



Natural Resources Committee Beaufort County, SC

This meeting will be held at the County Council Chambers, 100 Ribaut Road, Beaufort, and virtually through Zoom.

Monday, May 02, 2022
3:00 PM

OR AT THE CONCLUSION OF THE EXECUTIVE COMMITTEE MEETING

AGENDA

COMMITTEE MEMBERS:

ALICE HOWARD, CHAIRMAN

GERALD DAWSON, VICE-CHAIR

LOGAN CUNNINGHAM

LAWRENCE MCELYNN

YORK GLOVER

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. PUBLIC NOTIFICATION OF THIS MEETING HAS BEEN PUBLISHED, POSTED, AND DISTRIBUTED IN COMPLIANCE WITH THE SOUTH CAROLINA FREEDOM OF INFORMATION ACT
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES - APRIL 4, 2022
6. **CITIZEN COMMENTS - (ANYONE who wishes to speak during the Citizen Comment portion of the meeting will limit their comments to no longer than three (3) minutes (a total of 15 minutes) and will address Council in a respectful manner appropriate to the decorum of the meeting, refraining from the use of profane, abusive, or obscene language)**

AGENDA ITEMS

7. RECOMMEND APPROVAL OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 5.11.100.F.1 (TREE REMOVAL ON DEVELOPED PROPERTIES) TO CLOSE A LOOPHOLE WHICH ALLOWS SPECIMEN AND MITIGATION TREES TO BE REMOVED POST-CONSTRUCTION OF SINGLE-FAMILY HOMES.
8. RECOMMEND APPROVAL OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTIONS IN DIVISION 3.2 (TRANSECT ZONES) AND SECTIONS IN DIVISION 3.3 (CONVENTIONAL ZONES) TO CORRECT AND CLARIFY PARKING SPACE REQUIREMENT CONFLICTS BETWEEN ZONING DISTRICTS AND THE PARKING SPACE REQUIREMENTS TABLE IN SECTION 5.5.40.B.
9. RECOMMEND APPROVAL OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): APPENDIX A.13.50.D (GUEST HOUSES) TO CLARIFY THE STANDARDS FOR

MINIMUM LOT SIZE REQUIREMENTS FOR GUEST HOUSES LOCATED IN THE MAY RIVER COMMUNITY PRESERVATION DISTRICT.

- [10.](#) RECOMMEND APPROVAL OF AN ORDINANCE FOR A TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 6.1.40.G (BASE SITE AREA CALCULATIONS) TO CLARIFY THAT BOTH JURISDICTIONAL AND NON-JURISDICTIONAL WETLANDS MUST BE SUBTRACTED FROM THE GROSS SITE AREA TO DETERMINE BASE SITE AREA FOR DEVELOPMENT.
11. RECOMMEND APPROVAL OF THE REAPPOINTMENT OF GERALD SCHULZE TO THE BJWSA BOARD OF DIRECTORS
12. RECOMMEND APPROVAL OF APPOINTMENTS OF DENNIS ROSS FOR AT-LARGE AND RONALD BUCHANAN FOR STORMWATER DISTRICT 8 TO THE STORMWATER MANAGEMENT UTILITY BOARD WITH AN EXPIRATION DATE OF 2026

EXECUTIVE SESSION

- [13.](#) PURSUANT TO S.C. CODE SECTION 30-4-70(A)(2) DISCUSSION OF NEGOTIATIONS INCIDENT TO PROPOSED CONTRACTUAL ARRANGEMENTS AND PROPOSED PURCHASE OR SALE OF PROPERTY (LOBECO, DUE DILIGENCE)
14. MATTERS ARISING OUT OF EXECUTIVE SESSION
15. ADJOURNMENT



Natural Resources Committee Beaufort County, SC

This meeting was held at the County Council Chambers, 100 Ribaut Road, Beaufort, and virtually through Zoom.

Monday, April 04, 2022
3:00 PM

MINUTES

1. **CALL TO ORDER**

Committee Chair Howard called the meeting to order at 3 p.m.

PRESENT

Committee Chair Alice Howard
Council Member Joseph F. Passiment
Council Member D. Paul Sommerville
Council Member York Glover
Council Member Lawrence McElynn
Council Member Logan Cunningham

ABSENT

Committee Vice-Chair Gerald Dawson
Council Member Brian Flewelling
Council Member Stu Rodman
Council Member Chris Hervochon
Council Member Mark Lawson

2. **PLEDGE OF ALLEGIANCE**

Committee Chair Howard led the Pledge of Allegiance.

3. **FOIA**

Committee Chair Howard stated public notice of this meeting had been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act.

4. **APPROVAL OF AGENDA**

Motion: It was moved by Council Member Passiment, seconded by Council Member McElynn to approve the agenda.

The Vote - The motion was approved without objection.

5. **APPROVAL OF MINUTES - MARCH 7, 2022**

Motion: It was moved by Council Member Passiment, seconded by Council Member McElynn, to approve the March 7, 2022, minutes.

The Vote - The motion was approved without objection.

6. **CITIZEN COMMENTS**

No Citizen Comments

7. **REGIONAL STORMWATER UPDATE**

Neil Desai- Director of Stormwater.

Brewer Memorial: Construction continues to schedule

Evergreen Regional Pond: 319 Grant Project. On schedule to be completed Mid May 2022

St. Helena Drainage Consultant: Working on Model

Arthur Horne Park: 319 Grant is currently in the approval process

Lady's Island Drainage: Study in progress

3/28/22: Addressing citizens' comments/concerns from that meeting.

Shellpoint Community Meeting:

AGENDA ITEMS

8. **A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE STORMWATER MANAGEMENT AND UTILITY WITH THE CITY OF BEAUFORT (\$4,491)**

9. **A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE STORMWATER MANAGEMENT AND UTILITY WITH THE TOWN OF PORT ROYAL (\$2,898)**

10. **A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE STORMWATER MANAGEMENT AND UTILITY WITH THE TOWN OF BLUFFTON (\$10,962)**

11. **A RESOLUTION AUTHORIZING THE EXECUTION OF A MEMORANDUM OF AGREEMENT BETWEEN THE STORMWATER MANAGEMENT AND UTILITY WITH THE TOWN OF HILTON HEAD ISLAND (\$26,829)**

Motion: It was moved by Council Member Glover, seconded by Council Member Passiment, to approve a resolution authorizing the execution of a Memorandum of Agreement between the Stormwater Management and Utility with the City of Beaufort for MS4 Public Education Services (\$4,491.00), the Town of Port Royal (\$2,898.00), the Town of Bluffton (\$10,962.00), and the Town of Hilton Head (\$26,829.00) and move forward to County Council for approval.

The Vote - The motion was approved without objection.

12. **RECOMMENDATION FOR CONTRACT AWARD FOR WHITEHALL PARK PHASE I CONSTRUCTION IFB#030122**

Discussion: Stefanie Nagid, Passive Park Director, stated the conceptual plan was presented in December 2020. The County hired Wood and Partners to assist in developing the Whitehall Park Conceptual

Plan, which was completed in December 2020. In 2021, Wood and Partners and County staff finalized the first phase of construction plans and specifications, including the entrance, parking lot, multi-use trail, picnic pavilion, and restrooms. The project received final permitting approval from the City of Beaufort, and the project was bid on March 1, 2022. Two bids were received, and Nix Construction is the apparent low bidder at \$1,537,000. The total project cost, including the preferred alternate of a previous concrete drive aisle (\$135,000) and a 15% contingency (\$250,800), will be \$1,922,800. The project has \$426,828 Passive Park bond funding currently available in the Whitehall Park capital account (#45020011-54417), a \$560,478 A/H Tax Grant Award for Whitehall Park construction was approved by County Council on March 28, 2022, and \$935,494 Passive Park bond funding currently available in the Okatie Marsh capital account, which would need to be transferred to the Whitehall Park capital account.

Stefanie Nagid stated the money was from the Bond referendum, and funding was allocated based on the projects' costs. The budget is flexible based on priority and inflation of charge. The conceptual plan can still be funded.

Motion: It was moved by Council Member Cunningham, seconded by Council Member Glover, to approve the recommendation bid award approval to Nix Construction, reallocate Okatie Marsh funding, and move forward to County Council for approval.

The Vote - The motion was approved without objection.

13. **RECOMMEND APPROVAL OF THE REAPPOINTMENTS OF KENNETH FRAIZER AND FORD BARTHOLOW TO THE RURAL AND CRITICAL LANDS PRESERVATION BOARD WITH AN EXPIRATION DATE OF 2026.**

14. **RECOMMEND APPROVAL OF THE APPOINTMENT OF DENNIS NIELSEN, EdD. TO THE BEAUFORT COUNTY ZONING BOARD OF APPEALS FOR A PARTIAL TERM APPOINTMENT WITH AN EXPIRATION DATE OF 2024**

Motion: It was moved by Council Member Passiment, seconded by Council Member Cunningham, to approve the recommendation of the reappointments of Kenneth Frazier and Ford Bartholow to the Rural and Critical Lands Preservation Board with an expiration date of 2026 and the appointment of Dennis Nielsen, EDD. to the Beaufort County Zoning Board of Appeals for a partial term appointment with an expiration date of 2024 and move forward to the County Council for approval.

The Vote - The motion was approved without objection.

15. **ADJOURNMENT**

The meeting adjourned at 3:28 p.m.



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
<i>Text Amendment to the Community Development Code (CDC): Section 5.11.100.F.1 (Tree Removal on Developed Properties) to close a loophole which allows specimen and mitigation trees to be removed post-construction of single-family homes.</i>
MEETING NAME AND DATE:
<i>Natural Resources Committee Meeting, May 2, 2022</i>
PRESENTER INFORMATION:
<i>Robert Merchant, AICP, Director, Beaufort County Planning and Zoning (10 minutes needed for item discussion)</i>
ITEM BACKGROUND:
<i>Staff have been reviewing the Community Development Code (CDC) for necessary amendments as a result of the adoption of the 2040 Comprehensive Plan. During our review, staff have identified necessary major and minor corrections to the CDC to improve and clarify its standards. These amendments will be presented in several batches for consideration. This is the first batch of recommended amendments, which includes only minor changes.</i> <i>At their April 4, 2022 meeting, the Beaufort County Planning Commission voted unanimously to recommend approval of the proposed amendment.</i>
PROJECT / ITEM NARRATIVE:
<i>Sections 5.11.100.B – 5.11.100.E protect trees during new development projects by requiring Specimen trees to be preserved to the maximum extent practicable. When specimen trees cannot be avoided because of new development, they must be mitigated in one of three ways: 1) replanting trees of the same species, 2) saving existing non-specimen-size native trees on the property or, 3) paying into a tree mitigation fund. Staff spends a lot of time regulating these requirements during development, however, per Section 5.11.100.F, once a single-family home exists on a lot, the property owners may remove all but grand trees and trees in river buffers without a tree removal permit. This means that specimen trees are no longer protected under Section 5.11.100.F and trees that have been kept for mitigation are afforded no protections. This has enabled the act of developers saving specimen and non-specimen size trees during development for mitigation purposes, allowing them to avoid replanting or paying into a tree mitigation fund, and then cut the trees down as soon as the single-family residence is certified for occupancy. The proposed amendments close this loophole.</i>
FISCAL IMPACT:
<i>Not applicable.</i>
STAFF RECOMMENDATIONS TO COUNCIL:
<i>Staff recommends approval.</i>
OPTIONS FOR COUNCIL MOTION:
<i>To approve or deny the proposed amendment to the Community Development Code (CDC): Section 5.11.100.F.1 (Tree Removal on Developed Properties).</i>

ORDINANCE 2022 / __

**TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC):
SECTION 5.11.100.F.1 (TREE REMOVAL ON DEVELOPED PROPERTIES) TO CLOSE
A LOOPHOLE WHICH ALLOWS SPECIMEN AND MITIGATION TREES TO BE
REMOVED POST-CONSTRUCTION OF SINGLE-FAMILY HOMES.**

WHEREAS, the Community Development Code provides different guidance for tree protection during the development of property compared to tree protection for property that has already been developed; and

WHEREAS, Section 5.11.100.F (Tree Removal on Developed Properties) only protects Grand Trees but does not protect specimen or mitigation trees that are protected during the development of property; and

WHEREAS, it is necessary for the Community Development Code to provide additional tree protection standards for developed properties to achieve the desired results of tree protection and provide clear guidance to the development community.

NOW, THEREFORE be it ordained by County Council in meeting duly assembled as follows:

Adopted this ___ day of _____ 2022.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, JD, Clerk to Council

5.11.100 Tree Protection**F. Tree Removal on Developed Properties.****1. Single-Family Residential Lots.**

- a. **Permit Required to Remove a Grand-Tree.** On any individual single-family residential lot with an existing dwelling unit where construction was completed less than five years ago, a tree removal permit is required to remove specimen, grand, and/or mitigation trees, see Section 7.2.50 (Tree Removal Permit). On any individual single-family residential lot with an existing dwelling unit where construction was completed five or more years ago, a tree removal permit is required to remove a grand tree and/or mitigation trees, see Section 7.2.50 (Tree Removal Permit). A grand tree is an exceptionally large tree for its species that is healthy and worthy of protection. It represents an individual tree that contributes aesthetically to the region's visual "sense of place" and serves as a seed stock for future generations. An individual tree is considered a grand tree by the following size criteria:
- 1) Live Oak (*Quercus virginiana*), Black Walnut (*Juglans nigra*), or Longleaf Pine (*Pinus palustris*) that are equal to or greater than a diameter of 24 inches DBH.
 - 2) Loblolly Pine (*Pinus taeda*), Slash Pine (*Pinus ellitoides*), and Shortleaf Pine (*Pinus echinata*) that are equal to or greater than a diameter of 36 inches DBH.
 - 3) All other species of trees, not defined above, that are equal to or greater than a diameter of 30 inches DBH except those identified as invasive species in Table 5.11.100.C.
- b. **Tree Removal Permit Standards.** A tree removal permit will be issued to remove a protected grand-tree from a residential lot if the tree is dead, diseased, hollow, or has another condition that poses a hazard to people or structures on the lot or adjoining lot as determined by a certified arborist. Upon removal, the tree shall be replaced with one 2.5-inch minimum caliper tree of the same species, or a species recommended by a certified arborist and approved by staff.
- c. **Removal of All Other Non-Protected Trees on Residential Lots.** All other trees on a single-family residential lot with an existing dwelling may be removed without a permit, except for mitigation trees or trees those within required river buffers, including river buffers, may be removed without a permit. Removal of trees within a river buffer and/or mitigation trees requires a tree removal permit; see Section 7.2.50 (Tree Removal Permit).



MEMORANDUM

TO: Beaufort County Natural Resources Committee

FROM: Juliana Smith, Beaufort County Planning and Zoning Department

DATE: May 2, 2022

SUBJECT: Review of Community Development Code – Proposed Text Amendments

STAFF REPORT:

A. BACKGROUND: In November 2021, Beaufort County Council adopted the 2040 Comprehensive Plan. As a result, staff have been reviewing the Community Development Code (CDC) for necessary amendments. During our review, staff have identified necessary major and minor corrections to the CDC to improve and clarify its standards. These amendments will be presented in several batches for consideration. This is the first batch of recommended amendments, which includes only minor changes.

B. SUMMARY OF REQUEST: To help navigate through the list of the first batch of recommended amendments, below is a summary of each of the four amendments up for consideration. More detailed explanations follow in the attachments, along with the amended CDC sections:

1. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): APPENDIX A.13.50.D (GUEST HOUSES) clarifies minimum lot size requirements for guest houses located in the May River Community Preservation District.
2. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTIONS IN DIVISION 3.2 (TRANSECT ZONES) AND SECTIONS IN DIVISION 3.3 (CONVENTIONAL ZONES) corrects and clarifies conflicts between zoning districts and the Parking Space Requirements Table in Section 5.5.40.B.
3. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 6.1.40.G (BASE SITE AREA CALCULATIONS) clarifies that both jurisdictional and non-jurisdictional wetlands must be subtracted from the gross site area to determine base site area for development.
4. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 5.11.100.F.1 (TREE REMOVAL ON DEVELOPED PROPERTIES) closes a loophole which allows specimen and mitigation trees to be removed post-construction of single-family homes.

C. STAFF RECOMMENDATION: Staff recommends approval.

D. BEAUFORT COUNTY PLANNING COMMISSION RECOMMENDATIONS: At the April 4, 2022 meeting of the Beaufort County Planning Commission, the Commission voted:

1. Unanimously to recommend approval of the text amendment to CDC Appendix A.13.50.D (Guest Houses) upon the condition that staff make an additional amendment to further clarify language regarding the larger (i.e. five plus acre) parcels. Staff have made the requested change.
2. Unanimously to recommend approval of the text amendment to CDC sections in Division 3.2. (Transect Zones) and Division 3.3 (Conventional Zones) to clarify parking space requirements.
3. Unanimously to recommend approval of the text amendment to CDC Section 6.1.40.G (Base Site Area Calculations) to clarify how to calculate base site area.
4. Unanimously to recommend approval of the text amendment to CDC Section 5.11.100.F.1 (Tree Removal on Developed Properties) to close a loophole that allows specimen trees and mitigation trees to be removed post-construction of single-family homes.

E. ATTACHMENTS: Revised Community Development Code sections.

Section A.13.50.D (Guest Houses): Section A.13.50.D addresses guest house allowances for existing lots of record south of May River Road. As written, the language leaves no direction on lots greater than five acres that exist prior to the adoption of the May River Community Preservation district (MRCP). It only addresses lots that are two to five acres that *existed prior* to the adoption of the MRCP and lots that are five acres or more that were *created after* the adoption of the MRCP. Staff recommends removing the language referencing lot-origination dates to capture all property sizes south of May River Rd and provide clear guidance determining the number of guest houses allowed for all properties in that portion of the district.

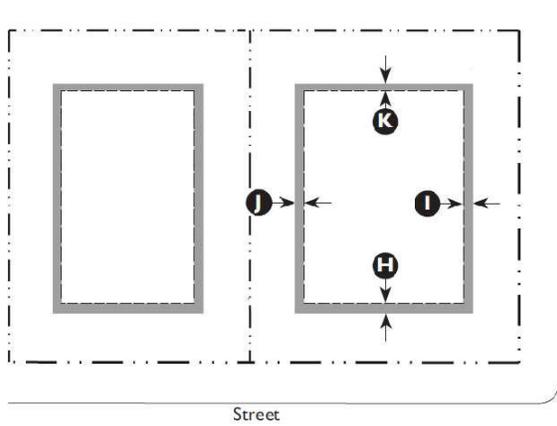
A.13.50 Conditional and Special Use Standards

D. Guest houses.

1. Guest houses shall be permitted South of May River Road.
2. A guest house shall be subordinate to the principal dwelling and be for use by the property owner and his/her guests only.
3. A guest house is deemed to be a part of the main property owners compound and is not intended to be subdivided for other uses. They shall adhere to the front, rear, and side setbacks listed for the principle structure.
4. A guest house is for use by the property owner and his/her family and guests only. They shall not be leased or rented, and must gain their access from the driveway of the principal house.
5. Existing lots of record that are two to five acres in size are permitted one guest house, not to exceed 2,000 square feet. Lots created after the adoption of the May River CP District that are five acres or more than five acres in size are permitted one or more guest houses; however, the total square footage of all guest dwellings (houses) may not exceed 75 percent of the square footage of the principal house. Furthermore, the total square footage of all guest houses (when added together) may not exceed 5,000 square feet.
6. Nothing herein shall prevent the construction of a guest house prior to the construction of the principal dwelling.
7. Manufactured (i.e., mobile) homes shall not be permitted to be used as guest houses.

Sections in Division 3.2 (Transect Zones) and Division 3.3 (Conventional Zones): The CDC contains parking space requirements in both the individual transect and conventional zone standards in Division 3.2 and 3.3 and in Table 5.4.40.B. Parking space requirements were included in both places in order to simplify navigation of the CDC for ease of interpretation. However, staff have recognized inconsistencies between Table 5.4.40.B and Zoning District requirements in Divisions 3.2 and 3.3. This amendment corrects conflicts by removing parking requirements from all Transect (except the T4 districts) and Conventional zones and replacing them with reference to Table 5.4.40.B. Because the T4 districts are intended to create walkable and mixed-use communities, staff recommends keeping specific parking allowances within the T4 district sections to reduce the number of required parking spaces and prevent over-parking of these districts.

3.2.40 T2 Rural (T2R) Standards

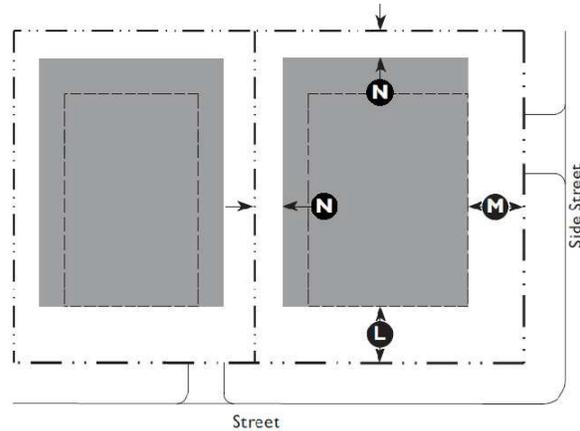


Key
 - - - - ROW / Property Line ■ Encroachment Area
 ——— Setback Line

F. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	(H)
Side Street	5' max.	(I)
Side	5' max.	(J)
Rear	5' max.	(K)

Encroachments are not allowed within a Street ROW/Alley ROW, or across a property line.
 See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

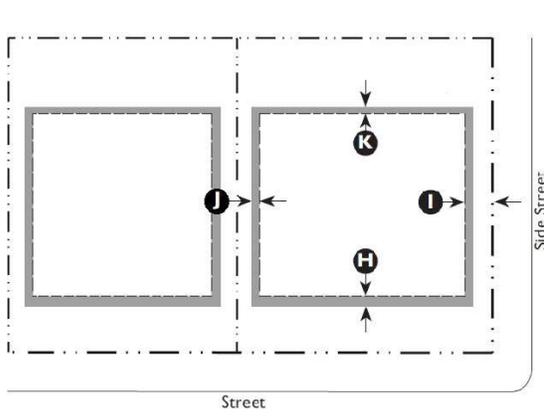
Allowed Frontage Types	
Common Yard	Porch: Engaged
Porch: Projecting	



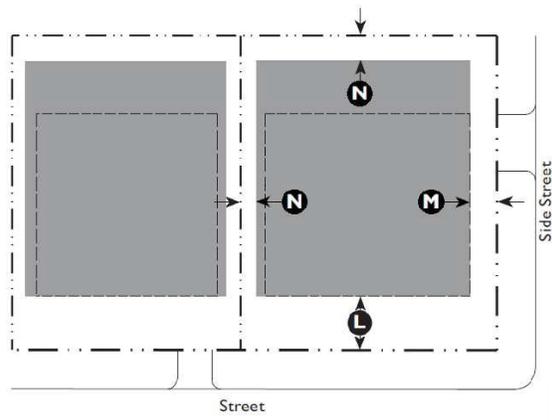
Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 ——— Setback Line

G. Parking		
Required Spaces: Residential Uses		
Single-Family Detached	3 per-unit	
Required Spaces: Service or Retail Uses		
Lodging: Inn	1 per-room	
For parking space requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	50' min.	(L)
Side Street	50' min.	(M)
Rear and interior side yard parking setbacks are governed by the applicable perimeter buffer (see Tables 5.8.90.D and 5.8.90.F) and any other required buffers.		
		(N)

3.2.50 T2 Rural Neighborhood (T2RN) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 - - - - Setback Line

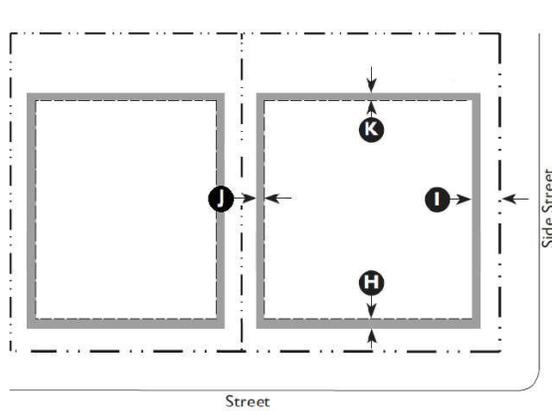


Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 - - - - Setback Line

G. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	(H)
Side Street	5' max.	(I)
Side	5' max.	(J)
Rear	5' max.	(K)
Retail, Offices, Services	1 per 300 GSF	
Encroachments are not allowed within a Street ROW/Alley ROW		
Buffers, or across a property line. See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting	Shop front	

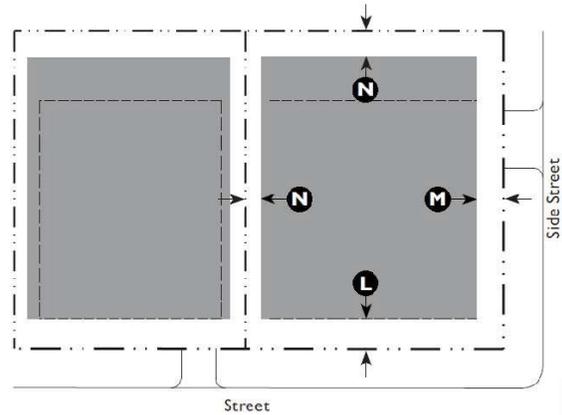
H. Parking		
Required Spaces: Residential Uses		
Single-family detached	3 per-unit	
Required Spaces: Service or Retail Uses		
Retail, Offices, Services	1 per 300 GSF	
Restaurant, Café, Coffee Shop	1 per 150 GSF	
For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	35' min.	(L)
Side Street	20' min.	(M)
Rear and interior side yard parking setbacks are governed by the applicable perimeter buffer (see Tables 5.8.90.D and 5.8.90.F) and any other required buffers.		(N)

3.2.60 T2 Rural Center (T2RC) Standards



Key

- - - - ROW / Property Line
- Setback Line
- Encroachment Area



Key

- - - - ROW / Property Line
- Setback Line
- Allowed Parking Area

E. Encroachments and Frontage Types

Encroachments		
Front	5' max.	(H)
Side Street	5' max.	(I)
Side	5' max.	(J)
Rear	5' max.	(K)

Encroachments are not allowed within a Street ROW/Alley ROW, Buffers, or across a property line. See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Porch: Engaged
Porch: Projecting	Shop front

F. Parking

Required Spaces: Residential Uses

Single-family detached	3 per unit
Community residence	1 per bedroom

Service or Retail Uses:

Retail, offices, services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Drive-through facility	Add 5 stacking spaces per drive-through
Lodging- Inn	1 per room

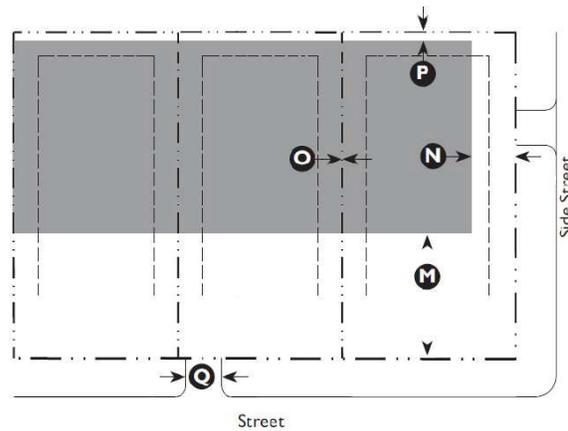
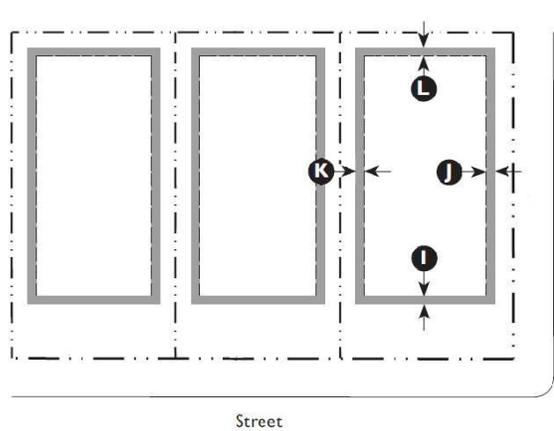
For parking space requirements for all other uses see Table uses see Table 5.5.40.B (Parking Space Requirements).

