

**HARDEEVILLE-SAVANNAH TRACT
PLANNED DEVELOPMENT DISTRICT
AND
CONCEPTUAL MASTER PLAN**

JASPER COUNTY, SOUTH CAROLINA

**PREPARED FOR:
WILLIAM MONROE, JR.**

**SUBMITTED TO:
THE CITY OF HARDEEVILLE**

SUBMITTED April, 2011

**PREPARED BY:
THOMAS & HUTTON**

Savannah, GA | Charleston, SC | Myrtle Beach, SC | Brunswick, GA | Wilmington, NC



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APPLICANT AND PLANNING TEAM

Developer / Applicant:

William Monroe, Jr.
Bluffton, South Carolina

Owner:

William Monroe, Jr., John S. Poindexter III & Margaret Poindexter Varner, Scott Rhodes,
Freddie L. West & Leroy E. West
Jasper County, South Carolina

Engineer and Surveyor:

Thomas & Hutton
Savannah, Georgia
Mr. Lamar Mercer

A&C Professional Surveying, Inc.
Hardeeville, South Carolina
Mr. Matthew D. Clark, PLS

Environmental Consultant and Permitting and Wetland Delineation:

Sligh Environmental Consultants, Inc.
Savannah, Georgia
Mr. Stuart Sligh

Legal Counsel:

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Mr. Clifton Huston

**HARDEEVILLE – SAVANNAH TRACT
PLANNED DEVELOPMENT DISTRICT
AND
CONCEPTUAL MASTER PLAN**

I. INTRODUCTION AND NARRATIVE

The Hardeeville-Savannah Tract Planned Development District (“PDD”) is comprised of that certain real property located in Jasper County, South Carolina (the “Property”) as more particularly described in the attached **Exhibit A** and as depicted on the survey(s) attached as **Exhibit B**. The Property is owned by William Monroe, Jr., John S. Poindexter III & Margaret Poindexter Varner, Scott Rhodes, Freddie L. West & Leroy E. West (collectively, “Owner”).

Owner is pursuing annexation of the Property into the City of Hardeeville (“City”), rezoning of the Property to a Planned Development District (“PDD”) designation through the City, and a Development Agreement (“Development Agreement”), with the City.

A. THE PROPERTY

1. The Property is located within Jasper County and is bounded by U.S. Highway 17 to the south, South Carolina Highway 170A and privately owned parcels to the east, South Carolina Highway 170 and privately owned parcels to the north, and CSX Railroad and privately owned parcels to the west. The Property contains approximately three thousand five hundred linear feet ($\pm 3,500$ LF) of frontage along U.S. Highway 17; six thousand five hundred linear feet (6,500 LF) of frontage along South Carolina Highway 170A; six thousand linear feet (6,000 LF) of frontage along Levy Road; and approximately one thousand eight hundred linear feet ($\pm 1,800$ LF) of frontage along South Carolina Highway 170. The survey and plat information of the Property show the following information:
 - (a) Vicinity map
 - (j) Boundary and dimensions
 - (k) Existing adjacent streets
 - (l) Adjacent property owners
 - (m) Existing easements
 - (n) Existing structures
 - (o) Adjacent rivers or major wetlands
2. The Property consists of approximately one thousand nine hundred eighty-nine acres ($\pm 1,989$ AC) including one thousand two hundred ninety-nine acres (1,299 AC) of uplands, and six hundred ninety acres (690 AC) of

freshwater wetlands. The property does not have critical area or frontage on salt marsh or creeks. The wetlands delineation survey(s) attached as **Exhibit C** depicts the freshwater wetlands on the site(s). Verification of the delineation with the United States Army Corps of Engineers (USACOE) is ongoing at this time. Flood zones for the property are indicated on the boundary surveys attached as **Exhibit B**.

3. The surveys/legal descriptions attached as **Exhibit B** depict the Property boundaries. The land surrounding the Property is, as of this writing, predominantly undeveloped. Bordering a portion of the Hardeeville-Savannah Tract to the west is the Hardeeville Tract, parts of which are now known as Riverport, which was annexed and rezoned in 2006 as a Planned Development District in the City of Hardeeville.

B. PLANNED DEVELOPMENT DISTRICT PROCESS

1. The Planned Development District (PDD) zoning category 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 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 a 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 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 and Jasper County.
2. In the event Owner, its successors or assigns, acquires real property adjacent to the Property, City agrees to consider allowing Owner, its successors or assigns, to annex such real property and amend the Conceptual Master Plan (also known as the PDD Plan) to make such property subject to the appropriate terms and uses of this PDD and the Development Agreement.

C. CONCEPTUAL MASTER PLAN

1. It is anticipated that the Property will be developed over a period of up to twenty years or more, in accordance with the Conceptual Master Plan attached as **Exhibit D** and as the same may be supplemented by subsequent master and development plans submitted pursuant to the provisions of this PDD. The Conceptual Master Plan sets forth the general scope of the development including number of units, phasing, development standards, open space and other matters. In addition to the Conceptual Master Plan, development of the Property is controlled by other provisions of the PDD, the Zoning Regulations, and the Development Agreement.
2. The goal of the PDD and Conceptual Master Plan is to provide guidelines to produce a high quality, residential, mixed use, commercial, and industrial development that raises the quality of life and development standards in the area while anticipating the future needs for commerce and services. The Property provides an opportunity for a mixture of land uses that will be developed over a period of time. The PDD designation is necessary to accommodate the land uses and to provide for the responsible planning and development of the property over time.
3. The Conceptual Master Plan for the Property, prepared by Thomas & Hutton attached as **Exhibit D**, depicts the general roadway layout, parcel layout and shows areas designated for residential, mixed use, commercial, and industrial use. These designations are general and may be modified under the terms and conditions of the PDD. Proposed land uses in the development are detailed under Section 2 – Land Use Designation and Definitions.
4. The Conceptual Master Plan seeks to maintain open space requirements set forth in the Hardeeville Municipal Zoning and Development Code (“MZDO”) dated March 20, 2008, a copy of which is attached as **Exhibit J**, except as amended hereinafter by the provisions of the PDD Standards. The open space and amenities, if any, will be owned and maintained by the Owner, Developer, a property owners’ association(s), their successors or assigns or other legally designated entity. All property deeded to a governmental entity shall become the maintenance responsibility of that entity or as otherwise provided in accordance with the Hardeeville-Savannah Tract Development Agreement.
5. The Conceptual Master Plan and the provisions of this PDD will constitute the zoning for the Property and a waiver from the current Hardeeville Municipal Zoning and Development Ordinance (MZDO) where differences occur. The most current version of the MZDO is included as part of the PDD document. Exceptions to these regulations are established within the PDD as detailed in Section 3 of this document.

