



CITY OF BEAUFORT
1911 BOUNDARY STREET
BEAUFORT MUNICIPAL COMPLEX
BEAUFORT, SOUTH CAROLINA 29902
(843) 525-7070
CITY COUNCIL WORKSESSION AGENDA
June 19, 2018

**NOTE: IF YOU HAVE SPECIAL NEEDS DUE TO A PHYSICAL CHALLENGE,
PLEASE CALL IVETTE BURGESS 525-7070 FOR ADDITIONAL
INFORMATION**

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STATEMENT OF MEDIA NOTIFICATION

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

WORKSESSION - Planning Conference Room, 1st Floor - 5:00 PM

I. CALL TO ORDER

- A. Billy Keyserling, Mayor

II. PRESENTATION

- A. PollPit Project Proposal - Beaufort Digital Corridor Student

III. DISCUSSION ITEMS

- A. Spanish Moss Trail Extension - Dean Moss
- B. 6-Month Amendments to the Beaufort Code

IV. ADJOURN



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 6/15/2018
FROM: Lauren Kelly
AGENDA ITEM
TITLE: 6-Month Amendments to the Beaufort Code
MEETING
DATE: 6/19/2018
DEPARTMENT: Planning

BACKGROUND INFORMATION:

As part of the Beaufort Code adoption process in July 2017, a 6-month code update was required to make any necessary adjustments as the code was utilized. This worksession discussion is to review questions or comments on the sixty-four 6-month adjustments which have all been recommended for approval by the Metropolitan Planning Commission.

PLACED ON AGENDA FOR: Discussion

REMARKS:

All of the attachments below are the same documents that were provided for the Public Hearing on 6/12/18.

ATTACHMENTS:

Description	Type	Upload Date
List of Amendments as Recommended by the MPC	Backup Material	6/15/2018
Code Excerpts Corresponding to Amendments	Backup Material	6/15/2018

Beaufort Code - 6-month review Proposed Code Updates - MPC Recommendations				updated 6/7/18 by LK
Section #	Topic	Proposed Change	Initiator	
2.4.1.E	Driveway locations - clarify that driveways shall be to the side of the house, not the front; this is alluded to in several areas, but not clearly stated	replace the n/a fields under T3-S and T3-N with: <i>there are no parking setbacks, however, driveways shall be located to the side of the lot/primary structure except on waterfront lots meeting the conditions stated in 2.5.4.</i>	city based on question	
2.5.4.A	Special provision for garage locations on Waterfront Lots; sheds should be included	Add 2.5.4.A provision for all detached accessory structures <i>Accessory Structures: notwithstanding the requirements for Accessory Structures in section 2.4.1.C, accessory structures for residential dwellings may be placed in front of the principle building elevation with the following conditions:</i>	city based on question	
2.5.4	Waterfront Lots - attached garages	Add 2.5.4.B for attached garages; clarify that attached garages may not project in front of the front line of the dwelling, even on waterfront lots, unless the following conditions are met, in addition to the conditions specified for detached garages: 1. The upper level(s) contain habitable space 2. The frontage requirement in Section 4.4 is met	city	
2.5.6.D	Covered porches encroaching into interior side setback may be too much; front, street and rear are ok	Modify to read: <i>Covered porches may encroach a maximum of 8' into any required front yard or street yard setback, and to within 5' of any side yard or rear yard setback.</i>	MPC	
2.5.6.F	steps should be able to encroach into rear or side yard setbacks	add that they may encroach to within 5' of any side yard or rear yard setback as well	city	
2.5.6.H / 4.6.1	Fences - materials should be clarified to prohibit barbed wire, chain link in most areas, and electric fences from encroaching into setbacks	Add 2.5.6.H.5. <i>Materials</i> 2.5.6.H.5.i <i>Barbed wire fencing is prohibited, except in LI zone</i> 2.5.6.H.5.ii <i>Electric fences are not permitted to encroach into any front or corner side yard setbacks.</i> Add 4.6.1.I. <i>Fence Materials - Chain link fencing is not permitted to extend past the front of the primary structure, except in the LI district.</i>	city	
2.6.1.F	Allow the story height to be up to 24' for certain building types in T5-UC	Modify to read <i>Certain buildings (such as gymnasiums, religious institutions, theatres, convention centers, ballrooms, concert halls, and other assembly facilities) may require finished floor-to-ceiling heights greater than 15' in such instances, the number of stories shall be calculated as the finished floor-to-ceiling height (in feet) divided by 15. Any fractions of a story shall be rounded up to the next whole number, with the following exception: In tthe Boundary Street Redevelopment District, the maximum first floor height for such buildings shall be 24'</i>	applicant	
2.7	Add Overlay acknowledgement to require that the approval of assignment/reassignment or annexation of property requires the execution of an overlay acknowledgement for any of the overlay districts in section 2.7 (historic, retail frontage, etc.).	Add 2.7.1 - Purpose and Applicability - in this section add the administration of this acknowledgement	MCAS attorney	
2.7.3.F	Bladen Street use standards - got more restrictive; modify hotel unit # to remove those restrictions	Add 2.7.3.F.2 - <i>Exceptions to Section 3.2 Table of Permitted Uses: Inns and Hotels are permitted by-right in this redevelopment district, and are not subject to the conditions in 3.6.2.C.3</i>	city	
2.7.4.D.1	AICUZ - Noise Zones - add the Noise Reduction Requirements for construction to match the county's standards	Add a column to the chart for Noise Reduction Requirements as follows (from top to bottom) 0, 25 dB, 30 dB, 35 dB	city	
3.1	Zoning of water is unclear	Add provision describing zoning of water to be the same as the land it's attached to	city	

Beaufort Code - 6-month review Proposed Code Updates - MPC Recommendations				updated 6/7/18 by LK
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3.2	Liveaboard Boat permissability	Make Conditional in all districts	applicant	
3.2/3.5.2.A	Group Day Care Home (7-12 clients) and Commercial Day Care Center (>12 Clients) - combine these into 1 use as the permissions are very similar	Combine into Group & Commercial Day Care; reorganize the definitions and conditions to retain the same permissions and standards as currently exist	city based on development committee comment	
3.2/3.6.1.D, E and F/3.6.2.D.2/3.6.2.D.3	Restaurant & Retail Sales and Service -combining both groups, and 2 sub-groups under Retail Sales and Service (Animal Hospital/Kennel, and General Retail/Service) into 1 use type & changing permissions in LI; move Self-Service Storage into the Light Industrial Service use category	Combine uses; keep conditions for Animal Hospital/Kennel as-is; Remove retail and restaurants as permitted by Special Exception in LI; add retail and restaurants as accessory uses to certain Industrial Use Categories; move self-service storage to Light Industrial Service category and retain permissions	city based on development committee comment	
3.2/3.7.1.C/3.7.2.B, D and E	Minor and Major Vehicle Service and Repair - permissions are nearly the same; combine into 1 use	Combine into Vehicle Service and Repair; retain permissions as they exist, except as modified below, with conditions.	city based on development committee comment	
3.2/3.8.1.C, D and F/3.8.2.B, C and D	Manufacturing and Production, Warehousing, and Wholesaling and Distribution into one use	Combine into Manufacturing, Warehousing and Distribution use type; keep conditions in specific zones and modify definitions to accommodate.	city based on development committee comment	
3.3.2.D.3.b.iii	Display / Sales for Home Occupations - be more flexible for artists	Chage to: iii. Display: Products that have been produced on-premesis may be displayed on front porches and cover up to 25% of the floor/wall area of the porch. Items that are offensive and violate provisions of Section 1.2 of this Code, are not permitted. Display of merchandise in the yard is not permitted. iv. Sales: Only articles made on premesis, with the exception of antiques may be sold. Non-durable articles (consumable products) that are incidental to the service, that is the principal use in the home occupation, may be sold on premesis.	city based on accommodation of arts overlay district	
3.6.1.F.2.c	This is in conflict with 3.6.2.D.3.d.i	This conflict should be resolved to permit vehicle rentals as an accessory use to self-service storage facilities	city	
3.6.1.F.3	Dry Boat Storage as a stand-alone self-storage use	Dry Boat Storage should be added to the examples	city based on question	
3.6.2.C.1.d	B&Bs - clarify that the 500' spacing is from other B&Bs in T3 or T4-HN zoning districts	Add <i>"in a T3 or T4-HN zoning district"</i> after the first B&B	city	
3.6.2.C.1.g	B&Bs - clarify that there is a resident manager required; this is the intent and was what we had in the previous UDO	Add language that the operation is done by a resident manager, living on the premises.	city based on question	
3.6.2.C.2	Short Term Rentals - outside approvals	Add: j. <i>Outside Approvals Required. For properties that are located in a neighborhood with a property owners' association, written confirmation from the association president that short-term rentals are permitted in the neighborhood is required. In multifamily structures, written approval from the property management association is required. For boats in an approved marina, written permission from the marina manager is required.</i>	city based on question	
3.6.2.C.2	Short Term Rentals - Trash Facilities	Add a section for this and state the Sanitation roll-carts shall be screened from the street in a trash enclosure.	city	
3.6.2.C.2.c	Boats as Short Term Rentals	Add: iv. <i>Rental of a boat in an approved marina</i>	applicant	
3.6.2.C.2.c	Boats as Short Term Rentals	add a 6% cap for boats per marina, regardless of zoning district	city	
3.6.2.C.2.e.ii and iii	Short Term Rentals - Occupancy Standards per room	For primary house rentals, add language that limits the number of vehicles to 1 per bedroom, and the number of adult guests to 2 per bedroom.	city based on question	

Beaufort Code - 6-month review Proposed Code Updates - MPC Recommendations				updated 6/7/18 by LK
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3.6.2.C.2e.ii and iii	Short Term Rentals - Occupancy Standards per carriage house	For carriage house rentals, add language that limits the number of vehicles to 2, and the number of adult guests to 4.	city based on question	
3.6.2.C.2.i	Monitored Fire Alarms - not required for boat STRs; Coast Guard Auxiliary Safety Vessel Checks are required	Clarify that boats are not required to have a monitored fire alarm. In lieu of this, documentation that a Coast Guard Auxiliary Safety Vessel Check has been performed is required. The Vessel Safety Check can be arranged through this link: http://www.cgaux.org/vsc/ .	city	
3.7.1.A.4	Parking, Commercial - add clarification that boat parking/storage is not in this category	add exception d. stating: <i>Dry boat storage is considered self-service storage when it is a primary use.</i>	city	
3.7.1.F.3	Dry Storage as an example of Water- and Marine- Oriented Facilities	This should be an accessory use and only permitted in association with a marina. Dry Storage Facilities as stand-alone uses should be considered Self Service Storage (associated change to 3.6.1.F.3).	city	
3.7.2.A.1	Address limo and taxi services in T5-UC; they should be associated with a building	Add 3.7.2.A.1.g: <i>Limousine and Taxi Services: In T5-UC, limousine and taxi services are only permitted as accessory uses to offices housing the business operation. All vehicles associated with the business shall be meet the setback and screening standards for a parking lot.</i>	city based on issue	
3.7.2.D.6.a	Minor Vehicle Services and repair - storage of vehicles - wrecked vs. non-wrecked	clarify that any wrecked vehicles need to be stored in a fully enclosed building. Any non-wrecked vehicles can be stored on-site in a screened enclosure, behind a building.	city	
3.7.2.E.4.a	Major Vehicle Services and repair - storage of vehicles - wrecked vs. non-wrecked	clarify that any wrecked vehicles need to be stored in a fully enclosed building. Any non-wrecked vehicles can be stored on-site in a screened enclosure, behind a building.	city	
3.8.1.B.2	Retail- add as an accessory use	Add "retail" to the list		
3.8.1.C.2	Retail and Restaurants - add as accessory uses	Add "retail and restaurants" to the list		
3.8.1.F.2	Retail and Restaurants - add as accessory uses	Add "retail and restaurants" to the list		
3.8.2	T4-NA - rear setback increase to 25' - clarify that this is when those properties abut residential properties	Modify 3.8.2.A, B, and C to add this language	city based on question	
3.11.2	This section is being reorganized for clarity. Additional sheds and garages are proposed; a side/rear setback reduction is proposed for sheds on small lots; the 15' setback from the primary structure is being modified per the Fire Marshal and Building Codes; decks are added to this section for clarity; greenhouses are being added	see mock-up	city and applicants	

Beaufort Code - 6-month review Proposed Code Updates - MPC Recommendations				updated 6/7/18 by LK
Section #	Topic	Proposed Change	Initiator	
3.12.2	Farmers Markets - add specific standards for farmers markets	<p>Add 3.12.2.I Farmers Markets: Farmers markets shall comply with the following standards:</p> <p>i. Farmers Markets are permitted in T4-N, T5-UC, RMX, IC, and LI Districts</p> <p>ii. An on-site manager is required</p> <p>iii. On-site temporary signage is permitted on the day of the market. This includes, but is not limited to, sandwich board signs, easels, and banners meeting the requirements in Article 6.</p> <p>iii. A management plan is required, stating the following:</p> <p>a. The regular days and hours of operation on a weekly or monthly basis</p> <p>b. A site plan including the following items:</p> <p>i. Parking for vendors and customers shall be clearly delineated</p> <p>ii. Location, size and quantity of vendor areas</p> <p>iii. Location for sanitation facilities, if desired. These shall be in place during the day of the market only.</p> <p>iv. Signage</p> <p>v. Location of trash/recycling containers</p> <p>vi. Temporary or permanent electricity sources</p> <p>vii. Rules and Regulations for vendors and the market in general</p> <p>c. Storage of tents, kiosks, vans, trailers or other market equipment is not permitted on-site when the market is not open.</p> <p>d. At least 60% of the vendors shall sell "Farm Products", the majority of which shall be sold direct to consumer. Farm Products are defined as fruits, vegetables, mushrooms, herbs, nuts, eggs, honey or other bee products, flowers, plants, meat, milk, cheese and other dairy products, fish, and value-added products containing the above-mentioned items. Brokers, participants who have bought any farm products from a grower and do not grow anything themselves, are not permitted.</p> <p>e. Up to 40% of vendors may sell prepared foods. The majority of their sales shall be sold direct to consumer.</p> <p>g. A plan for trash/recycling disposal.</p>	city	
4.2.2	Building Design Standards applicability	add provision that these standards apply as conditions to any subdivision variance in T3 zoning districts	city	
4.2.2	Building Design Standards applicability	add provision that these standards apply to any subdivision greater than 15 acres	city	
4.5.3.B.7	Carriage Houses - maximum size	clarify that "footprint" is all area under roof, including porches	city	
4.5.3.B.7	Carriage Houses - maximum size	allow conversions of existing accessory structures that exceed this maximum if the administrator determines that there is no adverse impact on surrounding property	city based on question	
4.5.7.B.4	clarify this to account for the width vs. depth argument; remove minimum width	This should read: <i>The building width not exceed 160 feet along any street frontage. No portion of the building shall exceed 160 feet in any direction.</i>	city based on question	
4.6.1.H	Outdoor Display of Merchandise - merge 4.6.3.E and 4.6.4.G into this section to avoid confusion	relocation of information	city	
4.6.1.H	Add screening requirements from adjacent properties to match what was in the old UDO	Add 4.6.1.H.7 Screening: <i>Outdoor merchandise may be displayed on the site behind buffers meeting the requirements the Required Buffer Width and Planting Chart in Section 5.5.1.</i>		
4.6.3.A.7	prohibited materials	Change to materials/colors; add a prohibition against unnatural roof colors - e.g., blue, orange, purple	city based on question	

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Section #	Topic	Proposed Change	Initiator	
5.4.1.A.2	Pruning Permit - clarify that this is just for overstory trees, that pruning needs to be done under the guidance <u>and direct supervision of</u> a certified arborist, and that it shall meet ANSI A300 Standards	Add the word "overstory" to describe tree; add <i>and direct supervision of</i> before "Certified Arborist; add <i>and meet ANSI A300 Standards for tree pruning</i> at the end of the last sentence.	city	
5.6.2.C.1	Mitigation for tree removal that was not approved	Clarify that no mitigation is required in T3, T4-HN or LI districts, etc.... for trees that were removed with approval. For those that were removed but didn't get the appropriate permit, mitigation is required.	city based on question	
5.8.4.A.1 and 2	Light Fixture heights	clarify that the maximum height is for the light post, not including the fixture	city based on question	
5.8.4.B	update lighting standards to match Kennebunkport, ME	change full cutoff requirement from 5,500 to 1,800	city	
5.8.6.B	Motion-activated light requirements in T3 and T4-HN	Remove this provision	council	
6.2.2.G.3	Master Sign Plan sizes	Make a note that no sign may exceed 125 Square Feet	city	
6.5.1.A, B, C, and D	All Freestanding Signs - multiple street frontages to match previous ordinance	Add that for multiple street frontages, signage is permitted on each street	city	
6.6.1A, B and D	All Attached Signs - multiple facades to match previous ordinance	add provision that buildings may have signage on parking-lot facing facades and on multiple facades if they are on a corner lot	city	
6.7.3.E	Directional Signs, Maximum Height	add a provision that parking stall signs may be up to 5'	city based on question	
6.10.1.J	making billboard regulation clearer and more sound; there are only 2 existing billboards in the city	Change to: <i>New billboards are prohibited.</i>	city attorney	
7.2.3.B	Lot access standards for double frontage lots	Add a provision that for double frontage lots, one curb cut on each street may be permitted.	city based on question	
7.4.2.A	Community Green Space and Open Space Requirements - increase in certain situations	increase T3-S to 20% in 10-15 acres increase T3-N to 15% in 10-40 acres and 20% in >40 acres increase T4-N to 10% in 10-40 acres and 15% in >40 acres	city based on comments	
9.9.3 /10.2.D.3 and 4/10.6.2	Process for review of Major Subdivisions	Modify the review of Major Subdivisions as follows: -increase the threshold for major subdivision review to 10 acres or greater -modify the process to require a sketch plan, then Preliminary Plat, then Final Plat. Sketch Plan would continue to go to the Planning Commission. Preliminary and Final Plat would be reviewed by the staff via the TRC. -add posting requirements to match the county. Properties requesting a Major Subdivision would be posted 15 days prior to the MPC meeting	city	
11.7.2.A	Landscaping Nonconformities	change the threshold amount from \$10,000 to \$25,000	city	
13	add definition of billboard	<i>A large board for displaying advertising of either on- or off-premises businesses or organizations. For the purposes of this Code, any sign over 125 SF is considered a billboard.</i>	city	
13	add definition of Garage, Detached.	<i>A garage or carport that is separated from the main body of the house. It may be physically connected to the house with a covered walk if that walk is unconditioned and does not exceed 2/3 the width of the garage.</i>	city	
Appendix C.2.4	Street Network Diagram - Sector 5 - this should be updated to include the adopted Lady's Island Plan streets	update the diagram	city	

