

Development Standards Ordinance 90/3 Modifications

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DEVELOPMENT STANDARDS ORDINANCE 90/3 MODIFICATIONS

The following text shall apply to development within the Buckwalter Planned Unit Development (PUD).

The text is based on the Beaufort County Zoning and Development Standards Ordinance 90/3. The provisions of the Development Agreement, the DSO Modifications (pp. 1-12), Attachment 1, and the Concept Master Plans shall apply to the development of the Buckwalter Tract as defined in the Concept Master Plan. In the event of a conflict the hierarchy of documents is the Development Agreement, the Concept Plan, DSO Modifications, DSO 90/3, Section 5.8 PUD Ordinance Modifications, Section 5.8 PUD Ordinance, Section IX Sign Control Modifications, Section IX Sign Control.

The proposed changes to Section 5.4 Stormwater Management Standards relate to the *Beaufort County Manual for Stormwater Best Management Practices*. The text additions require compliance with the Manual.



DEVELOPMENT STANDARDS ORDINANCE

The Beaufort County Zoning and Development Standards Ordinance 90/3 shall apply to the subject property within the Town of Bluffton, with the following exceptions and modifications:

All reference to "Beaufort County" shall be deemed to mean the "Town of Bluffton" and all reference to "County" shall be deemed to mean the "Town" throughout the document.

Development permits within the Town of Bluffton shall be processed in accordance with Town procedures and under the requirements of the PUD Ordinance 5.8 as of December 31, 1999, and included for reference in Attachment 1.

2.4 Non-conforming Structures

Existing uses and structures on subject property shall be allowed until such time that a development permit is submitted requesting a change.

Article III Establishment of Zoning Districts

Land uses and zoning for the subject property shall be defined in Section 2 of the Concept Master Plan. In order to prevent confusion and duplication, defined districts do not apply to the Buckwalter PUD, with the exception of these listed below:

NCD- Neighborhood Commercial District
 GCD- General Commercial District
 HCOD- Highway 278 Corridor Overlay District
 LID- Light Industrial District
 OCD – Office Commercial District
 FHOD – Flood Hazard Overlay District
 AOD – Airport Overlay District
 RPOD – River Protection Overlay District (as amended by the Development Agreement)

Article IV- Requirements by District

Delete this section except for districts listed below, and refer to Section 2 of the Buckwalter PUD for uses and requirements:

NCD- Neighborhood Commercial District
 GCD- General Commercial District
 HCOD- Highway 278 Corridor Overlay District
 LID- Light Industrial District
 RPOD – River Protection Overlay District (as amended by the Development Agreement)
 OCD – Office Commercial District
 FHOD – Flood Hazard Overlay District



AOD – Airport Overlay District
 Planned Unit Developments and their requirements are defined in Town of
 Bluffton PUD Ordinance 5.8
 Helicopter Landing Sites shall be allowed in the PUD

4.11.2 (A) This paragraph is deleted due to reference to Development District.

4.23 U.S. Highway 278/U.S. Highway 278 Extension Corridor Overlay District

4.23.1 General Standards

All references to spacing of access points at intervals of 1,500 feet shall be replaced with:

Buckwalter PUD may have up to have five (5) access points on U.S. Highway 278 as described on the Concept Master Plan. The PUD has one (1) access point on SC 170 in the general location shown on the Concept Master Plan. Three (3) access points on SC 46 are shown on the Concept Master Plan. The exact location of the access points will be determined at time of Development Approval and subject to issuance of an encroachment permit from the S.C. Department of Transportation.

All signage shall be in accordance with the ordinances contained in Attachment 1.

4.24 SC Highway 170/US Highway 278 Corridor Overlay District

4.24.1 General Standards

All references to spacing of access points at intervals of 1,500 feet shall be replaced with:

Buckwalter PUD may have up to five (5) access points on U.S. Highway 278 as described on the Concept Master Plan. The PUD has one (1) access point on SC 170 in the general location shown on the Concept Master Plan. Three (3) access points on SC 46 are shown on the Concept Master Plan. The exact location of the access points will be determined at time of Development Approval and subject to issuance of an encroachment permit from the S.C. Department of Transportation.

All signage shall be in accordance with the ordinances contained in Attachment 1.

4.25 River Protection Overlay District

4.25.2 Buffer Requirement and 4.25.3 Development Setbacks

For purposes of clarification, the District is defined for the Buckwalter PUD as:
 At Rose Dhu Creek, Stoney Creek and the Okatie River; setbacks shall be one hundred fifty (150') feet from the OCRM critical line (refer to the concept master plan dated January, 2000 for location) for residential, multi-family, clubhouse and

other building construction. All other setbacks and buffers shall conform to the standards of the River Protection Overlay District which are restated for clarification purposes below and included in Attachment #1.