6. The Conceptual Master Plan may introduce land uses that presently do not exist in current zoning documents.
7. The provisions of the Development Agreement and the Conceptual Master Plan shall apply to development of the Hardeeville-Savannah Tract PDD. The respective owners of the Monroe Sub-Parcel A, Monroe Sub-Parcel B, Monroe Sub-Parcel C, Monroe Sub-Parcel D, John S. Poindexter & Margaret Poindexter Varner Sub-Parcel A, John S. Poindexter & Margaret Poindexter Varner Sub-Parcel B, John S. Poindexter & Margaret Poindexter Varner Sub-Parcel C, John S. Poindexter & Margaret Poindexter Varner Sub-Parcel D, Rhodes, Freddie L. West and Freddie L. West & Leroy E. West Parcels, as shown on **Exhibit D**, may opt to be subject to (1) the provisions of the Conceptual Master Plan and the MZDO as provided herein or (2) solely the MZDO, but this option must be made by the Owner no later than the date of the first development application submitted to the City on the parcel by notifying the City in writing of its decision thereon. The exercise of this option shall not affect the application of the Development Agreement to that parcel. In the event of a conflict among the Hardeeville-Savannah Tract PDD documents, the hierarchy of documents is: 1) the Development Agreement; 2) the PDD Conceptual Master Plan and its PDD Standards, which includes all attachments and exhibits; and 3) the MZDO as amended. In the event of an omission, the MZDO shall govern. To the extent of ambiguity, the parties shall attempt to review same consistent with the terms of the Development Agreement, PDD Standards and the MZDO.

D. ENVIRONMENTAL PROTECTION

1. Environmental protection is a priority for the applicant. As part of the development process, Owner, its successors or assigns will meet the then current stormwater management requirements of Hardeeville and Best Management practices, and the then existing requirements of South Carolina Department of Health and Environmental Control's Office of Ocean and Coastal Resource Management (OCRM).
2. Owner, its successors or assigns will prepare stormwater management plans for the Property as the Property is developed in accordance with a stormwater drainage master plan to be prepared by a professional engineering firm 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 storm water quality through the use of Best Management Practices (BMP's) as established by the then current stormwater standards of the

MZDO, and then applicable state and federal governmental regulations to enhance water quality and protect the surrounding freshwater wetlands.

3. Freshwater wetlands on the property are typical of the South Carolina LowCountry. Approximately thirty-five percent (35%) of the property consists of freshwater wetlands. The freshwater wetlands within the property have been delineated. A copy of the wetlands delineation exhibits is included as **Exhibit C**. Verification of the delineation with the USACOE is ongoing at this time.
4. On-site wetland impacts resulting from the development of the Property will be permitted jointly through the USACOE and the OCRM, a division of the South Carolina Department of Health and Environmental Control (SCDHEC). All impact mitigation will meet or exceed state or federal standards then in effect. Non-jurisdictional impacts to wetlands will be permitted through OCRM and SCDHEC.

E. CULTURAL AND HISTORICAL RESOURCES

As part of a comprehensive study of the property, a cultural resources assessment was conducted by ECS Mid-Atlantic, LLC in August 2007 for the Property, which excluded the West Tracts. Prior to development, cultural resource issues, if any, will be addressed in accordance with the South Carolina Department of Archives and History regulations. A copy of the Cultural Resources Assessment is included as **Exhibit E**. No requirements in connection with historical or cultural resources pertaining to the Property, other than as may be required by the State of South Carolina in accordance with applicable law shall be imposed on the Property.

F. WATER AND SEWER SERVICE

Water and sewer service will be provided to any development in the Property 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 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 as evidenced by the Intent to Serve letter included as **Exhibit F**. BJWSA operates and maintains water and sewer systems within their service area upon completion by the developer and acceptance by the Authority. All development, with the exception of irrigation, incidental maintenance facilities, and small remote facilities will be provided with public potable water and sewer prior to occupancy except as may be exempted by provisions of the Development Agreement.

G. UTILITY SERVICE

1. The Property is in the service territory of South Carolina Electric and Gas ("SCE&G") and Palmetto Electric Cooperative ("Palmetto Electric") for electrical power and natural gas service. Preliminary discussions with SCE&G and Palmetto Electric indicate a willingness to serve the property as evidenced by the Intent to Serve letters included as **Exhibit G**. Owner, its successors or assigns will coordinate with SCE&G and Palmetto Electric regarding planning for the Property.
2. Hargray or another licensed provider will provide telephone and cable service to the Property. Owner, its successors or assigns will coordinate with the provider regarding planning for the Property. Preliminary discussions with Hargray indicate a willingness to serve the property as evidenced by the Intent to Serve letter included as **Exhibit H**.
3. Other Utility services shall be provided by legally established entities at the discretion of Owner, its successors or assigns, provided such are in accordance with the franchising ordinances/licensing with the City.
4. Utilities must be underground, except as reasonably necessary for above ground support facilities. The Owner will coordinate with all utilities regarding planning for the Property, and will coordinate to the extent possible with the adjacent properties, including the Hardeeville Tract.
- 5.

H. ROADWAYS AND TRAFFIC

1. There are seven (7) public roads which are contiguous to the Property: U.S. Highway 17, South Carolina Highway 170A, South Carolina

Highway 170, Levy Road, Macedonia Church Road, Nelsons Court, and Honeysucker Road. U.S. Highway 17, South Carolina Highway 170A, South Carolina Highway 170, and Levy Road are under the jurisdiction of the South Carolina Department of Transportation ("SCDOT") regarding access, construction, improvements and maintenance.

2. **FULL ACCESS POINTS**

Ingress and egress for the property will be provided by a combination of existing and proposed access points that will require approval from either the State Department of Transportation (SCDOT) and/or the local municipality depending on who owns the roadway. The table included as part of Exhibit ____, along with Exhibit D, indicates the proposed full access points for the property. These full access points will allow traffic movements in all directions for ingress and egress into or from the property. In general, full access points shall be allowed at intervals no closer than 1,000 feet, unless environmental or other physical constraints prohibit this from happening. The full access point locations described above and shown on the attached exhibit are preliminary and may be relocated based on final development plans.

3. **RIGHT-IN/RIGHT-OUT ACCESS POINTS**

The table and the attached Exhibit D do not indicate where potential right-in/right-out access points may be provided at this time, however, right-in/right-out access shall be allowed. In general, right-in/right-out access points shall be allowed at intervals no closer than 500 feet, unless environmental or other physical constraints prohibit this from happening. The locations of the right-in/right-out access points shall be negotiated between the developer and the City and shall be permitted appropriately through the SCDOT as required.

4. **SIGNALIZED ACCESS POINTS**

Signalized access points have not been addressed in the above table or the attached exhibit. In general, signalized access points shall have a minimum spacing of 2,500 feet, unless it can be demonstrated that signals closer than 2,500 feet will create better safety and/or traffic conditions than could otherwise be provided. Signal locations shall be addressed and/or installed at such time as warranted during the development process of the Property. Full planning, design, and construction of these accesses will be accomplished in a manner consistent with SCDOT standards, traffic impact assessment or PDD standards, whichever are applicable. Roadway cross sections will be submitted for review at time of Master Plan approval stage.