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Appendix C.6.5	Boundary Street Section	this needs to be updated to match construction and also broken into two phases and with/without slip lane, per previous Boundary Street Redevelopment District plans	city	
Map Amendments				
R122 029 000 0172 0000	Salem Road Shopping Center - Old Duke's BBQ - zoning	change from T4-N to T5-UC - more consistent with previous zoning	city	
R122 029 000 0171 0000				
R122 029 000 0227 0000				
R122 029 000 0228 0000				
R120 008 000 0367 0000	2601, 2605 and 2607 Southside Blvd -zoning	change from T4-N to T3-N to make more consistent with existing, adjacent houses in this mostly built-out neighborhood	property owner	
R120 006 000 0173 0000				
R120 006 000 173A 0000				
R120 001 000 153A 0000	1402 and 1408 Palmetto Streets - zoning. 1402 = T3-N and partially in the Boundary Street Redevelopment District. 1408 - T5-UC and completely in the Boundary Street Redevelopment District	rezone both to T4-N; remove from Boundary Street Redevelopment district	property owner	
R120 001 000 0153 0000				

Beaufort Code Excerpts Proposed for Modification

2.4: DISTRICT DEVELOPMENT STANDARDS

2.4.1 TRANSECT-BASED DISTRICT STANDARDS

DISTRICT	T3-S	T3-N	T4-HN	T4-N	T5-DC	T5-UC
A. LOT CONFIGURATION						
1. Lot Width at Front Setback	75 ft min; for waterfront lots see Section 2.5.4	40 ft min, 60 ft min in the Hundred Pines neighborhood	40 ft min, 60 ft min in The Point	n/a	n/a	n/a
2. Lot Size	9,000 sf min; for waterfront lots see Section 2.5.4	4,000 sf min; 3,000 sf min for alley-served lots	4,000 sf min; 6,000 sf min in The Point	n/a	n/a	n/a
3. Maximum Lot Coverage ¹	30% of lot area	45% of lot area	55% of lot area	70% of lot area	100%	100%
4. Frontage Build-Out ²	n/a	n/a	75% max	60% min; 85% max	75% min	60% min

¹This percentage indicates maximum lot coverage by roofs; total impervious coverage may be an additional 10%. Parcels may also be subject to Section 8.3 (Stormwater).

²See Section 2.5.1.8 for additional frontage build-out standards.

B. PRIMARY BUILDING PLACEMENT						
1. Front Setback; <i>for infill lots also see Section 2.5.2</i>	20 ft min	15 ft min	average Prevailing Setback on block	0 ft min	0 ft min	0 ft min
	No max	30 ft max ³		15 ft max	max. Prevailing Setback on block	15 ft max
2. Side Setback - Corner /Alley	15 ft min	6 ft min	5 ft min	0 ft min	0 ft min	0 ft min
	No max	No max	No max	10 ft max	15 ft max	15 ft max
3. Side Setback - Interior	10 ft min	6 ft min	6 ft min, 10 ft min in The Point	5 ft min, or 0 ft if attached	0 ft min	0 ft min
4. Rear Setback ⁴	15 ft min	15 ft min	15 ft min	10 ft min	0 ft min	5 ft min
5. Rear Setback from Alley ⁴	n/a	0 ft	0 ft	0 ft	0 ft	0 ft
6. Attached Garage/Carport Setback (from front facade) ^{5,6}	5 ft min	5 ft min	attached garages shall only be accessed via an alley; garage doors shall not face the street			

C. ACCESSORY BUILDING PLACEMENT - see section 3.11 for additional requirements

1. Front Setback	accessory structures shall be located behind the front facade of the primary structure, except as provided for in Section 2.5.4 (Waterfront Lots) and Section 4.5.3 (Carriage House); see item 6 below for setback for detached garage doors					
2. Side Setback - Corner / Alley ⁵	5 ft min	5 ft min	5 ft min	3 ft min	0 ft min	0 ft min
3. Side Setback - Interior	5 ft min	5 ft min	5 ft min	5 ft min	0 ft min	0 ft min
4. Rear Setback ⁴	5 ft min	5 ft min	5 ft min	5 ft min	0 ft min	0 ft min
5. Rear Setback from Alley ⁴	3 ft min	3 ft min	3 ft min	3 ft min	3 ft min	3 ft min
6. Detached Garage Door/Carport Setback (from front facade) ⁵	5 ft min	20 ft min	20 ft min	20 ft min	shall be located behind primary building and accessed via alley or side street ⁷	

³When lot width is 75 ft or greater, there is no maximum front setback.

⁴Garage doors shall be 15 ft min from alley centerline.

⁵In addition to the setback requirements listed above, garage doors/carports which face a public right-of-way, except for rear alleys, shall be set back a minimum of 20 ft from that right-of-way.

⁶The Battery Shores and Islands of Beaufort neighborhoods are exempt from this standard when garage doors do not face a public right-of-way. In the Jericho Woods neighborhood, carports are exempt from this standard.

⁷Also see Section 2.5.7 (Street Access Standards).

D. BUILDING FORM

1. Primary Building Height - see Section 2.6	No min	No min	No min	2 stories min ⁸	2 stories min	2 stories min ⁸
	2.5 stories max	2.5 stories max	3 stories max	4 stories max; 3.5 stories max in & fronting Historic District & interior lots along Allison Rd.	3 stories max at property line, see 2.6.1.G	5 stories max; 3.5 stories max in & fronting Historic District
2. Accessory Building Height	2 stories or 30 ft max	2 stories or 30 ft max	2 stories or 30 ft max	2 stories or 30 ft max	2 stories max	2 stories max
3. Building Width at Frontage	n/a	n/a	n/a	100 ft max	100 ft max ⁹	160 ft max ⁹

⁸2 stories are only required at significant intersections, in accordance with Section 2.6.3 and the Street Hierarchy Diagram in Appendix C.3

⁹Buildings exceeding this maximum shall comply with the Large Footprint Building standards in Section 4.5.10.

E. PARKING PAD LOCATION- there are no interior side setbacks for parking unless buffers are required per Section 5.5. See Section 2.5.8 for additional provisions

1. Front Setback	n/a	n/a	40 ft min	40 ft min	40 ft min	40 ft min
2. Side Setback - Corner	n/a	n/a	5 ft min	15 ft min	5 ft min	5 ft min
3. Rear Setback	n/a	n/a	5 ft min	5 ft min	0 ft min	0 ft min

2.5.3 WATER-ORIENTED FACILITIES

Water-oriented facilities such as docks, marinas, boat houses, etc., shall be allowed to encroach into required setback areas along shorelines and into rivers, lakes, streams and other waterways. See Section 3.7.1.F and 8.2 for more details on these structures and facilities.

2.5.4 WATERFRONT LOTS

A. **Detached Garage:** Notwithstanding the requirements for detached garages in Section 2.4.1.C.6, detached garages for residential dwellings may be placed in front of the principal building elevation, with the following conditions:

1. Garage shall meet the typical front and/or side setback requirements, and
2. Garage doors shall be oriented perpendicular to the public right-of-way to minimize visibility.

B. **Critical Area Buffer:** As required by Section 8.2.

C. **Special Lot Requirements:**

1. **Specific to T3-S - Lot Width, Depth, and Area:**

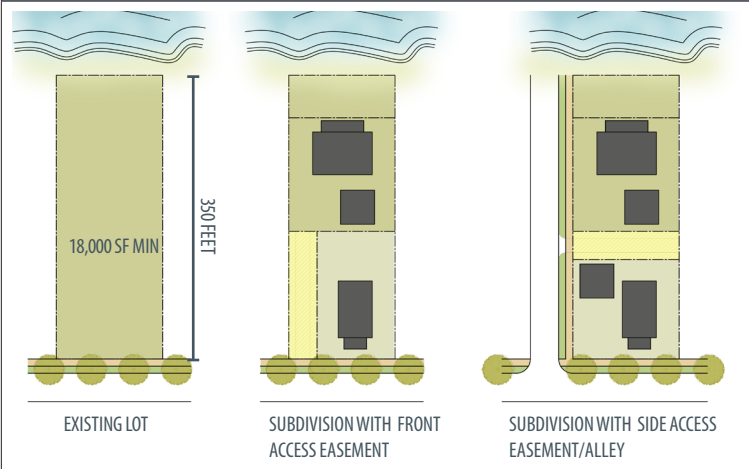
- a. The minimum lot width at the setback line for waterfront lots shall be 100 feet.
- b. The minimum lot depth for waterfront lots shall be 125 feet.

2. **Specific to T3-N:** The front setback requirement for waterfront lots may be met with an accessory structure.

3. **Subdivision of Waterfront Lots:** Waterfront lots that exceed the minimum lot depth requirements, and are larger than 350 feet deep and 18,000 square feet, may be subdivided into two lots - one fronting the water and one fronting the right-of-way provided both lots conform with the applicable requirements of this Code. In such instances, the following standards apply:

- a. **Lot Access:** Access to the water-fronting lot shall be maintained through a minimum 20-foot access easement or right-of-way across the street-fronting lot. Alternatively, access may be provided via a side street, or an alley through the entire block. Access shall meet the minimum fire apparatus access road requirements as outlined in the International Fire Code
- b. **Lot Dimensions:** The new lots shall meet the standards for T3-N.

EXAMPLE: SUBDIVISION OF WATERFRONT LOTS



street), upper-story balconies or bay windows may encroach over the right-of-way a maximum of 3 feet, but they shall provide a vertical clearance of at least 8 feet from any sidewalk.

C. **Lower Story Encroachments:** Cornices, eave overhangs, chimneys, flues, bay windows, and similar projections (including gutters) may encroach up to 2 feet into any required yard.

D. **Covered Porches:** Covered porches may encroach a maximum of 8 feet into any required front yard or street side yard setback and 6 feet into any interior side or rear yard setback.

E. **Uncovered Porches, Decks, and Patios:** Uncovered and unenclosed porches, decks, patios, and other similar features may encroach into the side and rear setback to within 5 feet of the property line.

F. **Steps, Stairs, Walkways, and Driveways:** Uncovered and unenclosed steps, stairs, walkways, and driveways may encroach up to 100% of the depth of any required street yard but may not encroach upon any public sidewalk.

G. **Handicapped Ramps:** Ramps for handicap accessibility and fire escapes that are required by the "Accessibility Code" may encroach into any required yard but may not be closer to any property line than 5 feet. Such features shall not be located in a front yard if it is possible to accommodate them in a side or rear yard.

H. **Fences and Garden Walls:** Fences and garden/yard walls may encroach into required setbacks. The support structures for fences shall be located on the inside of the fence, and no fence, wall or hedge shall exceed the following dimensions:

1. **Front or Street Side Setback:** 4 feet in height, with the following exceptions:

- a. On T3 lots that front Ribaut Road, fences may be permitted to be 7 feet in height on the condition that such fences are set back from the front property line 1 foot for every 1 foot increase in height above 4 feet.
- b. In the LI District, parcels fronting a Primary Street may have fences or walls up to 6 feet in height. Parcels fronting all other streets may be up to 10 feet in height.

2. **Interior Side or Rear Setback of a Transect-Based District:** 6 feet in height

3. **Interior Side or Rear Setback of a Conventional District:** 8 feet in height

4. **Interior Side or Rear Setback of LI District:** 10 feet in height

I. **Mailboxes:** Mailboxes may encroach into a front setback area. The following standards apply:

1. In the Historic District, freestanding mailboxes are not permitted. Mailboxes shall be attached to a fence or the structure itself.
2. When grouped or ganged mailboxes are required as part of a new development, a structure shall be provided to house the individual units. The structure may encroach into a typical front or side setback. The structure shall be included in the site plan and the design shall be approved by the appropriate Design Review Body.

2.5.7 STREET ACCESS STANDARDS

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

1. Lots served by alleys shall access garages and/or off-street parking areas from the alley, and shall not have driveways in front or corner side yard areas.
2. Requirements for alley locations can be found in Section 7.2.3.

B. **Avoid Double-Frontage and Reverse-Frontage Lots:**

1. New double-frontage and/or reverse-frontage lots (lots with street frontage on opposite sides of the lot) are prohibited. The Design Review Authority may permit them on a case-by-cases basis if they are unavoidable due to existing topographical or environmental conditions.
2. To encourage the subdivision of existing double-frontage residential lots into two single-frontage residential lots, the minimum lot size for such lots may be reduced to 75% of the minimum lot size for the district, as established in Section 2.4.

2.5.8 EXCEPTIONS TO SECTION 2.4.1.E - PARKING LOCATION

- A. The provisions shall not apply to cars parked on front-loaded driveways.
- B. Where lot depth is less than 60' deep, the Administrator shall evaluate this requirement on a case-by-case basis. In no case shall parking be located in front of a building in T4 and T5 zoning districts.
- C. Where lots have frontage on more than one Primary Street and build-out on one of the streets is planned to be phased, per Section 2.5.1.B.3, parking may be permitted within the parking setback, provided it doesn't prevent or preclude future build-out of the overall master plan for the parcel. Screening is still required per Section 5.7.8.

2.6: HEIGHT

Building heights by district, as specified in Section 2.4.1, shall be determined according to the provisions below.

2.6.1 MEASUREMENT OF BUILDING HEIGHT

- A. Building height is measured as the number of stories (syn. floors) in a building. A story is a habitable level in a building of no more than 15 feet in height from finished floor to finished ceiling.
- B. Where a maximum height is also provided in feet, that height shall be taken from the average sidewalk or site grade at the front facade of the building to the mean roof height or top of the parapet. Where the building is located in a flood zone, the height shall be taken from the first finished floor above the base flood elevation.
- C. Under-roof areas with dormers shall be counted as half-stories.
- D. Mezzanines shall be counted as stories, unless they are within a floor-to-ceiling volume that is no more than 15 feet in height.
- E. Unoccupied attics less than 7 feet in height to the ridge beam or collar tie (whichever is lower) and raised basements less than 6 feet above the adjacent grade shall not be calculated as stories.
- F. Certain buildings (such as gymnasiums, religious institutions, theatres, etc.) may require finished floor-to-ceiling heights greater than 15 feet. In such instances, the number of stories shall be calculated as the finished floor-to-ceiling height (in feet) divided by 15. Any fractions of a story shall be rounded up to the next whole number.
- G. **Specific to T5-DC:** The maximum height at the property line shall be 3 stories, and the maximum height 15 feet behind the property line, or front line of the building, shall be 4 stories.

2.6.2 BUILDING HEIGHT ABOVE GRADE

- A. **General to All Zones:**
 1. **Freeboard:** In addition to the standards listed below, where a parcel is located in a flood-

addition to a typical two-story building with habitable space on each level:

- A. **Two-Story Mass:** This can be an open, double-height structure with a minimum building height of 24 feet. The second floor does not need to be built out or habitable.
- B. **Mezzanine:** The intent of mezzanines is to provide upper-level activity along street facades. Mezzanines shall meet the following conditions:
 - 1. All buildings shall include a minimum massing of two stories extending fully along all street-fronting facades and any facade that is visible from a corner. If a building cannot meet this standard through the use of a mezzanine, then the mezzanine will not be permitted to fulfill the two-story requirement.
 - 2. Mezzanines shall be located on the Primary Facade(s) of a building.
 - 3. A mezzanine shall be designed as usable primary interior floor space, not storage or other secondary, mechanical, or service functions.
 - 4. All mezzanine floor space shall be located in direct contact with street-fronting second-floor windows and is required to meet all of the window transparency requirements of a second floor.
 - 5. When being used to satisfy a two-story building height requirement, a mezzanine level shall meet all ceiling height standards of a second floor.

2.6.4 DIMENSIONAL HEIGHT STANDARDS

Height requirements for signs, lighting, landscape screens, and all other structures or objects for which a dimensional height requirement is established by this Code shall be measured as the vertical distance from the average sidewalk or site grade at the structure or object's foundation to its highest point.

2.6.5 ITEMS NOT INCLUDED IN HEIGHT CALCULATIONS

The height limitations of this Code shall not apply to church spires, belfries, cupolas and domes not intended for human occupancy, monuments, water towers, mechanical penthouses (provided they are set back 20 feet from the front elevation), observation towers, transmission towers, chimneys, smokestacks, conveyors, flagpoles, masts and antennas (provided evidence from appropriate authorities is submitted to the effect that such building or buildings will not interfere with any airport zones or flight patterns). The Design Review Authority may adjust the 20-foot setback on a case-by-case basis.