1. A 50-foot setback shall be required for golf courses including all areas of the golf course that are regularly mowed and/or chemically treated, sand traps, and accessory (non-habitable) structures and facilities such as storage sheds and ball washing machines.

Golf courses within the 150-foot setback will be designed to drain away from the critical area and provide treatment of stormwater runoff prior to discharge. Treatment will be in accordance with the Stormwater Management BMPs.

2. Selective pruning may occur in the 50-foot buffer to allow views and vistas to the marsh from the golf course. Selective pruning allows the trimming and removal of limbs. The pruning does not allow for the removal of trees. Selective clearing as described in Attachment 1 – Development Standards Ordinance will not apply to the 50-foot buffer in the Buckwalter PUD.

A plan for selective clearing will be approved by the Town as part of the development permit process. Selective pruning and maintenance will be accomplished by hand with non-wheeled machinery. The Town will be notified prior to pruning and maintenance.

Developer will post signs along the buffer at intervals of no less than two hundred (200) feet, to warn about sensitive areas.

3. A 50-foot setback shall be required for drainage systems and retention ponds with the exception of dry detention areas (grassed swales) which shall be used rather than drainage pipes within the 50-foot buffer zone unless a drainage pipe is an outfall from a detention, retention or filtration system. Also allowed within the 50-foot buffer zones are approved flood control and erosion control devices and other activities related to soil and water conservation.
4. A 150-foot setback shall be required for golf clubhouses.
5. A 150-foot setback shall be required for parking lots and accompanying access drives associated with the golf clubhouse.
6. All use of herbicides, pesticides or fertilizers must be in full compliance with the Federal Insecticide, Fungicide and Rodenticide Act (FEFRA); South Carolina Pesticide Control Act;



and South Carolina Fertilizer Law; and in strict accordance with pesticide label instructions in order that there be a "no adverse effect level" of surface runoff or airborne drift of these materials beyond the area of direct application.

- F. Streets and roads to access land within the PUD can penetrate the buffer provided stormwater runoff is treated.

Article V – Site Design and Development Standards

This article remains as shown with the following exceptions:

5.2.1 – the minimum parking dimension is nine (9) feet by eighteen (18) feet.

5.2.1.1 Minimum Off-Street Parking

Replace the existing language of 5.2.1.1 with the following:

<u>Use</u>	<u>Number of Spaces</u>
Apartments/Multi-family	2.25 spaces per unit
Auditorium and Theaters	One (1) space for every three (3) spectator seats.
Automobile Service Station	Five (5) spaces per bay.
Bank	Four and one-half (4.5) spaces per 1,000 square feet (1,000 SF) of floor space.
Church	One (1) space for each three (3) seats or per six (6) feet of pews in the main assembly room.
Driving Range	One and one-fourth (1.25) spaces per station.
Fire Stations	Four (4) spaces per vehicle bay.
Funeral Home	Six (6) spaces per 1,000 square feet.
Golf Course	Three (3) spaces for each green plus requirements for any other associated use, except in planned residential, resort, or commercial developments which have otherwise adequate provisions for parking.
Hotel, Motel, or Motor Court	One (1) space for each room to be rented.

Indoor and Outdoor Commercial Recreation	Adequate parking facilities for contemplated use. The required Commercial Recreation parking spaces for any multiple use area shall be either (a) that number of spaces required for such single use having the greatest parking needs plus ten percent (10%) of the combined required for all other uses in the area, or (b) that number of spaces shown to be necessary and reasonable by data submitted by the developer, whichever is less.
Nursing Home	One (1) space per three (3) rooms.
Office and/or Professional Building; Office, Medical or Dental	Three and one-half (3.5) spaces per 1,000 square feet.
Planned Shopping	Four (4) spaces for every one thousand square feet (1,000 SF) of gross leasable floor area.
Public or Private Club	1.5 spaces for each one thousand square feet (1,000 SF) of gross floor space.
Public Utility Building	One (1) space per one thousand square feet (1,000 SF).
Restaurant	Twelve (12) spaces per one thousand square feet (1,000 SF).
Retail Business	Five (5) spaces for every one thousand square feet (1,000 SF) of gross floor area, except as otherwise specified below:
Appliance and Furniture Store	Two (2) spaces for every one thousand square feet (1,000 SF) of gross floor area.
Building Supply Store	Three (3) spaces per one thousand square feet (1,000 SF) of gross floor area.
Sales and Service Establishments Not Listed Elsewhere, Which Deal With Customers on the Premises	Four (4) parking spaces per one thousand square feet (1,000 SF).
Single-family Residential	Two (2) spaces for each dwelling unit.