5. The planned accesses described above are conceptual and may be redesigned and relocated to accommodate traffic modeling information,

- site specific characteristics, and adjacent land uses and access points as part of an approved traffic management plan. Additional access may be provided upon completion and approval of traffic modeling.
6. The Property shall have public and private roadways designed in a manner consistent with the standards of SCDOT (or other engineering standards reasonably acceptable to the City), traffic impact assessment, or as amended by this PDD, whichever are applicable.
 7. Roadways indicated on the Conceptual Master Plan are subject to modification at the time of each parcel's Master Plan review and approval based upon specific soil conditions, environmental concerns, physical constraints and design parameters.
 8. Notwithstanding the provisions of Section I.K.5 above, 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.
 9. A Traffic Analysis as set forth in the MZDO or as requested by City Staff and City Council shall be provided at the time of each Master Plan submission, for the development proposed under the Master Plan submission. An initial traffic study for the Hardeeville-Savannah Tract is included as **Exhibit I**. Installation of the mitigation as determined by the approved Master Plan Study shall be a prerequisite for development under the Master Plans.
 10. The Hardeeville-Savannah Tract PDD shall provide roadway linkage of major land use areas including internal linkage to commercial and recreational uses. Certain areas within the Hardeeville-Savannah Tract PDD in whole or in part may be developed as private roads with access restricted and/or gated appropriately at Owners discretion. Sidewalks shall be provided in the Hardeeville-Savannah Tract PDD in appropriate locations. The frequency and location of sidewalks shall be established based upon anticipated pedestrian usage within, and between land uses in addition to the proposed traffic loads of adjacent roads. A master sidewalk plan, including design criteria governing sidewalk placement, shall be submitted and approved as part of each Master Plan submittal, for the development proposed under the Master Plan submission. Direct connectivity by roads, sidewalks, or non-vehicular pathways through private subdivisions is not required, although encouraged to be determined at the time of Master Plan.

I. LANDSCAPING STANDARDS

Owner or Developer shall adopt landscaping standards for the Property which shall be submitted to the City of Hardeeville for approval prior to each Master Plan Approval, for the development proposed under the Master Plan submittal.

J. PARKING

The total number of required parking spaces for all land uses allowed herein shall conform to sections 3.1.E and 4.6 of the City of Hardeeville MZDO. Deviations may be allowed provided the applicant furnishes actual documentation that the new standard meets the parking needs of the proposed land use and the City approves at each Master Plan approval.

K. STORMWATER MANAGEMENT

The Property shall conform to the Stormwater Management Provisions of the Hardeeville MZDO, as amended and applicable state and federal requirements. The design storm used for all stormwater design within the Property shall be a 25-year, 24 hour design storm event, except for all major arterial roadways which must meet a 50 year, 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 receiving water bodies.

Sufficient stormwater BMPs shall be employed in the development of the Property to ensure runoff leaving the site does not degrade water quality. Using underground storage facilities for stormwater retention areas shall be permitted on the Property.

1. As part of the development process, Owner, its successors or assigns will meet the then current stormwater management requirements of Hardeeville and the then existing requirements of South Carolina Department of Health and Environmental Control's Office of Ocean and Coastal Resource Management (OCRM).
2. Owner, its successors or assigns will prepare stormwater management plans for the Property as the Property is developed in accordance with a stormwater drainage master plan to be prepared by a professional engineering firm 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 storm water quality through the use of Best Management Practices (BMP's) as established by the stormwater standards of the MZDO as

amended and then applicable state and federal governmental regulations to enhance water quality and protect the surrounding freshwater wetlands.

L. TREE PRESERVATION

1. The Applicant understands that the MZDO mandates a minimum allowable post development tree coverage for Conceptual PDD 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.
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. This site has soil characteristics that 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 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 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 (15) trees 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) inches dbh (diameter breast height) 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 4.8, Tree Protection of the Hardeeville MZDO. 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 parking lots, roadways, plazas, landscaped green spaces, streets, etc. based on the requirements of the PDD Standards for the PDD. It shall be the responsibility of the Developer to maintain an ongoing record of 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 (15) 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.

M. DEVELOPMENT STANDARDS

Site development within the Hardeeville Tract PDD will be controlled by the development standards set forth in this document, the Development Agreement, and the MZDO.

II. CONCEPTUAL MASTER PLAN LAND USE DESIGNATIONS AND DEFINITIONS

A. INTRODUCTION AND NARRATIVE

1. The Hardeeville-Savannah Tract PDD contains a total acreage of approximately one thousand nine hundred eighty-nine acres (\pm 1,989 AC), including one thousand two hundred ninety-nine acres (\pm 1,299 AC) of upland, and six hundred ninety acres (690 AC) of freshwater wetlands as indicated on the Conceptual Master Plan.

(a) The Conceptual Master Plan consists of the following land use areas:

- (i) Monroe Sub-Parcel A
- (ii) Monroe Sub-Parcel B
- (iii) Monroe Sub-Parcel C
- (iv) Monroe Sub-Parcel D

- (v) Poindexter Sub-Parcel A
- (vi) Poindexter Sub-Parcel B
- (vii) Poindexter Sub-Parcel C
- (viii) Poindexter Sub-Parcel D
- (ix) Rhodes Parcel
- (x) Freddie L. West Parcel
- (xi) Freddie L. West & Leroy E. West Parcel

2. The land use areas indicated on the Conceptual Master Plan are not intended to be rigid and exact boundary lines for future land use and improvements. The Conceptual Master Plan for the Property shall maintain reasonable flexibility as may be requested by Owner and its successors and assigns to accommodate specific soil conditions, environmental concerns, physical constraints, pedestrian friendly requirements, market conditions, and design parameters; and as such, the exact location of boundary lines and buildings between land uses and their subsequent location and size indicated within the planning area shall be subject to change at the time of Master Planning of the specific tracts within the Property and the time Development Permit plans are submitted for development, provided, however, that maximum densities and other conditions of this PDD and the Development Agreement between the City and Owner will be strictly adhered to, unless adjustment is requested by the Owner, its successors or assigns and approved by the City. The boundaries of the Property may be modified to include adjacent acreage subject to the approval of the City of Hardeeville by appropriate petition/application to the City to amend the PDD and the Development Agreement.

B. ALLOWED LAND USES

1. The following land uses shall be permitted in the Hardeeville-Savannah Tract PDD. The purpose of this portion of the PDD document is to state which land uses shall be allowed within the Property; however, by allowing these uses this does not obligate the developer to provide the uses or facilities stated herein. Final allowable land uses shall be designated by Owner(s), and approved by the City, at Master Plan approval for each Parcel.
2. The following land uses and definitions may be permitted in all Land Use Areas, subject to further clarification and approval at the time of Initial Master Plan submittals:
- (a) Business Park/Light Industrial
 - (b) Community Center
 - (c) Community Recreation
 - (d) Commercial

- (e) Hotel//Motel/Inn/Resort and Condominium/Hotel
 - (f) Institutional/Civic
 - (g) Maintenance Areas
 - (h) Mixed Use
 - (i) Model Home/Sales Center
 - (j) Multi-Family Residential
 - (k) Neighborhood Commercial
 - (l) Open Space
 - (m) Recreational Vehicle Parks
 - (n) Single-Family Residential
 - (o) Traditional Neighborhood Development
 - (p) Utilities
 - (q) Wetlands/Mitigation Bank
3. Any easement that occurs within the Property shall have the same allowed land uses as any of the adjacent land uses. Any restrictions shall be based on the legal definition of the easement.
 4. Design Regulations will be established for each Land Use Area at the time of each Master Plan approval in accordance with Section II.B.6 herein. Unless otherwise agreed at Master Plan approval or in this PDD, the standards for uses from the MZDO shall apply.
 5. All currently existing land uses will continue to be allowed within the PDD in all Land Use Areas.
 6. Design Standards shall be submitted at each Master Plan stage, 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. Unless otherwise agreed at the Initial Master Plan approval or in this PDD, the standards for uses from the MZDO shall apply.

