

**ANDERSON TRACT  
CONCEPT PLAN PDD**

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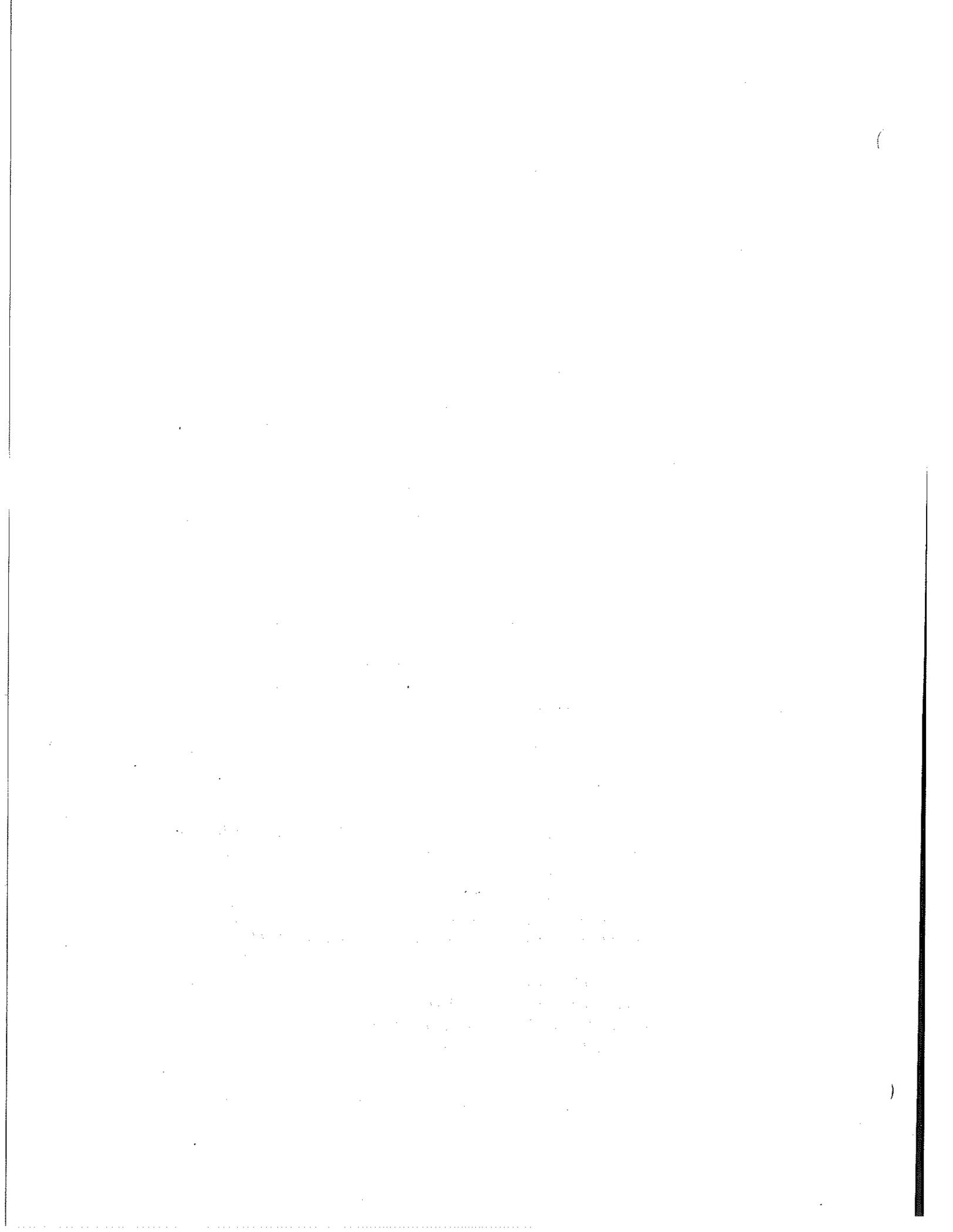
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APPLICANT AND PLANNING TEAM

Owner / Developer / Applicant ..... Hilton Head Lakes, LLC  
Mr. Ralph Teal  
Mr. Joe Brimm

Land Planner / Landscape Architect ..... J. K. Tiller Associates, Inc  
Bluffton, SC  
Mr. James K. Tiller, III FASLA  
Mr. Joshua K. Tiller, Associate ASLA

Engineer and Surveyor ..... Thomas & Hutton Engineering Co..  
Savannah, GA  
Mr. Sam McCachern, P.E.  
Mr. Lamar Mercer

Environmental Consultant and Permitting ..... Newkirk Environmental Consultants, Inc.  
Mt. Pleasant, SC  
Mr. Bobby Riggs

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Land Use Attorney / Counsel ..... Law Office of Lewis J. Hammet  
Bluffton, SC  
Lewis J. Hammet, Esquire

Wetlands Delineation ..... Ward Edwards, Inc.  
Bluffton, SC

Archaeologist ..... Brockington & Associates, Inc.  
Mt. Pleasant, SC  
Mr. Ralph Bailey



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**I. INTRODUCTION AND NARRATIVE**

The Anderson Tract, approximately 2,739 total acres (See Exhibit A - Anderson Tract Property and or Anderson Tract Concept Plan), is being submitted to the City of Hardeeville, South Carolina ("City") for Planned Development District ("PDD") Concept Plan / Development Agreement approval and first reading for an annexation. The land is located adjacent to Highway 278 to the North, the Great Swamp and New River to the East, the Karrh Tract to the South and the Morgan Tract and Striker Road to the West. The current and primary access and egress to the site is toward the North and Highway 278.

The Anderson Tract is owned by Hilton Head Lakes, LLC.

**A. THE PROPERTY (The Anderson Tract, PDD, Concept Plan)**

1. The Property has been actively managed for silviculture and a Hunting Club over many years. The Property is in Jasper County, South Carolina. The plat of the Property shows the following information:
  - (a) Vicinity map
  - (b) Boundary and dimensions
  - (c) Existing adjacent streets
  - (d) Adjacent property owners
  - (e) Existing easements
  - (f) Existing structures
  - (g) Adjacent rivers or major wetlands
2. This application seeks to rezone to Planned Development District ("PDD") the approximately 2,739 total acre tract bounded by the Morgan Tract on the West, the Great Swamp on the East, US Highway 278 along the property on the North and the Karrh Tract to the South. (See Exhibit A Concept Plan)
3. The Great Swamp to the east is part of a large natural drainage system flowing into the New River drainage basin which branches to the Cooper Rive and in turn flows into Calibogue Sound and also on to the Atlantic Ocean.
4. The natural features of the Property are characteristic of the Low Country. Elevations range from six (6) feet to twenty-seven (27) feet above sea level. The tract contains approximately 1,285.18 acres of jurisdictional and 14.25 acres of non-jurisdictional, isolated freshwater wetland acres (See Exhibit C Wetlands, Boundary Survey, Topography and Flood Zones). This wetland

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area is delineated on the plat attached as Exhibit C. The Property has been in the Anderson Family for over forty (40) years and was originally part of the J. A. Coleman Estate. Timber harvest has been only occasionally since 1963 and has been managed by the Mungin Creek Hunt Club and by silviculture activities. The upland areas of the site vegetation is made up of stands of loblolly and slash pines with some pine / hardwood mixed, mainly in isolated depressional wetlands. (See Exhibit J Threatened and Endangered Species Report)

5. Freshwater wetlands on the Property were delineated and surveyed by Ward Edwards. The U.S. Army Corps of Engineers verification and certification process is currently being submitted for approvals. (See Exhibit C for Department of the Army, Corp Wetland Letter, dated 01/17/2006.)
6. Exhibit C indicates the location of both LiDar topography and FEMA Flood Zones on the tract. These zones vary from Zone A which may have floor elevation minimums of 11.0 feet MSL to Zone C which may represent minimal flooding at 100 year storm events.
7. James D. Gentry, Jr. has prepared a Threatened and Endangered Species Report which outlines in detail areas of environmental interest as well as potential habitat areas. His report summary concludes after several field trips, observation and user interviews found no indication of threatened or endangered species. He further states that permitted wetland impacts and upland land use for commercial, residential, agriculture, or silviculture purposes should not have impact on species populations. (See Exhibit J for Threatened and Endangered Species Report)
8. Brockington and Associates, Inc. has prepared an archeological report on the history and cultural resources of the site and is included as Exhibit L.

