



The Town of Hilton Head Island
**Gullah Geechee Land & Cultural
Preservation Task Force Meeting**

July 20, 2020, 1:00 p.m.

AGENDA

This meeting is being conducted virtually in accordance with Town Council Emergency Ordinance 2020-13 and can be viewed live on the Town's Public Meeting Facebook Page at <https://www.facebook.com/townofhiltonheadislandmeetings/>. Following the meeting, the video record will be made available on the Town's website at <https://www.hiltonheadislandsc.gov/>.

1. **Call to Order**
2. **FOIA Compliance** - Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.
3. **Roll Call**
4. **Approval of Agenda**
5. **Approval of Minutes** – November 4, 2019
6. **Citizen Comments**
7. **Discussion Items**
 - a. **Historic Neighborhoods Overlay District LMO Amendments**
8. **Adjournment**

Public comments concerning agenda items can be submitted electronically via the Town's Virtual Town Hall public comment portal at <https://hiltonheadislandsc.gov/opentownhall/>. The portal will close at **Noon** the Friday prior to the scheduled meeting. Citizens may also call (843) 341- 4683 to sign up for public comment participation during the meeting by phone. The public comment period will close at **Noon** the Friday prior to the scheduled meeting. All comments will be provided to the Task Force for review and made part of the official record.

Please note that a quorum of Town Council may result if four (4) or more of their members attend this meeting.

Please note that a quorum of the Planning Commission may result if five (5) or more of their members attend this meeting.



Town of Hilton Head Island
**Gullah Geechee Land & Cultural Preservation
Task Force**

November 4, 2019 at 1:00 pm
Benjamin M. Racusin Council Chambers

MEETING MINUTES

Present From the Committee: Lavon Stevens, Palmer Simmons, Joyce Wright, Todd Theodore, Martha Davis, Theresa White, Shani Green

Present from Town Staff: Sheryse DuBose, Jennifer Ray, Shawn Colin, Carolyn Grant

Town Council Members Present: Tamara Becker

1. Call to Order

Chairman Stevens called the meeting to order at 1:05 PM.

2. FOIA Compliance

Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

3. Approval of Minutes

The agenda for October 14, 2019, October 21, 2019, and today's meetings and the minutes from the September 16, 2019; October 14, 2019, and October 21, 2019 have been approved by consent.

4. Unfinished Business - none

5. New Business

Chairman Stevens commented on working with Staff to move the recommendations forward. Chairman Stevens explained that the order of the projects was a result of being ranked by the Task Force. The Task Force discussed the Gullah Geechee Culture Preservation Top Priority Recommendations Framework. Joyce Wright requested that there be line items for next year's budget and expressed concern as to whether family would have ownership of any information coming from the Heritage Library. Theresa White asked if the Historic Mitchelville Freedom Park was included in the recommendations as a stand-alone project. Joyce Wright explained the Town's involvement in the project. Theresa Wright asked why the recommendation for delinquent taxes was so far down in the order. The ranking exercise was explained and Palmer Simmons stated that identifying property owners with delinquent taxes is an ongoing project. Alex Brown asked why PP-14 was listed in Year 2 and asked for clarification as to which organizations have reached out to be involved in the projects. Jennifer Ray responded that there has been correspondence with the Heritage Library. Morris Campbell commended the Task Force and Staff on the Framework. Tom Barnwell asked if there are ways for private individuals to contribute to the education and make donations towards the projects. Todd Theodore made the motion to approve the Gullah Geechee Cultural Preservation Project Report Recommendations Top Priority Framework. Palmer Simmons seconded the motion. The motion passed 7-0-0.

6. Appearance by Citizens on Items Unrelated to Today's Agenda

Alex Brown asked if there is a translator on Staff for code enforcement, referring to a member of the Latinx Community who did not speak English and could not understand the code violations. Jennifer Ray explained that there are people on Town staff who have the ability to translate, but there is not a specific code enforcement translator. Alex Brown also asked for a status report concerning fire hydrants. Tom Barnwell stated that the last hurricane blew down his sign at Gumtree Road and Squire Pope Road and people who were mowing the lawn took the sign. Mr. Barnwell further stated that there needs to be communication between sign owners and grass cutters. Chairman Stevens called for diversity training for Staff purposed to handle issues in the community. Palmer Simmons stated that the people who mow the lawn should be responsible for replacing the sign. Palmer Simmons also stated that PSD has an installation schedule for fire hydrants. Joyce Wright announced that the Mitchelville Freedom Park meeting was to be held that evening from 5:30- 7:00 at PSD.

7. Staff Report

Sheryse DuBose announced the Framework would be decided at the Town Council meeting, which would be held on November 19th. Sheryse DuBose also stated that the Task Force meeting scheduled for November 18th should be cancelled due to a lack of agenda items. Chairman Stevens stated that he would consider cancelling the November 18th Task Force Meeting.

8. Adjournment

Chairman Stevens adjourned the meeting at 2:03 PM.

Submitted by: Sheryse DuBose

Meeting Date: November 4, 2019

Historic Neighborhoods Preservation (HNP-O) District

In November, 2019, Town Council approved the framework for the Gullah Geechee Culture Preservation Project Report that was created in a collaborative effort between the Gullah Geechee Land and Cultural Preservation Task Force and Town Staff. Establishing an overlay district for Historical Neighborhoods on Hilton Head Island was identified as the top priority project. To implement this recommendation, Staff is proposing to create a Historic Neighborhoods Preservation Overlay (HNP-O) District. The purpose of this District is to increase the development potential for properties within this District by amending the Land Management Ordinance (LMO) to decrease buffers and setbacks of new structures and where applicable, allow increases to impervious cover and building height.

Within the HNP-O District, the term, “family” will have its own definition to mean spouse, parent(s), biological or legally adopted child(ren), group of persons related by blood, and descended from a common ancestor (as in extended family). The term, “family,” with respect to the new activities for properties within the District, Family Compound and Family Subdivision, will create opportunities to pass land to future generations.

