementioned civic institutions.

- g. **Mixed-Use Corridors of Vibrant Activity.** The Project is intended to be a residential facility only. However, the Project will provide quality housing for City residents who will utilize the shopping, dining and services contained within the existing mixed-use areas of the City. Therefore, the Project will support existing mixed-use developments.
- h. **Districts for Economic Development Activity.** The Project will add housing for local residents who will be better able to participate and support the military, healthcare and educational opportunities afforded in the City due to the proximity of the housing to such institutions. The increased housing will contribute to the workforce population by providing housing in close proximity to activities that will contribute to the economic development of the City.

3. **Compatibility with the present zoning, with conforming uses of nearby property, and with the character of the neighborhood.**

The current use of the Property is not compatible with the surrounding uses which are generally commercial. As described above, the Property is vacant and is adjacent to the recently rezoned Carter Property which was given the T-4N zoning which the Applicant is seeking for the Property. With T-4N zoning, the Property will be developed as a multifamily residential community with along with the Carter Property.

4. **Suitability of the property that would be affected by the amendment.**

The Applicant believes that the Property is uniquely suitable for the use proposed in the Application. The proposed development of the Property does not require the creation of additional off-site infrastructure or improvements and is accessed by existing well-established road networks. The Property has direct access to Broad River Boulevard and Parris Island Gateway. All necessary and available utilities and stormwater drainage facilities are available to serve or will be installed with the development of the Project. Therefore, the proposed rezoning is appropriate for the Property.

5. **Compatibility with the natural features of — and any archaeological or cultural resources on — the property.**

The Project will not impact any archeological or cultural resources as there are no known archeological or cultural resources on the Property. Development of the Property will seek to include as much of the existing natural features as is possible. The Projects landscape plan will seek to include as much of the existing natural resources as is compatible with the Project.

6. **Marketability of the property that would be affected by the amendment.**

The Applicant believes the Project will be very marketable as the surrounding areas are generally commercial in nature and thus the Project will provide a consumer base for the existing commercial development in the area. The Project will also provide additional housing to the City which will allow for more residents to live and work in the City and thus will contribute to the economic expansion of the City.

7. **Availability of roads, sewer, water, and stormwater facilities generally suitable and adequate for the affected property.**

The Property is currently accessed by Broad River Boulevard and Parris Island Gateway and therefore already has adequate connections to major and minor arterials. The Property will be developed with adequate stormwater facilities.

III. **CONCLUSION.**

The Applicant believes the foregoing narrative and analysis demonstrates that this Application is in conformance with the City's Comprehensive Plan and Civic Master Plan, and meets the criteria set forth in Section 9.16.3 of the Code. Accordingly, the Applicant respectfully requests that the Planning Commission and City Council:

- A. Review this Application and the supporting documentation and any testimony which will be entered into the record.
- B. Find the following:

1. That this Application and the supporting testimony and documentation establish that the requested zoning map / text amendment is consistent with the City's Comprehensive Plan and Civic Master Plan.
 2. That this Application and the supporting testimony are consistent with the requirements of Section 9.16.3 of the Code.
 3. That this Application and the supporting testimony and documentation establish that the proposed uses are compatible with the present zoning, with conforming uses of nearby property, and with the character of the neighborhood.
 4. That this Application and the supporting testimony and documentation establish that the proposed use is compatible with the natural features of — and any archaeological or cultural resources on — the property.
 5. That this Application and the supporting testimony and documentation establish that the Property that will be impacted by the proposed amendment will be marketable.
 6. That this Application and the supporting testimony and documentation establish that the Property has connections to roads, sewer, water, and stormwater facilities generally, or will develop such facilities, suitable and adequate for the proposed Project and in compliance with the applicable requirements of the Application.
- C. That the Planning Commission Recommend the City Council's approval of the Application and rezoning of the Property to make multifamily residential use as the approved use and authorize the density requested herein.

EXHIBIT "A" TO SUPPLEMENT

**South Carolina Secretary of State
Business Filings Report**

(please see attached)

Business Entities Online

File, Search, and Retrieve Documents Electronically

CCC Reserve at Broad River LLC

Corporate Information

Entity Id: 01240726

Entity Type: Limited Liability Company

Status: Good Standing

Domestic/Foreign: Foreign

Incorporated State: North Carolina

Important Dates

Effective Date: 07/14/2022

Expiration Date: N/A

Term End Date: N/A

Dissolved Date: N/A

Registered Agent

Agent: Corporation Service Company

Address: 508 Meeting Street
West Columbia, South Carolina 29169

Official Documents On File

| Filing Type | Filing Date |
|---|-------------|
| Application for a Certificate of Authority to Transact Business | 07/14/2022 |

Business Entities Online

File, Search, and Retrieve Documents Electronically

R MIKALS REALTY COMPANY LTD

Corporate Information

Entity Id: 00754785

Entity Type: Corporation

Status: Good Standing

Domestic/Foreign: Domestic

Incorporated State: South Carolina

Important Dates

Effective Date: 05/21/2008

Expiration Date: N/A

Term End Date: N/A

Dissolved Date: N/A

Registered Agent

Agent: JOHN E. NORTH, JR.

Address: 916 BAY ST, SUITE 100
BEAUFORT, South Carolina 29902

Official Documents On File

| Filing Type | Filing Date |
|-------------|-------------|
| Amendment | 09/03/2013 |
| Authority | 05/21/2008 |

EXHIBIT "B" TO SUPPLEMENT

Copy of Deed

(please see attached)

TO HAVE AND TO HOLD, all and singular the Premises unto said **Grantee** its successors and assigns forever.

And, **SUBJECT TO** the matters set forth herein, Grantors do hereby bind Grantors and Grantors' successors, assigns, and other lawful representatives, to warrant and forever defend all and singular the Premises unto said **Grantee** its successors and assigns against Grantors and Grantors' successors lawfully claiming, or to claim the same or any part thereof but no others.

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EXHIBIT A

All that certain piece, parcel or tract of land, with the buildings and improvements thereon, situate, lying and being on Port Royal Island, in the County of Beaufort, State of South Carolina, being portions of lots 38 and 43, Section 2, 1S2W, containing (10.0) acres, more or less, and being more particularly bounded and described as follows, to-wit: On the North by lands now or formerly of Mazella Thomas; on the East by lands now or formerly of Edgar Young; on the South by lands now or formerly of Jack Gray; and on the West by lands by lands now or formerly of the Estate of Fred C. Carter.

LESS AND EXCEPT all that certain parcel of land containing 1315 square feet/0.030 acres of land, more or less, conveyed by deed from Katie Rivers to the South Carolina Department of Transportation dated February 8, 1999, and recorded March 12, 1999, in Book 1164 at Page 1899, in the Register of Deeds Office for Beaufort County, South Carolina.

Tax Map Reference: R100 029 000 0052 0000

Title to the Premises is subject to the following Permitted Exceptions:

1. Taxes for the year 2022, which are a lien not yet due and payable.
2. Easement to South Carolina Electric and Gas Company recorded in the Register of Deeds Office for Beaufort County, South Carolina in Book 1314 at Page 935.

The Grantors acquired the within-described property by Deed of Distribution from the Estate of Irene Furman, probated in Estate File No. 2013ES0700782 dated 8-5-2022 and recorded on 8-17-22 in the Office of the Register of Deeds for Beaufort County in Book 4171 Page 1481.

This deed was prepared by Chereese T. Handy, Esquire of the Heritage Law Firm, PC, 1011 Bay Street, Suite 2B, Beaufort, SC 29902, without the benefit of title examination or opinion of title, nor an updated survey.

STATE OF SOUTH CAROLINA)
) BEAUFORT COUNTY ROD
) AFFIDAVIT OF TRUE CONSIDERATION
) and
COUNTY OF BEAUFORT) CLAIM FOR EXEMPTION for RECORDING FEES

PERSONALLY appeared before me the undersigned, who is duly sworn, deposed, and says that the following is a true and correct statement concerning the CONSIDERATION for the conveyance set forth below, and concerning any EXEMPTION claimed by the Filer under the laws of the State of South Carolina, the Town of Hilton Head, or as otherwise provided by law.

GRANTOR NAME: Angela Furman and Cathy Furman McCaskill

GRANTEE NAME: CCC RESERVE AT BROAD RIVER LLC, a North Carolina limited liability company

GRANTEE MAILING ADDRESS: c/o Chaucer Creek Capital LLC, 3605 Glenwood Avenue, Suite 445, Raleigh, NC 27612

DATE OF CONVEYANCE: August 9, 2022

TRUE CONSIDERATION: \$1,000,124.00

TAX DISTRICT/MAP/PARCEL NO.: R100 029 000 0052 0000

(NOTE: This information must appear on any Deed, and any Plat, whether attached or filed separately.)

STATE RECORDING FEE EXEMPTION – 12-24-40, sub-par # _____
(Per S.C. Code Sect. 12-24-40. Note Subparagraph No.)

TOWN OF HILTON HEAD ISLAND TRANSFER FEE EXEMPTION Sub-par # _____ (Per Town Ordinance 90-26, et seq. Note Subparagraph No.)

OTHER EXEMPTION – Please Cite Federal, State or other Code as applicable, and describe Exemption below

Signed: Cherese T. Handy
Printed Name: Cherese T. Handy
Attorney for Grantors

SWORN TO BEFORE ME,
this 9 day of August, 2022

SIGNED: Molly
Notary Public for South Carolina
My Commission Expires: 8-14-2029

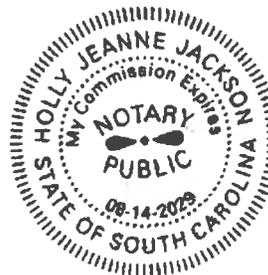


EXHIBIT "C" TO SUPPLEMENT

Copy of Deed

(please see attached)

Title to the above-described property is subject to the following permitted exceptions:

1. Taxes for the year 2022, and subsequent years, a lien not yet due and payable.
2. Easement to the South Carolina Electric & Gas Company recorded with the Office of the Register of Deeds for Beaufort County, South Carolina, in Book 1314 at Page 937.

This being the same property acquired by the within-named Grantors by Deed of Distribution in the Estate of Nathaniel Grant, said deed dated July 9, 2019, and recorded July 9, 2019, with the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3775 at Page 458; and by Judgement and Final Order entered June 9, 2022, by Marvin H. Dukes, III in Civil Action 2021 CP-07-02169 and recorded with the Office of the Register of Deeds for Beaufort County, South Carolina, in Book 4155 at Page 2870.

This instrument prepared by Eversole Law Firm PC, Alysoun M. Eversole, 1509 King Street, Beaufort, SC 29902 without the benefit of title examination or opinion of title.

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the said Premises before mentioned unto the said, **Grantees**, their successors and/or assigns, and Grantors do hereby bind themselves and their heirs and/or assigns to warrant and forever defend all and singular said premises unto the said **Grantees**, their successors and/or assigns as hereinabove provided against Grantors and their heirs and/or assigns and any person or persons whomsoever lawfully claiming, or to claim the same or any part thereof.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

WITNESS our hands and seals this 11 day of October, 2022.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Cynthia D. Smalls
Witness 1

Jannic Smalls
Jannic Smalls

Alundra M. Peterson
Witness 2

STATE OF FLORIDA

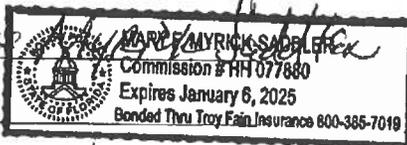
COUNTY OF Bloward

ACKNOWLEDGEMENT

I, (Notary) Mary Frances Myrick-Sattler do hereby certify that Jannic Smalls, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

SWORN TO BEFORE ME, this 11 day of October, 2022.

Mary Frances Myrick-Sattler
Notary Public for Florida
My Commission Expires:



WITNESS our hands and seals this 11 day of OCTOBER, 2022.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

Anne Polite

Witness 1

Jerome Polite

Jerome Polite

Catherine Roberts

Witness 2

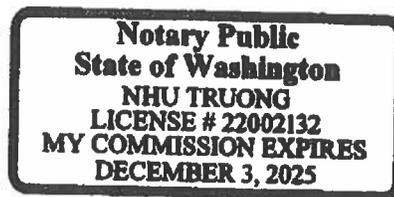
STATE OF WASHINGTON)
)
COUNTY OF King)

ACKNOWLEDGEMENT

I, (Notary) Nhu Truong do hereby certify that Jerome Polite, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

SWORN TO BEFORE ME, this 11th day of October, 2022.

Nhu Truong
Notary Public for Washington
My Commission Expires: 12/03/2025



5/15 RB
W/WH
KASUS

RECORDED
2022 Sep -07 08:11 AM.

[Signature]
BEAUFORT COUNTY AUDITOR



BEAUFORT COUNTY SC - ROD
BK 4155 Pgs 1383-1387
FILE NUM 2022034727
06/13/2022 04:23:27 PM
REC'D BY rbing RCPT# 1093911
RECORDING FEES \$15.00
County Tax \$456.50
State Tax \$1,079.00

AFTER RECORDING, MAIL TO:

Logan Law Firm
806 Charles Street
Beaufort, SC 29902

ADD DMP Record 9/6/2022 02:42:59 PM
BEAUFORT COUNTY TAX MAP REFERENCE
Dist Map SMap Parcel Block Week
R100 029 000 0295 0000 00

STATE OF SOUTH CAROLINA

LIMITED WARRANTY DEED

COUNTY OF BEAUFORT

KNOW ALL MEN BY THESE PRESENTS, that **GENUINE PARTS COMPANY**, a Georgia corporation (the "**Grantor**"), in consideration of the sum of One Dollar (\$1.00) and other valuable consideration to it in hand paid at and before the sealing of these presents by **R. MIKALS REALTY COMPANY LTD.**, a South Carolina limited partnership (the "**Grantee**"), having an address of 2966 Trask Parkway, Beaufort, SC 29906, in the form of cash, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released and by these presents does grant, bargain, sell and release unto the Grantee, its successors and assigns, the following described property, to wit (the "**Premises**"):

All that certain piece, parcel, or lot of land situate, lying and being on Port Royal Island in Beaufort County, South Carolina, containing 1.96 acres more or less and designated as Parcel A. For a more particular description of said property, reference may be had to an individual plat prepared by David E. Gasque, R.L.S. dated June 1, 2005 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Record Book 2192 and Page 1831, and known by the present numbering system as 114 Parris Island Gateway, Beaufort, SC.

DERIVATION: Being the same property conveyed to Seller by deed from James R. Livingston, dated January 12, 2006, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Record Book 2322 at Page 2517.

PIN No. R100 029 000 0295 0000

This deed was prepared by Amanda Calloway, 4170 Ashford Dunwoody Road, Suite 525, Atlanta, Georgia 30319.

The Premises is conveyed to the Grantee subject to the matters and exceptions set forth upon Exhibit A to this Limited Warranty Deed, attached hereto and incorporated by this reference, all of such matters and exceptions being matters to which the warranties of the Grantor as contained herein shall not apply.

TOGETHER WITH all and singular the Rights, Members, Heriditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular the said Premises before mentioned unto the Grantee, its successors and assigns forever.

And the Grantor does hereby bind itself and its successors, that it has not done or suffered anything to be done whereby the said Premises has been encumbered, and that it will warrant and forever defend all and singular the said premises unto the Grantee, its successors and assigns against itself and its successors and against every other person whomsoever lawfully claiming, or to claim the same, or any part thereof, through or under Grantor, but not otherwise, subject only to the exceptions and limitations set forth herein.

In Witness Whereof, the Grantor has caused these presents to be executed in its name by its duly authorized Vice President and General Counsel, this 8th day of June, 2022.

Signed, sealed and delivered
In the presence of:

[Signature]

GENUINE PARTS COMPANY, a Georgia corporation

By: [Signature]
Christopher T. Galla,
its Vice President and General Counsel

State of Georgia)

County of DeKalb)

Probate

PERSONALLY appeared before me the undersigned witness and made oath that s/he saw the within Genuine Parts company, a Georgia corporation, by Christopher T. Galla, its Vice President and General Counsel, sign, seal, and as its act and deed, deliver the within written instrument; and that s/he, with the other witness subscribed above, witnessed the execution thereof.

[Signature]
Witness

SWORN to before me this 8th
day of June, 2022

[Signature]
Notary Public for _____

My Commission Expires: _____

[NOTARIAL SEAL]



EXHIBIT A

PERMITTED EXCEPTIONS

Taxes for the year 2022 and subsequent years, not yet due and payable, but constituting a lien on the subject property.

Easements, rights of way and setback lines as shown in instruments recorded in Plat Book 39, Page 44, Plat Book 107, Page 111, Plat Book 28, Page 149, Mortgage Book 463, Page 1965, and Deed Book 2191, Page 1831.

Easement to South Carolina Electric and Gas Company, recorded in Record Book 1314, Page 953.