**B. PLANNED DEVELOPMENT DISTRICT AND DEVELOPMENT AGREEMENT PROCESS:**

1. The Planned Development District (PDD) was adopted by the City of Hardeeville to permit and encourage the effective, efficient and economical development of large tracts of land that are in the best interests of the long range development plans of the City. The PDD application will be accompanied by a Development Agreement the intent of which is to protect the rights and entitlements specified in the PDD for the property from the effect of subsequently enacted local legislation or from the effects of changing

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policies and procedures of local government agencies which may conflict with any term or provision of the PDD or in any way hinder, restrict or prevent the development of the project. The Development Agreement will provide reasonable certainty as to the lawful requirements that must be met in protecting vested property rights, while maintaining the authority and duty of government to enforce laws and regulations which promote the public safety, health and general welfare of the citizens of our State. The Development Agreement is being made and entered between Owner and the City, under the terms of the Act, for the purpose of providing assurances to the Owner that it may proceed without encountering future changes in law which would materially affect the ability to develop under the plan, and for the purpose of providing important protection to the natural environment and long term financial stability and a viable tax base to the City of Hardeeville and Jasper County.

2. It is the intention of the Owner (or in concert with other developers or interested parties) to engage in joint planning and financing of public infrastructure for the mutual benefit of the City of Hardeeville and the Owner. The aforementioned are details to be included in the Concept Plan, Development Agreement or other significant document as mutually agreed to by the City of Hardeeville and the Owner.

**C. CONCEPT PLAN PDD**

1. It is anticipated that the Property will be developed over a period of fifteen (15) to twenty (20) years in accordance with the Concept Plan as set forth in this document and as the same may be revised by subsequent master and development plans submitted pursuant to the provisions of this PDD. The Concept Plan sets forth the general scope of the development, including number of units, development standards, open space and other issues. In addition to the Concept Plan, development of the Property is controlled by other provisions of the PDD and will be further governed by the Development Agreement between the Owner / Applicant and the City of Hardeeville, South Carolina.
2. The goal of this Concept Plan PDD is to produce a high quality mixed-use development. The PDD designation is necessary to accommodate a broad mix of land uses, a pedestrian friendly environment, a strong community atmosphere, an environmentally sensitive plan that fosters environmental education and provides for responsible planning and development strategies for the Property, over time.

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3. The Anderson Tract Concept Plan, prepared by J. K. Tiller Associates, Inc. and Thomas and Hutton Engineering Co. (See Exhibit A) shows a general roadway layout and a mixed use community mixed showing areas designated for commercial district, residential district, mixed use district, institutional /civic district, recreation district and schools and a business / mixed and public uses. Proposed land uses in the development are detailed in Section II - Land Use Designation and Definitions of this document.
4. The Concept Plan seeks to maintain open space requirements set forth in the City of Hardeeville Municipal Zoning and Development Ordinance (MZDO) dated March 20, 2003 and as amended September 6, 2006. The open space and amenities will be owned and maintained by the Owner / Developer, Property Owner's Association or other legally designated entity as is detailed in the Development Agreement for the Anderson Tract. Property deeded to a governmental entity becomes the maintenance responsibility of that entity, or in accordance with requirements outlined in the Anderson Tract Development Agreement.
5. The Concept Plan PDD and the Development Agreement constitute the zoning for the Anderson Tract and a waiver from certain portions of the current City of Hardeeville codes and regulations where different. The Concept Plan and PDD may introduce land uses that do not exist in current zoning documents.
6. The provisions of the Development Agreement and the Concept Plan shall apply to development in the Anderson Tract PDD. In the event of a conflict, the hierarchy of documents is the 1) Development Agreement; 2) the PDD and Concept Plan; 3) Design Standards as described at Section II.B.3 herein and the Master Sign Program attached as Exhibit I; 4) US Highway 278 Corridor Review Board standards as may be modified by the PDD; and 5) the MZDO shall govern. Where there may be some ambiguity among the documents, the parties will attempt to review them consistent with terms as promulgated in the Development Agreement, this PDD and the MZDO.

**D. ENVIRONMENTAL PROTECTION**

1. Environmental protection is a high priority for this Applicant. As part of the development process, the Anderson Tract Owner / Developers will meet or exceed the current stormwater management requirements of the City of Hardeeville, except as modified by provisions of this PDD, and the then

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existing requirements of the South Carolina Department of Health's Office of Ocean and Coastal Resource Management (OCRM).

2. The Owner / Developer will prepare stormwater management plans for each Master Plan Phase as it is developed in accordance with a stormwater drainage master plan to be prepared by a professional engineer licensed by the State of South Carolina prior to the development of any parcel. The stormwater drainage master plan will address the hydrological characteristics of the entire site, as well as adjacent drainage patterns of relative importance. The plan will address pre-development conditions and post-development stormwater management for flood control and sediment reduction. This plan will also address stormwater quality through the use of several types of BMPs (as established by the stormwater standards of the MZDO and then applicable state and federal governmental regulations) to enhance water quality and protect the surrounding freshwater wetlands.
3. The freshwater wetlands on the Property are typical of the South Carolina Low Country. Approximately forty-seven percent (47%) or 1294.22 acres of this site is freshwater wetlands, including portions in the Great Swamp. The wetland delineation is included as Exhibit C.
4. On site wetland impacts resulting from the development of the Anderson Tract will be permitted jointly through the U. S. Army Corps of Engineers and the Office of Ocean and Coastal Resource Management, a division of the South Carolina Department of Health and Environmental Control. All impact mitigation will meet or exceed state or federal standards then in effect.

**E. CULTURAL AND HISTORICAL RESOURCES**

1. As part of a comprehensive study of the Property, a preliminary archeological report has been prepared by Brockington & Associates and is submitted as Exhibit L to this document. Prior to development, cultural resource issues, if any, will be addressed with the South Carolina Department of Archives and History.

**F. WATER AND SEWER SERVICE**

1. Water and Sewer service will be provided to any development in the Anderson Tract by Beaufort Jasper Water and Sewer Authority (BJWSA) or other governmental utility provider in accordance with BJWSA's agreement of consolidation and transfer with the City of Hardeeville. Planning for the

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water and sewer systems will commence at the time of Development Agreement and Planned Development District Approval by the City. Preliminary discussions with BJWSA indicate a willingness to serve the property. BJWSA operates and maintains water and sewer systems within their service area upon completion by the developer and acceptance by the Authority. (See Exhibit D Letter of Availability to Serve from BJWSA).

2. All development, with the exception of irrigation, incidental maintenance facilities, large lots capable of being served by on-site wastewater disposal systems, small remote facilities, and any existing facilities at the date of the Development Agreement will be served by potable water and sewer.