Location (Setback from Property Line)

Front	10' min.	(L)
Side Street	15' min.	(M)

Rear and interior side yard parking setbacks are governed by the applicable perimeter buffer (see Tables 5.8.90.D and 5.8.90.F) and any other required buffers.

3.2.70 T3 Edge (T3E) Standards



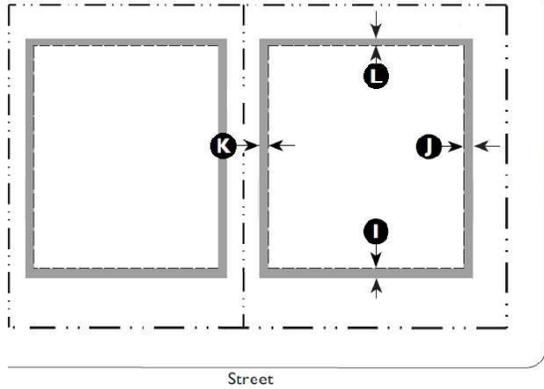
Key
 - - - - ROW / Property Line ■ Encroachment Area
 - - - - Setback Line

Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 - - - - Setback Line

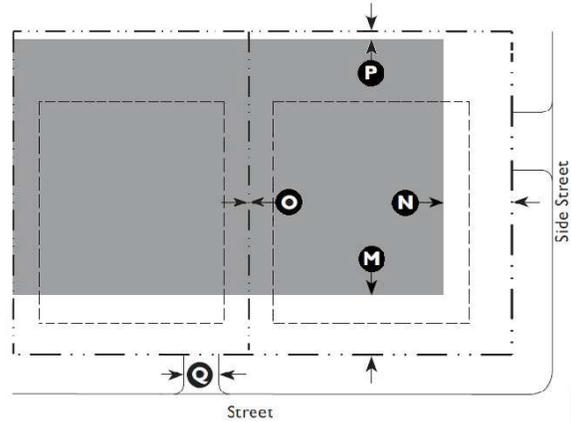
E. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	Ⓛ
Side Street	5' max.	Ⓧ
Side	3' max.	Ⓚ
Rear	5' max.	Ⓜ
Encroachments are not allowed within a Street ROW/Alley ROW, Buffers, or across a property line. See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting	Porch: Side Yard	

F. Parking		
Required Spaces		
Residential Uses:		
All Allowed Uses	2 per-unit	
Service or Retail Uses:		
All Allowed Lodging Uses	1 per 2 rooms	
For parking <u>space</u> requirements for Agricultural, Recreation, Public Assembly, and Transportation, Communication, Infrastructure uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	50' min.	Ⓜ
Side Street	25' min.	Ⓧ
Side	0' min.	Ⓚ
Rear	5' min.	Ⓟ
Miscellaneous		
12' maximum driveway width at the curb cut and within the front or side street parking setback. Community Residences and Meeting Facilities/Places of Worship are exempt from this requirement.		Ⓚ

3.2.80 T3 Hamlet Neighborhood (T3HN) Standards



Key
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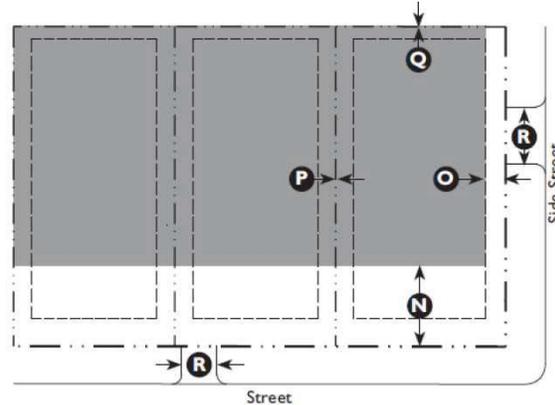
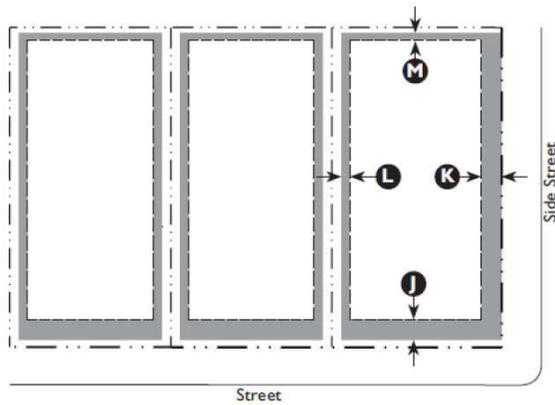


Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 - - - - Setback Line

E. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	Ⓛ
Side Street	5' max.	Ⓧ
Side	3' max.	Ⓚ
Rear	5' max.	Ⓛ
Encroachments are not allowed within a Street ROW/Alley ROW, buffers, or across a property line.		
See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting	Porch: Side Yard	

F. Parking		
Required Spaces: Residential Uses		
Single-family detached	2 per unit	
Two-family unit (duplex)	2 per unit	
Community residence	1 per bedroom	
Required Spaces: Service or Retail Uses		
For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	50' min.	Ⓜ
Side Street	25' min.	Ⓝ
Side	0' min.	Ⓞ
Rear	5' min.	Ⓟ
Miscellaneous		
12' maximum driveway width at the curb cut and within the front or side street parking setback. Community Residences and Meeting Facilities/Places of Worship are exempt from this requirement.		Ⓠ

3.2.90 T3 Neighborhood (T3N) Standards



Key

- ROW / Property Line
- Setback Line
- Encroachment Area

Key

- ROW / Property Line
- Setback Line
- Allowed Parking Area

F. Encroachments and Frontage Types

Encroachments		
Front	5' max.	(J)
Side Street	5' max.	(K)
Side	3' max.	(L)
Rear	5' max.	(M)

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

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Porch: Engaged
Porch: Projecting	Porch: Side Yard

G. Parking

Required Spaces: Residential Uses

Single-family detached	2 per-unit
Two-family (duplex)	2 per-unit
Multi-family units	1.25 per-unit
Community residence	1 per bedroom

Required Spaces: Service or Retail Uses

Offices & services	1 per 300-GSF
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For parking space requirements for Agricultural, Industrial, Recreation, Education, Public Assembly, and Transportation, Communication, Infrastructure uses see Table 5.5.40.B (Parking Space Requirements).

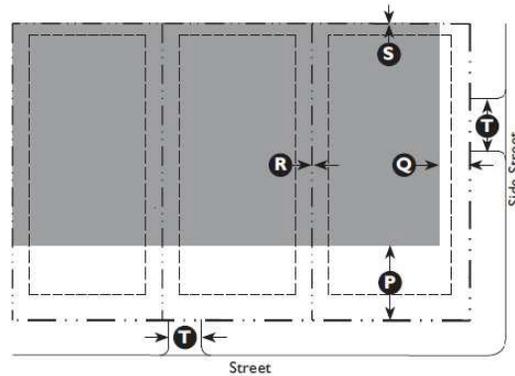
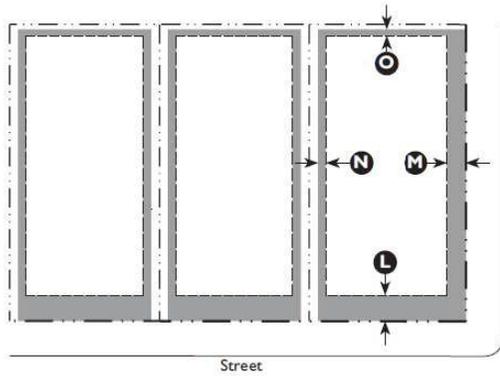
Location (Setback from Property Line)

Front	40' min.	(N)
Side Street	15' min.	(O)
Side	0' min.	(P)
Rear	5' min.	(Q)

Miscellaneous

12' maximum driveway width at the curb cut and within the front or side street parking setback.	(R)
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3.2.100 T4 Hamlet Center (T4HC) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 ——— Setback Line

Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 ——— Setback Line

F. Encroachments and Frontage Types

Encroachments		
Front	12' max.	(L)
Side Street	12' max.	(M)
Side	3' max.	(N)
Rear	3' max.	(O)

Encroachments are not allowed across a side or rear property line, or across a curb.

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Forecourt
Porch: Projecting	Dooryard
Porch: Engaged	Porch: Side Yard
Stoop	Shopfront ¹
Terrace ¹	

¹ Allowed in T4HC-O Sub-Zone only.

G. Parking

Required Spaces: Residential Uses

Single-family detached	2 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom

Required Spaces: Service or Retail Uses

Retail, Offices, Services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Drive-through Facility	Add 5 stacking spaces per drive-through
Gas Station/Fuel Sales	1 per pump plus requirements for retail
Lodging: Inn/hotel	1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging	1 per 500 GSF
Warehousing/Distribution	1 per 2,000 GSF

Parking standards listed within the district shall govern. For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).

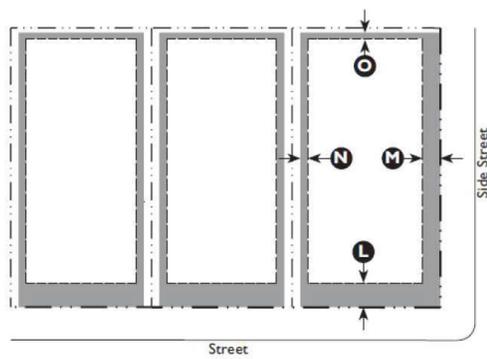
Location (Setback from Property Line)

Front: 5' behind front facade of main building	(P)
Side Street: 5' behind side facade of main building	(Q)
Side: 0' min.	(R)
Rear: 5' min.	(S)

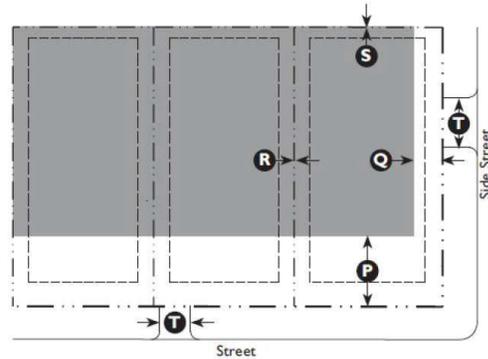
Miscellaneous

Parking Driveway Width	(T)
40 spaces or less	14' max.
Greater than 40 spaces	18' max.

3.2.110 T4 Neighborhood Center (T4NC) Standards



Key
 ---- ROW / Property Line ■ Encroachment Area
 ——— Setback Line



Key
 ---- ROW / Property Line ■ Allowed Parking Area
 ——— Setback Line

E. Encroachments and Frontage Types

Encroachments		
Front	12' max.	(L)
Side Street	12' max.	(M)
Side	3' max.	(N)
Rear	3' max.	(O)

Encroachments are not allowed across a side or rear property line, or across a curb.

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Awnings, Galleries and Arcades may encroach further into the street ROW to within 2' of the face of curb. Eaves may encroach up to 3' into the street ROW. All other encroachments are not allowed

within street ROW.

Allowed Frontage Types

Porch: Projecting	Dooryard
Porch: Engaged	Porch: Side Yard
Stoop	Shop front
Forecourt	Terrace
Gallery	

F. Parking

Required Spaces: Residential Uses

Single-family detached	2 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom
Live/work	2 per unit plus 1 per 300 GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services	1 per 300 GSF
Restaurant, café, coffee shop	1 per 150 GSF
Drive-through facility	Add 5 stacking spaces per drive-through
Gas station/fuel sales	1 per pump plus requirement for retail
Lodging: Inn/hotel	1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging	1 per 500 GSF
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Warehousing/Distribution	1 per 2,000 GSF
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Parking standards listed within the district shall govern. For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).

Location (Setback from Property Line)

Front	40' min.	(P)
Side Street	15' min.	(Q)
Side	0' min.	(R)
Rear	5' min.	(S)

Miscellaneous

Parking Driveway Width:		(T)
40 spaces or less	14' max.	
Greater than 40 spaces	18' max.	

3.3.30 Neighborhood Mixed Use (C3) Zone Standards

A. Purpose

The Neighborhood Mixed Use (C3) Zone provides for high-quality, moderate-density (averaging under three dwelling units per acre) residential development, with denser areas of multi-family and mixed-use development to provide walkability and affordable housing options. The design requirements are intended to provide a suburban character and encourage pedestrian, as well as automobile, access.

Open spaces shall be provided in sufficient quantity to ensure an open quality with a predominance of green space. Non-residential uses shall be limited to parcels having access to arterial or collector streets or within a Traditional Community Plan. This Zone provides for the lower densities of areas designated Neighborhood Mixed-Use in the Comprehensive Plan. It is intended to support the development of communities with a diverse range of housing types and uses.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front	30' min. ¹
Side:	
Side, Main Building	10' min.
Side, Ancillary Building	10' min.
Rear	50' min.

¹ The minimum front setback for mansion apartments in a Multi-family community on internal streets is 15 feet.

Lot Size

Lot Size	10,890 SF min.
Width	70' min.

Minimum Site Area

Single-Family and Duplex	10,890 SF
Multi-Family	21,780 SF

Note:

For development within a Traditional Community Plan meeting the requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established and delineated on the regulating plan shall apply.

C. Building Form

Building Height

Single Family and Duplex	2.5 stories max.
Multi-Family	2.5 stories max.
Non-Residential Buildings	2 stories max.
Institutional Buildings	35 feet above grade
Ground Floor Finish Level	No minimum

D. Gross Density¹ and Floor Area Ratio

Gross Density

Single-Family Detached	2.6 d.u./acre
Single-Family Attached/Duplex	2.6 d.u./acre
Multi-Family Unit	12 d.u./acre, Maximum of 80 Dwelling units
Traditional Community Plan	3.5 d.u./acre ²

Floor Area Ratio

Non-residential buildings	0.18 max.
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¹ Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)

² Subject to the requirements in Division 2.3

E. Parking

Required Spaces: Residential Uses

Single-family detached	3 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom
Live/work	2 per unit plus 1 per 300 GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Gas station/fuel sales	1 per pump plus requirement for retail
Lodging: Inn/hotel	1 per room

For parking space requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

3.3.40 Community Center Mixed Use (C4) Zone Standards

A. Purpose

The Community Center Mixed Use (C4) Zone provides for a limited number of retail, service, and office uses intended to serve the surrounding neighborhood.

These are smaller uses and not highway service types of uses. The intensity standards are set to ensure that the uses have the same suburban character as the surrounding suburban residential areas. They are intended to blend with the surrounding areas, not threaten the character of the area. This Zone shall not consist of strip developments but rather neighborhood centers with a sense of place.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front 20' min.

Side:

Side, Main Building 10' min.

Side, Ancillary Building 10' min.

Rear 15' min.

Lot Size

Lot Size 5,000 SF min.

Width 50' min.

Minimum Site Area

Single-Family and Duplex 5,000 SF

Multi-Family 21,780 SF

Note:

For development within a Traditional Community Plan meeting the requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established and delineated on the regulating plan shall apply.

C. Building Form

Building Height

Single-Family and Duplex 2.5 stories max.

Multi-Family 3 stories max.

Non-Residential Buildings 2 stories max.

Ground Floor Finish Level No minimum

D. Gross Density¹ and Floor Area Ratio

Gross Density 12 d.u./acre max.

Floor Area Ratio² 0.23 max.

¹ Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F).

² Requirement applies to non-residential buildings.

E. Parking

Required Spaces: Residential Uses

Single-family detached 3 per unit

Single-family attached/duplex 2 per unit

Multi-family units 1.25 per unit

Community residence 1 per bedroom

Live/work 2 per unit plus 1 per 300 GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services 1 per 300 GSF

Restaurant, Café, Coffee Shop 1 per 150 GSF

Gas station/fuel sales 1 per pump plus requirement for retail

Lodging: Inn/hotel 1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging 1 per 500 GSF

For parking space requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

3.3.50 Regional Center Mixed Use (C5) Zone Standards

A. Purpose

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.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front 25' min.

Side:

Side, Main Building 15' min.

Side, Ancillary Building 15' min.

Rear 10' min.

Lot Size

Lot Size 21,780 SF min.

Width 150' min.

Note:

For development within a Traditional Community Plan meeting the

requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established

and delineated on the regulating plan shall apply.

C. Building Form

Building Height

All Buildings 3 stories max.

Ground Floor Finish Level No minimum

D. Gross Density¹ and Floor Area Ratio

Density 15.0 d.u./acre max.²

Floor Area Ratio³ 0.37 max.

¹Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F).

²See Section 4.1.350 for Affordable Housing density bonuses.

³Requirement applies to non-residential buildings.

E. Parking

Required Spaces: Residential Uses

Single-family detached 3 per unit

Single-family attached/duplex 2 per unit

Multi-family units 1.25 per unit

Community residence 1 per bedroom

Live/work 2 per unit plus 1 per 300 GSF of work area

Required Spaces: Services or Retail Uses

Retail, offices, services 1 per 300 GSF

Restaurant, café, coffee shop 1 per 150 GSF

Drive-through facility Add 5 stacking spaces per drive-through

Gas station/fuel sales 1 per pump plus requirement for retail

Lodging: Inn/hotel 1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging 1 per 500 GSF

Warehousing/distribution 1 per 2,000 GSF

For parking **space** requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

3.3.60 Industrial (SI) Zone Standards

A. Purpose

The Industrial (SI) Zone permits office, manufacturing, industrial, warehousing, and uses that support them. The Zone shall also be designed to permit small businesses and incubator businesses. Moderate to high intensities are permitted to achieve maximum land utilization. Such practices will maximize the land's use and accommodate small businesses and start-up or incubator businesses.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front 40' min.

Side:

Side, Main Building 20' min.

Side, Ancillary Building 20' min.

Rear 20' min.

Lot Size

Lot Size 20,000 SF min.

Width 100' min.

Minimum Site Area

Industrial 20,000 SF

Other Permitted Uses 1 acre

C. Building Form

Building Height

All Buildings 4 stories max.¹

Ground Floor Finish Level No minimum

¹Not to exceed 50 feet above finished grade level

D. Floor Area Ratio

Industrial 0.48 max.

All Other Uses 0.37 max.

E. Parking

Required Spaces: Service or Retail Uses

Retail, offices, services 1 per 300 GSF

Restaurant, café, coffee shop 1 per 150 GSF

Drive-through facility Add 5 stacking spaces per drive-through

Gas station/fuel sales 1 per pump plus requirement for retail

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging 1 per 500 GSF

Heavy manufacturing, processing and packaging 1 per employee at maximum shift plus 1 per commercial vehicle

Warehousing/distribution 1 per 2,000 GSF

For parking **space** requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

Section 6.1.40 (General Review Standards): Base Site Area is used to determine the density permitted on specific properties and, as such, undevelopable portions of the property are subtracted from gross site area to determine the maximum density allowed on any particular property. Staff recommends specifically addressing jurisdictional and non-jurisdictional wetlands when calculating Base Site Area in order to provide clear guidance on these calculations and prevent density increases based on the existence of any wetlands on any particular property.

6.1.40 General Review Standards

- A. **General.** Applications for subdivisions shall be reviewed and evaluated in accordance with the procedures of Section 7.2.70 (Subdivision), and the standards of this Article.
- B. **Subdivision Design.** Block and lot layout shall meet the standards established in Article 2 (Multi-Lot and Single Lot Community Scale Development).
- C. **Civic and Open Spaces.** Civic and open spaces shall meet the standards established in Division 2.8 (Civic and Open Space Types).
- D. **Streets.** New streets shall meet the standards established in Division 2.9 (Thoroughfare Standards).
- E. **Modulation Standards.** The applicant may request a modulation of some standards, see Section 7.2.30 (Modulation Permit), where appropriate to achieve better design that is consistent with the objectives of this Development Code, as long as the modulation is compatible with surrounding development, does not have an adverse impact on protected resources, and is generally consistent with the goals of this Development Code.
- F. **Density and Lot Size.** Maximum gross density and minimum/maximum lot size shall meet the standards established in Article 3 (Specific to Zones). Maximum gross density for a site shall be calculated using the Base Site Area.
- G. The Base Site Area shall be determined as follows:
 - Gross site area as determined by actual survey:
 - Minus Land separated by a road or utility right-of-way
 - Minus Land separated by water and/or marsh
 - Minus Land within existing roads ultimate rights-of-way
 - Minus Existing natural water bodies on the property, jurisdictional and non-jurisdictional wetlands, and land/tidal wetlands seaward of the OCRM critical line
 - Minus Land previously dedicated as open space
 - Equals = Base site Area

Section 5.11.100.F (Tree Removal on Developed Properties): Sections 5.11.100.B – 5.11.100.E protect trees during new development projects by requiring Specimen trees to be preserved to the maximum extent practicable. When specimen trees cannot be avoided because of new development, they must be mitigated in one of three ways: 1) replanting trees of the same species, 2) saving existing non-specimen-size native trees on the property or, 3) paying into a tree mitigation fund. Staff spends a lot of time regulating these requirements during development, however, per Section 5.11.100.F, once a single-family home exists on a lot, the property owners may remove all but grand trees and trees in river buffers without a tree removal permit. This means that specimen trees are no longer protected under Section 5.11.100.F and trees that have been kept for mitigation are afforded no protections. This has enabled the act of developers saving specimen and non-specimen size trees during development for mitigation purposes, allowing them to avoid replanting or paying into a tree mitigation fund, and then cut the trees down as soon as the single-family residence is certified for occupancy. To correct the issue, staff recommends adopting the following amendments:

1. Creating a time period of protection for specimen trees based on the time that has elapsed since the year of the home's completed construction.
2. Including language referencing mitigation trees as protected trees.
3. Clarifying language regarding river buffers.

5.11.100 Tree Protection

F. Tree Removal on Developed Properties.

1. Single-Family Residential Lots.

- a. **Permit Required to Remove a Grand Tree.** On any individual single-family residential lot with an existing dwelling unit where construction was completed less than five years ago, a tree removal permit is required to remove specimen, grand, and/or mitigation trees, see Section 7.2.50 (Tree Removal Permit). On any individual single-family residential lot with an existing dwelling unit where construction was completed five or more years ago, a tree removal permit is required to remove a grand tree and/or mitigation trees, see Section 7.2.50 (Tree Removal Permit). A grand tree is an exceptionally large tree for its species that is healthy and worthy of protection. It represents an individual tree that contributes aesthetically to the region's visual "sense of place" and serves as a seed stock for future generations. An individual tree is considered a grand tree by the following size criteria:
 - 1) Live Oak (*Quercus virginiana*), Black Walnut (*Juglans nigra*), or Longleaf Pine (*Pinus palustris*) that are equal to or greater than a diameter of 24 inches DBH.
 - 2) Loblolly Pine (*Pinus taeda*), Slash Pine (*Pinus ellitoides*), and Shortleaf Pine (*Pinus echinata*) that are equal to or greater than a diameter of 36 inches DBH.
 - 3) All other species of trees, not defined above, that are equal to or greater than a diameter of 30 inches DBH except those identified as invasive species in Table 5.11.100.C.
- b. **Tree Removal Permit Standards.** A tree removal permit will be issued to remove a protected grand tree from a residential lot if the tree is dead, diseased, hollow, or has another condition that poses a hazard to people or structures on the lot or adjoining lot as determined by a certified arborist. Upon removal, the tree shall be replaced with one 2.5-inch minimum caliper tree of the same species, or a species recommended by a certified arborist and approved by staff.
- c. **Removal of All Other Non-Protected Trees on Residential Lots.** All other trees on a single-family residential lot with an existing dwelling may be removed without a permit, except for mitigation trees or trees those within required river buffers, including river buffers, may be removed without a permit. Removal of trees within a river buffer and/or mitigation trees requires a tree removal permit; see Section 7.2.50 (Tree Removal Permit).