Family Compound

Family Compound is a single parcel of land that allows the construction of multiple homes and is owned by a single family, as defined above. Construction of access and infrastructure is the responsibility of the individual currently building on the property and must be installed in the order each structure is constructed. To be established as a Family Compound, an affidavit must demonstrate that the purchaser is a family member, as defined above through a written, signed, and notarized statement. After being established as a Family Compound based on LMO guidelines, properties cannot be sold or leased for 5 years to non-family members.

Family Subdivision

Family Subdivision are lots that are subdivided and owned by one family, as defined above. Family Subdivisions do not require infrastructure to be installed for the all of the established lots prior to construction. However, as a part of the application process, plats that are subdivided for Family Subdivision must show the proposed location of infrastructure for future installation. Establishing access and infrastructure is the responsibility of the individual currently building on their lot, and it must be installed in the order each structure is constructed. To be established as a Family Subdivision, an affidavit must demonstrate that the purchaser is a family member as defined above through a written, signed, and notarized statement. Prior to the sale of property in a Family Subdivision to non-family members, the seller must the process a complete subdivision application as established in the LMO.

Moderate Density Residential (RM-6) District

RM-6 Zoning allows residential density up to 6 dwelling units per acre, and up to 8 dwelling units per acre for properties that are at least 5 acres. Residential uses for properties zoned RM-6 include single family, multifamily, and Workforce Housing development. RM-6 zones are proposed to accommodate the density bonus associated with Workforce Housing Development. All parcels within the Historic Neighborhoods that are currently zoned RM-4 are proposed to be rezoned to RM-6, increasing the base zoning within the HNP-O District.

Proposed LMO Changes to Reflect Historic Neighborhoods Preservation (HNP-O) District

Element	Current LMO	Proposed Historic Neighborhood Preservation Overlay (HNP-O)
Setbacks on non-arterial streets	20' minimum	10' minimum
Buffers on non-arterial streets	20' minimum	10' minimum, same planting requirements
Impervious cover (Residential & Mixed-Use Base Zoning Districts)	Varies (35% - 45%)	45% maximum
Building Height	Varies (35' – 45')	45' maximum
Access	<p>For 5 or fewer lots, direct vehicular access to each lot shall be a minimum 20' wide access easement constructed of an all-weather driving surface or paved street with a minimum 30' right-of-way; access must be installed before subdivision plans are stamped.</p> <p>For 6 or more lots, direct vehicular access to each lot shall be provided via paved street with a minimum 40' right-of-way; access must be installed before subdivision plans are stamped.</p>	<p>For 5 or fewer lots within a Family Subdivision, direct vehicular access to each lot shall be a minimum 20' wide access easement constructed of an all-weather driving surface or paved street with a minimum 30' right-of-way; access shall be provided to the point of development</p> <p>For 6 or more lots, direct vehicular access to each lot shall be provided via paved street with a minimum 30' right-of-way; access shall be provided to the point of development</p> <p>For all homes within a Family Compound: Minimum 20' wide access easement constructed of an all-weather driving surface</p>

Element	Current LMO	Proposed Historic Neighborhood Preservation Overlay (HNP-O)
Allowable Uses	All uses in the base district	All uses in the base district RM-6 Family Compound Family Subdivision
Application Review	All applications for development activity are reviewed in the order they are received.	All applications for development activity for eligible properties within the district will be expedited.

Sec.16-2-101. - Summary Table of Review Procedures

Table 16-2-101, Summary Table of Development Review Procedures, identifies the **Town** boards and staff responsible for making recommendations or decisions on **applications** reviewed under this **Ordinance**, as well as the role each plays in the **Town's** review of **applications**. It also identifies those **applications** that require a hearing. A textual summary of the **development** review responsibilities of the **Town's** boards established in accordance with **State** law by this **Ordinance** (**Planning Commission** , **Board of Zoning Appeals** , and **Design Review Board**), as well as staff responsibilities (the **Official**), is set down in Appendix A: Advisory and Decision Making Bodies and Persons, which is incorporated herein by reference. The specific rules that govern the **Town's boards with review responsibilities are also included in Appendix A.**

Table 16-2-101: Summary Table of Development Review Procedures						
R = Recommendation D = Decision A = Appeal < > = Hearing < >* = Public Hearing E = Encouraged						
Procedure	Pre-Application Conference	Review and Decision-Making Authorities				
		Official	Design Review Board	Planning Commission	Board of Zoning Appeals	Town Council
ORDINANCE AMENDMENTS						
Text Amendment (Sec. 16-2-103.B)		R		<R>*		D
Zoning Map Amendment (Rezoning) (Sec. 16-2-103.C)	E	R		<R>*		D
PUD District (Sec. 16-2-103.D)	E	R		<R>*		D
DEVELOPMENT APPROVALS AND PERMITS						
Special Exception (Sec. 16-2-103.E)		R			<D>*	
	Minor	E	D		<A>	

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

Subdivision Review (Sec. 16-2-103.F)	Major	E	D		<A>		
Development Plan Review (Sec. 16-2-103.G)	Minor	E	D		<A>		
	Major	E	D		<A>		
Small Residential Development Review (Sec. 16-2-103.H)			D		<A>		
Corridor Review (Sec. 16-2-103.I)	Minor		D	<A>			
	Major		R	<D>			
Traffic Impact Analysis Plan Review (Sec. 16-2-103.J)	Without Mitigation		D		<A>		
	With Mitigation		R		<D>		
Natural Resources Permit (Sec. 16-2-103.K)			D			<A>	
Wetlands Alteration Permit (Sec. 16-2-103.L)			D			<A>	
Sign Permit (Sec. 16-5-114.E)	Administrative Review		D	<A>			
	DRB Review			<D>			
Development Project Name Review (Sec. 16-2-103.N)			D		<A>		
Street/Vehicular Access Easement Name Review (Sec. 16-2-103.O)	New name		R		<D>		
	Modified name		R		<D>*		
Certificate of Compliance (Sec. 16-2-103.P)			D			<A>	