2.7: OVERLAY DISTRICT STANDARDS

Certain areas of the City may fall into one or more of the following overlay districts:

2.7.1 BEAUFORT HISTORIC DISTRICT (HD) OVERLAY

- A. **Purpose:** The purpose of the Beaufort Historic District is to promote the educational, cultural, and general welfare of the public through the preservation, protection, and enhancement of the old, historic or architecturally significant structures and areas of the City and to maintain such structures and areas as visible reminders of the history and cultural heritage of the City, the state, and the nation. The Historic District is a pedestrian-oriented area.
- B. **Applicability:** Properties within the Beaufort Historic District are subject to specific standards found in this section, and to the review procedures of the Historic District Review Board as described in Section 10.7.
- C. **Beaufort Historic District Designated:** For the purpose of this section, the Beaufort

- C. **Application of Standards:** The majority of standards for the existing Redevelopment Districts — Boundary Street and Bladen Street — have been incorporated into the body of the Code. However, where special standards apply for the district, they are listed in this section. In the case of conflict between the standards set forth in the redevelopment districts and any other local land development regulation, these standards shall apply.
- D. **Administration:** Interpretation of all standards in the redevelopment districts —both architectural and streetscape standards — shall be the responsibility of the Administrator (syn. City Architect). See Section 9.8.2.5.b for the approval and appeal processes.
- E. **Parking Requirements:**
1. **Parcels ½-acre and smaller:** There are no parking requirements.
 2. **Parcels greater than ½-acre:** one parking space for every 1,000 square feet of leasable or saleable building area is required.
 3. **Location:** These parking spaces may be located either on-site, on-street (along property frontage and/or directly across the street), in shared parking situations, or in any public parking facility, the closest outside edge of which facility is located no more than 500 feet from the entry to the proposed building. Documentation establishing the legal right for the applicant to use or share parking spaces shall be provided.
 4. **Parking Stall Sizes:** Head-in or diagonal spaces shall be a minimum of 9 feet x 18 feet. Parallel parking spaces shall be a minimum of 7 feet x 20 feet.
 5. **Drive Aisle Widths:** Drive aisles in parking lots shall be 22 feet wide for two-way circulation and to provide adequate backup space for 90-degree head-in parking. Diagonal parking and parallel parking spaces may be accessed with one-way, 10 foot wide drive aisles. All parking lot dimensions are at the discretion of the Fire Marshal, based on evaluation of adequate fire apparatus access and industry-approved standard.
- F. **Specific to the Bladen Street Redevelopment District:**
1. **Application of Standards:**
 - a. **Redevelopment District is Exempted from Historic Overlay Standards:** Construction of new structures and renovation or expansion of existing non-contributing structures not listed on the most recent “Above-Ground Survey of Historic Resources” within a designated redevelopment district shall be exempt from the standards of the historic overlay.
 - b. **Historic Structures:** Demolition, renovation, or expansion of structures that are listed as “contributing” on the most recent “Above-Ground Survey of Historic Resources” shall be subject to approval by the HRB in accordance with Section 9.10.
 2. **Street Hierarchy:** The hierarchy of streets in this district is as follows, from highest to lowest: Bladen Street, North Street, Duke Street, Prince Street, Adventure Street. Bladen Street is the most important street in the redevelopment district.
 3. **Master Plan:** See Appendix B.2.3 for the original Bladen Street Master Plan.
- G. **Specific to the Boundary Street Redevelopment District:**
1. **Existing Planned Unit Developments:** For existing City-approved planned unit developments (PUD) in the district, the PUD shall apply through February 6, 2032, a period of up to 25 years from the date of adoption of the Boundary Street Redevelopment District. Once 25 years pass, said PUDs are no longer applicable and shall then fall under the regulations of the Boundary Street Redevelopment District and underlying zoning.

minimum descent altitude (MDA) is the lowest AMSL altitude to which descent is authorized on final approach or during circling-to land maneuvering in execution of a standard instrument approach procedure (SIAP) where electronic glide slope is not provided. Minimum obstruction clearance altitude (MOCA) is the lowest published altitude between radio fixes on federal VOR airways, off-airway routes, or route segments that meets obstruction clearance requirements for the entire route segment and assures acceptable navigational signal coverage only within 22 miles of a VOR. Minimum vectoring altitude (MVA) is the lowest AMSL altitude at which aircraft operating on Instrument Flight Rules (IFR) will be vectored by a radar controller, except when otherwise authorized for radar approaches, departures, or missed approaches).

- c. impose either the establishment of restrictive minimum climb gradients or nonstandard take-off weather minimums for any runway at MCAS Beaufort

C. Accident Potential Zones (APZ): APZ's are divided into three types along primary flight paths

- The "clear zone" (CZ) is an area at either end of a runway that possesses a high potential for accidents.
- APZ-1 is the area normally beyond the CZ, which possesses a significant potential for accidents.
- APZ-2 is an area normally beyond APZ-1, which has a measurable potential for accidents. APZs are shown on the 2013 AICUZ Accident Potential Zones and/or Noise Zones Map associated with the F-35B, on file at the City of Beaufort Department of Planning and Development Services.

D. Noise Zones

1. **Definition:** The noise exposure from aircraft operations is measured using the day-night average sound level noise metric (DNL). The DNL averages aircraft sound levels over a 24-hour period with an adjustment for increased sensitivity to nighttime noise. The DNL visually is depicted as a noise contour that connects points of equal value. The area between two noise contours is known as a "noise zone". Noise zones are hereby established as follows:

AIRPORT NOISE ZONE	DNL VALUES
1	Less than 65 DNL
2a	65 to 70 DNL
2b	70 to 75 DNL
3	Greater than 75 DNL

Noise zones are shown on the 2013 AICUZ Accident Potential Zones and/or Noise Zones Map associated with the F-35B, on file at the City of Beaufort Department of Planning and Development Services. Noise Zone 1 covers that portion of the City that lies outside of the Air Installation Compatible Use Zone. As indicated in Section 2.7.4.A, properties within Noise Zone 1 are exempt from the requirements of this section.

2. **Residential Construction Restrictions:** Aside from the residential construction restrictions imposed by this overlay, more stringent requirements of the base zoning district may also apply. For the purposes of this section, "gross density" means the total number of dwelling units (which include any building or portion thereof used as a place of residence, such as single-family dwellings, multi-family dwellings, commercial

3: LAND USE PROVISIONS

3.1 APPLICABILITY

3.1.1 USE PERMISSIONS DEFINED

The use table in Section 3.2 assigns 1 of 6 permissions to each use in each district as follows:

- A. **Permitted Use (P):** The use is permitted by-right, with no additional conditions or requirements.
- B. **Conditional Use (C):** The use is permitted by-right, provided that the additional use conditions set forth in this article are met.
 - 1. The specified standards are intended to ensure that these uses are compatible with other development permitted within the districts.
 - 2. Approval procedures for conditional uses are in Section 9.4.2 (Zoning Permit.)
- C. **Special Exception (SE):** The use is permitted only when a Special Exception has been approved.
 - 1. Special Exceptions are required for uses that may be compatible with other uses permitted in a district, but which, because of their unique characteristics or potential impacts on the surrounding neighborhood and/or the city as a whole, require individual consideration in their location, design, configuration, and/or operation at the particular location proposed.
 - 2. All applications for Special Exceptions shall, at a minimum, meet the standards for the district in which they are located and the additional standards set forth in this article for that use. There may also be specific building design standards that must be met (Section 4.5).
 - 3. Approval procedures for Special Exceptions are found in 9.13.
- D. **In Existing Facilities Only (E):** The use is permitted only in existing buildings or facilities and in any expansions that do not increase the size of the facility structure by more than 50%.

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- E. **Retail Frontage Overlay Required (RF):** Where a block face is designated on the zoning map as a Retail Frontage overlay, the building(s) with direct access to the designated fronting street is permitted to be occupied by certain commercial uses as indicated in the use table.
- F. **T4-Neighborhood Artisan (A):** This use is permitted with conditions only in the T4-Neighborhood Artisan (T4-NA) District. Conditions may be listed in the “Additional Standards” section as appropriate. Other uses permitted in the general T4-N district may have special conditions for T4-NA; those conditions are also listed in the additional standards section as appropriate.
- G. **Prohibited Uses (—):** The use is prohibited in the specified district.

3.2 TABLE OF PERMITTED USES

Land uses in transect-based and conventional districts shall be permitted in accordance with the table below. Special provisions related to uses in the AICUZ Overlay District are in Section 2.7.4.

DISTRICT	T1	T3-S	T3-N	T4-HN	T4-N	T5-DC	T5-UC	RMX	LI	IC	MHP	ADD'L STANDARDS WHEN APPLICABLE
RESIDENTIAL												3.3
Household Living												
Single-Family Dwelling	—	P	P	P	P	E	E	E	E	E	—	—
2- or 3-Unit Dwelling	—	—	C	P	P	P	P	—	—	P	—	4.5.5
Rowhome	—	—	—	—	C	P	P	P	—	P	—	4.5.6
Apartment House (a.k.a. Multifamily Dwelling - 4+ units)	—	—	—	—	C	P	P	P	—	P	—	4.5.7
Home Occupation - Minor	—	C	C	C	C	P	P	P	—	—	—	3.3.2.D
Home Occupation - Major	—	SE	SE	SE	C	P	P	—	—	—	—	
Live-Aboard Boat	C	—	—	—	—	—	—	—	—	—	—	3.3.2.D
Live/Work Unit	—	—	—	—	C	P	P	P	C	P	—	4.5.8
Manufactured Home	—	—	—	—	—	—	—	—	—	—	C	3.3.2.G
Group Living												
Group Dwelling (≤ 8 residents)	—	—	—	—	P	P	P	P	—	—	—	—
Group Dwelling (> 8 residents)	—	—	—	—	SE	SE	P	P	—	P	—	—
PUBLIC AND CIVIC												3.4
Civic / Government Facilities	C	—	SE	SE	P	P	P	P	P	P	—	3.4.2.A
Educational Facilities												
College/University/Trade/Vocational	—	—	—	—	C	P	P	P	C	P	—	3.4.2.B.1
School, Public or Private	—	C	C	C	P	P	P	P	—	P	—	3.4.2.B.2
Parks and Open Space												
Cemetery	C	E	E	E	E	E	E	C	E	E	E	3.4.2.C
Park/Open Space	P	P	P	P	P	P	P	P	P	P	P	7.4
INSTITUTIONAL												3.5
Community Service	—	SE	SE	SE	P	P	P	P	SE	P	—	—

P=Permitted Use C=Conditional Use SE=Special Exception E=In Existing Building/Facility Only RF=Retail Frontage Only A=T4-Neighborhood Artisan subdistrict Only —=Prohibited use

DISTRICT	T1	T3-S	T3-N	T4-HN	T4-N	T5-DC	T5-UC	RMX	LI	IC	MHP	ADD'L STANDARDS WHEN APPLICABLE
Day Care Facility												
Family Day Care Home (≤ 6 clients)	see Home Occupation — Minor											
Group Day Care Home (7-12 clients)	—	—	SE	C	C	P	P	P	P	P	—	3.5.2.A
Commercial Day Care Center (>12 clients)	—	—	—	C	P	P	P	P	P	P	—	3.5.2.A
Treatment Facility	—	—	—	—	SE	SE	SE	P	—	SE	—	—
Health Care Facilities	—	—	—	—	—	—	P	P	—	P	—	—
Religious Institution	—	C	C	P	P	P	P	P	—	P	—	3.5.2.B
COMMERCIAL												3.6
Entertainment												
Indoor Entertainment	—	C	C	—	C	P	P	P	P	P	—	3.6.2.A
Outdoor Entertainment	—	—	—	—	C	P	P	P	—	P	—	3.6.2.A
Sexually-Oriented Business	—	—	—	—	—	—	—	—	C	—	—	13.2.1
Office	—	—	—	—	P	P	P	P	P	P	—	—
Overnight Guest Accommodation												
Bed and Breakfast	—	—	SE	SE	P	P	P	—	—	—	—	3.6.2.C.1
Short-Term Rental	—	C	C	C	C	C	C	—	—	C	—	3.6.2.C.2
Inn/Motel/Hotel	—	—	—	—	C	P	P	P	—	—	—	3.6.2.C.3
Recreational Vehicle Park	—	—	—	—	—	—	—	SE	—	—	—	—
Restaurants	—	—	—	—	RF	P	P	P	SE	P	—	—
Retail Sales and Service												
Animal Hospital/Kennel	—	—	—	—	C	—	C	P	P	—	—	3.6.2.D.1
General Retail/Service	—	—	—	—	RF or A	P	P	P	SE	C	—	3.6.2.D.2
Self-Service Storage	—	—	—	—	A	—	C	C	P	—	—	3.6.2.D.3
VEHICLE- AND BOAT-RELATED USES												3.7
Vehicle and Boat Sales and Rental	—	—	—	—	A	—	C	P	—	—	—	3.7.2.A
Drive-Thru Facility	—	—	—	—	—	—	C	C	SE	—	—	3.7.2.B
Fuel Sales / Car Wash	—	—	—	—	—	—	C	C	P	—	—	3.7.2.C
Minor Vehicle Service and Repair	—	—	—	—	C	—	C	C	P	—	—	3.7.2.D
Major Vehicle Service and Repair	—	—	—	—	A	—	C	C	P	—	—	3.7.2.E
Parking, Commercial, Surface	—	—	—	—	C	C	P	P	P	P	—	3.7.2.F
Parking, Structure	—	—	—	—	RF	P	P	P	P	P	—	—
Passenger Terminals	—	—	—	—	—	—	SE	P	P	—	—	3.7.2.G
Water/Marine-Oriented Facilities	P	—	—	—	P	P	P	—	—	P	—	—
INDUSTRIAL												3.8
Aviation Services	—	—	—	—	—	—	—	—	P	—	—	—

P=Permitted Use C=Conditional Use SE=Special Exception E=In Existing Building/Facility Only RF=Retail Frontage Only A=T4-Neighborhood Artisan subdistrict Only —=Prohibited use

DISTRICT	T1	T3-S	T3-N	T4-HN	T4-N	T5-DC	T5-UC	RMX	LI	IC	MHP	ADD'L STANDARDS WHEN APPLICABLE
Light Industrial Services	—	—	—	—	A	—	SE	P	P	—	—	3.8.2.A
Manufacturing and Production	—	—	—	—	A	—	—	—	P	—	—	3.8.2.B
Truck Terminal	—	—	—	—	—	—	—	—	P	—	—	—
Warehousing	—	—	—	—	A	—	—	SE	P	—	—	3.8.2.C
Wholesaling and Distribution	—	—	—	—	A	—	—	C	P	—	—	3.8.2.D
TRANSPORTATION, COMMUNICATION, INFRASTRUCTURE												3.9
Major Infrastructure/Utilities	—	—	—	—	A	—	—	SE	P	—	—	3.9.2.A
Minor Infrastructure/Utilities	E	C	C	C	C	C	C	C	P	C	—	3.9.2.B
Waste Related Services	—	—	—	—	—	—	—	—	SE	—	—	3.9.2.C
Wireless Communications Facility	—	—	—	—	—	—	—	C	C	—	—	3.9.2.D
FORESTRY, AGRICULTURE, HORTICULTURE	C	C	C	C	C	C	C	C	C	C	—	3.10
P=Permitted Use C=Conditional Use SE=Special Exception E=in Existing Building/Facility Only RF = Retail Frontage Only A=T4-Neighborhood Artisan subdistrict Only — = Prohibited use												

3.2.1 OVERVIEW OF USE CATEGORIES

- A. **Definition of Use Category:** See Section 13.1 (Definitions of Specialized Terms)
- B. **Basis for Classification:** Use categories classify land uses and activities into categories based on common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered and site conditions. The use categories provide a systematic basis for assigning present and future land uses into appropriate Districts.
- C. **Principal Uses:** Principal uses are assigned to the category that most closely describes the nature of the principal use. The “Characteristics” subsection of each use category describes the common characteristics of each principal use.
 1. **Developments with Multiple Principal Uses:** When all principal uses of a development fall within one use category, the entire development is assigned to that use category. When the principal uses of a development fall within different use categories, each principal use is classified in the applicable category and each use is subject to all applicable regulations for that category.
- D. **Accessory Uses:** Accessory uses are allowed by-right in conjunction with a principal use, unless otherwise stated in this Code. Also, unless otherwise stated, accessory uses are subject to the same regulations as the principal use. Common accessory uses are listed as examples in the use category descriptions. See Section 3.12 for additional standards for accessory uses and structures.
- E. **Use of Examples:** The “Examples” subsection of each use category lists common examples of uses included in the respective use category. The names of these sample uses are generic. They are based on common meanings and not on what a specific use may call itself. For example, a use that calls itself a “wholesale warehouse,” but sells mostly to consumers, is included in the “Retail Sales and Service” category rather than the “Wholesale Sales” category. This is because the actual activity on the site matches the description of the “Retail Sales and Service” category.
- F. **Similar Use Interpretation Criteria:** The following considerations shall be used in making similar use interpretations:
 1. The actual or projected characteristics of the activity in relationship to the stated characteristics of each use category

- ii. **Hours:** Activities involving visitors/clients shall occur only between 8 a.m. and 8 p.m. When Family Day Care Home is a Home Occupation-Minor, it is exempt from this standard.
- iii. **Parking:** Off-street parking shall be provided in accordance with the standards of Section 5.7 for the type of home occupation maintained. The off-street parking spaces required for the home business shall be maintained in addition to the space or spaces required for the residence itself. No parking spaces, other than driveways, may be located in the required front yard setback. Such use shall not result in off-street parking of more than 3 vehicles at any one time not that are owned by members of the occupant household.
- iv. **Vehicles:** Only passenger vehicles with a size not exceeding classification as light duty vehicles (8,500 pounds or less), shall be permitted in connection with the home occupation.
- v. **Trailers:** One vehicle trailer, no more than 12 feet in length, is permitted as part of such use. The trailer shall not be parked in the street right-of-way or in the front yard, unless it is parked in a driveway.
- vi. **Specialized Use Standards**
 - a. **Barber Shop/Beauty Parlor:** This use shall be licensed and operated according to the standards set by the South Carolina Department of Labor, Licensing, and Regulation, and shall be limited to 2 chairs. The applicant shall certify that the proposed use is not prohibited by any covenant or deed restriction on the property.
 - b. **Event Venue:** A private home may be used as an event venue and considered a home occupation-major if not more than 1 event occurs per month, on average, with each event lasting no longer than 2 days. Events shall be limited to 501(c)3 non-profit functions.
- b. **Specific to all Home Occupations**
 - i. **Outdoor Activities:** Outdoor operations and storage related to the home occupation are prohibited.
 - ii. **Signs:** No more than one sign or name plate not exceeding 1.5 square feet in area is permitted. No freestanding, illuminated, or animated sign shall be posted. If a home occupation is located in a bed and breakfast establishment, then only one sign shall be permitted for both uses.
 - iii. **Display/Sales:** No display of products shall be visible from the street. Only articles made on the premises, with the exception of antiques, may be sold. Non-durable articles (consumable products) that are incidental to the service, that is the principal use in the home occupation may be sold on the premises.
 - iv. **Maximum Size:** The home occupation shall occupy a maximum of 25% of the floor area of the principal dwelling. There is no maximum percentage of floor area for accessory structures.
- 4. **Exclusions to Home Occupations:** No home occupation shall be permitted that results in any of the following:
 - a. Makes internal or external alterations inconsistent with the residential use of the building

2. Accessory Uses

- a. Accessory uses include living quarters for a resident manager or security and leasing offices and outside storage of boats and campers.
- b. Use of the storage areas for sales, service, and repair operations or manufacturing is not considered accessory to the Self-Service Storage use.
- c. The rental of trucks or equipment is also not considered accessory to a Self-Service Storage use.