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
<i>Text Amendment to the Community Development Code (CDC): Sections in Division 3.2 (Transect Zones) and Division 3.3 (Conventional Zones) to correct and clarify conflicts between zoning districts and the Parking Space Requirements Table in Section 5.5.40.B</i>
MEETING NAME AND DATE:
<i>Natural Resources Committee Meeting, May 2, 2022</i>
PRESENTER INFORMATION:
<i>Robert Merchant, AICP, Director, Beaufort County Planning and Zoning (10 minutes needed for item discussion)</i>
ITEM BACKGROUND:
<i>Staff have been reviewing the Community Development Code (CDC) for necessary amendments as a result of the adoption of the 2040 Comprehensive Plan. During our review, staff have identified necessary major and minor corrections to the CDC to improve and clarify its standards. These amendments will be presented in several batches for consideration. This is the first batch of recommended amendments, which includes only minor changes.</i> <i>At their April 4, 2022 meeting, the Beaufort County Planning Commission voted unanimously to recommend approval of the proposed amendment.</i>
PROJECT / ITEM NARRATIVE:
<i>The CDC contains parking space requirements in both the individual transect and conventional zone standards in Divisions 3.2 and 3.3 and in Table 5.4.40.B. Parking space requirements were included in both places in order to simplify navigation of the CDC for ease of interpretation. However, staff have recognized inconsistencies between Table 5.4.40.B and Zoning District requirements in Divisions 3.2 and 3.3. This amendment corrects conflicts by removing parking requirements from all Transect (except the T4 districts) and Conventional zones and replacing them with reference to Table 5.4.40.B. Because the T4 districts are intended to create walkable and mixed-use communities, staff recommends keeping specific parking allowances within the T4 district sections to reduce the number of required parking spaces and prevent over-parking of these districts.</i>
FISCAL IMPACT:
<i>Not applicable.</i>
STAFF RECOMMENDATIONS TO COUNCIL:
<i>Staff recommends approval.</i>
OPTIONS FOR COUNCIL MOTION:
<i>To approve or deny the proposed amendment to the Community Development Code (CDC): Sections in Division 3.2 (Transect Zones) and Division 3.3 (Conventional Zones).</i>

ORDINANCE 2022 / __

**TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC):
SECTIONS IN DIVISION 3.2 (TRANSECT ZONES) AND SECTIONS IN DIVISION 3.3
(CONVENTIONAL ZONES) TO CORRECT AND CLARIFY PARKING SPACE
REQUIREMENT CONFLICTS BETWEEN ZONING DISTRICTS AND THE PARKING
SPACE REQUIREMENTS TABLE IN SECTION 5.5.40.B.**

WHEREAS, the Community Development Code references parking standards in both the Conventional zones and Transect zones; and

WHEREAS, Section 5.5.40.B (Parking Space Requirements Table) of the Community Development Code also provides standards for parking space requirements that sometimes conflicts with the standards found in the Conventional zones and Transect zones; and

WHEREAS, it is necessary for the Community Development Code to remove conflicts in the code and provide clear guidance on parking space requirements to achieve orderly development.

NOW, THEREFORE be it ordained by County Council in meeting duly assembled as follows:

Adopted this ___ day of _____ 2022.

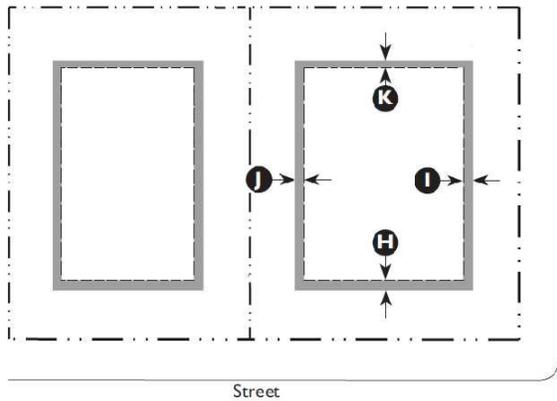
COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman

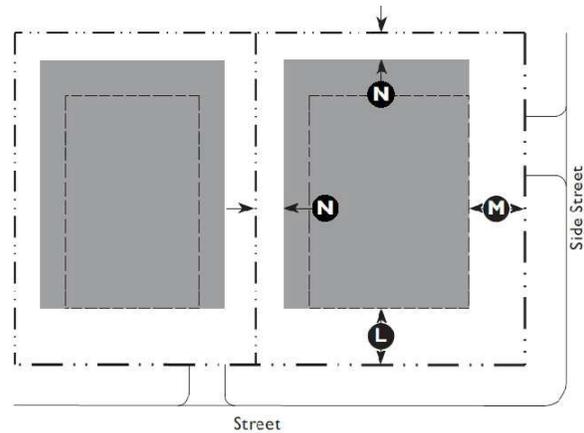
ATTEST:

Sarah W. Brock, JD, Clerk to Council

3.2.40 T2 Rural (T2R) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 ——— Setback Line



Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 ——— Setback Line

F. Encroachments and Frontage Types

Encroachments		
Front	5' max.	(H)
Side Street	5' max.	(I)
Side	5' max.	(J)
Rear	5' max.	(K)

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

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Porch: Engaged
Porch: Projecting	

G. Parking

Required Spaces: Residential Uses

Single-Family Detached _____ 3 per-unit

Required Spaces: Service or Retail Uses

Lodging: Inn _____ 1 per room

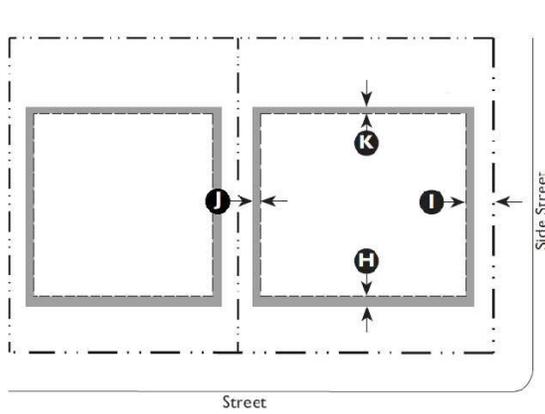
For parking space requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

Location (Setback from Property Line)

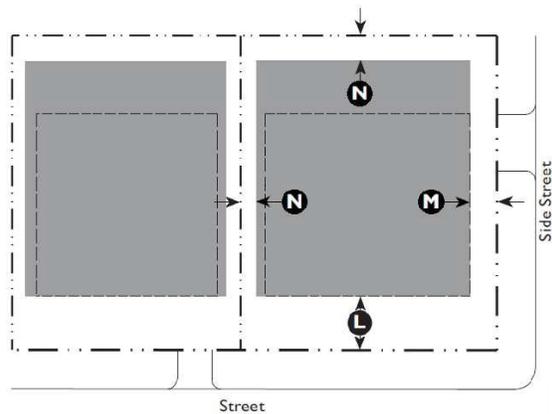
Front	50' min.	(L)
Side Street	50' min.	(M)

Rear and interior side yard parking setbacks are governed by the applicable perimeter buffer (see Tables 5.8.90.D and 5.8.90.F) and any other required buffers.

3.2.50 T2 Rural Neighborhood (T2RN) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 - - - - Setback Line

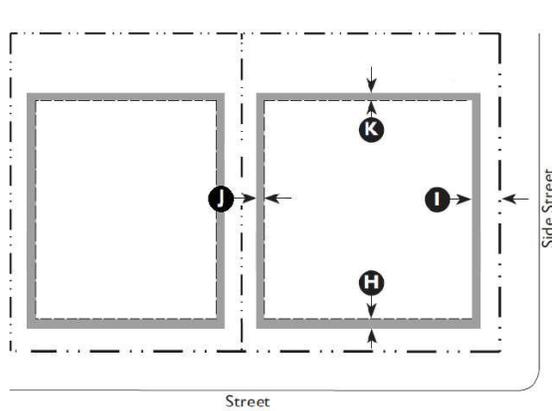


Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 - - - - Setback Line

G. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	(H)
Side Street	5' max.	(I)
Side	5' max.	(J)
Rear	5' max.	(K)
Retail, Offices, Services	1 per 300 GSF	
Encroachments are not allowed within a Street ROW/Alley ROW		
Buffers, or across a property line. See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting	Shop front	

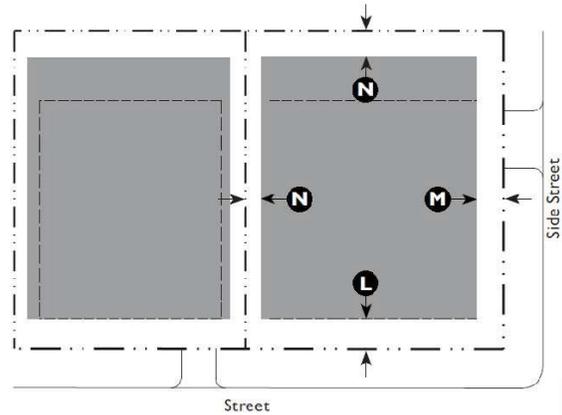
H. Parking		
Required Spaces: Residential Uses		
Single-family detached	3 per-unit	
Required Spaces: Service or Retail Uses		
Retail, Offices, Services	1 per 300 GSF	
Restaurant, Café, Coffee Shop	1 per 150 GSF	
For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	35' min.	(L)
Side Street	20' min.	(M)
Rear and interior side yard parking setbacks are governed by the applicable perimeter buffer (see Tables 5.8.90.D and 5.8.90.F) and any other required buffers.		(N)

3.2.60 T2 Rural Center (T2RC) Standards



Key

- - - - ROW / Property Line
- Setback Line
- Encroachment Area



Key

- - - - ROW / Property Line
- Setback Line
- Allowed Parking Area

E. Encroachments and Frontage Types

Encroachments		
Front	5' max.	(H)
Side Street	5' max.	(I)
Side	5' max.	(J)
Rear	5' max.	(K)

Encroachments are not allowed within a Street ROW/Alley ROW, Buffers, or across a property line. See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Porch: Engaged
Porch: Projecting	Shop front

F. Parking

Required Spaces: Residential Uses

Single-family detached	3 per unit
Community residence	1 per bedroom

Service or Retail Uses:

Retail, offices, services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Drive-through facility	Add 5 stacking spaces per drive-through
Lodging: Inn	1 per room

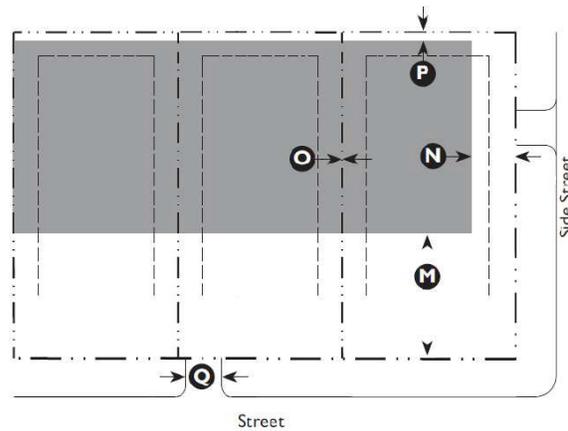
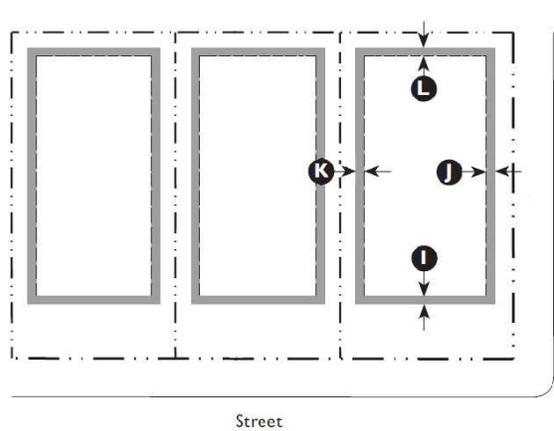
For parking space requirements for all other uses see Table uses see Table 5.5.40.B (Parking Space Requirements).

Location (Setback from Property Line)

Front	10' min.	(L)
Side Street	15' min.	(M)

Rear and interior side yard parking setbacks are governed by the applicable perimeter buffer (see Tables 5.8.90.D and 5.8.90.F) and any other required buffers.

3.2.70 T3 Edge (T3E) Standards



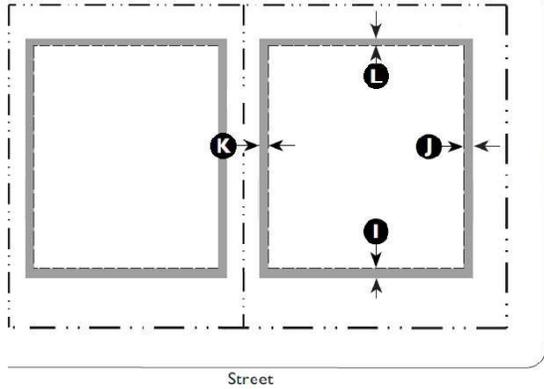
Key
 - - - - ROW / Property Line ■ Encroachment Area
 - - - - Setback Line

Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 - - - - Setback Line

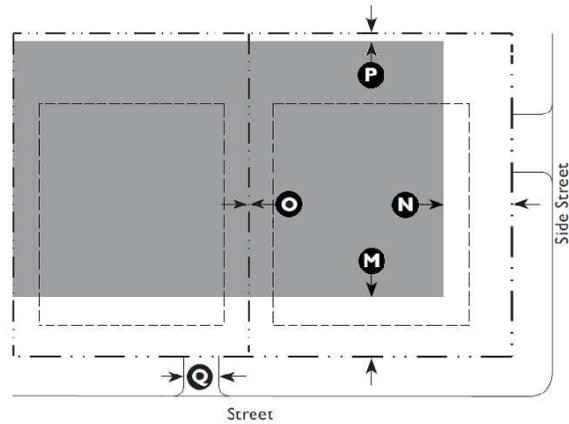
E. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	(I)
Side Street	5' max.	(J)
Side	3' max.	(K)
Rear	5' max.	(L)
Encroachments are not allowed within a Street ROW/Alley ROW, Buffers, or across a property line. See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting	Porch: Side Yard	

F. Parking		
Required Spaces		
Residential Uses:		
All Allowed Uses	2 per-unit	
Service or Retail Uses:		
All Allowed Lodging Uses	1 per 2 rooms	
For parking <u>space</u> requirements for Agricultural, Recreation, Public Assembly, and Transportation, Communication, Infrastructure uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	50' min.	(M)
Side Street	25' min.	(N)
Side	0' min.	(O)
Rear	5' min.	(P)
Miscellaneous		
12' maximum driveway width at the curb cut and within the front or side street parking setback. Community Residences and Meeting Facilities/Places of Worship are exempt from this requirement.		(Q)

3.2.80 T3 Hamlet Neighborhood (T3HN) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 - - - - Setback Line

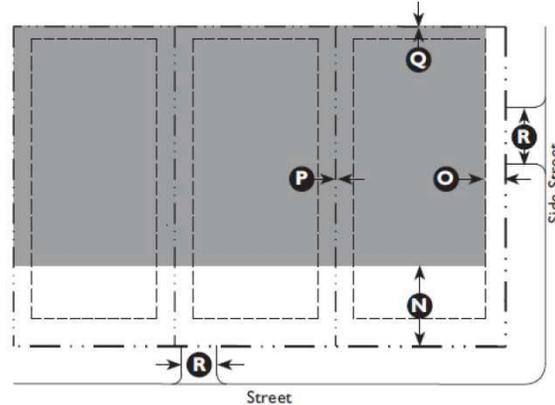
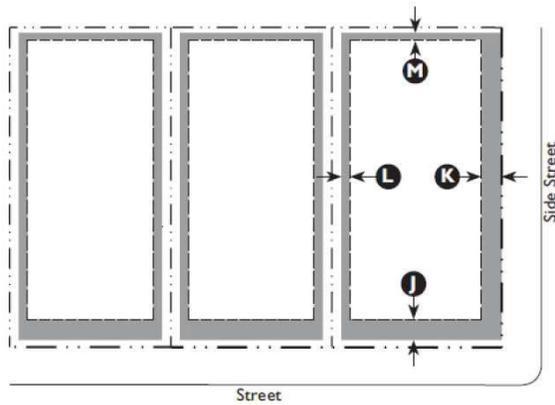


Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 - - - - Setback Line

E. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	Ⓚ
Side Street	5' max.	Ⓛ
Side	3' max.	Ⓜ
Rear	5' max.	Ⓨ
Encroachments are not allowed within a Street ROW/Alley ROW, buffers, or across a property line.		
See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting	Porch: Side Yard	

F. Parking		
Required Spaces: Residential Uses		
Single-family detached	2 per unit	
Two-family unit (duplex)	2 per unit	
Community residence	1 per bedroom	
Required Spaces: Service or Retail Uses		
For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	50' min.	Ⓜ
Side Street	25' min.	Ⓨ
Side	0' min.	Ⓛ
Rear	5' min.	Ⓛ
Miscellaneous		
12' maximum driveway width at the curb cut and within the front or side street parking setback. Community Residences and Meeting Facilities/Places of Worship are exempt from this requirement.		Ⓛ

3.2.90 T3 Neighborhood (T3N) Standards



Key

- ROW / Property Line
- Setback Line
- Encroachment Area

Key

- ROW / Property Line
- Setback Line
- Allowed Parking Area

F. Encroachments and Frontage Types

Encroachments		
Front	5' max.	(J)
Side Street	5' max.	(K)
Side	3' max.	(L)
Rear	5' max.	(M)

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

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Porch: Engaged
Porch: Projecting	Porch: Side Yard

G. Parking

Required Spaces: Residential Uses

Single-family detached	2 per-unit
Two-family (duplex)	2 per-unit
Multi-family units	1.25 per-unit
Community residence	1 per bedroom

Required Spaces: Service or Retail Uses

Offices & services	1 per 300-GSF
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For parking space requirements for Agricultural, Industrial, Recreation, Education, Public Assembly, and Transportation, Communication, Infrastructure uses see Table 5.5.40.B (Parking Space Requirements).

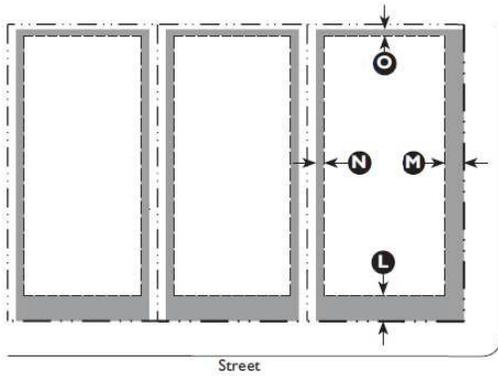
Location (Setback from Property Line)

Front	40' min.	(N)
Side Street	15' min.	(O)
Side	0' min.	(P)
Rear	5' min.	(Q)

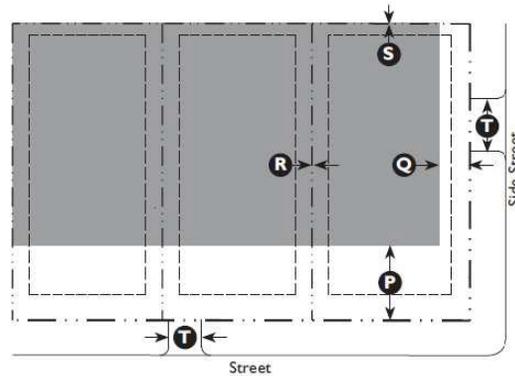
Miscellaneous

12' maximum driveway width at the curb cut and within the front or side street parking setback.	(R)
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3.2.100 T4 Hamlet Center (T4HC) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 ——— Setback Line



Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 ——— Setback Line

F. Encroachments and Frontage Types

Encroachments		
Front	12' max.	(L)
Side Street	12' max.	(M)
Side	3' max.	(N)
Rear	3' max.	(O)

Encroachments are not allowed across a side or rear property line, or across a curb.

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Forecourt
Porch: Projecting	Dooryard
Porch: Engaged	Porch: Side Yard
Stoop	Shopfront ¹
Terrace ¹	

¹ Allowed in T4HC-O Sub-Zone only.

G. Parking

Required Spaces: Residential Uses

Single-family detached	2 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom

Required Spaces: Service or Retail Uses

Retail, Offices, Services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Drive-through Facility	Add 5 stacking spaces per drive-through
Gas Station/Fuel Sales	1 per pump plus requirements for retail
Lodging: Inn/hotel	1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging	1 per 500 GSF
Warehousing/Distribution	1 per 2,000 GSF

Parking standards listed within the district shall govern. For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).

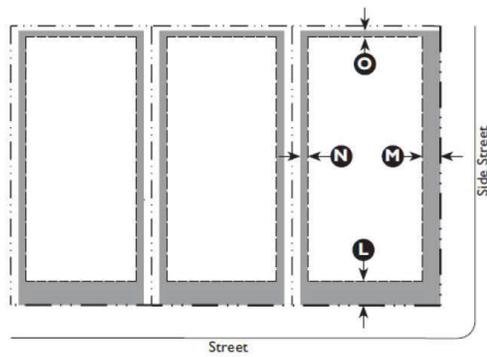
Location (Setback from Property Line)

Front: 5' behind front facade of main building	(P)
Side Street: 5' behind side facade of main building	(Q)
Side: 0' min.	(R)
Rear: 5' min.	(S)

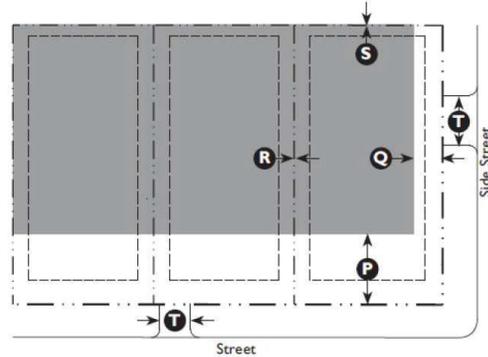
Miscellaneous

Parking Driveway Width	(T)
40 spaces or less	14' max.
Greater than 40 spaces	18' max.

3.2.110 T4 Neighborhood Center (T4NC) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 ——— Setback Line



Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 ——— Setback Line

E. Encroachments and Frontage Types

Encroachments		
Front	12' max.	(L)
Side Street	12' max.	(M)
Side	3' max.	(N)
Rear	3' max.	(O)

Encroachments are not allowed across a side or rear property line, or across a curb.

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Awnings, Galleries and Arcades may encroach further into the street ROW to within 2' of the face of curb. Eaves may encroach up to 3' into the street ROW. All other encroachments are not allowed

within street ROW.

Allowed Frontage Types

Porch: Projecting	Dooryard
Porch: Engaged	Porch: Side Yard
Stoop	Shop front
Forecourt	Terrace
Gallery	

F. Parking

Required Spaces: Residential Uses

Single-family detached	2 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom
Live/work	2 per unit plus 1 per 300 GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services	1 per 300 GSF
Restaurant, café, coffee shop	1 per 150 GSF
Drive-through facility	Add 5 stacking spaces per drive-through
Gas station/fuel sales	1 per pump plus requirement for retail
Lodging: Inn/hotel	1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging	1 per 500 GSF
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Warehousing/Distribution	1 per 2,000 GSF
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Parking standards listed within the district shall govern. For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).

Location (Setback from Property Line)

Front	40' min.	(P)
Side Street	15' min.	(Q)
Side	0' min.	(R)
Rear	5' min.	(S)

Miscellaneous

Parking Driveway Width:		(T)
40 spaces or less	14' max.	
Greater than 40 spaces	18' max.	

3.3.30 Neighborhood Mixed Use (C3) Zone Standards

A. Purpose

The Neighborhood Mixed Use (C3) Zone provides for high-quality, moderate-density (averaging under three dwelling units per acre) residential development, with denser areas of multi-family and mixed-use development to provide walkability and affordable housing options. The design requirements are intended to provide a suburban character and encourage pedestrian, as well as automobile, access.

Open spaces shall be provided in sufficient quantity to ensure an open quality with a predominance of green space. Non-residential uses shall be limited to parcels having access to arterial or collector streets or within a Traditional Community Plan. This Zone provides for the lower densities of areas designated Neighborhood Mixed-Use in the Comprehensive Plan. It is intended to support the development of communities with a diverse range of housing types and uses.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front	30' min. ¹
Side:	
Side, Main Building	10' min.
Side, Ancillary Building	10' min.
Rear	50' min.

¹ The minimum front setback for mansion apartments in a Multi-family community on internal streets is 15 feet.

Lot Size

Lot Size	10,890 SF min.
Width	70' min.

Minimum Site Area

Single-Family and Duplex	10,890 SF
Multi-Family	21,780 SF

Note:

For development within a Traditional Community Plan meeting the requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established and delineated on the regulating plan shall apply.

C. Building Form

Building Height

Single Family and Duplex	2.5 stories max.
Multi-Family	2.5 stories max.
Non-Residential Buildings	2 stories max.
Institutional Buildings	35 feet above grade
Ground Floor Finish Level	No minimum

D. Gross Density¹ and Floor Area Ratio

Gross Density

Single-Family Detached	2.6 d.u./acre
Single-Family Attached/Duplex	2.6 d.u./acre
Multi-Family Unit	12 d.u./acre, Maximum of 80 Dwelling units
Traditional Community Plan	3.5 d.u./acre ²

Floor Area Ratio

Non-residential buildings	0.18 max.
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¹ Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)

² Subject to the requirements in Division 2.3

E. Parking

Required Spaces: Residential Uses

Single-family detached	3 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom
Live/work	2 per unit plus 1 per 300 GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Gas station/fuel sales	1 per pump plus requirement for retail
Lodging: Inn/hotel	1 per room

For parking space requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

3.3.40 Community Center Mixed Use (C4) Zone Standards

A. Purpose

The Community Center Mixed Use (C4) Zone provides for a limited number of retail, service, and office uses intended to serve the surrounding neighborhood.

These are smaller uses and not highway service types of uses. The intensity standards are set to ensure that the uses have the same suburban character as the surrounding suburban residential areas. They are intended to blend with the surrounding areas, not threaten the character of the area. This Zone shall not consist of strip developments but rather neighborhood centers with a sense of place.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front	20' min.
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Side:

Side, Main Building	10' min.
Side, Ancillary Building	10' min.

Rear	15' min.
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Lot Size

Lot Size	5,000 SF min.
Width	50' min.

Minimum Site Area

Single-Family and Duplex	5,000 SF
Multi-Family	21,780 SF

Note:

For development within a Traditional Community Plan meeting the requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established and delineated on the regulating plan shall apply.

