

**ARGENT WEST
PLANNED DEVELOPMENT DISTRICT
AND
CONCEPTUAL MASTER PLAN**

FINAL SUBMITTAL

JUNE 16, 2005



**P. O. Box 381
Bluffton, SC 29910**

**ARGENT WEST
PLANNED DEVELOPMENT DISTRICT
AND
CONCEPTUAL MASTER PLAN**

SECTION I:

INTRODUCTION AND NARRATIVE

The Argent West Tract of land, approximately 5,000 total acres, is being submitted to the City of Hardeeville, South Carolina (“City”) for Planned Development District (“PDD”) approval and annexation as more particularly described on Exhibit A (“Argent West Tract” or “Property”). The land is near the intersection of U. S. Highway 278 and U.S. Interstate Highway 95. The land is directly adjacent to I-95 for approximately 2.9 miles with no direct access and adjacent to Highway 278 at two separate points with the potential for 4 existing access points.

The Argent West tract is owned by ViaQuest Investment Properties, LLC, an Ohio limited liability company, its successors or assigns (“Owner”).

A. THE PROPERTY:

1. The Property has been actively managed for silviculture over the last 50 years. The Property is in Jasper County. The plat 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 5,000 total acre tract bounded by U.S. Highway I-95 on the West, the Great Swamp on the North and East (a conservation easement), and US Highway 278 along with various properties on the south. Maximum allowable density shall be 9,500 residential units.
3. The Great Swamp to the north and east is part of a large natural drainage system flowing into the New River drainage basin which in turn flows into the May River to Calibogue Sound and on to the Atlantic Ocean.
4. The natural features of the Property are characteristic of the Low Country. Elevations range from 10 feet to 20 feet above sea level. Prior to purchase by International Paper

Company, the property was owned by Union Camp Corporation. Prior to that, the Argent Land and Timber Company used the property to graze cattle. The Property was mostly clear pasture. Therefore, large oak forests are not found on this tract. Upland tree coverage is generally planted pine crop ranging in age from 1 year to 22 years old. Today, the property is in the second rotation of tree harvest, and large areas are being harvested every year. Hardwood trees are generally found in the wetland areas. The hardwoods in the Great Swamp are approximately 50 years old.

5. Freshwater wetlands on the Property were delineated by Newkirk Environmental Consultants, Inc. and surveyed by Thomas & Hutton Engineering Co. The U. S. Army Corps of Engineers verified the “freshwater Wetlands Survey for a Portion of the Argent West Tract” for International Paper. Reverification of the wetlands is ongoing at this time.

B. PLANNED DEVELOPMENT DISTRICT AND DEVELOPMENT AGREEMENT PROCESS:

1. The Planned Development District (PDD) was adopted by the Hardeeville council to permit and encourage economic development of large tracts of land in Hardeeville. The PDD application will be concurrent with a Development Agreement 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 this PDD or in any way hinder, restrict, or prevent the development of this 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 South Carolina. The Development Agreement is being made and entered into between the 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 Hardeeville and Jasper County.

C. CONCEPTUAL MASTER PLAN:

1. It is anticipated that the Property will be developed over a period of twenty to thirty years in accordance with the Conceptual Master 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 Conceptual Master Plan sets forth the general scope of the development including number of units, development standards, open space and other issues. In addition to the Conceptual Master 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 and the City Council.
2. The goal of this PDD is to produce a high quality development that raises the quality of life and development standards in the area while anticipating future needs for education, culture, commerce, housing, and services. 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.

3. The Argent West Tract Conceptual Master Plan, prepared by Edward Pinckney/Assoc., Ltd., and Ward Edwards Engineering Co., Inc., (refer to Exhibit C) shows a general roadway layout and a community plan showing areas designated for commercial use, residential use, single and a business/mixed and public uses. 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 City of Hardeeville MZDO dated March 20, 2003, as amended through the date of the approval of this PDD (“MZDO”). The open space and amenities will be owned and maintained by the Owner, homeowner’s association(s), or other legally designated entity. All property deeded to a governmental entity becomes the maintenance responsibility of that entity, or as otherwise outlined in the 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 codes and regulations where differences occur. The Conceptual Master Plan may introduce land uses that do not exist in current zoning documents.
6. The provisions of the Conceptual Master Plan and the Development Agreement shall apply to development in Argent West Tract PDD. In the event of a conflict, the hierarchy of documents is the 1) Development Agreement; 2) the PDD and Conceptual Master Plan; 3) Design Regulations as described at Section II.D.17 herein and the Master Sign Program attached as Exhibit H; 4) US Highway 278 Corridor Review Board standards, as may be modified by the PDD; and 5) the MZDO. In the event of 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, this PDD and the MZDO.

D. ENVIRONMENTAL PROTECTION:

1. Environmental sensitivity and protection and education are high priorities for this PDD. As part of the development process, the Argent West Tract developers will meet or exceed the current stormwater management requirements of Hardeeville and the then existing requirements of the South Carolina Department of Health’s Office of Ocean and Coastal Resource Management (OCRM).
2. The Owner will prepare stormwater management plans for each master planned community as it 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 several types of BMP's (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. The use of swales as part of stormwater management shall be deemed acceptable. Curb and gutters shall not be required. In general, curb and gutters may be used where smaller road rights-of-way or drainage easements are desired or where surcharged drainage conditions would result in standing water. Upon completion, the plan will be submitted to the City and shall be deemed a part of these PDD regulations.

3. The freshwater wetlands on Argent West property are typical of the South Carolina Low Country and Jasper County. The site contains jurisdictional freshwater wetlands and isolated non-jurisdictional freshwater wetlands.

Some of the isolated non-jurisdictional freshwater wetlands on the site are proposed to be impacted by development activity. Any wetlands will be regulated as required under applicable law. There are no specific impacts at present to the jurisdictional freshwater wetlands other than necessary road and utility crossings. 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 assessment of cultural and historical resources was conducted by R. S. Webb and Associates, see Exhibit G. R. S. Webb and Associates has performed historical research of the Property and the soil characteristics in order to determine the sites most likely to contain significant artifacts, if any. Prior to development, cultural resource issues, if any, will be addressed with the state Historic Preservation Office, once the report is complete. 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

1. Water and sewer service will be provided to any development in the Argent West Tract by Beaufort Jasper Water and Sewer Authority or other governmental utility provider. Planning for the water and sewer systems will commence at the time of Development Agreement and Planned Development District approval by City. Preliminary discussions with Beaufort-Jasper Water and Sewer Authority (BJWSA) indicated a willingness to serve the property. BJWSA operates and maintains water and sewer systems within their service upon completion by the developer and acceptance by the Authority.

G. UTILITY SERVICE

1. The Argent West Tract is in the service territory of Palmetto Electric Cooperative, Inc., and/or SCE & G for electrical power and natural gas. The Owner is coordinating with Palmetto Electric and SCE&G regarding planning for the Argent West Tract.
2. Hargray, or other Owner elected entity, will provide telephone and cable service to the Argent West Tract. All servicing will be via fiber optics cable to include broadband capability.
3. Utilities must be underground, except as reasonably necessary for aboveground support facilities.