C. ALLOWED DENSITY AND TRANSFER OF DENSITY BETWEEN PLANNING AREAS

1. The Conceptual Master Plan for the Hardeeville-Savannah Tract PDD consists of approximately eight hundred eighty seven (±887 AC) of residential land use, fifty eight acres (58 AC) of multi-family land use, seventy acres (70 AC) of mixed-use, seventy acres (70 AC) of commercial land use and two hundred fourteen acres (214 AC) of industrial land use (upland) as generally depicted on the Conceptual Master Plan. The Conceptual Master Plan shows initial allocation forecasts only and may be modified at Master Plan approval; all uses are allowed in all areas of the PDD, subject to Master Plan approval. The Hardeeville-Savannah Tract

PDD is planned to include four thousand five hundred forty-seven (3,507) residential units, which is based on a gross unit density of (2.7) units per acre applied to the entire Hardeeville-Savannah Tract upland area, one thousand two hundred ninety-nine acres (1,299 AC). In addition to the base maximum number of residential units set forth above, residential density may be increased to 3.6 units per upland acre overall, based on the total number of acres that are assigned to residential use, if the Owner, or its assigns, can demonstrate, through a traffic impact analysis acceptable to the City, that traffic generated by such additional density can be adequately handled by existing area traffic infrastructure or infrastructure which the City forecasts to be constructed within a reasonable time. Furthermore, the must City determine that adequate provisions have been made for the handling of governmental services, including Public Safety, school and library services, to serve the additional density.

2. The Owner and its successors and assigns shall have the right to convert approximately one hundred twenty acres (120 AC) of residential acreage to industrial acreage without an overall reduction of residential units. Additional residential density beyond that allowed above shall be subject to and limited by the provisions of the Development Agreement.
3. Overall residential density shall include attached and Detached Single Family Residential, Multi-Family Residential sold in fee, as condominiums, or available as rental units. Bed and Breakfast, Guesthouses, and Hotels shall not count against residential density. Fractional Ownership/Time Shares and Condo/Hotels count as 0.5 residential units for purposes of density. 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.
4. Commercial acreage shall include the commercial uses as included in the General Commercial Uses as defined in the MZDO and shall have no cap placed on unit density (building square footage per acre), provided such is in compliance with overall PDD density, stormwater, parking, buffering, landscaping, and other site design requirements of the PDD and of the MZDO. 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 such is in compliance with overall PDD density stormwater, parking, buffering, landscaping and other site design requirements of the PDD and the MZDO. All commercial development shall be subject to the provisions of this Hardeeville-Savannah Tract PDD.

D. DEFINITIONS OF LAND USE TERMS AND DENSITY TERMS

In the absence of a term definition in this Conceptual Master Plan or in the Development Agreement for the Property, the definitions of the MZDO shall apply. The locations of specific land uses, other than General Commercial, are not described on the Conceptual Master Plan, but in the Land Use categories indicated as Permitted Uses in D.2 below. However, the definitions below shall generally describe the allowed uses within the Property.

1. Terms

(a) Acre

- i. Gross Acre shall mean the entire acreage within the site boundaries.
- ii. Net Acre shall mean the acre which remains after deduction of easements for existing utilities, wetland buffers, and onsite jurisdictional freshwater wetlands, as defined by the USACOE and DHEC.

(b) Dwelling Units

- i. The maximum number of residential dwelling units on the property will be four thousand five hundred forty-seven (3,507), plus or minus any conversions of industrial or commercial to residential or vice versa, as allowed in this PDD and Development Agreement, or any additional units allowed under the Development Agreement.
- ii. Performance Standards and Design Guidelines for the Dwelling Units shall be determined at the time of Master Plan application and approval, if not otherwise included herein this PDD Standards.

(c) Setbacks and Buffers

- i. There shall be no minimum building setbacks applied to the Property. Setbacks and buffers shall meet the minimum requirement established, and as set forth in this PDD Standards. These Standards shall apply to the perimeter of the PDD only; provided, however, that any required wetlands setbacks shall apply according to law throughout the Property.
- ii. At adjacent property boundaries of the PDD, setbacks and buffers shall be a minimum of 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; provided, however, that the

setback and buffer applicable to Industrial Uses adjacent to residential shall be 50 feet. Underground utilities, stormwater management facilities, and other land uses as stipulated in the MZDO Modifications of this PDD document, are allowed in the perimeter setback and buffer area.

- iii. There shall be no building setback requirements for commercial development within the Property, except as necessary to meet applicable fire safety standards.
- iv. There is an existing road parallel and near the eastern boundary of the Monroe Parcel that is currently used for access to the Parcel in addition to adjacent Parcels, an existing road at the north end of Nelson's Court and an existing road to the east at the north end of Nelson's Court that are currently used for access to the Rhodes parcel in addition to adjacent parcels. Improvements to these roadways, and others as they may occur, within the perimeter setback and buffer shall be allowed. No additional setback or buffer shall be required where this occurs.

(d) Silviculture

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. Silviculture uses may continue up to the time a subdivision plat is recorded and must be in accordance with standard forestry BMPs. Owner and its successors and assigns shall be permitted to plan and grow trees upon 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.

2. Land Use Terms

(a) Business Park/Industrial Park

This designation allows for a multi-use business park to meet regional demands for industrial, office, commercial services, and wholesale/retail businesses.

- i. Permitted uses include:
 - (A) Regional warehouses

- (B) Distribution cartage or express operations and facilities
- (C) Back-office operations
- (D) Commercial businesses
- (E) Office space
- (F) Office/warehouse operations
- (G) Wholesale/retail businesses
- (H) Commercial service businesses
- (I) Research, engineering and experimental laboratories and facilities
- (J) Public buildings, union halls and trade associations
- (K) Public utility facility
- (L) Agricultural farm
- (M) Horticultural nursery
- (N) Radio and/or television station and/or transmission tower
- (O) Business, professional and technical schools and training facilities
- (P) Off street commercial parking or storage area for customer, client, or employee-owned vehicles
- (Q) Call centers
- (R) Any use whose primary function is light manufacturing, fabricating, assembly, processing or treatment of goods and products (including those involved in the storage of flammable liquids, gases and chemicals as their primary use), but excluding those involved in compounding and processing of flammable liquids, gases and chemicals as their primary use.
- (S) Lumber yard (with retail sales center)
- (T) Automobile, truck and trailer manufacturing, repair and distribution
- (U) Motor freight terminals defined as facilities used for the transfer of goods, but with limited storage of goods. Motor freight terminals shall be limited to not more than seven (7) percent of the Subject area
- (V) Accessory uses which are necessary to the conduct of the permitted uses herein including but not limited to office use, indoor and outdoor storage of materials and maintenance facilities for permitted uses; provided however they are operated and maintained under the same ownership, on the same lot as the permitted use, and do not include structures or features inconsistent with the permitted uses.