C. Building Form

Building Height

Single-Family and Duplex	2.5 stories max.
Multi-Family	3 stories max.
Non-Residential Buildings	2 stories max.
Ground Floor Finish Level	No minimum

D. Gross Density¹ and Floor Area Ratio

Gross Density	12 d.u./acre max.
Floor Area Ratio ²	0.23 max.

¹ Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F).

² Requirement applies to non-residential buildings.

E. Parking

Required Spaces: Residential Uses

Single-family detached	3 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom
Live/work	2 per unit plus 1 per 300 GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Gas station/fuel sales	1 per pump plus requirement for retail
Lodging: Inn/hotel	1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging	1 per 500 GSF
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For parking **space** requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

3.3.50 Regional Center Mixed Use (C5) Zone Standards

A. Purpose

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.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front 25' min.

Side:

Side, Main Building 15' min.

Side, Ancillary Building 15' min.

Rear 10' min.

Lot Size

Lot Size 21,780 SF min.

Width 150' min.

Note:

For development within a Traditional Community Plan meeting the

requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established

and delineated on the regulating plan shall apply.

C. Building Form

Building Height

All Buildings 3 stories max.

Ground Floor Finish Level No minimum

D. Gross Density¹ and Floor Area Ratio

Density 15.0 d.u./acre max.²

Floor Area Ratio³ 0.37 max.

¹Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F).

²See Section 4.1.350 for Affordable Housing density bonuses.

³Requirement applies to non-residential buildings.

E. Parking

Required Spaces: Residential Uses

Single-family detached 3 per unit

Single-family attached/duplex 2 per unit

Multi-family units 1.25 per unit

Community residence 1 per bedroom

Live/work 2 per unit plus 1 per 300 GSF of work area

Required Spaces: Services or Retail Uses

Retail, offices, services 1 per 300 GSF

Restaurant, café, coffee shop 1 per 150 GSF

Drive-through facility Add 5 stacking spaces per drive-through

Gas station/fuel sales 1 per pump plus requirement for retail

Lodging: Inn/hotel 1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging 1 per 500 GSF

Warehousing/distribution 1 per 2,000 GSF

For parking space requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

3.3.60 Industrial (SI) Zone Standards

A. Purpose

The Industrial (SI) Zone permits office, manufacturing, industrial, warehousing, and uses that support them. The Zone shall also be designed to permit small businesses and incubator businesses. Moderate to high intensities are permitted to achieve maximum land utilization. Such practices will maximize the land's use and accommodate small businesses and start-up or incubator businesses.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front 40' min.

Side:

Side, Main Building 20' min.

Side, Ancillary Building 20' min.

Rear 20' min.

Lot Size

Lot Size 20,000 SF min.

Width 100' min.

Minimum Site Area

Industrial 20,000 SF

Other Permitted Uses 1 acre

C. Building Form

Building Height

All Buildings 4 stories max.¹

Ground Floor Finish Level No minimum

¹Not to exceed 50 feet above finished grade level

D. Floor Area Ratio

Industrial 0.48 max.

All Other Uses 0.37 max.

E. Parking

Required Spaces: Service or Retail Uses

Retail, offices, services 1 per 300 GSF

Restaurant, café, coffee shop 1 per 150 GSF

Drive-through facility Add 5 stacking spaces per drive-through

Gas station/fuel sales 1 per pump plus requirement for retail

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging 1 per 500 GSF

Heavy manufacturing, processing and packaging 1 per employee at maximum shift plus 1 per commercial vehicle

Warehousing/distribution 1 per 2,000 GSF

For parking **space** requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).



MEMORANDUM

TO: Beaufort County Natural Resources Committee

FROM: Juliana Smith, Beaufort County Planning and Zoning Department

DATE: May 2, 2022

SUBJECT: Review of Community Development Code – Proposed Text Amendments

STAFF REPORT:

A. BACKGROUND: In November 2021, Beaufort County Council adopted the 2040 Comprehensive Plan. As a result, staff have been reviewing the Community Development Code (CDC) for necessary amendments. During our review, staff have identified necessary major and minor corrections to the CDC to improve and clarify its standards. These amendments will be presented in several batches for consideration. This is the first batch of recommended amendments, which includes only minor changes.

B. SUMMARY OF REQUEST: To help navigate through the list of the first batch of recommended amendments, below is a summary of each of the four amendments up for consideration. More detailed explanations follow in the attachments, along with the amended CDC sections:

1. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): APPENDIX A.13.50.D (GUEST HOUSES) clarifies minimum lot size requirements for guest houses located in the May River Community Preservation District.
2. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTIONS IN DIVISION 3.2 (TRANSECT ZONES) AND SECTIONS IN DIVISION 3.3 (CONVENTIONAL ZONES) corrects and clarifies conflicts between zoning districts and the Parking Space Requirements Table in Section 5.5.40.B.
3. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 6.1.40.G (BASE SITE AREA CALCULATIONS) clarifies that both jurisdictional and non-jurisdictional wetlands must be subtracted from the gross site area to determine base site area for development.
4. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 5.11.100.F.1 (TREE REMOVAL ON DEVELOPED PROPERTIES) closes a loophole which allows specimen and mitigation trees to be removed post-construction of single-family homes.

C. STAFF RECOMMENDATION: Staff recommends approval.

D. BEAUFORT COUNTY PLANNING COMMISSION RECOMMENDATIONS: At the April 4, 2022 meeting of the Beaufort County Planning Commission, the Commission voted:

1. Unanimously to recommend approval of the text amendment to CDC Appendix A.13.50.D (Guest Houses) upon the condition that staff make an additional amendment to further clarify language regarding the larger (i.e. five plus acre) parcels. Staff have made the requested change.
2. Unanimously to recommend approval of the text amendment to CDC sections in Division 3.2. (Transect Zones) and Division 3.3 (Conventional Zones) to clarify parking space requirements.
3. Unanimously to recommend approval of the text amendment to CDC Section 6.1.40.G (Base Site Area Calculations) to clarify how to calculate base site area.
4. Unanimously to recommend approval of the text amendment to CDC Section 5.11.100.F.1 (Tree Removal on Developed Properties) to close a loophole that allows specimen trees and mitigation trees to be removed post-construction of single-family homes.

E. ATTACHMENTS: Revised Community Development Code sections.

Section A.13.50.D (Guest Houses): Section A.13.50.D addresses guest house allowances for existing lots of record south of May River Road. As written, the language leaves no direction on lots greater than five acres that exist prior to the adoption of the May River Community Preservation district (MRCP). It only addresses lots that are two to five acres that *existed prior* to the adoption of the MRCP and lots that are five acres or more that were *created after* the adoption of the MRCP. Staff recommends removing the language referencing lot-origination dates to capture all property sizes south of May River Rd and provide clear guidance determining the number of guest houses allowed for all properties in that portion of the district.

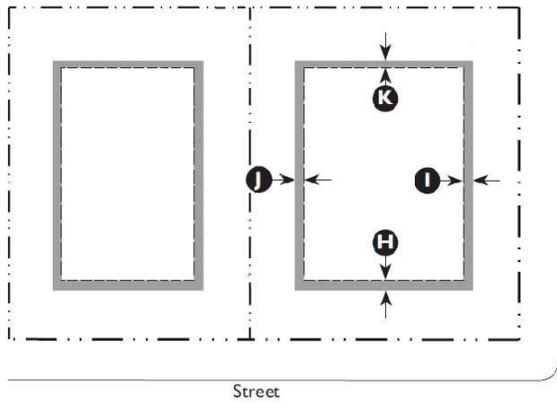
A.13.50 Conditional and Special Use Standards

D. Guest houses.

1. Guest houses shall be permitted South of May River Road.
2. A guest house shall be subordinate to the principal dwelling and be for use by the property owner and his/her guests only.
3. A guest house is deemed to be a part of the main property owners compound and is not intended to be subdivided for other uses. They shall adhere to the front, rear, and side setbacks listed for the principle structure.
4. A guest house is for use by the property owner and his/her family and guests only. They shall not be leased or rented, and must gain their access from the driveway of the principal house.
5. Existing lots of record that are two to five acres in size are permitted one guest house, not to exceed 2,000 square feet. Lots created after the adoption of the May River CP District that are five acres or more than five acres in size are permitted one or more guest houses; however, the total square footage of all guest dwellings (houses) may not exceed 75 percent of the square footage of the principal house. Furthermore, the total square footage of all guest houses (when added together) may not exceed 5,000 square feet.
6. Nothing herein shall prevent the construction of a guest house prior to the construction of the principal dwelling.
7. Manufactured (i.e., mobile) homes shall not be permitted to be used as guest houses.

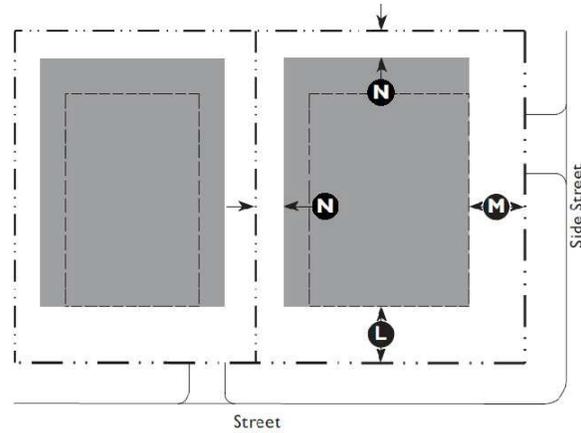
Sections in Division 3.2 (Transect Zones) and Division 3.3 (Conventional Zones): The CDC contains parking space requirements in both the individual transect and conventional zone standards in Division 3.2 and 3.3 and in Table 5.4.40.B. Parking space requirements were included in both places in order to simplify navigation of the CDC for ease of interpretation. However, staff have recognized inconsistencies between Table 5.4.40.B and Zoning District requirements in Divisions 3.2 and 3.3. This amendment corrects conflicts by removing parking requirements from all Transect (except the T4 districts) and Conventional zones and replacing them with reference to Table 5.4.40.B. Because the T4 districts are intended to create walkable and mixed-use communities, staff recommends keeping specific parking allowances within the T4 district sections to reduce the number of required parking spaces and prevent over-parking of these districts.

3.2.40 T2 Rural (T2R) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 ——— Setback Line

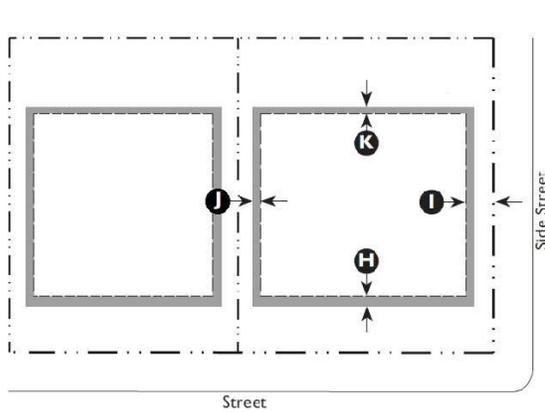
F. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	(H)
Side Street	5' max.	(I)
Side	5' max.	(J)
Rear	5' max.	(K)
Encroachments are not allowed within a Street ROW/Alley ROW, or across a property line.		
See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting		



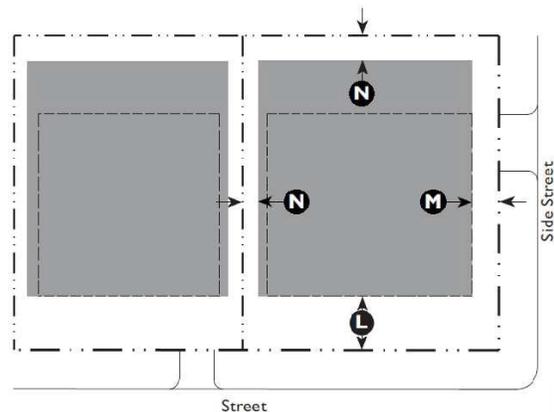
Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 ——— Setback Line

G. Parking		
Required Spaces: Residential Uses		
Single-Family Detached	3 per-unit	
Required Spaces: Service or Retail Uses		
Lodging: Inn	1 per-room	
For parking space requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	50' min.	(L)
Side Street	50' min.	(M)
Rear and interior side yard parking setbacks are governed by the applicable perimeter buffer (see Tables 5.8.90.D and 5.8.90.F) and any other required buffers.		
		(N)

3.2.50 T2 Rural Neighborhood (T2RN) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 - - - - Setback Line

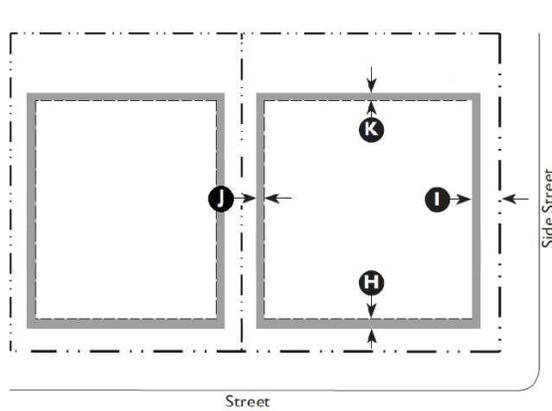


Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 - - - - Setback Line

G. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	(H)
Side Street	5' max.	(I)
Side	5' max.	(J)
Rear	5' max.	(K)
Retail, Offices, Services	1 per 300 GSF	
Encroachments are not allowed within a Street ROW/Alley ROW		
Buffers, or across a property line. See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting	Shop front	

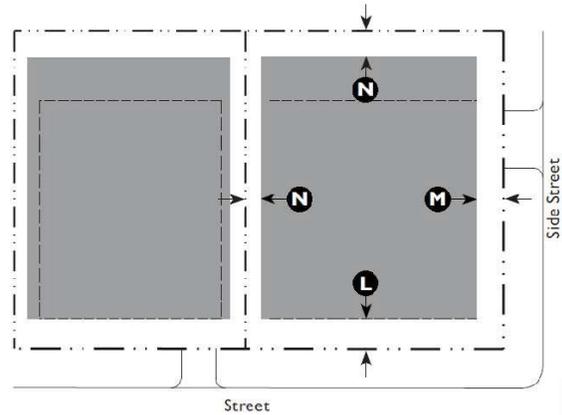
H. Parking		
Required Spaces: Residential Uses		
Single-family detached	3 per-unit	
Required Spaces: Service or Retail Uses		
Retail, Offices, Services	1 per 300 GSF	
Restaurant, Café, Coffee Shop	1 per 150 GSF	
For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	35' min.	(L)
Side Street	20' min.	(M)
Rear and interior side yard parking setbacks are governed by the applicable perimeter buffer (see Tables 5.8.90.D and 5.8.90.F) and any other required buffers.		(N)

3.2.60 T2 Rural Center (T2RC) Standards



Key

- - - - ROW / Property Line
- Setback Line
- Encroachment Area



Key

- - - - ROW / Property Line
- Setback Line
- Allowed Parking Area

E. Encroachments and Frontage Types

Encroachments		
Front	5' max.	(H)
Side Street	5' max.	(I)
Side	5' max.	(J)
Rear	5' max.	(K)

Encroachments are not allowed within a Street ROW/Alley ROW, Buffers, or across a property line. See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Porch: Engaged
Porch: Projecting	Shop front

F. Parking

Required Spaces: Residential Uses

Single-family detached	3 per unit
Community residence	1 per bedroom

Service or Retail Uses:

Retail, offices, services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Drive-through facility	Add 5 stacking spaces per drive-through
Lodging: Inn	1 per room

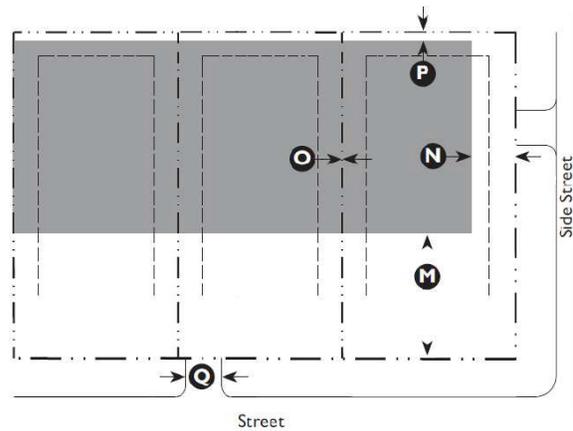
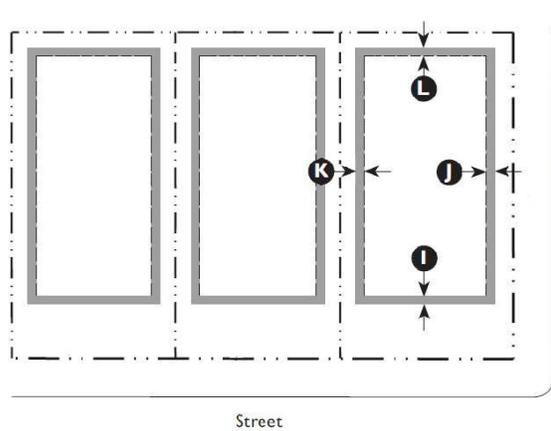
For parking space requirements for all other uses see Table uses see Table 5.5.40.B (Parking Space Requirements).

Location (Setback from Property Line)

Front	10' min.	(L)
Side Street	15' min.	(M)

Rear and interior side yard parking setbacks are governed by the applicable perimeter buffer (see Tables 5.8.90.D and 5.8.90.F) and any other required buffers.

3.2.70 T3 Edge (T3E) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 - - - - Setback Line

Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 - - - - Setback Line

E. Encroachments and Frontage Types

Encroachments		
Front	5' max.	Ⓚ
Side Street	5' max.	Ⓛ
Side	3' max.	Ⓜ
Rear	5' max.	Ⓨ

Encroachments are not allowed within a Street ROW/Alley ROW, Buffers, or across a property line. See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Porch: Engaged
Porch: Projecting	Porch: Side Yard

F. Parking

Required Spaces

Residential Uses:	
All Allowed Uses	2 per-unit
Service or Retail Uses:	
All Allowed Lodging Uses	1 per 2 rooms

For parking **space** requirements for Agricultural, Recreation, Public Assembly, and Transportation, Communication, Infrastructure uses see Table 5.5.40.B (Parking Space Requirements).

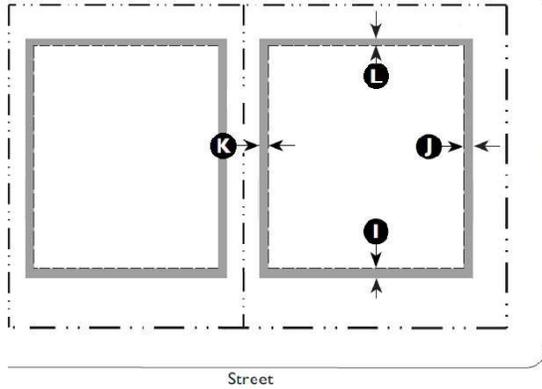
Location (Setback from Property Line)

Front	50' min.	Ⓜ
Side Street	25' min.	Ⓨ
Side	0' min.	Ⓚ
Rear	5' min.	Ⓛ

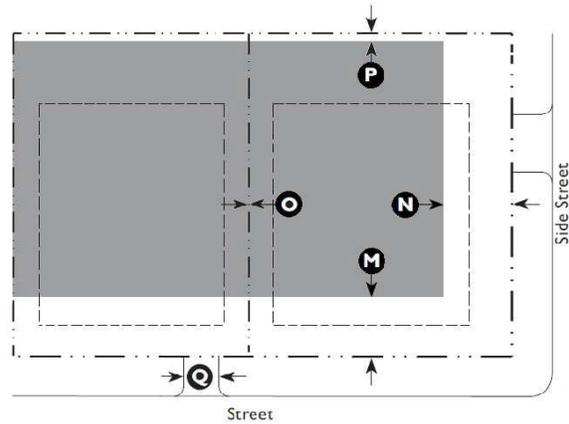
Miscellaneous

Ⓛ 12' maximum driveway width at the curb cut and within the front or side street parking setback. Community Residences and Meeting Facilities/Places of Worship are exempt from this requirement.

3.2.80 T3 Hamlet Neighborhood (T3HN) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 - - - - Setback Line

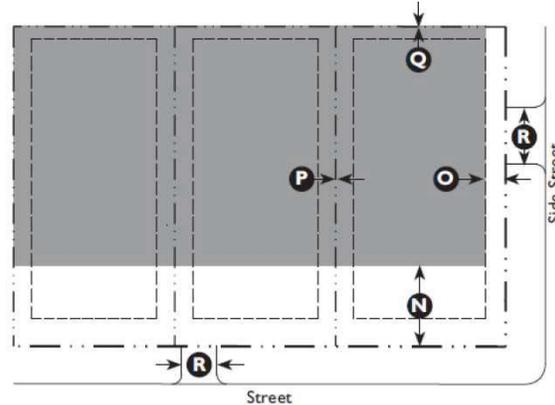
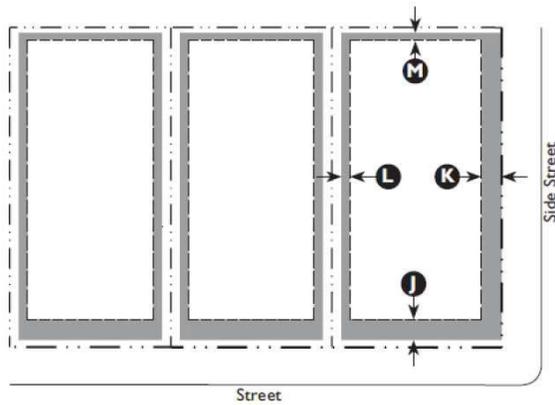


Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 - - - - Setback Line

E. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	Ⓚ
Side Street	5' max.	Ⓛ
Side	3' max.	Ⓜ
Rear	5' max.	Ⓝ
Encroachments are not allowed within a Street ROW/Alley ROW, buffers, or across a property line.		
See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting	Porch: Side Yard	

F. Parking		
Required Spaces: Residential Uses		
Single-family detached	2 per unit	
Two-family unit (duplex)	2 per unit	
Community residence	1 per bedroom	
Required Spaces: Service or Retail Uses		
For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	50' min.	Ⓜ
Side Street	25' min.	Ⓝ
Side	0' min.	Ⓚ
Rear	5' min.	Ⓛ
Miscellaneous		
12' maximum driveway width at the curb cut and within the front or side street parking setback. Community Residences and Meeting Facilities/Places of Worship are exempt from this requirement.		Ⓚ

3.2.90 T3 Neighborhood (T3N) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 - - - - Setback Line

Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 - - - - Setback Line

F. Encroachments and Frontage Types

Encroachments		
Front	5' max.	(J)
Side Street	5' max.	(K)
Side	3' max.	(L)
Rear	5' max.	(M)

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

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Porch: Engaged
Porch: Projecting	Porch: Side Yard

G. Parking

Required Spaces: Residential Uses

Single-family detached	2 per-unit
Two-family (duplex)	2 per-unit
Multi-family units	1.25 per-unit
Community residence	1 per bedroom

Required Spaces: Service or Retail Uses

Offices & services	1 per 300-GSF
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For parking space requirements for Agricultural, Industrial, Recreation, Education, Public Assembly, and Transportation, Communication, Infrastructure uses see Table 5.5.40.B (Parking Space Requirements).

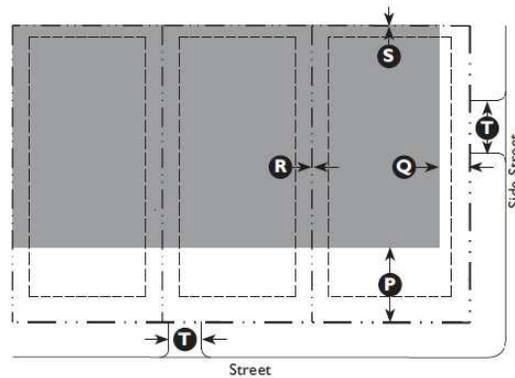
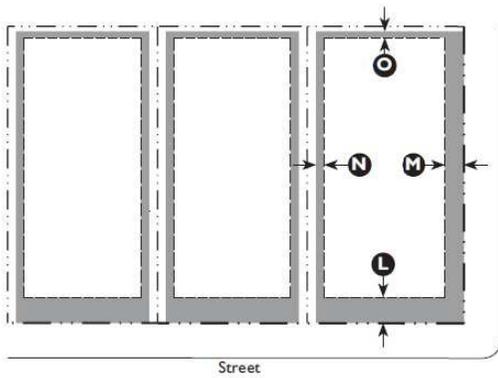
Location (Setback from Property Line)

Front	40' min.	(N)
Side Street	15' min.	(O)
Side	0' min.	(P)
Rear	5' min.	(Q)

Miscellaneous

12' maximum driveway width at the curb cut and within the front or side street parking setback.	(R)
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3.2.100 T4 Hamlet Center (T4HC) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 ——— Setback Line

Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 ——— Setback Line

F. Encroachments and Frontage Types

Encroachments		
Front	12' max.	(L)
Side Street	12' max.	(M)
Side	3' max.	(N)
Rear	3' max.	(O)

Encroachments are not allowed across a side or rear property line, or across a curb.

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Forecourt
Porch: Projecting	Dooryard
Porch: Engaged	Porch: Side Yard
Stoop	Shopfront ¹
Terrace ¹	

¹ Allowed in T4HC-O Sub-Zone only.

G. Parking

Required Spaces: Residential Uses

Single-family detached	2 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom

Required Spaces: Service or Retail Uses

Retail, Offices, Services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Drive-through Facility	Add 5 stacking spaces per drive-through
Gas Station/Fuel Sales	1 per pump plus requirements for retail
Lodging: Inn/hotel	1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging	1 per 500 GSF
Warehousing/Distribution	1 per 2,000 GSF

Parking standards listed within the district shall govern. For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).