Easement to James R. Livingston, recorded in Record Book 2192, Page 1828.

Declaration of Restrictive Covenant by James R. Livingston recorded in Record Book 2322, Page 2514.

STATE OF GEORGIA

AFFIDAVIT

COUNTY OF COBB

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

- 1. I have read the information on this affidavit and I understand such information.
- 2. The property being transferred is located in Beaufort County, South Carolina, and consists of approximately 1.96 acres located at 114 Parris Island Gateway. The property is identified as Beaufort County TMS No. R100 029 000 0295 0000. The property is being transferred by **Genuine Parts Company**, a Georgia corporation (the "Transferor"), to **R. Mikals Realty Company Ltd.**, a South Carolina limited partnership (the "Transferee").

- 3. Check one of the following: The deed is
 - (a) subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
 - (b) subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
 - (c) exempt from the deed recording fee because (See Information section of affidavit): _____
(If exempt, please skip items 4 - 7, and go to item 8 of this affidavit.)

4. Check one of the following if either item 3(a) or 3(b) above has been checked (See Information section of this affidavit.):

- (a) The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$415,000.00.
- (b) The fee is computed on the fair market value of the realty which is _____.
- (c) The fee is computed on the fair market value of the realty as established for property tax purposes which is _____.

5. Check Yes or No to the following: A lien or encumbrances existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "Yes", the amount of the outstanding balance of this lien or encumbrance is: _____.

6. The deed recording fee is computed as follows:

(a) Place the amount listed in item 4 above here: \$415,000.00

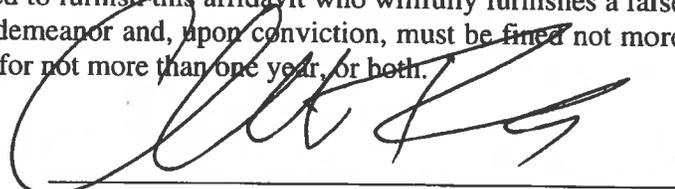
(b) Place the amount listed in item 5 above here: 0
(If no amount is listed, place zero here)

(c) Subtract Line 6(b) from Line 6(a) and place result here: \$415,000.00

7. The deed recording fee due is based on the amount listed on Line 6(c) above and deed recording fee due is: \$1,535.50.

8. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: Vice President and General Counsel of Transferor.

9. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned for not more than one year, or both.



Christopher T. Galla
Vice President and General Counsel

Sworn to before me this 8th
day of June, 2022.



Notary Public
My Commission Expires



EXHIBIT "D" TO SUPPLEMENT
Copy of Owner Authorization Letter

(see attached)

**AUTHORIZATION AND CONSENT OF OWNER FOR
THE ANNEXATION OF PROPERTY INTO THE CITY OF BEAUFORT, SC
AND
FOR THE REZONING OF PROPERTY**

The undersigned owner of parcels R100 029 000 0052 0000 (14 Katie Rivers Road) and R100 029 000 0051 0000 (101 Broad River Boulevard) in Beaufort County, South Carolina (collectively, the "Property") authorizes and consents to the application for the Property's annexation into the City of Beaufort, South Carolina and for the Property's rezoning as stated in the accompanying Narrative Supplement. The owner is proposing and submitting an application for the Property to be annexed into the City of Beaufort, South Carolina, and has concurrently executed a Rezoning Application.

OWNER:

CCC Reserve at Broad River LLC, a North Carolina limited liability company

By: _____

Name: William A. McCarney, Jr.

Its: Manager

**AUTHORIZATION AND CONSENT OF OWNER FOR
THE ANNEXATION OF PROPERTY INTO THE CITY OF BEAUFORT, SC
AND
FOR THE REZONING OF PROPERTY**

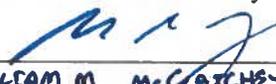
The undersigned owner of parcel R100 029 000 0295 0000 (114 Parris Island Gateway) in Beaufort County, South Carolina (the "Property") authorizes and consents to the application for the Property's annexation into the City of Beaufort, South Carolina and for the Property's rezoning as stated in the accompanying Narrative Supplement. The owner further authorizes and consents to CCC Reserve at Broad River LLC, a North Carolina limited liability company to propose and submit an application for the Property to be annexed into the City of Beaufort, South Carolina and concurrently submitting a Rezoning Application.

OWNER:
R. Mikals Real Estate Company Ltd., a
South Carolina corporation

By: 
Name: RANDY MIKALS
Its: PRESIDENT

2024. WHEREOF, petitioner has hereunto set its hand and seal this 21st day of August,

CCC RESERVE AT BROAD RIVER LLC
A North Carolina limited liability company


By: WILLIAM M. MCCATCHEY, JR.
Its: MANAGER

Signatures continue on following page

WHEREOF, authorized representative of R Mikals Realty Company Ltd has hereunto set its hand and seal this 12 day of September, 2024.

R MIKALS REALTY COMPANY LTD
A South Carolina corporation

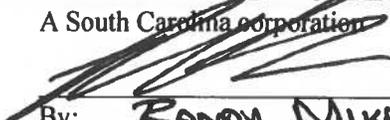

By: RANDY MIKALS
Its: PRESIDENT

EXHIBIT "A"

All that certain piece, parcel or tract of land, with the buildings and improvements thereon, situate, lying and being on Port Royal Island, in the County of Beaufort, State of South Carolina, being portions of lots 38 and 43, Section 2, 1S2W, containing (10.0) acres, more or less, and being more particularly bounded and described as follows, to-wit: On the North by lands now or formerly of Mazella Thomas; on the East by lands now or formerly of Edgar Young on the South by lands now or formerly of Jack Gray; and on the West by lands by lands now or formerly of the Estate of Fred C. Carter.

LESS AND EXCEPT all that certain parcel of land containing 1315 square feet/0.030 acres of land, more or less, conveyed by deed from Katie Rivers to the South Carolina Department of Transportation dated February 8, 1999, and recorded March 12, 1999, in Book 1164 at Page 1899, in the Register of Deeds Office for Beaufort County, South Carolina.

TMS #: R100 029 000 0052 0000

AND

ALL that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being in the County of Beaufort, State of South Carolina, being a portion of Lot 55, Burton Plantation, on Port Royal Island containing Eight and 41/100 (8.41) acres, more or less.

SAVE AND EXCEPT that certain 0.283 acre strip of land, more or less, described as the "Area of Acquisition" in the Condemnation Notice and Tender of Payment filed by the South Carolina Department of Transportation in Civil Action 2000-CP-07-00041, which is recorded with the Office of the Register of Deeds for Beaufort County, South Carolina, in Book 1345 at Page 1026.

TMS #: R100 029 000 0051 0000

EXHIBIT "B"

All that certain piece, parcel, or lot of land situate, lying and being on Port Royal Island in Beaufort County, South Carolina, containing 1.96 acres more or less and designated as Parcel A. For a more particular description of said property, reference may be had to an individual plat prepared by David E. Gasque, R.L.S. dated June 1, 2005 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Record Book 2192 and Page 1831, and known by the present numbering system as **114** Parris Island Gateway, Beaufort, SC.

TMS #: R100 029 000 0295 0000

CUTHBERT PARK REZONING



STAFF REPORT: CUTHBERT PARK

DATE: NOVEMBER 18, 2024

| GENERAL INFORMATION | | |
|--|--|---|
| Applicant: | City of Beaufort | |
| Site Location/Address: | Terminus of Cuthbert Street, behind National Cemetery: R120 001 000 0293 0000 | |
| Applicant's Request: | The City is requesting a zoning map amendment. The City of Beaufort is requesting rezoning of the Cuthbert Park located off of Cuthbert Street and Lafayette Street, behind the National Cemetery, Beaufort, South Carolina, further identified as R120 001 000 0293 0000 from T3-Neighborhood District (T3-S) to T1-Natural Preserve District (T1). | |
| Current Zoning: | T3-S | |
| ZONING DISTRICT INFORMATION | | |
| | <u>Current T-3</u> | <u>Proposed T-1 Natural Preserve District</u> |
| Min. Lot Size | 9,000 sf. minimum | N/A |
| Min. Frontage Build Out | N/A | N/A |
| Front Setback | 20' | N/A |
| Side Setback | 10'; 15' abutting transect district | N/A |
| Rear Setback | 15' | N/A |
| Building Height: | 2.5 stories | N/A |
| SURROUNDING ZONING, LAND USE AND REQUIRED BUFFERS | | |
| <u>Adjacent Zoning</u> | <u>Adjacent Land Uses</u> | <u>Setbacks for Adjacent Zoning /Buffer required if rezoned</u> |
| North: Water | Hospital | N/A |
| South: T-3-S | Homes | N/A |
| East: T-3 S | Homes | N/A |
| West: T-3 S | Homes | N/A |

PROPOSAL

The City of Beaufort has applied for a zoning map amendment from (T3-S) to T-1 Natural Preserve District . The property is currently utilized as open space owned by the City. Residents of the surrounding area petitioned the City to revise the zoning, so the property is permanently preserved for open space.

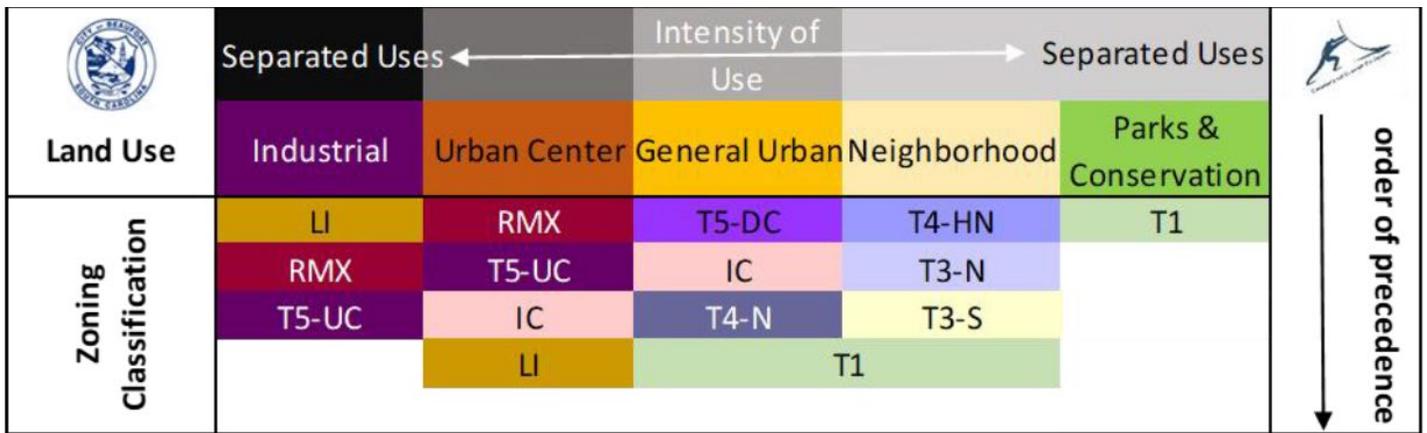
ZONING DISTRICT DIFFERENCES USES/DEVELOPMENT STANDARDS:

The Institutional Campus IC district is similar to its name—it is intended for institutional and large campus style uses, like a hospital. Therefore, medical offices, and other support and accessory uses are permitted with limited additional requirements in a campus like setting. Tee T-4 N District is an urban neighborhood district intended for primary residential but limited commercial uses. The primary code (use and setback) differences in zoning from the current T-5 UC and the T-4 N district are as follows:

| | T-3 S | T-1 |
|-----------------------------|---|-------------------------|
| Height | 2.5 stories | N/A |
| Frontage Requirement | None | N/A |
| Uses | Single Family Residential Churches Live Aboard Boats Indoor Entertainment (Conditional Use) Bed and Breakfast Parks | Only open space, parks. |
| Design | No transect of other design requirements except those found in Section 4.4.13 | No buildings allowed. |

FUTURE LAND USE PLAN

The Future Land Use Map envisions the area as Urban Center. The Natural Preserve (T-1) District is an allowed land use within the General Urban District as per the Comprehensive Plan.



REZONING REVIEW CRITERIA

Required Findings: The PC is to recommend a rezoning to the City Council utilizing the factors found in Section 9.16.3 C found below. Staff analysis on the project based on these findings is found below.

(a check mark indicates Staff support; an x indicates lack of Staff support on each item).

| 9.16.3 C Finding of Fact | Rationale Present (yes/no) | Staff Analysis of Rationale |
|---|-----------------------------------|--|
| a. Consistency (or lack thereof) with the Comprehensive Plan and Civic Master Plan. | Yes | ✓ The T-1 District is a recommended district in the General Urban land use per the Comprehensive Plan |
| b. Compatibility with the present zoning, with conforming uses of nearby property, and with the character of the neighborhood; | Yes | ✓ The T-1 district is consistent and compatible with the open space nature of the existing property and is best suited to preserve the view corridor and property for current and future citizens. |
| c. Suitability of the property that would be affected by the amendment; | Yes | ✓ The property is preserved as open space/view shed. The T-1 zoning perfectly corresponds with the intention |

| | | |
|---|------------|---|
| | | and current natural preserve use of the property. |
| d. Compatibility with the natural features of — and any archaeological or cultural resources on — the property | Yes | <ul style="list-style-type: none"> ✓ The property is preserved as a viewshed of the water. The T-1 district would preserve the natural features of the property in perpetuity. |
| e. Marketability of the property that would be affected by the amendment; and | Yes | <ul style="list-style-type: none"> ✓ The property is owned by the City and utilized as open space. ✓ The T-1 District would ensure that no development could occur on the site in the future. |
| f. The availability of roads, sewer, water, and stormwater facilities generally suitable and adequate for the affected property. | Yes | <ul style="list-style-type: none"> ✓ T-1 does not allow development. |

PUBLIC NOTICE AND COMMENT

Notice of the Council hearing has been mailed to property owners within 200 feet of the subject property, a legal ad published, and the property was posted as required by the Development Code, and a public hearing is scheduled by the Planning Commission.

FINDINGS AND RECOMMENDATIONS

Staff recommends approval of the rezoning requested for the property located at R120 001 000 0293 0000 as it satisfies the recommended findings found in pages 3-4 of this staff report, as per the requirements of Section 9.16.3 C.

Aerial Cuthbert Park



Rezoning Request Cuthbert Park

- Parcel #R120 001 000 0293 0000
- Current T-3 S

Max Density: 9.000 sq. ft. min lots

Setbacks (ft.): Front 20, Side 5-10, Rear 15

Height: 2.5 stories min

Proposed T-1 Natural Preserve

No development allowed.

**DEVELOPMENT CODE
CHAPTER 7 AMENDMENTS**

7: LAND DEVELOPMENT

7.1: IMPROVEMENT REQUIREMENTS

7.1.1 PURPOSE

The purpose of these land development requirements is to:

- A. Encourage economically sound and environmentally sensitive development.
- B. Assure the timely provision of required streets, utilities, and other facilities and services to new land developments.
- C. Assure the adequate provision of safe and convenient vehicular and pedestrian traffic access and circulation in and through new land developments.
- D. Assure the provision of needed open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, and other public purposes.
- E. Assure, in general, the wise and timely development of new areas, in harmony with the Comprehensive Plan of the city.

F. Encourage new subdivision developments that complement the City's historic development pattern.

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G. Promote compact, well-defined, sustainable neighborhoods that enhance the City's character.

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H. Create livable neighborhoods that foster a sense of community and reduce dependency on vehicles.

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I. Encourage the proper arrangement of new streets in relation to existing or planned streets and ensuring streets facilitate safe, efficient, and pleasant walking, biking and driving

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7.1.2 APPLICABILITY

- A. Unless noted otherwise in this section, all new development projects shall be required to have public sewer and underground ~~wiring, and~~wiring and shall comply with Section 7.2.3 (Lot Access Standards).
- B. All development — with the exception of projects that qualify as Minor Development Design Review (~~Section 9.8.1~~) or Minor Subdivision (~~Section 9.9.2~~), or are located in the Historic District, and affect less than one whole block face — are required to install or construct the improvements specified in the Table of Required Improvements (Section 7.1.3).
- C. The applicant shall be responsible for the installation and construction of required improvements according to the provisions of this Code, except as may otherwise be specifically provided herein or by city policy or agreement.
- D. Approval of a Subdivision Plat (~~Section 9.9.4~~) shall be subject to the applicant having installed the improvements designated in this article, or having guaranteed (Section 7.1.5), to the satisfaction of the city, the installation of said improvement.