Historic Neighborhoods Preservation Overlay (HNP-O) District LMO Amendments

Public Project Review (Sec. 16-2-103.Q)	E	R		<D>*		
Utility Project (Sec. 16-2-103.W)		D		<A>		
<u>Family Compound (Sec. 16-2-103.X)</u>	<u>E</u>	<u>D</u>		<u><A></u>		
<u>Family Subdivision (Sec. 16-2-103.Y)</u>	<u>E</u>	<u>D</u>		<u><A></u>		
RELIEF PROCEDURES						
Written Interpretation (Sec. 16-2-103.R)		D			<A>	
Variance (Sec. 16-2-103.S)		R			<D>*	
Appeal of Administrative Decisions and Written Interpretations to Board of Zoning Appeals (Sec. 16-2-103.T)					<D>	
Appeal of Official's Decision to Planning Commission (Sec. 16-2-103.U)				<D>		
Appeal of Official's Decision to Design Review Board (Sec. 16-2-103.V)			<D>			
<p>Notes: All meetings of the Town Council, Planning Commission, Board of Zoning Appeals and Design Review Board are public meetings, and any "Hearing" or "Public Hearing" designated above takes place at a public meeting. See Sec. 16-2-102.E.1.</p>						

16-2-102 – Standard Review Procedures

J. Vesting and Expiration of Development Approval or Permit

1. Vested Rights for Approvals of Site Specific Development Plans

a. General

Approval or conditional approval of an **application for a Special Exception, Major or Minor Subdivision Review, Major or Minor Development Plan Review, Small Residential Development Review, Variance, Family Compound and Family Subdivision** shall constitute **approval of a site specific development** plan that establishes a **vested right** in accordance with the Vested Rights Act, S.C. Code Ann. § 6-29-1510 et seq. The **vested right** shall expire two years after the approval unless the **vested right** period is extended in accordance with subparagraph b below.

16-2-103 – Application Specific Review Procedures

U. Appeal of Official's Decision to Planning Commission

1. Purpose

The purpose of this subsection is to establish procedures and standards for the review and decision on appeals to the **Planning Commission** from decisions of the **Official** to approve, approve with conditions, or deny **applications** for Family Compound, Family Subdivision, Subdivision Review, Development Plan Review, Small Residential Development Review, or Development Project Name Review.

2. Who May File Appeal

The **Official's** decision on an **application** for Family Compound, Family Subdivision, Subdivision Review, Development Plan Review, Small Residential Development Review or Development Project Name Review may be appealed to the **Planning Commission** by the **applicant** for the decided **application**, the owner of **land** to which the decision specifically applies, or any other party in interest, who alleges that the **Official** erred in making the decision:

3. Types of Appeal

The following decisions made by the **Official** may be appealed to the **Planning Commission** in accordance with the procedures and standards in this subsection.

a. Family Compound:

- b. Family Subdivision;
- c. Subdivision Review;
- b. Development Plan Review;
- c. Small Residential Development Review; and
- d. Development Project Name Review.

X. Family Compound

1. Purpose

The purpose in this section is to establish the procedures and standards for the review and decision on an application for Family Compound approval.

2. Applicability

a. General

- i. Approval of a Family Compound requires that a person(s) dwelling in a Family Compound must be related to the property owner by blood, marriage, or legal adoption as defined in Section 16-3-106.O.1.d.
- ii. Applications for Family Compound Review are only permitted within the Historic Neighborhoods Preservation Overlay (HNP-O) District.

3. Family Compound Review Procedure

a. Pre-Application Conference

Prospective **applicants** for Family Compound Review are encouraged to request and hold a pre-application conference with Town staff in accordance with Sec. 16-2-102.B.

b. Application Submittal

An **application** for Family Compound Review may be submitted by **persons** identified in Sec. 16-2-102.C.1 and shall be submitted

in accordance with Sec. 16-2-102.C.

c. Staff Review and Action

- i. On receiving an **application**, the **Official** shall review and make a final decision on the **application** in accordance with Sec. 16-2-102.D. The Official's decision shall be based on the standards in Sec. 16-2-103.X.4, Family Compound Review Standards, and shall be one of the following:
 01. Approve the **application**;
 02. Approve the **application** subject to conditions of approval; or
 03. Deny the **application**.
- ii. The **Official** shall act on an **application**, for Family Compound Review, in accordance with Sec. 16-2-102.D, within 7 business days after the application is submitted or such extended time agreed to by the **applicant**.
- iii. If the **Official** fails to act on an **application** for Family Compound, in accordance with Sec. 16-2-102.D, within the time period prescribed in provision ii above, the **application** shall be deemed approved, and the Town shall issue the **applicant** a letter of approval and written notice to proceed based on the submitted **application**.

d. Post- Decision Actions and Limitations

i. **Notice of Decision**

The **Official** shall provide notice of the final decision on the **application** in accordance with Sec. 16-2-102.H.1.

ii. **Appeal**

Appeals from the final decision of the Official on an application for Family Compound Review are governed by Sec. 16-2-103.U, Appeal of Official's Decision to Planning Commission, and S.C. Code § 6-29-1150.

4. Family Compound Review Standards

An **application** for Family Compound Review shall be approved if the **Official** finds the **applicant** demonstrates the proposed Family Compound complies with the following:

- a. The applicants that will live on the parcel are of the same family as defined in Sec. 16-3-106.O.1.d.
- b. All other applicable standards of this ordinance.
- c. All other applicable requirements in the **Municipal Code**.

5. Effect of Approval

Approval of a Family Compound authorizes the submittal of any other subsequent **development applications** that may be required before construction or other development authorized by this **ordinance**. The property cannot be sold or leased for five years to non-family members after being established as a Family Compound.

6. Expiration

Approval of a Family Compound establishes a vested right in accordance with Sec. 16-2-102.J.1, Vested Rights for Approvals of Site Specific Development Plans.

7. Amendment

An approved Family Compound may be modified or amended only in accordance with procedures and standards established for its original approval.

Y. Family Subdivision

1. Purpose

The purpose in this section is to establish the procedures and standards for the review and decision on an application for Family Subdivision approval. This section will allow the subdivision and transfer of familial owned property to future generations.