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 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 for the Owner SCDOT. Access to and from US Highway 278 for the Argent West Tract PDD shall be as indicated on the Conceptual Master Plan, unless modifications are required to meet SCDOT requirements. Full access shall be defined as access which allows any 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 as outlined in the Development Agreement.
2. Ingress and egress to the Property from Highway 278 may be provided by up to four full access points. Planning, design, and construction of these accesses 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 stage. Other minor access point locations shown on the Conceptual Master 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 U.S. Corps of Engineers. Road linkages to adjacent properties may include impacts to jurisdictional wetlands.
4. Public roadway construction will be in accordance with SCDOT standards and private roadways shall be in accordance with SCDOT standards (or other engineering standards reasonably acceptable to the City engineer). Roadway cross sections will be submitted for review at time of Master Plan approval.
5. The Argent West Tract PDD may have roads designed with funding as outlined in the Development Agreement. Roads indicated on the Conceptual Master Plan are subject to

modification at the time of each parcel's Development Plan approval based on specific soil conditions, environmental concerns, physical constraints, and design parameters.

6. The Argent West Tract PDD shall provide roadway linkage of major land use areas including internal linkage to commercial and recreational uses. Certain areas within the Argent West Tract PDD in whole or in part may be developed as private road with access restricted and/or gated appropriately at Owner discretion. Sidewalks will not be required within the Property, provided that pedestrian and non-vehicular pathways or sidewalks are provided in order to provide interconnectivity between interior subdivisions, commercial or institutional areas and public gathering areas and in areas of high pedestrian traffic such as schools, institutions, parks and commercial areas.
7. Notwithstanding the provisions of subsection 4 hereof, road, boulevard and traffic or roundabout circle widths and rights-of-way may be reduced or divided when environmental and tree preservation considerations could be improved. To protect and preserve trees, such design is hereby encouraged.

SECTION II:

A. INTRODUCTION and NARRATIVE

The Argent West Tract PDD has a total acreage of approximately 5,000 acres as indicated on the Conceptual Master Plan for the Argent West Tract Planned Development District prepared by Edward Pinckney Associates, Ltd., and Ward Edwards, Inc.

1. The land use areas indicated on the Conceptual Master Plan are not intended to be rigid exact boundary lines for future land use and improvements. The Conceptual Master Plan for the Argent West Tract PDD district shall maintain flexibility as may be requested by Owner 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 Development Permit Plan(s) are submitted for development; provided, however, that maximum densities and other conditions of this PDD and the Development Agreement between the Owner and City will be strictly adhered to, unless adjustment is requested by Owner and approved by the City.

B. ALLOWED LAND USES:

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

The following land uses and definitions shall be permitted in the Argent West Tract PDD:

1. Mixed-Use Community:
 - a. Business Center
 - b. Village Center
 - c. Community Recreation
 - d. Commercial Center
 - e. Hotel/Inn
 - f. Institutional/Civic/Church
 - g. Golf Courses, clubs, and other Recreational Uses, Public and Private
 - h. Maintenance Area
 - i. Model Home/Sales Ctr.
 - j. Multi-Family Residential (including condominium and timeshare)
 - k. Neighborhood Commercial (Downtown Mixed Use per MZDO)
 - l. Open Space
 - m. Silviculture, Tree and Other Farming
 - n. Attached and Detached Single-Family Residence
 - o. Schools, Kindergartens and Day Care Centers
 - p. Wetlands
 - q. Utilities
 - r. Recreational Vehicle Parks

Design Regulations will be established for each area at time of Master Plan approval in accordance with Section II.D.17 herein. Unless otherwise agreed at Master Plan approval or in this PDD, the standards for uses from the MZDO shall apply.

2. Residential
 - a. Dwellings, to include One- Family or Single Family, attached and detached; Group; Multi-Family or Multiple Family; Townhomes; Timeshares
 - b. Community Recreation
 - c. Real Estate Sales Centers and/or Model Homes
 - d. Open Space
 - e. Silviculture, Tree and Other Farming
 - f. Wetlands
 - g. Utilities
 - h. Recreational Vehicle Parks

Design Regulations will be established for each area at time of Master Plan approval in accordance with Section II.D.17 herein. Unless otherwise agreed at Master Plan approval or in this PDD, the standards for uses from the MZDO shall apply.

3. Commercial
 - a. Business Center
 - b. Village Center
 - c. Community Recreation
 - d. Commercial Center
 - e. Hotel/Inn
 - f. Real Estate Sales Centers and/or Model Homes

- g. Open Space
- h. Silviculture, Tree and Other Farming
- i. Wetlands
- j. Utilities
- k. Recreational Vehicle Parks

Design Regulations will be established for each area at time of Master Plan approval in accordance with Section II.D.17 herein. Unless otherwise agreed at 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 Argent West Tract PDD has established approximate acreages for a mixture of uses stated in the proposed Development Agreement with the Hardeeville City Council. The Owner and its designees shall have the right to convert Commercial acreage to residential acreage, provided that no less than 41 acres remain for commercial usage. Remaining residential acreage shall conform to the standards set forth in this PDD. Owner, and Developer shall have the right to convert residential acreage to Commercial.
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.

D. DEFINITIONS OF LAND USE TERMS AND DENSITY TERMS

In the absence of a term definition in this Conceptual Master Plan or in the proposed Argent West Tract Development Agreement with Hardeeville, the definitions of the MZDO or outlined in the Development Agreement shall apply in the interpretation of this Conceptual Master Plan. The locations of specific land uses are not described or required to be described on the Conceptual Master Plan because this is a flexible mixed use development. However, the definitions below shall generally describe the allowed uses within the Argent West Tract PDD. The allowed uses shall be within the categories as follows:

Residential, Mixed Use and Commercial

All uses shall conform to Design Regulations as described in Section II.D.17 herein.

1. Acre:
 - a. Gross Acre shall mean the entire acreage within the site boundaries.
 - b. Net Acre shall mean the acre which remains after deduction of easements for existing utilities, wetland buffers and onsite wetlands.

2. Business Center: This designation allows for a multi-use business park. Permitted uses include:
 - a. 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, and call centers.
 - b. 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.17 herein.

3. Village Center: This designation allows for multi-family residential, retail, and office space within mixed-use structures with the Mixed Use and Commercial designation as shown on the Conceptual Master Plan.
 - a. Purpose:
 - (1) The Village Center ideally is the hub for civic, educational, and private activities. An essential concept of the Village Center of Argent West is to create one or more area(s) where daily activities are integrated rather than separated, creating a socially robust and economically efficient area. The mix of uses allowed adds variety and vitality to the center. Mutually supportive levels of multi-family residential, retail, and office space within mixed-use structures and sites are allowed but not required. Multi-use structures providing a mix of uses are allowed, and retention and use of upper floors for residential purposes are encouraged. The area should have a critical mass of people and activities and should contain attractive, convenient developed; educational facilities, libraries and bookstores, pedestrian friendly design, plazas, parks, a town square and other amenities.
 - (2) The commercial design standards set forth a framework for creating a unique and pedestrian friendly atmosphere. In the Village Center typically, parking is placed to the rear of the buildings, store fronts face the street and buildings are built to the sidewalk. Building mass, placement, form, and height are regulated to allow human scale buildings.
 - (3) 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 as described in Section II.D.17 herein.
 - b. Applicability

(1) The Village Center requirements apply to all uses within the Village Center boundaries and shall apply to all development within the Village Center Area, unless expressly exempted or otherwise provided for in this section.

c. Permitted activities

The following are descriptions of permitted uses, permitted accessory uses and structures for the Village Center Area:

- (1) Mixed use of the various uses permitted under this PDD
- (2) Assembly and Worship
- (3) Colleges and Professional Schools
- (4) Schools, Neighborhood (elementary and middle school)
- (5) Schools (community high schools)
- (6) Daycare, Commercial
- (7) Utilities
- (8) Public Services
- (9) Government Office
- (10) Commercial Lodging (Hotel and Motel)
- (11) Commercial Retail
- (12) Office
- (13) Restaurant (including outdoor seating)
- (14) Service Businesses
- (15) Dry-cleaning and Laundry Services
- (16) Parking Garages
- (17) Gas-convenience marts with no Repair Bays or Facilities
- (18) Commercial Amusement (indoor)
- (19) Christmas Tree Sales
- (20) Roadside Stands (on designated areas only)
- (21) Commercial Outdoor Sales (related to existing retail)
- (22) Public Interest and Special Events (permitted, located, and scheduled ahead of time)
- (23) Nightclub and entertainment
- (24) Movie theatres
- (25) Grocery

d. 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.