- 3. **Examples:** Examples include facilities that provide individual storage areas for rent. These uses are also called mini-warehouses. Such facilities may be single- or multi-story.
- 4. **Exceptions:** A transfer and storage business where there are no individual storage areas, or where employees are the primary movers of the goods to be stored or transferred, is in the “Warehouse and Freight Movement” category.

3.6.2 ADDITIONAL STANDARDS FOR COMMERCIAL USES

The following additional standards apply to the approval and development of projects where the use is listed in the “Table of Permitted Uses” in Section 3.2 as Conditional (C), Special Exception (SE), or T4-Neighborhood Artisan (A). In addition, any Building Design standards, as set forth in Article 4, apply as applicable.

A. Entertainment Uses (Indoor and Outdoor)

- 1. **Specific to T3:** Indoor and outdoor entertainment are permitted if the property is owned by a neighborhood association or property owners’ association, and if the use is owned and managed by that association.
- 2. **Specific to T4-N:** Indoor Entertainment shall be limited to 2,500 SF unless it is part of a mixed-use development.
- 3. **Specific to T4-N and T5-UC:** Outdoor Entertainment is permitted on parcels 7 acres or larger.

B. Sexually-Oriented Businesses: See Section 13.2.1.

C. Overnight Guest Accommodation

1. Bed and Breakfasts (B&B)

- a. Number of Rental Rooms: 10 maximum, not including the caretaker’s quarters
- b. **Signs:** Total sign area for all signs advertising the B&B shall not exceed 5 square feet. All signs shall be constructed of wood or other durable non-plastic materials.
- c. **Parking:** 1 space per room, plus 1 space for the resident manager shall be provided on-site. Formalized on-street parking spaces meeting the requirements of Section 5.7.4.B may count towards this requirement.
- d. **Spacing:** There shall be no other B&B located within 500 feet of a proposed B&B. Distances shall be measured from the property line.
- e. **Meals:** No meals will be served to anyone other than registered guests, except as provided for in Section 3.7.3A.6 below. No variances from this condition shall be permitted.
- f. **Events:** Business meetings, receptions, teas, and other events are permitted, provided that the events are hosted for registered guests. This shall apply to all B&Bs established under the Beaufort Code.
- g. **Operation:** B&Bs shall be operated by an on-site caretaker or manager.

2. Short Term Rental

- a. **Specific to T3-S, T3-N, and T4-HN:** Short term rentals, where the owner does not live on the premises, are limited to 6% of the lots in the neighborhood as shown on the City of Beaufort Neighborhoods Map zoned T3-S, T3-N, and/or T4-HN with the following exceptions:
 - i. Structures on the City's List of Vacant and Abandoned Structures being rehabilitated for use as a short term rental; and
 - ii. Short term rentals are prohibited in The Point neighborhood, as shown on the City of Beaufort Neighborhoods Map.
- b. **Minimum Stay:** 2 nights
- c. **Permitted Rental Types**
 - i. Rental of the primary dwelling
 - ii. Rental of an accessory dwelling
 - iii. Rental of a portion of a primary dwelling.
- d. **Parking:** Parking shall be provided on-site and located to the side or rear of the dwelling. On-site parking shall be clearly delineated with an improved surface such as pavement, gravel, or another method approved by the administrator. If formalized parking is provided on the street(s) adjacent to the primary or accessory unit, this may be utilized in lieu of on-site parking.
- e. **Rental Agreement:** The applicant shall provide a copy of the rental agreement that will be used. The rental agreement shall specify the following:
 - i. The minimum stay
 - ii. The maximum number of guests--which shall be based on the number of beds in the unit
 - iii. The maximum number of vehicles permitted at the unit--which shall be based on the number of bedrooms and the design of the driveway
 - iv. Where guests are to park. Where no formalized on-street parking is available, the agreement shall specify that guests are to park on-site and not in the street.
 - v. That the City's noise ordinance applies between 9:00 PM and 8:00 AM
 - vi. Prohibit large gatherings such as weddings and reunions unless specifically approved by the City
 - vii. Pets, if permitted, are not to be left outside unattended
- f. **Property Management Plan:** A property management plan shall be developed and approved by the administrator. The property management plan shall identify a property manager. Where the property owner does not live on the premises, the property manager must be available to appear on the premises to respond a complaint within three hours of being notified by the administrator. Where the property owner lives on the premises, a back-up property manager must be identified unless the owner certifies the unit will not be rented when the owner is out of town. The administrator shall be notified when management of the unit changes. Failure to comply with the approved property management plan shall result in the revocation of the zoning permit (Section 9.4).
- g. **Signs:** No on-site signs shall be permitted.

- h. **Rental Rules:** Rental rules, including use of the sanitation and recycling roll-carts, and emergency contact information including the police non-emergency number, shall be posted in a conspicuous location in the unit.
- i. **Monitored Fire Alarm:** A monitored fire alarm is required. Existing facilities not meeting this requirement shall be brought into conformance within 6 months of the date of adoption of this code.
- j. **Safety Inspection and Licensing:** A Safety Inspection shall be conducted before the Business License for the facility is issued. The facility shall comply with all business license, revenue collection, and health laws of the City of Beaufort, Beaufort County and the state of South Carolina.
- k. **Unlicensed Units:** For units that are found to be operating without approval of the City, the short term rental application fee shall be \$1,000. If the property owner chooses not to submit a short term rental application within 60 days of being notified by the City of being in violation of the ordinance, a short term rental application shall not be approved for a period of 2 years.

3. Inn/Hotel/Motel

- a. **Specific to T4-N**
 - i. Inns up to 10 rooms are permitted.
 - ii. Inns with 11-24 rooms are permitted in retail frontage overlay areas.
- b. **Specific to T4-NA:** This use is prohibited.

D. Retail Sales and Service

1. Animal Hospital/Kennel

- a. **Outdoor Activity:** Outdoor activity is permitted during daylight hours; animals must be boarded indoors at night.
- b. **Permitted Accessory Uses:** Boarding, retail sales, and grooming services are permitted.

2. General Retail/Service

- a. **Specific to T4-NA:** The only types of general retail/service uses permitted are artisan-oriented and trail-related uses. The following conditions apply:
 - i. Freestanding signs are limited to one per lot, with a maximum size of 5 square feet .
 - ii. No outside amplified music is permitted.
 - iii. No alcohol sales are permitted.
 - iv. New construction and exterior changes to existing structures to accommodate such uses shall be subject to Article 4 (Building Design and Infill Standards) of this code.
 - v. Specific to trail-related uses:
 - a. The floor area of each tenant space is limited to 2,500 square feet.
 - b. On-site parking shall be provided at the rate of 1 space per 300 square feet.
 - c. The hours of operation shall be limited to between 7:00 a.m. and 6:00 p.m. EST, 7:00 p.m. EDT.
 - d. Any use that includes outdoor seating shall have a trash container available for disposal of goods consumed on the premises.

3.7: VEHICLE- AND BOAT-RELATED USES

3.7.1 OVERVIEW OF VEHICLE- AND BOAT-RELATED USE CATEGORIES

A. Parking, Commercial

1. **Characteristics:** Commercial parking facilities provide parking that is not accessory to a specific use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as a commercial parking facility.
2. **Accessory Uses:** Small structures intended to shield parking attendants from the weather are considered an accessory use.
3. **Examples:** Examples include municipal and other public garage or surface parking, short- and long-term fee parking facilities, private property where the sole use is parking, and mixed parking lots (partially accessory to a specific use and partly for rent to others).
4. **Exceptions**
 - a. Parking facilities that are accessory to a principal use, but that charge the public to park for occasional events nearby, are not considered commercial parking facilities.
 - b. Parking facilities that are accessory to a principal use are not considered commercial parking uses, even if the operator leases the facility to the principal use or charges a fee to the individuals who park in the facility.
 - c. Public transit park-and-ride facilities are classified as Major Utilities.

B. Boat/Vehicle Sales and Service

1. **Characteristics:** Boat/Vehicle Sales and Service uses provide direct services to motor vehicles and boats. They also may include businesses that service passenger vehicles, light and medium trucks, and other consumer vehicles/boats such as motorcycles and pleasure watercraft.
2. **Accessory Uses:** Accessory uses may include offices, sales of parts and vehicle/boat storage.
3. **Examples:** Examples include full-service, mini-service and self-service gas stations, car washes, vehicle repair shops, transmission or muffler shops, towing services, auto body shops, alignment shops auto upholstery shops, auto detailing, tire sales and mounting, sales or leasing of consumer vehicles including passenger vehicles, motorcycles, scooters, golf carts, light and medium trucks and other recreational vehicles, taxi dispatchers, limousine services, and boat dealerships.
4. **Exceptions:** Refueling facilities for vehicles that belong to a specific use (fleet vehicles) are considered accessory uses if they are located on the site of the principal use.

C. Minor Vehicle Service and Repair

1. **Characteristics:** Vehicle Service, Limited uses provide services to motor vehicles where the customer typically waits for the service on-site. Vehicles are generally not stored on the premises overnight, and there is no outside storage of materials.
2. **Accessory Uses:** Accessory uses include offices.
3. **Examples:** Examples include quick lubrication services, tire services, and similar facilities with one-hour service.

D. Drive-Thru Facilities

1. **Characteristics:** A primary or accessory facility where goods or services may be obtained by motorists without leaving their vehicles.
2. **Accessory Uses:** Drive-thrus may be accessory uses attached to the examples listed below.
3. **Examples:** Examples include drive-thru bank teller windows, dry cleaners, fast-food restaurants, coffee shops, photo stores, pharmacies, etc. The category does not include freestanding ATMs, gas station fuel pumps, or other vehicle services, which are separately defined.

E. Passenger Terminals

1. **Characteristics:** Aviation and surface passenger terminals include facilities for the landing and takeoff of airplanes and helicopters, including loading and unloading areas. Aviation facilities may be improved or unimproved. Aviation and surface passenger terminals also include passenger terminals for bus service.
2. **Accessory Uses:** Accessory uses include freight handling areas, concessions, offices, parking, and maintenance and fueling facilities.
3. **Examples:** Examples include airports, bus passenger terminals, and helicopter landing facilities.
4. **Exceptions**
 - a. Bus passenger stations for local service such as mass transit stops and park-and-ride facilities are classified as Basic Utilities.
 - b. Private helicopter landing facilities that are accessory to another use may be considered accessory uses, subject to all the regulations and approval criteria for helicopter landing facilities.

F. Water- and Marine-Oriented Facilities

1. **Characteristics:** These are facilities for embarking on and disembarking from boats, ferries and water taxis.
2. **Accessory Uses:** Accessory uses include boat fueling, pump-out facilities, docks, boat house walkways, water- or marine- oriented retail, parking areas, boat storage areas, boat servicing areas, offices, watercraft rentals, and ticket sales.
3. **Examples:** Examples include marinas, docking facilities, dry storage facilities, boat ramps, and facilities for tour boats.
4. **Exceptions:** When watercraft sales and rentals are the primary use of a parcel, the use is classified as Retail Sales and Service. Residential and community docks are classified as Accessory Uses to residential.

3.7.2 ADDITIONAL STANDARDS FOR VEHICLE- AND BOAT-RELATED USES

The following additional standards apply to the approval and development of projects where the use is listed in the “Table of Permitted Uses” in Section 3.2 as Conditional (C), Special Exception (SE), or T4-Neighborhood Artisan (A). In addition, any Building Design standards, as set forth in Article 4, apply as applicable.

A. Vehicle and Boat Sales and Rental

1. **General Provisions**
 - a. **Parking:** No vehicles or boats shall be parked in public rights-of-way.

- b. **Vacuums:** Vacuum stations and similar equipment are prohibited on the sides of the principle structure abutting a Primary Street frontage or a residential use.
- c. **Vending:** ATMs and other vending machines shall be located within the primary retail building. Where this is not possible — e.g. propane tanks— the sales display shall be screened from any right-of-way or public access drive.

3. **Design Standards:** See Section 4.5.12.

D. **Minor Vehicle Services and Repair**

- 1. **Buffer:** Parking and/or service areas shall be separated from adjoining residential properties by a planting screen, fence, or wall between 6 and 8 feet in height;
- 2. **Noise:** No objectionable sound, vibration, heat, glare, or electrical disturbance shall be created that is perceptible beyond the premises.
- 3. **Orientation:** The bay doors to the garage shall not be oriented toward the public right-of-way.
- 4. **Placement along Water Frontage:** Structures and vehicular use/storage areas shall be set back a minimum of 75 feet from the OCRM critical line.
- 5. **Outdoor Activities Prohibited:** All operations and storage of parts shall be within a fully enclosed building.
- 6. **Screening:** Any vehicles stored on the site during nonbusiness hours shall be located within a fully enclosed building or shall be stored behind the front building line and shall be completely screened (100% opacity) from the street and adjoining properties using natural buffers, fencing, buildings, or a combination thereof. Chain link fencing shall not be permitted as a screening material if the fence will be visible from any street or parking area.
- a. **Specific to T4-N & T5-UC:** Any vehicles stored on-site during nonbusiness hours shall be contained in a fully enclosed building.
- 7. **Specific to T4-NA**
 - a. This use is permitted within existing buildings only.
 - b. Rear setback is increased to 25 feet.

8. **Specific to T5-UC:** This use is not permitted in the Historic District.

E. **Major Vehicle Services and Repair**

- 1. **Orientation:** The bay doors to the garage shall not be oriented toward the public right-of-way.
- 2. **Placement along Water Frontage:** Structures and vehicular use/storage areas shall be set back a minimum of 75 feet from the OCRM Critical Line.
- 3. **Outdoor Activities Prohibited:** All operations and storage of parts shall be within a fully enclosed building.
- 4. **Screening:** Any vehicles stored on the site shall be located within a fully enclosed building or shall be stored behind the front building line, and shall be completely screened (100% opacity) from the street and adjoining properties using natural buffers, fencing, buildings, or a combination thereof. Chain link fencing shall not be permitted as a screening material if the fence will be visible from any right-of-way or parking area.
- a. **Specific to T5-UC:** Any vehicles stored on-site during nonbusiness hours shall be contained in a fully enclosed building.

5. **Specific to T4-NA**
 - a. This use is permitted within existing buildings only.
 - b. Rear setback is increased to 25 feet.
6. **Specific to T5-UC:** This use is not permitted in the Historic District.
- F. **Parking, Commercial Surface:** When commercial surface parking lots are located along a Retail Frontage Overlay zone in T4-N district, or along a Primary Street — as designated in the Street Hierarchy Diagram in Appendix C.2 — in any T5 districts, they shall be screened from the street by a liner building.
- G. **Passenger Terminal:** Passenger terminals are limited to bus terminals.

3.8: INDUSTRIAL USE CATEGORIES

3.8.1 OVERVIEW OF INDUSTRIAL USE CATEGORIES

A. Aviation Service

1. **Characteristics:** Aviation service businesses engage in storage, repair, or servicing of airplanes, helicopters, and related aviation equipment, charter aviation services, flying-related education, and warehousing related to air shipping.
2. **Accessory Uses:** Accessory uses include offices, parking, warehousing and storage.
3. **Examples:** Examples include private airports, fixed base operators, flying schools, and air shipment warehouses.
4. **Exceptions**
 - a. Car rental agencies associated with commercial air travel are classified as Passenger Terminals.
 - b. Warehousing not associated with air shipping is classified as Warehousing and Freight Movement.

B. Light Industrial Service

1. **Characteristics:** Light Industrial Service businesses are engaged in the repair or servicing of industrial, business, or consumer machinery, equipment, and products or by-products. Businesses that service consumer goods do so mainly by providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off-site. Few customers, especially the general public, come to the site.
2. **Accessory Uses:** Accessory activities may include offices, parking, and storage.
3. **Examples:** Examples include welding shops, machine shops, tool repair shops, electric motor repair shops, shops providing repair of scientific or professional instruments, building, heating, plumbing or electrical contractors, newspaper publishing plant, printing and lithography services, exterminators, janitorial and building maintenance services, fuel oil distributors, research, testing and development laboratories, laundry, dry cleaning and carpet cleaning plants, and photo-finishing laboratories.
4. **Exceptions:** Contractors and others who perform services off-site are included in the Office category, if major equipment and materials are not stored on-site and fabrication or similar work is not carried on at the site.

C. Manufacturing and Production

1. **Characteristics:** Manufacturing and production Businesses are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for Businesses or consumers. Goods are generally not displayed or sold on-site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.
2. **Accessory Uses:** Accessory activities may include offices, cafeterias, parking, employee recreational facilities, warehouses, storage yards, repair facilities, truck fleets and caretaker's quarters.
3. **Examples:** Examples include manufacturing, processing, assembly and storage operations, processing of food and related products including seafood, woodworking, including cabinet makers, production of chemical, rubber, leather, clay, bone, plastic, stone or glass materials or products, movie production facilities, concrete batching and asphalt mixing, production or fabrication of metals or metal products including enameling and galvanizing, manufacture or assembly of equipment and instruments, including musical instruments, appliances, precision items, and other electrical items, production of artwork and toys, and sign-making.
4. **Exceptions**
 - a. Manufacturing of goods to be sold primarily on-site and to the general public is classified as Retail Sales and Service.
 - b. Manufacturing and production of goods from composting organic material is classified as Waste Related Service.

