

EAST ARGENT TRACT
PLANNED DEVELOPMENT DISTRICT
and
CONCEPTUAL MASTER PLAN

Jasper County, South Carolina

Prepared For:

JPR Properties, LLC

Submitted to:

The City of Hardeeville

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FINAL
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AMMENDED

EAST ARGENT TRACT

PLANNED DEVELOPMENT DISTRICT

AND

CONCEPTUAL MASTER PLAN

SECTION I:

INTRODUCTION AND NARRATIVE

The East Argent Tract Planned Development Development (PDD) is located within The Argent Tract in Jasper County, South Carolina with frontage on South Carolina Highway 141. The property comprising the PDD consists of five separate parcels known as East Argent Parcel A, East Argent Parcel B, the Great Swamp Tract, East Argent Tract 2 and 278 Parcels 1 and 2. The parcels comprising the East Argent Tract PDD are owned by International Paper Realty Corporation (“Owner”), its successors or assigns.

Through the Intergovernmental Agreement between Jasper County, and the cities of Hardeeville and Ridgeland adopted February 8, 2005, both Jasper County and the City of Hardeeville (“City”) have recommended that the East Argent Tract be annexed into the City of Hardeeville. The applicant is therefore pursuing a PDD, Development Agreement and annexation petition through the City of Hardeeville. JPR Properties, LLC is under contract to purchase the property from International Paper pending approval of the PDD, Development Agreement and annexation petition with the City of Hardeeville.

A. THE PROPERTY

1. The East Argent Tract PDD is located in Jasper County and is bounded by the western boundary of the great swamp, on the north by the Okatie Club, on the south by Jasper County Highway 141 and on the east by several individually owned parcels. The property has approximately 5,100 feet of frontage on Jasper County Highway 141. The two 278 parcels have approximately 3,300 feet of frontage on U.S. 278. The Highway 170 Tract has approximately 1,940 feet of frontage along SC 170. Exhibit C depicts the boundary of the subject property.
2. The PDD consists of approximately 7,351 acres including approximately 4,633 acres of uplands and approximately 2,718 acres of freshwater wetlands. The property does not have critical area or frontage on salt marsh nor creeks. Exhibit D shows the freshwater wetlands on the site. The wetland delineation was verified by the U.S. Army Corps of Engineers as evidenced by their letters included with Exhibit D.

3. Exhibit C depicts the East Argent Tract boundary. The land surrounding the East Argent Tract property is predominantly undeveloped. Bordering the East Argent Tract is the 485 acre Peninsula Tract which was rezoned in 2004 as a Planned Development District through Jasper County. There is also a recently constructed roadway, New River Parkway, which extends to the southern boundary of the property from SC highway 141 through land owned by KSEE, LLC. There is an abandoned railroad bed, 100 feet in width that contains a permanent 30 foot wide utility easement. The SC 170 Tract has frontage on its eastern boundary which is opposite a portion of the existing Oldfield development.
4. Exhibit E depicts topographic information for the East Argent Tract. International Paper Realty Corporation contracted with Thomas & Hutton Engineering Company to produce Light Detection and Ranging (LiDaR) Topography for the entire Argent Tract. Elevations on the site range from 10 feet above mean sea level at the bottom of the New River Swamp wetlands to 25 feet above mean sea level in the upland areas. Exhibit E also depicts the FEMA flood zones on the property which range from Zone A near the wetland areas which are areas of 100 year food with no base flood elevations determined and Zone C which are areas of minimal flooding. Reverification/extension of the wetlands certification with the Army Corps of Engineers and S.C. Department of Health and Environmental Control is ongoing at this time.