4. Community Recreation:

This designation allows for the recreational complexes and amenities to serve the Argent West Tract PDD under Residential, Commercial and Mixed Use designations as shown on the Conceptual Master Plan. 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) and, ancillary

facilities such as restaurants and vendors serving such public recreational facilities. Community Recreation shall not be counted against the overall allowed acreage for commercial uses within the Argent West Tract PDD. Permitted uses include:

- a. Outdoor recreational educational, and cultural facilities and all ancillary facilities associated with each, including, but not limited to:
 - (1) Swimming pools, pool bath houses
 - (2) Tennis courts
 - (3) Lawn games such as bocci, croquet, and volleyball, etc.
 - (4) Multi-use fields
 - (5) Playgrounds
 - (6) Neighborhood parks
 - (7) Community parks
 - (8) Leisure trails and bike trails
 - (9) Nature centers
 - (10) Other recreational and cultural uses
 - (11) Golf Courses
- b. Recreational, educational, and cultural buildings, including but not limited to uses such as indoor recreation, meeting, 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 education and cultural facilities such as craft centers, fitness centers, nature centers, classrooms, libraries, meeting rooms, gardens, plant nurseries, animal habitats, demonstration areas

5. Dwelling Units:

- a. The maximum number of residential dwelling units on the Property will be 9,500.
- b. For detached single family residential and duplexes (i) the minimum lot width shall be 40 feet with a minimum lot depth of 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 5500 square feet and (iii) the minimum side setbacks shall be 6 feet on each side. As for dwelling units, a minimum front-yard setback of 25 feet shall be imposed on lots with front-loaded garages; a minimum setback of 15 feet for lots with side-loaded garages; a minimum setback of 15 feet from the back lot line; and a minimum setback of 5 feet from a pool or deck.
- c. For attached single family residential, townhomes, or condominiums (i) there shall be no minimum lot size or setbacks, and (ii) 6 foot side setbacks shall be required for all non-common lot line side.

- d. For Multifamily Residential (i) there shall be no minimum lot size or setback, and (ii) no more than 75% of the site shall consist of 3-story components within the areas as designated on the Conceptual Master Plan.
- e. 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.
- f. Multi-family units do not have a lot size designation.
- g. Mobile homes are not allowed within the Argent West Tract.
- h. Recreational Vehicle Parks are governed by the provisions of Section 16 herein, and shall be considered a multi-family use. Modular or panelized homes shall not be considered mobile homes and will be considered single family homes which are permitted under this PDD.
- i. 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.

6. Commercial Center

The Commercial Center designation allows for the development of concentrated commercial and office nodes located on primary vehicular routes to serve the Argent West Tract PDD and surrounding area to be used under the Mixed Use and Commercial designations as shown on the Conceptual Master Plan.

a. 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 services and repair businesses 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) Single family residential
- (3) Multi-family residential
- (4) Hotel/Inn
- (5) Mini-warehouse facilities will be limited to a maximum height of two stories.
- (6) Recreational Vehicle Parks

b. Prohibited Uses:

The following commercial uses are specifically prohibited:

- (1) Junkyards or auto salvage yards.
- (2) Gambling facilities not authorized by law
- (3) Amusement parks
- (4) Go- cart racing facilities
- (5) Roller coasters and other carnival-like facilities
- (6) Sexually oriented business
- (7) Other Special Nuisances under Section 5.19 of the MZDO.

7. Hotel/Inn

This designation is for hotels, inns, timeshare projects 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, Inns, and spas shall be considered a commercial land use. For purposes of densities, timeshare units count as residential units, but for developer fees under the Development Agreement, shall be categorized as Hotel, Motel, Bed and Breakfast. The rooms shall be primarily designed for and occupied by transients. Conference and facilities may or may not accompany the hotel/inn and may be integral to the hotel/inn or detached.

8. Institutional/Civic

This designation allows for institutional and civic land uses, which shall be allowed to occur in the Mixed Use and Commercial designation as shown on the Conceptual Master Plan. These land uses shall not count against the overall commercial acreage or residential density allowed for the Argent West Tract PDD.

- a. 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.
- b. Churches, synagogues, temples, and other places of worship provided that such uses are housed in permanent structures.
- c. Cemeteries provided that if such use does not include a funeral home or crematorium.
- d. Medical and health facilities, assisted living facility, nursing home, and congregate care facility.
- e. Public emergency service facilities, library, museum, day care facilities, social/community centers, etc.

9. Real Estate Sales Center and/or Model Homes

- a. This designation allows for the office/administrative facilities associated with the primary sale of commercial sites, residential lots and homes within the Residential, Mixed Use and Commercial designation as shown on the Conceptual Master Plan. The facility(s) may be permanent or portable in nature. The permanent model being a home,

to be sold as a single-family residence in the future or the portable model may be relocated 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.

10. Open Space: To be located within the Residential, Mixed Use and Commercial designation as shown on the Conceptual Master Plan

- a. Total open space for the Argent West Tract PDD shall be calculated for the boundary of the PDD and not on a site-specific basis for each phase of the PDD, individual development or project. The Argent West Tract PDD shall provide at least 25.00% open space and at least 8.33% active open space, in accordance with the MZDO, which open spaces shall be reasonably accessible to the residents. Open space and active open space shall be calculated based upon the total gross acreage and may be located in restricted access, gated communities. Notwithstanding the foregoing, each master plan submittal for residential subdivisions shall contain at least 10% total open space. Open space shall consist of:

- (1) Landscape areas
- (2) 50% of lagoons, ponds, impoundments and lakes (detention, retention or recreational)
- (3) 50% of freshwater wetlands
- (4) Wetland buffers
- (5) 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, community gardens, linear and neighborhood parks, gardens and squares, school sites, 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/equestrian trails
- (10) Perimeter buffers

11. Setbacks and Buffers

- a. There shall be no minimum setbacks applied to the Conceptual Master Plan. Setbacks and buffers shall meet the minimum requirement established herein and except as set forth in this PDD shall apply to the perimeter of the PDD only; provided, however, that any required wetlands setbacks will apply according to law throughout the PDD.

- b. Perimeter setbacks and buffer standards shall include:

- (1) At adjacent property boundaries of Argent West Tract West PDD, combined setbacks and buffers shall be a minimum of 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.

- 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 H. Landscaping, including water features, is permitted in buffer areas.

12. Signage Control

- a. Signage for the Argent West Tract PDD shall be governed by the Master Sign Program attached as Exhibit H.

13. Silviculture, Tree and Other Farming

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, stormwater management, construction use of forest roads, and practices to promote the 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. The Owner shall be permitted to plant 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 of the Property and may engage in farming operations indigenous to the area.