2. Applicability

a. General

- i. Approval of a Family Subdivision in accordance with the

procedures and standards of this subsection is required before any plat of a Family Subdivision may be recorded in the Office of the Register of Deeds for Beaufort County, South Carolina. No **land** in any proposed Family Subdivision may be sold, transferred, or offered for sale until a final plat for the Family Subdivision has been approved in accordance with this **Ordinance** and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina.

- ii. Applications for Family Subdivision Review are only permitted within the Historic Neighborhoods Preservation Overlay (HNP-O) District.

3. Family Subdivision Review Procedure

a. Pre-Application Conference

Prospective **applicants** for Family Subdivision Review are encouraged to request and hold a pre-application conference with Town staff in accordance with Sec. 16-2-102.B.

b. Application Submittal

An **application** for Family Subdivision Review may be submitted by **persons** identified in Sec. 16-2-102.C.1 and shall be submitted in accordance with Sec. 16-2-102.C.

c. Staff Review and Action

- i. On receiving an **application**, the **Official** shall review and make a final decision on the **application** in accordance with Sec. 16-2-102.D. The Official's decision shall be based on the standards in Sec. 16-2-103.Y.4, Family Subdivision Review Standards, and shall be one of the following:
 - 01. Approve the **application**;
 - 02. Approve the **application** subject to conditions of approval; or
 - 03. Deny the **application**.

- ii. The **Official** shall act on an **application**, for Family Subdivision Review, in accordance with Sec. 16-2-102.D, within 60 business days after it is submitted, or such extended time agreed to by the **applicant**.
- iii. If the **Official** fails to act on an **application** for Family Subdivision Review in accordance with Sec. 16-2-102.D, within the time period prescribed in provision ii above, the **application** shall be deemed approved, and the Town shall issue the **applicant** a letter of approval and written notice to proceed based on the submitted **application**.

d. Post- Decision Action and Limitations

i. Notice of Decision

The **Official** shall provide notice of the final decision on the **application** in accordance with Sec. 16-2-102.H.1.

ii. Appeal

Appeals from the final decision of the Official on an application for Family Subdivision Review are governed by Sec. 162-103.U, Appeal of Official's Decision to Planning Commission, and S.C. Code § 6-29-1150.

4. Family Subdivision Review Standards

An **application** for Family Subdivision Review shall be approved if the **Official** finds the **applicant** demonstrates the proposed Family Subdivision complies with the following:

- a. A notarized affidavit shall be submitted that shows a familial relationship (per section 16-3-106.O.1.d) to those purchasing/deeding properties within the subdivision;
- b. A notarized affidavit shall be submitted stating that all infrastructure including the access must be installed and inspected prior to the sale of property within the subdivision to non-family members;
- c. All other applicable requirements in the **Municipal Code** and standards of this ordinance that appear in the Family Compound Requirements.

5. Effect of Approval

Approval of a Family Subdivision constitutes approval of a final plat for the subdivision. Recording of the final plat in the Office of the Register of Deeds for Beaufort County, South Carolina creates development **lots** that may be conveyed and may be developed in accordance with **development applications** authorized by this **Ordinance**. No further subdivision of a Family Subdivision shall be permitted.

6. Expiration

Approval of a Family Subdivision establishes a vested right in accordance with Sec. 16-2-102.J.1, Vested Rights for Approvals of Site Specific Development Plans.

7. Amendment

An approved Family Subdivision may be modified or amended only in accordance with procedures and standards established for its original approval.

DRAFT

Sec.16-3-104. - Residential Base Zoning Districts

E. Low to Moderate Density Residential (RM-4) District

RM-4 Low to Moderate Density Residential District			
1. No Change			
2. No Change			
3. Development Form Standards			
MAX. DENSITY (PER NET ACRE)		LOT COVERAGE	
Residential	4 du (6 du if lot area is at least 3 acres; 8 du if lot area is at least 5 acres) ²	Max. Impervious Cover for All Development Except Single-Family ³	35%
Bed and Breakfast	10 rooms		
Nonresidential	6,000 GFA	Min. Open Space for Major Residential Subdivisions 16%	
MAX. BUILDING HEIGHT			
All Development	35 ft ^{1,4}		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
1. May be increased by up to ten percent on demonstration to the Official that:			

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a. The increase is consistent with the character of development on surrounding land ;
b. Development resulting from the increase is consistent with the purpose and intent of the building height standards;
c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed development , or (2) results in improved site conditions for a development with nonconforming site features ;
d. The increase will not pose a danger to the public health or safety;
e. Any adverse impacts directly attributable to the increase are mitigated; and
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.
2. Density for developments that include Workforce Housing shall be determined based on Sec. 16-4-105B.
<u>3. The maximum impervious cover for properties located within the HNP-O shall be 45%.</u>
<u>4. The maximum building height for properties located within the HNP-O shall be 45 ft.</u>

F. Moderate Density Residential (RM-6) District

<h1 style="margin: 0;">RM-6</h1> <h2 style="margin: 0;">Moderate Density Residential District</h2>			
<h3 style="margin: 0;">1. Purpose</h3> <p>The purpose of the Moderate Density Residential (RM-6) District is to allow for the development of residential uses at densities up to six dwelling units per net acre. The district allows a variety of residential uses along with uses that support neighborhoods. The district is intended to discourage development that would substantially interfere with, or detrimental to moderate residential character.</p>			
<h3 style="margin: 0;">2. Allowable Principal Uses</h3>			
USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES
Residential Uses			
Group Living	P		1 per 3 rooms
Multifamily	P		1.4 per du

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			2 bedroom	1.7 per du
			3 or more bedrooms	2 per du
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Workforce Housing	PC	Sec. 16-4-102.B.1.d	See Sec. 16-5-107.D.2	
Public, Civic, Institutional, and Educational Uses				
Community Service Uses	P		1 per 400 GFA	
Government Uses	PC		Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area
Major Utilities	SE		1 per 1,500 GFA	
Minor Utilities	P		n/a	
Public Parks	P		See Sec. 16-5-107.D.2	
Religious Institutions	P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a	
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1	
Commercial Services				
Other Commercial Services	PC	Sec. 16-4-102.B.7.l	See Sec. 16-5-107.D.2	
Other Uses				
Agriculture Uses	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/o
Boat Ramps, Docking Facilities, and Marinas	PC	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips.	