B. PLANNED DEVELOPMENT DISTRICT AND DEVELOPMENT AGREEMENT PROCESS

1. The Planned Development District (PDD) was adopted by the City of Hardeeville to permit and encourage the effective, efficient, and economical development of large tracts of land that are in the best interests of the long range development plans of the City. The PDD application will be accompanied by a Development Agreement the intent of which is to protect the rights and entitlements specified in the PDD for the property from the effect of subsequently enacted local legislation or from the effects of changing policies and procedures of local government agencies which may conflict with any term or provision of the PDD or in any way hinder, restrict, or prevent the development of the project. The Development Agreement will provide reasonable certainty as to the lawful requirements that must be met in protecting vested property rights, while maintaining the authority and duty of government to enforce laws and regulations which promote the public safety, health, and general welfare of the citizens of our State. The Development Agreement is being made and entered between Owner and the City, under the terms of the Act, for the purpose of providing assurances to the Owner that it may proceed without encountering future changes in law which would materially affect the ability to develop under the plan, and for the purpose of providing important protection to the natural environment and long term financial stability and a viable tax base to the City of Hardeeville and Jasper County.

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

C. CONCEPTUAL MASTER PLAN

It is anticipated that the East Argent Tract Property will be developed over a period of twenty to thirty years or more, in accordance with the Conceptual Master Plan as set forth in this document 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 issues. In addition to the Conceptual Master Plan, development of the Property is controlled by other provisions of the PDD and further governed by the Development Agreement between the Owner and the City of Hardeeville.

The goal of the PDD is to produce a high quality, mixed use development that raises the quality of life and development standards in the area while anticipating the future needs for education, culture, commerce, housing, and services. The tract of land provides an opportunity for a mix of land uses that will be developed over a period of time. The PDD designation is necessary to accommodate the mix of land uses, a pedestrian friendly environment, a strong community atmosphere, an environmentally sensitive plan and provide for the responsible planning and development of the property over time.

The East Argent Tract Conceptual Master Plan, prepared by Wood & Partners, Inc., (refer to Exhibit B) shows a general roadway layout and a mixed use community showing areas designated for commercial use and residential use. Proposed land uses in the development are detailed under Section 2-Land Use Designation and Definitions.

The Conceptual Master Plan seeks to maintain open space requirements set forth in the Hardeeville MZDO dated March 20, 2003, as amended through the date of the approval of this PDD("MZDO") amendment. The open space and amenities will be owned and maintained by the Owner, homeowner's association(s), or other legally designated entity. Property deeded to a governmental entity becomes the maintenance responsibility of that entity, or as otherwise outlined in the Development Agreement.

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.

The provisions of the Development Agreement and the Conceptual Master Plan shall apply to development in the East Argent 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.23 herein and the Master Sign Program attached as Exhibit L; 4) US Highway 278 Corridor Review Board standards, as may be modified by the PDD; and 5) the MZDO. 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, this PDD and the MZDO.

D. ENVIRONMENTAL PROTECTION

1. Environmental protection is a priority for the applicant. As part of the development process, East Argent Tract developers will meet or exceed the stormwater management requirements of Hardeeville, except as modified by the provisions of this PDD, and the then existing requirements of 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.
3. Freshwater wetlands on the property are typical of the South Carolina Lowcountry. Approximately thirty-seven (37) percent of the site consists of freshwater wetlands, including a significant portion of the Great Swamp. A copy of the wetlands delineation plan and verification letter from the US Army Corps of Engineers is included as Exhibit D. Verification/extension of the delineation is ongoing at this time.
4. On-site wetland impacts resulting from the development of the East Argent Tract will be permitted jointly through the U.S. Army Corps of Engineers and the Office of Ocean and Coastal Resource Management a division of the South Carolina Department of Health and Environmental Control. All impact mitigation will meet or exceed state or federal standards then in effect.

E. CULTURAL AND HISTORICAL RESOURCES

As part of a comprehensive study of the property, an intensive cultural and historical resources survey was conducted by Brockington & Associates in October 2002 for the entire East Argent Tract, including land comprising the previously approved Peninsula Tract PDD. Their final report was published in 2003. The survey concluded that of the 14 archeological sites and five isolated finds identified on the property, none were recommended for inclusion to the National Register of Historic Places. A copy of this document is included as Exhibit I. An intensive cultural and historical resources survey is underway for the SC 170 Tract. 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 East Argent Tract by Beaufort Jasper Water and Sewer Authority 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 Beaufort-Jasper Water and Sewer Authority (BJWSA) indicate a willingness to serve the property. BJWSA operates and maintains water and sewer systems within their service area upon completion by the developer and acceptance by the Authority.