14. Wetlands

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:

- a. Open space and buffers
- b. Conservation areas
- c. Activities in all 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 is permitted by SCDHEC
- e. Stormwater control and management
- f. Boardwalks, trails, bridges, and other permitted structures
- g. Game Management

15. Utilities

This designation allows for utility service to serve the planning tracts of the Argent West Tract PDD. The following land uses shall be allowed only after written approval from Owner/Developer and/or its consultants for location and design:

- a. Potable water supply and distribution
- b. Wastewater collection, treatment, and disposal
- c. Stormwater collection, treatment, and disposal
- d. Irrigation
- e. Communication towers for municipal service and safety
- 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

Certain community-wide infrastructure may be necessary for the development of any large, master-planned community as reasonably determined by Owner. This infrastructure may include, but is not limited to the following:

- a. Arterial streets and primary access roads
- b. Potable Water supply
- c. Wastewater treatment and effluent disposal
- d. Power substations
- e. Central telephone facilities
- f. Stormwater management areas
- g. Natural gas supply, if desired

16. Recreational Vehicle Parks

- 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.

17. Design Regulations

Design Regulations for each Master Plan area, addressing the parameters in MZDO Section 4.21.800, will be reviewed at the time of Master Plan approval. Unless otherwise agreed at Master Plan approval or in this PDD, the standards for uses from the MZDO shall apply.

SECTION III.

MZDO CHANGES/EXEMPTIONS

In accordance with § 4.21.700(E)(5) of the MZDO, the following provisions of the MZDO are deemed to be waived or modified as applied to the Argent West PDD. 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 provisions of the MZDO dated March 20, 2003, as amended through the date of approval of this PDD, not listed or deemed listed, shall apply.

Section 2.7 Architectural Review – The Property is exempt from the provisions of this section provided the Owner’s Architectural Review Standards meet or exceed those of the City of Hardeeville’s MZDO and Owner or an entity which is controlled by 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.

Section 3.3 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.

Section 4.13.1 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 foot fence or by landscaping that achieves 75% opacity within two years. Lot sizes and setbacks are governed by the provisions of the PDD Section II.D.5.b.

Section 4.15 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 Argent West PDD.

Section 4.21. 600 This section is deleted. Setbacks and buffers are governed by the PDD. Section II.D.5 and 11

Section 4.21.700(E)() (17) It is hereby acknowledged by City Council 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 impractical to provide at this point. The Council specifically acknowledges the sufficiency of the Argent West PDD application as submitted. Additional or omitted information may be provided at the time of Master Plan submittal.

Section 4.21.700(H)(First subparagraph H on page 66) This section is amended as follows: Notwithstanding anything herein to the contrary, the property subject to the Argent West 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) 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(H) 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) This section is amended 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.

Section 4.21.1000.Y This section shall not apply unless the applicant seeks to pre-sell lots prior to completing the installation of infrastructure.

Section 4.22 Highway 278 Corridor Overlay District (HCOD)

“Signage” provisions replaced by the Master Signage Program attached hereto as Exhibit H

“Design materials” (1)(c) is modified to add PVC and aluminum type fences as acceptable features.

Section 5.3 Lots - Unless otherwise agreed at Master Plan approval, the provisions of this Section 5.3 as amended by this PDD shall apply.

Section 5.6 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 5.8 Parking Spaces Deviations - Space Deviations may be approved at Master Plan approval.

Section 5.9 (c) Off-street Loading - This provision is replaced by ““Multi-family use requires an additional 0.25 spaces/unit.”

Section 5.9 (d) Parking Requirements - Deviations may be approved at Master Plan approval where adequate parking, shared or otherwise, is provided.

Section 5.14 Open Space Standards - This section is amended Open space is governed by PDD Section II.D.10.

Section 5.15 Site clearing shall be allowed consistent with the approved Master Plan. Specific landscaping plans will be submitted at master plan submittal, and shall meet or exceed the landscaping standards attached hereto as Exhibit I.

Section 5.15 Tree Protection, Tree Survey and Replacement of Trees shall be governed as modified by Section 4.21.1000.W

Section 5.16 Signs - Replaced by the Master Signage Program attached hereto as Exhibit H.

Section 6.9 Sidewalks - This provision is replaced by the provisions of the Development Agreement Section XII.6.: Sidewalks will not be required within the Property, provided that pedestrian and non-vehicular pathways or sidewalks are provided in order to provide interconnectivity between interior subdivisions, commercial or institutional areas and public gathering areas and in areas of high pedestrian traffic such as schools, institutions, parks and commercial areas.

Exhibit A - Argent West Rezoning Application

(Attached)

Exhibit B - Argent West Tract Boundary and Legal Description

(Attached)

Being all those certain pieces, parcels, or tracts of land located in Jasper County, South Carolina, containing 5,313.446 acres , more or less, as being more particularly described in the attached "Legal Description West Argent Parcels A, B, C and E" as shown on a plat ("Plat") dated August 28, 2003, entitled " A Plat of the West Side of Argent Tract (5,313.446 Acres) being a portion of I.P. Realty", prepared by Thomas & Hutton Engineering Company, and certified by Boyce L. Young, SCRLS No. 11079. For a more complete description as to the metes, bounds and distances, reference may be had to said Plat which is recorded in the Office of the Clerk of Court for Jasper County, South Carolina in Book 27, Page 375.

Exhibit C - Argent West Tract Conceptual Master Plan Map
(Attached)

Exhibit D - BJWSA Intent to Serve Letter
(Attached)

Exhibit E - Palmetto Electric Intent to Serve Letter
(Attached)

Exhibit F - Hargray Intent to Serve Letter
(Attached)

Exhibit G - SCE&G Intent to Serve Letter
(Attached)

Exhibit H – Master Sign Program

(Attached)

Exhibit I – Landscaping Standards
(Attached)

EXHIBIT I

ARTICLE I. LANDSCAPING

Section 01. Purpose.

This Section is intended to improve and protect the environment and the value and the character of the community and properties by providing for the installation and maintenance of landscaping and the preservation of natural plant growth. The provision for landscaping and the retention of natural plant growth reduces erosion, provides shade, buffers incompatible uses, aids in urban temperature control, and improves the aesthetic quality of a community and properties, thereby promoting the public health, safety, and general welfare

Section 02. Definitions.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Abut means properties which are either contiguous or separated by a road or drainage right-of-way.

Accessway means the principal means of ingress and egress to a parcel from a public or private street right-of-way.

Architectural wall means a wall designed to complement adjacent development consisting of masonry block with stucco, fluted block, a finished designer block, poured concrete, or pre-cast concrete with a treatment on top such as a cornice, tile band or similar accent. A pre-cast concrete wall shall be comparable in visual quality to a block wall.

Clear trunk height (CT) means the height of a tree measured from the ground to the bottom of the canopy.

Commercial area means any area designated in the approved Argent West PDD and Conceptual Master Plan as commercial or office.

Diameter breast height (DBH) means the diameter of a tree trunk measured at four and one-half (4 ½) feet above grade.

Dripline means an imaginary vertical line extending from the outermost circumference of the branches of a tree to the ground.

Evergreen means foliage that remains green or living throughout the year, non-deciduous.

Frontage means linear distance measured along abutting road rights-of-way.

Ground cover means low growing plants planted in such a manner as to form a continuous cover over the ground.

Industrial area means any area zoned industrial, including areas designated for industrial use in the approved Argent West PDD and Conceptual Master Plan.

Landscape island means an area designated for landscaping located at the end of a parking bay that is typically ten (10) to fifteen (15) feet in width, but may be wider.

Landscape strip means a strip of land designated for landscaping.