7.1.3 TABLE OF REQUIRED IMPROVEMENTS

| REQUIRED IMPROVEMENTS ³ | SECTION REFERENCE | ZONING DISTRICT | | | | | | | | | | | |
|--|-------------------|---|------|------|-------|------|-------|-------|-----|----|----|-----|---|
| | | T1 | T3-S | T3-N | T4-HN | T4-N | T5-DC | T5-UC | RMX | IC | LI | MHP | |
| Public Water and Hydrants | 7.1.3.B | ☐ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Public Sewer | 7.1.3.B | ☐ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Paved Streets ¹ | 7.2.4 | ☐ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Streetscape ² | Appendix C | ☐ | ■ | ■ | ☐ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Underground Drainage | 7.1.3.A | ☐ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ☐ | ■ |
| Curb and Gutter | Appendix C | ☐ | ☐ | ☐ | ☐ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ☐ |
| Sidewalks | 7.2.4.C | ☐ | ☐ | ☐ | ☐ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ☐ |
| Street Trees | 7.2.5 | ☐ | ☐ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ☐ | ☐ |
| Street Lights | n/a | ☐ | ☐ | ☐ | ☐ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Street Signs (private streets) | n/a | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Underground Wiring On-Site | 7.1.3.C | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ | ■ |
| Community Green Space and Open Space Space | 7.4 | ☐ | ■ | ■ | ☐ | ☐ | ☐ | ☐ | ■ | ■ | ■ | ☐ | ☐ |
| ■ required improvements by district | | ☐ may be required at the discretion of the administrator Planning Commission based on existing conditions, surrounding context, and street section (Appendix C) | | | | | | | | | | | |
| ¹ Rear lanes/alleys may be permitted to be paved with pervious material, such as gravel, depending on the location. ² Complete street requirements shall be coordinated with the specific street section found in the regulating plan in Appendix C. ³ For Infill and Redevelopment, as defined in Section 8.3.2, these items [referring to the table of required provisions] are required to the extent feasible based on existing conditions including roads, utilities and adjacent buildings. | | | | | | | | | | | | | |

- A. **Street Improvements:** Land designated for public streets shall be cleared and filled in accordance with the latest edition of the "South Carolina Standard Specifications for Highway Construction", South Carolina State Highway Department, or as determined appropriate by the administrator. No land may be disturbed until a Project Permit has been issued (Section 9.5). See Section 5.4 for Tree Removal Standards. See Section 7.2 for more standards on street location. See Appendix C for Street Regulating Plan and Design Standards.
- B. **Water and Sewer Facilities:** Water and sewer facilities shall be provided in accordance with the standard procedures and policies of the water and sewer provider and the Department of Health and Environmental Control (DHEC) and shall be approved by the water and sewer provider.

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- C. **Utility lines:** All utility lines within a development site shall be installed underground. The Planning Commission may approve an exception only in cases - unless where -there are existing above-ground lines that serve the property.

7.1.4 SURVEY AND ENGINEERING

- A. **Installation of Permanent Reference Points:** Permanent reference points shall be placed in accordance with the following requirements:
1. **General Standards:** Boundary surveys shall be performed, in accordance with the state minimum standards published by the State Board of Registration for Professional Engineers and Land Surveyors, unless more stringent requirements are specified. A minimum of two points in any survey must be tied to the state plane coordinate system. The survey may be done on the horizontal ground distance and tied back to the state plane coordinates.
 2. **Control Monuments:** Vertical control monuments shall be placed in or near the centerline of pavement of subdivision streets at a minimum of 1 per 4 acres. Where practical, control monuments shall be placed at points of curvature and points of tangency of curves. The control monument may be poured on the job or be a concrete marker of the type commonly used in the area: at least 3 feet long and tapered with a 12-inch long, ¼-inch diameter brass or bronze rod embedded in the top. Control monuments shall be placed in a cast iron water main valve type box with a cover flush with the pavement.
 3. **Property Marker:** A steel or wrought iron pipe, rebar, or the equivalent, not less than 0.5 inches in diameter and at least 24 inches in length shall be set at all property corners and points of curves, except those located by monuments. They shall be flush with the ground.
 4. **Accuracy:** Land surveys within the city limits shall be Class A surveys, set at an accuracy of at least 1:10000.

7.1.5 IMPROVEMENT GUARANTEES

- A. **Types Allowed:** Prior to approval of a Final Subdivision Plat (~~Section 9.9.4~~), the applicant shall provide a performance guarantee to ensure the completion of required improvements within a period of time as agreed upon by the Administrator and the applicant, and expressed in the guarantee. Such guarantee may be in the form of a performance bond, a surety bond, a cash deposit, or a letter of credit. A performance guarantee shall be posted in the amount of 125% of the total cost of improvements.
1. **Performance/Surety Bonds and Letters of Credit:** The performance or surety bond, or letter of credit, shall be in a form acceptable to the city. It shall include a pledge by the bank, insurance company or other bonding/lending institution that the funds necessary to carry out the terms of the agreement are guaranteed for payment, and will be released only upon receipt of written instruction from the city.
 2. **Cash Deposits:** If surety is in the form of a cash deposit with the City of Beaufort, proportional parts thereof shall be refundable in relation to progress payments less retainage, subject to approval of the city and subject to a minimum deposit balance of 25% of the project cost.
 3. **Maintenance Guarantees:** If the applicant completes all required improvements and complies with all conditions of the subdivision agreement as determined by the city, the remainder of monies retained by a financial institution or by the city may be released to the applicant or his successor in title. Prior to release, the applicant shall provide the city, prior to the issuance of any building permit, a performance bond, a surety bond, or a cash deposit equal to the amount determined by the city that would ensure the repair of any damage to the existing improvements

during the course of any construction, but in no case will the amount of the security be less than \$1,000.00 for each individual building lot. Prior to the issuance of any certificate of occupancy, the city shall determine whether or not any breakage or damage has occurred. If no damage to any off-site improvements has occurred, then the city may release the security to the applicant or his successor in title. If damages have occurred, they shall be repaired, or the city may draw on the security before it is released.

7.1.6 Easement and utility standards

A. Multiple installations within easements. Easements shall be designed so as to provide efficient installation of utilities. Public utility installations shall be located as to permit multiple installations within the easements. The developer will establish final utility grades prior to utility installations. Public utility easement dedication shall be required with any minor or major subdivision action. ~~Public Utility Easements shall be a minimum of ten (10) wide.~~

B. Underground utilities. Telephone lines, electric lines, cable television lines and other like utility services shall be placed underground. The applicant or developer shall be responsible for complying with the requirements of this Section and shall make the necessary arrangements including any construction or installation charges with each utility provider for the installation of such underground facilities. Transformers, switching boxes, meter cabinets, pedestals, ducts and other facilities necessarily appurtenant to such underground utilities shall be placed underground or on the surface but not on utility poles. Screening or fencing is required subject to approval of the City. Electric transmission and distribution feeder lines and necessary appurtenances thereto may not be placed above ground unless they are carrying greater than 115 kV. Upon approval of the City, such facilities shall be placed within easements or rights-of-way provided for particular facilities.

7.2: STREET NETWORK AND DESIGN STANDARDS

7.2.1 STREET INFRASTRUCTURE PLANS

- A. **Purpose and Intent:** The Street Infrastructure Plans (in Appendix C) provide diagrams of the city's street network and establishes the ideal alignment, hierarchy and design characteristics - including total right-of-way width, sidewalk and streetscape amenities, parking lanes, travel lanes and other geometric and urban design details - for all existing streets, proposed streets that have been adopted as part of an Official Map, and new potential streets in the City of Beaufort.
- B. **Official Street Network Plan:** Pursuant to the authority of S.C. Code 1976 § 6-7-1210 et seq. (1976), as amended, the City has previously adopted several Official Maps. An Official Street Network Plan is incorporated into this Code in order to represent a composite of these previously-adopted Official Maps.
 - 1. **Purpose:** This plan represents a composite of all Official Maps, to date, in the City. The map designates existing or proposed streets or ways within the City that are targeted for creation, expansion or other improvements. The Official Street Network Plan shall initially consist of a series of four (4) separate maps, included in Appendix C, which shall be deemed a part of the Beaufort Code.
 - 2. **Modification:** The Official Street Network Plan may be modified or supplemented per the procedure for Amendments and Rezoning (Section 9.16). The Planning Commission (PC) will review the Official Street Network Plan on a regular basis at intervals of every 6 months, or thereabouts. In addition, the maps will be automatically updated as additional Official Maps are approved per the appropriate process required by state law.

C. **Street Frontage Requirements Specific Street Sections:** The street sections noted in Appendix C show specific street designs for the purposes of identifying future improvements by both the city and fronting property owners. These sections depict the ideal arrangement and design of street elements.

1. **Applicability:** For any project that is considered Major Subdivision (~~Section 9.8.2~~), ~~Major Development Design Review (Section 9.8.2)~~ Site Plan, or requires a Certificate of Appropriateness, Major (Section 9.10.2 A.2.) and affects one whole block face, the fronting property owner shall install all prescribed streetscape improvements as part of the development project. ~~The installation of street frontage improvements is required prior to final plat approval for major subdivisions, and certificates of occupancy for Site Plans.~~

a. **Exception:** If similar elements as prescribed in the street section exist — e.g., on-street parking, sidewalk, tree plantings — the requirement to install the streetscape element(s) shall be waived if those items meet the intent of the prescribed street section, even if the existing items do not meet the exact requirements of that street section.
Example Scenarios: If a street section prescribes a 5-foot sidewalk, but a 4-foot sidewalk already exists, the existing sidewalk will satisfy the sidewalk requirement. However, if the street section requires a 5-foot planting strip between the curb and the sidewalk, and the 4-foot sidewalk is directly adjacent to the curb, this would not satisfy the intent of the street section and would need to be reconstructed per the prescribed standards.

2. **Scope of Improvements:** Street frontage improvements shall be installed along the entire frontage of the property, to the centerline of the street, or if a multi-lane street, the affected lane, at the sole cost of the applicant as directed by the Codes Administrator. The Codes Administrator may permit modification of street improvement standards where the required street improvements are not in the opinion of the Codes Administrator, roughly proportionate to the impact, type, scale and cost of the proposed development action.

A. Street frontage improvements may include the following: curb, gutter, sidewalk, storm drainage, street lighting, traffic signal equipment, utility installation, extension, or relocation, landscaping strip, street trees and landscaping, irrigation, street widening, pavement overlay or reconstruction, and channelization.

B. In addition to required frontage improvements, the applicant shall provide ramps from the new sidewalk or walkway to the existing shoulder, across streets and pavement and channelization tapering back to the existing pavement and channelization as required to address safety concerns.

~~2D.~~ **Dedication of Insufficient Right-of-Way Width:**

1. Dedication of Right-of-Way. In the case of a street section adopted as part of an Official Map, where the width of the existing right-of-way is insufficient to install the prescribed street section, the fronting property owner ~~may~~ shall be required to reserve the appropriate amount of right-of-way (as measured from the centerline of the existing street). ~~If the owner chooses to dedicate and install the complete right of way, the cost of the improvements may be compensated — see Section 7.2.1 E. The future right-of-way shall conform to all of the street network requirements of Section 7.2.2, below. Where a new right-of-way that is not shown in the street regulating plan, is required as part of a new development, it shall be designed with appropriate elements based on its proposed location and zoning district. (See Appendix C).~~

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~~2. Where a new right of way that is not shown in the street regulating plan, is required as part of a new development, it shall be designed with appropriate elements based on its proposed location and zoning district. (See Appendix C).~~

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~~a. In the case of a street section adopted as part of an Official Map, where the width of the existing right of way is insufficient to install the prescribed street section, the fronting property owner may be required to reserve the appropriate amount of right of way (as measured from the centerline of the existing street). If the owner chooses to dedicate and install the complete right of way, the cost of the improvements may be compensated — see Section 7.2.1 E.~~

~~a. b. In the case of a street section that is not part of an Official Map, where the width of the existing right-of-way is insufficient to install the prescribed street section, the property owner is encouraged to shall reserve the appropriate amount of right-of-way to complete the desired street section. If the owner chooses to dedicate and install the complete right-of-way, the cost of the improvements may be compensated - see Section 7.2.1 E.~~

~~b. Where a future right-of-way is identified on an Official Map, and thus represented on the Official Street Network Plan— these are indicated as "New Adopted Streets" — new development shall reserve this area for the new street in the future. If access is needed to the site in that location, the street shall be constructed in the general location shown.~~

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~~a. Alternative Paths: The administrator may approve a different street configuration if it the proposed development plan provides a similar amount and quality of connectivity through the site. This is determined by evaluating one or more of the following: number of connections, connections of specific site elements, and required access to existing and proposed structures. For modification of the Official Street Network Plan, See Section 7.2.1 B.2.~~

ec. Exceptions and Alternatives:

- i. Where available right-of-way — due to existing structures and topographic conditions limited to wetlands, specimen and landmark trees, — do not functionally permit the full section to be constructed, the Administrator may adjust the required street section.
- ii. A different street section may be approved which accomplishes the same intent in a smaller dimension.

D. Creation of New Right of Way:

~~1. Where a future right of way is identified on an Official Map, and thus represented on the Official Street Network Plan— these are indicated as "New Adopted Streets"— new development shall reserve this area for the new street in the future. If access is needed to the site in that location, the street shall be constructed in the general location shown.~~

~~a. Alternative Paths: The administrator may approve a different street configuration if it the proposed development plan provides a similar amount and quality of connectivity through the site. This is determined by evaluating one or more of the following: number of connections, connections of specific site elements, and required access to existing and proposed structures. For modification of the Official Street Network Plan, See Section 7.2.1 B.2.~~

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~~b. **Street Standards:** The future right-of-way shall conform to all of the street network requirements of Section 7.2.2 below.~~

~~2. **Where a new right-of-way that is not shown in the street regulating plan, is required as part of a new development, it shall be designed with appropriate elements based on its proposed location and zoning district. (See Appendix C).**~~

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ED. Compensation: When a project is required to make off-site improvements within the existing right-of-way, dedicate and/or improve a street with insufficient right-of-way, or install a new street (be it public or private) per the requirements in Section C. above, compensation may be available. To the extent that the City has the authority and the ability, the Traffic Impact fee for the project shall be reduced by the assessed value of the dedicated land and/or construction cost of the right-of-way improvement. This may be done either as a direct reduction, rebate, or reimbursement of fees.

(Ord. No. O-14-23 , 9-26-2023)

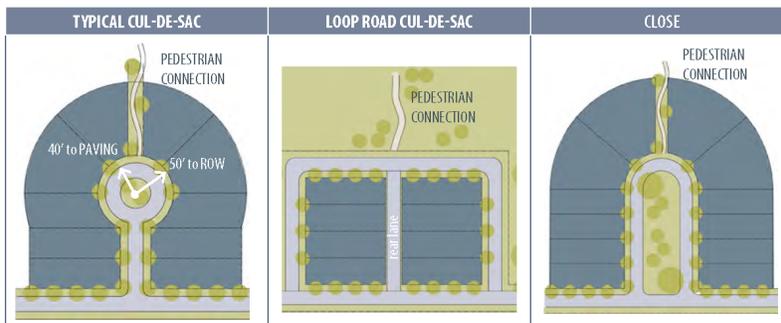
7.2.2 STREET NETWORK REQUIREMENTS

- A. **Continuation of Adjoining Street System:** The proposed street layout shall be coordinated with the street system of the surrounding area to form an interconnected street pattern, formalized by a platted public access easement. Adequate street connectivity shall be assessed by the TRC, based on the ability of the proposed alignments to:
1. Permit multiple routes between origin and destination points;
 2. Diffuse traffic; and
 3. Shorten walking distances.
- B. **Block Sizes:** Blocks shall be compact so that they are comfortably walkable and appropriate for their context.
1. In T3-S zones, block sizes are flexible, but the perimeter shall not exceed 2,640 linear feet (½ mile). An average block perimeter less than 2,000 feet is preferred.
 2. In T3-N zones, block sizes are flexible, but the perimeter shall not exceed 1,700 linear feet (¼ mile). An average block perimeter less than 1,500 feet is preferred.
 3. In T4, and T5 ~~zones and RMX zones~~, blocks shall be no more than 400 feet on any side. An average block length of 250—300 feet is preferred. The block perimeter shall not exceed 1,320 linear feet (¼-mile).
 4. Exceptions may be made for natural elements such as wetlands, trees, topography, and cultural resources, to be incorporated into the site design.
- C. **Street Stubs:** New developments shall ~~if practicable~~, connect to any existing street stubs from adjacent properties and stub to all adjacent properties.
1. **Exemptions:** Street stubs shall not be required where the Planning Commission finds the conditions listed below would prevent connections:
 - a. Topographical conditions (pre-development slopes of 18% or greater).
 - b. Environmental conditions (marshes, floodplains, specimen and landmark trees, etc.).
 - c. Property shape.
 - d. Property accessibility (existing platted subdivision with no stubs).