G. UTILITY SERVICE

1. The East Argent Tract is in the service territory of Palmetto Electric Cooperative, Inc. for electrical power. The Owner will coordinate with Palmetto Electric regarding planning for the East Argent Tract.
2. Hargray or other licensed provider will provide telephone service to the East Argent Tract. The Owner will coordinate with the provider regarding planning for the East Argent Tract. All servicing will be via fiber optics cable to include broadband capability.
3. Other Utility services shall be provided by legally established entities at the discretion of the Owner, 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.

H. ROADWAYS AND TRAFFIC

1. There are four public roads contiguous to the East Argent Tract, US 278, SC Highway 141, Jasper Station Road and SC 170, and are 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, and the City of Hardeeville. 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 into and out of a development (i.e. right-in-right-out only).
2. Ingress and egress for the property to SC 141 will be provided by a combination of existing and proposed access points. The existing New River Parkway will provide access to the center of the Community Commercial Tract. Where the Southern Tract is adjacent to the SC 141 right of way, two new full access points will be constructed to supplement the two existing accesses, as generally shown on the Conceptual Master Plan map. The new, southwesternmost full access point will align with the existing full access point approved for Sun City. Additional access points may be allowed provided they are consistent with the future access management plan currently being developed by the City. A traffic analysis must be provided that demonstrates the additional access point met the applicable City of Hardeeville and SCDOT access management plans. These accesses may be relocated to accommodate traffic modeling information, site specific characteristics, and adjacent land uses as part of a traffic management plan. There may be a full access located at the intersection of the abandoned railroad bed and SC 141. To the most reasonable extent possible, planning, design and construction of these accesses will be accomplished in a manner consistent with the future widening of Jasper County 141. Ingress and egress to US 278 may be provided by three full access points located at the existing median breaks, consistent with SCDOT's original access plan implemented with the construction of US 278. Traffic signals shall be installed, if warranted, by the Owner or with funding, if any, as outlined in the Development Agreement. Additional access may be provided by right-in/right-out accesses with no median breaks on US 278. Frontage roads will be used to the maximum practical extent to lessen the need for access points on major roads. Ingress and egress to Jasper Station Road will be located where the end of the existing roadway terminates at the East Argent property boundary as shown on the Conceptual Master Plan. Additionally, a minimum of four accesses may be constructed from the north side of Jasper Station Road to the East Argent Tract as shown on the Conceptual Master Plan. Such communities in East Argent Tract abutting Jasper Station Road shall utilize Jasper Station Road as a secondary access point to promote traffic distribution. Ingress and egress for the property to SC 170 will be provided by two full access points. The northernmost full access will align with the existing Oldfield full access and median break. Additional access may be allowed on SC 170 provided

they are consistent with the future access management plan. The access point locations described above are preliminary and may be relocated based on Master Plan approval. 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. Typical roadway sections will be submitted for review at Master Plan approval stage.