Parking requirements can be modified by the Town Engineer or designee when substantiated with calculations submitted by the Applicant.

5.2.7 Tree Protection Standards

Replace existing language in 5.2.7.3.1 and 5.2.7.6 with the following language. The balance of Section 5.2.7 remains.

5.2.7.3.1 – Tree Survey in Pine Plantation

After harvesting of pine crop areas, the Applicant must submit a survey or exhibit depicting all trees eight (8) inches DBH or greater within the area being submitted for development approval, and twenty-five (25) feet beyond. For trees existing as part of the planted pine crop area of the PUD, an exhibit may be prepared in lieu of an actual survey. The exhibit shall be a representation of the tree planting pattern showing trees according to row, tree spacing, and typical size. The information will be field verified to ensure accuracy of these factors, but each tree in the pine crop area will not be physically located by standard survey methods. Hardwood trees in excess of eight (8) inches DBH will be located.

Tree surveys for golf courses will be in accordance with Section 5.2.7.10 with the exception of pine plantation.

5.2.7.6 – Tree Replacement

Calculation for tree replacement is based on the Initial Master Plan area and not specific project sites. The applicant will demonstrate compliance with minimum tree coverage at the time a final development permit is requested. Compliance will be demonstrated using aerial photography, a development plan, and tree count for a typical acre within the master plan area, and not the specific development tract.

5.2.7.9 – Master Plans

Delete (B) – Application for development permit.

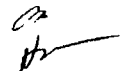
Add:

The subject property is part of a long term plan. Much of the existing land is pine plantation, planted for the purpose of harvest. The land is covered by a silviculture exemption which remains in place until a subdivision plat is recorded for each specific area.

5.2.9 Site Design and Density Standards

(A) Setbacks

Refer to Standards of the Concept Master Plan, Section 2.



(D) Buffers

Buffers between different land uses apply to the perimeter of the PUD. Within the boundaries of the PUD, the Owner/Developer determines Buffers. Buffers are measured from the boundary lines or road right-of-way as appropriate. Buffers may be contained within required setbacks.

(F) Telecommunication Towers

Towers not in use for a period of one (1) year will be removed at the tower owner's expense.

5.4 Stormwater Management Standards

Modify text as shown to include new *Beaufort County's Manual for Stormwater Best Management Practices*.

5.4.1 Intent

No development shall be undertaken, except where adequate drainage and adequate stormwater pollution control is provided in conformance with the provisions prescribed in this section.

No development shall be undertaken, except where adequate stormwater runoff water treatment is provided in accordance with the latest version of *Beaufort County's Manual for Stormwater Best Management Practices*.

Additionally, Town of Bluffton has the right to enter, enforce maintenance, and/or cause maintenance of any stormwater management facility, either privately or publicly owned.

5.4.3.2 Stormwater Management Requirements

(B) General Requirements

- (1) Stormwater discharges from development, including streets, parking areas, rooftops, and lawn surfaces may adversely impact water quality in Town streams, lakes and tidal waterbodies. Therefore, new development regulated by the Town must comply with the stormwater pollution control requirements in the latest version of *Beaufort County's Manual for Stormwater Best Management Practices*.

- (2) Detention and retention ponds shall be designed with relatively flat side slopes along the shoreline, and so that shorelines are meandering where

possible to increase the length of shoreline, thus offering more space for the growth of littoral vegetation for pollution control purposes.

- (3) Modify last sentence to read:

Design data for storage volume and detention outlet requirements shall be submitted and approved by the Town Engineer or designee prior to final plan approval, with the design of the stormwater pollution control components to be based on the latest version of *Beaufort County's Manual for Stormwater Best Management Practices*.

- (4) Delete

- (5) Add:

Golf courses are required to comply with the latest version of *Beaufort County's Manual for Stormwater Best Management Practices*, but golf course and private lagoons shall be exempt from the above flood control requirements subject to clear demonstration by the design engineer that no damaging flooding will occur during the 100-year, 24-hour, storm and any safety concerns are addressed.

(C) Direct Stormwater Discharge

- (1) Modify to read:

Channeling runoff directly into natural waterbodies from swales, pipes, curbs, lined channels, hoses, impervious surfaces, rooftops or similar methods shall not be approved for new development unless the Town Engineer has approved a stormwater pollution control plan which complies with the latest version of *Beaufort County's Manual for Stormwater Best Management Practices*.