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- e. Incompatible adjacent land uses.
2. **Location:** Where multiple connection opportunities exist, street stub connections shall be prioritized in the site design as follows:
- a. Adjacent parcels 20 acres or greater in size.
 - b. Adjacent parcels that abut or are traversed by existing or proposed streets.
 - c. Where the Street Network Diagram recommends a street connection (indicated as a proposed street).
3. **Design:**
- a. Stub streets and streets intended for extension during future phases shall be constructed to extend to the property line ~~for constructibility to adjoining property, or as close to the line as practical.~~
 - b. ~~It shall be the responsibility of the second development to construct the connection to an existing stub street.~~
 - c. Stub streets shall not exceed 150 feet in length without a paved turnaround (permanent or temporary).
 - d. **Disclosure:** The Final Subdivision Plat shall be recorded ~~stating, depicting~~ that future connection is ~~possible, required~~ at any stub streets and streets intended for extension during future phases. A clearly visible street sign ~~may~~shall be erected at the end of the stub street stating that the street is planned to connect to a future street.
- D. **Cul-de-sacs and Dead-end Streets:** Dead-end streets and cul-de-sacs are prohibited, ~~except for only the T-3 and LI zoning districts, where, unless specifically approved by the TRC. In T3 and LI zones only,~~ cul-de-sacs or other turn-arounds may be approved by the ~~TRC Planning Commission~~. Compliance with the following standards ~~must be met~~ in all circumstances:



1. Permanent dead-end streets shall be no longer than 300 feet and shall be provided with a turnaround such as a cul-de-sac or close.
2. Temporary dead-end streets shall be provided with a temporary turnaround area which shall be designed considering traffic usage, maintenance, and removal.
3. Alternative design solutions, such as a close (first preference), or a loop road cul-de-sac (second preference) are preferable to a typical cul-de-sac.

4. Cul-de-sacs shall have a minimum right-of-way radius of 50 feet and minimum paved radius of 40 feet. When ample radii exist, cul-de-sacs shall contain a central planted median.
5. Whenever cul-de-sac roads are created, at least one pedestrian access easement shall be provided, to the extent practicable, between each cul-de-sac head or road turnaround and the sidewalk system of the closest adjacent road or pedestrian pathway. The access easement shall be direct with a minimum width of 12 feet.

- E. **Gated Streets:** New gated streets are ~~not encouraged prohibited~~. However
1. Exceptions: they may be permitted, at the discretion of the ~~Metropolitan~~ Planning Commission, in T3-S zoning districts where connection to the existing street grid is not practicable due to topography or existing surrounding conditions.
2. They may be permitted by the ~~applicable Design Review Authority~~ Planning Commission when the access proposed to be gated is an alley or rear lane and is not the primary building frontage.
- F. **Street Naming and Renaming:** Proposed street names and number systems will be reviewed by the administrator and the Beaufort County Emergency Management Department. No duplicate/similar names are allowed, as determined by these agencies.
- G. **Reserved Strips Prohibited:** Reserved strips at the terminus of a new street shall be prohibited.

7.2.3 LOT ACCESS STANDARDS

- A. **Applicability:** Any development that requires an access point (rear alley/lane or driveway) for purposes of ingress and/or egress shall be subject to the provisions of this section. All new accesses must be approved by the appropriate permitting authority. Access points may not be installed on undeveloped property less than 2 acres.
- B. **Maximum Number:** For single-family and two- and three-family dwellings, only one driveway shall be permitted per lot. In T3-S, circular driveways may be permitted on lots greater than 100 feet in width, where no sidewalk exists. Driveways may only be installed when rear access is not possible or required. For double frontage lots, one curb cut per street may be permitted. For all other building types, the maximum number of driveways allowed for any property is outlined in the table below.

| FRONTAGE WIDTH | MAXIMUM PERMITTED DRIVEWAYS (CURB CUTS) PER STREET FRONTAGE |
|------------------|--|
| up to 150 feet | 1 |
| 150 feet or more | 2 - Additional driveways (in excess of 2) shall be permitted only after the applicant successfully demonstrates the necessity for such additional driveways, as determined by the appropriate Design Review Body. Along arterial roads and thoroughfares, such additional driveways shall be "right-in, right-out" driveways only. |

- C. **Location and Spacing:**
1. **Street Intersection:** No curb or other access point shall be located closer than:
 - a. 20 feet from the intersecting point of the 2 street right-of-way property lines involved (or such lines extended in case of a rounded corner);

- b. 25 feet from the intersection of the 2 curb lines involved (or such lines extended in case of a rounded corner), whichever is the least restrictive.

2. **Spacing:** All access points shall have a minimum separation from certain features as follows:

| FEATURE | MINIMUM SEPARATION ¹ |
|---|---------------------------------|
| Adjacent Property Line (does not apply to shared or joint-use driveways) | 0 ft |
| Another Curb Cut (driveway or street intersection) on all roads except Major Thoroughfares | 25 ft |
| Major Thoroughfares — defined as streets with the Street Section designation of Major Thoroughfare, or the Robert Smalls Parkway, Sea Island Parkway/Lady's Island Drive, or Boundary Street Specific Street Section — Another Curb Cut (driveway or street intersection) | Depends on Posted Speed Limit |
| < 35 mph | 100 ft |
| 35 mph | 200 ft |
| 40 mph | 250 ft |
| 45 mph ² | 300 ft |
| 50 mph ² | 400 ft |
| 55+ mph ² | 500 ft |
| ¹ Minimum separation is measured from centerline | |
| ² On Robert Smalls Parkway (Hwy 170) west of Parris Island Gateway, a minimum of 500 ft. separation distance is required | |

- 3. **Corner Lots:** Access points on corner lots shall be from the side (or secondary) street, unless a shared curb cut on the main thoroughfare is existing or proposed.
- 4. **Access to Lots from Major Thoroughfares:** Driveways serving individual residential lots shall not have direct access onto streets identified as Major Thoroughfares — as identified on the second row of the chart in Section 7.2.3 C.2. — unless no alternative means of access, such as alleys or parallel access roads, exists, and it is unreasonable or impractical to require an alternative means of access.
- 5. **Shared Access:** See Section 5.7.7 C.
- 6. **Rear Access Required/No Front Access:** For lots developed in the transect zones of T-3N, T-4, T-5 UC, lots, all new access points shall be from a rear alley and/or road, except for lots within the historic district. Exemptions to allow front loaded access points where connection to the existing street grid is not practicable due to topography or existing surrounding conditions shall be at discretion of the Planning Commission with approval of major subdivisions, and the Codes Administrator for individual lots.

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D. **Size:**

1. **Alleys:** Alley pavement width may be a maximum of 24 feet wide for two-way traffic and 16 feet wide for one-way traffic. For more design standards, see Appendix C.
2. **Driveways:**
 - a. Driveways for single-family and 2- and 3-family uses may not exceed 12 feet wide, except in T3-S district, where they may be a maximum of 20 feet wide.
 - b. **Tandem Parking:** Tandem parking is allowed in all zones for all residential uses if:
 - i. Both tandem parking spaces satisfy the parking requirement of one residential unit; and
 - ii. Neither of the tandem parking spaces shall be for required accessible parking spaces.
 - c. Driveways to other uses and parking areas shall not exceed 24 feet in width for 2-way drives or 12 feet in width for one-way drives, except those with turn lanes required by the city or SCDOT.

E. **Access to Lots from Alleys/Rear Lanes:**

1. **Specific to T3-N, T4, and T5 districts:** Alleys/rear lanes shall be provided along the rear property lines of lots as follows:
 - a. In new subdivisions greater than 1 acre, alleys shall be provided for newly created lots that meet any of the following criteria:
 - i. The lots are part of a block face with an average lot width of 60 feet or less at the building setback line (excluding lots on cul-de-sacs).
 - ii. The lots are arranged around a Common Open Space.
 - iii. The lots front a collector or arterial road, regardless of the average lot width.
 - iv. The lots are intended for multi-family dwellings and/or mixed-use buildings.
 - b. In infill situations, the same standards apply as specified above, but only for developments that include 4 or more contiguous lots, where one lot is a corner lot. In the Historic District, the standards apply only to the Beaufort Conservation District; the requirement may be waived at the discretion of the Historic Review Board.

F. **Specific to Commercial Developments and Subdivisions:**

1. **Out-parcels:** Out-parcels for shopping, office, or industrial centers shall be limited to internal access to the center, unless otherwise approved as part of a master development plan. All driveways shall be paved from the road to the property line.
2. **Abandoned Driveways:** Abandoned driveways (i.e., curb cuts that are no longer used for vehicular access and are physically blocked by structures) shall be closed, and the area shall be restored to the typical cross section of the right-of-way.

7.2.4 STREET DESIGN STANDARDS

- A. **Street Section Design:** The elements and widths of all proposed streets shall be in conformity with the appropriate street section designated in the Street Regulating Plan (Section 7.2.1 and Appendix C).

- B. **Traffic Control and Signs:** ~~The type and location of traffic control devices used on City streets must be approved by City Staff, and traffic control on private Streets shall be included and approved as part of the major subdivision or site plan. Traffic signals should be used where warranted, but alternate traffic control such as roundabouts should be considered first. When it can be shown that a particular zoning action, master plan, or development plan impacts the street system to a point that a traffic signal is warranted according to Manual on Uniform Traffic Control Devices (MUTCD) and approved by City Staff, the developer shall be responsible for all or a portion of the signal installation. Traffic control and street name signs shall be installed at all street intersections and other appropriate areas as determined by the applicant and street owner.~~
- C. **Sidewalks/Multi-use Paths:** Where required per the Street Section in Appendix C, all sidewalks or multi-use paths must be constructed concurrently with the street, or, if the street is already constructed, prior to acceptance of any improvements. Exceptions to ~~or partial waiver of~~, the requirement to install a sidewalk may be granted by the Planning Commission if:
1. Alternative pedestrian paths/bikeways have been or will be provided outside of the normal right-of-way.
 2. There are unusual topographic, vegetative, or other natural conditions to the extent that strict adherence to said requirements would be unreasonable and not consistent with the purposes and goals of this Code.
- D. **Utility Easements:** Utility easements which require a width of 8 feet or larger shall be located in rear alleys or along the side or rear lot lines. Special permission to install utility easements in other locations may be requested by the utility companies and is subject to approval by the appropriate Design Review Body.
- E. **Special Consideration to Protect Protected Resources and other Natural Features:** Street layout and design shall give additional consideration to preserving protected resources and enabling natural areas to be protected or minimally disturbed. Where streets are built in areas that have protected resources or natural features, all utilities shall be placed within the street right-of-way and under the street in order to avoid additional destruction of the natural features.

7.2.5 STREET TREE PLANTING REQUIREMENTS

- A. **Planting Areas:** Planting strips and tree wells shall be established in accordance with the width and plantings designated in the appropriate Street Section of the Street Regulating Plan (7.2.1 and Appendix C).
- B. **Location and Number:** Street trees ~~should shall~~ be planted in the location and per the spacing specified for the corresponding street classification in Appendix C. However, ~~in specific cases where it is not practical due to due~~ the location of utilities or other site constraints, the Planning Commission may allow street trees ~~to may~~ be planted on private property adjacent to the right-of-way.
- C. **Tree Species:** Overstory and understory trees as prescribed in this section reference Appendix A.2 (Recommended Trees and Shrubs).
- D. **Minimum Tree Size:** At the time of planting, young trees should be 2.5 inch caliper, with the lower side of the crown a minimum of 6 feet above grade to avoid hazards to pedestrians.

7.3: STREET ENGINEERING STANDARDS

7.3.1 STREET DESIGN, CERTIFICATION, AND CONSTRUCTION SPECIFICATIONS

- A. **Design Drawings and Certification:** Professional engineers, registered in the state, shall prepare plans, profiles, cross sections, and specifications for all subdivision roads and streets. The engineers shall certify roads/streets are built to comply with the approved plans and specifications. Cross sections shall be developed every 100 feet at intersections and break points in grade. Cross sections shall show the complete rights-of-way including travel lanes, shoulders, ditches, curb and gutter, and sidewalks and utility locations, as applicable.
- B. **Construction Specifications for Paved Streets:** Street construction specifications for paved streets shall be in compliance with the South Carolina Department of Transportation Standards.

7.3.2 TRAFFIC IMPACT ANALYSIS

- A. **Applicability:** A "traffic impact analysis" (TIA) shall be required for any development that is shown — in the most recent Institute of Transportation Engineers (ITE) Trip Generation Manual or any alternative approved at the discretion of the Planning Commission or the TRC, or by the engineering department — to generate more than 50 trips during the peak hour on the adjacent street(s).
 - 1. A second phase, second subdivision, or addition that generates traffic beyond this threshold when taken as a whole shall also require a TIA, even though that development does not qualify on its own.
 - 2. A use shall not be changed without conducting a new TIA if the new use would generate traffic beyond the 50 trips during peak hour threshold above. The ~~administrator~~Planning Commission or TRC may waive this requirement in unusual circumstances.
 - 3. **Exception:** Development — except for Educational Facilities with greater than 100 students — on lots included in the Boundary Street Master Plan, adopted on August 28, 2006, and lots in the area bounded by Calhoun Street, Carteret Street, Bay Street, and Ribaut Road, and lots zoned Limited Industrial (LI), shall not be subject to the requirements of this section.
- B. **Traffic Access Management Analysis:** As part of the TIA process, the proposed development shall have an "access analysis" undertaken by the administrator to ensure that sufficient access to all proposed developments and subdivisions is achieved.
 - 1. The standards in the South Carolina Department of Transportation's "Access and Roadside Management Standards Manual" (a.k.a. ARMS Manual) shall serve as a guide for this analysis, which shall include identification of the following:
 - a. Access improvements that the applicant must install at his or her expense, such as deceleration lanes;
 - b. The location of any curb cuts based on, but not limited to, sight distances, existing roadway infrastructure, opposing driveways locations, and shared access;
 - c. Requirements for adequate driveway design, including, but not limited to, turning radius and stacking distance.
 - 2. The access requirements approved by the Planning Commission or the TRC~~administrator~~ shall be incorporated on development or subdivision plans prior to their approval.
 - 3. If an applicant is required to provide site-related traffic improvements, the cost of implementing such improvements shall be borne by the applicant, and no such costs shall be eligible for a credit or offset from any transportation impact fees unless specifically permitted by the Development Fee Procedures - Beaufort County Code of Ordinances, Chapter 82, Article VII or most recent version.
- C. **Traffic Impact Analysis Plan Preparation:**

1. The TIA shall be conducted by an engineer registered in South Carolina who is experienced in the conduct of traffic analysis.
2. Prior to beginning the TIA, the applicant shall supply the city with the following:
 - a. A written narrative describing the proposed land use(s), size, and projected opening date of the project and all subsequent phases.
 - b. A site location map showing surrounding development within a one-half mile of the property under development consideration.
 - c. A proposed site plan or preliminary subdivision plat illustrating access to public or private roads and connectivity to other contiguous developments.
3. Prior to beginning the TIA, the applicant shall receive, in writing, the parameters to be followed in the study, including the directional split of driveway traffic, trip distribution, background traffic growth rate, previously approved but not completed projects, and the intersections to be analyzed, along with any associated turning movement counts that are available or discussed and approved by the TRC.
4. To review the TIA, the Planning Commission and TRC will ~~utilize~~require current updated trip generation information, available information on land use, travel patterns, and traffic conditions, and shall consult with the SCDOT.