3. Development Form and Parameters

Max Density (PER NET ACRE)		Lot Coverage	
Residential	6 du (8 du if lot area is at least 5 acres)	Max. Impervious Cover for All Development Except Single-Family ³	35%
Nonresidential	6,000 GFA		
MAX. BUILDING HEIGHT		Min. Open Space for Major Residential Subdivisions	16%
All Development			

Use and Other Development Standards

See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection

TABLE NOTES:

P = Permitted by Right; PC= Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = **dwelling units**; sf = square feet; GFA = **gross floor area in square feet**; ft = feet; n/a = not applicable

1. May be increased by up to ten percent on demonstration to the Official that:

- a. The increase is consistent with the character of **development** on surrounding **land**.
- b. **Development** resulting from the increase is consistent with the purpose and intent of the building height standards;
- c. The increase either (1) is required to compensate for some unusual aspect of the site of the proposed **development**, or (2) result in improved site conditions for a development with **nonconforming site features**;
- d. The increase will not pose a danger to the public health or safety;
- e. Any adverse impacts directly attribute to the increase are mitigated; and
- f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.

RM-6

Moderate Density Residential District

All Development	45 ft		
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Use and Other Development Standards

See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection

g. Maximum impervious cover of the lot within the Historic Neighborhoods Preservation Overlay (HNP-O) District shall be 45 percent except for development with MF, MV, RD, S, WMU, LC, and NC Districts. For impervious coverage requirements in these districts see Sec. 16-3-105.

h. Maximum building height within the Historic Neighborhoods Preservation Overlay (HNP-O) District shall be 45 feet except for development within MV, RD, and WMU Districts. For building height in this districts, see section 16-3-105.

2. Density for development that includes Workforce Housing shall be determined based on Sec. 16-4-105B.

3. The maximum impervious cover for properties located within the HNP-O shall be 45%.

G. Moderate Density Residential District (RM-8) District

RM-8

Moderate Density Residential District

1. No Change

2. No Change

3. Development Form Standards

MAX. DENSITY (PER NET ACRE)		LOT COVERAGE	
Residential ²	8 du	Max. Impervious Cover for All Development Except Single-Family ³	35%
Nonresidential	6,000 GFA		
MAX. BUILDING HEIGHT		Min. Open Space for Major Residential Subdivisions	16%
All Development	45 ft ¹		

USE AND OTHER DEVELOPMENT STANDARDS
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.
<p>TABLE NOTES:</p> <p>P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable</p>
1. May be increased by up to ten percent on demonstration to the Official that:
a. The increase is consistent with the character of development on surrounding land ;
b. Development resulting from the increase is consistent with the purpose and intent of the building height standards;
c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed development , or (2) results in improved site conditions for a development with nonconforming site features ;
d. The increase will not pose a danger to the public health or safety;
e. Any adverse impacts directly attributable to the increase are mitigated; and
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.
2. Density for developments that include Workforce Housing shall be determined based on Sec. 16-4-105B.
<u>3. The maximum impervious cover for properties located within the HNP-O shall be 45%.</u>

H. Moderate to High Density Residential District (RM-12) District

RM-12 Moderate to High Density Residential District			
1. No Change			
2. No Change			
3. Development Form Standards			
MAX. DENSITY (PER NET ACRE)		LOT COVERAGE	
Residential ²	12 du	Max. Impervious Cover for All Development Except Single-Family ³	35%
Nonresidential	6,000 GFA		
MAX. BUILDING HEIGHT		Min. Open Space for Major Residential Subdivisions	16%
All Development	45 ft ¹		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable			
1. May be increased by up to ten percent on demonstration to the Official that:			
a. The increase is consistent with the character of development on surrounding land ;			

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b. Development resulting from the increase is consistent with the purpose and intent of the building height standards;
c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed development , or (2) results in improved site conditions for a development with nonconforming site features ;
d. The increase will not pose a danger to the public health or safety;
e. Any adverse impacts directly attributable to the increase are mitigated; and
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.
2. Density for developments that include Workforce Housing shall be determined based on Sec. 16-4-105B.
<u>3. The maximum impervious cover for properties located within the HNP-O shall be 45%.</u>

Sec.16-3-105. Mixed-Use and Business Districts

J. Neighborhood Commercial (NC)

<p>NC</p> <p>Neighborhood Commercial District</p>			
1. No Change			
2. No Change			
3. Development Form Standards			
MAX. DENSITY (PER NET ACRE)		LOT COVERAGE	
Residential ²	4 du	Max. <i>Impervious Cover</i>	45%

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Nonresidential	3,000 GFA	Min. Open Space for Major Residential Subdivisions	16%
MAX. BUILDING HEIGHT			
All Development	35 ft ^{1,3}		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable			
1. May be increased by up to ten percent on demonstration to the Official that:			
a. The increase is consistent with the character of development on surrounding land ;			
b. Development resulting from the increase is consistent with the purpose and intent of the building height standards;			
c. The increase either (1) is required to compensate for some unusual aspect of the site or the proposed development , or (2) results in improved site conditions for a development with nonconforming site features ;			
d. The increase will not pose a danger to the public health or safety;			
e. Any adverse impacts directly attributable to the increase are mitigated; and			
f. The increase, when combined with all previous increases allowed under this provision, does not result in a cumulative increase greater than ten percent.			
2. Density for developments that include Mixed-Use or Workforce Housing shall be determined based on Sec. 16-4-105B.			

3. The maximum building height for properties located within the HNP-O shall be 45 ft.

DRAFT

Sec. 16-3-106 Overlay Zoning Districts

O. Historic Neighborhoods Preservation Overlay (HNP-O) District

1. Applicability and Purpose

- a. The purpose of the Historic Neighborhoods Preservation Overlay (HNP-O) District is to expand opportunities to pass land to future generations and allow for increased development potential.
- b. All new **development** and changes to existing **development** in the District are subject to the regulations of this section.
- c. If property falls within the Workforce Housing Overlay (WFH-O) District and this District, property owners can utilize both the regulations established in this District and the regulations offered within the WFH-O District.
- d. For property within the HNP-O, family shall be defined as spouse, parent(s), biological or legally adopted child(ren), group of persons related by blood, and descended from common ancestor (as in extended family).