Landscape buffer strip means a strip of land designated to provide a visual buffer between abutting properties that consists of landscaping and an architectural wall.

Landscaping means material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, trees, or palms; and nonliving durable material commonly used in landscaping, such as, but not

limited to, rocks, pebbles, sand, walls, or fences, but excluding paving.

Mulch means nonliving, small, aggregate material such as gravel, rock, pebbles, bark, or pine needles spread over exposed soil or landscape fabric as an erosion and weed control.

Multi-family residential/institutional areas means any area zoned multi-family residential or institutional, including areas designated for multifamily/institutional uses in the Argent West PDD and Conceptual Master Plan.

Off-street parking area means any area except a public or private right-of-way used for the purpose of parking, storing or display of vehicles, boats, trailers and mobile homes, including used car lots, but not including parking structures or garages.

Open lot storage area means an area which is not enclosed by a permanent structure or wall where inoperative vehicles, scrap metal, scrap lumber, building materials, machinery, machinery parts, or other similar items are customarily sold or stored.

Open space area means any open space, park, or public or private spaces ~~not~~ committed to preservation or drainage uses as calculated and determined by the Argent West PDD and Conceptual Master Plan.

Other vehicular use areas means all land upon which vehicles traverse the property as a function of the primary uses.

Parking bay means a single alignment of parking spaces that is terminated at each end with a landscape island as approved in the Argent West PDD and Conceptual Master Plan.

Planting area means any area designated for landscape planting having a minimum area of ten (10) square feet and having a minimum dimension of three (3) feet; except that wherever a tree shall be planted, a minimum area of twenty-five (25) square feet, with a minimum dimension of at least five (5) feet.

PDD planned development district means a land area under unified control which is planned and programmed in a single development operation or is a series of prescheduled phases according to an officially approved final Concept PDD plan.

Shrubs means any low, self-supporting, multi-stemmed evergreen or deciduous plants.

Right-of-way: includes any public or private street or drainage canal right-of-way. In addition, other properties that are fifty (50) feet or more in width that support infrastructure or utility uses such as, but not limited to, electric power lines and swales shall also be considered a right-of-way.

Single-family residential area means any portion of the city divided into lots intended to contain a single dwelling unit designed for occupancy by one (1) family.

Tree means any self-supporting, woody plant having at least one (1) well-defined stem that will gain a minimum height of twenty (20) feet when mature.

Vines means any of a group of woody or herbaceous plants which may climb by means of twining, aerial rootlets or tendrils.

Xeriscape means a landscaping method that maximizes the conservation of water by the use of site-appropriate plants, proper mulches, and an efficient watering system.

Section 03. Use of landscaping for site development area.

The use of landscaping shall be required for all site development as follows:

- a. Commercial areas. For site development in commercial areas, as defined in the Concept PDD, landscaping shall be placed as described in section .04 herein, except section 04(11).
- b. Multi-family residential/institutional areas. Sites developed for multi-family, institutional, and public buildings shall have landscaping installed in accordance with the requirements described in section 04 herein, except section 04(6) and section 04(11). A landscape strip that is at least ten (10) feet in depth shall be provided between buildings and parking lots, sidewalks, and vehicular use areas. This area is to be planted with grass/ground cover, shrubs, and trees. See section 04(12) for minimum required quantity.
- c. Industrial areas. Sites developed in industrial areas shall have landscaping installed in accordance with the requirements of section 04 herein, except section 04(11), .04(7)c and 04(12)
 22. Inner courtyards. Warehouse and/or industrial complexes erected with an inner court enclosed by walls or buildings shall not be required to landscape the inner court storage area.
 23. Site perimeter landscaping. A landscape strip at least ten (10) feet in depth shall be located adjacent to all rights-of-way and abutting properties. Along a street right-of-way, one (1) tree shall be provided for each thirty (30) linear feet of frontage, or fractional part thereof. Trees may be placed in any arrangement within the landscape strip provided that the spacing between tree trunks is no greater than fifty (50) feet. A continuous hedge shall extend the length of the landscape strip. One shrub shall be required for each two (2) linear feet and the shrubs shall be at least twenty-four (24) inches in height at the time of planting. The remainder of the landscape strip shall be planted with grass, ground cover, shrubs, and other landscape treatment, excluding paving. Landscape strips not located adjacent to a street right-of-way, shall have at least one tree for every sixty (60) linear feet, or fractional part thereof. A landscape strip located around an open lot storage area shall provide one (1) tree for every thirty (30) linear feet, or fractional part thereof. Where an industrial use is located next to a commercial, office, or institutional use, a continuous hedge shall also be provided within the side and rear perimeter landscape strip, unless there is an existing hedge located along the perimeter of the adjacent property. Parking lot perimeter landscape strip requirements shall take precedence where a parking lot is located adjacent to a perimeter landscape strip.
- d. Single-family residential areas. For site development in single-family residential areas, landscaping shall be installed in accordance with 04(11) and 04(1)c.

Section 04. Landscaping Requirements.

To ensure that the landscaping provided is adequate to meet the intent of this subchapter, the following requirements are specified:

12. Installation.
 - a. Planting practices. All landscaping shall be installed in a sound, workmanlike manner and according to accepted good planting practice with the quality of plant materials as hereinafter described. All elements of landscaping shall be installed so as to meet any other applicable ordinances.
 - b. Staking. All balled and burlapped trees and palms shall be staked. Trees and palms shall be staked until the roots have become established for a period typically between six (6) months and one (1) year or as specified by a landscape architect.
 - c. Easement and utility area landscaping. No landscaping shall be planted in such a manner as to adversely affect drainage or utility easements. Trees with a maximum mature height great enough to interfere with overhead power lines shall not be planted below overhead power lines. Such trees with a maximum mature height less than the height of the overhead power line shall be as required in section 04(4)b.
 - d. Certification by landscape architect. The landscape architect shall certify in writing to the City of Hardeeville planning and/or zoning officials that the landscaping has been installed in accordance with the plan approved by the City Council or administrative staff, as applicable. No certificates of occupancy or similar authorization will be issued unless the certification has been received verifying the landscaping meets the requirements provided herein, and is in conformance with an approved landscape plan for the project. This certification requirement shall not apply to single family residential units.
13. Maintenance.
 - a. Responsibility. The owner, tenant, and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat, and orderly appearance at all times and shall be kept free from refuse and debris. Maintenance shall include the replacement of all dead plant material.
 - b. Irrigation. All sodded and planted areas shall be provided with an irrigation system except for xeriscape areas. Xeriscape areas must have a readily available water supply (minimum of one (1) hose bib within one hundred (100) feet of every planting area) to provide temporary irrigation until plantings are established. Xeriscape areas must be planted with approved drought tolerant species.
 - c. Nonconformance.
 - i. If at any time after issuance of a certificate of occupancy the landscaping of a development is found to be in nonconformance, City Council or administrative staff, as applicable shall issue notice to the owner, tenant and/or agent that action is required to comply with this subchapter and the owner, tenant, and/or agent shall have thirty (30) days to restore the landscaping as required. Failure

- to comply will result in a code enforcement action.
- ii. Permitted landscaping existing on the effective date of this subchapter shall be maintained as originally permitted. Replacement trees and other plants must, however, meet the requirement of this section.

d. Pruning and topping. Pruning restrictions shall not apply for trees located under power lines. Trees shall be pruned only as necessary to promote healthy growth. Trees shall be allowed to attain their normal size and shall not be severely pruned or "hatracked" in order to permanently maintain growth at a reduced height. Trees may be periodically pruned or thinned in order to reduce leaf mass in preparation for tropical storms. All pruning shall be accomplished in accordance with the National Arborist's Standards.

e. Walls and fences. All walls and fencing shall be maintained in good condition so as to present a neat, and orderly appearance at all times and shall be kept free from mildew and graffiti.