D. **Plan Contents:**

| <u>Background information</u> | <u>Requirement</u> |
|--|---|
| | |
| <u>List of all nonexistent transportation improvements assumed in the analysis</u> | <u>Required</u> |
| <u>Map of site location, description of the parcel, general terrain features, and location within the jurisdiction and region.</u> | <u>Required</u> |
| <u>Description of geographic scope/ limits of study area.</u> | <u>Within half mile/2640 feet of site and any roadway on which 50 or more of the new peak hour vehicle trips generated by the proposal are distributed.</u> <u>At the discretion of the TRC or Planning Commission, a larger study area may be required.</u> |

| | |
|--|-----------------|
| <u>Plan at an engineering scale of the existing and proposed site uses.</u> | <u>Required</u> |
| <u>Description and map or diagram of nearby uses, including parcel zoning.</u> | <u>Required</u> |
| <u>Description and map or diagram of existing roadways.</u> | <u>Required</u> |
| <u>Description and map or diagram of programmed improvements to roadways, intersections, and other transportation facilities within the study area.</u> | <u>Required</u> |
| <u>Analysis of Existing Conditions</u> | |
| <u>Collected daily and peak hour of the generator traffic volumes, tabulated and presented on diagrams with counts provided in an appendix.</u> | <u>Required</u> |
| <u>Analyses for intersections and roadways identified by SCDOT. Delay and Level of Service (LOS) are tabulated and LOS is presented on diagrams for each lane group.</u> | <u>Required</u> |

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|---|--|
| <u>When the type of development proposed would indicate significant potential for walking, bike or transit trips either on - or off - site, analyses of pedestrian and bicycle facilities, and bus route or routes and segment or segments, tabulated and presented on diagrams, if facilities or routes exist.</u> | <u>Within half mile/2640 feet of site and any roadway on which 50 or more of the new peak hour vehicle trips generated by the proposal are distributed – At the discretion of the TRC or Planning Commission, a larger study area may be required.</u> |
| <u>Incorporation of all Traffic Impact Analysis studies and Trip Generation from approved developments or vested unbuilt developments within mile radius at time of proposal.</u> | <u>Required (submitted for any jurisdiction, including the Town of Port Royal, and County of Beaufort)</u> |

| | |
|---|---|
| <u>Speed Study</u> | <u>If requested by City</u> |
| <u>Crash history near site</u> | <u>If requested by City</u> |
| <u>Sight distance</u> | <u>If requested by City</u> |
| <u>Analysis of Future Conditions without Development</u> | |
| <u>Description of and justification for the method and assumptions used to forecast future traffic volumes.</u> | <u>Required</u> |
| <u>Analyses for intersections and roadways as identified by SCDOT. Delay and Level of Service (LOS) are tabulated and LOS is presented on diagrams for each lane group.</u> | <u>Required</u> |
| <u>When the type of development proposed would indicate significant potential for walking, bike or transit trips either on - or off - site, analyses of pedestrian and bicycle facilities, and bus route or routes and segment or segments tabulated and presented on diagrams, if facilities or routes exist or are planned.</u> | <u>Within half mile/2640 feet of site and any roadway on which 50 or more of the new peak hour vehicle trips generated by the proposal are distributed.</u> <u>At the discretion of the TRC or Planning Commission, a larger study area may be required.</u> |
| <u>Trip Generation</u> | |
| <u>Site trip generation, with tabulated data, broken out by analysis year for multi- phase developments, and including justification for deviations from ITE rates, if appropriate.</u> | <u>Required</u> |
| <u>Description and justification of internal capture reductions for mixed use developments and pass-by trip reductions, if appropriate, including table of calculations used.</u> | <u>Required</u> |

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1. **Phased Developments:** All phases of a development are subject to review, and all traffic plans for the entire development shall be integrated with the overall traffic analysis. A TIA for a specific phase of development shall be applicable to the phase of development under immediate review. However, each phase of development shall expand and provide detailed analysis at the development plan stage beyond the estimates provided for at the concept plan or master plan stage.
 2. **Infrastructure Analysis:** The adequacy of the roads that the development will be accessed from shall be assessed in the TIA. Recommendations for improvements shall be made. The relative share of the capacity created shall be broken down as follows: development share, other developments' share, any existing overcapacity, and capacity available for future growth.
 3. **Required Elements of the TIA:**
 - a. A site plan or subdivision plat identifying accesses to and from existing or proposed streets and intersections, along with all opposing intersections across adjacent streets.
 - b. Description of the proposed development, including the type and intensity of proposed land use(s) including, but not limited to: the number of residential units by type, the number of existing and proposed lots, the type of proposed nonresidential development and the amount of such development measured by gross floor area or other appropriate unit of measurement, the general size and type of accessory development or facilities, and, for nonresidential development, adequate information to identify the appropriate land use category for trip generation.
 - c. Projected vehicular trips to and from the completed development during a.m. and p.m. peak hour — trip rates shall be taken from ITE Manual or alternatively, an applicant may elect to perform, at his own expense, a "trip generation study" which may be submitted as part of the traffic impact analysis plan. Such trip generation study shall be subject to the review and verification of the TRC and engineer. For proposed uses not specifically listed in the ITE Manual, and for which a trip generation study has not been performed, the designated engineer(s) shall determine the most appropriate trip generation rate. The TRC shall make the determination of the appropriate trip generation rate, from whatever the source. The percentage of pass-by trips, if used in the plan, shall be included, as well as the source of this information.
 - d. A written narrative setting forth the assumptions upon which any projection was made in developing the traffic impact analysis plan shall be included in the analysis. If the assumptions are derived from the ITE Manual, the materials shall be referenced and properly cited. If the assumptions are not from the ITE Manual, appropriate excerpts from other reliable transportation planning resources shall be included in the study, and reasons underlying the assumptions shall be stated in the narrative.
 - e. The TIA shall review access to the site. The adequacy of the entrance design shall be ~~evaluated~~evaluated, and recommendations made on acceleration and deceleration lanes, left-turn lanes, or signalizations shall be part of the TIA. Educational facilities shall include

pick-up and drop-off plans and analysis of the impact on the surrounding streets and intersections.

- f. The TIA shall review the number and types of curb cuts that are permitted. In particular, the TIA shall assess the connection of the property to adjoining properties. Where the use, scale of development, or size of adjoining properties is such that trips would be anticipated between the proposed use and the other properties, the TIA shall make recommendation on interconnections. The TIA shall recommend interconnections to provide a smooth flow of traffic between uses along arterials and collector roads to ensure that as much traffic as possible uses secondary roads, rather than major roads, for short trips.
 - g. The TIA shall be based on intersection analysis procedures for signalized intersections as identified in the most current edition transportation research board's highway capacity manual, and/or the last update that analyses and emulates these procedures by means of computer software, if available. The results of any required analysis/computer analysis shall, at a minimum, indicate compliance or variance from the Traffic Goals (Section 7.3.3 M).
 - h. The intersections that must be analyzed in the study are identified as:
 - i. Any intersection that serves as a development's point of access. This will include intersections of public and/or private roads with major arterials, and driveways offering direct access.
 - ii. The first major intersection as identified by the city engineer on both side of the development's point of access.
 - iii. Other intersections on major arterials if development generates more than 50 a.m. or p.m. peak hour trips to that intersection, or if the intersection's level of service or demand is significantly impacted by site related traffic.
 - iv. Unsignalized intersections and access drives — these shall be considered if development impacts are anticipated. The plan must include the results of an analysis of the operating conditions of critical intersections and/or all intersections identified in the concept plan. The analysis shall reflect the projected condition of these intersections and movements, based on the scheduled opening date of the development. Other phases of the development, if they can be reasonably determined, shall be considered as well.
- E. **Mitigation Plan Required:** If the initial analysis indicates that the city's adopted Traffic Service Level Goals (Section 7.3.2 M.) will be not be met, a mitigation plan must be prepared, based on additional analysis. The mitigation plan must show how the city's Traffic Service Level Goals are addressed as mitigated. Applicants will be responsible for mitigating the traffic impacts at any intersection affected by a proposed development.
- 1. If a traffic signal is recommended, the TIA shall provide information that:
 - a. Clearly indicates the need for a traffic signal.

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- b. Assesses the ability of other existing, planned, or proposed public roads to accommodate the new traffic at a location other than the main highway in the vicinity of the proposed development.
 - c. Describes in detail how a specific development will affect the study area transportation system.
 - d. Provides documentation of appropriate South Carolina Manual of Uniform Traffic Control Devices signal warrant satisfaction.
 - e. Gives design geometry of the private road that is consistent with that of public road intersections, including curbs, appropriate lane widths, pavement markings, and vertical alignment. Other roadway factors to be considered include, but are not limited to, speed, type of highway, grades, sight distance, existing level of service, conflicting accesses, and the effect of future traffic signal systems.
 - f. Provides an approach-throat length for the road to ensure the movement of vehicles entering the site will not be impeded by conditions within the development, and ensure that all signal-spacing requirements are adequately met.
 2. The desirable spacing of signalized intersections on principal arterials is the SCDOT, county, or city standards. The TRC may recommend to SCDOT the installation of a traffic signal at locations where, using SCDOT standards, spacing is inappropriate due to topography, existing or proposed road layout, documented accident history, unique physical constraints, existing or proposed land use patterns, or requirements to achieve specific objectives for highway segment designations, as shown in any locally adopted land use or transportation plan, approved city or county transportation plan, or approved transportation policy.
 3. Signal spacing concerns may be ameliorated in the following ways:
 - a. A proposed private road that may otherwise be considered for the installation of a traffic signal may be replaced by an on-site route or a frontage road that directs traffic to or from a nearby public road.
 - b. A private road that is being considered for traffic signal installation may be required to connect to the existing or planned local road system to allow uses of surrounding properties.
 - c. An existing or proposed intersection may be relocated.
 - d. A shared private road may be required to serve the needs of the multiple properties.
 4. A traffic signal progression analysis is required if the proposed location is closer than the SCDOT standards, given the presence of existing signals or the possible existence of identified future signals proposed as part of a highway signal system. A traffic signal progression analysis for all new, revised, or planned traffic signal systems on state highways shall be performed using methods, models, computer software, data sources, roadway segment length, and assumptions approved by the TRC. The roadway segment, analyzed to the extent possible, shall include all traffic signals in the existing or future traffic signal system. The progression analysis shall:

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- a. Demonstrate acceptable existing and future traffic signal systems operation that may include the morning peak, evening peak, midday period, and other appropriate time period during any day of the week, adjusted for peak season, for cycle lengths and travel speeds approved by the TRC.
 - b. Provide for a progressed traffic band speed no more than 5 mph (8 km/h) below the existing posted speed for both directions of travel during the off-peak periods, nor more than 10 mph (16 km/h) below the existing posted speed during peak periods. Approval by the TRC is required where speeds deviate more than the above.
 - c. Demonstrate that sufficient vehicle storage is available at all locations within the traffic signal system without encroaching on the functional boundaries of adjacent lanes and signalized intersections. The functional boundary of an intersection shall be determined in discussion with the TRC, based on existing or projected conditions.
 - d. Provide a common cycle length with adequate pedestrian crossing times at all signalized intersections.
 - e. Provide a progression bandwidth as large as that required, or as presently exists, for through traffic on the federal or state highway at the most critical intersection within the roadway segment. The most critical intersection is the intersection carrying the highest through volume per lane.
5. The traffic signal progression analysis shall be supplemented by a traffic engineering report that also considers highway capacity and safety of the roadway segment under consideration. Traffic volumes, intersection geometry, and lane balance, considered at all locations, shall be appropriate for the present and identified future conditions, which are usually considered to include the year of completion, and 5 years into the future.
- F. **Summary:** A clear and concise summary of recommended improvements that can serve as an executive summary is required.
- G. **TIA Review:** The TRC shall review all TIAs as part of the applicable Design Review phase —~~see Section 9.8 and 9.9 for appropriate process~~. Final TIAs shall be approved prior to the applicant submitting a Project Permit application (Section 9.5).
- H. **Application:** A TIA shall be submitted to the TRC. Coordination with other entities in the county government or South Carolina Department of Transportation (SCDOT) shall be the responsibility of the city.
- I. **Completeness:** The ~~Planning Commission and/or TRC~~TRC shall determine whether a TIA is complete. Thorough and complete TIAs are the responsibility of the applicant. Failure by the applicant to provide a complete TIA may result in review delays for their plat or plan.
- J. **Action on TIA:** The TRC must first approve the TIA in regard to completeness and accuracy. Following review of the required impact analysis plan, TRC shall recommend to the Planning Commission action as follows:
1. Approval of the TIA as submitted;

- 2. Approval of the TIA with conditions or modifications as part of the development review and approval process. An acceptable TIA with traffic mitigation measures may include the reduction of the density or intensity of the proposed development, phasing of the proposed development to coincide with state and/or county-programmed transportation improvements, applicant-provided transportation improvements, fees in lieu of construction, or any other reasonable measures to ensure that the adopted traffic service-level goals are met. If mitigation is required, it shall be required as a condition of any approval from the city.
- K. **Timing of Implementation:** If a traffic mitigation program is part of an approved TIA, the developer may be required to place a performance bond on all traffic mitigation improvements required as a result of his project. This requirement may arise if the timing of the improvements needs to be synchronized with other scheduled improvements anticipated for the area.
- L. **Responsibility for Costs of Improvements:** The costs of implementation of an approved mitigation program shall be the responsibility of the applicant. No certificates of zoning compliance or building permits shall be issued unless provisions of the TIA are met.
- M. **Traffic Service Level Goals:** The average stop time delay in seconds per vehicle for each intersection determined to be critical to the TIA for the proposed development shall be compared to the city's ~~adopted~~ traffic service level goal of "D" for the average delay for all vehicles at any signalized intersection during the a.m. and p.m. peak hours.

7.4: COMMUNITY GREEN SPACE AND COMMUNITY OPEN SPACE

7.4.1 PURPOSE AND INTENT

- A. **Intent:** Community Green Space and Community Open Space is intended for the use and enjoyment of a development's residents, employees, or users. These spaces serve to preserve natural areas, ensure access to open areas and recreation, reduce the heat island effect, enhance stormwater quality, and provide community health benefits. Community Green Space and Community Open Spaces are not, by definition, required to be deeded to be granted via easement to any public entity or municipality. See Section 7.4.5 for ownership information.
- B. **Purpose:** The purpose of this section is to provide a set of Community Green Space and Community Open Space types and their associated standards to use within all districts. Community Green Space and Community Open Space types in this section are distinct from those areas that are environmentally sensitive and must be otherwise protected as regulated through Article 8 (Environmental Protection.)
- C. **Applicability:** See Section 7.1.2.

D. Community Green Space Definition: an area of grass, trees, parks, trails or multi-use pathways, or other vegetation set apart for recreational or aesthetic purposes in a development. It can be privately or publicly owned.

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E. Community Open Space Definition: Open space is land or water that is undeveloped and not used for residential, commercial, industrial, or institutional purposes. It can be privately or publicly owned, and can include areas like forests, farms, parks, and coastal lands.

7.4.2 COMMUNITY GREEN SPACE AND COMMUNITY OPEN SPACE REQUIREMENT

A. **Minimum Requirements:** Development in all districts shall preserve the minimum amounts of Community Green Space and Open Space as identified below:

| OPEN/CIVIC SPACE REQUIREMENT | | | | | | | | | | | Formatted Table |
|---------------------------------------|------------------------------|------|------|--------|------|--------|---------------|---------------|---------------|--------|-----------------|
| SIZE | T1 | T3-S | T3-N | T4-HN | T4-N | T5-DC | T5-UC | RMX | IC | LI | MHP |
| Less 3- than 10 acres ③ | no 50% minimum | 20% | 15% | Exempt | 10% | exempt | 10% | 10% | 15% | | Formatted Table |
| 10 acres—15 acres | 50% | 20% | 15% | exempt | 10% | exempt | exempt 10% | exempt 5% | exempt 20% | exempt | 10% |
| 15 acres—40 acres | 50% | 20% | 15% | n/a | 10% | exempt | exempt 15% | exempt 20% | exempt 20% | exempt | 10% |
| Greater than 40 acres | 50% | 25% | 20% | n/a | 20% | exempt | exempt 20% | exempt 25% | exempt 25% | exempt | 10% |

¹ Each Manufactured Home Park shall have a minimum total area of 2,500 square feet set aside for common recreational open space, or at least 100 square feet of space for each mobile home lot, whichever is greater.
² Specific to TND Overlay Projects: The open space requirement may be calculated comprehensively or by specific Transect zones. The requirements of 2.8.3.G.2.c must be met in addition to the requirements of this table.
³ For properties less than 3 acres, community green space and community open space shall be at the discretion of the approving authority (i.e.) Codes Administrator or Planning Commission.

B. **Areas to be Included in Community Green Space and Community Open Space Calculations:** The features and areas identified in Section 7.4.3 shall be credited towards the open space requirements for the purposes of complying with this article.

C. **Areas not to be Included in Community Green Space and Community Open Space Calculations:** The following areas shall not be counted toward open space requirements:

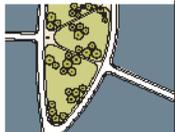
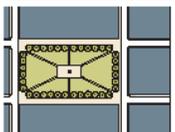
1. Private yards which are not subject to an open space or conservation easement.
2. Public road rights-of-way or private street easements, including sidewalks located within those rights-of-way or easements.

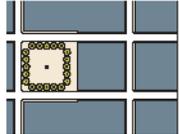
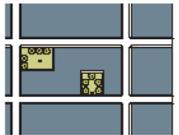
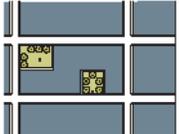
3. Open parking areas and driveways for dwellings.
4. Land covered by structures not designated for active recreational uses.
5. Designated outdoor storage areas.