- (W) Concrete and/or asphalt batch plant
- (X) Recycling, processing, and reprocessing facilities, subject only to such regulations as may be imposed by State and Federal law.
- (Y) All other uses allowed under other planning areas with the PDD.
- (Z) Cargo container storage, up to 200 containers per acre.
- (AA) Railroad Yard (including Intermodal Terminal Facilities) with switching stations and loading and unloading facilities (provided however, rail service to lots or building accessory to a permitted use shall be considered a permitted use), as well as all security and monitoring as required under applicable law; and all related and accessory facilities associated with such uses.
- (BB) Travel plaza, or truck or car wash (provided however, truck washes or fueling pumps accessory to a permitted use shall be considered a permitted use in this district notwithstanding any other ordinance to the contrary). "Travel Plaza" shall mean a retail business that provides auto and/or truck fuel, the retail sale of convenience items, one or more restaurants and which includes more than four (4) fuel islands and more than eight (8) fueling positions.
- (CC) Processing of flammable gases, liquids and chemicals as a principal use.
- (DD) Extraction of sand, soil, topsoil or other material from the Property for the purpose of use elsewhere with the PDD Property or for the purpose of use or disposal off-site, subject to any applicable State or Federal regulations.
- (EE) Non-Traditional Building Structures. Non-traditional building structures are allowed for uses including, but not limited to, storage of raw materials, mining uses allowed hereunder, concrete or asphalt batch plant, agricultural uses, Rail Yard uses or related activities, with such structures to provide for the complete or partial covering of such operations for the safety of employees and the protection of goods being handled. These non-traditional building structures may be either temporary (moveable) or permanently fixed and anchored.
- (FF) Activities relating to the loading, unloading, storage, and processing of bulk products, within

- traditional or non-traditional buildings or in open air, with no limit on the amount of space so utilized.
- (GG) Tractor trailer parking adjacent to buildings, as needed, and tractor trailer storage (coupled or uncoupled) areas containing up to 40 tractor trailers per acre.
- iii. 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. Industrial uses shall provide a minimum buffer of fifty feet (50') from adjacent residential uses not separated by a road right of way, or wetland of an equal width (including wetland buffer).
Performance Standards for this district will be determined by the Design Regulations described at Section II.D. 23 herein at the time of Master Plan Submittal.
- iv. An applicant must demonstrate, at the time of Master Plan submittal, that uses are approved in an appropriate manner to address traffic flow, safety, and compatibility of adjoining uses. Any use that may involve harmless chemical and handling or storage must demonstrate safety planning which meets all Federal and State standards and is acceptable to the City engineer.

(b) General Commercial

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

- (i) Permitted uses:
 - (A) 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 theatres, 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.
- (B) Uses allowed in general commercial district in the City of Hardeeville MZDO, excepting truck terminals.
 - (C) Single family residential
 - (D) Multi-family residential
 - (E) Mixed of various uses permitted under this PDD
 - (F) Assembly and worship
 - (G) Colleges and professional schools
 - (H) Schools, neighborhood (elementary and middle school)
 - (I) Schools (community high school)
 - (J) Daycare, commercial
 - (K) Utilities
 - (L) Public services
 - (M) Government office
 - (N) Commercial lodging (hotel and motel)
 - (O) Commercial retail
 - (P) Office
 - (Q) Restaurant (including outdoor seating)
 - (R) Service businesses
 - (S) Dry-cleaning and laundry services
 - (T) Parking garages
 - (U) Gas-convenient stores with no repair bays or facilities
 - (V) Commercial amusement (indoor)
 - (W) Christmas tree sales
 - (X) Roadside stands (on designated areas only)
 - (Y) Commercial outdoor sales (related to existing retail)
 - (Z) Public interest and special events (permitted, located, and scheduled ahead of time)
 - (AA) Nightclub and entertainment
 - (BB) Movie theaters
 - (CC) Grocery
 - (DD) Mini-warehouse facilities will be limited to a maximum height of two stories.
 - (EE) Outdoor go-cart racing facilities subject to reference in the MZDO.
 - (FF) Freestanding communication towers
 - (GG) Recreational vehicle parks
- (i) 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.
 - (ii) Commercial uses shall provide a minimum buffer of 25 feet from any adjacent residential use not separated by a road right of way.

- (iii) The following commercial uses are specifically prohibited:
- (A) Junkyards or auto salvage yards
 - (B) Gambling facilities not authorized by law
 - (C) Sexually-oriented businesses

Performance Standards for this district will be determined by the Design Regulations described at Section II.D. 23 herein at the time of Master Plan Submittal.

(c) Community Center

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.

- (i) The following are permitted uses, accessory uses and structures for the community center area:
- (A) Single family residential
 - (B) Multi-family residential
 - (C) Bed and breakfast/guesthouse
 - (D) Institutional/civic
 - (E) Neighborhood commercial
 - (F) Open space
 - (G) Community recreation
- (ii) 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.

Performance Standards for this district will be determined by the Design Regulations described at Section II.D. 23 herein at the time of Master Plan Submittal.

(d) Community Recreation

This designation allows for the recreational complexes and amenities to serve the Hardeeville-Savannah Tract PDD. Land uses may consist of private and semi-private recreation, indoor and outdoor lighted and un-lighted recreation facilities, establishments and services that include active and passive sports and entertainment (for project or not), and 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 Hardeeville-Savannah Tract PDD.

- (i) Permitted uses include:

- (A) Outdoor recreational facilities including but not limited to:
 - (1) Public and/or private golf courses and ancillary facilities associated therewith
 - (2) Golf cart storage barn and maintenance facilities
 - (3) Swimming pools, pool bath houses and gazebos
 - (4) Lakes
 - (5) Tennis Courts
 - (6) Lawn games such as bocci, croquet, and volleyball, etc.
 - (7) Multi-use fields
 - (8) Playgrounds
 - (9) Neighborhood Parks
 - (10) Community parks
 - (11) Leisure trails and bike trails
 - (12) Other recreational uses.
 - (13) Agricultural/equestrian facilities
- (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:
 - (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.

Performance Standards for this district will be determined by the Design Regulations described at Section II.D. 23 herein at the time of Master Plan Submittal.

(e) Hotel, Motel, Inn, Resort and Condominium/Hotel

This land use designation allows 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, bars, and entertainment areas. Hotels, motels, inns, and spas shall be considered a General 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 condominium/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. There shall be no maximum building height limitations for hotel, motel, inn, resort, or condominium/hotel construction, provided that building safety, fire protection and other applicable safety concerns are addressed to the satisfaction of the City.

(f) Institutional/Civic

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

(i) Permitted uses:

- (A) Civic, cultural, municipal, governmental, educational (public or private), conference centers
- (B) Research or other similar facilities which may include dormitories or other similar living quarters for students, staff, faculty and professionals.
- (C) Churches, synagogues, temple and other places of worship provided that such uses are housed in a permanent structure.
- (D) Cemeteries provided that such use does not include a funeral home or crematorium.
- (E) Medical and health facilities, assisted living facility, nursing home and congregate care facility.
- (F) Public emergency service facilities
- (G) Library
- (H) Museum
- (I) Day care facilities
- (J) Social/community centers, etc.

(g) Maintenance Areas

Maintenance areas will contain the facilities, tools and equipment necessary to maintain the common properties within the Property. These facilities may be congregated on a central site or located in separate convenient sites for different services such as general community maintenance, recreation area maintenance or individual property regime maintenance, screened from view either by

vegetation, walls, fences, or associated buildings. This requires no setback or buffers except as provided in the Design Guidelines approved by the City of Hardeeville at each Master Plan Phase.