14. Plant materials.

a. Quality. Plant material used in conformance with the provisions of the material list as set forth in the Highway 278 Corridor Overlay District Standards (Section 4.22 of the MZDO) .

b. Existing plant material. Developers and/or land owners are encouraged to utilize healthy, acceptable plant material existing on a site prior to its development since this plant material is known to adapt to soil and climate conditions that occur in the city area. Trees to be preserved shall be protected from construction damage. Protection should include barricades erected around the dripline, or other similar separation, of the tree during the entire construction process.

c. Ground cover. Ground covers, other than grass, shall be planted in such a manner as to present a finished appearance and a reasonably complete coverage within four (4) months after planting. Ten (10) percent of the groundcover landscaping shall consist of flowering groundcover.

d. Lawn grass. Grass areas shall be planted in species normally grown as permanent lawns in the city.

e. Shrubs and hedges. Shrubs shall be a minimum of two (2) feet in height when measured immediately after planting. When used for screening purposes they shall be spaced a maximum of twenty-four (24) inches on center and shall be maintained so as to form a continuous, unbroken, solid screen within a maximum of one (1) year after time of planting. If wider growing plants are used, spacing may be increased, but should provide a full appearance with adjacent plants touching each other.

f. Synthetic plants. Synthetic or artificial material in the form of trees, shrubs, ground cover, vines, or artificial turf shall not be used in lieu of plant requirements in this section.

g. Trees.

i. Trees shall be a species as set forth in the Highway 278 Corridor Overlay District standards.

- ii. Tree species shall be a minimum of fourteen (14) feet overall height when planted with a minimum four-foot spread. At planting, the trees shall have a diameter of at least three (3) inches at a point four and one-half (4 ½) feet above ground level. Palm trees shall have a minimum clear trunk height of ten (10) feet. Groups of smaller trees may be approved by the City Council or administrative staff, as applicable.
 - iii. No more than fifty (50) percent of the required trees may be palm trees.
 - iv. Use of native species shall be encouraged.
 - v. At least thirty-five (35) percent of the required trees shall be flowering trees.
- h. Vines. Vines shall be a minimum of thirty (30) inches in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet physical barrier requirements as specified.

15. Site Perimeter Landscaping--Commercial, office, institutional, multifamily, and PDD Zoning. Necessary access ways from a right-of-way through all landscape strips shall be permitted in order to utilize the parking or other vehicular use areas and these accessways may be subtracted from the linear dimension used to determine the number of trees required.

- a. Development located adjacent to a right-of-way or to another property. A landscape strip at least ten (10) feet in depth shall be located adjacent to all rights-of-way and abutting properties, unless indicated otherwise and approved by City Council. One (1) tree shall be provided for each thirty (30) linear feet of right-of-way or abutting property, or fractional part thereof. Trees may be placed in any arrangement within the landscape strip provided that the spacing between tree trunks is no greater than fifty (50) feet.
- b. Special areas – four or 6 lane divided streets with a depth in excess of one hundred fifty (150) feet. Properties having a front or side facing these streets shall provide a landscape strip at least fifteen (15) feet in depth. This landscape strip shall include one (1) tree for each thirty (30) linear feet, or fractional part thereof. Trees may be placed in any arrangement within the landscape strip provided that the spacing between tree trunks is no greater than fifty (50) feet. A continuous hedge shall extend the length of the landscape strip. One (1) shrub shall be required for each two (2) linear feet and the shrubs shall be at least twenty-four (24) inches in height at the time of planting. The remainder of the required landscape strip shall be landscaped with grass, ground cover, shrubs, or other landscape treatment, excluding paving.
 - i. In locations without overhead wires: Trees shall be planted at thirty (30) feet on center along the street frontage. Trees shall be as set forth in the Highway 278 Corridor Overlay District Standards.
 - ii. Parking lot terminating islands shall have at minimum one (1) tree. Two (2) palms having a clear trunk height of ten (10) feet may be substituted for one (1) tree.
 - iii. A hedge or shrub border shall be located in the landscaping strip.
 - iv. Twenty-five (25) percent of the area of the landscape strip shall be planted in ground covers and accent plants.
 - v. A landscape strip along the rear and sides of a parcel shall be provided as indicated in section 04(4)a. above. The plant materials are to meet the requirements for size, spacing, and type in accordance with the Highway 278 Corridor Overlay District Standards.

16. Landscape buffer strips. Landscape buffer strips are areas where a wall or fence is required in addition to landscaping.
- a. Landscape buffer wall standards. Walls shall be designed as architectural walls. When a landscape buffer strip is located adjacent to a right-of-way, the architectural wall shall be set back a minimum of five (5) feet from the right-of-way in order to provide an area on the outside for landscaping and maintenance, unless noted otherwise. Where a landscape buffer is required along a drainage right-of-way, the City Council or administrative staff shall determine whether a landscape buffer strip may be permitted to be located within the adjacent drainage easement, if applicable. Where a landscape buffer strip is located adjacent to a residential property, the architectural wall shall be located at least two (2) feet from the property line and the area inside of the wall shall be landscaped. No landscaping along the outside of the wall shall be required. The architectural wall shall be located no closer than three and one-half (3 ½) feet to an interior paved surface or a parking space in order to allow space for shrubs and other landscaping. The wall and plantings shall be permanently maintained and kept in an acceptable state of repair.
 - i. Height. The architectural wall shall be as set forth in the Argent West PDD and Conceptual Master Plan.
 - ii. Design. The wall shall have columns or wall offsets at least every fifteen (15) feet. Columns shall extend beyond the face of the wall on both sides by at least three (3) inches and they shall be at least sixteen (16) inches in width. Offsets shall be at least sixteen (16) inches in depth. A decorative band or cornice located along the top of the wall shall be at least eight (8) inches in height. The primary color used on the wall shall match the primary color used on the building located on the site. The wall color shall be selected from the approved colors and conform with the requirements of the Argent West PDD and Conceptual Master Plan.
 - iii. Access. Gates may be required in order to provide pedestrian access to adjoining areas and to provide access for landscape and wall maintenance. Gates shall be opaque.
 - b. Landscape material. One (1) tree, at least fourteen (14) feet in height, shall be provided for each thirty (30) linear feet of the landscaped buffer strip, or fractional part thereof. When a landscape buffer strip is located adjacent to a right-of-way, trees, continuous hedging, and ground cover shall be planted on the right-of-way side of the wall. The hedge plant materials shall be at least twenty-four (24) inches high when planted and shall be planted twenty-four (24) inches on center. At least fifteen (15) percent of the area in front of the wall shall consist of groundcover. Tree, hedge, and ground cover materials shall be selected from the materials list located in the Highway 278 Corridor Overlay District Standards. The remainder of the required landscape buffer strip shall be landscaped with grass, ground cover, shrubs, hedges, or other landscape treatment, excluding paving. The area inside the wall shall have at least one (1) shrub for each two (2) linear feet, or fractional part thereof, and the shrubs shall be at least twenty-four (24) inches in height when planted.
 - c. Landscape buffer strip adjacent to residential properties located within conversion areas--Fence required. Where commercial, industrial, institutional, office, multifamily, and public facility uses abut property to the side or rear on which there is an existing house and which is zoned as single-family residential and which is located within a conversion area, a landscape buffer strip that is at least ten (10) feet in depth

located along the side adjacent to the residential property shall be provided, unless indicated otherwise. A six-foot high opaque wooden fence or fence of similar appearance shall be used as a temporary buffer. The temporary buffer shall remain until such time that the adjacent property is no longer zoned single family residential or until the house is removed from the adjacent property. One (1) tree, at least twelve (12) feet in height, shall be provided for each thirty (30) linear feet, or fractional part thereof. A continuous hedge shall extend the length of the landscape strip. One (1) shrub shall be required for each two (2) linear feet and the shrubs shall be at least twenty-four (24) inches in height at the time of planting. The remainder of the required landscape buffer strip shall be landscaped with grass, ground cover, shrubs, or other landscaping, excluding paving.