**G. UTILITY SERVICES**

1. The Anderson Tract is in the service territory of South Carolina Electric and Gas (SCE&G) for electrical power and natural gas. The Owner / Applicant is coordinating with SCE&G regarding planning for the Anderson Tract. (See Exhibit E for Letter of Availability to Serve from SCE&G)
2. Hargray Telephone Company or the Owner elected entity, will provide telephone and cable television service to the Anderson Tract (See Exhibit F for Letter of Intent to Service from Hargray Telephone Co.). The Owner / Applicant is coordinating this service.
3. Utilities must be underground, except as reasonably necessary for above-ground support facilities, or as required by the Development Agreement.
4. City shall provide sanitation and trash collection services to the Property on the same basis as is provided to other similarly situated residents and businesses in the City.

**H. ROADWAYS AND TRAFFIC**

1. The primary road that is contiguous to and presently serves the Property is US Highway 278 and is under the jurisdiction of the South Carolina Department of Transportation (SCDOT) regarding access, construction, improvements and maintenance. Establishing safe and reasonable ingress and egress for the Property is a priority of the Owner, the City of Hardeeville and SCDOT. Access to and from US Highway 278 for the Anderson Tract PDD shall be as indicated on the Concept Plan, unless modifications are required to meet SCDOT requirements. Full access shall be defined as access which allows any

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and all possible vehicular traffic movements into and out of the development. Limited access shall be defined as access which limits the movement of traffic in and out of a development (i.e., right-in / right-out only). Traffic signals shall be installed, if warranted, with funding from Road Development fees, Municipal Improvement District (MID) Bond Funds and directives as outlined in the Development Agreement.

2. Ingress and egress to the Property from Highway 278 may be provided by at least five (5) access points, modifications may be made according to other agreements between Owner/Developer and the City of Hardeeville. Future access may be provided to those properties to the south and west but no access is anticipated to the east through the Great Swamp. Planning, design and construction of these access points will be accomplished in a manner consistent with SCDOT standards or PDD standards, whichever are applicable. Roadway cross sections will be submitted for review at time of Master Plan Approval Phase. In addition, layouts of pedestrian pathways and sidewalks will be submitted for review at time of Master Plan Approval Phase. Other minor access point locations shown on the Concept Plan are preliminary and may be relocated based on final development plans.
3. Potential access across the jurisdictional wetlands surrounding adjacent tracts may be allowed, if approved by OCRM and the US Corps of Engineers. Road linkages to adjacent properties may include impacts to jurisdictional wetlands.
4. The Anderson Tract PDD will consist of arterial/collector roads and private and public subdivision roads. These roads shall be designed to the applicable standards of AASHTO, SCDOT and the City of Hardeeville unless otherwise stated herein. The arterial/collector roads will be designed to AASHTO and SCDOT standards for arterial and collector roads. The internal neighborhood roads will be designed to the City of Hardeeville design standards for subdivision roads. Roadside swales will be allowed on the arterial/collector roads and on subdivision roads where lot widths are 85 feet or greater. Pavement sections will be designed based on traffic counts, subsurface conditions and to the minimum requirements of the ordinance.
5. The Anderson Tract may have roads designed and constructed with funding as outlined in the Development Agreement. Roads indicated on the Concept Plan are subject to modifications at the time of each parcel's Master and Development Plan Approval Phase based on specific soil conditions, environmental concerns, physical constraints and design parameters.

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6. The Anderson Tract PDD shall provide roadway linkage of major land use areas including internal linkage to commercial and recreational uses. Certain areas within the Anderson Tract PDD in whole or in part may be developed as private roads with access restricted and / or gated appropriately at Owner / Developer discretion.
7. Notwithstanding the provisions of subsection 5 hereof, roadway design standards may be modified to reduce environmental impacts and increase tree preservation provided safety concerns are not compromised. To protect and preserve significant trees, such design is hereby encouraged.

**I. TREE PRESERVATION**

1. The minimum allowable post development tree coverage for Conceptual PDD shall be an average of fifteen (15) trees, two and one-half (2 ½) inches dbh (diameter breast height) or larger, per inhabitable post development upland acre within the area of the Conceptual PDD Plan and shall be verified with future Development Plan Phase submissions. The "inhabitable post development upland acres" are those upland acres exclusive of all wetlands, waterways, lakes, ponds, buildings, parking lots or parking areas, roads and clearing required for road rights-of-way, utility easements, corridors or substations and other utility clearing. Preserved jurisdictional wetlands and the adjacent jurisdictional wetland buffer trees shall not be used to meet the requirement of fifteen (15) average trees per acre.
2. Since for many years this site has been a tree farm and hunting preserve, harvesting of pine trees for wood and wood fiber is a common place occurrence and shall continue. Because this site is located adjacent to the Great Swamp and periodic water rise occurs and the soil characteristics shall require modifications for drainage and soil stability, it is anticipated that removal of the pine crops may be made necessary to accommodate the development. This requirement is the result of extensive studies that have occurred to locate soil types within the PDD area with soil structure adequate to support development. These better soils shall be utilized and transported to other sites for the improvement of soils in other locations. It shall also be necessary to utilize some areas as temporary soil storage, while other areas within the development are being prepared for that soil placement. Such temporary soil storage areas shall be considered an allowed use in all locations except required highway buffer and wetland buffer areas. Storage may occur in these locations provided that permanent soil placement for landscape berms

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and other uses, if other requirements of this PDD are met. While temporary soil storage areas are in use, the area shall not be included in acreage calculations for the fifteen tree per acre, post-development tree requirements of this PDD. However, when no longer in use for soil storage, all such soil storage areas shall be included in the overall acreage for fifteen tree per acre calculation when the final sites are permitted under a permanent development plan. Temporary soil storage sites shall be subject to approval by the Hardeeville Planning Staff to ensure appropriate safeguards are in place regarding sediment in stormwater runoff and to protect specimen hardwood trees.

3. Tree surveys for the average fifteen (15) trees per acre shall be based on "field estimates" made and certified by a Landscape Architect. This estimate shall be based on aerial reconnaissance of existing aerial photography and onsite verification for identification of a representative tree area, the size of one acre. Survey the tree species, size (2 ½" dbh and greater) and obtain totals of each species and their size for that acre of land. Using the sample of trees and sizes for the one acre, the Landscape Architect shall use this sample for the areas of the site to be impacted by development to determine trees remaining after land disturbance. This analysis will occur as each Development phase is reviewed. This survey technique shall be used in lieu of typical tree survey requirements outlined in Section 5.15 Landscaping and Tree Conservation of the City of Hardeeville MZDO dated March 20, 2003. A certification letter provided by a licensed Landscape Architect documenting the fifteen (15) trees per acre requirement shall be delivered to the City of Hardeeville at Development Plan Phase, this shall include trees used as replacements for lots, streets, etc. based on the requirements in Exhibit H, Section 4, paragraph 11.. It shall be the responsibility of the Developer to maintain an ongoing record of the fifteen (15) trees per acre. These records shall be kept in electronic files and made available to the City when requested.
  
4. Preserved trees, and/or newly planted trees, necessary to meet the tree cover (fifteen trees per acre average) shall also be maintained in a similar fashion in the electronic files. Plans shall be made part of the ongoing tree tally for each phase of development. Replacement trees may also be provided by identifying existing trees between two and one-half (2 ½ ) inches and seven (7) inches in diameter that are preserved. The preserved and planted trees shall together, be used to meet the average tree requirement over the upland as defined.

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5. The Landscape Standards for all portions of the Concept Plan PDD are as stated in Exhibit H - Landscape Standards as modified.

**J. PARKING**

1. Total number of required parking spaces for all land uses allowed herein shall conform to section 4.6 of the City of Hardeeville MZDO dated September 6, 2006. Modulation of those standards shall be allowed by the City of Hardeeville provided the applicant furnishes actual documentation that the new standard meets the parking needs of the proposed land use and the City of Hardeeville agrees at the Master Plan Phase of the PDD approval.