2. Delineation of the HNP-O District

- a. The Historic Neighborhoods Preservation Overlay (HNP-O) District includes all parcels, shown as hatched in Figures 16-3-106.O.2 and 16-3-106.O.3 below.
- b. Exceptions within this District include properties zoned IL and PD-1.

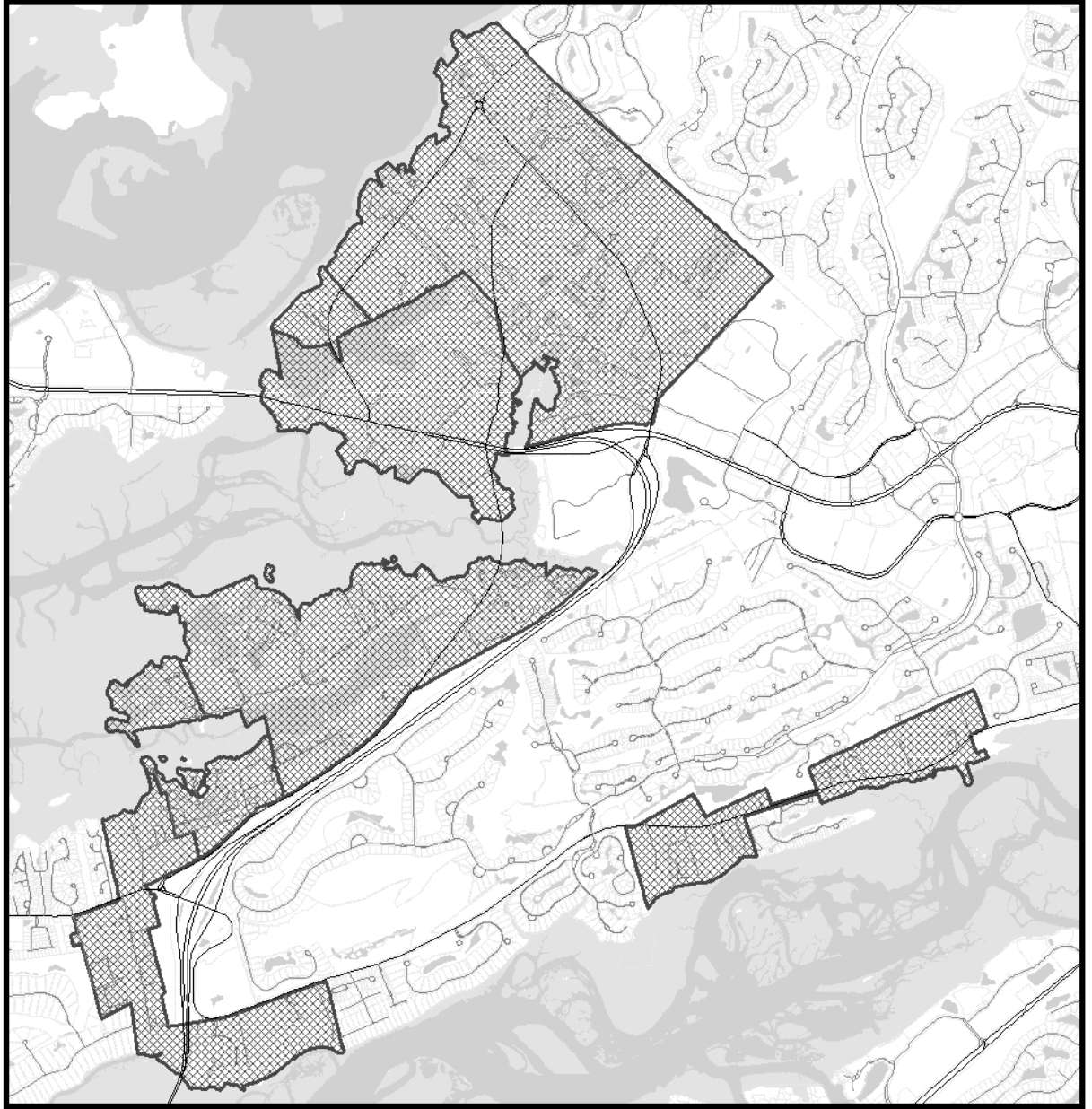


Figure 16-3-106.O.2

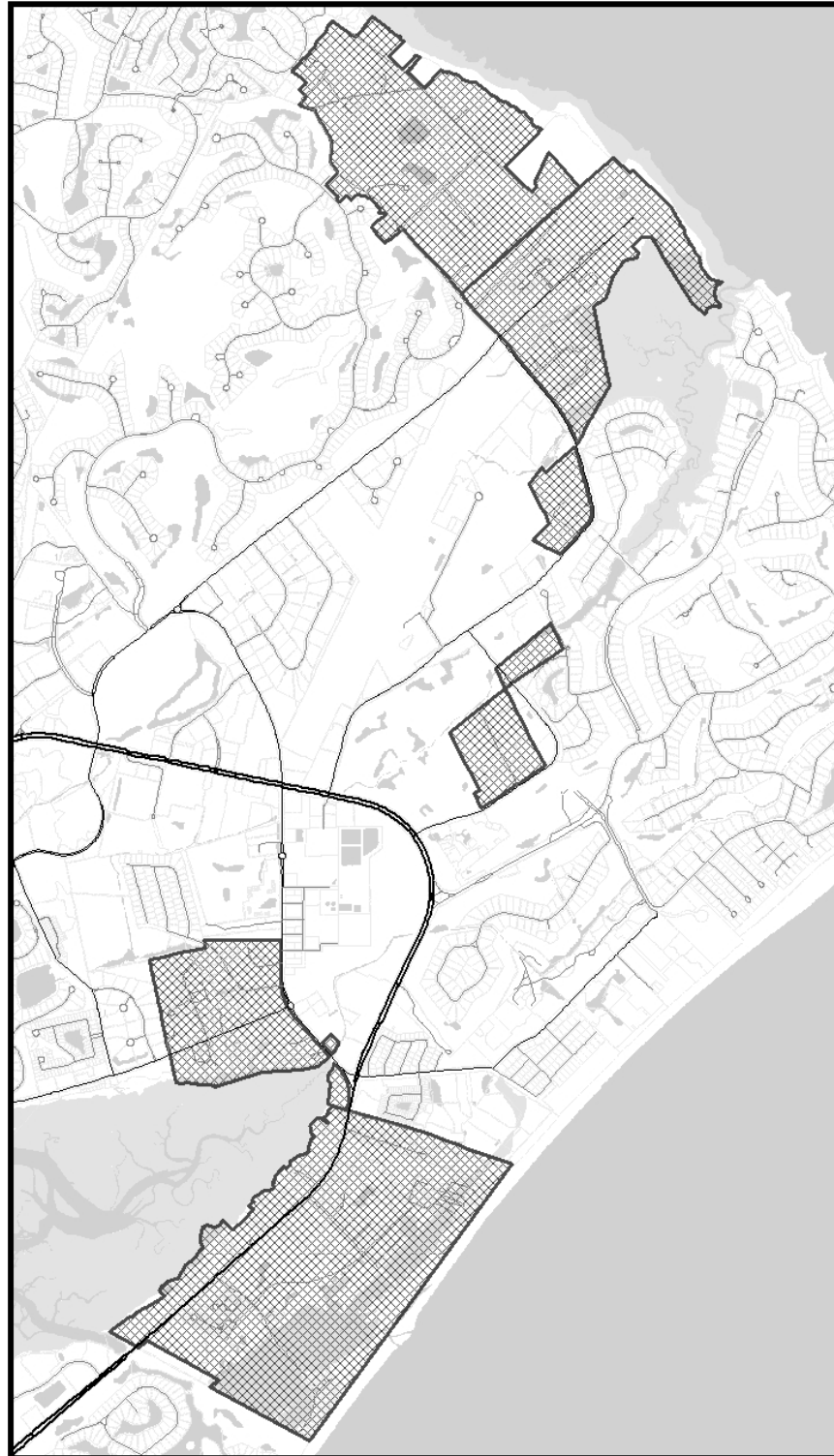


Figure 16-3-106.O.3

3. District Regulations

a. Setbacks

On non-arterial streets, setbacks shall be a minimum of 10 feet.

b. Buffers

On non-arterial streets, buffers shall be a minimum of 10 feet and shall meet one of the applicable requirements:

i. For single family development, the planting requirements shall be as follows:

- **Overstory trees:** 2 every 100 linear feet;
- **Understory trees:** 3 every 100 linear feet; and
- Evergreen shrubs: 8 every 100 linear feet.

ii. For multifamily development, the planting requirements shall be as follows:

- **Overstory trees:** 2 every 100 linear feet;
- **Understory trees:** 4 every 100 linear feet; and
- Evergreen shrubs: 10 every 100 linear feet.

c. Impervious Cover

Maximum impervious cover of the lot shall be 45 percent except for development within LC, MF, MV, NC, RD, S, and WMU Districts. For impervious coverage requirements in these districts, see Sec. 16-3-105.

d. Building Height

Maximum building height shall be 45 feet except for development within MV, RD, and WMU Districts. For building height in these districts, see Sec.16-3-105.

e. Access

i. Access to all lots within a Family Subdivision shall be provided to the point of development as follows:

01. For 5 or fewer lots, direct vehicular access to each lot shall be a minimum 20 foot wide access easement constructed of an all-weather driving surface or paved street with a minimum 30 foot right-of-way.

D-26. Family Compound

A. Application Form

An **application** form as published by the **Official**.

B. Eligibility

1. Notarized certification, written and signed by the **development site** owner of record that such owner formally consents to the proposed development.