3. Potential access across the jurisdictional wetlands surrounding adjacent tracts may be allowed if approved by OCRM and the U.S. Army Corps of Engineers. Road linkages to adjacent properties may include impacts to jurisdictional wetlands.
4. The East Argent Tract PDD shall have roads designed to the standards of SCDOT, Public roadway construction will be in accordance with SCDOT standards unless otherwise agreed at Master Plan Approval, 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. Interconnectivity to other tracts of land will be considered and addressed at time of Master Plan approval, however consideration will be given to avoidance of negatively affecting the value of the properties and impeding intended development. Public access into or across private development will not be required.
6. The East Argent 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 upon specific soil conditions, environmental concerns, physical constraints and design parameters.
7. The Owner shall have the right to design and construct upon obtaining permits from applicable governmental authorities the loop roadway designated on the Conceptual Master Plan as the Central Loop Road, provided such design is in conformance with and capable of absorbing the traffic loading created by the Property. The Central Loop Road is proposed to be designed and constructed as a four-laned limited access arterial roadway with appropriate turn storage and with divided landscaped median located within a right-of-way of at least 150 feet in width and in accordance with the road design standard to be approved at Master Plan submittal for such portion of the Central Loop Road then being constructed. The 150 foot right of way is being provided (without charge for the land comprising such 150 right-of-way) to accommodate future road widenings that may be appropriate due to increase traffic loading resulting from off-Property impacts, with funding and responsibility for such widening and improvements to be the responsibility of the City or other governmental entity(ies). In connection with the construction of such four (4) lanes of Central Loop Road, the Owner shall be required to construct two twelve foot wide travel lanes side by side, if all four lanes are not built concurrently The Owner shall construct such Central Loop Road (which may be completed in phases) and, upon completion of portions of such Central Loop Road, will dedicate road and right-of-way to the City (or other governmental authority). The Owner shall install landscaping in a manner consistent with the landscape plan submitted by Owner and approved by the City, and an Association shall be established which shall

have the perpetual maintenance obligation for maintaining the landscaping located within such Central Loop Road. Dedication of the Central Loop Road to the City of Hardeeville shall be in accordance with the provisions of the Development Agreement.

8. The East Argent Tract PDD shall provide roadway linkage of major land use areas including internal linkage to commercial and recreational uses. Certain areas within the East Argent 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 East Argent 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 the Master Plan submittal.. Direct connectivity by roads, sidewalks, or non-vehicular pathways through private subdivisions is not required, although encouraged to be determined at time of Master Plan.
9. Notwithstanding the provisions of subsection 5 hereof, roadway design standards may be modified to reduce environmental impacts and increase tree preservation provided safety concerns are not compromised. To protect and preserve significant trees, such design is hereby encouraged.

I. TREE PRESERVATION AND REPLACEMENT

The minimum allowable post development tree coverage for all development shall be 15 trees, two and one-half inches dbh (diameter breast height) or larger, per acre within the area of the Master Plan. Preserved wetlands and buffers can not be used to meet the requirement.

In those cases where the minimum allowable tree coverage cannot be met by preservation within the area of the Master Plan, replacement trees shall be planted to meet the 15 tree per acre requirement. Replacement trees must be planted within the boundaries of the area of the Master Plan. Replacement trees may also be provided by identifying existing hardwood trees between 2.5 inches and 7 inches in diameter of the same type being removed that will be preserved. These trees must be identified by a tree survey and may be located within the PDD. Notwithstanding anything to the contrary above, all development must comply at a minimum with the landscaping requirements of Exhibit K.

J. PARKING

The total number of required parking spaces for all land uses allowed herein shall conform to sections 5.8 through 5.10 of the Town of Hardeeville MZDO. Modulation of those standards 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 agrees at Master Plan approval.

K. STORMWATER MANAGEMENT

The East Argent Tract PDD shall conform to all of the Stormwater Management Provisions of the Hardeeville MZDO, and applicable state and federal requirements. The design storm used for all stormwater design within the PDD shall be a 25 year storm event, except for Central Loop Road, which must meet fifty year storm event design. Sufficient stormwater best management practices will be employed in the development of the PDD to ensure runoff leaving the site does not degrade water quality within the Great Swamp.

SECTION II:

LAND USE DESIGNATION AND DEFINITIONS

A. INTRODUCTION and NARRATIVE

The East Argent Tract PDD has a total acreage of approximately 7,351 acres including 4,633 of acres of upland, 2,718 acres of freshwater wetlands as indicated on the Conceptual Master Plan for East Argent Tract Planned Development District prepared by Wood + Partners, Inc.