**K. STORMWATER MANAGEMENT**

1. The Anderson Tract PDD shall conform to all of the Stormwater Management Provisions of the City of Hardeeville MZDO, and applicable state and federal requirements. The design storm used for all stormwater design within the PDD shall be twenty-five (25) year twenty-four (24) hour storm event, except for Main Road, which must meet fifty (50) year twenty-four (24) hour storm event design. Sufficient stormwater best management practices will be employed in the development of the PDD to ensure runoff leaving the site does not degrade water quality within the Great Swamp.

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**II. LAND USE DESIGNATIONS AND DEFINITIONS**

**A. INTRODUCTION AND NARRATIVE**

1. The Anderson Tract PDD has a total acreage of approximately 2,734 acres including 1,439.90 acres of upland, 1,294.22 acres of wetlands as indicated on the Concept Plan for Anderson Tract PDD as prepared by J. K. Tiller Associates, Inc. The land use areas indicated on the Concept Plan are not intended to be rigid exact boundary lines for future improvements. The Concept Plan PDD for the Anderson Tract Property shall maintain flexibility to accommodate specific soil conditions, environmental concerns, physical constraints, market conditions and design parameters and as such, the exact location of boundary lines and any proposed buildings or structures, between land uses and their subsequent location and size indicated within the planning area shall be subject to change at the time of Master Plan Phase and Development Permit Plan(s) submission; provided, however, that maximum densities and other conditions of the Development Agreement between the Owner / Developer and the City of Hardeeville, South Carolina, will be adhered to strictly, unless adjustments are requested by the Owner/Developer and approved by the City. The boundaries of the PDD may be modified to include adjacent acreage subject to the approval of the City of Hardeeville by appropriate petition / application to the City officials to amend the PDD and the Development Agreement.
2. The Concept Plan consists of the following Development Districts:
  - (a) Commercial District
  - (b) Institutional / Civic District
  - (c) Mixed-Use District
  - (d) Recreation District
  - (e) Residential District
3. The following allowed land uses (Item B below) are permitted and identified by district in the following narrative.

**B. ALLOWED LAND USES**

1. The following land uses shall be permitted in the Anderson Tract PDD. The purpose of this portion of the PDD document is to state which land uses shall be allowed within the Anderson Tract PDD, however by allowing these uses this does not obligate the developer to provide the uses or facilities stated herein.

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The following allowed land uses and definitions shall be permitted in all land use tracts and districts:

- (a) Business Park/Light Industrial
- (b) Community Center
- (c) Community Recreation
- (d) Commercial
- (e) Hotel/Inn/Resort
- (f) Institutional/Civic
- (g) Maintenance Areas
- (h) Model Home/Sales Center
- (i) Multi-family Residential
- (j) Neighborhood Commercial
- (k) Open Space
- (l) Silviculture
- (m) Single-Family Residential
- (n) Traditional Neighborhood Development
- (o) Mitigation Bank
- (p) Recreational Vehicle Parks

- 2. Any easement that occurs within the property shall have the same land uses as any of the adjacent land uses. Any restrictions shall be based on the legal definition of the easement.
- 3. Design Standards and Regulations will be established for each land use area at the time of Master Plan approval, unless otherwise agreed at Master Plan approval or in this PDD, the standard for uses from the MZDO shall apply.

**C. ALLOWED DENSITY AND TRANSFER OF DENSITY BETWEEN PLANNING AREAS**

- 1. The Concept Plan for the Anderson Tract PDD consists of approximately 1065 acres of residential land use and +/- 70.67 acres of commercial land use (excluding wetlands) as generally depicted on the Concept Plan. The Concept Plan may be modified at Master Plan approval, taking into consideration the need to place commercial uses near the Main Road, or Highway 278 to address traffic considerations and create internal capture of road trips by residents. The Anderson Tract PDD is planned to include a maximum density of 3,888 residential units, which is based on a gross unit density of 2.70 units per acre applied to the entire Anderson Tract upland area, with a projected density of 3,200 residential units consisting of 1,440.10 acres, which includes

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both habitable and inhabitable post development acreage. The Owner / Developer (to the extent Developers have been expressly signed conversion rights by the Owner) shall have the right to convert commercial acreage into additional density for residential dwelling units, provided at least twenty (20) acres of commercial use exists or remains available for development on the property and an overall cap of 3,888 residential units is not exceeded and the overall average fair market value is \$180,000.00 per residential unit as adjusted by a three per cent (3%) annual adjustment. Conversely, the Owner / Developer shall have the right to convert residential units to commercial acreage at a rate of one commercial acre for four (4) residential dwelling units. There will be no overall cap on commercial building square footage, provided compliance with maximum floor area ratios and pervious surface restrictions of the MZDO and PDD. Additional residential density beyond that allowed above shall be subject to and limited by the provisions of Section VII of the Development Agreement.

2. Overall residential density shall include both Attached and Detached Single-Family Residential and Multi-family Residential. Bed and Breakfast and Guesthouses shall not count against residential density. Detached guesthouses, "mother-in-law" apartments and garage apartments (for rent or not) on the same lot with a single family unit will be allowed as one structure per lot and the second structure will not be counted against the density cap but shall be counted as 0.5 units for purposes of Development Fees. Fractional Ownership Time Shares and Condo / Hotels counts as 0.5 residential units for purposes of density, but count as commercial for Developer Fees under the Development Agreement. Condo / Hotels are defined as primarily transient, short term lodging facilities which have units owned by individuals / entities and may be under some type of common management / leasing program.
3. Commercial acreage shall include the commercial uses of Business Center, Community Center, General Commercial, Light Industrial and Neighborhood Commercial and shall have no cap placed on unit density (building square footage/acre), provided compliance with stormwater, parking, buffering, landscaping and other site design requirements of the MZDO and PDD are met. Hotel / Inn / Bed and Breakfast properties and assisted living, congregate care and nursing home facilities shall not have a specified dwelling unit per acre maximum, provided compliance with stormwater, parking, buffering, landscaping and other site design requirements of the MZDO and PDD are met. All commercial development shall be subject to the provisions

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of the City of Hardeeville MZDO (See Exhibit G), current as of the date of this PDD approval, unless specifically exempted by this document.

**D. DEFINITIONS OF LAND USE TERMS AND DENSITY TERMS**

In the absence of a term definition in this Concept Plan or in the Anderson Tract Development Agreement with the City of Hardeeville, the definitions of the City of Hardeeville MZDO included as Exhibit G included herein shall apply in the interpretation of this Concept Plan PDD. The locations of specific land uses are not described on the Concept Plan because this is a mixed use development. However, the definitions below shall generally describe the allowed uses within the Anderson Tract PDD.

1. Acre
  - (a) Gross Acre: shall mean the entire acreage of the site.
  - (b) Net Acre: shall mean that the acre which remains after deduction for easements for existing utilities, wetland buffers and onsite wetlands.
  - (c) Inhabitable Post Development Upland Acre: shall mean those upland acres exclusive of all wetlands, waterways, lakes, ponds, buildings, parking lots or parking areas, roads and clearing required for road rights-of-way, utility easements, corridors or substations and other utility clearing.
  
2. Business Park/Light Industrial (Allowed Use in Commercial District)
  - (a) This designation allows for a multi-use Business Park to meet regional demands for Light Industrial, Office, Commercial Services and Wholesale/Retail Businesses. Permitted uses include:
    - (1) Establishments involved in light manufacturing, regional warehouses, distribution operations, back-office operations, commercial businesses, office space, office/warehouse operations, wholesale/retail businesses, commercial service businesses, research or experimental laboratories, public building, public utility facility, agriculture farm, horticultural nursery, radio and/or television station and/or transmission tower, commercial trade or vocational school, off street commercial parking or storage area for customer, client or employee-owned vehicles and boats and call centers.
    - (2) Build-to-property lines will be allowed to reduce cost of utilities and create a more pedestrian friendly environment as long as fire protection between adjacent and party-walls is strictly adhered to and visual design standards are met.