- (i) Permitted uses include:
- (A) Vehicle maintenance
 - (B) Storage of vehicles and parts, boats, recreational vehicles and resident storage, vegetation, greenhouses for propagating flowers and plants used within the PDD
 - (C) Fuel storage
 - (D) Shops for woodwork, metalwork and painting
 - (E) Storage of chemicals and bulk materials as permitted by law
 - (F) Offices associated with community and maintenance
 - (G) Parking
 - (H) Access roadways

(h) Mixed Use

This land use designation allows for the development of an internally oriented integral mix of various allowed land uses defined herein to establish a community oriented node. It is the intent in this District to develop a homogeneous character of buildings for purposes of commerce that will provide a living area that will revel in that lifestyle. A mix of multi-family flats and stacked flats will blend a European characteristic of living units above the work place. The living units above commercial buildings will merge with other commerce uses. The residential component will blend with retail and restaurants. Tree lined street like corridors will provide pedestrian linkage with convenience of travel lane side parking, thus facilitating convenient parking for shops and boutiques. Included in the Mixed Use area will be a “sprinkling” of green vegetation and other features providing a refreshing respite for residents and shoppers.

This District is intended to encourage the formation and continuance of a stable, healthy and compatible environment for uses that are located so as to provide nearby residential areas with convenient shopping services. By virtue of its proximity, the residents in this district shall be able to walk to work and shopping; thus, reducing traffic and parking congestion.

This designation allows for dwelling units to be located in the same building with, adjacent to, or near general commercial development within the same tract of the Property.

- (i) The following are permitted uses, accessory uses and structures for the Mixed Use Area:
 - (A) Attached Single Family Residential (in fee recital or in common)
 - (B) Multifamily Residential
 - (C) Institutional/Civic
 - (D) Commercial (and all uses listed in Section II.D.3(b)(i))
 - (E) Open Space (see PDD Standards – II.D.3(l) Open Space)
 - (F) Community Recreation
 - (G) Accessory Structures
- (ii) Build-to-property lines will be allowed to reduce cost of utilities and create a more pedestrian friendly environment so long as fire protection between adjacent and party-walls is strictly adhered to and visual design standards are met.

Performance Standards for this district will be determined by the Design Regulations described at Section II.D. 23 herein at the time of Master Plan Submittal.

(i) Model Home/Sales Center

- (i) 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.
- (ii) From time to time model homes may be constructed and later sold as permanent residences when no longer needed as models.

(j) Multi-Family Residential

- (i) Multi-family residential units are allowable up to a maximum of twenty-four (24) 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 a three story component is capped at twenty-four (24) du/ac. Multifamily residential consists of attached or detached residential including both short term

and long term rentals, but excludes hotel/inn/bed and breakfast and guesthouse.

- (ii) Mid-rise multi-family residential units shall be defined as those which exist in buildings over three stories with density limited to forty (40) units per acre. Maximum building height shall meet the requirements of the Hardeeville MZDO for group dwellings and multiple family dwellings. Densities of over forty (40) 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.
- (iii) 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.
- (iv) Multi-family units do not have a lot size designation.

(k) Neighborhood Commercial

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 Hardeeville-Savannah 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 the total residential unit cap. Neighborhood commercial development shall count against total commercial square footage.

- (i) Permitted uses:
 - (A) Retail businesses, personal service businesses, shopping centers, restaurants, convenience stores, attached residential units, clustered commercial establishments, offices and civic/institutional uses, unless specifically prohibited under prohibited uses below.
 - (B) Mix of various uses permitted under this PDD
 - (C) Single family residential
 - (D) Multifamily residential
 - (E) Hotel / inn / resort and condo/hotel

- (F) Medical offices (not including facilities for patient care exceeding 48 hours)
- (G) Bed & breakfast
- (H) 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 multifamily residence)
- (I) Outdoor entertainment.
- (J) Agricultural/equestrian facilities
- (ii) Maximum building height shall meet the requirements of the Hardeeville MZDO for group dwellings and multiple family dwellings.
- (iii) The following commercial uses are specifically prohibited, within any area of the PDD:
 - (A) Junkyards or auto salvage yards
 - (B) Gambling facilities not authorized by law
 - (C) Outdoor amusement parks
 - (D) Outdoor roller coasters and other carnival like facilities
 - (E) Sexually-oriented businesses
- (iv) There shall be no internal setback and buffer requirements for Neighborhood Commercial parcels except buffers at the perimeter of the PDD as required in this document.
- (v) Design Guidelines
 (for building architectural details, signage, color, etc.) The PDD shall have design regulations internal to the Property. Owner or developer shall adopt and submit to City Design Guidelines as part of the Master Plan submission. Performance Standards for this district will be determined by the Design Regulations described at Section II.D. 23 herein at the time of Master Plan Submittal.

(l) Open Space

Total open space for the Property shall be calculated for all acreage within the boundaries of the Property and not on a site-specific basis for each phase of the Property, individual development, or project. The Property shall provide at least 20% open space which equates to four hundred seven (407) acres based upon the total acreage of two thousand thirty-four acres (2,034 AC). Residential areas shall include a minimum 8 1/2% usable space, excluding freshwater wetland. Open space may be located in restricted access or gated multi-family communities and shall consist of the following:

- (i) Landscaped areas including, without limitation, manicured village greens and squares, parking lot islands, medians, buffer areas, and within road rights of way, and parking areas
 - (ii) 50% of Lagoons, ponds, impoundments and lakes
 - (iii) 50% of Freshwater wetlands
 - (iv) Wetland buffers
 - (v) Forest, wildlife preserves/corridors, conservation areas and greenbelts
 - (vi) Community Open Plazas
 - (vii) Recreation areas including swimming pools, golf courses and related activities, tennis courts, playgrounds, ball fields, lawn game, basketball or other sports courts, fields gardens, community open plazas, amphitheatres, etc.
 - (viii) Pedestrian/bicycle trails
 - (ix) Perimeter buffers
- (m) Recreational Vehicle Parks

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 20 feet from any adjacent residential land use. Performance Standards for this district will be determined by the Design Regulations described at Section II.D. 23 herein at the time of Master Plan Submittal.

(n) Single Family Residential

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 base flood elevation, as applicable, not including minor uninhabitable architecture elements above basic roof lines, subject to provisions of the MZDO.

- (i) For detached single family residences and duplexes:
 - (A) maximum dwelling units per acre shall be eight (8) du/ac
 - (B) the minimum lot width shall be thirty-two feet (32') with a minimum lot depth of one hundred feet (100')
 - (C) 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 5500 square feet and

- (D) the minimum side setbacks shall be six feet (6') on each side. Side setbacks can be reduced at the discretion of the city. 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 feet (25') shall be imposed on lots with front-loaded garages; a minimum setback of fifteen feet (15') for lots with side-loaded garages; a minimum setback of fifteen feet (15') from the back lot line; and a minimum setback of five feet (5') from a pool or deck.
- (ii) For attached single family residential, townhomes, or condominiums
 - (A) maximum dwelling units per acre shall be twelve (12) du/ac
 - (B) there shall be no minimum lot size or setbacks, and
 - (C) six foot (6') side setbacks shall be required for all non-common lot line side.
- (ii) 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.
- (iii) Modular and panelized homes shall be considered single family homes which are permitted under this PDD.