7.4.3 COMMUNITY GREEN SPACE AND **COMMUNITY** OPEN SPACE TYPES

The majority of Community Green Space and **Community** Open Space shall conform to one of the 8 types in the table below. If 75% or more of the types listed below is utilized for required open space, a 20% increase in number of dwelling units is permitted.

| CIVIC/ OPEN SPACE TYPE | DIAGRAM | DESCRIPTION | PERMITTED DISTRICTS | SERVICE AREA/ SIZE | CHARACTER | TYPICAL FACILITIES |
|---|---|---|------------------------|--|---|---|
| Regional Park/Natural Preserve |  | A natural preserve that is available for unstructured recreation. It may contain small civic buildings and areas of structured activity, but is primarily left natural. These areas may include forests as well as wetlands and regional retention areas if they are treated as amenities (e.g. Port Royal's Cypress Wetlands). | T1 | Regional Min: 200 acres* Max: None *Natural preserves with no structured activity have no minimum size. | Frontage: Independent Disposition: Natural, formal or informal | Passive and active recreation, drinking fountains, Community facility < 7,500 gross square feet, paths and trails |
| Sport Complex |  | An open space that consolidates heavily programmed | T1, IC, RMX | Regional Min: 25 acres Max: None | Frontage: Independent Disposition: Formal or informal | Passive and active recreation, drinking fountains, |

| | | | | | | |
|-----------------------|---|--|-----------------------------|---|---|--|
| | | athletic fields and associated facilities. | | | | community facility < 7,500 gross square feet, paths and trails |
| Community Park |  | An open space that is available for unstructured recreation and a limited amount of structured recreation. It may contain a limited amount of athletic fields. | T3, T4, <u>T5</u> , RMX, IC | Multiple Neighborhoods Min: 8 acres Max: None | Frontage: Independent Disposition: Informal | Passive and active recreation, drinking fountains, community facility < 5,000 gross square feet, paths and trails |
| Greenway |  | A linear open space that may follow natural corridors, a greenway provides unstructured and limited amounts of structured recreation. | T1, T3, T4, T5, RMX, IC | Multiple Neighborhoods Min: 8 acres or 1 mile Max: None | Frontage: Independent or building Disposition: Natural or informal | Passive and active recreation, drinking fountains, community facility < 5,000 gross square feet, paths and trails |
| Square/Green |  | An open space that is available for civic purposes, unstructured, and limited amounts of structured recreation. It can be located along waterfronts. | <u>T3</u> , T4, T5, RMX, IC | Neighborhood Min: 0.5 acres Max: 5 acres | Frontage: Building Disposition: Formal | Passive and active (unstructured or structured) recreation, accessory structure, drinking fountains, community facility < 5,000 gross square feet, |

| | | | | | | |
|---------------------------------|---|--|------------------------------------|---|--|---|
| | | | | | | paths and trails |
| Plaza |  | A formal open space available for civic purposes and commercial activities, a plaza is typically hardscaped and can be located along waterfronts. | T4, T5, RMX, IC | Neighborhood Min: 0.5 acres Max: 2.5 acres | Frontage: Building Disposition: Formal | Passive recreation, accessory structure, drinking fountains, paths and trails |
| Pocket Park/Pocket Plaza |  | An open space that is available for informal activities in close proximity to neighborhood residences. Pocket plazas are usually paved. | <u>T3</u> , T4, T5, IC, <u>RMX</u> | Neighborhood Min: 4,000 square feet Max: 0.5 acre | Frontage: Building Disposition: Formal or informal | Passive recreation, accessory structure, drinking fountains, paths and trails |
| Playground |  | An open space designed and equipped for the recreation of children. A playground may be fenced and may include an open shelter. Playgrounds may be included within other civic spaces. | T3, T4, T5, IC, <u>RMX</u> | Neighborhood Min: None Max: None | Frontage: Independent or building Disposition: Formal or informal | Accessory structure, drinking fountains, paths and trails |

Notes:

- 1. The illustration and description of each civic space type is illustrative in nature and not regulatory.*
- 2. The Permitted Districts may be modified per a plan if the project is utilizing the Traditional Neighborhood Development Floating Overlay District (Section 2.8.3).*

The following provisions apply to the 8 Community Green Space and [Community](#) Open Space Types listed in the table:

- A. **Playgrounds and Community Gardens:** These may be incorporated into any of the other Community Green Space and [Community](#) Open Space types - except Natural Preserve - or may stand alone.
- B. **Waterfront:** When Community Green Space and [Community](#) Open Space is required, per Section 7.4.2, developments that contain waterfront access should include some type of common access to at least 25% of the waterfront. This counts towards the Community Green Space and [Community](#) Open Space requirement. When open space is required, for every 10% of the waterfront that is allocated for public access, a 5% increase in number of dwelling units shall be permitted, up to a maximum of a 20% increase.
- C. **Illustrative Standards:** The columns titled "Diagram," "Description," and "Typical Facilities" of the table of Community Green Space and [Community](#) Open Space Types are illustrative only.
- D. **Regulatory Standards:** The following elements shall be regulatory:
 1. **Service Area:** Describes how the space relates to the city as a whole and the area that will be served by the Community Green Space and [Community](#) Open Space.
 2. **Size:** The permitted size for each Community Green Space and [Community](#) Open Space.
 3. **Frontage:** The relationship along property lines of a Community Green Space and [Community](#) Open Space to adjacent buildings or lots.
 - a. **Building:** Community Green Space and [Community](#) Open Spaces that are listed as having a "building" frontage shall have the fronts of buildings, either attached to the park or across a street, facing onto the space for a minimum of 75% of the perimeter.
 - b. **Independent:** Community Green Space and [Community](#) Open Spaces that are listed as having an "independent" frontage shall have the fronts of buildings, either attached to the park or across a street, facing onto the space to the maximum extent possible, but may have the side or rear of a building or lot front onto the space. The side or rear of a building or lot fronting onto the Community Green Space and [Community](#) Open Space shall be designed with a secondary frontage and entrance along the space.
 4. **Disposition:** The character of the design of the Community Green Space and [Community](#) Open Space.
 - a. **Natural:** Civic spaces with natural character are designed in a natural manner with no formal arrangement of elements.
 - b. **Formal:** Civic spaces with a formal character have a more rigid layout that follows geometric forms and have trees and other elements arranged in formal patterns.
 - c. **Informal:** Civic spaces with an informal character have a mix of formal and natural characteristics.
 5. **Food Production:** Community Gardens and other Community Green Space and [Community](#) Open Spaces may be used to grow food. See Section 8.4.3 for specifications and requirements.

7.4.4 DESIGN OF COMMUNITY GREEN SPACE AND COMMUNITY OPEN SPACES

- A. **Design Standards for Community Green Space and Community Open Space:** Land used as Community Green Space and Open Space shall meet the following design standards:
1. **Location:**
 - a. Where relevant and appropriate, the land shall be located so as to be readily accessible and usable by residents and users of the development. To the maximum extent practicable, a portion of the open space shall provide focal points for the development.
 - b. Common space set aside for children's play areas and other recreational activities shall be clearly visible from the dwelling units on the site.
 - c. The land shall, to the maximum extent practicable, be located to adjoin, extend, and enlarge any open areas, trails, parks, or other open space resources that exist or are planned within or adjacent to the development.
 2. **Provision in Multi-Phase Developments:** In multi-phase developments, open space Manuals may be calculated either by phases, or by collectively looking at the development as a whole.
- B. **Accessory Structure Standards:** All accessory structures within parks and open spaces — including, but not limited to, restrooms, open-air pavilions, gazebos, picnic shelters, and outdoor theaters — shall not be subject to the physical requirements of the building form or siting standards in Article 2 (Map and Districts). They shall be designed to be consistent with the character of the district in which they are located. Such consistency may require accessory structures to maintain building setbacks, frontage, massing, disposition, and character similar to adjacent development as determined by the administrator.

7.4.5 OWNERSHIP AND MAINTENANCE OF COMMUNITY GREEN SPACE AND COMMUNITY OPEN SPACE

- A. Open space areas or other community facilities shall be preserved and maintained in accordance with the approved:
1. Development Design, in accordance with Section 9.8;
 2. Special Exception, in accordance with Section 9.13; or
 3. Subdivision, in accordance with Section 9.9, whichever is appropriate.
- B. Provision must be made by the property owner to ensure preservation and long term maintenance and management of Community Green Space and Community Open Spaces through one of the following mechanisms:
1. Conveyance of the land to a property owners' or homeowners' association that holds the land in common ownership and will be responsible for managing and maintaining it for its intended purposes.
 2. Conveyance of the land to a third-party beneficiary, such as a nonprofit environmental or civic organization, that is organized for, capable of, and willing to accept responsibility for managing and maintaining the land for its intended purpose.
 3. Dedication of the land to the city or other appropriate public agency that is organized for, capable of, and willing to accept responsibility for managing and maintaining the land for its intended purposes.

-
- C. All methods utilizing private ownership shall require deed restrictions, covenants, or other legal instruments that ensure continued use of the land and facilities for their intended uses, and provide for the continued and effective management, operation, and maintenance of the land and facilities.
 - D. Failure to maintain Community Green Space and Community Open Space areas or other community facilities shall be a violation of this Code subject to the remedies and penalties in Article 12 (Violations and Enforcement).
 - E. If the owner of an Community Green Space and /or Community Open Space fails to maintain it in reasonable condition, and in accordance with approved plans, and fails to correct deficiencies cited by the city, the city shall have the authority to correct the deficiencies per the City's Code of Ordinances at the owners expense, Section 6-2003 (or equivalent Health and Sanitation section of any updated Code of Ordinances).

7.5: SUBDIVISION AND SITE PLAN STANDARDS

7.5.1 General provisions

The provisions of this Section shall apply to any and all subdivision of land, or site plan within the municipal boundaries of the City, unless expressly and specifically exempted or provided otherwise in this Code. No development shall be undertaken without prior approval or authorization pursuant to the terms of this Code. All development shall comply with the applicable terms, conditions, requirements, standards and procedures established in this Section and the Code. The submittal of an application for approval pursuant to the provisions of these Subdivision Regulations constitutes consent to, and agreement to comply with all of its applicable provisions.

This Section establishes procedural and substantive rules for obtaining the necessary approval to develop land and construct buildings and structures. Development applications will be reviewed for compliance with the City's Comprehensive Plan, Civic Master Plan, Beaufort Preservation Manual, and this Code.

Scheduling of the review of development applications before Staff, TRC, the Planning Commission or City Council is at the discretion of the City. Any change to a development application by an Applicant after formal submittal of that application to the City constitutes a decision by the Applicant that may result in the City deciding to vacate the Hearing and/or void the pending application. The City may then reschedule or cancel the review of the development application at its discretion.

Prior to formal submittal of any subdivision application identified in this Section, the Planning Department will typically provide to an applicant an individualized submittal checklist indicating the documents and information needed, quantities of those documents to be submitted, and the referral agencies that will be involved in the review process. The applicants are responsible for being fully familiar with all applicable provisions of these Subdivision Regulations. Upon determination by staff that a submittal constitutes a complete development application, the City will forward the packets to each referral agency.

7.5.2 Subdivision types and process outlines

Methods of land subdivision. There are two ways to subdivide land based on the magnitude of scale: Minor Subdivision and Major Subdivision.

A. Minor Subdivisions.

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Definition. A Minor Subdivision is a subdivision, or amendment to a subdivision, which has been previously platted, includes no additional public right-of-way dedication, and includes one or more of the following:

1. The boundaries of five or fewer lots are created from one parent tract or lot, no further subdivisions shall be allowed from any lot created or the parent tract;
2. Any lot line adjustment;
3. A consolidation of multiple lots into one when a new street or street change is not involvedinvolved.

B. Major Subdivisions.

Definition. A Major Subdivision is a subdivision which includes one or more of the following:

1. Dedication of public right-of-way, public infrastructure or other public tracts, or a private road; or
2. The subdivision consists of ~~five~~ seven five or more lots or tracts.
3. The creation of lots on property that has never previously been platted.

7.5.3 Subdivision Process and Application Types. There are a number of process steps and application submittals required in order to subdivide land. The following applications are required to be submitted in order to process subdivisions:

A. Sketch Plan

1. Definition: Sketch Plan is a conceptual design of the development.
2. Purpose. The Sketch Plan is a conceptual design of the development submitted, that depicts what the applicant envisions for the overall development, including zoning, transportation, pedestrian network, parks, tree canopy, open space, and other amenities.
3. Sketch Plan review criteria. The City shall use the following criteria in addition to other applicable provisions of this Code to evaluate the applicant's application:
 - a. The land use mix within the project conforms to Beaufort's Zoning District Map and Comprehensive Plan and furthers the goals and policies of the Comprehensive Plan.

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b. The Sketch Plan represents a functional system of land use and is consistent with the rationale and criteria set forth in this Chapter, the City's Comprehensive Plan, Civic Master Plan and Beaufort Preservation Manual.

c. The preliminary traffic, open space, park, utility, and pedestrian design is adequate and functional given the existing and planned capacities of each system, and meets the standards found in this Code.

d. All impacts on adjacent land uses are identified and satisfactorily mitigated.

4. *Timeframe related to approval of Sketch Plan. A Sketch plan is in full force and effect for a period of 24 months, with one 18 month renewal from date of Planning Commission action. Major proposed changes, such as relocation of streets, density or use type, to any approved preliminary or final plat, will require a new Sketch Plan approval. The renewal shall be approved by the Codes Administrator.*

B. Preliminary Plat.

1. *Definition: A plat that depicts preliminary engineering studies and construction documents.*

2. *Purpose/intent: To provide both the Applicant of a proposed subdivision and the City with sufficient information to understand if a proposed subdivision will meet all applicable codes, regulations, and policies, and to plan for infrastructure, traffic and lot-layout.*

3. *Review Criteria: The following criteria must be found by the City Staff to approve a Preliminary Plat:*

i. The Preliminary Plat represents a functional system of land use and is consistent with the rationale and criteria set forth in this Code.

ii. The land use mix within the project conforms to the City's -Zoning Requirements, Zoning District Map, Development Code and furthers the Goals and Policies of the Comprehensive Plan and Civic Master Plan.

iii. The utility and transportation design are adequate, given existing and planned capacities of those systems.

iv. All impacts on adjacent land uses are identified and satisfactorily mitigated, including, but not limited to: solar access, heat, dust, glare, traffic and noise.

v. Lot layout, including structure location and design of each lot.

vi. Design representation of all structures proposed.

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4. Submittal process: The applicant shall submit a completed development review application package to the City.

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5. Timeframe related to approval of Preliminary Plat. A Preliminary Plat is in full force and effect for a period of 2 years from date of City Planning Commission action to approve or approve with conditions. Approval will automatically expire at the end of two years unless an Applicant requests an 18 month extension prior to termination or submits a completed Final Plat application for all or a portion of the property.

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6. Preliminary Plat Required: A Preliminary Plat is required for all major subdivisions. No Final Plat will be processed or approved without prior Preliminary Plat approval from the Planning Commission.

C. Final Plat.

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1. Definition: A complete and Final Plat with final engineering studies and infrastructure documents, which are in conformance with the appropriate County requirements to record.

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2. Purpose/intent: A depiction of a subdivision that complies with all applicable codes, regulations, and policies, to be recorded.

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3. Review Criteria: The following criteria must be found by the Planning Commission in order to approve a Final Plat.

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The Final Plat is in substantial conformance with the approved Preliminary Plat. For the purposes of this Code, "substantial conformance", includes design adjustments made to meet any conditions of Preliminary Plat approval, and is determined as follows:

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a. Does not change any land use of the proposed plat.

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b. Does not contain changes which would render the Final Plat in nonconformance with requirements of this Code.

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c. Does not contain significant changes in street alignment and/or access points, or other public elements such as drainage improvements, utility lines or facilities.

d. Does not change any measurable standard (other than above) by more than ten percent.

ie. Final Plats determined by the Codes Administrator with changes that exceed the definition of "substantial conformance" as above shall be processed as a Preliminary Plat and shall be reviewed and acted upon with full discretion of the Planning Director by the Codes Administrator, unless withdrawn by the Applicant.

f. The Final Plat complies with this Code, the Comprehensive Plan and City the Civic Master Plan, and does not change the design requirements approved with the Preliminary Plat.

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g. All applicable technical standards including the provision of water and sewer in sufficient amount and quality have been met.

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4. Submittal process: The Applicant shall submit a completed development review application package to the City.

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5. Timeframe related to approval of Final Plat. A Final Plat is in full force and effect for a period of two years from date of or unless Public Improvements are completed and accepted on all or a portion of the Final Plat. Applicants may request a single, eighteen month extension from the City Codes Administrator prior to termination of Final Plat approval. Prior to the expiration of the original two-year timeframe or the extension timeframe, an Applicant may request an additional extension if substantial progress has been made on installation of Public Improvements.

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6. Construction drawings and final landscape plans required before recording. Construction drawings and final landscape plans are required to be submitted before the Final Plat process or concurrently with the Final Plat process. These documents must be deemed to be in substantial conformance to the appropriate sections of this ordinance prior to recordation of the Final Plat.

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7.5.4 Sketch Plan

A. Sketch Plan purpose. The Sketch Plan is a conceptual design of the development submitted with a major subdivision application, that depicts what the applicant envisions for the overall development, including zoning, transportation, pedestrian network, parks, tree canopy, open space, and other amenities.