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Performance standards for this district will be determined by the Design Regulations / Standards described in Section II.B.3 herein.

- (3) Light Industrial uses shall provide a minimum buffer of fifty (50) feet from adjacent residential uses not separated by a road right-of-way, or wetland of an equal width (including wetland buffer).
3. Community Center (Allowed in Commercial, Residential and Mixed Use Districts)
- (a) This designation allows for the development of an internally oriented integral mix of various allowed land uses defined herein to establish a community oriented node including:
    - (1) Permitted Activities:
      - (a) Single family residential
      - (b) Multifamily residential
      - (c) Hotel / Bed and Breakfast/ Guesthouse
      - (d) Institutional / Civic
      - (e) Neighborhood commercial
      - (f) Open space
      - (g) Community recreation
    - (2) Build-to-property lines will be allowed to reduce cost of utilities and create a more pedestrian friendly environment as long as fire protection between adjacent and party-walls is strictly adhered to and visual design standards are met.
4. Community Recreation (Allowed in All Districts)
- (a) This designation allows for the recreational complexes and amenities to serve the Anderson Tract PDD. Land uses may consist of private and semi-private recreation, indoor and outdoor lighted and unlighted recreation facilities, establishments and services that include active and passive sports and entertainment, (for project or not) ancillary facilities such as restaurants serving such public recreational facilities. Community Recreation shall not be counted against the overall allowed acreage for commercial uses within the Anderson Tract PDD. Permitted uses include:
    - (1) Outdoor Recreational Facilities including but not limited to:
      - (a) Public and / or Private Golf courses and ancillary facilities associated therewith
      - (b) Golf cart storage barn and maintenance facilities

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- (c) Swimming Pools, Pool Bath Houses and Gazebos.
  - (d) Lakes or any navigable waterways
  - (e) Tennis Courts
  - (f) Lawn Games such as bocci, croquet, and volleyball, etc.
  - (g) Multi-use fields
  - (h) Playgrounds
  - (i) Neighborhood Parks
  - (j) Community Parks
  - (k) Leisure Trails and Bike Trails
  - (l) Other Recreational Uses.
- (b) Recreational Building including but not limited to uses such as indoor recreation, meetings, assembly, banquet, fitness, and hobby space.
  - (c) Accessory Buildings
  - (d) Community Offices / Administration Buildings shall not be counted against commercial acreage
  - (e) Maintenance and Storage Facilities
  - (f) Community Service facilities including (not considered a commercial use):
    - (1) Public and/or Private clubhouses
    - (2) Pro shops, snack bars, grills, restaurants and lounges associated with clubhouses
    - (3) Ancillary uses associated with community recreation facilities such as craft centers, fitness centers, etc.
    - (4) Performance standards for this district will be determined at time of Master Plan application.
5. Dwelling Units (Allowed within All Uses - Allowed in Residential and Mixed Use Districts)
- (a) The maximum number of residential dwelling units on the Property will be 3,888, minus any conversions of commercial to residential or vice versa, as allowed in this PDD, or any additional units allowed under the Development Agreement. The projected number of residential dwelling units on the Property will be 3,200, plus or minus any conversions of commercial to residential or vice versa, as allowed in this PDD, or any additional units allowed under the Development Agreement.
  - (b) For detached single family residential and duplexes (i) the minimum lot width shall be forty (40) feet with a minimum lot depth of one hundred (100) feet, (ii) the average lot size may vary as to specific, individual Master Plans, but the overall average lot size on the Property shall not be less than five thousand

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five hundred (5500) square feet and (iii) the minimum side setbacks shall be six (6) feet on each side. Side setbacks can be reduced at the discretion of the City of Hardeeville. The primary standard, to be utilized in allowing the variance shall be the maintenance of the City's Insurance Services Organization fire safety rating. As for dwelling units, a minimum front yard setback of twenty-five (25) feet shall be imposed on structures with front loaded garages; a minimum setback of house or garage structure of fifteen (15) feet for side loaded or detached garages the minimum is two (2) feet where rear alleys are provided and six (6) elsewhere. The minimum rear setback for pools or decks shall be six (6) feet.

- (c) For attached single family residential, townhomes, or condominiums (i) there shall be no minimum lot size or setbacks, and (ii) six (6) foot setbacks shall be required for all non-common lot line side.
- (d) Multi-family residential units are allowable up to a maximum of sixteen (16) units per net acre on a site specific basis. Density is based on the number of stories in a project. One story projects are limited to eight (8) DU/AC, two story projects are limited to sixteen (16) DU/AC and any project with three story component is capped at twenty-four (24) DU/AC. Multi-family residential consists of attached or detached residential including both short term and long term rentals, but excludes Hotel / Inn / Bed and Breakfast and Guesthouse.
- (e) Mid-rise multi-family residential units shall be defined as those which exist in buildings over three (3) stories with density limited to forty (40) units per acre. Maximum building height shall meet the requirements of the City of Hardeeville MZDO (September 6, 2006, Section 4.2) for group dwellings and multiple family dwellings. Densities of over sixteen (16) units per acre shall be reviewed on a case by case basis and only allowed provided building safety, fire protection and other applicable concerns are addressed to the satisfaction of the City of Hardeeville.
- (f) The allocation of density as specified allows for the clustering of development to optimize the protection of natural features and maximize open space. This does not guarantee that the Property can be developed at the identified maximum. Lot sizes range from the square footage of the foundation of cottage type product to larger single family lots.
- (g) Multi-family units do not have a lot size designation.
- (h) Mobile homes are not allowed within the Anderson Tract PDD.
- (i) Recreation Vehicle Parks are governed by the provisions of Section 18 herein, and shall be considered a multi-family use. Modular or panelized homes shall

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not be considered mobile homes and will be considered single family homes which are permitted under this PDD.

- (j) Single family residential consists of attached and detached residential, including both short and long term rentals. Product mix may include full size lots, attached zero lot line product, townhouses, patio home sites and cottages. Residential improvements shall be limited to a maximum of three (3) stories in height above parking or finished grade, as applicable, not including minor uninhabitable architecture elements above basic roof lines, subject to provisions of the MZDO.

6. General Commercial (Allowed Use in Mixed Use District)

- (a) The general commercial designation allows for the development of concentrated commercial and office nodes located on primary vehicular routes to serve the Anderson Tract PDD and surrounding area.