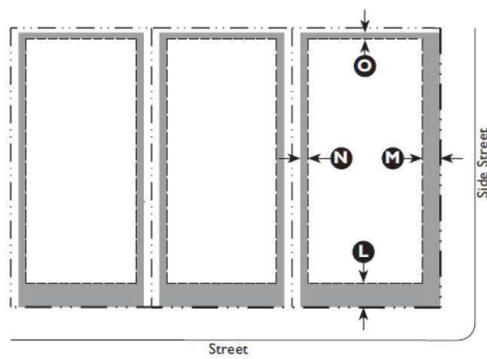
Location (Setback from Property Line)

Front: 5' behind front facade of main building	(P)
Side Street: 5' behind side facade of main building	(Q)
Side: 0' min.	(R)
Rear: 5' min.	(S)

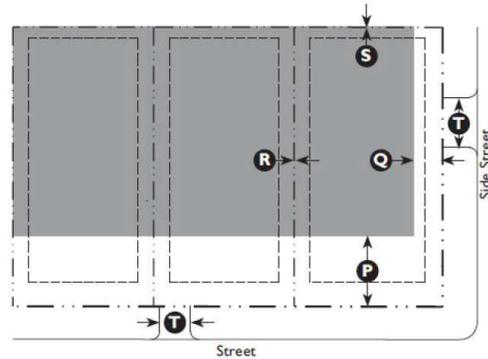
Miscellaneous

Parking Driveway Width	(T)
40 spaces or less	14' max.
Greater than 40 spaces	18' max.

3.2.110 T4 Neighborhood Center (T4NC) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 ——— Setback Line



Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 ——— Setback Line

E. Encroachments and Frontage Types

Encroachments		
Front	12' max.	(L)
Side Street	12' max.	(M)
Side	3' max.	(N)
Rear	3' max.	(O)

Encroachments are not allowed across a side or rear property line, or across a curb.

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Awnings, Galleries and Arcades may encroach further into the street ROW to within 2' of the face of curb. Eaves may encroach up to 3' into the street ROW. All other encroachments are not allowed

within street ROW.

Allowed Frontage Types

Porch: Projecting	Dooryard
Porch: Engaged	Porch: Side Yard
Stoop	Shop front
Forecourt	Terrace
Gallery	

F. Parking

Required Spaces: Residential Uses

Single-family detached	2 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom
Live/work	2 per unit plus 1 per 300 GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services	1 per 300 GSF
Restaurant, café, coffee shop	1 per 150 GSF
Drive-through facility	Add 5 stacking spaces per drive-through
Gas station/fuel sales	1 per pump plus requirement for retail
Lodging: Inn/hotel	1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging	1 per 500 GSF
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Warehousing/Distribution	1 per 2,000 GSF
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Parking standards listed within the district shall govern. For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).

Location (Setback from Property Line)

Front	40' min.	(P)
Side Street	15' min.	(Q)
Side	0' min.	(R)
Rear	5' min.	(S)

Miscellaneous

Parking Driveway Width:		(T)
40 spaces or less	14' max.	
Greater than 40 spaces	18' max.	

3.3.30 Neighborhood Mixed Use (C3) Zone Standards

A. Purpose

The Neighborhood Mixed Use (C3) Zone provides for high-quality, moderate-density (averaging under three dwelling units per acre) residential development, with denser areas of multi-family and mixed-use development to provide walkability and affordable housing options. The design requirements are intended to provide a suburban character and encourage pedestrian, as well as automobile, access.

Open spaces shall be provided in sufficient quantity to ensure an open quality with a predominance of green space. Non-residential uses shall be limited to parcels having access to arterial or collector streets or within a Traditional Community Plan. This Zone provides for the lower densities of areas designated Neighborhood Mixed-Use in the Comprehensive Plan. It is intended to support the development of communities with a diverse range of housing types and uses.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front	30' min. ¹
Side:	
Side, Main Building	10' min.
Side, Ancillary Building	10' min.
Rear	50' min.

¹ The minimum front setback for mansion apartments in a Multi-family community on internal streets is 15 feet.

Lot Size

Lot Size	10,890 SF min.
Width	70' min.

Minimum Site Area

Single-Family and Duplex	10,890 SF
Multi-Family	21,780 SF

Note:

For development within a Traditional Community Plan meeting the requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established and delineated on the regulating plan shall apply.

C. Building Form

Building Height

Single Family and Duplex	2.5 stories max.
Multi-Family	2.5 stories max.
Non-Residential Buildings	2 stories max.
Institutional Buildings	35 feet above grade
Ground Floor Finish Level	No minimum

D. Gross Density¹ and Floor Area Ratio

Gross Density

Single-Family Detached	2.6 d.u./acre
Single-Family Attached/Duplex	2.6 d.u./acre
Multi-Family Unit	12 d.u./acre, Maximum of 80 Dwelling units
Traditional Community Plan	3.5 d.u./acre ²

Floor Area Ratio

Non-residential buildings	0.18 max.
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¹ Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)

² Subject to the requirements in Division 2.3

E. Parking

Required Spaces: Residential Uses

Single-family detached	3 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom
Live/work	2 per unit plus 1 per 300 GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Gas station/fuel sales	1 per pump plus requirement for retail
Lodging: Inn/hotel	1 per room

For parking space requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

3.3.40 Community Center Mixed Use (C4) Zone Standards

A. Purpose

The Community Center Mixed Use (C4) Zone provides for a limited number of retail, service, and office uses intended to serve the surrounding neighborhood.

These are smaller uses and not highway service types of uses. The intensity standards are set to ensure that the uses have the same suburban character as the surrounding suburban residential areas. They are intended to blend with the surrounding areas, not threaten the character of the area. This Zone shall not consist of strip developments but rather neighborhood centers with a sense of place.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front	20' min.
-------	----------

Side:

Side, Main Building	10' min.
Side, Ancillary Building	10' min.

Rear	15' min.
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Lot Size

Lot Size	5,000 SF min.
Width	50' min.

Minimum Site Area

Single-Family and Duplex	5,000 SF
Multi-Family	21,780 SF

Note:

For development within a Traditional Community Plan meeting the requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established and delineated on the regulating plan shall apply.

C. Building Form

Building Height

Single-Family and Duplex	2.5 stories max.
Multi-Family	3 stories max.
Non-Residential Buildings	2 stories max.
Ground Floor Finish Level	No minimum

D. Gross Density¹ and Floor Area Ratio

Gross Density	12 d.u./acre max.
Floor Area Ratio ²	0.23 max.

¹ Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F).

² Requirement applies to non-residential buildings.

E. Parking

Required Spaces: Residential Uses

Single-family detached	3 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom
Live/work	2 per unit plus 1 per 300 GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Gas station/fuel sales	1 per pump plus requirement for retail
Lodging: Inn/hotel	1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging	1 per 500 GSF
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For parking **space** requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

3.3.50 Regional Center Mixed Use (C5) Zone Standards

A. Purpose

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.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front 25' min.

Side:

Side, Main Building 15' min.

Side, Ancillary Building 15' min.

Rear 10' min.

Lot Size

Lot Size 21,780 SF min.

Width 150' min.

Note:

For development within a Traditional Community Plan meeting the

requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established

and delineated on the regulating plan shall apply.

C. Building Form

Building Height

All Buildings 3 stories max.

Ground Floor Finish Level No minimum

D. Gross Density¹ and Floor Area Ratio

Density 15.0 d.u./acre max.²

Floor Area Ratio³ 0.37 max.

¹Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F).

²See Section 4.1.350 for Affordable Housing density bonuses.

³Requirement applies to non-residential buildings.

E. Parking

Required Spaces: Residential Uses

Single-family detached 3 per unit

Single-family attached/duplex 2 per unit

Multi-family units 1.25 per unit

Community residence 1 per bedroom

Live/work 2 per unit plus 1 per 300 GSF of work area

Required Spaces: Services or Retail Uses

Retail, offices, services 1 per 300 GSF

Restaurant, café, coffee shop 1 per 150 GSF

Drive-through facility Add 5 stacking spaces per drive-through

Gas station/fuel sales 1 per pump plus requirement for retail

Lodging: Inn/hotel 1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging 1 per 500 GSF

Warehousing/distribution 1 per 2,000 GSF

For parking space requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

3.3.60 Industrial (SI) Zone Standards

A. Purpose

The Industrial (SI) Zone permits office, manufacturing, industrial, warehousing, and uses that support them. The Zone shall also be designed to permit small businesses and incubator businesses. Moderate to high intensities are permitted to achieve maximum land utilization. Such practices will maximize the land's use and accommodate small businesses and start-up or incubator businesses.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front 40' min.

Side:

Side, Main Building 20' min.

Side, Ancillary Building 20' min.

Rear 20' min.

Lot Size

Lot Size 20,000 SF min.

Width 100' min.

Minimum Site Area

Industrial 20,000 SF

Other Permitted Uses 1 acre

C. Building Form

Building Height

All Buildings 4 stories max.¹

Ground Floor Finish Level No minimum

¹Not to exceed 50 feet above finished grade level

D. Floor Area Ratio

Industrial 0.48 max.

All Other Uses 0.37 max.

E. Parking

Required Spaces: Service or Retail Uses

Retail, offices, services 1 per 300 GSF

Restaurant, café, coffee shop 1 per 150 GSF

Drive-through facility Add 5 stacking spaces per drive-through

Gas station/fuel sales 1 per pump plus requirement for retail

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging 1 per 500 GSF

Heavy manufacturing, processing and packaging 1 per employee at maximum shift plus 1 per commercial vehicle

Warehousing/distribution 1 per 2,000 GSF

For parking **space** requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

Section 6.1.40 (General Review Standards): Base Site Area is used to determine the density permitted on specific properties and, as such, undevelopable portions of the property are subtracted from gross site area to determine the maximum density allowed on any particular property. Staff recommends specifically addressing jurisdictional and non-jurisdictional wetlands when calculating Base Site Area in order to provide clear guidance on these calculations and prevent density increases based on the existence of any wetlands on any particular property.

6.1.40 General Review Standards

- A. **General.** Applications for subdivisions shall be reviewed and evaluated in accordance with the procedures of Section 7.2.70 (Subdivision), and the standards of this Article.
- B. **Subdivision Design.** Block and lot layout shall meet the standards established in Article 2 (Multi-Lot and Single Lot Community Scale Development).
- C. **Civic and Open Spaces.** Civic and open spaces shall meet the standards established in Division 2.8 (Civic and Open Space Types).
- D. **Streets.** New streets shall meet the standards established in Division 2.9 (Thoroughfare Standards).
- E. **Modulation Standards.** The applicant may request a modulation of some standards, see Section 7.2.30 (Modulation Permit), where appropriate to achieve better design that is consistent with the objectives of this Development Code, as long as the modulation is compatible with surrounding development, does not have an adverse impact on protected resources, and is generally consistent with the goals of this Development Code.
- F. **Density and Lot Size.** Maximum gross density and minimum/maximum lot size shall meet the standards established in Article 3 (Specific to Zones). Maximum gross density for a site shall be calculated using the Base Site Area.
- G. The Base Site Area shall be determined as follows:
 - Gross site area as determined by actual survey:
 - Minus Land separated by a road or utility right-of-way
 - Minus Land separated by water and/or marsh
 - Minus Land within existing roads ultimate rights-of-way
 - Minus Existing natural water bodies on the property, jurisdictional and non-jurisdictional wetlands, and land/tidal wetlands seaward of the OCRM critical line
 - Minus Land previously dedicated as open space
 - Equals = Base site Area

Section 5.11.100.F (Tree Removal on Developed Properties): Sections 5.11.100.B – 5.11.100.E protect trees during new development projects by requiring Specimen trees to be preserved to the maximum extent practicable. When specimen trees cannot be avoided because of new development, they must be mitigated in one of three ways: 1) replanting trees of the same species, 2) saving existing non-specimen-size native trees on the property or, 3) paying into a tree mitigation fund. Staff spends a lot of time regulating these requirements during development, however, per Section 5.11.100.F, once a single-family home exists on a lot, the property owners may remove all but grand trees and trees in river buffers without a tree removal permit. This means that specimen trees are no longer protected under Section 5.11.100.F and trees that have been kept for mitigation are afforded no protections. This has enabled the act of developers saving specimen and non-specimen size trees during development for mitigation purposes, allowing them to avoid replanting or paying into a tree mitigation fund, and then cut the trees down as soon as the single-family residence is certified for occupancy. To correct the issue, staff recommends adopting the following amendments:

1. Creating a time period of protection for specimen trees based on the time that has elapsed since the year of the home's completed construction.
2. Including language referencing mitigation trees as protected trees.
3. Clarifying language regarding river buffers.

5.11.100 Tree Protection

F. Tree Removal on Developed Properties.

1. Single-Family Residential Lots.

- a. **Permit Required to Remove a Grand Tree.** On any individual single-family residential lot with an existing dwelling unit where construction was completed less than five years ago, a tree removal permit is required to remove specimen, grand, and/or mitigation trees, see Section 7.2.50 (Tree Removal Permit). On any individual single-family residential lot with an existing dwelling unit where construction was completed five or more years ago, a tree removal permit is required to remove a grand tree and/or mitigation trees, see Section 7.2.50 (Tree Removal Permit). A grand tree is an exceptionally large tree for its species that is healthy and worthy of protection. It represents an individual tree that contributes aesthetically to the region's visual "sense of place" and serves as a seed stock for future generations. An individual tree is considered a grand tree by the following size criteria:
 - 1) Live Oak (*Quercus virginiana*), Black Walnut (*Juglans nigra*), or Longleaf Pine (*Pinus palustris*) that are equal to or greater than a diameter of 24 inches DBH.
 - 2) Loblolly Pine (*Pinus taeda*), Slash Pine (*Pinus ellitoides*), and Shortleaf Pine (*Pinus echinata*) that are equal to or greater than a diameter of 36 inches DBH.
 - 3) All other species of trees, not defined above, that are equal to or greater than a diameter of 30 inches DBH except those identified as invasive species in Table 5.11.100.C.
- b. **Tree Removal Permit Standards.** A tree removal permit will be issued to remove a protected grand tree from a residential lot if the tree is dead, diseased, hollow, or has another condition that poses a hazard to people or structures on the lot or adjoining lot as determined by a certified arborist. Upon removal, the tree shall be replaced with one 2.5-inch minimum caliper tree of the same species, or a species recommended by a certified arborist and approved by staff.
- c. **Removal of All Other Non-Protected Trees on Residential Lots.** All other trees on a single-family residential lot with an existing dwelling may be removed without a permit, except for mitigation trees or trees those within required river buffers, including river buffers, may be removed without a permit. Removal of trees within a river buffer and/or mitigation trees requires a tree removal permit; see Section 7.2.50 (Tree Removal Permit).



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
<i>Text Amendment to the Community Development Code (CDC): Appendix A.13.50.D (Guest Houses) to clarify minimum lot size requirements for guest houses in the May River Community Preservation District.</i>
MEETING NAME AND DATE:
<i>Natural Resources Committee Meeting, May 2, 2022</i>
PRESENTER INFORMATION:
<i>Robert Merchant, AICP, Director, Beaufort County Planning and Zoning (10 minutes needed for item discussion)</i>
ITEM BACKGROUND:
<i>Staff have been reviewing the Community Development Code (CDC) for necessary amendments as a result of the adoption of the 2040 Comprehensive Plan. During our review, staff have identified necessary major and minor corrections to the CDC to improve and clarify its standards. These amendments will be presented in several batches for consideration. This is the first batch of recommended amendments, which includes only minor changes.</i>
<i>At their April 4, 2022 meeting, the Beaufort County Planning Commission voted unanimously to recommend approval of the proposed amendment.</i>
PROJECT / ITEM NARRATIVE:
<i>Section A.13.50.D addresses guest house allowances for existing lots of record south of May River Road. As written, the language leaves no direction on lots greater than five acres that existed prior to the adoption of the May River Community Preservation district (MRCP). It only addresses lots that are two to five acres that existed prior to the adoption of the MRCP and lots that are five acres or more that were created after the adoption of the MRCP. Staff recommends removing the language referencing lot-origination dates to capture all property sizes south of May River Rd and provide clear guidance determining the number of guest house allowed for all properties in that portion of the district.</i>
FISCAL IMPACT:
<i>Not applicable.</i>
STAFF RECOMMENDATIONS TO COUNCIL:
<i>Staff recommends approval.</i>
OPTIONS FOR COUNCIL MOTION:
<i>To approve or deny the proposed amendment to the Community Development Code (CDC): Appendix A.13.50.D (Guest Houses).</i>

ORDINANCE 2022 / __

**TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC):
APPENDIX A.13.50.D (GUEST HOUSES) TO CLARIFY THE STANDARDS FOR
MINIMUM LOT SIZE REQUIREMENTS FOR GUEST HOUSES LOCATED IN THE
MAY RIVER COMMUNITY PRESERVATION DISTRICT.**

WHEREAS, the Community Development Code permits Guest Houses in the May River Community Preservation District; and

WHEREAS, Section A.13.50.D.5 of the Community Development Code provides the standards associated to the acreage and lot-origination date requirements which determines the amount of guest houses permitted on property; and

WHEREAS, it is necessary for the Community Development Code to provide clear standards for lot sizes regardless of when they were established to achieve orderly development of Guest Houses in the May River Community Preservation District.

NOW, THEREFORE be it ordained by County Council in meeting duly assembled as follows:

Adopted this ___ day of _____ 2022.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, JD, Clerk to Council

A.13.50 Conditional and Special Use Standards**D. Guest houses.**

1. Guest houses shall be permitted South of May River Road.
2. A guest house shall be subordinate to the principal dwelling and be for use by the property owner and his/her guests only.
3. A guest house is deemed to be a part of the main property owners compound and is not intended to be subdivided for other uses. They shall adhere to the front, rear, and side setbacks listed for the principle structure.
4. A guest house is for use by the property owner and his/her family and guests only. They shall not be leased or rented, and must gain their access from the driveway of the principal house.
5. Existing ~~lots of record~~ lots that are two to five acres in size are permitted one guest house, not to exceed 2,000 square feet. Lots ~~created after the adoption of the May River CP District~~ that are ~~five acres or more~~ **than five acres** in size are permitted one or more guest houses; however, the total square footage of all guest dwellings (houses) may not exceed 75 percent of the square footage of the principal house. Furthermore, the total square footage of all guest houses (when added together) may not exceed 5,000 square feet.
6. Nothing herein shall prevent the construction of a guest house prior to the construction of the principal dwelling.
7. Manufactured (i.e., mobile) homes shall not be permitted to be used as guest houses.



MEMORANDUM

TO: Beaufort County Natural Resources Committee

FROM: Juliana Smith, Beaufort County Planning and Zoning Department

DATE: May 2, 2022

SUBJECT: Review of Community Development Code – Proposed Text Amendments

STAFF REPORT:

A. BACKGROUND: In November 2021, Beaufort County Council adopted the 2040 Comprehensive Plan. As a result, staff have been reviewing the Community Development Code (CDC) for necessary amendments. During our review, staff have identified necessary major and minor corrections to the CDC to improve and clarify its standards. These amendments will be presented in several batches for consideration. This is the first batch of recommended amendments, which includes only minor changes.

B. SUMMARY OF REQUEST: To help navigate through the list of the first batch of recommended amendments, below is a summary of each of the four amendments up for consideration. More detailed explanations follow in the attachments, along with the amended CDC sections:

1. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): APPENDIX A.13.50.D (GUEST HOUSES) clarifies minimum lot size requirements for guest houses located in the May River Community Preservation District.
2. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTIONS IN DIVISION 3.2 (TRANSECT ZONES) AND SECTIONS IN DIVISION 3.3 (CONVENTIONAL ZONES) corrects and clarifies conflicts between zoning districts and the Parking Space Requirements Table in Section 5.5.40.B.
3. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 6.1.40.G (BASE SITE AREA CALCULATIONS) clarifies that both jurisdictional and non-jurisdictional wetlands must be subtracted from the gross site area to determine base site area for development.
4. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 5.11.100.F.1 (TREE REMOVAL ON DEVELOPED PROPERTIES) closes a loophole which allows specimen and mitigation trees to be removed post-construction of single-family homes.

C. STAFF RECOMMENDATION: Staff recommends approval.

D. BEAUFORT COUNTY PLANNING COMMISSION RECOMMENDATIONS: At the April 4, 2022 meeting of the Beaufort County Planning Commission, the Commission voted:

1. Unanimously to recommend approval of the text amendment to CDC Appendix A.13.50.D (Guest Houses) upon the condition that staff make an additional amendment to further clarify language regarding the larger (i.e. five plus acre) parcels. Staff have made the requested change.
2. Unanimously to recommend approval of the text amendment to CDC sections in Division 3.2. (Transect Zones) and Division 3.3 (Conventional Zones) to clarify parking space requirements.
3. Unanimously to recommend approval of the text amendment to CDC Section 6.1.40.G (Base Site Area Calculations) to clarify how to calculate base site area.
4. Unanimously to recommend approval of the text amendment to CDC Section 5.11.100.F.1 (Tree Removal on Developed Properties) to close a loophole that allows specimen trees and mitigation trees to be removed post-construction of single-family homes.

E. ATTACHMENTS: Revised Community Development Code sections.

Section A.13.50.D (Guest Houses): Section A.13.50.D addresses guest house allowances for existing lots of record south of May River Road. As written, the language leaves no direction on lots greater than five acres that exist prior to the adoption of the May River Community Preservation district (MRCP). It only addresses lots that are two to five acres that *existed prior* to the adoption of the MRCP and lots that are five acres or more that were *created after* the adoption of the MRCP. Staff recommends removing the language referencing lot-origination dates to capture all property sizes south of May River Rd and provide clear guidance determining the number of guest houses allowed for all properties in that portion of the district.

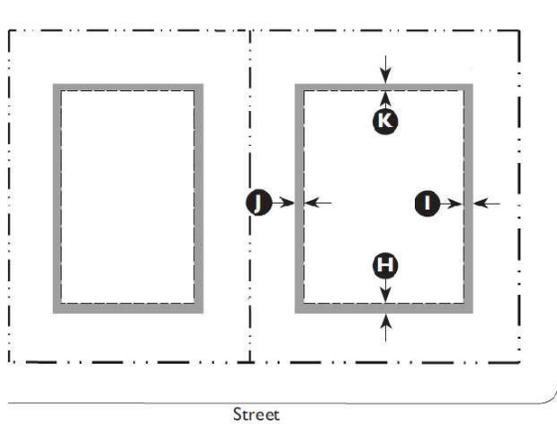
A.13.50 Conditional and Special Use Standards

D. Guest houses.

1. Guest houses shall be permitted South of May River Road.
2. A guest house shall be subordinate to the principal dwelling and be for use by the property owner and his/her guests only.
3. A guest house is deemed to be a part of the main property owners compound and is not intended to be subdivided for other uses. They shall adhere to the front, rear, and side setbacks listed for the principle structure.
4. A guest house is for use by the property owner and his/her family and guests only. They shall not be leased or rented, and must gain their access from the driveway of the principal house.
5. Existing ~~lots of record~~ lots that are two to five acres in size are permitted one guest house, not to exceed 2,000 square feet. Lots ~~created after the adoption of the May River CP District~~ that are ~~five acres or more~~ **than five acres** in size are permitted one or more guest houses; however, the total square footage of all guest dwellings (houses) may not exceed 75 percent of the square footage of the principal house. Furthermore, the total square footage of all guest houses (when added together) may not exceed 5,000 square feet.
6. Nothing herein shall prevent the construction of a guest house prior to the construction of the principal dwelling.
7. Manufactured (i.e., mobile) homes shall not be permitted to be used as guest houses.

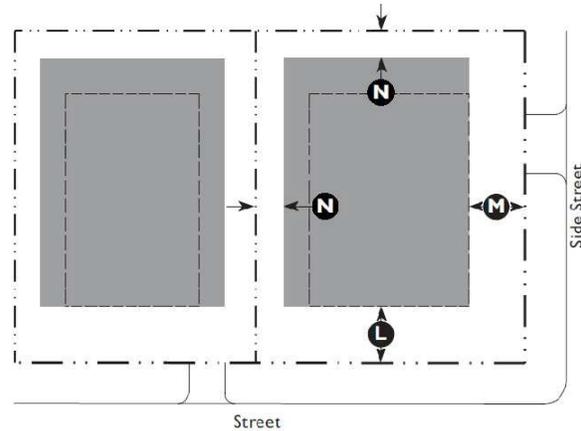
Sections in Division 3.2 (Transect Zones) and Division 3.3 (Conventional Zones): The CDC contains parking space requirements in both the individual transect and conventional zone standards in Division 3.2 and 3.3 and in Table 5.4.40.B. Parking space requirements were included in both places in order to simplify navigation of the CDC for ease of interpretation. However, staff have recognized inconsistencies between Table 5.4.40.B and Zoning District requirements in Divisions 3.2 and 3.3. This amendment corrects conflicts by removing parking requirements from all Transect (except the T4 districts) and Conventional zones and replacing them with reference to Table 5.4.40.B. Because the T4 districts are intended to create walkable and mixed-use communities, staff recommends keeping specific parking allowances within the T4 district sections to reduce the number of required parking spaces and prevent over-parking of these districts.