D. Warehousing

1. **Characteristics:** Warehouse and freight movement businesses are involved in the storage or movement of goods for themselves or other businesses. Goods are generally delivered to other businesses or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present.
2. **Accessory Uses:** Accessory uses include offices, truck fleet parking, and maintenance areas.
3. **Examples:** Examples include separate warehouses used by retail stores, such as for storage of materials and equipment, truck terminals, furniture and appliance storage, household moving and general freight storage, cold storage plants, including frozen food lockers, parcel services, and stockpiling gravel or other aggregate materials.
4. **Exceptions**
 - a. Uses that involve the transfer or storage of solid or liquid wastes are classified as Waste-Related Service.
 - b. Mini-warehouses are classified as Self-Service Storage uses.

E. Waste-Related Service

1. **Characteristics:** Waste-Related Services are characterized by uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material.

2. **Accessory Uses:** Accessory uses may include recycling of materials, offices, and repackaging and transshipment of by-products.
3. **Examples:** Examples include waste transfer or composting and recycling centers.
4. **Exceptions:** Disposal of dirt, concrete, asphalt, and similar non-decomposable materials is considered “fill”.

F. Wholesale Sales

1. **Characteristics:** Wholesale sales businesses are involved in the sale, lease, or rental of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or order-taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer.
2. **Accessory Uses:** Accessory uses include offices, product repair, warehouses, parking, minor fabrication services, and repackaging of goods.
3. **Examples:** Examples include sale or rental of merchandise, machinery, equipment, heavy trucks, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures, mail order houses, and wholesalers of food, clothing, auto parts and building hardware.
4. **Exceptions**
 - a. Businesses that engage primarily in sales to the general public or on a membership basis are classified as Retail Sales and Service.
 - b. Businesses that primarily store goods, with little on-site business activity, are classified as Warehouse and Freight Movement.

3.8.2 ADDITIONAL STANDARDS FOR INDUSTRIAL USES

The following additional standards apply to the approval and development of projects where the use is listed in the “Table of Permitted Uses” in Section 3.2 as Conditional (C), Special Exception (SE), or T4-Neighborhood Artisan (A). In addition, any Building Design standards, as set forth in Article 4, apply as applicable.

- A. **Light Industrial Services, Specific to T4-NA:** Rear setback is increased to 25 feet minimum.
- B. **Manufacturing and Production, Specific to T4-NA District:**
 1. The rear setback is increased to 25 feet minimum. Buffer planting, per Section 5.5.1, is required. If a rear lane is present within the 25 foot setback, buffer plantings shall be installed to the maximum extent possible, while still permitting the rear access to function.
 2. The operation of the facility shall not become a nuisance to surrounding property owners.
- C. **Warehousing, Specific to T4-NA:** Rear setback is increased to 25 feet minimum.
- D. **Wholesaling and Distribution**
 1. **Access and Circulation:** The use shall have direct access onto an arterial or major collector road.
 2. **Specific to RMX, Separation:** The use shall be located at least 500 feet from any T3 or T4 zoning district.

3.11.2 USES CUSTOMARILY ACCESSORY TO RESIDENTIAL DWELLINGS

A. Accessory Dwelling Unit (ADU)

1. For free standing ADUs, see Section 4.5.3 (Carriage House)
2. For attached ADUs, all standards from 4.5.3 apply, with the following addition: Any additional entrances will be located in the side or the rear of the primary structure. Additional external stairways or fire ladders are strongly discouraged but may be permitted at the discretion of the Fire Marshal when no practical alternative exists.

B. Private Garage, Carport or Workshop Standards

1. **Quantity:** One garage, carport or workshop is permitted per parcel.
2. **Footprint**
 - a. A garage or carport shall not exceed 50% of the footprint of the dwelling; however, in no case shall the footprint of the structure exceed 1,200 square feet.
 - b. A workshop shall not exceed 320 square feet.
3. **Services**
 - a. A garage or carport may be provided with electricity, a sink, and a commode.
 - b. A workshop may be provided with electricity and a sink, but shall not be used as an accessory dwelling unit.

C. Shed or Storage Building

1. One shed or storage building, up to 320 square feet, is permitted. Steel cargo storage containers or modified versions thereof are not permitted. Sheds shall not be located in front of the front line of the dwelling. Sheds may be provided with electricity and a sink.
2. Sheds shall be located a minimum of 15 feet from the primary structure, unless approved to be closer by the Fire Marshal if materials are sufficiently fire resistant.

D. Swimming Pool

1. One private swimming pool, which may have a bath house or cabana up to 200 square feet in size and 15 feet in height, measured from average adjacent grade, is permitted. Swimming Pools shall abide by the requirements for Accessory Building Placement in 2.4.1.C.
2. Barriers shall be required per Section 305 of the 2015 International Swimming Pool and Spa Code, or equivalent as updated.

E. Covered, Open-Air Structures: Gazebos and trellises up to 200 square feet are permitted.

F. Outdoor Living and Recreation: Playhouses, picnic tables, dog houses, chicken coops, flagpoles and furniture designed specifically for outdoor use are permitted, and do not require a Project Permit, if they are not permanently affixed to the ground (e.g., on a slab or pier foundations). If a any structure under roof (e.g., playhouse, doghouse, chicken coop) is permanently affixed to a the ground, it is considered a shed and shall comply with the standards in paragraph C of this section.

3.11.3 USES CUSTOMARILY ACCESSORY TO RETAIL BUSINESS, OFFICE USES AND RECREATIONAL FACILITIES

- A. **Parking:** Off-street parking or a storage area for customers, clients, or employee-owned vehicles is considered an accessory use.
- B. **Storage for Merchandise:** A completely enclosed building for the storage of supplies, stock, or merchandise is permitted. Steel cargo storage containers, or modified versions thereof, are

3.11.2 USES CUSTOMARILY ACCESSORY TO RESIDENTIAL DWELLINGS

TYPE ²	#/LOT ¹	SIZE ¹	ADDITIONAL STANDARDS ⁴
A. Accessory Dwelling Unit (syn. Carriage House) - detached	See Section 4.5.3 for complete standards ³		
B. Accessory Dwelling Unit - attached	1	Min.: 240 sf Max.: 50% of the footprint of the primary unit, or 1,500 SF max., whichever is smaller	1. All standards from 4.5.3 apply, with the following addition: Any additional entrances will be located in the side or the rear of the primary structure. Additional external stairways or fire ladders are strongly discouraged but may be permitted at the discretion of the Fire Marshal when no practical alternative exists.
C. Garage/Carport/Workshop	2 ³	Maximum: 50% of the footprint of the primary unit, or 1,500 SF max., whichever is smaller	1. Specific to T3-N, T4, T5, RMX and IC Districts: prefabricated/per-manufactured metal structures are not permitted when visible from a public right-of-way 2. May be provided with electricity, sink and a commode but shall not be used as an ADU
D. Shed	2	Max.: 320 SF	1. Specific to T3-N, T4, T5, RMX and IC Districts: prefabricated/per-manufactured metal structures are not permitted when visible from a public right-of-way 2. Shed may be provided with electricity, sink and a commode but shall not be used as an ADU 3. Any shed that is 3' or closer to a house shall meet the fire protection prescribed for Garages in the IRC 3. Specific to T3-N, T4-N and T4-HN Side and rear setbacks may be reduced to 2' if the following conditions are met: a. Residential Sheds are <200 SF and Commercial sheds are <120SF b. Shed doesn't contain plumbing or HVAC and is not used as a habitable space c. Lot size is 6,000 SF or less
E. Pool	1	n/a	1. Barriers shall be required per Section 305 of the 2015 International Swimming Pool and Spa Code, or equivalent as updated. All pool permits shall include such barrier. Before the pool can be filled with water, barriers shall be installed, inspected and approved.
F. Pool House	1	Max.: 50% of the footprint of the primary unit, or 640 SF max., whichever is smaller	1. Standards from 4.5.3.B.8 apply
G. Covered/Open-Air Structure (ex. Gazebos and Trellises)	2	Max.: 320 SF	1. May not be used for parking. If used for storage, any side visible from an adjacent property or street right-of-way must be enclosed to screen the building contents.
H. Greenhouse	1	Max.: 320 SF	1. See 8.5.4 for additional standards on food production
I. Outdoor Living and Recreation	Playhouses, picnic tables, dog houses, chicken coops, flagpoles and furniture designed specifically for outdoor use are permitted, and do not require a Project Permit, if they are not permanently affixed to the ground (e.g., on a slab or pier foundations). If a any structure under roof (e.g., playhouse, doghouse, chicken coop) is permanently affixed to a the ground, it is considered a shed and shall comply with the standards in paragraph C of this section.		

¹ The number and size of the units shall not cause the property to exceed the maximum lot coverage by roofs in 2.4.1.A.3 or total impervious coverage found in 2.4.2.B.3. The total number of Accessory Structures per lot is limited to 4.

² Location for all Accessory Types shall meet the Accessory Building Placement standards in 2.4.1.C, unless specifically noted in this section

³ A maximum of 2 garage/carport/workshops are permitted, regardless of whether they are attached or detached, or contain an Accessory Dwelling Unit; however only one of each type is permitted per lot. *Example: a lot may have one attached garage and one detached garage but cannot have two detached garages.*

⁴ Items B-I may not be built before the Primary Structure on a lot

3.12: TEMPORARY USES

3.12.1 PERMITS REQUIRED

Unless otherwise provided, all permitted temporary uses listed below shall require a temporary use permit that shall be reviewed and issued by the administrator, subject to the procedures outlined in Section 9.4 (Zoning Permit).

3.12.2 PERMITTED TEMPORARY USE

- A. Carnival, circus or fair, for a period not to exceed 21 days, in the LI District
- B. Open lot sale of seasonal produce and plant products including Christmas trees, in the T4-N, T5-UC, and RMX Districts for a period not to exceed 45 days
- C. Temporary real estate sales offices (e.g., mobile trailer), in conjunction with an approved subdivision or development project, in any district, for a period not to exceed 1 year, provided no cooking or sleeping accommodations are maintained in the structure. These may be renewed, upon written request, for periods of 6 months at a time if the subdivision has an active Project Permit.
- D. For new construction, a contractor's office and equipment sheds, including steel cargo storage containers, in any district districts, for a period of 6 months, provided a Project Permit has been issued for construction on the site, and such facilities are placed on the property to which it is appurtenant
- E. Temporary classroom facilities shall not be located at any school, religious institution, or other similar use, unless a plan for improvements designed to eliminate the temporary classrooms at a time certain in the future — within 24 months — has been approved by the administrator. Such plan shall include a review of the placement of the temporary classrooms, and may require screening and buffering in order to comply with this Code. Extensions of up to 1-year may be permitted by the administrator, upon written request, if the units have not proven to be a nuisance and the plan for elimination is still active.
- F. **Food Trucks/Concession:** See Part 7 Chapter 16 of the City of Beaufort Code of Ordinances, or updated section as applicable, for regulations.
- G. Portable steel storage containers are permitted in any district for purposes of loading or unloading, for a period not to exceed 14 days.
- H. Cargo or freight storage containers, or modified versions thereof, are permitted to be used as temporary storage facilities in the LI and RMX Districts for up to 3 consecutive months in any 12-month period, on the condition that the containers are not visible from the street.

development applications. “Shoulds” are the goal, but the Design Review Body has flexibility as to how they are administered.

- C. **May:** Discretionary guidelines with a greater degree of flexibility are signified by the word “may.” They are ideal guidelines and a project following these guidelines would result in an outcome that is very compliant with the City’s goals and objectives; however, they are not specifically required to be met.

4.2.2 APPLICABILITY

- A. **Applicability:** The standards apply to all construction in
 - 1. Transect-based Districts: T4, T5
 - 2. Conventional Districts: RMX, IC
- B. **Exemptions:** Where these standards are exempt, as listed below, this section may still be used as design guidelines for new construction as they outline building practices that are traditional to the Beaufort area.
 - 1. Modification to existing structures, unless they require design review as specified in Sections 9.8 and 9.9, are exempt from the requirements of this section.
 - 2. All construction in T3 districts is exempt from this section, except for Carriage Houses (Section 4.5.3), 2-3 Unit Houses (Section 4.5.5), and developments utilizing any of the Alternative Development Patterns (Section 2.8).
 - 3. All construction in LI districts are exempt from all standards except for the provisions in 4.6.4.A, where the structure is visible from a Primary Street - See Street Hierarchy Diagram in Appendix C.

4.2.3 RELATIONSHIP TO HISTORIC DISTRICT STANDARDS

- A. **Applicability:** In addition to the standards and guidelines in this article, any development located within the Beaufort Historic District is subject to the standards, guidelines, and procedures established in Section 9.10.
- B. **Conflicts:** In the event of a conflict between the requirements of this article and the requirements and guidance provided by the documents listed in 9.10.2.B, the later shall take precedence.

4.2.4 RELATIONSHIP TO LAND USE PROVISIONS

- A. **Applicability:** Article 3 (Land Use Provisions) identifies use allowances by district and establishes additional standards applicable to specific uses. These provisions shall also apply in conjunction with the standards outlined in this article.
- B. **Conflicts:** In the event of a conflict between the requirements of this article and the requirements of Article 3, the most stringent requirement, as determined by the Administrator, shall apply.


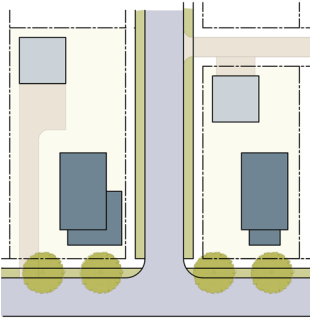

4.3: CONTEXTUAL DESIGN GUIDELINES

4.3.1 PURPOSE AND APPLICABILITY

All buildings possess a number of common elements that combine to express a structure both as an entity and as a part of the larger community. No building is so insulated from its surroundings as to avoid an impact on the surrounding context. Applications that require Major Design Review

4. **Frontage Type:** No frontage type is prescribed unless the building is close to the street; in which case, appropriate frontage types are: porch, stoop
5. **Maximum Number of Bedrooms:** 2
6. **Minimum Size:** 240 square feet in total area
7. **Maximum Size:** The footprint shall not exceed 50% of the footprint of the primary building, or 1,500 square feet, whichever is smaller.
8. **Compatibility with Primary Structure:** Architectural details, including color, siding, roof pitch, window detailing, roofing materials, height, and foundation, shall be compatible with the primary dwelling unit.
9. **Parking:** 1 parking space per Carriage House is required, and shall be clearly defined. See Section 7.3 for additional parking standards.
10. **Timing:** The carriage house(s) shall be permitted to be built prior to the primary structure on the lot if the following requirements are met:
 - a. A sketch plan showing the potential build-out, including parking, of the site is required;
 - b. The size(s) must be appropriate to permit a primary structure without exceeding the maximum lot coverage; and
 - c. Materials of the future primary structure must coordinate with the carriage house.

4.5.4 SINGLE FAMILY DETACHED HOUSE

SINGLE FAMILY DETACHED HOUSE EXAMPLES		
		
sketch view	plan view	example

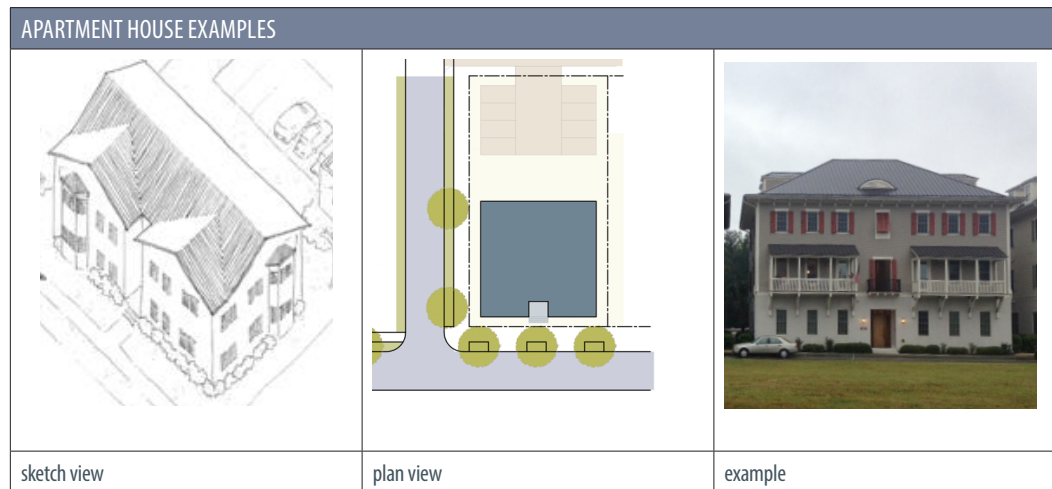
- A. **Description:** This is the predominant residential building type in Beaufort. This house sits on a private lot and can vary in size from a small cottage to a large mansion. Setbacks and frontage types vary by Transect Zone.
- B. **Special Requirements**
 1. **Frontage Types:** Common Yard, Porch, Stoop

roof form. They are elevated above the street a minimum of 3 feet for privacy, and are typically accessed by stoops. They may also utilize the forecourt and porch frontage types.

B. Special Requirements

1. **Frontage Types:** Porch, stoop, forecourt
2. **Parking:** Parking must be well defined, located behind the building, and accessed off a side street or rear alley. On-site parking for all vehicles, including boats, must not be in front of the building.
3. **Specific to T4**
 - a. Rowhomes are not permitted in the Historic District, except in the Bladen Street Redevelopment District
 - b. Rowhomes are not permitted in T4-NA

4.5.7 APARTMENT HOUSE



A. **Description:** This is a larger-scale building (a.k.a. Multi-Family Building) that contains 4 or more dwelling units. They often occupy corner lots, or are located in combination to create their own blocks. The ground floor is raised a minimum of 18" for privacy.