2. Written, signed, and notarized statement that the purchaser within the Family Compound is a family member as defined by Sec 16-3-106.O.1.d.

C. Property Deed

Copy of property deed to the lot of record or portions thereof which constitute the proposed development site.

D. Boundary survey plat

One copy of the boundary survey plat of the lot of record or portions thereof which constitute the proposed development site at a minimum scale of 1"=50 or other appropriate scale acceptable to the Official. Upon such plat shall appear:

1. Location of primary control points used in the survey, with ties to such control points to which all dimensions, angles, bearing, distances, block numbers and similar data shall be referred.
2. Computed acreage of the surveyed **tract**.
3. Seal and signature of a South Carolina registered **land** surveyor.

4. Date of survey and date of any revisions.
5. Topographic survey at 1-foot contour intervals, or other topographic information acceptable to the Town Engineer, unless waived by the Town Engineer.
6. Notation of specific reference plats, if applicable.
7. Graphic scale and reference meridian.
8. Beaufort County Tax Map and Parcel Number.

E. Written Narrative

A written narrative outlining:

1. The nature and details of the proposed Family Compound.
2. The specifically contemplated form of ownership of **development** and detailed provisions for **maintenance**, responsibility for all **improvements**, including but not limited to, **streets**, parking areas, storm drainage facilities, water and sewer systems, etc., up to the point of **development**.

F. Site Development Plan

One black line print of a final site plan or set of plans, at a minimum scale of 1"=30' or other appropriate scale acceptable to the Official, showing the following:

1. Name of Family Compound.
2. Graphic scale and reference meridian.
3. Beaufort County Tax Map and Parcel Number.
4. Date of drawing and date of any revisions.