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B. Requirements. A Sketch Plan is required for all major subdivisions. Major proposed changes to any approved preliminary plat, will require a new Sketch Plan approval. The Sketch Plan will consist of the following required elements:

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1. Road plan: The applicant shall provide a preliminary traffic plan that addresses the following elements:

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i. The proposed street network and connectivity to the existing road network, including all proposed access points.

ii. The location and layout of all arterial and collector roads within the development.

iii. A current preliminary traffic impact study prepared by a licensed traffic engineer which evaluates proposed access points, the existing street system, and any need for any road improvements (including off-site improvements) created by the proposed development.

2. Open space plan: The applicant shall provide a preliminary open space plan that depicts compliance with Section 7.4 of this code, with the following elements:

- i. Proposed open space distribution and location, including percentage of open space.
- ii. Compliance with 7.4.2 Open space/park requirements.
- iii. Required buffer areas as per Section 5.5.1.
- iv. Wetland areas and OCRM setbacks if applicable.
- v. Proposed park locations, acreage, and types of parks as per Section 7.4.

3. Pedestrian network:

- i. Location of all trails within development, and connection to existing trail network.
- ii. Connectivity of sidewalks to the existing pedestrian system, including any off-site sidewalk improvements. This includes planning for a one-quarter mile pedestrian shed.
- iii. Depiction of any bike lanes or any other multi-modal features.

4. Zoning/Design:

- i. The location of zoning boundaries shall be provided with the application and depicted on the Sketch Plan.
- ii. The plan should show how the zoning is harmonious with the surrounding area, and within the property itself.
- iii. Conceptual building design and massing.

5. Overall utility plan:

- i. A preliminary utility plan depicting the existing capacity of the surrounding utility system, and the future capacity of the utility system for both the proposal and any potential adjoining future development.
- ii. Proposed connections to the existing utility system.
- iii. The location of any proposed or required lift stations.
- iv. Utility plans for the interior of the development (such as water and sewer service lines) are not required as part of this process.

C. Sketch Plan application submittal. The applicant shall submit a complete Sketch Plan application package to the City. The application package shall include the following items:

- 1. Development application form, fee.
- 2. Title commitment. The title commitment must be dated no more than 90 days from the date of Sketch Plan application submittal.
- 3. Title of project.
- 4. North arrow, scale (not greater than one inch equals 200 feet) and date of preparation.

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5. Vicinity map.
6. Legal description.
7. Acreage of property; acreage in each zoning district; acreage in parks; acreage in open space.
8. USGS topographic contours.
9. Location and approximate acreage of proposed land uses.
10. Existing easements and rights-of-way on or adjacent to the property
11. Existing streets on or adjacent to the property (show and label street name).
12. Note or table indicating how public dedication requirements will be met.
13. Table providing the following information for each proposed land use area: total acreage; proposed density proposed number of dwelling units and or commercial buildings.
14. Location and acreage of proposed open space and parks as per Section 7.4., trails, regional trail connections, playgrounds, schools or other public uses.
15. Proposed street system depicting the location and layout of all arterial and collector roads within the development.
16. A preliminary traffic impact study prepared by a licensed traffic engineer which evaluates proposed access points, the existing street system, and any need for any road improvements (including off-site improvements) created by the proposed development.
17. Floodplain boundary with a note regarding the source of information (if a floodplain does not exist on the property, this must be stated).
18. Zoning on adjoining properties.
19. A preliminary utility plan depicting the existing capacity of the surrounding utility system, and the future capacity of the utility system for the both the proposal and any potential adjoining future development. Utility Plans for the interior of the development (such as water and sewer service lines) are not required as part of this process.
20. Proposed connections to the existing utility system.
21. The location of any proposed or required lift stations.
22. Design rationale — description of how the development is integrated with surrounding area, how it responds to site features/constraints and how it is consistent with this Code.
23. General description of plan for drainage and storm water management, including any regional drainage solutions.
24. Description of how the proposed development complies with the City Comprehensive Plan.

D. Application certification of completion. Within 30 days, staff shall either certify the application is complete and in compliance with all submittal requirements or reject it as incomplete and notify the applicant of any deficiencies. Applicant shall then correct any deficiencies in the application package and re-submit the application to the City.

E. Sketch Plan Process.

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1. Planning Commission Hearing. The Planning Commission shall hold a public hearing to approve, approve with conditions or deny the Sketch Plan.
2. Notice to neighboring property owners. The City shall send notice of the Planning Commission meeting by regular mail to neighboring property owners within 500 feet of the property per this Code.

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F. Sketch Plan review criteria. The City shall use the following criteria in addition to other applicable provisions of this Code to evaluate the applicant's application:

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1. The land use mix within the project conforms to Beaufort's Zoning District Map and Comprehensive Plan Preferred Land Use Map and furthers the goals and policies of the Comprehensive Plan.
2. The Sketch Plan represents a functional system of land use and is consistent with the rationale and criteria set forth in this Chapter, the City's Comprehensive Plan, and the Civic Master Plan as amended.
3. The preliminary traffic, open space, park, utility, and pedestrian design is adequate and functional given the existing and planned capacities of each system, and meets the standards found in this Code.
4. The conceptual design and massing proposed is consistent with the requirements of the Development Code.

G. Timeframe related to approval of Sketch Plan. A Sketch Plan is in full force and effect for a period of 24 months from date of Planning Commission action, with a one 18 month renewal approved by the Planning Commission.

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H. Minor amendments. Minor amendments to the Sketch Plan may be approved administratively under the following conditions:

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1. Does not change any land use, or location of any land use.
2. Does not change the number of lots or density by more than ten percent.
3. Does not contain significant changes in arterial or collector street alignment and/or access points, or other major public elements such as drainage improvements, utility lines or facilities.
4. Does not change any measurable standard (other than above), such as open space, or park area, by more than ten percent.

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7.5.5 Preliminary Plat

A. Preliminary Plat purpose. The purpose of the preliminary plat is to provide the City with an overall plat and the associated preliminary engineering for the proposed development.

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B. Preliminary Plat application process.

1. Pre-application conference. A pre-application conference/TRC with the City is required before the applicant may submit a preliminary plat application. Topics to be discussed will include:

- a. The provisions of this Code and the applicable requirements;
- b. The application and review process;
- c. Submittal requirements; and
- d. Changes or modifications based on direction from the Planning Commission at Sketch Plan approval.

2. Preliminary Plat application submittal. Following approval or conditional approval of the sketch plan the applicant may submit the complete preliminary plat application to the City. The preliminary plat application package shall be formatted and packaged per the application submittal checklist provided by the City and include the following items in both printed and electronic formats:

- a. Development application form.
- b. Application fee.
- c. Title commitment. The title commitment must be current and dated no more than 90 days from the date of preliminary plat application submittal.
- d. The preliminary plat shall provide the following information:
 - i. Title of project.
 - ii. North arrow, scale (not greater than one inch equals 100 feet) and date of preparation.
 - iii. Vicinity map.
 - iv. Names and addresses of owners, applicant, engineers and surveyors.
 - v. Legal description.
 - vi. Total acreage of property.
 - vii. Existing contours at two-foot intervals (based on USGS datum).
 - viii. Name and location of abutting subdivisions or owners of abutting property (if land is not platted)
 - ix. Lots, blocks, and street layout (with cross-sections), dimensions and square footage for each lot. Dimensions and square footages may be rounded to the nearest whole number.
 - x. Consecutive numbering of all lots and blocks.
 - xi. Existing and proposed easements (including rights-of-way) on and adjacent to the property.
 - xii. Existing and proposed zoning on and adjacent to property.
 - xiii. Approximate location and size of existing sewer lines, water lines and fire hydrants. Approximate location of proposed sewer lines, water lines, and fire hydrants with a letter from BJWSA and the Fire Marshall.

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- xiv. Location by field survey or aerial photography of existing and proposed water courses and bodies of water such as irrigation ditches and lakes. Water courses shall include direction of flow.
- xv. Tree Survey and with Existing Tree Canopy Survey.
- xvi. Floodplain boundary with a note regarding source of information (if a floodplain does not exist on the property, state this on the plan).
- xvii. The boundaries of proposed phases of the subdivision if the final plat is intended to be submitted in multiple phases.
- xviii. General location of existing surface improvements such as buildings, fences, or other structures which will remain on the property as part of the subdivision.
- xix. Location and acreage of proposed parks, trails, playgrounds, schools or other public uses.
- xx. Location, function, ownership and manner of maintenance of any private open space.
- xxi. Land use table including: land uses, approximate acreage of each land use type, percentage of each land use type density (net and gross) and how public dedication requirement will be met.
- xxii. Total number of lots.
- xxiii. Number of each type of dwelling unit proposed.
- xxiv. An AutoCad drawing file of the Preliminary Plat in a format specified by the City Engineer or Codes Administrator.
- xxv. Surveyor's certificate.

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3. Preliminary Plat drawing standards. The preliminary plat drawing shall comply with the following standards:

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- i. The preliminary plat shall be prepared by or under the direct supervision of a registered land surveyor, shall be signed and stamped by said surveyor, and shall meet applicable State of South Carolina requirements.
- ii. Except for parcels separated by easements (including public rights-of-way), public tracts, or railroads, parcels not contiguous with each other shall not be included in one plat, nor shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be included on one plat, provided that all owners join in the dedication and acknowledgment.
- iii. Lengths on the preliminary plat boundary shall be shown to the nearest hundredth of a foot and bearings shall be shown in degrees, minutes and seconds.
- iv. Bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside, with the lot dimensions.

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v. Names and signatures of all owners of equitable interest in the property shall be on the preliminary plat and shall be made in black drawing ink.

4. General development information. A written description of the existing conditions on the site and the proposed development, including the following items:

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5. Explanation of how the plat is consistent with this Code, the Comprehensive Plan, the Civic Master Plan, and the Sketch Plan.

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6. Preliminary grading and drainage plan and report. This plan and report must be certified by a South Carolina registered professional engineer or Land Surveyor and include approximate earthwork quantities (how earthwork on the site is "balanced"), storm drainage concepts such as locations of pipe and other conveyance facilities, locations for on-site detention or downstream structural improvements, and soil erosion and sedimentation control plans and specifications. It must also discuss the impacts on and to any existing floodways and/or floodplains both on and adjacent to the site as well as any FEMA applications or approvals that may be required.

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7. Preliminary water and sewer plan and study. This plan shall be prepared by a registered professional engineer. It is necessary that the engineer consult with the appropriate utility service providers regarding the design of all utilities through the subdivision.

8. Preliminary landscape and open space plan. The landscape plan must address the treatment of all exterior spaces. Landscape plans are to be designed to meet the requirements of this Code and show approximate locations of trees, shrubs, groundcovers, turf, buffering, fences, walls and other site amenities that will be included in the plan.

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9. Traffic study. A TIA with requirements consistent with Section 7.3.2. This study must be prepared by a professional traffic engineer and identify the projected impacts to the local and regional traffic system. The direct roadway impacts and proposed share in the cost of regional improvements and intersections must be identified for the project.

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10. Archaeological Impact Assessment. An applicant may be required to provide the City as per Section 8.4 with a CHS records listing historically or archaeologically significant findings on the property being subdivided at their expense.

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11. General ecological resource survey. Prepared by a qualified biologist, geologist, ecologist, or similar qualified professional, a survey identifying the potential/absence/habitat of a threatened or endangered species and wetlands or other

ecologically sensitive area. Said survey shall make practical recommendations regarding treatment or mitigation of the findings.

C. **City Planning Commission Hearing.** The Planning Commission shall hold a public hearing to approve, approve with conditions or deny the Preliminary Plat.

1. **Notice to neighboring property owners.** The City shall send notice of the Planning Commission meeting by regular mail to neighboring property owners within 500 feet of the property per this Code.

2. **Approval.** The Planning Commission shall review and act on the Preliminary Plat. The Planning Commission shall approve, approve with conditions, or deny the Preliminary Plat based on the review criteria below.

Preliminary Plat review criteria. In addition to all provisions of this Code, the City shall use the following criteria to evaluate the applicant's request:

- i. The Preliminary Plat represents a functional system of land use and is consistent with the rationale and criteria set forth in this Code.
- ii. The land use mix within the project conforms to the City's Development Code and complies with the Comprehensive Plan and Civic Master Plan.
- iii. The utility and transportation design are adequate, given existing and planned capacities of those systems.
- v. Lot layout, including structure location and design of each lot.

E. **Phasing.** The preliminary plat shall designate the boundaries of phases for which separate final plats will be presented for approval. Each phase, either alone or in conjunction with previously approved and recorded phases, must meet all of the requirements of this Code.

F. **Early grading.** After approval of a Preliminary Plat, Applicant may proceed with preliminary grading of the project area if a construction plan set for grading and drainage is approved and memo authorizing grading work is issued by the City Engineer or Codes Administrator. Early grading and storage of construction related equipment is at the risk of the Applicant and no presumption of any Final Plat approval at the Planning Commission is expressed or implied by any authorization of early grading.

G. **Timeframe related to approval of Preliminary Plat.** A preliminary plat is in full force and effect for a period of two years from date of approval. Approval will automatically expire at the end of two years unless an applicant formally requests an 18

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month extension from the Planning Commission prior to termination or submits a completed final plat application for all or a portion of the property.

7.5.6 Final Plat

A. Final Plat purpose. The purpose of the final plat is to complete the subdivision of land consistent with the technical standards of the City.

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B. Final Plat application process.

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1. Final Plat application submittal. The final plat application shall substantially conform to the preliminary plat as approved at the public hearing and shall meet all conditions of approval. The applicant shall submit the completed final plat application package to the City. The final plat application shall be formatted and packaged per the application submittal checklist provided by the City and include:

- i. Development application form.
- ii. Application fee.
- iii. Title commitment. An updated title commitment, dated no more than 120 days from the date of final plat application submittal.

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2. Final Plat Standards: The final plat drawing shall comply with the following standards:

- i. The plat shall be prepared by or under the direct supervision of a registered land surveyor, shall be signed and stamped by said surveyor, and shall meet applicable State of South Carolina requirements.
- ii. Except for parcels separated by public rights-of-way, public tracts, parcels not contiguous with each other shall not be included in one plat, nor shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be included on one plat, provided that all owners join in the dedication and acknowledgment.
- iii. Lengths shall be shown to the nearest hundredth of a foot and bearings shall be shown in degrees, minutes and seconds.
- iv. Bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside, with the lot dimensions.
- v. Names and signatures of all owners of equitable interest in the property shall be on the plat and shall be made in black drawing ink.
- vi. Title of project.
- vii. North arrow, scale (not greater than one inch equals 100 feet) and date of preparation.
- viii. Vicinity map.
- ix. Legal description.
- x. Basis for establishing bearing.

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- xi. Names and addresses of owners, applicant, engineers and surveyors.
- xii. Total acreage of subdivision.
- xiii. Bearings, distances, chords, radii, central angles and tangent links for the perimeter and all lots, blocks, rights-of-way and easements.
- xiv. Lot and block numbers, numbered in consecutive order, and square footage or acreage to two decimal places of each lot or tract.
- xv. Parcels excepted from inclusion should be noted as "not included in this subdivision" and the boundary completely indicated by bearings and distances.
- xvi. Existing and proposed easements (including rights-of-way) in and adjacent to property (labeled and dimensioned).
- xvii. Existing and proposed street names for all streets on and adjacent to the property.
- xviii. Location and description of monuments.
- xix. Floodplain boundary with a note regarding source of information (if a floodplain does not exist on the property, please state this on the plat).
- xx. If applicable, prior to commencement of construction; a State Highway utility permit from SCDOT.
- xxi. If applicable, prior to commencement of construction, a State Highway access permit from SCDOT.
- xxii. If applicable, prior to commencement of construction, a construction dewatering permit from DHEC
- xxiii. If applicable, prior to commencement of construction, a 404 Permit from the Army Corps of Engineers.
- xxiv. Prior to commencement of construction, acceptable collateral in the amount and form stipulated in Section 7.1.5/

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3. Original plats. The applicant shall submit to the City, five original, signed copies of the final plat ready to record, and final executed copies of all agreements.

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4. Complete engineering plans and specifications. After Final Plat approval the applicant shall prepare and submit the following for administrative approval by the City prior to commencement of construction:

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- i. Construction plans and profiles. The plans and profiles shall be prepared by a registered professional engineer licensed in the State of South Carolina. Plans shall be 24 inches high by 36 inches wide and provide the following information:
- ii. The horizontal to vertical scales shall be chosen to best depict the aspects of the design.
- iii. Minimum horizontal scale: One inch equals 100 feet.
- iv. Minimum vertical scale: One inch equals ten feet.

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v. The typical road geometric and structural cross-section is to be shown on each plan sheet.