17. Perimeter landscaping for open lot storage areas. Open lot storage areas shall be landscaped on all sides as in section 153.04(5) with the option of using opaque wood, metal or plastic that looks similar to wood, or chain link (with slats) fencing in lieu of a wall, except for necessary accessways for ingress and egress from the open lot storage areas and where the storage area is screened from view from surrounding property by intervening buildings and structures. However, properties facing a collector or arterial road shall have an architectural wall located along the street frontage. Chain link fencing shall be vinyl coated in a green or black color. Along areas facing a street right-of-way, the required landscaping shall be located in front of the wall or fence.
18. Perimeter landscaping around parking areas and other vehicular use areas.
 - a. General. A landscape strip at least ten (10) feet in depth located adjacent to an off-street parking area or other vehicular use area shall be provided unless indicated otherwise. See section 04(7)c. below. This landscape strip shall include one (1) tree for each thirty (30) linear feet, or fractional part thereof.
 - b. Landscape barrier. In addition, a hedge, wall, or other durable landscaping barrier shall be located within this landscape strip. If such a barrier is of non-living material, it shall be a minimum height of three (3) feet and one (1) shrub or vine shall be planted for each five (5) linear feet or fractional part thereof. Such shrubs or vines shall be located along the exterior side of the barrier. The remainder of the required landscape strip shall be landscaped with grass, ground cover, shrubs, hedges, or other landscape treatment, excluding paving.
 - c. Landscape strip between buildings and vehicular use areas. A landscape strip that is at least ten (10) feet in depth shall be located between a building and a parking space. A landscape strip that is at least five (5) feet in depth shall be located between a building and a loading space except where access is required. A landscape strip that is at least five (5) feet in depth shall be located between a building and a driveway or a sidewalk, unless indicated otherwise. The landscape strip shall be planted with, sod, groundcovers, shrubs, trees, and or hedges. See section 04(12) for required quantity of landscaping located around building facades and section 03(2) for special requirements for multifamily development.
 - i. Where the rear of a building is not generally accessible or visible to the general public, such as a strip commercial shopping center, the City Council or administrative staff, as applicable, may waive or modify the requirement for a landscape strip to be located between vehicular use areas and a building.

49. ————— Parking Lots

- a. General. Interior portions of off-street parking facilities that are not specifically designed as parking spaces or maneuvering areas shall not be paved for vehicle use. These areas shall be planted and permanently maintained with trees and shrubs, and finished with ground cover or other landscape material. Mechanical, electrical, or utility equipment (excluding a fire hydrant) is prohibited from being located within a required landscape island.
- b. Maximum number of continuous parking spaces. Parking bays shall have a landscape island located at each end in order to break up excessively long runs of parking spaces. Each landscape island shall have at least one (1) shade tree.
 - i. Sites greater than two (2) acres in size. - A landscape island at each end of a parking bay shall be provided that has a minimum width of ten (10) feet and a minimum total area of one hundred fifty (150) square feet. The parking bay shall contain no more than twelve (12) continuous parking spaces nor extend more than one hundred thirty (130) linear feet, whichever is more restrictive, unless approved by City Council.
 - ii. Sites two (2) acres or less in size.
 - 1. A landscape island at each end of a parking bay shall be provided that has a minimum width of ten (10) feet and a minimum total area of one hundred fifty (150) square feet. The parking bay shall contain no more than eight (8) continuous parking spaces nor extend more than ninety (90) linear feet, whichever is more restrictive. The abutting parking bays shall contain no more than eight (8) parking spaces nor extend more than ninety (90) linear feet, unless approved by City Council.
- c. Curbing. All interior landscaping areas shall be curbed to prevent vehicular encroachment.

20. Screening of refuse collection and recycling areas. Refuse and recycling dumpsters utilized at multi-family residential complexes, commercial, industrial, office, and institutional facilities shall be screened from view on all sides and shall be gated. Gates may be left open only on scheduled pick up days and must be closed following pick up. Such screening for refuse and recycling dumpsters shall consist of a five-foot high masonry wall. In addition, one shrub or vine shall be planted at two-foot centers along the outside perimeter of the screen. Dumpster enclosures shall measure at least twelve-foot by twelve-foot in area. The gate to the recycle dumpster enclosure shall have a sign attached indicating "recycle". Dumpsters shall be located in areas that minimize public view. Gates shall not be in view of a street. All uses, excluding single-family residential uses, that generate refuse shall provide one (1) or more locations for enclosed and gated refuse dumpsters even if curbside pick-up is utilized, unless indicated otherwise. Multifamily development that is less than five (5) units per acre shall be exempt from providing locations for refuse and recycle dumpsters provided that the waste service provider agrees to provide curbside pick-up service. Commercial, office, institutional, and multifamily development greater than five (5) dwelling units per acre shall provide one (1) or more locations for enclosed and gated recycling dumpsters even if curbside pick-up is utilized. The site plan review committee may modify the size required for the recycling dumpster enclosure after reviewing and considering the size of the building and type of use.

21. Other areas. All property, except for land utilized for principal structures, accessory structures, off-street parking areas, other vehicular use areas, and required landscaped areas

shall be landscaped with at least grass, ground cover, or mulch.

22. Single-family residential landscaping. A minimum of four (4) trees per lot selected from the Highway 278 Corridor Overlay District Tree List is required at the time of issuance of a certificate of occupancy in single-family residential areas. Each tree shall be a minimum of eight (8) feet overall height when planted with a minimum four-foot spread. At planting, the trees shall have a diameter of at least one and one-half (1 ½) inches at a point one and one-half (1 ½) feet above ground level. Existing non-exotic healthy trees may be used to satisfy this requirement
23. Landscaping around building facades. Unless otherwise approved by City Council, a landscape strip between five (5) and twenty (20) feet shall be located around the perimeter of a building that is visible to the general public, patrons, or residents, unless noted otherwise. Also, refer to section 04(7)c., landscaping between buildings and vehicular use areas, and section 03(2), multifamily development. Landscaping shall be designed to be complimentary to the building facade. Plantings shall include trees, hedging, and ground cover placed around the building. There shall be at least one (1) shrub for every one and one-half (1 ½) linear feet of a building's perimeter, excluding paved access areas, and the shrubs shall be at least twenty-four (24) inches in height at the time of planting. Note: A wider landscape strip permits more area to plant required trees and shrubs.
24. Preservation of existing non-exotic vegetation.
 - a. Preservation of existing non-exotic vegetation shall be required whenever possible. The City Council or administrative staff may require tree surveys to be submitted to meet these objectives.
25. Drive-throughs. No drive-through windows located between the right-of-way of a primary collector/arterial roadway and a building are permitted. If there is no other location option, the entire drive through lane must be completely screened from adjacent view using a continuous planting of vegetation at a height of six (6) feet at time of planting. Vegetation shall be maintained at a height of at least six (6) feet.
26. Joint use parking. Joint parking areas are allowed and encouraged between adjacent land owners. Joint parking areas will be treated as a single parking area and must meet all requirements of this chapter and the zoning code. Joint parking areas will only be permitted if there is a mutual agreement among the owners of the parking areas, which is acceptable to the city and a copy of the agreement filed with the City Administrator.
27. Landscape strips combined. Where the edges of required landscape strips are spaced apart twenty (20) feet or less, a single landscape strip may be utilized and the landscaping may be distributed over the entire width of the combined landscape strips. However, requirements for landscape buffer strips as indicated in section 04(5) shall not be modified. Where a landscape buffer strip and a landscape strip are spaced apart twenty (20) feet or less, only a landscape buffer strip shall be required. Where requirements for a landscape strip differ, the more stringent requirements shall take precedent.
28. Mechanical, electrical, and utility equipment. A hedge that is at least twenty-four (24) inches in height when planted and that is spaced at least twenty-four (24) inches on center shall be planted around mechanical, electrical, and utility equipment except where access to the equipment is necessary. Lift stations shall have an opaque wall or fence located around the perimeter except where the gate is located. The gate shall be semi-transparent in order to