3.2.40 T2 Rural (T2R) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 ——— Setback Line

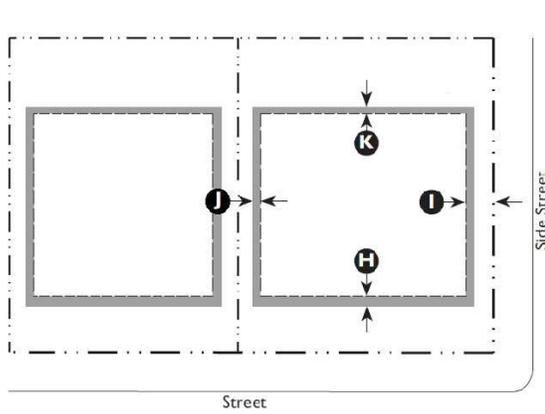
F. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	(H)
Side Street	5' max.	(I)
Side	5' max.	(J)
Rear	5' max.	(K)
Encroachments are not allowed within a Street ROW/Alley ROW, or across a property line.		
See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting		



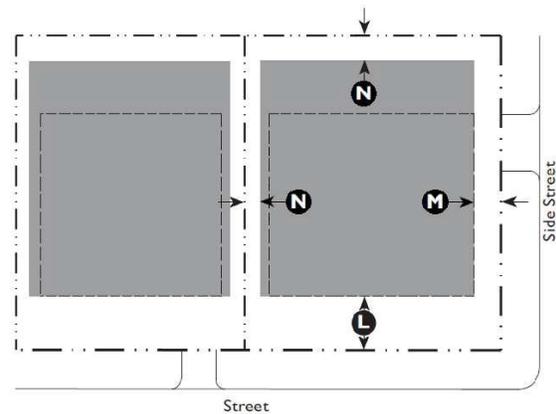
Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 ——— Setback Line

G. Parking		
Required Spaces: Residential Uses		
Single-Family Detached	3 per-unit	
Required Spaces: Service or Retail Uses		
Lodging: Inn	1 per-room	
For parking space requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	50' min.	(L)
Side Street	50' min.	(M)
Rear and interior side yard parking setbacks are governed by the applicable perimeter buffer (see Tables 5.8.90.D and 5.8.90.F) and any other required buffers.		
		(N)

3.2.50 T2 Rural Neighborhood (T2RN) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 - - - - Setback Line

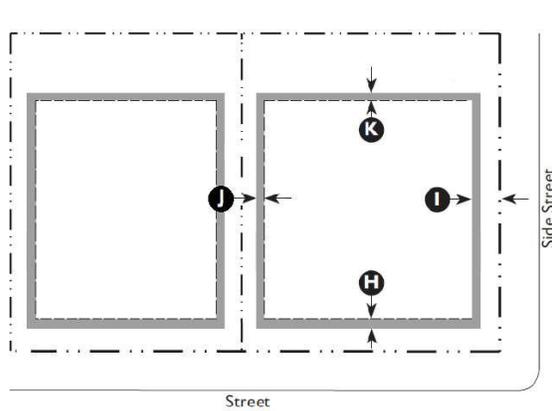


Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 - - - - Setback Line

G. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	(H)
Side Street	5' max.	(I)
Side	5' max.	(J)
Rear	5' max.	(K)
Retail, Offices, Services	1 per 300 GSF	
Encroachments are not allowed within a Street ROW/Alley ROW		
Buffers, or across a property line. See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting	Shop front	

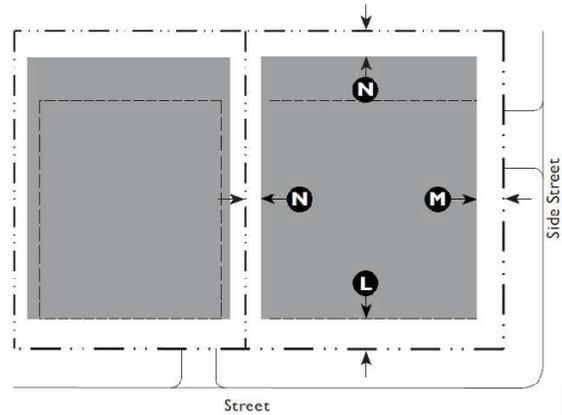
H. Parking		
Required Spaces: Residential Uses		
Single-family detached	3 per-unit	
Required Spaces: Service or Retail Uses		
Retail, Offices, Services	1 per 300 GSF	
Restaurant, Café, Coffee Shop	1 per 150 GSF	
For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	35' min.	(L)
Side Street	20' min.	(M)
Rear and interior side yard parking setbacks are governed by the applicable perimeter buffer (see Tables 5.8.90.D and 5.8.90.F) and any other required buffers.		(N)

3.2.60 T2 Rural Center (T2RC) Standards



Key

- - - - ROW / Property Line
- Setback Line
- Encroachment Area



Key

- - - - ROW / Property Line
- Setback Line
- Allowed Parking Area

E. Encroachments and Frontage Types

Encroachments		
Front	5' max.	(H)
Side Street	5' max.	(I)
Side	5' max.	(J)
Rear	5' max.	(K)

Encroachments are not allowed within a Street ROW/Alley ROW, Buffers, or across a property line. See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Porch: Engaged
Porch: Projecting	Shop front

F. Parking

Required Spaces: Residential Uses

Single-family detached	3 per unit
Community residence	1 per bedroom

Service or Retail Uses:

Retail, offices, services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Drive-through facility	Add 5 stacking spaces per drive-through
Lodging- Inn	1 per room

For parking space requirements for all other uses see Table uses see Table 5.5.40.B (Parking Space Requirements).

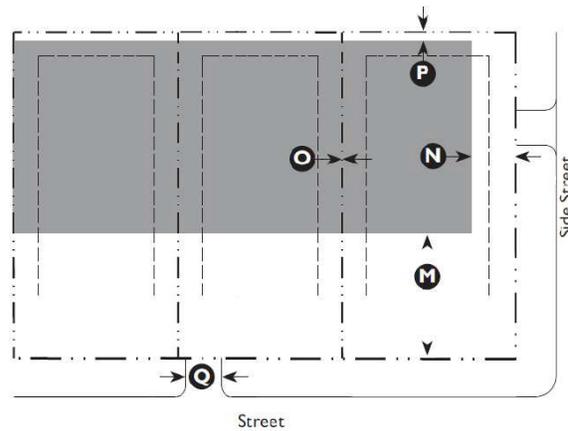
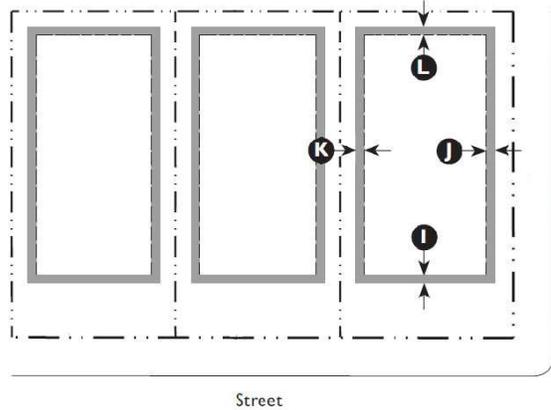
Location (Setback from Property Line)

Front	10' min.	(L)
Side Street	15' min.	(M)

Rear and interior side yard parking setbacks are governed by the applicable perimeter buffer (see Tables 5.8.90.D and 5.8.90.F) and any other required buffers.

(N)

3.2.70 T3 Edge (T3E) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 - - - - Setback Line

Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 - - - - Setback Line

E. Encroachments and Frontage Types

Encroachments		
Front	5' max.	Ⓛ
Side Street	5' max.	Ⓧ
Side	3' max.	Ⓚ
Rear	5' max.	Ⓛ

Encroachments are not allowed within a Street ROW/Alley ROW, Buffers, or across a property line. See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Porch: Engaged
Porch: Projecting	Porch: Side Yard

F. Parking

Required Spaces

Residential Uses:	
All Allowed Uses	2 per-unit
Service or Retail Uses:	
All Allowed Lodging Uses	1 per 2 rooms

For parking **space** requirements for Agricultural, Recreation, Public Assembly, and Transportation, Communication, Infrastructure uses see Table 5.5.40.B (Parking Space Requirements).

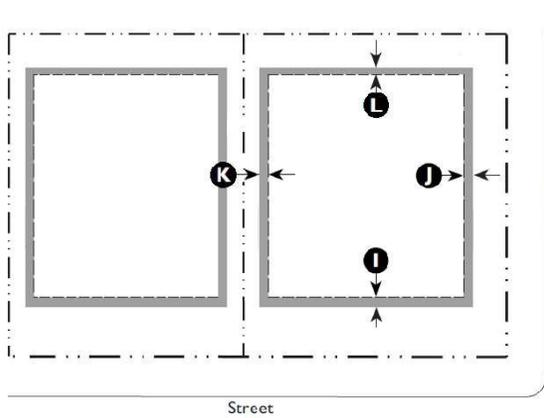
Location (Setback from Property Line)

Front	50' min.	Ⓜ
Side Street	25' min.	Ⓝ
Side	0' min.	Ⓞ
Rear	5' min.	Ⓟ

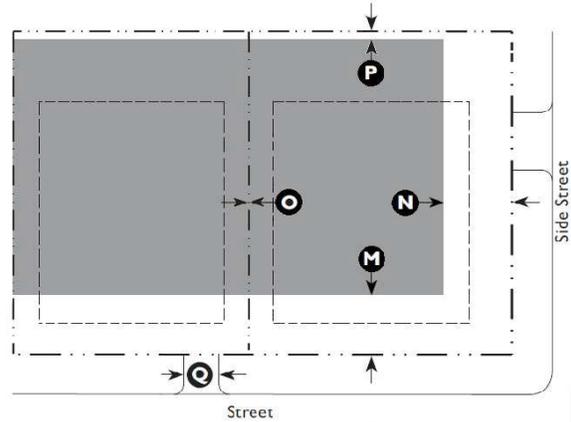
Miscellaneous

Ⓠ 12' maximum driveway width at the curb cut and within the front or side street parking setback. Community Residences and Meeting Facilities/Places of Worship are exempt from this requirement.

3.2.80 T3 Hamlet Neighborhood (T3HN) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 - - - - Setback Line

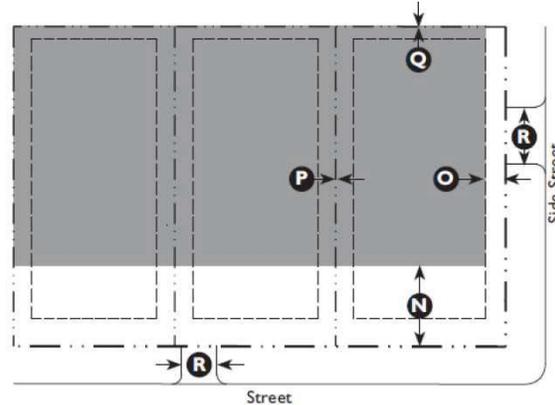
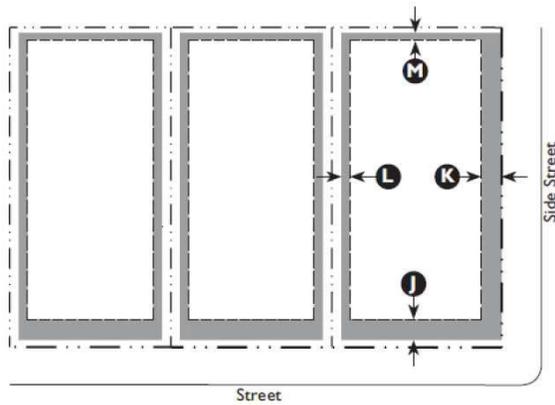


Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 - - - - Setback Line

E. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	Ⓚ
Side Street	5' max.	Ⓛ
Side	3' max.	Ⓜ
Rear	5' max.	Ⓝ
Encroachments are not allowed within a Street ROW/Alley ROW, buffers, or across a property line.		
See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting	Porch: Side Yard	

F. Parking		
Required Spaces: Residential Uses		
Single-family detached	2 per unit	
Two-family unit (duplex)	2 per unit	
Community residence	1 per bedroom	
Required Spaces: Service or Retail Uses		
For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	50' min.	Ⓜ
Side Street	25' min.	Ⓝ
Side	0' min.	Ⓚ
Rear	5' min.	Ⓛ
Miscellaneous		
12' maximum driveway width at the curb cut and within the front or side street parking setback. Community Residences and Meeting Facilities/Places of Worship are exempt from this requirement.		Ⓚ

3.2.90 T3 Neighborhood (T3N) Standards



Key

- ROW / Property Line
- Setback Line
- Encroachment Area

Key

- ROW / Property Line
- Setback Line
- Allowed Parking Area

F. Encroachments and Frontage Types

Encroachments		
Front	5' max.	(J)
Side Street	5' max.	(K)
Side	3' max.	(L)
Rear	5' max.	(M)

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

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Porch: Engaged
Porch: Projecting	Porch: Side Yard

G. Parking

Required Spaces: Residential Uses

Single-family detached	2 per-unit
Two-family (duplex)	2 per-unit
Multi-family units	1.25 per-unit
Community residence	1 per bedroom

Required Spaces: Service or Retail Uses

Offices & services	1 per 300-GSF
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For parking space requirements for Agricultural, Industrial, Recreation, Education, Public Assembly, and Transportation, Communication, Infrastructure uses see Table 5.5.40.B (Parking Space Requirements).

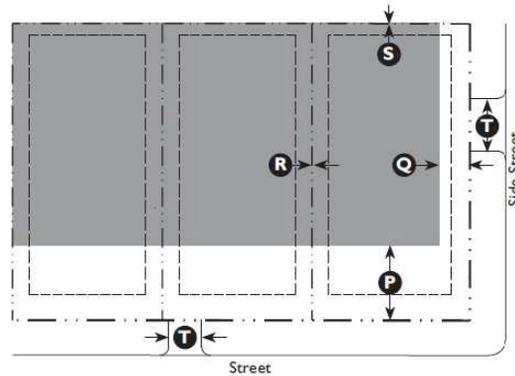
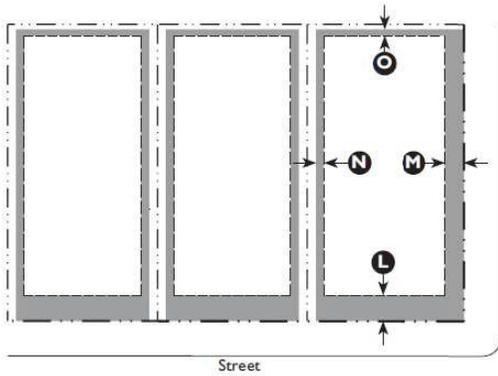
Location (Setback from Property Line)

Front	40' min.	(N)
Side Street	15' min.	(O)
Side	0' min.	(P)
Rear	5' min.	(Q)

Miscellaneous

12' maximum driveway width at the curb cut and within the front or side street parking setback.	(R)
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3.2.100 T4 Hamlet Center (T4HC) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 ——— Setback Line

Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 ——— Setback Line

F. Encroachments and Frontage Types

Encroachments		
Front	12' max.	(L)
Side Street	12' max.	(M)
Side	3' max.	(N)
Rear	3' max.	(O)

Encroachments are not allowed across a side or rear property line, or across a curb.

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Forecourt
Porch: Projecting	Dooryard
Porch: Engaged	Porch: Side Yard
Stoop	Shopfront ¹
Terrace ¹	

¹ Allowed in T4HC-O Sub-Zone only.

G. Parking

Required Spaces: Residential Uses

Single-family detached	2 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom

Required Spaces: Service or Retail Uses

Retail, Offices, Services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Drive-through Facility	Add 5 stacking spaces per drive-through
Gas Station/Fuel Sales	1 per pump plus requirements for retail
Lodging: Inn/hotel	1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging	1 per 500 GSF
Warehousing/Distribution	1 per 2,000 GSF

Parking standards listed within the district shall govern. For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).

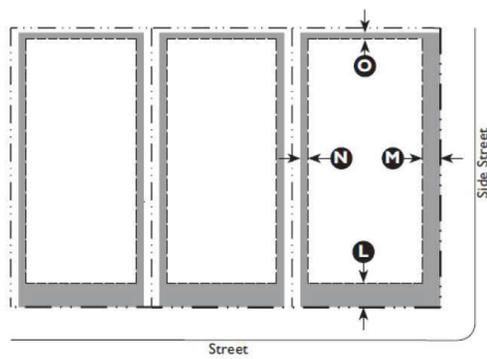
Location (Setback from Property Line)

Front: 5' behind front facade of main building	(P)
Side Street: 5' behind side facade of main building	(Q)
Side: 0' min.	(R)
Rear: 5' min.	(S)

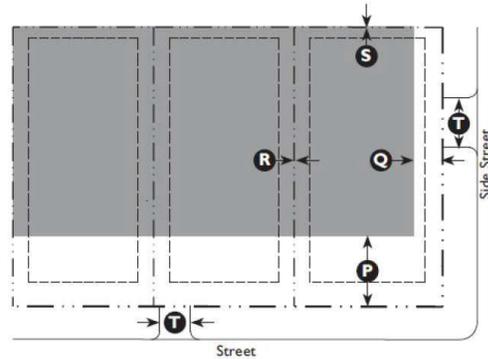
Miscellaneous

Parking Driveway Width	(T)
40 spaces or less	14' max.
Greater than 40 spaces	18' max.

3.2.110 T4 Neighborhood Center (T4NC) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 ———— Setback Line



Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 ———— Setback Line

E. Encroachments and Frontage Types

Encroachments		
Front	12' max.	(L)
Side Street	12' max.	(M)
Side	3' max.	(N)
Rear	3' max.	(O)

Encroachments are not allowed across a side or rear property line, or across a curb.

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Awnings, Galleries and Arcades may encroach further into the street ROW to within 2' of the face of curb. Eaves may encroach up to 3' into the street ROW. All other encroachments are not allowed

within street ROW.

Allowed Frontage Types

Porch: Projecting	Dooryard
Porch: Engaged	Porch: Side Yard
Stoop	Shop front
Forecourt	Terrace
Gallery	

F. Parking

Required Spaces: Residential Uses

Single-family detached	2 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom
Live/work	2 per unit plus 1 per 300 GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services	1 per 300 GSF
Restaurant, café, coffee shop	1 per 150 GSF
Drive-through facility	Add 5 stacking spaces per drive-through
Gas station/fuel sales	1 per pump plus requirement for retail
Lodging: Inn/hotel	1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging	1 per 500 GSF
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Warehousing/Distribution	1 per 2,000 GSF
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Parking standards listed within the district shall govern. For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).

Location (Setback from Property Line)

Front	40' min.	(P)
Side Street	15' min.	(Q)
Side	0' min.	(R)
Rear	5' min.	(S)

Miscellaneous

Parking Driveway Width:		(T)
40 spaces or less	14' max.	
Greater than 40 spaces	18' max.	

3.3.30 Neighborhood Mixed Use (C3) Zone Standards

A. Purpose

The Neighborhood Mixed Use (C3) Zone provides for high-quality, moderate-density (averaging under three dwelling units per acre) residential development, with denser areas of multi-family and mixed-use development to provide walkability and affordable housing options. The design requirements are intended to provide a suburban character and encourage pedestrian, as well as automobile, access.

Open spaces shall be provided in sufficient quantity to ensure an open quality with a predominance of green space. Non-residential uses shall be limited to parcels having access to arterial or collector streets or within a Traditional Community Plan. This Zone provides for the lower densities of areas designated Neighborhood Mixed-Use in the Comprehensive Plan. It is intended to support the development of communities with a diverse range of housing types and uses.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front	30' min. ¹
Side:	
Side, Main Building	10' min.
Side, Ancillary Building	10' min.
Rear	50' min.

¹ The minimum front setback for mansion apartments in a Multi-family community on internal streets is 15 feet.

Lot Size

Lot Size	10,890 SF min.
Width	70' min.

Minimum Site Area

Single-Family and Duplex	10,890 SF
Multi-Family	21,780 SF

Note:

For development within a Traditional Community Plan meeting the requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established and delineated on the regulating plan shall apply.

C. Building Form

Building Height

Single Family and Duplex	2.5 stories max.
Multi-Family	2.5 stories max.
Non-Residential Buildings	2 stories max.
Institutional Buildings	35 feet above grade
Ground Floor Finish Level	No minimum

D. Gross Density¹ and Floor Area Ratio

Gross Density

Single-Family Detached	2.6 d.u./acre
Single-Family Attached/Duplex	2.6 d.u./acre
Multi-Family Unit	12 d.u./acre, Maximum of 80 Dwelling units
Traditional Community Plan	3.5 d.u./acre ²

Floor Area Ratio

Non-residential buildings	0.18 max.
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¹ Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)

² Subject to the requirements in Division 2.3

E. Parking

Required Spaces: Residential Uses

Single-family detached	3 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom
Live/work	2 per unit plus 1 per 300 GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Gas station/fuel sales	1 per pump plus requirement for retail
Lodging: Inn/hotel	1 per room

For parking space requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

3.3.40 Community Center Mixed Use (C4) Zone Standards

A. Purpose

The Community Center Mixed Use (C4) Zone provides for a limited number of retail, service, and office uses intended to serve the surrounding neighborhood.

These are smaller uses and not highway service types of uses. The intensity standards are set to ensure that the uses have the same suburban character as the surrounding suburban residential areas. They are intended to blend with the surrounding areas, not threaten the character of the area. This Zone shall not consist of strip developments but rather neighborhood centers with a sense of place.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front	20' min.
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Side:

Side, Main Building	10' min.
Side, Ancillary Building	10' min.

Rear	15' min.
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Lot Size

Lot Size	5,000 SF min.
Width	50' min.

Minimum Site Area

Single-Family and Duplex	5,000 SF
Multi-Family	21,780 SF

Note:

For development within a Traditional Community Plan meeting the requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established and delineated on the regulating plan shall apply.

C. Building Form

Building Height

Single-Family and Duplex	2.5 stories max.
Multi-Family	3 stories max.
Non-Residential Buildings	2 stories max.
Ground Floor Finish Level	No minimum

D. Gross Density¹ and Floor Area Ratio

Gross Density	12 d.u./acre max.
Floor Area Ratio ²	0.23 max.

¹ Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F).

² Requirement applies to non-residential buildings.

E. Parking

Required Spaces: Residential Uses

Single-family detached	3 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom
Live/work	2 per unit plus 1 per 300 GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Gas station/fuel sales	1 per pump plus requirement for retail
Lodging: Inn/hotel	1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging	1 per 500 GSF
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For parking space requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

3.3.50 Regional Center Mixed Use (C5) Zone Standards

A. Purpose

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.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front 25' min.

Side:

Side, Main Building 15' min.

Side, Ancillary Building 15' min.

Rear 10' min.

Lot Size

Lot Size 21,780 SF min.

Width 150' min.

Note:

For development within a Traditional Community Plan meeting the

requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established

and delineated on the regulating plan shall apply.

C. Building Form

Building Height

All Buildings 3 stories max.

Ground Floor Finish Level No minimum

D. Gross Density¹ and Floor Area Ratio

Density 15.0 d.u./acre max.²

Floor Area Ratio³ 0.37 max.

¹Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F).

²See Section 4.1.350 for Affordable Housing density bonuses.

³Requirement applies to non-residential buildings.

E. Parking

Required Spaces: Residential Uses

Single-family detached 3 per unit

Single-family attached/duplex 2 per unit

Multi-family units 1.25 per unit

Community residence 1 per bedroom

Live/work 2 per unit plus 1 per 300 GSF of work area

Required Spaces: Services or Retail Uses

Retail, offices, services 1 per 300 GSF

Restaurant, café, coffee shop 1 per 150 GSF

Drive-through facility Add 5 stacking spaces per drive-through

Gas station/fuel sales 1 per pump plus requirement for retail

Lodging: Inn/hotel 1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging 1 per 500 GSF

Warehousing/distribution 1 per 2,000 GSF

For parking **space** requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

3.3.60 Industrial (SI) Zone Standards

A. Purpose	
The Industrial (SI) Zone permits office, manufacturing, industrial, warehousing, and uses that support them. The Zone shall also be designed to permit small businesses and incubator businesses. Moderate to high intensities are permitted to achieve maximum land utilization. Such practices will maximize the land's use and accommodate small businesses and start-up or incubator businesses.	
B. Building Placement	
Setback (Distance from ROW/Property Line)	
Front	40' min.
Side:	
Side, Main Building	20' min.
Side, Ancillary Building	20' min.
Rear	20' min.
Lot Size	
Lot Size	20,000 SF min.
Width	100' min.
Minimum Site Area	
Industrial	20,000 SF
Other Permitted Uses	1 acre

C. Building Form	
Building Height	
All Buildings	4 stories max. ¹
Ground Floor Finish Level	No minimum
¹ Not to exceed 50 feet above finished grade level	
D. Floor Area Ratio	
Industrial	0.48 max.
All Other Uses	0.37 max.
E. Parking	
Required Spaces: Service or Retail Uses	
Retail, offices, services	1 per 300 GSF
Restaurant, café, coffee shop	1 per 150 GSF
Drive-through facility	Add 5 stacking spaces per drive-through
Gas station/fuel sales	1 per pump plus requirement for retail
Required Spaces: Industrial Uses	
Light manufacturing, processing and packaging	1 per 500 GSF
Heavy manufacturing, processing and packaging	1 per employee at maximum shift plus 1 per commercial vehicle
Warehousing/distribution	1 per 2,000 GSF
For parking space requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).	

Section 6.1.40 (General Review Standards): Base Site Area is used to determine the density permitted on specific properties and, as such, undevelopable portions of the property are subtracted from gross site area to determine the maximum density allowed on any particular property. Staff recommends specifically addressing jurisdictional and non-jurisdictional wetlands when calculating Base Site Area in order to provide clear guidance on these calculations and prevent density increases based on the existence of any wetlands on any particular property.

6.1.40 General Review Standards

- A. **General.** Applications for subdivisions shall be reviewed and evaluated in accordance with the procedures of Section 7.2.70 (Subdivision), and the standards of this Article.
- B. **Subdivision Design.** Block and lot layout shall meet the standards established in Article 2 (Multi-Lot and Single Lot Community Scale Development).
- C. **Civic and Open Spaces.** Civic and open spaces shall meet the standards established in Division 2.8 (Civic and Open Space Types).
- D. **Streets.** New streets shall meet the standards established in Division 2.9 (Thoroughfare Standards).
- E. **Modulation Standards.** The applicant may request a modulation of some standards, see Section 7.2.30 (Modulation Permit), where appropriate to achieve better design that is consistent with the objectives of this Development Code, as long as the modulation is compatible with surrounding development, does not have an adverse impact on protected resources, and is generally consistent with the goals of this Development Code.
- F. **Density and Lot Size.** Maximum gross density and minimum/maximum lot size shall meet the standards established in Article 3 (Specific to Zones). Maximum gross density for a site shall be calculated using the Base Site Area.
- G. The Base Site Area shall be determined as follows:
 - Gross site area as determined by actual survey:
 - Minus Land separated by a road or utility right-of-way
 - Minus Land separated by water and/or marsh
 - Minus Land within existing roads ultimate rights-of-way
 - Minus Existing natural water bodies on the property, jurisdictional and non-jurisdictional wetlands, and land/tidal wetlands seaward of the OCRM critical line
 - Minus Land previously dedicated as open space
 - Equals = Base site Area

Section 5.11.100.F (Tree Removal on Developed Properties): Sections 5.11.100.B – 5.11.100.E protect trees during new development projects by requiring Specimen trees to be preserved to the maximum extent practicable. When specimen trees cannot be avoided because of new development, they must be mitigated in one of three ways: 1) replanting trees of the same species, 2) saving existing non-specimen-size native trees on the property or, 3) paying into a tree mitigation fund. Staff spends a lot of time regulating these requirements during development, however, per Section 5.11.100.F, once a single-family home exists on a lot, the property owners may remove all but grand trees and trees in river buffers without a tree removal permit. This means that specimen trees are no longer protected under Section 5.11.100.F and trees that have been kept for mitigation are afforded no protections. This has enabled the act of developers saving specimen and non-specimen size trees during development for mitigation purposes, allowing them to avoid replanting or paying into a tree mitigation fund, and then cut the trees down as soon as the single-family residence is certified for occupancy. To correct the issue, staff recommends adopting the following amendments:

1. Creating a time period of protection for specimen trees based on the time that has elapsed since the year of the home's completed construction.
2. Including language referencing mitigation trees as protected trees.
3. Clarifying language regarding river buffers.