- (b) Permitted Uses:

- (1) Establishments engaged in selling goods or merchandise to the general public for personal or household consumption (e.g. shopping centers, supermarkets, department stores, convenience stores, gas stations, automobile and boat dealerships, etc.) and rendering services incidental to the sale of such goods; establishments providing services or entertainment to the general public including but not limited to eating and drinking establishments, personal service and repair business and entertainment establishments (e.g. movie theaters, bowling alleys, etc.); medical and health facilities/office buildings and/or office for government, business professional or general purposes, unless specifically prohibited under Prohibited Uses below.
- (2) Uses allowed in General Commercial District in the City of Hardeeville MZDO dated September 6, 2006, except truck terminals
- (3) Single Family residential
- (4) Multi-family residential
- (5) Mix of various uses permitted under this PDD
- (6) Assembly and Worship
- (7) Colleges and Professional Schools
- (8) Schools, Neighborhood (elementary and middle school)
- (9) Schools (community high school)
- (10) Daycare, commercial
- (11) Utilities

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- (12) Public Services
  - (13) Government Office
  - (14) Commercial lodging (hotel and motel)
  - (15) Commercial Retail
  - (16) Office
  - (17) Restaurant (including outdoor seating)
  - (18) Service Businesses
  - (19) Dry-cleaning and Laundry Services
  - (20) Parking Garages
  - (21) Gas-convenient stores with no Repair Bays or Facilities
  - (22) Commercial Amusement (indoor)
  - (23) Christmas Tree Sales
  - (24) Roadside Stands (on designated areas only)
  - (25) Commercial Outdoor Sales (related to existing retail)
  - (26) Public Interest and Special Events (permitted, located, and scheduled ahead of time)
  - (27) Nightclub and entertainment
  - (28) Movie Theaters
  - (29) Grocery
  - (30) Mini-warehouse facilities will be limited to a maximum height of two (2) stories
- (c) Sidewalk displays are permitted directly in front of an establishment, if at least five feet of sidewalk is maintained for adequate and uncluttered pedestrian access.
- (d) Commercial uses shall provide a minimum buffer of twenty-five (25) feet from any adjacent residential use not separated by a road right-of-way.
- (e) Prohibited Uses:  
The following commercial uses are specifically prohibited:
- (1) Junkyards or auto salvage yards.
  - (2) Gambling facilities not authorized by law
  - (3) Sexually-oriented businesses
7. Hotel/Inn/Resort (Allowed Use in Commercial, Institutional / Civic and Mixed Use Districts)
- (a) This designation is for hotels, inns, timeshare projects, resorts and spas that consist of building or buildings with guest rooms for sleeping, kitchens and/or a dining room(s) to provide meals for guests, including public restaurants,

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bars and entertainment areas. Hotels, Inns, and spas shall be considered a commercial land use. Conference and facilities may or may not accompany the hotel / inn and may be integral to the hotel / inn or detached. Resorts under this land use may include fractional ownership. Hotels, Inns, and spas shall be considered a commercial land use and will not count against the residential unit cap except for Fractional Ownership / Time Shares and Condo Hotels, which count as 0.5 residential units for purposes of density, but count as a commercial unit (hotel / motel) for Developer Fees under the Development Agreement.

- (b) Maximum building height shall meet the requirements of the City of Hardeeville MZDO for group dwellings and multiple family dwellings.

8. Institutional/Civic (Allowed Use in Residential, Institutional, Commercial and Mixed Use Districts)

- (a) This designation allows for institutional and civic land uses, which shall be allowed to occur as a mixed use throughout the Anderson Tract PDD. These land uses shall not count against the overall commercial acreage or residential density allowed for the Anderson Tract PDD.

- (1) Civic, cultural, municipal, governmental, educational (public or private), conference centers, research or other similar facilities which may include dormitories or other similar living quarters for students, staff, faculty and professionals.
- (2) Churches, synagogues, temple and other places of worship provided that such uses are housed in a permanent structure.
- (3) Cemeteries and columbariums, provided that such use does not include a funeral home or crematorium.
- (4) Medical and health facilities, assisted living facility, nursing home and congregate care facility.
- (5) Public emergency service facilities, library, museum, day care facilities, social / community centers, etc.

9. Maintenance Areas (Allowed Use in All Districts)

- (a) The maintenance areas will contain the facilities, tools and equipment necessary to maintain the common properties and / or golf courses within the Anderson Tract PDD. These facilities may be congregated on a central site or located in separate convenient sites for different services such as general

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community maintenance, golf course maintenance, recreation area maintenance or individual property regime maintenance.

- (b) Permitted uses include:
- (1) Vehicle maintenance
  - (2) Storage of vehicles and parts, boats, recreational vehicles and resident storage
  - (3) Fuel storage
  - (4) Shops for woodwork, metalwork and painting
  - (5) Greenhouses, plant propagation areas and holding yard
  - (6) Mulching facility and mulch storage
  - (7) Storage of chemicals and bulk materials as permitted by law
  - (8) Offices associated with community and maintenance

10. Model Home/Sales Center (Allowed Use in All Districts)

- (a) This designation allows for the model homes and office/administrative facilities associated with the primary sale of residential lots and homes. The facility(s) may be permanent in nature with the model homes being sold as single-family residences in the future or the facility(s) may relocate from time to time during the period of development to meet the needs of development phasing.
- (b) From time to time model homes may be constructed and later sold as permanent residences when no longer needed as models.

11. Neighborhood Commercial (Allowed Use in All Uses Permitted Under Commercial, Residential and Mixed Use Districts)

- (a) This designation allows for the development of multiple neighborhood oriented limited use commercial, residential, civic, institutional and office nodes including villages, community centers, gardens, and neighborhood shopping centers to provide essential services to residents, invitees and guests to the Anderson Tract PDD, relieving a degree of traffic and congestion which may surround other large commercial developments in the general area. Live / work residential units within this land use designation shall not count against total commercial square footage.
- (b) Permitted Uses:
- (1) Retail businesses, personal service businesses, shopping centers, restaurants, convenience stores, attached residential units, clustered

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commercial establishments, offices and civic/institutional uses, unless specifically prohibited under Prohibited Uses below.

- (2) Mix of various uses permitted under this PDD
  - (3) Single Family Residential
  - (4) Multifamily Residential
  - (5) Hotel / Inn / Resort, Timeshare and Condo / Hotel
  - (6) Medical offices (not including facilities for patient care exceeding 48 hours)
  - (7) Bed and Breakfast
  - (8) Live / Work facilities (i.e. commercial below with residential above and commercial located within the same structure or homesite, not including a home business in a single family or multi-family residence)
  - (9) Outdoor Entertainment
- (c) Maximum building height shall meet the requirements of the City of Hardeeville MZDO for group dwellings and multiple family dwellings.
- (d) Prohibited Uses:  
The following commercial uses are specifically prohibited:
- (1) Junkyards or auto salvage yards.
  - (2) Gambling facilities not authorized by law
  - (3) Outdoor Amusement Parks
  - (4) Outdoor Go-Cart racing facilities
  - (5) Outdoor roller coasters and other carnival like facilities
  - (6) Sexually-oriented businesses

12. Open Space (Allowed Use in All Districts)

- (a) Total open space for the Anderson Tract PDD shall be calculated for the boundary of the Concept Plan PDD and not on site specific basis for each Master Plan Phase of the PDD, individual Development Plan Phase. The Anderson Tract Concept Plan PDD shall provide at least twenty-five (25) percent open space and of that at least one (1) acre per 125 dwelling units (du) based on final DU at built out of PDD shall be active open space, in accordance with the MZDO, (See Exhibit A) which open spaces shall be reasonably accessible to the residents. Open space and active open space shall be calculated based on the total gross acreage. Each Master Plan Phase submittal for residential subdivision shall contain at least ten (10) percent open space in accordance with the required standards noted here. The active open space requirement shall meet the Concept Plan PDD Standard. Open space

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and active open space may be located in restricted access, gated communities and shall consist of the following:

- (1) Landscaped areas including manicured village greens
- (2) Fifty (50) percent of lagoons, ponds, impoundments and lakes (detention, retention, or recreational)
- (3) Fifty (50) percent of freshwater wetlands
- (4) Wetland buffers
- (5) Forest, wildlife preserves / corridors, conservation areas and greenbelts
- (6) Community garden plots
- (7) Recreation areas including swimming pools, tennis courts, playgrounds, ball fields, lawn game fields, gardens, etc
- (8) Public or private, regulation or par three golf courses, including ancillary facilities such as golf learning centers, practice facilities and support facilities
- (9) Pedestrian / bicycle trails
- (10) Perimeter buffers

13. Setbacks and Buffers (Allowed Use in All Districts)

- (a) There shall be no minimum setbacks applied to the Anderson Tract Concept Plan PDD, unless noted otherwise in this PDD document. Setbacks and buffers shall meet the minimum requirement established herein and set forth in this PDD shall apply to the perimeter of the PDD only, provided, however, that any required wetlands setbacks shall apply according to law throughout the PDD.
- (b) Perimeter setbacks and buffer standards shall include:
  - (1) At adjacent property boundaries of Anderson Tract; setbacks and buffers shall be ten (10) feet except where said boundary is a jurisdictional wetland or recorded conservation easement, then the setbacks and buffers shall be as determined by the state and federal agencies having jurisdiction over the wetlands. Utilities and stormwater management facilities (subject to the provisions of Section II.D.17) are allowed in the perimeter setback and buffer area. Should any area of the Concept Plan PDD be adjacent to another property outside the Anderson Tract, in which an intervening wetland or buffer does not exist then the buffer shall be fifty (50) feet. Where differing land uses are encountered outside the Concept Plan PDD (i.e., multi-

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family to residential, or light industrial to residential; or residential to commercial), fencing requirements of the MZDO shall apply in addition to the Concept Plan PDD buffer.