- (2) Modify to read:

Where specific site hardships require a modification to allow direct discharge into tidal areas without adequate stormwater pollution controls, prior to approval by the Town Engineer, Office of Ocean and Coastal Resource Management (OCRM),



Department of Health and Environmental Control (DHEC), County Engineer, Corps of Engineers (COE) and Water Resources commission approval is required. Granting of a modification by the Town Engineer will be based upon unique site hardships and the use of best available technology to reduce the water quality impacts of stormwater discharges.

5.4.3.3 Retention-Detention Facilities

(A) Design Criteria for Developments

Add:

- (3) Water Quality Control – New development shall provide best management practices (BMPs) which comply with the latest version of *Beaufort County's Manual for Stormwater Best Management Practices*.

(B) Design Criteria for Redeveloped Sites

Modify to read:

Redevelopments which have no increase or a net decrease in impervious area yet lack evidence of a functioning retention/detention facility may be required by the County Engineer to retrofit the site to current County standards for peak attenuation and water quality control.

(C) Design Based on Soils

Modify to read:

- (1) Detention ponds shall be designed to attenuate peak outflows to predevelopment rates and to comply with the water quality control requirements in the latest version of *Beaufort County's Manual for Stormwater Best Management Practices*.
- (2) Retention ponds intended to attenuate post-development peak outflows shall be designed to provide for total retention of the design storm as computed for the developed condition, and to comply with the water quality control requirements in the latest version of *Beaufort County's Manual for Stormwater Best Management Practices*.

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- (3) Exfiltration systems intended to attenuate post-development peak outflows shall be designed to store and exfiltrate over the duration of the storm the difference in runoff volume between pre and post-development. Exfiltration systems shall be designed with a safety factor of 1.5 (design using seventy-five percent (75%) of the permeability rate or 75% of the time for drawdown), and to comply with the water quality control requirements in the latest version of *Beaufort County's Manual for Stormwater Best Management Practices*.

(D) Outfall

Modify to read:

- (1) Detention shall be required to have an outfall structure to limit peak off-site discharges to pre-development rates. To achieve water quality control, the location of the structure and the shape of the pond shall be designed to comply with the water quality control requirements in the latest version of *Beaufort County's Manual for Stormwater Best Management Practices*.

5.4.3.5 Hydraulic Design Criteria

(A) Roadway Drainage Design

Modify to read:

- (1) Roadway Grade – The minimum allowable centerline grade for all streets shall be 0.5%, unless otherwise approved by the County Engineer only under extenuating circumstances.
- (6) Roadside Swales – Swale drainage will be permitted only when the wet season water table is minimum of one (1') foot below the invert of the swale. Where roadside swales are required, a positive outfall for the drainage may be required depending on the soil classification and topography. Roadside swales used for water quality control shall comply with the latest version of *Beaufort County's Manual for Stormwater Best Management Practices*.



(C) Culvert Design

Replace:

- (9) Show water quality control facilities, including ingress/egress areas, and supplemental BMPs (e.g., swales) and dedicated natural open space required to comply with the latest version of *Beaufort County's Manual for Stormwater Best Management Practices*. Show other information required by the County Manual.

(13) Drainage plans shall also include the following:

Add:

- (c) Boundaries of any dedicated natural open space, which is required to comply with the County's water quality control requirements.

5.4.3.6 Plan Requirements

(C) Stormwater Calculations

Add:

- (10) Calculation worksheet which demonstrates that the proposed water quality controls comply with the latest version of *Beaufort County's Manual for Stormwater Best Management Practices*.

Article VI – Development Permit

Development permits within the PUD will be processed in accordance with Town of Bluffton procedures. Requirements for applications are detailed in the Town's PUD-UF Ordinance 5.8. Requirements and definitions of this section shall apply. In the event of conflict, the Development Agreement takes first precedence followed by, in order, the Concept Plan, DSO Modifications, DSO 90/3, Section 5.8 PUD Ordinance Modifications, Section 5.8 PUD Ordinance, Section IX Sign Control Modifications, Section IX Sign Control.

Article VII – Administration, Appeal, Complaints, and Remedies

The Town of Bluffton will establish a procedure for reviewing development permit applications. The requirements for development permits are described in the Town of Bluffton's Section 5.8 Planned Unit Development, included in Attachment 1.

Article VIII – Amendments

Amendments shall be processed in accordance with the Town of Bluffton PUD Ordinance as included in Attachment 1 for reference.