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vi. The plan must show right-of-way lines and widths, road names, lot lines, tangent lengths and bearings, curve radii, delta angles, curve lengths, chord lengths and bearings, stationing at all beginning of curves and end of curves, intersections, structures, angles, curb lines, cross pans, traffic control devices (islands, striping, signs, etc.), drive cuts, curb returns and radii, and all other features to enable construction in accordance with approved standards and standard engineering practice. Stationing may be centerline if approved by the City Engineer or Codes Administrator. Construction plans shall include water lines and appurtenances, sewer lines and appurtenances, and storm water lines and appurtenances and any other wet utilities.

vii. The profiles shall include existing and proposed grade at curb and gutter or centerline of street elevation at point of intersection of vertical curves, intersections, grade breaks, point of curb return (PCR), point of reverse curve (PRC), and other critical points, structures, and all other features.

viii. Signature blocks for all utility providers unless otherwise provided in agreement form.

ix. Structure details. Sufficient data shall be given to construction of major structures and road appurtenances such as bridges, culverts, gutters, drives, walks, cross pans, etc; detail shall include orientation line and grade, cross-sections, dimensions, reinforcement schedules, materials, quality specification, etc., or as the City Engineer may approve.

x. Final Water Report. A final water report including hydraulic analysis and pipe sizing calculations. Note, this report can be verified by BJWSA and does not need to be submitted to the City.

xi. Final Sanitary Sewer Report. A sanitary sewer report including hydraulic analysis and pipe sizing calculations. Note, this report can be verified by BJWSA and does not need to be submitted to the City.

xii. Sewage collection and water supply distribution plans, profiles and specifications. The plans, profiles and specifications shall be prepared by a registered professional engineer and shall be accompanied by written approvals from BJWSA.

xiii. Final drainage plans and reports. Based upon the approved preliminary drainage plan, a final report is to be submitted in accordance with SOLOCO Drainage and Design Criteria, as amended or as the City Engineer may approve. The plan and report must provide:

xiv. Erosion control plans, when required.

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xv. Sizing of all pipes, inlets, conveyance ways, and other appurtenances.

xvi. Final grading plan. The final grading plan shall be 24 inches high by 36 inches wide and illustrate existing and proposed contours and lot and block grading details.

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xvii. Soils report. The soils report shall detail pavement design and construction requirements and shall be submitted after overlot grading is complete.

xviii. Final landscape and open space plan. The landscape plan must address the treatment of all exterior spaces. Landscape plans are to be designed to meet the requirements of this Code and show trees, shrubs, groundcovers, turf, buffering, fences, walls and other site amenities that will be included in the plan. All plant materials must be adapted to the physical limitations of the local climate and specific conditions of the landscape plan. All plant materials must meet specifications of the American Association of Nurseryman for number one grade. All street trees must be selected from the City of Beaufort recommended tree list.

xix. Landscape Plan drawn to scale (not greater than one inch equals 50 feet) on 24 by 36-inch sheets which includes:

a. Project name.

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b. Scale, north arrow and date of preparation.

c. Existing and proposed streets and street names.

d. Lot lines, easements and public rights-of-way as shown on the subdivision plat, including gross and net area of all parcels.

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e. Location of proposed building footprints and parking areas.

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f. Location of storage, loading and service areas.

g. Existing and proposed two-foot contours (based on USGS datum).

h. Natural features, wetlands, wildlife corridors, floodplains, streams, ditches and other waterways.

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i. The location of existing and proposed utilities. Utility lines can be 'ghosted' in on the landscape plan to vary the line types for cleaner drawings.

j. All existing trees within the proposed site and adjacent to the site must be accurately identified on the plan. Existing trees must be labeled as to their size, species and if they are intended to remain, be removed or transplanted. All replacement mitigation trees will need to be shown separately on the plan. Tree protection standards for existing trees to remain shall be included on the plan.

k. The extent and location of proposed trees, shrubs and perennials and quantities of each species. Plant materials are to be drawn at two-thirds of their mature size.

l. Landscape schedule including the represented plant symbol, Latin name, common name, planting size and number of individual plants. All plant materials are to meet the minimum size requirements as provided in this Code.

- m. Proposed treatment of all ground surfaces must be clearly indicated, including turf, paving, mulch, native grass, seeded grass, etc. Grass areas are to be specified as seed or sod, and a seed mix/rate specified.
- n. Sight distance triangles must be shown at street intersections pursuant to this Code.
- o. Project specific landscape notes and details to ensure the proper planting, establishment and survival of plant materials. Additional notes detailing the warranty for plant materials and continued maintenance shall be included.
- p. Open space and pedestrian circulation system.
- q. Proposed grading of the project site, including drainage swales, detention basins, retaining walls and any off-site infrastructure improvements.
- r. Notes for conservation and retention of topsoil and landscape soil preparation.
- s. Restoration, revegetation or enhancement of disturbed natural areas or open space feature.
- t. Park structures, signage, play equipment, and other landscape or park amenities and appurtenances.
- u. A "pdf" file and an AutoCad drawing file of the final plat in an electronic format specified by the City Engineer.

5) Post approval actions. Prior to issuance of a building or grading permit, the applicant shall submit the following documentation to the City:

- i. List of contractors. List of all contractors that will be performing the improvements.
- ii. Proof of insurance/business license. Proof of workman's comprehensive insurance and liability insurance for each contractor and business license.
- iii. Open space deed restriction. Areas designated as open space shall be protected by a deed restriction or other appropriate method to ensure that they cannot be subdivided or developed in the future and will remain as open space until the use is modified by the City.
- iv. Construction traffic control plan. Applicant will develop a plan for City Engineer, Codes Administrator or appointee, review that addresses construction traffic, construction water, temporary road closures, street repairs, dust, noise and other construction-related concerns.
- v. Other certificates, affidavits, enforcements or deductions as required by the City.

C. Approval. The City Codes Administrator shall review and act on the Final Plat. The Codes Administrator may choose to approve, approve with conditions, or deny the Final Plat based on the criteria below.

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1. Final Plat review criteria. In addition to all provisions of this Code, the City shall use the following criteria to evaluate the applicant's final plat application:

- a. The Final Plat is in substantial conformance with the approved Preliminary Plat. For the purposes of this Code, "substantial conformance", includes design adjustments made to meet any conditions of preliminary plat approval, and is determined as follows:
- b. Does not change any land use.
- c. Does not contain changes which would render the final plat in nonconformance with requirements of this Code.
- d. Does not contain significant changes in street alignment and/or access points, or other public elements such as drainage improvements, utility lines or facilities.
- e. Does not change any measurable standard (other than above) by more than 15 percent.
- f. The development complies with this Code, the Comprehensive Plan and the Civic Master Plan.

D. Timeframe related to approval of Final Plat. A final plat is in full force and effect for a period of two years from date of recordation unless a longer timeframe is specifically allowed by the City in an approved Development Agreement or unless public improvements are completed and accepted on all or a portion of the final plat. Applicants may formally request one 18 month extension from the Codes Administrator prior to termination of final plat approval. Prior to the expiration of the original two year timeframe or the extension timeframe, an applicant may formally request an additional extension if substantial progress has been made on installation of public improvements.

7.5.7 Minor subdivision plat

A. Minor Subdivision Plat purpose.

- 1. The purpose of the Minor Subdivision Plat is a subdivision, or amendment to a subdivision, which has been previously platted, includes no additional public right-of-way dedication, and includes one or more of the following:
 - i. The boundaries of six or fewer lots are created from one parent tract or lot, cumulatively and not more than 3 acres; (ex. any portion of a tract that is subdivided counts toward the six total, and does not itself become a new parent tract to subdivide an additional six lots from)
 - ii. Any lot line adjustment, consolidation of multiple lots into one.

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B. Minor Subdivision plat application submittal. The applicant shall submit the complete Minor Subdivision plat application package to the City. The application shall be formatted and packaged per the application submittal checklist provided by the City and include:

1. Development application form.
2. Application fee.
3. Title commitment. A current title commitment, dated no more than 30 days from the date of minor subdivision plat application submittal

C. Minor Subdivision plat standards. The plat drawing shall comply with the following standards:

- i. The plat shall be prepared by or under the direct supervision of a registered land surveyor and meet applicable State of South Carolina requirements.
- ii. Except for parcels separated by public rights-of-way, public tracts, or railroads, parcels not contiguous shall not be included in one plat, nor shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be included on one plat, provided that all owners join in the dedication and acknowledgment.
- iii. Lengths shall be shown to the nearest hundredth of a foot and bearings shall be shown in degrees, minutes and seconds.
- v. Bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside, with the lot dimensions.
- vi. All signatures shall be made in black drawing ink.
- viii. Title of project.
- viii. North arrow, scale (not greater than one inch equals 100 feet) and date of preparation.
- ix. Vicinity map.
- x. Legal description.
- xi. Basis for establishing bearing.
- xii. Names and addresses of owners, applicant, designers, engineers and surveyors.
- xiii. Total acreage of subdivision.
- xiv. Bearings, distances, chords, radii, central angles and tangent links for the perimeter and all lots, blocks, rights-of-way and easements.
- xv.) Lot and block numbers, numbered in consecutive order, and square footage or acreage to two decimal places of each lot or tract.
- xvi. Parcels excepted from inclusion noted as "not included in this subdivision" and the boundary completely indicated by bearings and distances.
- xvii. Existing rights-of-way in and adjacent to subject property (labeled and dimensioned).
- xviii. Existing and proposed street names for all streets on and adjacent to the property.

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xix. Existing easements and their type in and adjacent to subject property (labeled and dimensioned).

xx. Location and description of monuments.

xxi. Floodplain boundary with a note regarding source of information (if a floodplain does not exist on the property, please state this on the plat).

xxii. Certificates blocks for signatures of owner, surveyor, utility providers, and City approval, as applicable.

D. Record Minor Subdivision Plat. Five signed copies of the minor subdivision plat shall be delivered to the City. The applicant will be responsible to record the minor subdivision plat with Beaufort County.

7.5.8 Site Plan

A. Site Plan Purpose. The site plan is a prerequisite to a building permit for all multi-family (excluding duplexes), commercial, and industrial developments. The site plan shows how the lot will be developed so that the City can ensure that the site design will be in compliance with the Development Code, Comprehensive Plan and Civic Master Plan.

B. Site Plan Application.

1. Land use application form.

2. Application fee and fee agreement.

3. Site Plan plat — The site plan shall be a minimum of 18 inches by 24 inches and shall provide the following information:

i. Title of project.

ii. North arrow, scale (no greater than one inch equals 50 feet) and date of preparation.

iii. Vicinity map.

iv. Address of project.

v. Legal description of property.

vi. Name, address and phone number of property owner.

vii. Name, address and phone number of person or firm responsible for plan.

viii. Lot size (square footage).

ix. Bearings and distances of all lot lines.

x. Existing and proposed easements and rights-of-way.

xi. Existing and proposed paved areas and sidewalks on the site and in the adjacent rights-of-way, all dimensioned, showing how pedestrians will have access to the site and buildings.

xii. Gathering areas for people.

xiii. Existing and proposed curb cuts on the site and in the adjacent rights-of-way (on both sides of perimeter streets), all dimensioned.

xiv. Existing and proposed two-foot contours.

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- xv. Existing waterways on or adjacent to the site.
- xvi. Finished floor elevations for all structures.
- xvii. Footprint (including roof overhangs and eaves, decks, balconies, outside stairs and landings) of all proposed structures and their use with their dimensions and locations noted with respect to the property lines.
- xviii. Existing structures and their use.
- xix. Square footage of the proposed building(s) and the footprint of the proposed building(s).
- xx. Proposed structure height.
- xxi. For multi-family residential, the number of residential units and bedrooms per unit.
- xxii. Location of proposed signs and lighting.
- xxiii. Specifications for the signs and lights, including type, height and general conformance to the Code. For commercial and industrial uses, a photometric plan prepared by a qualified electrical or lighting engineer shall be submitted that depicts all lighting fixtures and the light spread (in footcandles) of these fixtures across the site to all property boundaries.
- xxiv. Proposed traffic controls and striping for parking areas (all lanes, driveways, and parking spaces must be dimensioned).
- xxv. Trash disposal areas and enclosures including specifications for enclosures.
- xxvi. Location and size of existing and proposed water and sewer service connections and tap sizes.
- xxvii. Location and size of water and sewer lines to which the service connections will be or are made.
- xxviii. Location and size of water meter(s).
- xxix. Location and size of backflow-prevention devices.
- xxx. Indication of how and where perimeter drain will drain (if one exists).
- xxxi. Location of existing electrical lines and poles on or adjacent to the site.
- xxxii. Location of proposed electrical service connection and meter location.
- xxxiii. Location of electric transformer.
- xxxiv. Location of all fire hydrants. If none exist on site, note distance and direction of the closest hydrant adjacent to the site within 500 feet.
- xxxv. Location of detention/retention areas and storm sewer infrastructure with the required drainage easements.
- xxxvi. The distance from the proposed building(s) or structure(s) to adjacent lot lines, easements, and adjacent structures.
- xxxvii. A land use chart (table).
- xxxviii. Certificate blocks for signatures of owner, surveyor, utility providers, and City approval, as applicable.

C. Design standards — Demonstrate in written or graphic form how the proposed structure(s) is consistent with the design requirements of this code. Exterior elevations of proposed

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structures/graphic visual aids. Provide complete building elevations, drawn to scale, with illustrations of all colors and identifying major materials and cut sheets to be used in the structure(s). In addition, Staff may require building floor plans, sectional drawings, perspective drawings, models, and/or computer visualizations when the impacts of a proposal warrant such information.

D. Certified drainage report — A certified drainage report, including an erosion control study and plan, as applicable, must be reviewed and approved by the appropriate sanitation district (if applicable) prior to submittal of the report to the City as part of the site plan application.

E. Final landscape and open space plan. Provide an existing and proposed landscape and open space plan consistent with this Section.

F. TRC and Staff Review. Staff and TRC reviews application and prepares comments. Staff and TRC will review the site plan map to ensure it is consistent with the site plan review criteria. Following the review, Staff will prepare a written report outlining any changes that the applicant must make before the site plan can be recommended for public hearing with the Planning Commission. This report will be forwarded to the applicant.

1. Applicant addresses staff comments. Applicant shall make all necessary changes to the site plan and resubmit a revised copy to the City.

G. Planning Commission Hearing. The Planning Commission shall hold a public hearing to approve, approve with conditions or deny the Site Plan as per the following conditions.

1. **Notice to neighboring property owners.** The City shall send notice of the Planning Commission meeting by regular mail to neighboring property owners within 500 feet of the property per this Code.;

2. The Planning Commission shall hold a public meeting on the proposal. The applicant and other property owners likely to be materially affected by the application shall be given an opportunity to be heard. **Decisions/Findings of Fact:** Following the public meeting, the Planning Commission may approve, deny, or approve with conditions the application for a Major Development. No Major Development shall be approved unless the following findings of fact can be made:

- a. The plan is consistent with the adopted plans and policies of the City.
- b. The plan complies with all applicable requirements of this Code.
- c. There exists adequate infrastructure (transportation and utilities) to support the plan as proposed.

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- d. The proposed plan conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site.
- e. The proposed plan conforms to the Building Design Standards in Article 4.
- f. All impacts on adjacent land uses are identified and satisfactorily mitigated, including, but not limited to: solar access, heat, dust, glare, traffic and noise.

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H. Post approval actions.

- 1. Building Permit. A building permit shall be issued only when a site plan has been approved. However, with the approval of the City, an applicant may submit a building permit application concurrent with the site plan application. Building permits shall not be issued for any development that is not in conformance with the approved site plan.
- 2. Phasing and expiration of approval. The site plan shall be effective for a period of three years from the date of approval, unless stated otherwise in the written site plan approval. Building permits shall not be issued based on site plans that have an approval date more than three years old. For multi-phased plans, building permits shall not be issued based on an approval date more than three years from the date of Phase I approval.

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I. Appeals.

Any party aggrieved by the decisions of the Planning Commission may appeal to the Circuit Court within 30 days of the decision.

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J. Permit Validity.

Upon the approval of the Major Development Design application, the applicant shall have 2 years to obtain a Project Permit. Failure to secure a permit for the permitted work within this time shall render the compliance void. Any change to the approved plans that has not been authorized by the Administrator shall invalidate the design approval, and any subsequent building permits.

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K. Permit Extension: The Administrator may grant a one year extensions of this time period upon submittal by the applicant of sufficient justification for the extension. Extensions shall be submitted at least 1 month prior to the expiration date.

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L. Amendments to approved Site Plans.

- 1. Minor variations in the location of structures, improvements, or open space areas caused by engineering or other unforeseen difficulties may be reviewed and approved by the City Staff. Such changes shall not exceed ten percent of any measurable standard or modify the use, character, or density of an approved site plan. All plans so modified shall be revised to show the authorized changes and shall become a part of the permanent records of the City.

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2. Changes to approved site plans that exceed the ten percent threshold, or other major modifications (such as changes in building size or footprint, relocation of access points, changes to required parking, etc.), shall be considered as a new site plan application. Such amendments shall require Planning Commission review and approval to become effective. A complete site plan application shall be prepared and submitted in compliance with the requirements set forth in this Section.

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