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5. Topographic survey at 1-foot contour intervals, or other topographic information acceptable to the Town Engineer, unless waived by the Town Engineer.
6. Proposed site development, including current and future land uses, any building or other structure locations, street, driveway, and parking area layouts, and interconnections with off-site facilities, if applicable.
7. Location of proposed drainage system, including off-site area of interconnection.
8. Location of proposed water and sewer system, including off-site areas of interconnection.
9. Location of other proposed waste disposal systems, including solid waste collection areas.
10. Location and dimensions for parking.
11. Location of other utilities such as electrical, telephone, gas lines service and cable TV to the development.
12. Location of proposed buffer areas as required by Sec. 16-3-106.O.3.b.
13. Tables indicating calculations for impervious cover and required parking.
14. Delineation of any zoning district boundary which traverses or is contiguous to the development site, including overlay zones.
15. Where applicable, surveyed delineation of any wetland area and required buffers or other delineation of a natural feature on the site which is protected or defined under provisions of this Title.
16. Notation as to FEMA/FIRM flood zones covering the site, and proposed first floor elevation of all buildings.
17. Where applicable, surveyed delineation of any known archaeological or historical resource feature, as defined by this Title, located on or

contiguous with the proposed development tract.

18. Fire hydrant and fire protection water supply in conformance with Sec. 16-5-111, Fire Protection Water Supply.

G. Approvals, Certifications, and Recommendations

Copy of approvals, certifications and recommendations required by all appropriate Town, County, State and federal regulations for the proposed development, and documentation of compliance with such, as application.

Failure of the Official to request an approval or certification required does not relieve the applicant of responsibility for compliance. This includes but is not limited to:

1. South Carolina Department of Health and Environmental Control approval of water and sewer system design, where applicable.
2. South Carolina Department of Health and Environmental Control air, water quality, or solid waste permit.
3. Public Service District approvals related to the provision of water and sewer service.
4. Electric, gas, telephone, or cable television provided approval of the appropriate utility service and layout as shown on the site development plan.
5. U.S. Army Corps of Engineers permits related to dredging, filling, wetlands, or other elements of the development.
6. Encroachment permit from appropriate agency, if necessary for proposed or required work.
7. For properties located within the Airport Overlay District (A-O), a Federal Aviation Administration (FAA) Advisory Form 7460-1 must be submitted to the FAA. The applicant must receive a determination

from the FAA to the issuance of any approvals from the Town.

H. Other Requirements

1. Access and infrastructure must be installed to serve each structure in the order each structure is constructed.
2. Any other items specifically required of a development plan application by any other provisions of this Title.

D-27. Family Subdivision

A. Application Form

An **application** form as published by the **Official**.

B. Subdivision Plat

One black line print of a **subdivision** plat at a scale of 1"= 50' or other scale acceptable to the **Official**, showing:

1. Date (including any revision dates), name and location of the **subdivision**, name of owner, north arrow, graphic scale and reference meridian.
2. Beaufort County Tax Map and Parcel Number.
3. Location and description of all primary control points and monuments used in the survey, with ties to such control points to which all dimensions, angles, bearings, distances, block numbers, and similar data shall be referred.
4. Existing and proposed **tract** boundary lines, **right-of-way** lines, proposed **street** names, **easements** and other **rights-of-way**, all **lot** lines and other **site** line with accurate dimensions, bearing or deflecting angles or radii arcs, and central angles of all curves.
5. The proposed **use** of **lots** shall be noted and the purpose of any

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- easement or **land** reserved or dedicated to public or utility **use** shall be designated.
6. Each block shall be numbered, and the **lots** within each block shall be numbered consecutively.
 7. Notation of specific reference plats, if applicable.
 8. Computed acreage of each **lot** created by the **subdivision**.
 9. Minimum **building** setback or buffer lines as required by Sec. 16-3-106.O.3.a and Sec. 16-3-106.O.3.b.
 10. The location of all lines and equipment for water, sewer, electric, telephone, and cable TV as approved by the appropriate utility, if applicable.
 11. Certification by a South Carolina professional land surveyor as to the accuracy of the details of the plat, with seal and signature affixed.
 12. Notation of the one-hundred-year storm **flood** elevation MSL and Flood Disclosure Statement (if in FEMA Zone A or V).
 13. Surveyed delineation as appropriate of any **wetland** area within or **contiguous** to the **subdivision**.
 14. Delineation of any airport hazard zone, as defined in Sec. 16-3-106.E, Airport Overlay (A-O) District.
 15. All existing **structures** or other **improvements**.
 16. A statement that reads, "The only activities permitted in the exterior **subdivision** buffer as labeled on this plan shall be those listed in Permitted Activity in Other Buffer Areas as per the LMO."
 17. Location of **wetland buffer** area, where applicable, as required by Sec. 16-6-102.D.2.

18. For subdivision where a portion is **adjacent** to a **wetland**, a statement that reads, "The only activities permitted in the **wetland buffer** shall be those listed in Wetland Buffers as per the LMO."

19. Fire hydrant and fire protection water supply in conformance with Sec. 16-5-111, Fire Protection Water Supply.

C. Certificate of Owner's Consent

If the **applicant** is someone other than the owner, notarized certification, written and signed by the **development site** owner of record that such owner formally consents to the proposed **subdivision**.

D. Eligibility

Written, signed, and notarized statement that the purchaser within the Family Subdivision is a family member as defined by Sec. 16-3-106.O.1.d.

E. Certification of Title Source

Certification signed by the surveyor setting forth the source of title of the owners of the **land** subdivided or a copy of the deed by which the property was conveyed to the owner.

F. Certificate of Title and Reference Plat

A current certificate of title referencing the proposed **subdivision** plat and if recorded, a copy of the last plat in the chain of title.

G. Street and Development Names

Appropriate approvals for all **street** and **development** names as listed in Sec. 16-2-103.O, Street/Vehicular Access Easement Name Review.

H. Subdivision in Phases

Whenever part of **tract** is proposed for platting and it is intended to subdivide additional parts in the future or **abutting land** is in the same ownership, a sketch plan for the entire tract shall be submitted with the plat.

I. Stormwater Management

Stormwater Management Plans and calculations as specified in Sec. 16-5-109, Stormwater Management, and Erosion and Sedimentation Control Standards are required.

J. Other Items

1. Access and infrastructure must be installed to serve each structure in the order each structure is constructed.
2. Prior to the sale of the property within the Family Subdivision to non-family members, a subdivision application shall be submitted in accordance with 16-2-103.F.
3. Any applicable items as identified in D-26, Family Compound Review.