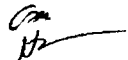
Article IX – Legal Status Revisions

Development of the property subject to this document is controlled by, in order of precedence, the Development Agreement, the Concept Plan, DSO Modifications, DSO 90/3, Section 5.8 PUD Ordinance Modifications, Section 5.8 PUD Ordinance, Section IX Sign Control Modifications, Section IX Sign Control.

Article X – Definition of Terms

Definitions in this section shall apply unless otherwise defined below or in the PUD.

- 10.2.23 Buffers - A piece of undeveloped land of specific width, set aside in the PUD to provide separation between properties.
- 10.2.26 Building Height – The vertical distance above the finish grade, whichever is highest, to the highest finished roof surface in case of a flat roof or to the top of the façade or to a point at the average height of the highest roof having a pitch. Architectural elements are not considered in calculation of building height.
- 10.2.88 Net Acre – Shall mean that acre which remains after the deduction of easements for existing utilities, easements for existing roads, and easements for existing drainage ways.
- 10.2.138 Upland Area – Shall mean that acre not under the jurisdiction of the Clean Water Act or state regulation for freshwater wetland or saltwater marsh.
- 10.2.139 Gross Acre – Total acreage within a given boundary.



The Town of Bluffton has an ordinance regarding the approval of Planned Unit Developments. Section 5.8 (Approved September, 1999) is included in Attachment 1 for reference. In order to clarify some of the issues and statements in Section 5.8 the following modifications are made:

5.8 Planned Unit Development

5.8.6 (A) Add: "as applicable" after Historic Preservation Overlay District.

(C) Add: Buffer requirements apply to the perimeter of the PUD. The Concept Plan describes the buffers and requirements.

Delete: Items 1 – 7.

5.8.7 Application and Concept Plan

(E) The Concept Plan shall contain:

3. Delete: "... total square footage for commercial uses and institutional uses".

Add: "... total acreage for commercial uses and institutional uses".

12. Delete: Proposed stormwater mitigation for deviations from the DSO maximum of 10 percent impervious surface.

Add: Proposed deviations from DSO stormwater requirements to achieve goal of *Beaufort County's Manual for Stormwater Best Management Practices*.

(G) Add:

However, in the event that a PUD is approved with a Development Agreement, the Development Agreement details the rights of the Owner, Developer and Town.

5.8.9 (B) Add to the beginning of the sentence:

"Unless provided for in the Development Agreement, "...

5.8.10 (W) Add to the end of the sentence:

..."unless modified by a Development Agreement and Concept Plan."

5.8.11 (B) Add to the end of the sentence:

... "unless modified by a Development Agreement and Concept Plan."

A handwritten signature in black ink, appearing to be "C. J. H.", located at the bottom right of the page.

The following text shall apply to development of signage within the Buckwalter PUD.

The text is based on Article IX Sign Control adopted 1/13/92 by Beaufort County. The provisions of the Development Agreement, the DSO Modifications (pp 1-12), the Sign Control Modifications, Attachment 1 and the Concept Master Plan shall apply to the development of the Buckwalter PUD as defined in the Concept Plan. In the event of conflict, the Development Agreement takes first precedence followed by, in order the Concept Master Plan, DSO Modifications (pp 1-12), Article IX Signage Control Modifications, and Attachment 1 DSO.

Sign Control

Article IX, Sign Control adopted 1/13/92 by Beaufort County, shall apply to the subject property within the Town of Bluffton, with the following exceptions and modifications:

- All reference to "Beaufort County" shall be deemed to mean the "Town of Bluffton" and the reference to "County" shall be deemed to mean the "Town" throughout the document.
- Development permits within the Town of Bluffton shall be processed in accordance with Town procedures and under the requirements of the PUD Ordinance 5.8 as of December 31, 1999, and included for reference in Attachment 1.

Section 9.2.4 On-Premise Signs -- Area, Height, Size, Number, Type, etc.

Modify A.3. Insert "(Letters Only)" after "maximum allowable area of eighty (80') square feet."

Add:

D. Individual Project Signage

The exact number of signs and square footage of signage allowed per individual development tracts within the PUD shall be determined on a development project by development project basis in accordance with the criteria listed above in 9.2.4 A.

Section 9.2.6 Off Premise Signs.

Add to H:

Directory Listing Signs may be placed at each PUD access point indicated on the Conceptual Master Plan. Each access point shall be allowed a maximum of 160 square



feet of signage (letters only). The Directory Listing signs are intended to be informational and helpful for the convenience of visitors and not promotional of a particular business or type of business. Listings may include hotels, motels, restaurants, major residential developments, retail centers and the like.