The Conceptual Master Plan consists of the following land use areas

- Northern Tract
- Southern Tract
- Town Center Tract
- Great Swamp Tract
- Community/Commercial Tract
- Community Support Tract
- Highway 278 Tract
- SC 170 Tract

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 East Argent Tract PDD district shall maintain flexibility a may be requested by the 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 the City will be strictly adhered to, unless adjustment is requested by the Owner and approved by the City. The boundaries of the PDD may be modified to include adjacent acreage subject to the approval of the City of Hardeeville by appropriate petition/application to the City to amend the PDD and the Development Agreement.

B. ALLOWED LAND USES

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

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

Business Park/Light Industrial

Community Center
Community Recreation
Commercial
Hotel/Inn/Resort
Institutional/Civic
Maintenance Areas
Model Home/Sales Center
Multi-family Residential
Neighborhood Commercial
Open Space
Silviculture
Single-Family Residential
Traditional Neighborhood Development
Mitigation Bank
Recreational Vehicle Parks

Any easement that occurs within the property shall have the same land uses as any of the adjacent land uses. Any restrictions shall be based on the legal definition of the easement.

Design Regulations will be established for each area at the time of Master Plan approval in accordance with Section II.D.23 herein. Unless otherwise agreed at Master Plan approval or in this PDD, the standard for uses from the MZDO shall apply.

B. ALLOWED DENSITY AND TRANSFER OF DENSITY BETWEEN PLANNING AREAS

1. The Conceptual Master Plan for the East Argent Tract PDD consists of approximately 5,958 acres of residential land use and 1,392 acres of commercial land use (including wetlands) as generally depicted on the Conceptual Master Plan. The Conceptual Master Plan may be modified at Master Plan approval, taking into consideration the need to place commercial uses near the Central Loop Road, Highway 141, SC 170 or Jasper Station Road to address traffic considerations and create internal capture of road trips by residents. The East Argent Tract PDD is planned to include 12,574 residential units, which is based on a gross unit density of 2.7 units per acre applied to the entire East Argent upland area, 4,657 acres. The owner and developers shall have the right to convert up to 700 acres of commercial acreage to residential acreage at a unit density of 2.7 units per acre provided an overall cap of 14,464, residential units is not exceeded and the overall average fair market value is \$180,000.00 per residential unit as adjusted by a three per cent (3%.) annual adjustment. These potential additional units reduce the total number of additional units contemplated in Section VII (7) (B) of the Development Agreement that are allowed in the event traffic and other concerns set forth in that Section are addressed. Conversely, Owner and Developer shall have the right to convert residential units to

commercial acreage at a rate of one commercial acre for 4 residential units provided an overall cap of 2,092 acres of commercial use is not exceeded. There will be no overall cap on commercial building square footage, provided compliance with maximum floor area ratios and pervious surface restrictions of the MZDO and PDD. Additional residential density beyond that allowed above shall be subject to and limited by the provisions of Section VII of the Development Agreement.

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

C. DEFINITIONS OF LAND USE TERMS AND DENSITY TERMS

In the absence of a term definition in this Conceptual Master Plan or in the proposed East Argent Tract Development Agreement with the City of 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 on the Conceptual Master Plan because this is a mixed use development. However, the definitions below shall generally describe the allowed uses within the East Argent Tract PDD.

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 Park/Light Industrial: This designation allows for a multi-use Business Park to meet regional demands for Light Industrial, Office, Commercial Services and Wholesale/Retail Businesses. Permitted uses include:
- 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, research or experimental laboratories, public building, public utility facility, agricultural farm, horticultural nursery, radio and/or television station and/or transmission tower, commercial trade or vocational school, off street commercial parking or storage area for customer, client, or employee-owned vehicles and 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.23 herein.
 - c. Light Industrial uses shall provide a minimum buffer of 50 feet from adjacent residential uses not separated by a road right of way, or wetland of an equal width (including wetland buffer).
3. Community Center: 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.
- a. Permitted activities

The following are permitted uses, accessory uses and structures for the Community Center Area:

- (1) Single family residential
- (2) Multifamily residential
- (3) Bed and Breakfast/Guesthouse
- (4) Institutional/Civic
- (5) Neighborhood commercial
- (6) Open space
- (7) Community recreation

Build-to-property lines will be allowed to reduce cost of utilities and create a more pedestrian friendly environment as long as fire protection between adjacent and party-walls is strictly adhered to and visual design standards are met.