5.11.100 Tree Protection

F. Tree Removal on Developed Properties.

1. Single-Family Residential Lots.

- a. **Permit Required to Remove a Grand-Tree.** On any individual single-family residential lot with an existing dwelling unit where construction was completed less than five years ago, a tree removal permit is required to remove specimen, grand, and/or mitigation trees, see Section 7.2.50 (Tree Removal Permit). On any individual single-family residential lot with an existing dwelling unit where construction was completed five or more years ago, a tree removal permit is required to remove a grand tree and/or mitigation trees, see Section 7.2.50 (Tree Removal Permit). A grand tree is an exceptionally large tree for its species that is healthy and worthy of protection. It represents an individual tree that contributes aesthetically to the region's visual "sense of place" and serves as a seed stock for future generations. An individual tree is considered a grand tree by the following size criteria:
 - 1) Live Oak (*Quercus virginiana*), Black Walnut (*Juglans nigra*), or Longleaf Pine (*Pinus palustris*) that are equal to or greater than a diameter of 24 inches DBH.
 - 2) Loblolly Pine (*Pinus taeda*), Slash Pine (*Pinus ellitoides*), and Shortleaf Pine (*Pinus echinata*) that are equal to or greater than a diameter of 36 inches DBH.
 - 3) All other species of trees, not defined above, that are equal to or greater than a diameter of 30 inches DBH except those identified as invasive species in Table 5.11.100.C.
- b. **Tree Removal Permit Standards.** A tree removal permit will be issued to remove a protected grand-tree from a residential lot if the tree is dead, diseased, hollow, or has another condition that poses a hazard to people or structures on the lot or adjoining lot as determined by a certified arborist. Upon removal, the tree shall be replaced with one 2.5-inch minimum caliper tree of the same species, or a species recommended by a certified arborist and approved by staff.
- c. **Removal of All Other Non-Protected Trees on Residential Lots.** All other trees on a single-family residential lot with an existing dwelling may be removed without a permit, except for mitigation trees or trees those within required river buffers, including river buffers, may be removed without a permit. Removal of trees within a river buffer and/or mitigation trees requires a tree removal permit; see Section 7.2.50 (Tree Removal Permit).



BEAUFORT COUNTY COUNCIL AGENDA ITEM SUMMARY

ITEM TITLE:
<i>Text Amendment to the Community Development Code (CDC): Section 6.1.40.G (Base Site Area Calculations) to clarify that both jurisdictional and non-jurisdictional wetlands must be subtracted from the gross site area to determine base site area for development.</i>
MEETING NAME AND DATE:
<i>Natural Resources Committee Meeting, May 2, 2022</i>
PRESENTER INFORMATION:
<i>Robert Merchant, AICP, Director, Beaufort County Planning and Zoning (10 minutes needed for item discussion)</i>
ITEM BACKGROUND:
<i>Staff have been reviewing the Community Development Code (CDC) for necessary amendments as a result of the adoption of the 2040 Comprehensive Plan. During our review, staff have identified necessary major and minor corrections to the CDC to improve and clarify its standards. These amendments will be presented in several batches for consideration. This is the first batch of recommended amendments, which includes only minor changes.</i>
<i>At their April 4, 2022 meeting, the Beaufort County Planning Commission voted unanimously to recommend approval of the proposed amendment.</i>
PROJECT / ITEM NARRATIVE:
<i>Base Site Area is used to determine the density permitted on specific properties and, as such, undevelopable portions of the property are subtracted from gross site area to determine the maximum density allowed on any particular property. Staff recommends specifically addressing jurisdictional and non-jurisdictional wetlands when calculating Base Site Area in order to provide clear guidance on these calculations and prevent density increases based on the existence of any wetlands on any particular property.</i>
FISCAL IMPACT:
<i>Not applicable.</i>
STAFF RECOMMENDATIONS TO COUNCIL:
<i>Staff recommends approval.</i>
OPTIONS FOR COUNCIL MOTION:
<i>To approve or deny the proposed amendment to the Community Development Code (CDC): Section 6.1.40.G (Base Site Area Calculations).</i>

ORDINANCE 2022 / __

TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 6.1.40.G (BASE SITE AREA CALCULATIONS) TO CLARIFY THAT BOTH JURISDICTIONAL AND NON-JURISDICTIONAL WETLANDS MUST BE SUBTRACTED FROM THE GROSS SITE AREA TO DETERMINE BASE SITE AREA FOR DEVELOPMENT.

WHEREAS, the Community Development Code requires certain features to be removed from Gross Site Area to establish the Base Site Area for development density calculations; and

WHEREAS, Section 6.1.40.G of the Community Development Code provides the standards for determining Base Site Area; and

WHEREAS, it is necessary for the Community Development Code to provide clear guidance that both jurisdictional and non-jurisdictional wetlands are included in the calculation to determine Base Site Area.

NOW, THEREFORE be it ordained by County Council in meeting duly assembled as follows:

Adopted this ___ day of _____ 2022.

COUNTY COUNCIL OF BEAUFORT COUNTY

By: _____
Joseph Passiment, Chairman

ATTEST:

Sarah W. Brock, JD, Clerk to Council

6.1.40 General Review Standards

- A. **General.** Applications for subdivisions shall be reviewed and evaluated in accordance with the procedures of Section 7.2.70 (Subdivision), and the standards of this Article.
- B. **Subdivision Design.** Block and lot layout shall meet the standards established in Article 2 (Multi-Lot and Single Lot Community Scale Development).
- C. **Civic and Open Spaces.** Civic and open spaces shall meet the standards established in Division 2.8 (Civic and Open Space Types).
- D. **Streets.** New streets shall meet the standards established in Division 2.9 (Thoroughfare Standards).
- E. **Modulation Standards.** The applicant may request a modulation of some standards, see Section 7.2.30 (Modulation Permit), where appropriate to achieve better design that is consistent with the objectives of this Development Code, as long as the modulation is compatible with surrounding development, does not have an adverse impact on protected resources, and is generally consistent with the goals of this Development Code.
- F. **Density and Lot Size.** Maximum gross density and minimum/maximum lot size shall meet the standards established in Article 3 (Specific to Zones). Maximum gross density for a site shall be calculated using the Base Site Area.
- G. The Base Site Area shall be determined as follows:
- Gross site area as determined by actual survey:
- Minus Land separated by a road or utility right-of-way
 - Minus Land separated by water and/or marsh
 - Minus Land within existing roads ultimate rights-of-way
 - Minus Existing natural water bodies on the property, **jurisdictional and non-jurisdictional wetlands**, and land/tidal wetlands seaward of the OCRM critical line
 - Minus Land previously dedicated as open space
- Equals = Base site Area



MEMORANDUM

TO: Beaufort County Natural Resources Committee

FROM: Juliana Smith, Beaufort County Planning and Zoning Department

DATE: May 2, 2022

SUBJECT: Review of Community Development Code – Proposed Text Amendments

STAFF REPORT:

A. BACKGROUND: In November 2021, Beaufort County Council adopted the 2040 Comprehensive Plan. As a result, staff have been reviewing the Community Development Code (CDC) for necessary amendments. During our review, staff have identified necessary major and minor corrections to the CDC to improve and clarify its standards. These amendments will be presented in several batches for consideration. This is the first batch of recommended amendments, which includes only minor changes.

B. SUMMARY OF REQUEST: To help navigate through the list of the first batch of recommended amendments, below is a summary of each of the four amendments up for consideration. More detailed explanations follow in the attachments, along with the amended CDC sections:

1. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): APPENDIX A.13.50.D (GUEST HOUSES) clarifies minimum lot size requirements for guest houses located in the May River Community Preservation District.
2. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTIONS IN DIVISION 3.2 (TRANSECT ZONES) AND SECTIONS IN DIVISION 3.3 (CONVENTIONAL ZONES) corrects and clarifies conflicts between zoning districts and the Parking Space Requirements Table in Section 5.5.40.B.
3. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 6.1.40.G (BASE SITE AREA CALCULATIONS) clarifies that both jurisdictional and non-jurisdictional wetlands must be subtracted from the gross site area to determine base site area for development.
4. TEXT AMENDMENT TO THE COMMUNITY DEVELOPMENT CODE (CDC): SECTION 5.11.100.F.1 (TREE REMOVAL ON DEVELOPED PROPERTIES) closes a loophole which allows specimen and mitigation trees to be removed post-construction of single-family homes.

C. STAFF RECOMMENDATION: Staff recommends approval.

D. BEAUFORT COUNTY PLANNING COMMISSION RECOMMENDATIONS: At the April 4, 2022 meeting of the Beaufort County Planning Commission, the Commission voted:

1. Unanimously to recommend approval of the text amendment to CDC Appendix A.13.50.D (Guest Houses) upon the condition that staff make an additional amendment to further clarify language regarding the larger (i.e. five plus acre) parcels. Staff have made the requested change.
2. Unanimously to recommend approval of the text amendment to CDC sections in Division 3.2. (Transect Zones) and Division 3.3 (Conventional Zones) to clarify parking space requirements.
3. Unanimously to recommend approval of the text amendment to CDC Section 6.1.40.G (Base Site Area Calculations) to clarify how to calculate base site area.
4. Unanimously to recommend approval of the text amendment to CDC Section 5.11.100.F.1 (Tree Removal on Developed Properties) to close a loophole that allows specimen trees and mitigation trees to be removed post-construction of single-family homes.

E. ATTACHMENTS: Revised Community Development Code sections.

Section A.13.50.D (Guest Houses): Section A.13.50.D addresses guest house allowances for existing lots of record south of May River Road. As written, the language leaves no direction on lots greater than five acres that exist prior to the adoption of the May River Community Preservation district (MRCP). It only addresses lots that are two to five acres that *existed prior* to the adoption of the MRCP and lots that are five acres or more that were *created after* the adoption of the MRCP. Staff recommends removing the language referencing lot-origination dates to capture all property sizes south of May River Rd and provide clear guidance determining the number of guest houses allowed for all properties in that portion of the district.

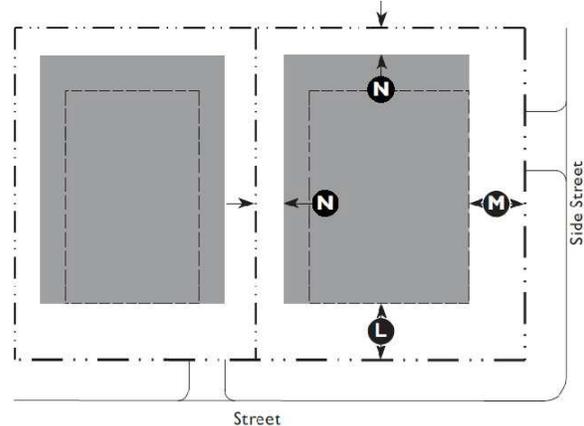
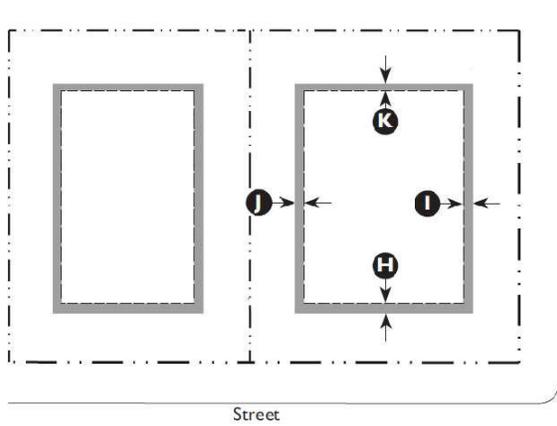
A.13.50 Conditional and Special Use Standards

D. Guest houses.

1. Guest houses shall be permitted South of May River Road.
2. A guest house shall be subordinate to the principal dwelling and be for use by the property owner and his/her guests only.
3. A guest house is deemed to be a part of the main property owners compound and is not intended to be subdivided for other uses. They shall adhere to the front, rear, and side setbacks listed for the principle structure.
4. A guest house is for use by the property owner and his/her family and guests only. They shall not be leased or rented, and must gain their access from the driveway of the principal house.
5. Existing lots of record that are two to five acres in size are permitted one guest house, not to exceed 2,000 square feet. Lots created after the adoption of the May River CP District that are five acres or more than five acres in size are permitted one or more guest houses; however, the total square footage of all guest dwellings (houses) may not exceed 75 percent of the square footage of the principal house. Furthermore, the total square footage of all guest houses (when added together) may not exceed 5,000 square feet.
6. Nothing herein shall prevent the construction of a guest house prior to the construction of the principal dwelling.
7. Manufactured (i.e., mobile) homes shall not be permitted to be used as guest houses.

Sections in Division 3.2 (Transect Zones) and Division 3.3 (Conventional Zones): The CDC contains parking space requirements in both the individual transect and conventional zone standards in Division 3.2 and 3.3 and in Table 5.4.40.B. Parking space requirements were included in both places in order to simplify navigation of the CDC for ease of interpretation. However, staff have recognized inconsistencies between Table 5.4.40.B and Zoning District requirements in Divisions 3.2 and 3.3. This amendment corrects conflicts by removing parking requirements from all Transect (except the T4 districts) and Conventional zones and replacing them with reference to Table 5.4.40.B. Because the T4 districts are intended to create walkable and mixed-use communities, staff recommends keeping specific parking allowances within the T4 district sections to reduce the number of required parking spaces and prevent over-parking of these districts.

3.2.40 T2 Rural (T2R) Standards



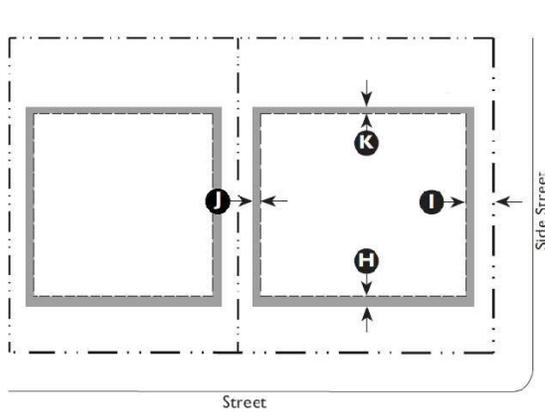
Key
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 ——— Setback Line

Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 ——— Setback Line

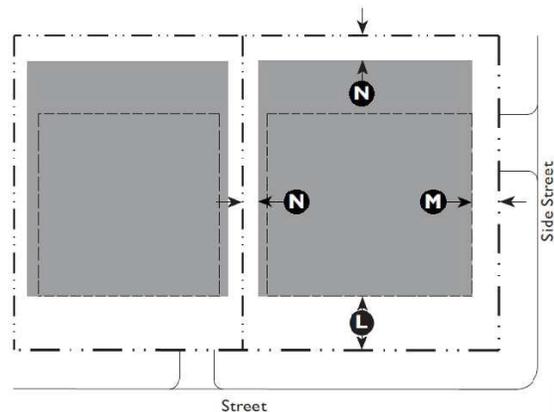
F. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	(H)
Side Street	5' max.	(I)
Side	5' max.	(J)
Rear	5' max.	(K)
Encroachments are not allowed within a Street ROW/Alley ROW, or across a property line.		
See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting		

G. Parking		
Required Spaces: Residential Uses		
Single-Family Detached	3 per-unit	
Required Spaces: Service or Retail Uses		
Lodging: Inn	1 per-room	
For parking space requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	50' min.	(L)
Side Street	50' min.	(M)
Rear and interior side yard parking setbacks are governed by the applicable perimeter buffer (see Tables 5.8.90.D and 5.8.90.F) and any other required buffers.		
		(N)

3.2.50 T2 Rural Neighborhood (T2RN) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 - - - - Setback Line

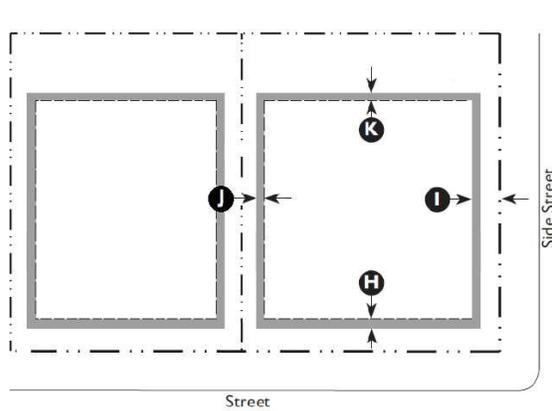


Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 - - - - Setback Line

G. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	(H)
Side Street	5' max.	(I)
Side	5' max.	(J)
Rear	5' max.	(K)
Retail, Offices, Services	1 per 300 GSF	
Encroachments are not allowed within a Street ROW/Alley ROW		
Buffers, or across a property line. See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting	Shop front	

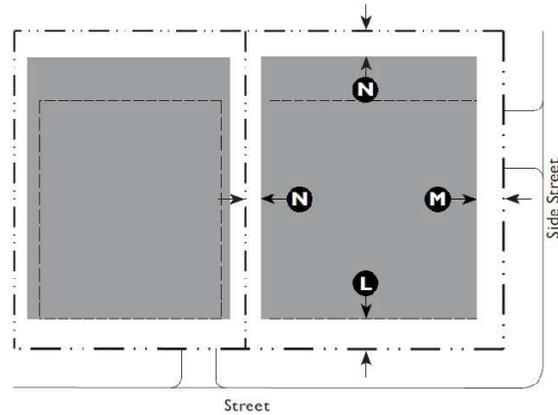
H. Parking		
Required Spaces: Residential Uses		
Single-family detached	3 per-unit	
Required Spaces: Service or Retail Uses		
Retail, Offices, Services	1 per 300 GSF	
Restaurant, Café, Coffee Shop	1 per 150 GSF	
For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	35' min.	(L)
Side Street	20' min.	(M)
Rear and interior side yard parking setbacks are governed by the applicable perimeter buffer (see Tables 5.8.90.D and 5.8.90.F) and any other required buffers.		(N)

3.2.60 T2 Rural Center (T2RC) Standards



Key

- ROW / Property Line
- Setback Line
- Encroachment Area



Key

- ROW / Property Line
- Setback Line
- Allowed Parking Area

E. Encroachments and Frontage Types

Encroachments		
Front	5' max.	(H)
Side Street	5' max.	(I)
Side	5' max.	(J)
Rear	5' max.	(K)

Encroachments are not allowed within a Street ROW/Alley ROW, Buffers, or across a property line. See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Porch: Engaged
Porch: Projecting	Shop front

F. Parking

Required Spaces: Residential Uses

Single-family detached	3 per unit
Community residence	1 per bedroom

Service or Retail Uses:

Retail, offices, services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Drive-through facility	Add 5 stacking spaces per drive-through
Lodging- Inn	1 per room

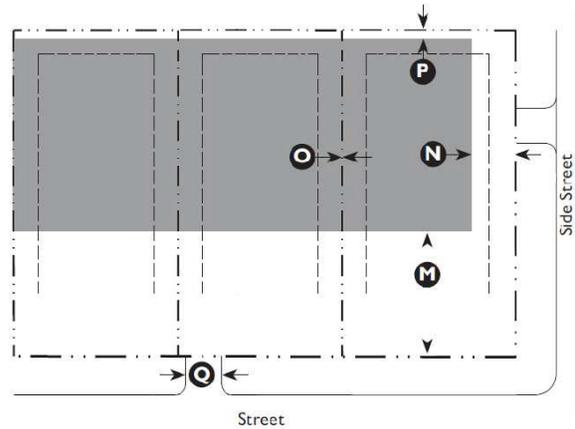
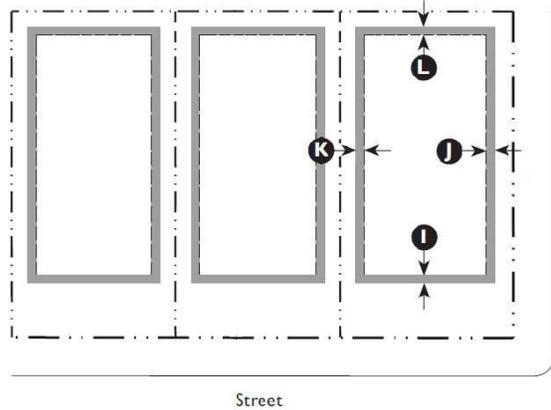
For parking space requirements for all other uses see Table uses see Table 5.5.40.B (Parking Space Requirements).

Location (Setback from Property Line)

Front	10' min.	(L)
Side Street	15' min.	(M)

Rear and interior side yard parking setbacks are governed by the applicable perimeter buffer (see Tables 5.8.90.D and 5.8.90.F) and any other required buffers.

3.2.70 T3 Edge (T3E) Standards



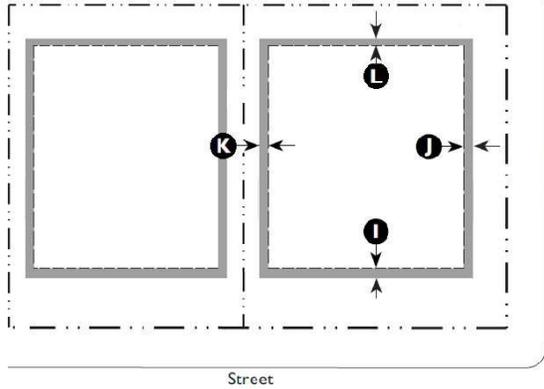
Key
 - - - - ROW / Property Line ■ Encroachment Area
 - - - - Setback Line

Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 - - - - Setback Line

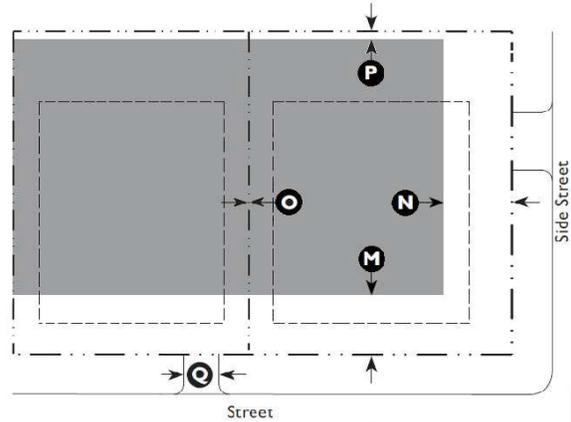
E. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	(I)
Side Street	5' max.	(J)
Side	3' max.	(K)
Rear	5' max.	(L)
Encroachments are not allowed within a Street ROW/Alley ROW, Buffers, or across a property line. See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting	Porch: Side Yard	

F. Parking		
Required Spaces		
Residential Uses:		
All Allowed Uses	2 per-unit	
Service or Retail Uses:		
All Allowed Lodging Uses	1 per 2 rooms	
For parking space requirements for Agricultural, Recreation, Public Assembly, and Transportation, Communication, Infrastructure uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	50' min.	(M)
Side Street	25' min.	(N)
Side	0' min.	(O)
Rear	5' min.	(P)
Miscellaneous		
12' maximum driveway width at the curb cut and within the front or side street parking setback. Community Residences and Meeting Facilities/Places of Worship are exempt from this requirement.		(Q)

3.2.80 T3 Hamlet Neighborhood (T3HN) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 - - - - Setback Line

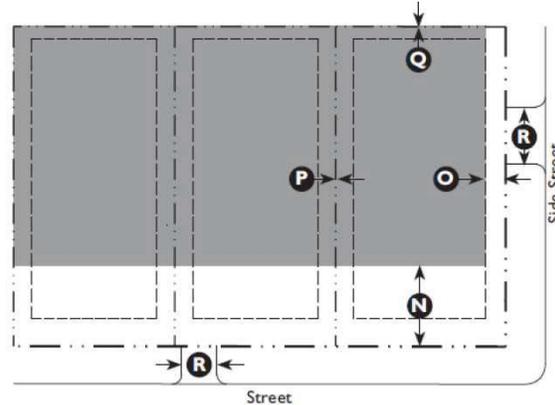
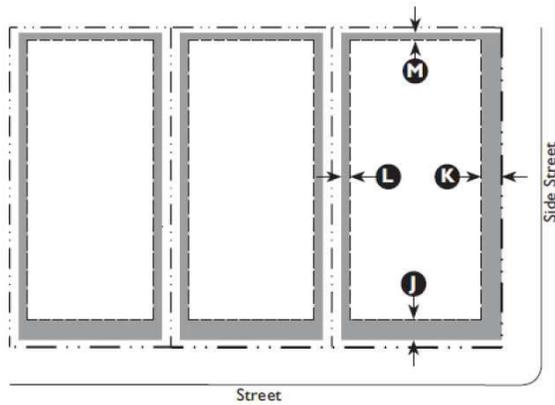


Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 - - - - Setback Line

E. Encroachments and Frontage Types		
Encroachments		
Front	5' max.	Ⓚ
Side Street	5' max.	Ⓛ
Side	3' max.	Ⓜ
Rear	5' max.	Ⓨ
Encroachments are not allowed within a Street ROW/Alley ROW, buffers, or across a property line.		
See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.		
Allowed Frontage Types		
Common Yard	Porch: Engaged	
Porch: Projecting	Porch: Side Yard	

F. Parking		
Required Spaces: Residential Uses		
Single-family detached	2 per unit	
Two-family unit (duplex)	2 per unit	
Community residence	1 per bedroom	
Required Spaces: Service or Retail Uses		
For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).		
Location (Setback from Property Line)		
Front	50' min.	Ⓜ
Side Street	25' min.	Ⓨ
Side	0' min.	Ⓚ
Rear	5' min.	Ⓛ
Miscellaneous		
12' maximum driveway width at the curb cut and within the front or side street parking setback. Community Residences and Meeting Facilities/Places of Worship are exempt from this requirement.		Ⓛ

3.2.90 T3 Neighborhood (T3N) Standards



Key

- ROW / Property Line
- Setback Line
- Encroachment Area

Key

- ROW / Property Line
- Setback Line
- Allowed Parking Area

F. Encroachments and Frontage Types

Encroachments		
Front	5' max.	(J)
Side Street	5' max.	(K)
Side	3' max.	(L)
Rear	5' max.	(M)

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

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Porch: Engaged
Porch: Projecting	Porch: Side Yard

G. Parking

Required Spaces: Residential Uses

Single-family detached	2 per-unit
Two-family (duplex)	2 per-unit
Multi-family units	1.25 per-unit
Community residence	1 per bedroom

Required Spaces: Service or Retail Uses

Offices & services	1 per 300-GSF
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For parking space requirements for Agricultural, Industrial, Recreation, Education, Public Assembly, and Transportation, Communication, Infrastructure uses see Table 5.5.40.B (Parking Space Requirements).