B. Special Requirements:

1. **Frontage Types:** Stoop, Forecourt, Balcony. Porches are not preferred, but may be used in buildings containing 12 units or less if they provide direct access to the unit from the street or sidewalk
2. **Building Entries:** In buildings with more than 6 residential units, all ground floor units facing a frontage line shall have individual entrances from that frontage line. Buildings with formal entry courtyards or lobbies are exempt from this requirement
3. **Parking:** On-site parking must be located behind the building and accessed off a rear alley
4. **Size:** The building width shall be between 16 feet and 160 feet
5. **Specific to T4**
 - a. In the Historic District, these are limited to 6 dwelling units per building
 - b. Multi-family dwellings are not permitted in T4-NA

- G. **Colors:** Buildings and additional site elements — e.g., bollards, arbors, drive-thru canopies, sign posts — shall not be painted in a color or pattern that expresses corporate identify, to the extent that the paint color or pattern is not consistent with the design standards of the district. Fluorescent colors, such as ASHTO safety yellow, are also prohibited except where required by a public agency.

H. Outdoor Display of Merchandise

1. **Definition of “Merchandise”:** For purposes of this section, merchandise is defined as any item that is for sale on the premises or is representative of an item that is for sale on the premises, regardless of whether or not that particular item is available for purchase.
2. **Arrangement:** Merchandise shall be arranged and spaced so as not to clutter the front of the property, as determined by the Administrator.
3. **Location**
 - a. Merchandise shall not be placed on the public sidewalk or within the right-of-way without approval of the Administrator. If merchandise is displayed on any privately owned sidewalk, a minimum of 4 feet of the sidewalk as measured from the curb must remain open and unobstructed to facilitate safe pedestrian circulation.
 - b. Areas designated for vehicular parking may not be used as outdoor display areas.
 - c. Merchandise shall not be displayed on public street furniture or landscaping.
4. **Designation in Plans:** plans for new developments or reuse of an existing space shall clearly designate any areas for outdoor display of outdoor merchandise. Outdoor display of merchandise shall only occur in areas designated for such display on the approved plan.
5. **Vending Machines and Realty Advertising Racks:** Vending machines, except newspaper boxes, shall be screened from view from the street. Realty advertising racks, and other street furniture visible from the public right-of-way shall not display any advertising or other commercial message, except where such advertising or commercial message is counted as a sign under Article 6 (Signs). These racks shall be constructed of wood or metal.
6. **Gifts to the Street:** Items such as benches, planters, or other decorative elements that enhance a shopfront, may be displayed so as not to clutter the street, and as long as they meet the clearance requirements of merchandise listed above. These elements must be properly maintained and may not contain advertising of any kind.

4.6.2 T1 DISTRICT STANDARDS

There are no specific standards for this district. The Administrator will determine whether the proposed development is compatible with the surrounding context and may choose to permit the appropriate Design Review Body to review the project. In the Historic District, any development in T1 districts shall be reviewed by the Historic Review Board.

4.6.3 SPECIFIC TO TRANSECT-BASED DISTRICTS (SEE 4.2.2)

A. Building Materials and Details

1. Building walls shall be finished in 1 or more (but not more than 3) of the following materials:
 - a. Wood
 - b. Fiber cement board siding, smooth finish
 - c. Concrete masonry units with stucco (CBS)

EXAMPLE: CORNICES



Cornices and expression lines articulate the building facade and break up the massing of larger buildings.

- c. Buildings shall have a base, wherein the bottom is articulated differently from the rest of the building, either by change of material or a setback. Material and craftsmanship on the base shall be as or more durable and of equal or higher quality than the rest above. For single-family detached dwellings, the base consists of the porch and/or primary entry.

E. Outdoor Display of Merchandise, additional requirements

1. Specific to T4-N and T5-UC

- a. **Outdoor Merchandise:** Automobiles, trucks, boats, trailers, outdoor landscape structures (garden sheds, arbors, gazebos, etc.), plant materials, agricultural products, lawn maintenance equipment, and outdoor furniture may be displayed outdoors per the provisions of this section. Outdoor merchandise may remain outdoors when the business is closed.
- b. **Indoor Merchandise:** Merchandise other than that typically used and stored outdoors may be displayed outdoors within a maximum of 5 feet from, and directly in front of building or the tenant space. Indoor merchandise shall only be displayed during business hours.

2. Specific to T5-DC

- a. **Display Hours:** Merchandise shall be displayed outdoors during business hours only.
- b. **Location:** Merchandise shall be displayed outdoors only within 5 feet of the building and only in front of the building or the tenant space.

4.6.4 SPECIFIC TO CONVENTIONAL DISTRICTS (SEE SECTION 4.2.2)

A. Building Materials and Details:

1. Building walls shall be finished in 1 or more (but not more than 3) of the following materials
 - a. Wood, painted or natural
 - b. Fiber cement board siding, smooth finish
 - c. Concrete masonry units with stucco (CBS)
 - d. Reinforced concrete with stucco
 - e. Brick
 - f. Tabby (or stucco with oyster shell aggregate, typ.)
 - g. Corrugated metal

3. **Colors:** Recommended colors are traditional historic colors, earth tones (greens, tans, light browns, terra cotta, grays, pale primary and secondary colors, and white and cream tones. Trademark colors are considered signage and will be counted as such unless they are consistent with the color palette as previously described.
- F. **Additional Guidelines Specific to IC District:** All buildings constructed as part of a campus may be subject to the guidelines for civic building outlined in Section 4.5.10, or shall be held to standards similar to the requirements in the surrounding context.
- G. **Outdoor Display of Merchandise, additional requirements**
 1. **Specific to RMX and IC**
 - a. **Outdoor Merchandise:** Automobiles, trucks, boats, trailers, outdoor landscape structures (garden sheds, arbors, gazebos, etc.), plant materials, agricultural products, lawn maintenance equipment, and outdoor furniture may be displayed outdoors per the provisions of this section. Outdoor merchandise may remain outdoors when the business is closed.
 - b. **Indoor Merchandise:** Merchandise other than that typically used and stored outdoors may be displayed outdoors within a maximum of 5 feet from, and directly in front of building or the tenant space. Indoor merchandise shall only be displayed during business hours.

4.6.5 MANUFACTURED HOME PARK DISTRICT STANDARDS

The following standards shall apply to all development within the Manufactured Home (MH) Park District.

- A. **Site Size:** Parcels shall be a minimum of 5 acres with a minimum width of 150 feet
- B. **Infrastructure:** The site shall be served by public water and sewer facilities
- C. **Maximum Density:** 7 manufactured home units per acre
- D. **Minimum Space Per Unit:** 40 feet in width, and 4,000 square feet of area which shall be clearly defined
- E. **Minimum Unit Spacing:** 20 feet of clearance between only those MHs parked end to end and any building located within the park
- F. **Open Space:** Required dedication of open space shall be in accordance with the provisions of 7.4 (Civic and Open Space).
- G. **Subdivision:** All lots—regardless of whether they are proposed for sale or lease—shall undergo Subdivision Review (Section 9.9).
- H. **Posting:** The “certificate of occupancy” shall be conspicuously posted in the office or on the premises of the MH District.
- I. **Administrative Procedures**
 1. A proposed Manufactured Home Park must be rezoned to the MH Park District through the amendment process in Section 9.16 (Amendments).
 2. **Effect of Approval:** If approved by city council, all information pertaining to the proposal shall be adopted as an amendment to this Code as the standards of development for the particular MH Park District.
- J. **Permanent Installation**
 1. MHs shall be attached to a permanent foundation of brick, concrete, framing, or block that is unpierced, except for required ventilation and access or for flood hazard construction.
 2. Any tongue, axles, running lights, and removable towing apparatus must be removed prior to the issuance of a certificate of occupancy.
- K. **Entrances**
 1. At the main entrance, there shall be an entryway transition, such as a porch or stoop, that is a minimum of 6 feet by 6 feet.

- d. Reinforced concrete with stucco
 - e. Brick
 - f. Tabby (or stucco with oyster shell aggregate, typ.)
 - g. Corrugated metal, which may be approved by the Administrator based on the surrounding context and location on the site
 - h. Other materials as approved by the Administrator, based on visual compatibility with listed approved materials
2. Visible foundation walls and chimneys shall be finished in one of the following materials:
 - a. Brick
 - b. Stucco
 - c. Tabby
3. Columns may be constructed of the following materials:
 - a. Wood
 - b. Wood or fiber cement clad,
 - c. Cast iron
 - d. Concrete with smooth stucco finish
 - e. Cast stone with smooth finish
 - f. Brick
 - g. *Perma-cast
 - h. *Other synthetic materials as approved by the Administrator, based on visual compatibility with listed approved materials
4. Railings and balustrades may be constructed of the following materials:
 - a. Painted wood
 - b. Wrought iron
 - c. *Aluminum
 - d. *PVC
 - e. *Other synthetic material as approved by the Administrator, based on visual compatibility with listed approved materials
5. Doors shall be made of wood, metal, glass, or fiberglass*
6. Roofs with visible pitches shall be constructed of the following materials:
 - a. 25-year architectural dimension shingles
 - b. Tile (clay, cement, natural or manufactured stone)
 - c. Nonreflective pre-finished metal
 - d. Slate
 - e. Reflective metal such as copper
 - f. Other similar metals as approved by the Administrator
7. The following materials are prohibited:
 - a. Exposed concrete masonry units

5.4: TREE REMOVAL

5.4.1 PERMIT REQUIRED

- A. **Applicability:** A zoning permit is required for the following tree modifications, as per Section 9.4:
1. **Permit Required for Removal:** A Permit shall be required for the removal or relocation, of any tree 8" caliper or larger at DBH, or any tree designated as a specimen or landmark tree, as established in Section 5.3.2. An exception is granted in single family and 2- and 3- family buildings on existing lots of record wherein a permit is only required for the removal of Specimen or Landmark Trees.
 2. **Permit Required for Pruning:** A permit shall be required for the pruning of any tree designated as a landmark tree, as established in Section 5.3.2. Pruning must be done by, or under the guidance of, a certified arborist.
 3. **Trees Designated for Retention:** A permit shall be required for the removal, relocation, or pruning of any tree previously designated to be retained on an approved development plan.
- B. **Criteria for Reviewing Applications for Tree Removal:** The following criteria shall be considered by the administrator in determining whether or not to issue a zoning permit:
1. **Health:** Whether or not the tree is in good health, according to a certified arborist report or staff evaluation
 2. **Development Potential:** Whether or not the tree constrains reasonable development of the specific site, considering lot size, applicable setbacks, context, building type and use, stormwater requirements and other relevant site development considerations
 3. **Access:** Whether or not the tree is a hazard to pedestrian, bicycle, or vehicular traffic
 4. **Structural Interference:** Whether or not the tree presents a hazard to buildings, structures, or utility lines
 5. **Cost:** Whether or not there are cost-effective alternatives to tree removal
- C. **Tree Removal in Conjunction with Development:** If trees are to be removed in conjunction with the physical development of a site, submission of a tree retention/removal schedule is required to accompany the Site Plan (Section 9.3.1.C). See Appendix A for an example of this schedule. All trees, both to be saved and removed, shall also be noted on the landscaping plan. This schedule and plan must be reviewed and approved by the appropriate Design Review Body prior to the issuance of a Project Permit. No tree removal may commence without a Project Permit.
1. **Buffer Areas:** Preserved trees in the buffer areas shall be counted toward the minimum tree conservation requirements of the buffers stated in Section 5.5.1. Recognizing that the perimeter buffers lie outside of the buildable area, the intent of this provision is to preserve as many of these trees as possible while allowing for access, reasonable visibility, and other uses permitted in the buffer area that practicably are best located within the buffer.
 2. In exceptional cases where the Administrator determines that the species of a tree or grouping of trees is on an official state or federal list of threatened or endangered species, then approval is specifically required for removal.

5.4.2 EXCEPTIONS

- A. **Infrastructure:** Utility companies, governmental agencies, and city agencies in the course of constructing or maintaining easements or rights-of-way for water, sewage, electricity, gas, drainage, telephone, or television, if the applicable company or agency, within 12 months after the date of adoption of this Code, has executed an agreement with the city that

section, does not survive in a healthy condition

3. When a specimen and/or landmark tree is removed from a property without permission from the administrator, is significantly damaged during construction, or significantly declines and is recommended for removal by a certified arborist at the end of the two year maintenance guarantee period

B. **Additional Mitigation Options:** Where the city arborist determines that a site cannot sustainably support all, or a portion of, the required replacement, due to the size and shape and/or structures and/or viable site constraints, the following options are available to the applicant to fulfill the mitigation requirements:

1. **Fee in Lieu of Planting On-Site:** a fee based on the mitigation schedule in 5.6.2.D shall be paid to the City for the purposes of tree planting and tree maintenance.
2. **Planting on an Alternative Site:** trees may be planted on city-owned property, including parks or the City's tree farm, or on other property owned by the applicant; all property shall be in city limits. The alternative sites shall be approved by the City Arborist and shall be in accordance with previously approved plans, streetscapes, etc.

C. **Exceptions:**

1. Mitigation for tree removal is not required in the T3, T4-HN, or LI districts, or for single-family and 2-3 family dwellings in any other districts if the required tree coverage requirements set out in 5.3.1 are still met.
2. A Specimen and/or Landmark tree that fails due to a natural catastrophe does not require mitigation.

D. **Replacement and Mitigation Schedule:** Replacement plantings & fee in-lieu-of shall be according to the following chart:

REPLACEMENT AND MITIGATION SCHEDULE				
Tree Type	Transect Zones		Conventional Zones	
	Replacement: % Caliper Inches	Mitigation: Cost / Caliper Inch	Replacement: % Caliper Inches	Mitigation: Cost / Caliper Inch
Landmark Tree*	50%*	\$100	100%	\$200
Specimen Tree*	33%*	\$50	50%*	\$100
All other trees 8-inch caliper or greater	25%	none	33%	none
*Any tree removed per Section 5.6.2.A.3 shall require 100% replacement of caliper inches, and the fee in-lieu-of cost/caliper inches shall be doubled.				
Examples	Approved Removal	Approved Removal	Damage During Construction	Damage During Construction
	Specimen Tree - A 12-inch Live Oak in a transect zone needs to be removed to accommodate a building. The applicant may choose to either plant back (1) 4-inch Live Oak, or pay a fee in lieu of \$600 (12 inches x \$50/inch).	Landmark Tree - A 30-inch Live Oak in a transect zone needs to be removed to accommodate a building. The applicant may choose to either plant back (5) 3-inch Live Oaks, or pay a fee in lieu of \$3,000 (30 inches x \$100/inch).	Specimen Tree - A 12-inch Live Oak was damaged during construction in a Transect zone. It may either be replaced with 12 caliper inches of similar species, OR a fee-in-lieu of \$2,400 (12 inches x \$100/inch x 2) may be paid.	Landmark Tree - A 30-inch Live Oak intended to be preserved was damaged during construction in a Transect zone. It may either be replaced with 30 caliper inches of similar species, OR a fee-in-lieu of \$6,000 (30 inches x \$100/inch x 2) may be paid.
See Section 5.3.2.C for possible mitigation credits for saving eligible Specimen and Landmark Trees				

1. Lighting that is necessary for security or emergency purposes—meaning the minimum amount of exterior lighting necessary to illuminate possible points of entry or exit into a structure, to illuminate exterior walkways, or to illuminate outdoor storage areas—may be turned on at all times. Additional standards for security lighting are in Section 5.8.6 (Security Lighting).
- B. **Illumination Direction:** In all districts, lighting shall be directed downward. In addition, upwardly directed lighting shall not be used to illuminate structures, except for low-wattage architectural lighting.

5.8.4 DESIGN STANDARDS FOR EXTERIOR LIGHTING

- A. **Maximum Lighting Height:** For purposes of these regulations, the mounting height of a lighting fixture shall be defined as the vertical distance from the grade elevation of the surface being illuminated to the bottom of the lighting fixture.

1. In transect-based districts, the height of the light shall not exceed 15 feet above grade
2. In conventional districts, the height of the light shall not exceed 25 feet above grade, with the following exceptions:
 - a. Any fixtures located within 100 feet of any transect-based district, and/or along a street or travelway containing on-street parking and a sidewalk, shall not exceed 15 feet above grade.
 - b. Wherever possible, outdoor seating areas, building entrances, and walkways shall be illuminated using ground mounted fixtures not more than 4 feet tall.

- B. **Shielding:** Light fixtures in excess of 5,500 lumens shall use full cut-off lenses or hoods to prevent glare or spillover from the project site onto adjacent lands and streets.

- C. **Maximum Illuminance Levels:** Requirements in the following table shall apply only to light trespass into parcels in T3 and T4 zoning districts at the property line.

TYPE OF USE	MAXIMUM ILLUMINANCE AT PROPERTY LINE
Agricultural, Residential, Day Care-Child or Adult, Community Oriented Civic Facilities, School-Public or Private, Colleges and Universities, and Water-Oriented Facilities	0.5 foot-candles
Retail, Recreation, Education, Public Assembly (except Community-Oriented Civic Facilities, School-Public or Private, Colleges and Universities, and Water-Oriented Facilities), and Services (except Day Care-Child or Adult)	2.5 foot-candles
Industrial and Transportation, Communications, Infrastructure	2.5 foot-candles
Vehicular Use Areas (Note: Minimum illuminance level at the edge of the vehicle use area shall be 0.2 foot-candles.)	2.5 foot-candles

5.8.6 SECURITY LIGHTING

- A. Motion-activated security lights, unshielded flood and spotlights with 45 watts or less, installed for security and activated by motion sensor, are permitted. These unshielded lights must be mounted and aimed in a manner that minimizes up-lighting and light trespass.
- B. In the T3 and T4-HN districts, all security lighting must be motion activated. The light may not trespass into neighboring property.
- C. All floodlights shall be installed such that the fixture shall be aimed down at least 45 degrees from vertical. Flood lights shall be positioned such that any such fixture located within 50 feet of a public street right-of-way is mounted and aimed perpendicular to the right-of-way.