- (c) Highway 278 Corridor Overlay District (HCOD) standards shall be adhered to provided that signage shall be governed by the provisions of the Master Sign Program attached as Exhibit I. Landscaping, including water features, ponds, lagoons, etc. are permitted in buffer areas (as amended herein).

14. Signage Control (Allowed Use in All Districts)

- (a) Signage for the Anderson Tract PDD shall be governed by the Master Sign Program similar to the attached as Exhibit I. Exhibit I is submitted to show a design standards level but does not represent the final material and aesthetic design for the community signage program. Each community within the PDD will take its own material and aesthetic identity and although similar materials may be used the graphic and logo identity will be unique to each therefore the Owner / Developer reserves the right to change and/or resubmit these designs at the time signs are being designed and developed.

15. Silviculture (Allowed Use in All Districts)

- (a) This designation allows for continuation of managed forestry. Silviculture includes the practice of planting, culture and harvesting of trees for the purpose of producing wood fiber and timber. Generally accepted methods of forest management are permitted including wildlife management, construction and use of forest roads and practices to promote health and growth of trees for harvest. Silviculture uses may continue up to the time a subdivision plat is recorded and must be in accordance with standard forestry BMPs. The Owner / Developer shall be permitted to plant and grow trees on the Property which may be used for tree farming for harvesting of such trees for purposes of replanting same in locations which are on or off the Property and may engage in farming operations which are indigenous to the area.

16. Wetlands (Allowed Use in All Districts)

- (a) This designation allows the following uses within wetlands. Freshwater wetlands on the Property shall be those areas over which the applicable governmental agencies claim jurisdiction for freshwater wetlands. The following are permitted uses:
  - (1) Open space and buffers

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- (2) Conservation areas
- (3) Activities in all wetland areas as permitted by the U. S. Army Corps of Engineers and South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management (OCRM)
- (4) Disposal of reclaimed water as permitted by SCDHEC
- (5) Stormwater management and recreational waterways
- (6) Boardwalks, trails, bridges and other permitted structures
- (7) Wildlife management
- (8) Roads and temporary service corridors

17. Utilities (Allowed Use in All Districts)

- (a) This designation allows for utility service to serve the planning tracts of the Anderson Tract PDD. The following land uses shall be allowed only after written approval from the Owner / Developer and its consultants for location and design. Screening, buffering and other aesthetic matters must meet or exceed the MZDO requirements and may be approved at Master Plan Phase approval:
  - (1) Potable water supply and distribution
  - (2) Wastewater collection, treatment and disposal
  - (3) Stormwater collection, treatment and detention
  - (4) Irrigation
  - (5) Communication towers
  - (6) Satellite antennas
  - (7) Cable television facilities
  - (8) Telephone facilities
  - (9) Power transmission and distribution
  - (10) Fiber optic lines
  - (11) Other utility services, (i.e., internet access and other telecommunication uses)
- (b) Certain community wide infrastructure is required for the development of any large, master planned community. This infrastructure may include, but is not limited to, the following:
  - (1) Use of arterial streets and primary access roads, rights-of-way for conveyance of systems
  - (2) Water supply
  - (3) Wastewater treatment and effluent disposal

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- (4) Power substations
  - (5) Central telephone facilities
  - (6) Stormwater management lagoons
  - (7) Natural gas supply
- (c) In the case of this Concept Plan PDD, the community wide infrastructure may serve more than one Master Plan Phase. Infrastructure serving the community (on-site and off-site) will be approved as part of the Master Plan Approval process. Utility services infrastructure projects must receive a City of Hardeeville Development Permit prior to construction.
18. Recreational Vehicle Parks (Allowed Use in All Uses of Commercial, Mixed Use and Residential Districts)
- (a) These parks are permitted provided the Owner / Developer and the City agree to the design standards that must be submitted at the time of application. Recreational Vehicle Parks shall be buffered a minimum of twenty (20) feet from any adjacent residential land use.
19. Traditional Neighborhood Development (TND) (Allowed Use in All Uses Allowed In Residential and Mixed Use Districts)
- TND Overview
- (a) This land use category allows for the development of a TND within the Anderson Tract Concept Plan PDD typified by the culture, value and traditions exemplified in the historic areas of many northern and southern communities, including Savannah, GA, Charleston, SC and more recently Seaside, Florida. This development will reflect techniques used in these traditional neighborhoods, which may include pedestrian friendly sidewalk lined grid streets, small parks, utilitarian alleys, on-street parking, and street trees. The neighborhoods will be designed with homes, close to the street side, sidewalks shaded by street trees, with front porches to accommodate the rocking chairs and porch swings. These neighborhoods will be designed to provide for a mix of uses that accommodate the necessities of uses within walking distance. Homes within the neighborhood are planned to be within a five (5) minute walk of the community hall, civic buildings and neighborhood commercial area.
  - (b) The traditional neighborhood will be a mixed-use development consisting of neighborhood-commercial, single-family residential, multi-family residential, recreational, civic uses and open space. There shall be allowance for mixed-

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use capabilities (live/work units) as well as an allowance for accessory buildings to have residential capacity (such as garage apartments). Other distinctive features of this traditional neighborhood that will be allowed within this district are outlined in this land use category.

- (c) Design Standards applicable to TND shall be submitted and approved at Master Plan Phase and may have standards deviating from the MZDO or this PDD, provided that health, safety, ingress / egress and fire protection concerns are addressed to the satisfaction of the City of Hardeeville.



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**III. MZDO CHANGES / EXEMPTIONS**

In accordance with Section 4.21.700(E)(5) of the MZDO dated March 20, 2003, the following clarifications or modifications to otherwise applicable standards of the MZDO are hereby made applicable to the Anderson Tract PDD by reference to MZDO sections below. It is acknowledged that concerted efforts have been made to identify each provision of the MZDO sought to be waived or modified, and thus to the extent that a specific provision of the MZDO is not listed below but conflicts with the wording and intent of the PDD, that provision shall be deemed to have been included in the listing below. To the extent the provisions of the PDD are not clear, then the provisions of the MZDO dated March 20, 2003 and as amended September 6, 2006, (See Exhibit G) as amended through the date of approval of this PDD, not listed or deemed listed, shall apply.

*Section 2.7*

*(March 20, 2003)*

Architectural Review – The Property is exempt from the provisions of this section provided the Owner / Developer’s Architectural Review standards meet or exceed those of the City of Hardeeville’s MZDO and Owner / Developer or an entity which is controlled by Owner / Developer, controls the Architectural Review Board (ARB). The City of Hardeeville shall not issue a building or development permit unless the plan submitted has been approved in writing or stamped by the Chairman or his designee of the ARB.