(o) Mobile Homes and Parks.

Mobile homes and mobile home parks shall be allowable within the Additional Property upon approval by Hardeeville City Council, by Resolution, after receiving a recommendation from the Hardeeville Planning Commission, with such allowance to be at the discretion of the Hardeeville City Council, if one or more of the following criteria are demonstrated by an applicant to the satisfaction of City Council:

- (i) That the plan of development to include mobile homes will be of high quality and demonstrate a sustainable property tax base sufficient to provide for all needed public services for the mobile home development, without the need to supplement tax revenue with property tax revenue from areas of Hardeeville outside of the Property. Other development within the Additional Property, whether such development be residential, commercial or light industrial, may be considered in the analysis of projected tax revenue versus projected cost of services.

- (ii) That the need for affordable housing options within the area to serve workforce and moderate income families is sufficiently strong, in the opinion of Hardeeville City Council, to outweigh a purely economic analysis of tax revenue versus cost of services. The Council may consider the positive aspects of providing workforce housing in close proximity to employment opportunities and the resulting mitigation of traffic demands on area roads as part of this analysis, as well as the overall budget constraints of the City in making such a determination.

Any applicant for development which is proposed to include mobile homes within the Property shall supply such information to the City as it may reasonably request to make the analysis and determination described above.

- (p) Traditional Neighborhood Development (TND)

This Land Use Category allows for the development of a Traditional Neighborhood Development within the Hardeeville-Savannah Tract PDD typified by the culture, value and traditions exemplified in the Historic Districts of Savannah, Georgia; Charleston, South Carolina and Seaside Florida. This development is to be a traditional neighborhood, which is characterized by a pedestrian-friendly environment of grid streets, neighborhood parks, sidewalks, front porches, alleys, on-street parking, mixed uses and a tight scale to unify the district. Homes within the neighborhood are planned to be within a five minute walk of the community hall, civic buildings and neighborhood commercial area.

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-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.

- (p) Utilities

- (i) This land use designation allows for utility service to serve the PDD. The following land uses shall be allowed only after written approval from Owner/developer, its successors and assigns, and its consultants for location and design.

Screening, buffering, and other aesthetic matters must meet the MZDO requirements, and may be approved at each Master Plan approval, unless otherwise such utilities already exist.

- (A) Potable water supply and distribution
- (B) Wastewater collection, treatment and disposal
- (C) Stormwater collection, treatment and detention
- (D) Irrigation
- (E) Communication towers
- (F) Satellite antennas
- (G) Cable television facilities
- (H) Telephone facilities
- (I) Power transmission and distribution
- (J) Fiber optic lines
- (K) Other utility services i.e., Internet access and other telecommunication uses

(ii) Certain community-wide utility infrastructure is required for the development of any large, master-planned community. This infrastructure may include, but is not limited to the following:

- (A) Arterial streets and primary access roads
- (B) Water supply
- (C) Wastewater Treatment and Effluent Disposal
- (D) Power substations
- (E) Central telephone facilities
- (F) Stormwater Management Lagoons
- (G) Natural Gas Supply

(ii) In the case of this Conceptual Master Plan, the community-wide infrastructure may serve more than one Planning Tract. Infrastructure serving the community (on-site and off-site) will not be required as part of the Master Plan approval. Infrastructure projects must receive a Hardeeville Development Permit.

(q) Wetlands/Mitigation Bank

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.

- (i) The following are permitted uses:
 - (A) Open space and buffers
 - (B) Conservation areas
 - (C) Activities in all wetland areas as permitted by the U.S. Army Corps of Engineers and the South Carolina Department of Health and Environmental

- Control, Office of Ocean and Coastal Resource Management.
- (D) Disposal of reclaimed water as permitted by SCDHEC.
- (E) Storm water management and recreational lakes.
- (F) Boardwalks, trails, bridges and other permitted structures.
- (G) Game Management

II. MZDO CHANGES/EXEMPTIONS

In accordance with Section 2.4(G) (4)(a) of the MZDO, the following clarifications or modifications to otherwise applicable standards of the MZDO are hereby made applicable to the 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 Standards, that provision shall be deemed to have been included in the listing below. To the extent the provisions of the PDD Standards are not clear, then the provisions of the MZDO dated March 20, 2008, not listed or deemed listed, shall apply.

ARTICLE 2: ZONING DISTRICT – Revise as Follows:

Section 2.4, Special Purpose and Overlay Districts

2.4.G., Planned Development District

2.4.G.2., Procedural Requirements Add the following after MZDO, “as amended in the PDD Standards.”

2.4.G.4. District Design and Development Standards

2.4.G.4.b. This section is amended, Setbacks are governed by the PDD. Section II.D.1.c

2.4.G.4.c. Buffer Requirements

2.4.G.4.c This section is amended Buffer Requirements are governed by the PDD. Section II.D.1.c.

ARTICLE 3: USE REGULATIONS Delete in its entirety – refer to Section II –
Conceptual Master Plan Land Use Designations
and Definitions and Section I.J. Parking

ARTICLE 4: GENERAL DEVELOPMENT STANDARDS

4.2.B.1. Lots

4.2.B.1.f.ii. Flag lots shall be permitted.

4.2.B.1.g. This section is amended to state “In so far as practical lots shall be platted to accommodate building layout taking into consideration future expansion, for required parking area and access.”

4.2.B.1.h. Lot Drainage; “Lots shall be provided with adequate drainage and graded so as to drain water away from the building. The building should be set at an elevation which prevents flooding in the 100 year storm event. However, parking and landscaped areas shall be allowed to pond water during heavy rains. In no event shall the lot be graded as to throw the stormwater onto the adjacent property or lot unless provided for in a master drainage system established on such property.”

4.3. Open Space

4.3 This section is amended Open Space is governed by PDD Section II.D.2.1.

4.5. Landscaping

4.5 This section is amended to state “Landscape Standards for the PDD shall be governed by the Design Guidelines and shall be submitted as part of each Master Plan Phase. The Guideline Standards approved and adopted by the City of Hardeeville shall meet or exceed the MZDO Standards of this Section.”

4.6. Parking and Loading

4.6. Deviations may be approved at Master Plan Approval where adequate parking, shared or otherwise is provided.

4.6.F. The first sentence of this section is amended to state: “Each required off-street parking space shall be a minimum of nine feet wide and eighteen feet long. Overall, there shall be a minimum of 25% of parking spaces within the

Property to support commercial development sized at ten feet wide and twenty feet long.”

4.7 Lighting

4.7.C. This section is amended to state: “Light mounting shall be in accordance with the PDD Design Guidelines to be submitted at each Master Plan Phase.”

4.7.F. Add the following: “This timing limitation shall not apply to decorative lighting in trees or landscaping or along buildings.”

4.8 Tree Protection

4.8 This section is amended Tree Protection is governed by PDD Section I.O.

4.9 Erosion and Sediment Control and Stormwater Management

4.9.C.4.b.xi. is hereby amended to remove “finished floor elevations” from the site plan requirements. Finished floor elevations shall be shown at the time of building permit application.