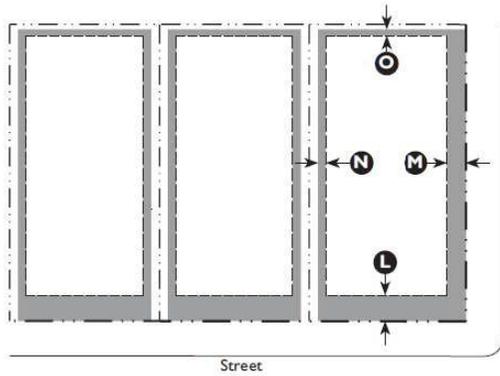
Location (Setback from Property Line)

Front	40' min.	(N)
Side Street	15' min.	(O)
Side	0' min.	(P)
Rear	5' min.	(Q)

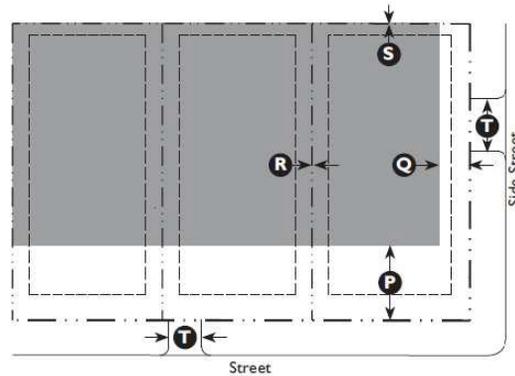
Miscellaneous

12' maximum driveway width at the curb cut and within the front or side street parking setback.	(R)
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3.2.100 T4 Hamlet Center (T4HC) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 ——— Setback Line



Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 ——— Setback Line

F. Encroachments and Frontage Types

Encroachments		
Front	12' max.	(L)
Side Street	12' max.	(M)
Side	3' max.	(N)
Rear	3' max.	(O)

Encroachments are not allowed across a side or rear property line, or across a curb.

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Allowed Frontage Types

Common Yard	Forecourt
Porch: Projecting	Dooryard
Porch: Engaged	Porch: Side Yard
Stoop	Shopfront ¹
Terrace ¹	

¹ Allowed in T4HC-O Sub-Zone only.

G. Parking

Required Spaces: Residential Uses

Single-family detached	2 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom

Required Spaces: Service or Retail Uses

Retail, Offices, Services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Drive-through Facility	Add 5 stacking spaces per drive-through
Gas Station/Fuel Sales	1 per pump plus requirements for retail
Lodging: Inn/hotel	1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging	1 per 500 GSF
Warehousing/Distribution	1 per 2,000 GSF

Parking standards listed within the district shall govern. For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).

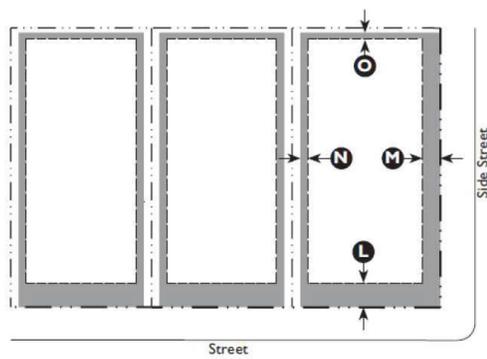
Location (Setback from Property Line)

Front: 5' behind front facade of main building	(P)
Side Street: 5' behind side facade of main building	(Q)
Side: 0' min.	(R)
Rear: 5' min.	(S)

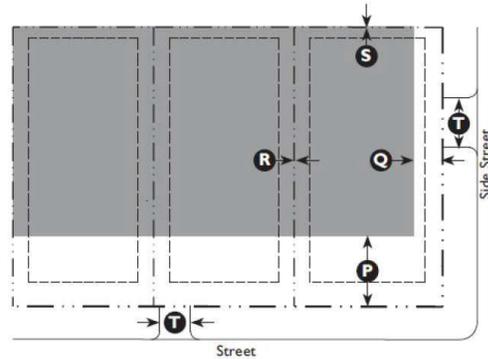
Miscellaneous

Parking Driveway Width	(T)
40 spaces or less	14' max.
Greater than 40 spaces	18' max.

3.2.110 T4 Neighborhood Center (T4NC) Standards



Key
 - - - - ROW / Property Line ■ Encroachment Area
 ——— Setback Line



Key
 - - - - ROW / Property Line ■ Allowed Parking Area
 ——— Setback Line

E. Encroachments and Frontage Types

Encroachments		
Front	12' max.	(L)
Side Street	12' max.	(M)
Side	3' max.	(N)
Rear	3' max.	(O)

Encroachments are not allowed across a side or rear property line, or across a curb.

See Division 5.2 (Private Frontage Standards) for further refinement of the allowed encroachments for frontage elements.

Awnings, Galleries and Arcades may encroach further into the street ROW to within 2' of the face of curb. Eaves may encroach up to 3' into the street ROW. All other encroachments are not allowed

within street ROW.

Allowed Frontage Types

Porch: Projecting	Dooryard
Porch: Engaged	Porch: Side Yard
Stoop	Shop front
Forecourt	Terrace
Gallery	

F. Parking

Required Spaces: Residential Uses

Single-family detached	2 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom
Live/work	2 per unit plus 1 per 300 GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services	1 per 300 GSF
Restaurant, café, coffee shop	1 per 150 GSF
Drive-through facility	Add 5 stacking spaces per drive-through
Gas station/fuel sales	1 per pump plus requirement for retail
Lodging: Inn/hotel	1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging	1 per 500 GSF
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Warehousing/Distribution	1 per 2,000 GSF
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Parking standards listed within the district shall govern. For parking space requirements for all other uses see Table 5.5.40.B (Parking Space Requirements).

Location (Setback from Property Line)

Front	40' min.	(P)
Side Street	15' min.	(Q)
Side	0' min.	(R)
Rear	5' min.	(S)

Miscellaneous

Parking Driveway Width:		(T)
40 spaces or less	14' max.	
Greater than 40 spaces	18' max.	

3.3.30 Neighborhood Mixed Use (C3) Zone Standards

A. Purpose

The Neighborhood Mixed Use (C3) Zone provides for high-quality, moderate-density (averaging under three dwelling units per acre) residential development, with denser areas of multi-family and mixed-use development to provide walkability and affordable housing options. The design requirements are intended to provide a suburban character and encourage pedestrian, as well as automobile, access.

Open spaces shall be provided in sufficient quantity to ensure an open quality with a predominance of green space. Non-residential uses shall be limited to parcels having access to arterial or collector streets or within a Traditional Community Plan. This Zone provides for the lower densities of areas designated Neighborhood Mixed-Use in the Comprehensive Plan. It is intended to support the development of communities with a diverse range of housing types and uses.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front	30' min. ¹
Side:	
Side, Main Building	10' min.
Side, Ancillary Building	10' min.
Rear	50' min.

¹ The minimum front setback for mansion apartments in a Multi-family community on internal streets is 15 feet.

Lot Size

Lot Size	10,890 SF min.
Width	70' min.

Minimum Site Area

Single-Family and Duplex	10,890 SF
Multi-Family	21,780 SF

Note:

For development within a Traditional Community Plan meeting the requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established and delineated on the regulating plan shall apply.

C. Building Form

Building Height

Single Family and Duplex	2.5 stories max.
Multi-Family	2.5 stories max.
Non-Residential Buildings	2 stories max.
Institutional Buildings	35 feet above grade
Ground Floor Finish Level	No minimum

D. Gross Density¹ and Floor Area Ratio

Gross Density

Single-Family Detached	2.6 d.u./acre
Single-Family Attached/Duplex	2.6 d.u./acre
Multi-Family Unit	12 d.u./acre, Maximum of 80 Dwelling units
Traditional Community Plan	3.5 d.u./acre ²

Floor Area Ratio

Non-residential buildings	0.18 max.
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¹ Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)

² Subject to the requirements in Division 2.3

E. Parking

Required Spaces: Residential Uses

Single-family detached	3 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Community residence	1 per bedroom
Live/work	2 per unit plus 1 per 300 GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Gas station/fuel sales	1 per pump plus requirement for retail
Lodging: Inn/hotel	1 per room

For parking space requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

3.3.40 Community Center Mixed Use (C4) Zone Standards

A. Purpose

The Community Center Mixed Use (C4) Zone provides for a limited number of retail, service, and office uses intended to serve the surrounding neighborhood.

These are smaller uses and not highway service types of uses. The intensity standards are set to ensure that the uses have the same suburban character as the surrounding suburban residential areas. They are intended to blend with the surrounding areas, not threaten the character of the area. This Zone shall not consist of strip developments but rather neighborhood centers with a sense of place.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front 20' min.

Side:

Side, Main Building 10' min.

Side, Ancillary Building 10' min.

Rear 15' min.

Lot Size

Lot Size 5,000 SF min.

Width 50' min.

Minimum Site Area

Single-Family and Duplex 5,000 SF

Multi-Family 21,780 SF

Note:

For development within a Traditional Community Plan meeting the requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established and delineated on the regulating plan shall apply.

C. Building Form

Building Height

Single-Family and Duplex 2.5 stories max.

Multi-Family 3 stories max.

Non-Residential Buildings 2 stories max.

Ground Floor Finish Level No minimum

D. Gross Density¹ and Floor Area Ratio

Gross Density 12 d.u./acre max.

Floor Area Ratio² 0.23 max.

¹ Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F).

² Requirement applies to non-residential buildings.

E. Parking

Required Spaces: Residential Uses

Single-family detached 3 per unit

Single-family attached/duplex 2 per unit

Multi-family units 1.25 per unit

Community residence 1 per bedroom

Live/work 2 per unit plus 1 per 300 GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services 1 per 300 GSF

Restaurant, Café, Coffee Shop 1 per 150 GSF

Gas station/fuel sales 1 per pump plus requirement for retail

Lodging: Inn/hotel 1 per room

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging 1 per 500 GSF

For parking space requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

3.3.50 Regional Center Mixed Use (C5) Zone Standards

A. Purpose

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.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front	25' min.
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Side:

Side, Main Building	15' min.
Side, Ancillary Building	15' min.

Rear	10' min.
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Lot Size

Lot Size	21,780 SF min.
Width	150' min.

Note:

For development within a Traditional Community Plan meeting the

requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established

and delineated on the regulating plan shall apply.

C. Building Form

Building Height

All Buildings	3 stories max.
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Ground Floor Finish Level	No minimum
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D. Gross Density¹ and Floor Area Ratio

Density	15.0 d.u./acre max. ²
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Floor Area Ratio ³	0.37 max.
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¹Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F).

²See Section 4.1.350 for Affordable Housing density bonuses.

³Requirement applies to non-residential buildings.

E. Parking

Required Spaces: Residential Uses

Single-family detached	3 per unit
------------------------	------------

Single-family attached/duplex	2 per unit
-------------------------------	------------

Multi-family units	1.25 per unit
--------------------	---------------

Community residence	1 per bedroom
---------------------	---------------

Live/work	2 per unit plus 1 per 300 GSF of work area
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Required Spaces: Services or Retail Uses

Retail, offices, services	1 per 300 GSF
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Restaurant, café, coffee shop	1 per 150 GSF
-------------------------------	---------------

Drive-through facility	Add 5 stacking spaces per drive-through
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Gas station/fuel sales	1 per pump plus requirement for retail
------------------------	--

Lodging: Inn/hotel	1 per room
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Required Spaces: Industrial Uses

Light manufacturing, processing and packaging	1 per 500 GSF
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Warehousing/distribution	1 per 2,000 GSF
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For parking **space** requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

3.3.60 Industrial (SI) Zone Standards

A. Purpose

The Industrial (SI) Zone permits office, manufacturing, industrial, warehousing, and uses that support them. The Zone shall also be designed to permit small businesses and incubator businesses. Moderate to high intensities are permitted to achieve maximum land utilization. Such practices will maximize the land's use and accommodate small businesses and start-up or incubator businesses.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front 40' min.

Side:

Side, Main Building 20' min.

Side, Ancillary Building 20' min.

Rear 20' min.

Lot Size

Lot Size 20,000 SF min.

Width 100' min.

Minimum Site Area

Industrial 20,000 SF

Other Permitted Uses 1 acre

C. Building Form

Building Height

All Buildings 4 stories max.¹

Ground Floor Finish Level No minimum

¹Not to exceed 50 feet above finished grade level

D. Floor Area Ratio

Industrial 0.48 max.

All Other Uses 0.37 max.

E. Parking

Required Spaces: Service or Retail Uses

Retail, offices, services 1 per 300 GSF

Restaurant, café, coffee shop 1 per 150 GSF

Drive-through facility Add 5 stacking spaces per drive-through

Gas station/fuel sales 1 per pump plus requirement for retail

Required Spaces: Industrial Uses

Light manufacturing, processing and packaging 1 per 500 GSF

Heavy manufacturing, processing and packaging 1 per employee at maximum shift plus 1 per commercial vehicle

Warehousing/distribution 1 per 2,000 GSF

For parking **space** requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

Section 6.1.40 (General Review Standards): Base Site Area is used to determine the density permitted on specific properties and, as such, undevelopable portions of the property are subtracted from gross site area to determine the maximum density allowed on any particular property. Staff recommends specifically addressing jurisdictional and non-jurisdictional wetlands when calculating Base Site Area in order to provide clear guidance on these calculations and prevent density increases based on the existence of any wetlands on any particular property.

6.1.40 General Review Standards

- A. **General.** Applications for subdivisions shall be reviewed and evaluated in accordance with the procedures of Section 7.2.70 (Subdivision), and the standards of this Article.
- B. **Subdivision Design.** Block and lot layout shall meet the standards established in Article 2 (Multi-Lot and Single Lot Community Scale Development).
- C. **Civic and Open Spaces.** Civic and open spaces shall meet the standards established in Division 2.8 (Civic and Open Space Types).
- D. **Streets.** New streets shall meet the standards established in Division 2.9 (Thoroughfare Standards).
- E. **Modulation Standards.** The applicant may request a modulation of some standards, see Section 7.2.30 (Modulation Permit), where appropriate to achieve better design that is consistent with the objectives of this Development Code, as long as the modulation is compatible with surrounding development, does not have an adverse impact on protected resources, and is generally consistent with the goals of this Development Code.
- F. **Density and Lot Size.** Maximum gross density and minimum/maximum lot size shall meet the standards established in Article 3 (Specific to Zones). Maximum gross density for a site shall be calculated using the Base Site Area.
- G. The Base Site Area shall be determined as follows:
 - Gross site area as determined by actual survey:
 - Minus Land separated by a road or utility right-of-way
 - Minus Land separated by water and/or marsh
 - Minus Land within existing roads ultimate rights-of-way
 - Minus Existing natural water bodies on the property, jurisdictional and non-jurisdictional wetlands, and land/tidal wetlands seaward of the OCRM critical line
 - Minus Land previously dedicated as open space
 - Equals = Base site Area

Section 5.11.100.F (Tree Removal on Developed Properties): Sections 5.11.100.B – 5.11.100.E protect trees during new development projects by requiring Specimen trees to be preserved to the maximum extent practicable. When specimen trees cannot be avoided because of new development, they must be mitigated in one of three ways: 1) replanting trees of the same species, 2) saving existing non-specimen-size native trees on the property or, 3) paying into a tree mitigation fund. Staff spends a lot of time regulating these requirements during development, however, per Section 5.11.100.F, once a single-family home exists on a lot, the property owners may remove all but grand trees and trees in river buffers without a tree removal permit. This means that specimen trees are no longer protected under Section 5.11.100.F and trees that have been kept for mitigation are afforded no protections. This has enabled the act of developers saving specimen and non-specimen size trees during development for mitigation purposes, allowing them to avoid replanting or paying into a tree mitigation fund, and then cut the trees down as soon as the single-family residence is certified for occupancy. To correct the issue, staff recommends adopting the following amendments:

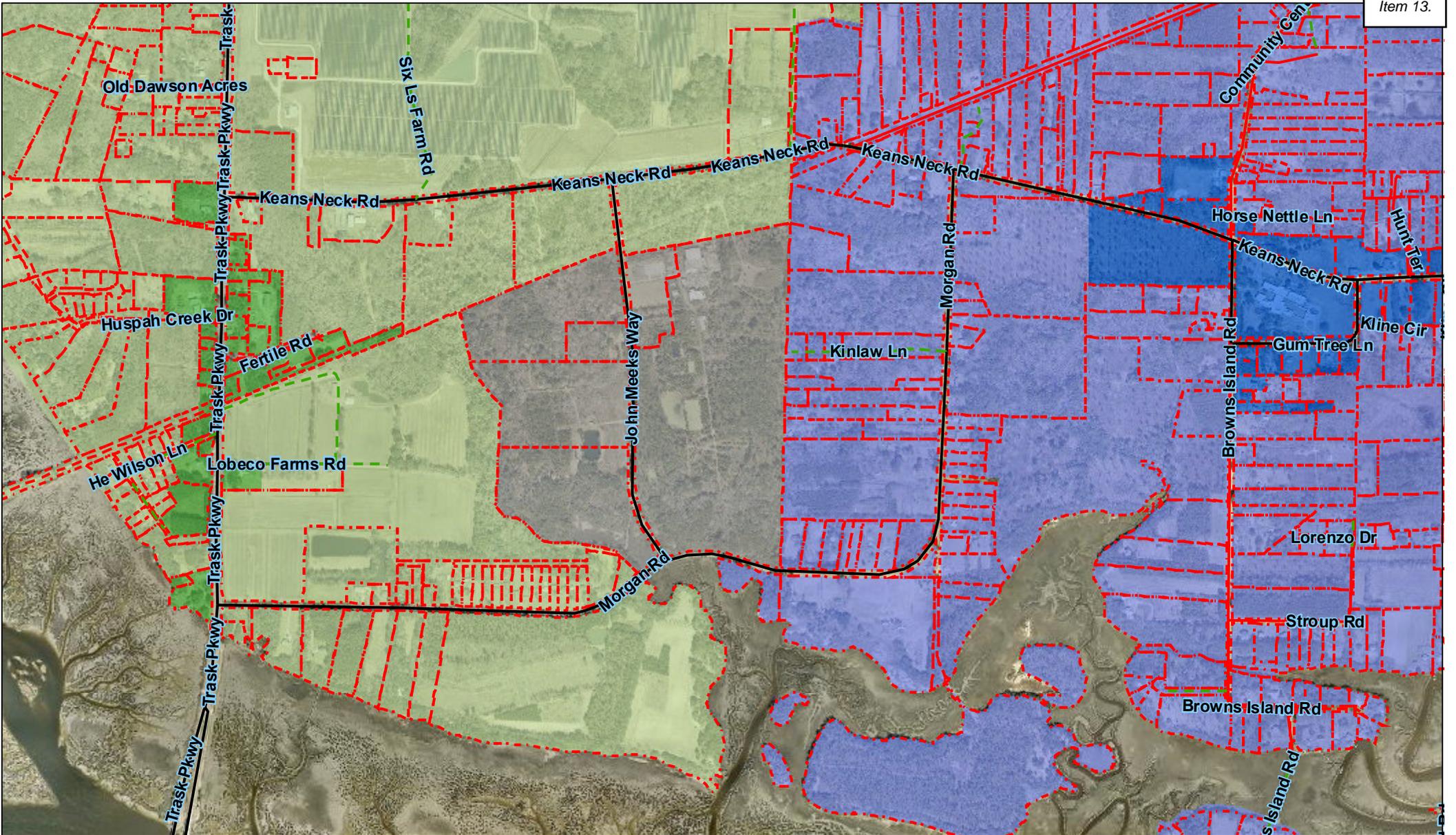
1. Creating a time period of protection for specimen trees based on the time that has elapsed since the year of the home's completed construction.
2. Including language referencing mitigation trees as protected trees.
3. Clarifying language regarding river buffers.

5.11.100 Tree Protection

F. Tree Removal on Developed Properties.

1. Single-Family Residential Lots.

- a. **Permit Required to Remove a Grand Tree.** On any individual single-family residential lot with an existing dwelling unit where construction was completed less than five years ago, a tree removal permit is required to remove specimen, grand, and/or mitigation trees, see Section 7.2.50 (Tree Removal Permit). On any individual single-family residential lot with an existing dwelling unit where construction was completed five or more years ago, a tree removal permit is required to remove a grand tree and/or mitigation trees, see Section 7.2.50 (Tree Removal Permit). A grand tree is an exceptionally large tree for its species that is healthy and worthy of protection. It represents an individual tree that contributes aesthetically to the region's visual "sense of place" and serves as a seed stock for future generations. An individual tree is considered a grand tree by the following size criteria:
 - 1) Live Oak (*Quercus virginiana*), Black Walnut (*Juglans nigra*), or Longleaf Pine (*Pinus palustris*) that are equal to or greater than a diameter of 24 inches DBH.
 - 2) Loblolly Pine (*Pinus taeda*), Slash Pine (*Pinus ellitoides*), and Shortleaf Pine (*Pinus echinata*) that are equal to or greater than a diameter of 36 inches DBH.
 - 3) All other species of trees, not defined above, that are equal to or greater than a diameter of 30 inches DBH except those identified as invasive species in Table 5.11.100.C.
- b. **Tree Removal Permit Standards.** A tree removal permit will be issued to remove a protected grand tree from a residential lot if the tree is dead, diseased, hollow, or has another condition that poses a hazard to people or structures on the lot or adjoining lot as determined by a certified arborist. Upon removal, the tree shall be replaced with one 2.5-inch minimum caliper tree of the same species, or a species recommended by a certified arborist and approved by staff.
- c. **Removal of All Other Non-Protected Trees on Residential Lots.** All other trees on a single-family residential lot with an existing dwelling may be removed without a permit, except for mitigation trees or trees those within required river buffers, including river buffers, may be removed without a permit. Removal of trees within a river buffer and/or mitigation trees requires a tree removal permit; see Section 7.2.50 (Tree Removal Permit).



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Road Classifications

STATE, PAVED

COUNTY, PAVED

COUNTY, UNPAVED

PRIVATE, PAVED

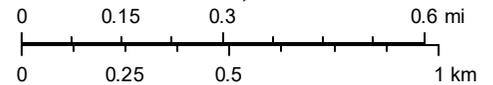
PRIVATE, UNPAVED

LiveParcels

Heritage Corridor Overlay

Commercial Fishing Village Overlay

1:18,056

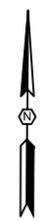
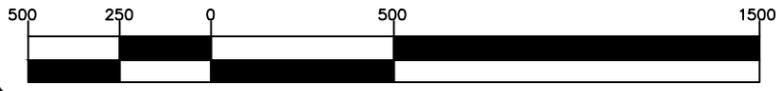




Area	Acres
1	4.5
2	8.4
3	9.1
4	2.8
5	5.5
6	11.0
7	19.0
8	13.9
9	2.3
10	5.3
11	2.8
12	3.7
13	2.3
14	9.9
15	9.2
Total	110

LEGEND	
APPROXIMATE WETLANDS	
EXISTING POND	
PROPOSED PARCEL AREA	

NOTE: WETLAND BOUNDARIES ARE APPROXIMATE BASED OFF THE NATIONAL WETLANDS INVENTORY MAP (NWI). A WETLAND DELINEATION SHOULD BE PERFORMED TO DETERMINE ACCURATE WETLAND LOCATIONS



**Master Development Area Plan
± 242-Acre Lobeco Industrial Site
Beaufort County, South Carolina**



PRELIMINARY



Considered Goals

1. **Downzoning the property to only allow uses that are compatible with the area while protecting/improving the environment in the process.**

2. **Implementing/Updating the Comprehensive Plan**
 - Rezoning the property to remove intense heavy industrial uses will bring the site/area into compliance with the Comprehensive Plan. (Comp Plan has the area designated as Light Industrial)
 - Adding some land to the existing area designated for Light Industrial to include those parcels in the overall Master Planning of the site.
 - Providing additional inventory for future Economic Development opportunities. (Economic Development Section E.3)
 - Cleaning up/redeveloping brownfield sites into viable opportunities for job creation, economic development investments (capital investments) and a more diversified portfolio of county assets to provide future revenue to help support services to the area. (Economic Development Section E.7)

3. **Expanding opportunities for partnerships with other companies/agencies**
 - Dominion Energy
 - Southern Carolina Regional Development Alliance
 - Beaufort-Jasper Water & Sewer Authority

4. Listening to the Community

- Staff held a community meeting detailing the considered goals and actions needed to provide meaningful Economic Development opportunity in the area **(this included discussions about providing sewer to the site in a responsible manner regarding the location and size of the sewer pipe to only serve this development)**
- The well attended community meeting provided overwhelming support for the initiative by Beaufort County to pursue redevelopment/environmental restoration of the site for Economic Development purposes.