allow for visual inspection of the equipment by the utility department. The lift station's alarm light shall be clearly visible above the wall or fence at all times. Hedging shall be located around the wall or fence. The wall or fence shall be of a material that is similar or complementary to the building or buildings located on the site. Air conditioning condensing and compressor units shall not be located on a side of a building that faces a street right-of-way or a driveway.

29. Gated and/or walled entrances. Trees, shrubs, and groundcover shall be planted along a wall or fence and around a guard house located at a gated entrance. At minimum, a landscape strip that is at least ten (10) feet in depth shall be located along the side that is visible to the general public. At least one (1) tree for each fifteen (15) linear feet, or fractional part thereof, of the walled entrance (excluding the gates) shall be provided. One (1) shrub shall be required for each two (2) linear feet and the shrubs shall be at least two (2) feet in height at time of planting.
30. Sidewalks and bikepaths.
 - a. Development located along existing streets. Development located along an existing street right-of-way that is greater than sixty (60) feet in width shall provide a sidewalk that is at least five (5) feet in width, typically along the property line, and within the street right-of-way. However, in such case where the City Council and/or administrative staff determines that a sidewalk located within a right-of-way is not appropriate or will be in conflict with other public works, the engineering department may require that the sidewalk be located on the subject property to be developed, typically along the property line. Location and design shall be subject to review by the City Council or administrative staff, as applicable. In areas where a design plan for sidewalks and/or bikepaths has been adopted or established, the design plan shall take precedence as to the location, size, and other features of the sidewalk and/or bikepath. Sidewalks shall not encroach into landscape strips.
 - b. Public and private streets or driveways. As part of the Master Plan approval, a sidewalk that is at least five (5) feet in width shall be located along the side or sides of the following proposed street rights-of-way or main access routes:
 - i. A public or private street right-of-way having a non-residential land use. Sidewalk shall be located along the side of the street having the non-residential use.
 - ii. A public or private street right-of-way or driveway that serves as a main access route to a residential development. Sidewalks shall be located on both sides, unless otherwise approved by City Council at Master Plan approval.
 - iii. All collector or arterial roads. Sidewalks shall be located on both sides, unless otherwise approved by City Council at Master Plan approval.
 - c. Whenever possible, a sidewalk shall be located along the edge of the street right-of-way, leaving a green space located between the street pavement and the sidewalk.

Section 05. More stringent requirements may be required.

- B. This section shall be a minimum standard and shall apply to all areas of the Argent West PDD and Conceptual Master Plan, unless otherwise approved as part of a Master Plan approval by City Council.
- C. Landscape guidelines which pre-empt this ordinance may be adopted by City Council for certain areas.

Section 06. Submission of landscaping plan; approval prior to enactment.

- D. A landscaping plan prepared, signed and sealed by a South Carolina registered landscape architect shall be submitted as part of the site plan submission.
- E. Such plan shall be approved by the City Council or administrative staff, as applicable, prior to the issuance of a building or paving permit and shall contain the following:
 - a. Name, address, and phone number of the owner, landscape firm, and designer.
 - b. North arrow, scale, and date (minimum scale one (1) inch = thirty (30) feet and sheet size shall not exceed 30" x 42").
 - c. Property lines, easements, and rights-of-way.
 - d. Location of all existing and proposed electrical, mechanical, and utility equipment and location of all utility services (electrical power lines, cable lines, water lines, sewer lines, and the like).
 - e. Location of any existing or proposed structure.
 - f. Location of proposed site features such as earthen mounds, walls, fences, and water areas.
 - g. Location of any existing or proposed vehicular use areas.
 - h. Location of any existing or proposed sidewalks, curbs, and wheel stops.
 - i. Location of required landscape strips and landscape buffer strips.
 - j. Location, diameter breast height, height, description of all landscape material including name, quantity, spacing, installation and maintenance requirements, and the like.
 - k. Location, and area of landscaping for freestanding signs.
 - l. Location of stormwater retention/detention ponds, swales, underground pipes, and other related features.
 - m. If a landscape buffer wall is required, provide a note on the site plan and landscape plan that states that the height of the wall meets the requirements of the Argent West PDD and Conceptual Master Plan.
 - n. Provide a note indicating that the site will be irrigated. Irrigation plans shall be submitted to the planning and zoning department and to the utility department prior to obtaining a building permit. If xeriscaping is utilized, provide a note indicating that it is a xeriscape plan and show the location of the hose bibs. See section 04(2)b. for xeriscape area requirements.

Section 07. Variances and administrative variances.

- (1) Variances shall be processed in accordance with the provisions of the MZDO. The applicant shall submit an application, pay the associated review fee, and submit a landscape plan to apply for a variance.
 - a. The City Administrator, or his designated and authorized agent, shall have the authority to hear and decide requests for the following administrative variances.
 - i. Height. Variances of ten (10) percent or less to the required height of a wall, fence, tree, or shrub.
 - ii. Species substitution. Variances of ten (10) percent or less to the required amount of landscaping to allow for the substitution of a species not listed on the Highway 278 Corridor Overlay List.
 - iii. Amount. Variances of ten (10) percent or less to the required number of trees, shrubs, or ground cover.
 - b. Substituting landscaping for a required architectural wall requires the approval of the City Council and/or administrative staff.

Section 08. Administrative reviews of a landscape plan.

- (1) Minor revisions to a landscape plan may be reviewed and considered for approval by the administrator. The administrator may refer the request to the appropriate committee for a recommendation. Minor revisions to a landscape plan include the following:
 - a. Relocation. The relocation of thirty (30) percent or fewer of the required number of trees, shrubs, or groundcover, provided that the landscaping to be relocated is not located within a drainage or utility easement or right-of-way.
 - b. Substitution. The substitution of thirty (30) percent or less of a species for another species, provided that the proposed species is listed on the Highway 278 Corridor Overlay List and that the landscaping proposed to be substituted is not located within a drainage or utility easement or right-of-way.

Section 09. Exemption or modification to landscape buffer wall requirement.

Requests to substitute landscaping for an architectural wall that is a required feature of a landscape buffer strip or requests to be exempt from installing the landscape buffer strip requirement shall be reviewed by the city council.