4.9.C.4.b.xii. is hereby amended to modify the certification statement as follows: “I (we) hereby acknowledge that to the best of our knowledge, information and belief that all clearing, grading and/or development will be done pursuant to this section.”

4.9.D.1.b add the following after “installed” unless a development bond is provided.

4.9.D.3.b.xiii is hereby amended to replace “and at least one (1) current soil boring log and one (1) soil boring per additional acre of stormwater management detention/retention ponds” with “and a boring log of soil borings onsite in locations as recommended by a geotechnical engineer.”

4.9.D.3.c No Change

4.9.D.3.d No Change

4.9.D.5.c No Change

- 4.9.D.7.b This section is amended to state: “Stormwater runoff and stormwater management facility design shall be designed to accommodate a 25 year, 24 hour storm event.”
- 4.9.D.8.e is hereby amended to change 50 year to 25 year.
- 4.9.D.9.f No Change
- 4.9.D.10.a No Change
- 4.9.D.10.b.iii is hereby amended to add “Surface water shall be allowed to collect within designated parking and landscaped areas during design storm events as defined in this article. In no event shall the flooding elevation during the 100 year storm event exceed the buildings finished floor.”
- 4.9.11.b. shall not apply to the property.
- 4.9.D.12.a is amended to delete “and preclude the creation of backwater inundating any areas outside of the dedicated drainage easements.” And to add “Water shall be allowed to pond in parking and landscaped areas during heavy rains and such areas may be used as temporary retention as approved by the City Engineer”
- 4.9.D.12.b is amended to delete “and to preclude the creation of headwater inundating any areas outside of the dedicated drainage easements.” And to add “Water shall be allowed to pond in parking and landscaped areas during heavy rains and such areas may be used as temporary retention as approved by the City Engineer.”
- 4.9.D.13.c is hereby amended to change the year references from “2, 25, 50 and 100” to be “2, 10 and 25.”
- 4.9.D.13.f is hereby amended to replace “in seventy two (72) hours” with “as required by SCDHEC-OCRM.”
- 4.9.D.13.i.ii shall not apply to the Property, but shall be consistent with Section 4.9.D.3.c..
- 4.9.D.13.i.iii No Change.
- 4.10 Streets
- 4.10.A. Delete

- 4.10.C.4.c This section is amended to state that utilities may be placed under pavement where site design requires.
- 4.10.C.4.e Amend to add to end of each of subsections i, ii, iii, iv “or by recommendation of geotechnical engineer.”
- 4.10.C.4.i is hereby amended to revise the word “inlets” to be “inlet boxes.”
- 4.10.F Amend to state “If trips per peak hour for any development exceed seventy five (75), appropriate mitigation needs as necessary to meet the requirements of the City of Hardeeville Traffic Impact Assessment Ordinance shall be met, unless a waiver/modification is granted by the City Planning Director based on future design year conditions which are safe and within the range of acceptable operation and which may also be acceptable to South Carolina Department of Transportation design standards, when required.

ARTICLE 5 Subdivision Design and Improvements

5.1 Design Standards

- 5.1.B. This provision is replaced by the provisions of the Development Agreement Section XIII.6.
- 5.1.C.1 This section is amended to state “A copy of the proposed utility sketch plan for other utilities such as electrical, telephone, and gas service to and throughout the subdivision/development shall be submitted by the subdivider, if applicable.
- 5.1.D This section is amended to state: “Lot width, depth, and area requirements for residential lots and for commercial lots in the Property shall be governed by section II.D.2 of the PDD. Setback requirements shall be governed by the provisions of the PDD Standards.”
- 5.1.E.4.a. Add the following: “If the property contains Special Flood Hazard areas designated as Zone A, no Base Flood Elevation shall exist and thus a topographic contour line shall not be required.
- 5.1.E.4.b. is hereby amended to replace “Section 8” with “Chapter 9” and to add the following: “Development Permits shall be granted for areas of land disturbance within a Flood Zone

A. The City will not issue a building permit for any structure located within a Flood Zone A until a Base Flood Elevation has been established.

5.1.E.4.c. Covenant restrictions shall be governed by the ARB.

ARTICLE 6: Development Review Bodies

6.6 The property is exempt from the provisions of this section provided the Owner’s Architectural Review Standards meet or exceed those of the MZDO and Owner or an entity which is controlled by the Owner, controls the Architectural Review Board (ARB). The City 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.

ARTICLE 7: Review and Approval Procedures

7.4. Planned Development District

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

7.5. Site Development Plans

7.5.B. Add the word “general” before “conformance” in the opening sentence.

7.5.C Add the following after the word Application: “This Section refers to items which should be included as part of the Site Development Plan. This list is comprehensive and is intended to cover all project types and may not be applicable to all projects. Applications can be reviewed more expeditiously if all applicable items are included. Where items that appear on the list which are not applicable then mark “Not Applicable” on the application. A Pre-Application conference is recommended but not necessary. Letters/Approvals from other agencies are not required for the Application, but will be necessary for a permit to be issued. Proof of notification to all agencies shall be

necessary at the time of the Application. It is understood that some final documents can not be provided at time of Application, such items may include, but are not limited to, street specifications and utility specifications.”

7.5.C.1 thru 26.

Add “if applicable” after the statement

7.6. Subdivision

7.6.C.2.

After “Review and Approval of Preliminary Plat” add the following: “The approval of preliminary plats process references requirements which generally are required for Approval of Preliminary Plats. These items listed are comprehensive and intended to cover all project types and may not be applicable to all projects. Each submission can be reviewed more expeditiously if all applicable items are included. Where items that appear in the requirement which are not applicable then mark them appropriately. A Pre-application or submission conference is recommended but not mandatory. Not all letters and approvals listed may be necessary at the time of the submission but shall be prior to permitting. These requirements shall be discussed at the Pre-submission and agreed upon prior to the submission.”

7.6.C.2.a thru d.

Add “if applicable” after the statement

7.6.C.3.b.xiv

Add the following section:

“7.6.C.3.b.xiv. Bond or legal surety, acceptable to the City of Hardeeville, guaranteeing the completed installation of all required improvements within the area to be platted. Such bonds or other surety shall be payable to the City of Hardeeville and equal one hundred twenty-five percent (125%) of a registered engineers’ estimate of construction cost. The Applicant shall complete all improvements including required mechanisms guaranteeing perpetual ownership and maintenance within twelve (12) months of the date the final plat is recorded. Failure to do so shall entitle the City of Hardeeville to act on the posted bond and cause the improvements to be completed on behalf of the lot purchasers in the development. Extension to twelve month time period afforded for completion of improvements may be granted one time by the City of Hardeeville. Such requests must be submitted prior to the expiration date and accompanied by:

- a. An explanation of why the extension is necessary;
- b. Signed / Dated agreement with the extension by all affected lot owners in the development to date;

- c. Amount of work completed, cost remaining for incomplete work and time frame for completion of work, certified by a registered engineer;
- d. Amended bond or surety for incomplete work in an amount of one hundred twenty five (125%) percent of the cost of completion and sufficient duration to secure the completion of the work.”

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

7.8.C.

Clarification is required prior to the approval of the PDD.

ARTICLE 8: Signs

Article 8 shall not apply to the Property. Owner, its successors or assigns shall adopt a signage program for the Property in accordance with the PDD Standards which shall be submitted to the City at the time of the Master Plan submittal.