*Section 3.3*

*(March 20, 2003)*

Expiration of Permits – This provision is modified to extend the time for work authorized by a permit to begin to one (1) year and to authorize an applicant to request extension of a permit for a period of one (1) year.

*Sections 4.10-4.13*

*(March 20, 2003)*

Other Requirements( in each single and/or two family housing modifications shall be as follows): Maximum Building Height: Thirty-five (35) feet. Section 4.13 is further modified in the case of Group Dwelling and Multi-Family Dwellings the maximum building height shall be fifty (50) feet unless approved otherwise in accordance with Section D. Definitions of Land Use Terms and Density Terms, subparagraph 5e of this PDD. In each case building heights are measured from the finished grade elevation to the eave base of the building. For other exceptions to height regulations

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see: Section 5.12 of the MZDO approved March 20, 2003 and/or section 4.2 of the amended MZDO dated September 6, 2006.

*Section 4.13.1*

*(March 20, 2003)*

General Residential, Other Requirement – (k) is deleted and replaced with the requirement that multi-family uses in the PDD must be separated from single family uses by a six (6) foot fence or by landscaping that achieves 75% opacity within two (2) years. Lot sizes and setbacks are governed by the provisions of the PDD Section II.D.5.

*Section 4.15*

*(March 20, 2003)*

No provisions of R-20, R-14, or R-10 apply. The provisions of TC-1, TC-2 and BI shall not apply to the Anderson Tract PDD.

*Section 4.21.600*

*(March 20, 2003)*

This section is deleted. Setbacks and buffers are governed by the PDD Section II.D.6.c, Section II.D.5, Section II.D.13 and Section II.D.19.

*Section 4.21.700(E)(17)*

*(March 20, 2003)*

It is hereby acknowledged by the City of Hardeeville that, due to the size of this PDD and the variety of uses contemplated for it, some information required for a typical PDD application is either unavailable or impractical or to provide at this point. The City specifically acknowledges the sufficiency of the Anderson Tract Concept Plan PDD application as submitted. Additional or omitted information may be provided at the time of Master Plan submittal.

*Section 4.21.700(H)*

*(March 20, 2003)*

(First subparagraph H on page 66). This section is amended as follows: Notwithstanding anything herein to the contrary, the property subject to the Anderson Tract Concept Plan PDD, upon receipt of appropriate state and federal approvals, may implement a drainage plan without an overall master plan or development plan being submitted for any particular area.

*Section 4.21.800(I)*

*(March 20, 2003)*

This section is amended to provide that a Traffic Impact Assessment (TIA) for individual master planned areas may be required at Master Plan submittal to justify road design. Traffic mitigation is provided under the Development Agreement.

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*Section 4.21.1000(H)*

*(March 20, 2003)*

This section is amended to provide that a Traffic Impact Assessment (TIA) for individual master planned areas may be required at Master Plan submittal to justify road design. Traffic mitigation is provided under the Development Agreement.

*Section 4.21.1000(W)*

*(March 20, 2003)*

This section is amended as to provide that trees existing as part of planted pine crop area shall be represented on an exhibit illustrating the area containing the planted pine tree planting pattern with row, tree spacing and typical size. The information will be field verified to ensure accuracy of the exhibit's factors, but each tree in the pine crop area will not be physically located by standard survey methods. Hardwood trees in excess of eight (8) inches dbh will be located by providing a boundary around tree stands located with a GPS device. (unless modified elsewhere herein - I. Tree Preservation, page I-8 and I-9).

*Section 4.21.1000.Y*

*(March 20, 2003)*

This section shall not apply unless the applicant seeks to pre-sell lots prior to completing the installation of infrastructure for that phase.

*Section 4.22*

*(March 20, 2003)*

Highway Buffer - after Item (1), (I) add:

- (j) water features and water falls
- (k) entrance walls with signage
- (l) berms, raised planting areas over six (6) feet
- (m) sculpture and entrance structures or buildings
- (n) open fences or iron work over six (6) feet

*Section 4.22*

*(March 20, 2003)*

Highway Buffer - delete (2) and add the following:

- (2) Tree preservation: See Item I Tree Preservation of this PDD document.

*Section 4.22*

*(March 20, 2003)*

Signage - Highway 278 Corridor District shall be in accordance with the PDD Signage Program.

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- Section 5.3*  
*(March 20, 2003)* Lots. Unless otherwise agreed at Master Plan approval, the provisions of Section 5.3 as amended by this PDD shall apply.
- Section 5.6*  
*(March 20, 2003)* Temporary Uses. Subsection (a) and (b) are deleted, these provisions being authorized as a matter of right, in accordance with the terms of the Development Agreement.
- Section 4.6*  
*(September 6, 2006)* Parking Spaces Deviations. Deviations may be approved at Master Plan approval.
- Section 5.8(b)* Parking requirements according to Use (b) Add (4) Multi-Family Parking shall be two (2) spaces/dwelling unit (DU) for two (2) or less bedrooms and two and one-half (2.5) spaces / DU for three (3) or more bedrooms, unless the Developer may show that statistical data that substantiates a deviation from these requirements at the Master Plan Phase Submission.
- Section 5.9 (c)*  
*(March 20, 2003)* Off-street Loading. This provision is replaced by "Multi-family use requires an additional 0.25 spaces / unit."
- Section 5.9 (d)*  
*(March 20, 2003)* Parking Requirements. Deviations may be approved at Master Plan approval where adequate parking, shared or otherwise, is provided.
- Section 4.3*  
*(September 6, 2006)* Open Space Standards. This section is amended. Open space is governed by PDD Section II.D.12.
- Section 5.15*  
*(March 20, 2003)* Delete and Replace With: "Site clearing shall be consistent with the Concept Plan PDD requirements and regulations and approved Master Plan Phase. Specific landscaping standards will be submitted at Master Plan Phase submittal and shall meet or exceed the landscape standards attached hereto as

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Exhibit H as modified. Specific landscaping plans are to be submitted at Development Plan Approval application.”

*Section 5.15*

*(March 20, 2003)*

Delete paragraph “Protection of Trees” and Add - “Tree Protection, Tree Survey and Replacement of Trees. Trees shall be governed as modified by Section I.I Tree Preservation and Exhibit H of the PDD.”

*Section 5.16*

*(March 20, 2003)*

Signs - Replaced by the Master Signage Program attached hereto as Exhibit I. (The Owner / Developer reserve the right to alter and/or change the Signage Program / Design and submits this exhibit as an example.)

*Section 5.18*

*(March 20, 2003)*

Stormwater Management. The rainfall frequency used to calculate stormwater runoff and design stormwater management facilities for watersheds 300 acres and above shall be the twenty-five (25) year, twenty-four (24) hour frequency, except for the Main Road, which shall be designed to the fifty (50) year storm event standard.

**ANDERSON TRACT  
CONCEPT PLAN PDD**

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**Exhibits List**

- Exhibit A     Anderson Tract Concept Plan**
- Exhibit B     Anderson Tract Legal Description and Adjacent Property Owners Notification**
- Exhibit C     Anderson Tract Wetlands, Boundary Survey, Topography and Flood Zones**
- Exhibit D     BJWSA Intent to Serve Letter**
- Exhibit E     SCE&G Intent to Serve Letter**
- Exhibit F     Hargray Intent to Serve Letter**
- Exhibit G     City of Hardeeville MZDO**
- Exhibit H     Landscape Standards**
- Exhibit I     Master Sign Program (This exhibit being submitted as a template and may be re-addressed at Master Plan Phase)**
- Exhibit J     Threatened and Endangered Species Report**
- Exhibit K     Traffic Study - To Be Provided at Master Plan Phase**
- Exhibit L     Draft Cultural and Historical Resources Report**