6.2.2 MASTER SIGN PLANS

- A. **Applicability:** Master Sign Plans are required for the following development types:
 - 1. New multi-tenant or multi-building development with 5 or more occupiable spaces.
 - 2. Existing multi-tenant or multi-building development when the primary tenant proposes signage changes — the owner/manager of the multi-tenant/multi-building center shall be responsible for preparing the Master Sign Plan. For existing multi-tenant/multi-building centers where there is no clear primary tenant (for example, when there are several tenant spaces of equal size,) a Master Sign Plan shall not be required, but is highly encouraged.
- B. **Approval Required:** No permit shall be issued for an individual sign requiring a permit unless and until a Master Sign Plan for the lot has been reviewed and approved by the appropriate body.
- C. **Conformance with Plan:** After approval of a Master Sign Plan, no sign shall be erected, placed, painted, or maintained, except in conformance with such plan.
- D. **Amending a Master Sign Plan:** A Master Sign Plan may be amended by filing a new plan that conforms with all requirements of the Code then in effect.
- E. **Voluntary Restrictions:** The Master Sign Plan may contain such other restrictions as the owners of the parcels may reasonably determine.
- F. **Design:** The design, material, color, location, and illumination of signage shall be compatible with the overall design of the development.
- G. **Size:** The size of all signs must be equal to or less than the amount indicated in Sections 6.5 and 6.6 with the exception of monument signs. Sizes for monument signs are as follows:
 - 1. Where 5-10 occupiable spaces are located on one parcel, a 125% increase in monument sign area is permitted.
 - 2. Where 11-20 occupiable spaces are located on one parcel, a 150% increase in monument sign area is permitted.
 - 3. Where 21 or more occupiable spaces are located on one parcel, a 200% increase in monument sign area is permitted.
 - 4. **Contiguous Parcels:** When the owners of 2 or more contiguous parcels (disregarding intervening streets and alleys) file for a Master Sign Plan, 1 freestanding sign shared between all parcels shall be permitted an increased area based on the number of occupiable spaces listed above.
- H. **Sign Types:** All sign types listed in Sections 6.5 and 6.6 may be included in a Master Sign Plan. In addition, other types of signage may be permitted at the discretion of the administrator, provided that it is compatible with the overall design of the development and does not result in signage in excess of the overall allowances listed in this Article.


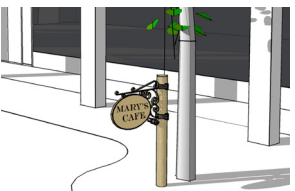

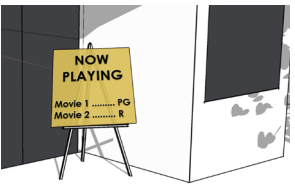
6.3: GENERAL PROVISIONS

6.3.1 PLACEMENT AND DESIGN

- A. **Placement:** Except as permitted specifically in this article, signs shall not be posted in the public right-of-way, on trees, or utility poles, except where encroachments are specifically permitted by this article.
- B. **Materials:** Sign structures shall be constructed of durable materials such as wood, concrete, metal, brick, or other similar materials. Unfinished wood, cardboard, styrofoam, and similar materials are not permitted. Plastic and plastic substrates are permitted outside of the Historic District.

6.5: FREESTANDING SIGNS

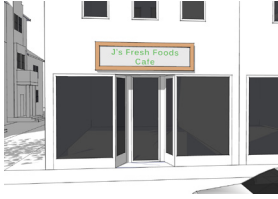




6.5.1 APPLICABILITY: The following chart applies to all types of developments as stated except for individual single-family or 2-3 unit building lots, or subdivisions containing fewer than 30 units.

SIGN TYPE AND PERMITTED LOCATION		MAX. AREA	MAX. HEIGHT	MIN. SETBACK	ADDITIONAL REQUIREMENTS
 <p>A. Monument Sign: A sign constructed on the ground, typically with a continuous footing or foundation with the base of the sign at grade — the size of the support structure for any monument sign shall be a maximum of 50% of the size of the sign face. When sign is less than 24 square feet, it is not required to have a continuous footing, but it may be supported by 2 side posts.</p>	T1 T3 MH	32 ft ²	10 ft	3 ft from ROW (18 inches in HD)	<ol style="list-style-type: none"> Maximum Number: 1 per parcel; if frontage is greater than 500 feet then 2 are permitted (spaced at least 300 feet apart). Encroachment: No encroachment allowed. For lots or combinations of lots serving 5 or more tenant spaces, see Section 6.2.2.G. In RMX, LI and IC: Lots with 150-500 feet of road frontage are permitted to have a 60 square foot sign; parcels with greater than 500 feet of frontage are permitted to have an 80 square foot sign. Landscaping, not including grass, shall be required for all monument signs. Such landscaping shall equal the total surface area of the sign face. Monument signs are not permitted for new buildings in the Boundary Street Redevelopment District.
	T4 T5	10 ft ² (5 ft ² in HD)	8 ft	3 ft from ROW (18" in HD)	
	RMX LI IC	48 ft ²	10 ft	10 ft from ROW	
 <p>B. Post and Arm Sign: A sign that is supported by a single post</p>	T3S T4 T5	10 ft ² (5 ft ² in HD)	6 ft	3 ft from ROW (18" in HD)	<ol style="list-style-type: none"> Maximum Number: 1 per lot Encroachment: No encroachment is allowed. Post and Arm signs are not permitted on Boundary Street for new buildings from Neil Road to Ribaut Road, or on Robert Smalls Parkway from Neil Road to Boundary Street.
 <p>C. Sandwich Board Sign: A portable sign shaped like an A-frame with a sign panel on one or both sides, where the sign panel is integral to the structure of the sign</p>	T3 T4 T5	8 ft ² (6 ft ² in HD)	4 ft (3.5 ft ² in HD)		<ol style="list-style-type: none"> Maximum Number: 1 per tenant Encroachment: May be located on a public sidewalk, but must maintain at least 48 inches of unobstructed pedestrian space Shall not be located in a planting strip between the sidewalk and the travel lane. Shall be located as close to the building as possible Shall be displayed only when the establishment is open for business
 <p>D. Easel Sign: A sign or message board displayed on a portable, open frame, such as a tripod</p>	T3 T4 T5	3.5 ft ²	6 ft		<ol style="list-style-type: none"> Maximum Number: 1 per tenant Encroachment: May be located on a public sidewalk, but must maintain at least 48 inches of unobstructed pedestrian space Shall not be located in a planting strip between the sidewalk and the travel lane. Shall be located as close to the building as possible Shall be displayed only when the establishment is open for business

Note: For signs A and B, square footage indicated is the amount permitted per side.

6.6: ATTACHED SIGNS

6.6.1 APPLICABILITY: The following chart applies to all types of developments as stated except for individual single-family or 2-3 unit building lots, or subdivisions containing fewer than 30 units.

SIGN TYPE AND PERMITTED LOCATION	MAX. AREA*	ADDITIONAL REQUIREMENTS
<p>A. Wall Sign A sign mounted parallel to or painted on a building facade or other vertical building surface.</p> 	<p>1 ft² per linear ft of building frontage — in the Boundary Street Redevelopment District, signage is permitted to be a maximum of 10% of square footage of the facade area</p> <p>T1 T3 T4 T5</p>	<ol style="list-style-type: none"> 1. Maximum Number: 1 per building frontage or tenant space 2. No sign shall extend above the roof line. 3. Sign shall not project more than 18 inches from the wall surface. 4. Not permitted for residences with 3 or fewer dwelling units
<p>B. Canopy/Awning Sign A sign that is suspended from, attached to, supported from or forms a part of a canopy</p> 	<p>1 ft² per linear ft of building or tenant space</p> <p>T4 T5</p>	<ol style="list-style-type: none"> 1. Maximum Number: 1 per building Frontage per tenant 2. Must allow 8 feet clearance above sidewalk 3. Shall not be placed above 2nd floor window sill or cornice of building, whichever is higher 4. May encroach over sidewalk area no closer than 18 inches from curb 5. Only the valance area of the awning/canopy may be used as a message area. The valance shall be a maximum of 1 ft tall with lettering a maximum of 9 inches tall. The valance shall be made of the same material and shall be the same color as the awning/canopy.
<p>C. Window/Door Sign Any sign that is painted on, applied to, attached to, or projected upon or within the exterior or interior of a building glass area, including doors or windows — may include a message, symbol, insignia, visual representation, logotype, or any other form that communicates information — can be read from off-premises contiguous property or public right-of-way</p> 	<p>25% of glass area per window/door</p> <p>T4 T5</p>	<ol style="list-style-type: none"> 1. Applied plastic or vinyl cut letters are prohibited. 2. No permit is necessary for temporary promotional signs posted on the interior side of the glass; these signs shall count toward the 25% maximum window coverage.
<p>D. Projecting/Suspended Sign Any sign other than a wall sign that is attached to and projects from the wall or face of a building or is suspended from the underside of a horizontal plane</p> 	<p>8 ft²</p> <p>T1 T3 T4 T5-UC</p>	<ol style="list-style-type: none"> 1. Maximum Number: 1 per tenant 2. Must allow 8 feet clearance above sidewalk 3. May project no more than 4 feet from building face and no closer than 18 inches from curb 4. Not permitted for residences with 3 or fewer dwelling units 5. Projecting signs shall not be higher than the fascia and/or cornice and shall not extend above the eave line. 6. For multi-story buildings, sign brackets shall be mounted no higher than the sill of the second floor window.
	<p>5.25 ft²</p> <p>T5-DC</p>	
	<p>10 ft²</p> <p>RMX IC ID</p>	
<p>E. Marquee Sign A vertically-oriented sign supported solely by the building to which it is attached and projecting horizontally over part of the public right-of-way — may project perpendicular to the facade or at 45 degree angle from the corner of the building.</p> 	<p>24 ft², with maximum width of 2 ft</p> <p>T4 T5 RMX IC</p>	<ol style="list-style-type: none"> 1. Maximum Number: 1 per building 2. May project no more than 3 feet from building face 3. Shall not extend more than 10 feet above cornice; shall allow 12 feet clearance above sidewalk 4. Sign thickness shall not exceed 10 inches. 5. Shall not extend above the eave of a pitched roof
<p><i>*The total area of all attached signs for a business shall be no more than 1.5 times the linear frontage of the building, or in the case of multi-tenant buildings, than the individual tenant space.</i></p>		

- C. **Maximum Number:** 1 per direction per entrance
- D. **Maximum Area:** 2 square feet
- E. **Maximum Height:** 2.5 feet
- F. **Off-Premises Signs:** Off-premises signs are not permitted.

6.7.4 SERVICE STATION SIGNS

- A. **Applicability:** Fuel Sales establishments shall be permitted the following additional signs:
 1. **Pump Island Signs:** One gasoline and/or self-service/full-service sign per pump island is permitted. The sign shall have a maximum of 10 square feet in surface area and shall be attached to the pump island.
 2. **Pumps:** Each gasoline pump shall be permitted to display only the brand name or logo of the gasoline, which shall not exceed the face of the pump.
 3. **Canopies:** Only height-warning signs shall be permitted on gasoline canopies.
 4. **In T4 and T5:** Where Monument Signs are limited to 10 square feet or fewer, gas stations may increase the size of their Monument Signage by 10 square feet provided that the area containing the logo is limited to the allowed signage per Section 6.5.1.A. The additional 10 square feet may contain the gasoline prices and/or a reader board.

6.7.5 OUTDOOR DRIVE-THROUGH MENU BOARDS

- A. **Applicability:** Outdoor drive-through menu boards are signs associated with drive-through establishments.
- B. **Maximum Area:**
 1. Transect-based districts: 24 square feet
 2. Conventional districts: 32 square feet
- C. **Number:** 2 — 1 menu board and 1 pre-order board are permitted.
- D. **Canopies:** Drive-thru canopies shall be permitted, provided they do not contain any signage or corporate/trademark colors, to the extent that the paint color or pattern is not consistent with the design standards of the district. They shall be painted to be coordinated with the building, and shall be a maximum of 10.5 feet tall.
- E. **Location and Screening:** Menu boards may be located to the rear of the establishment with no screening required. If located on a public right-of-way or side yard, screening is required in the form of a wall or fence and/or an appropriate amount of landscape planting to effectively screen the menu board from view.

6.7.6 LIMITED INDUSTRIAL - ADDITIONAL SIGNAGE:

Additional on-premises directional and safety signage for lots zoned Limited Industrial shall be permitted where there are multiple changes of direction and/or multiple buildings.

E. Sign Copy Limitations:

1. Signs copying or imitating official government signs, or that purport to have official government status
2. Any sign and/or sign structure that obstructs the view of, may be confused with, or purports to be a governmental or traffic direction/safety sign
3. Signs using the words “Stop,” “Danger,” or any word, phrase, symbol, or character in a manner that misleads, confuses, or distracts a vehicle driver
4. Signs containing statements, words, or pictures of, obscene, pornographic, or immoral character that is not considered protected speech

F. Impermanent and Unsubstantial Sign Types: Signs that are constructed of impermanent and unsubstantial materials, including, but are not limited to, inflatable signs, snipe signs, and feather signs/banners — this prohibition shall not apply to signs approved as temporary signs in accordance with Section 6.8.**G. Abandoned or Deteriorated Signs or Businesses:**

1. Sign structures no longer containing signs
2. Signs made structurally sound by unsightly bracing
3. Abandoned or dilapidated sign
4. Signs referencing businesses which have been out of business for more than 30 days

H. Neon: Outlining of buildings, canopies, windows, and doors with neon lighting is prohibited.**I. Digital Signs:** All types of digital signage— including LED, scrolling, changeable copy, and static signs — except for signs in accordance with Section 6.7.1.B.3.**J. Billboards:** Existing billboards shall be removed within 5 years of the adoption of this code, or during the development of the parcel on which it is located, whichever comes first.

6.11: VIOLATIONS

6.11.1 IMPOUNDMENT OF SIGNS

- A. The administrator shall have the authority to remove all signs that are posted in violation of this Code, and to impound them for a period of 10 days.
- B. The owner of an impounded sign may pay a fee to recover the sign prior to the expiration of the 10-day impoundment period. If the impounded sign is not claimed within 10 days, then the administrator shall have authority to dispose of such sign.

- B. **Maximum Number:** For single-family and two- and three-family dwellings, only one driveway shall be permitted per lot. In T3-S, circular driveways may be permitted on lots greater than 100 feet in width, where no sidewalk exists. Driveways may only be installed when rear access is not possible or required. For all other building types, the maximum number of driveways allowed for any property is outlined in the table below.

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

C. **Location and Spacing**

1. **Street Intersection:** No curb or other access point shall be located closer than
 - a. 20 feet from the intersecting point of the 2 street right-of-way property lines involved (or such lines extended in case of a rounded corner),
 - b. 25 feet from the intersection of the 2 curb lines involved (or such lines extended in case of a rounded corner), whichever is the least restrictive.

2. **Spacing:**

All access points shall have a minimum separation from certain features as follows:

FEATURE	MINIMUM SEPARATION ¹
Adjacent Property Line (does not apply to shared or joint-use driveways)	0 ft
Another Curb Cut (driveway or street intersection) on all roads except Major Thoroughfares	25 ft
Major Thoroughfares — defined as streets with the Street Section designation of Major Thoroughfare, or the Robert Smalls Parkway and Sea Island Parkway/Lady's Island Drive Specific Street Section — Another Curb Cut (driveway or street intersection)	Depends on Posted Speed Limit
<35 mph	100 ft
35 mph	200 ft
40 mph	250 ft
45 mph ²	300 ft
50 mph ²	400 ft
55+ mph ²	500 ft

¹ Minimum separation is measured from centerline

² On Robert Smalls Parkway (Hwy 170) west of Parris Island Gateway, a minimum of 500 ft. separation distance is required

3. **Corner Lots:** Access points on corner lots shall be from the side (or secondary) street, unless a shared curb cut on the main thoroughfare is existing or proposed.
 4. **Access to Lots from Major Thoroughfares:** Driveways serving individual residential lots shall not have direct access onto streets identified as Major Thoroughfares — as identified on the second row of the chart in Section 7.2.3.C.2 — unless no alternative means of access, such as alleys or parallel access roads, exists, and it is unreasonable or impractical to require an alternative means of access.
 5. **Shared Access:** See Section 5.7.7.C.
- D. **Size**
1. **Alleys:** Alley pavement width may be a maximum of 24 feet wide for two-way traffic and 16 feet wide for one-way traffic. For more design standards, see Appendix C.

7.4.2 COMMUNITY GREEN SPACE AND OPEN SPACE REQUIREMENT

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

OPEN/CIVIC SPACE REQUIREMENT											
SIZE	T1	T3-S	T3-N	T4-HN	T4-N	T5-DC	T5-UC	RMX	IC	LI	MHP
less than 10 acres	no minimum										
10 acres - 15 acres	50%	10%	10%	exempt	exempt	exempt	exempt	exempt	exempt	exempt	10%
15 acres - 40 acres	50%	20%	10%	n/a	exempt	exempt	exempt	exempt	exempt	exempt	10%
greater than 40 acres	50%	25%	15%	n/a	5%	exempt	exempt	exempt	exempt	exempt	10%

¹ Each Manufactured Home Park shall have a minimum total area of 2,500 square feet set aside for common recreational open space, or at least 100 square feet of space for each mobile home lot, whichever is greater.

² Specific to TND Overlay Projects: the open space requirement may be calculated comprehensively or by specific Transect zones. The requirements of 2.8.3.G.2.c must be met in addition to the requirements of this table.

- B. **Areas to be Included in Community Green Space and Open Space Calculations:** The features and areas identified in Section 7.4.3 shall be credited towards the open space requirements for the purposes of complying with this article.
- C. **Areas not to be Included in Community Green Space and Open Space Calculations:** The following areas shall not be counted toward open space requirements:
1. Private yards which are not subject to an open space or conservation easement
 2. Public road rights-of-way or private street easements, including sidewalks located within those rights-of-way or easements
 3. Open parking areas and driveways for dwellings
 4. Land covered by structures not designated for active recreational uses
 5. Designated outdoor storage areas

9.9.2 MINOR SUBDIVISION

A. **Applicability:** The Minor Subdivision review process is allowed for those divisions of land that

1. combine or recombine portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this code. A nonconforming lot may be included in a lot recombination if the resultant lot becomes closer to conformity.
2. divide land into 5 or fewer lots
3. create no new streets
4. do not involve any other conditions that require any additional approval(s) from any city board or commission, as determined by the Administrator.

B. **Process Type:** Administrative

C. **Required Application Information:** A Minor Subdivision plat shall be submitted consistent with the requirements of the city.

D. **Exceptions**

1. Any development that utilizes the Small-Scale Planned Infill Standards (Section 2.8.1) or the Cottage Court Standards (Section 2.8.2) may divide land into 10 or fewer lots and be reviewed as a minor subdivision.
2. A rear lane, accessed off of a separate, platted street, which provides access to the rear of a lot, will not be considered a “new street” for the purposes of this section.
3. The subdivision of any property listed on the original 1969 National Historic Landmark District nomination is not permitted. Variance requests for this provision may be made per Section 9.14.



9.9.3 MAJOR SUBDIVISION - SITE PLAN

A. **Applicability:** Any division of land that does not meet all of the requirements for Minor Subdivisions (Section 9.9.2.A).

A. **Process Type:** Discretionary

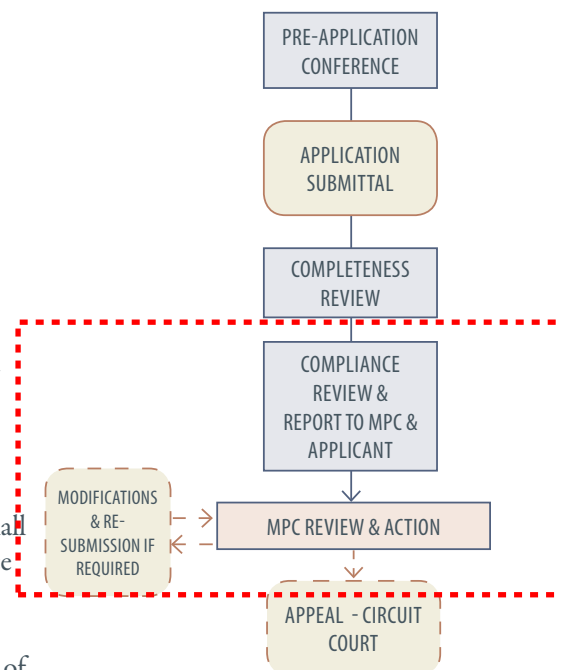
B. **Required Application Information:** Site Plan (syn. Preliminary Plat - Section 9.3.1.C)

C. **Site Plan Review**

1. **Procedure:** The subdivider shall submit to the Administrator, not less than the requisite number of days prior to the regularly scheduled meeting date of the MPC, the required number of copies of the Site Plan. Additional copies of the plat or any supplemental information may be requested.
2. **Review by Technical Review Committee:** The Site Plan shall then be submitted to and checked by the TRC for conformance with the requirements of this Code. The TRC shall review the plat within 30 days after submissions. The TRC shall either approve and certify the plat, or notify the subdivider in writing of any noncompliance with the regulations of this Code.

3. **Review and Action by Metropolitan Planning Commission**

- a. The MPC shall approve, approve with conditions, or disapprove the Site Plan within 60 days after submission. Unless this time limit is extended by mutual agreement, failing to act within the time



the requirements of Section 11.6.1.D.1 and 11.6.1.D.2. Routine maintenance will include replacement of individual's names listed on signs. It will not include rebranding or changing business name or logo.

- D. **Mandatory Compliance:** All signs must comply with the standards of this Code with the following provisions:
1. Any existing sign not meeting the requirements of this Code shall be brought into compliance with this Code before a business license will be issued for a new resident business, or before a business name can be changed.
 2. Temporary nonconforming signs that obtained a sign permit before the adoption date of this Code shall be permitted to remain for the life of the permit.
 3. Nonconforming monuments, supports and brackets, and unused signs must be completely removed before a new sign is installed. Any holes in the building must be appropriately patched.
 4. Nonconforming multi-tenant signs may continue to update individual business plaques; however, the size and design of the monument structure may not change without bringing the sign into compliance with this Code.

11.7: OTHER NONCONFORMITIES

11.7.1 PARKING NONCONFORMITIES

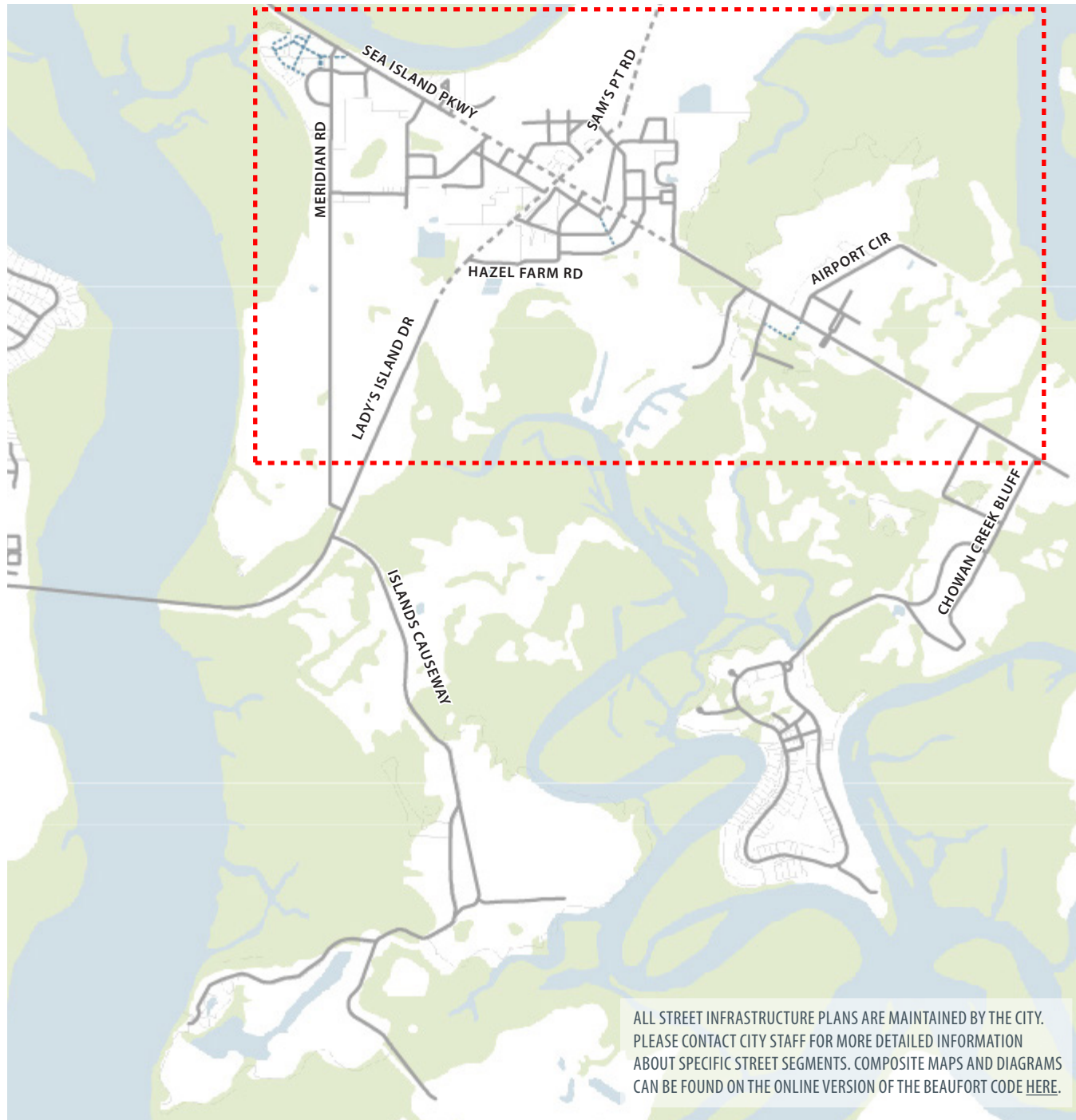
Specific to Conventional Zones Only: In cases of nonconformance due to insufficient automobile parking, buildings may not be enlarged or expanded until/unless parking accommodations satisfy the requirements for the new construction as described in Section 5.7 (Parking). The Administrator may waive or provide relief from this requirement if it is determined that doing so will have no material adverse impact on the property or surrounding community. Parcels located in Transect Zones are not subject to this requirement.

11.7.2 LANDSCAPING NONCONFORMITIES

When modifications are made to developed nonconforming property, a certain percentage of the value of those modifications shall be expended toward landscaping on the overall site in order to incrementally bring the site closer to compliance as follows:

- A. When improvements to existing buildings or sites exceed \$10,000 in value, 5% of the value of these improvements shall be expended towards bringing the site and landscaping into compliance with this Code.
 1. These improvements include additions to existing buildings, interior or exterior building renovations or improvement, addition of communications towers and antennae, and/or modifications made to the ground other than to structures, such as grading, paving, repaving, or re-stripping of parking lots.
 2. These improvements do not include signage or landscaping, or routine maintenance items such as mechanical system updates, rot repair, painting, etc.
- B. Upon construction of new freestanding buildings, whether in greenfield or infill/redevelopment situations, all landscaping requirements for that zoning district shall apply (see Sections 5.5 and 5.6).
- C. The Administrator shall review and approve the proposed landscaping plan to assure optimal effectiveness in bringing the site closer to compliance. The priority for installation of landscaping is as follows:

C.2.4 STREET NETWORK DIAGRAM - SECTOR 5



STREET NETWORK DIAGRAM - SECTOR 5

LEGEND

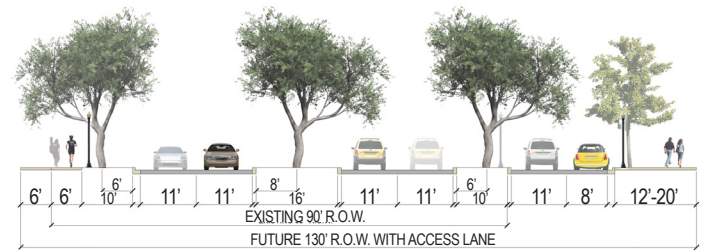
- Existing Street
- New Street - Adopted as part of an Official Map
- New Street - Conceptual - for Recommendation Only

C.6.5

Boundary St. 1 - West of Ribaut Rd. (BLVD: 90 ft - 130 ft)

Specific Applicability	Boundary Street Context Zone 1 (West of Ribaut Road)
Curb Type	Curb
Right-of-Way Width	90 feet for current improvements, 130 feet for future improvements
Traffic Lanes (Pavement Width)	4 lanes (11 feet each) and 1 future access lane (11 feet)
Movement (Design Speed)	Moderate (35 MPH)
Parking Lanes (Width)	1 side future parallel parking (8 feet)
Bike Facilities	N/A
Sidewalk (Width)	1 side (6 feet) for current improvements 2 sides (12 to 20 feet) for future improvements
Planter Type (Width)	Planting strip (10 feet) & Planted median (16 feet)
Street Trees	40 feet on-center average

STREET TREE
SIDEWALK
FUTURE
SIDEWALK
DECORATIVE
STREET LIGHT



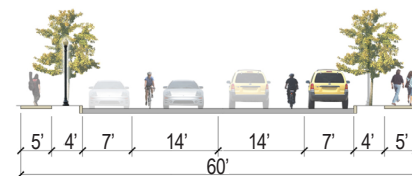
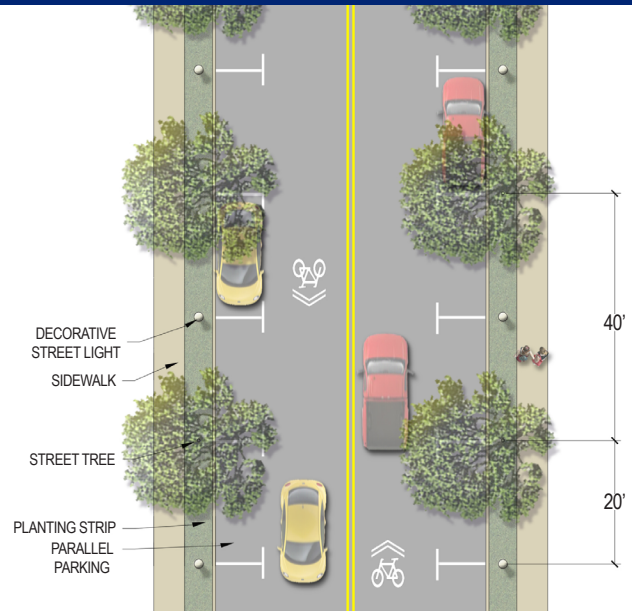
C.6.6

Boundary St. 2A - East of Ribaut Road (ST: 60 ft)

Specific Applicability

- Boundary Street (from Ribaut Road east to Carteret Street) - intended to be applied as a preliminary Phase 1 condition in the redevelopment of the Boundary Street corridor. The final phase condition is illustrated in "Boundary St. A2" below.

Curb Type	Curb
Right-of-Way Width	60 feet
Traffic Lanes (Pavement Width)	2 lanes (14 feet each)
Movement (Design Speed)	Slow (25 MPH)
Parking Lanes (Width)	2 sides parallel parking (7 feet each)
Bike Facilities	Sharrows (14 feet shared lanes)
Sidewalk (Width)	2 sides (5 feet each)
Planter Type (Width)	Planting strip (4 feet)
Street Trees	40 feet on-center max., overstory; 24 feet on-center max., understory or palms



Proposed Zoning Map Amendments

1499, 1501, 1503, 1505, 1507, 1509, 1523 and 1523 Salem Rd. Rezoning rezone from T4-N to T5-UC



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CITY OF BEAUFORT

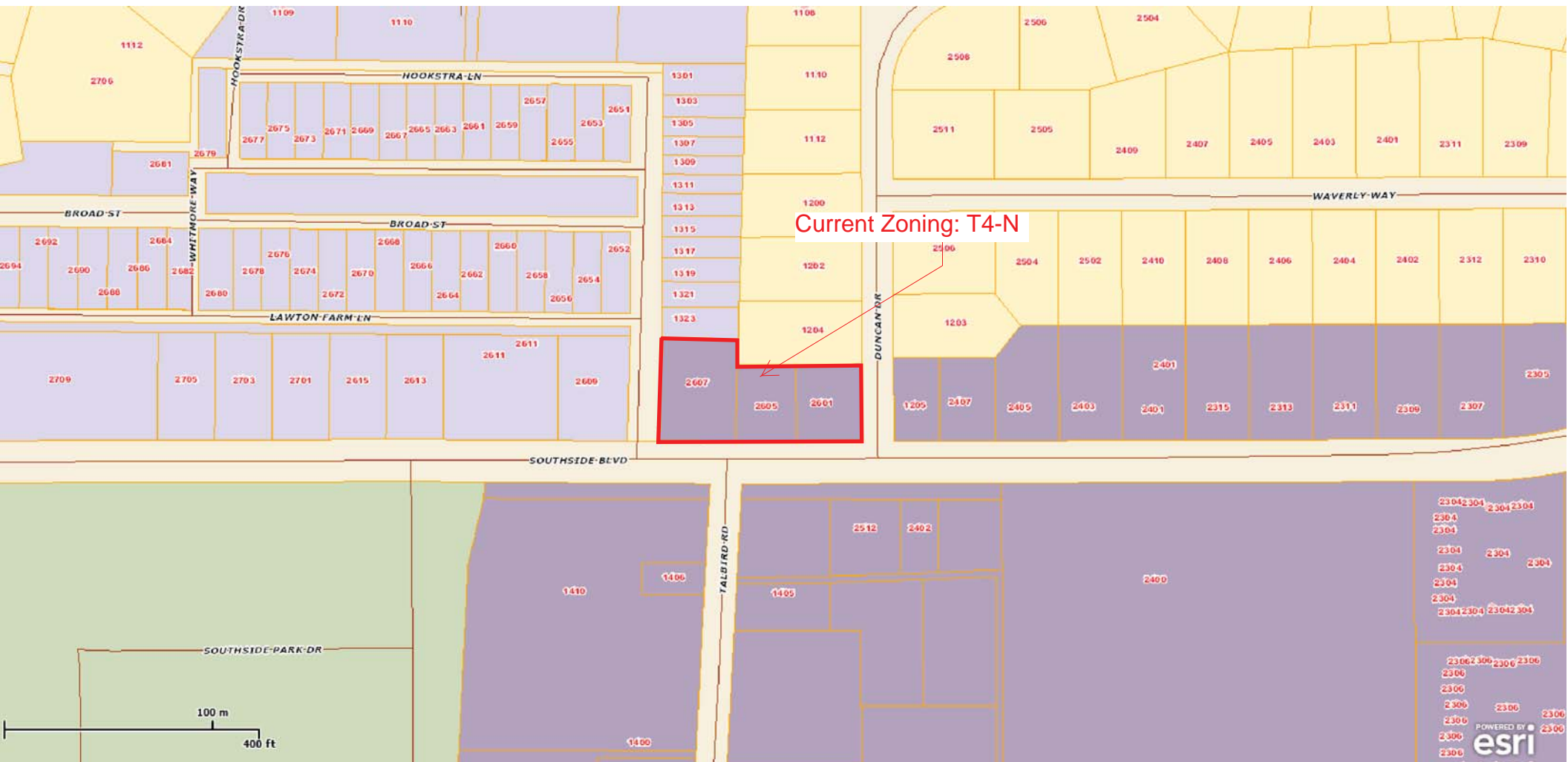
- HISTORIC DISTRICT - Conservation Neighborhood
- HISTORIC DISTRICT-Preservation Neighborhood
- Boundary Street Redevelopment
- Bladen Street Redevelopment
- Retail Overlay

ZONING

- LEGACY PUD (LPUD)
- T1
- T3-S
- T3-N
- T4-HN
- T4-N
- T4-NA
- T5-DC
- T5-UC
- T5-UC / RMX
- RMX
- IC
- MH

2601, 2605 and 2607 Southside Blvd Rezoning

rezone from T4-N to T3-N



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Key

- T1 Zoning District
- T3-S Zoning District
- T3-N Zoning District
- T4-N Zoning District

1402, 1408, and 1410 Palmetto St. Rezoning

rezone from T5-UC and T3-N to T4-N



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Key

- T1 Zoning District
- T3-S Zoning District
- T3-N Zoning District
- T4-N Zoning District
- T5-UC Zoning District
- Boundary Street Redevelopment District boundary