4. Community Recreation:

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

a. Outdoor Recreational Facilities including but not limited to:

- (1) Public &/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.

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.

5. Dwelling Units

- a. The maximum number of residential dwelling units on the Property will be 12,574, plus or minus any conversions of commercial to residential or vice versa, as allowed in this PDD, or any additional units allowed under the Development Agreement.
- b. For detached single family residential and duplexes (i) the minimum lot width shall be 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. 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 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. Multi-family residential units are allowable up to a maximum of 16 units per net acre on a site-specific basis. Density is based on the number of stories in a project. One-story projects are limited to 8 DU/AC, two story projects are limited to 16 DU/AC and any project with a three story component is capped at 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.
- e. Mid-rise multi-family residential units shall be defined as those which exist in buildings over three stories with density limited to 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 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.
- f. The allocation of density as specified allows for the clustering of development to optimize the protection of natural features and maximize open space. This does not guarantee that the Property can be developed at the identified maximum. Lot sizes range from the square footage of the foundation of cottage-type product to larger single family lots.
- g. Multi-family units do not have a lot size designation.
- h. Mobile homes are not allowed within the Argent East Tract.

- i. Recreational Vehicle Parks are governed by the provisions of Section 21 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.
- j. Single-family residential consists of attached and detached residential, including both short and long term rentals. Product mix may include full size lots, attached zero lot line product, townhouses, patio home sites and cottages. Residential improvements shall be limited to a maximum of three (3) stories in height above parking or base flood elevation, as applicable, not including minor uninhabitable architecture elements above basic roof lines, subject to provisions of the MZDO.

Performance Standards for this district will be determined at the time of Master Plan Application.

6. Commercial

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

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 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.
- (2) Uses allowed in General Commercial District in the City of Hardeeville MZDO, excepting truck terminals.
- (3) Single Family residential
- (4) Multi-family residential
- (5) Mixed of various uses permitted under this PDD
- (6) Assembly and Worship
- (7) Colleges and Professional Schools
- (8) Schools, Neighborhood (elementary and middle school)
- (9) Schools (community high school)
- (10) Daycare, commercial
- (11) Utilities
- (12) Public Services

- (13) Government Office
- (14) Commercial lodging (hotel and motel)
- (15) Commercial Retail
- (16) Office
- (17) Restaurant (including outdoor seating)
- (18) Service Businesses
- (19) Dry-cleaning and Laundry Services
- (20) Parking Garages
- (21) Gas-convenient stores with no Repair Bays or Facilities
- (22) Commercial Amusement (indoor)
- (23) Christmas Tree Sales
- (24) Roadside Stands (on designated areas only)
- (25) Commercial Outdoor Sales (related to existing retail)
- (26) Public Interest and Special Events (permitted, located, and scheduled ahead of time)
- (27) Nightclub and entertainment
- (28) Movie Theaters
- (29) Grocery
- (30) Mini-warehouse facilities will be limited to a maximum height of two stories.
- (31) Outdoor go-cart racing facilities subject to the Section 5.19 of the MZDO, Special Nuisances

- b. 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.
- c. Commercial uses shall provide a minimum buffer of 25 feet from any adjacent residential use not separated by a road right of way.
- d.. Prohibited Uses:

The following commercial uses are specifically prohibited:

- (1) Junkyards or auto salvage yards
- (2) Gambling facilities not authorized by law
- (3) Sexually-oriented businesses

The provisions of Section 5.19 Special Nuisances from the MZDO as amended by Section III of this PDD shall apply to the entire development.

7. Hotel, Inn, Resort and Condo/hotel

This designation is for hotels, inns, timeshare projects, resorts and spas that consist of building or buildings with guest rooms for sleeping, kitchens and or a dining room(s) to

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

Maximum building height shall meet the requirements of the Hardeeville MZDO for group dwellings and multiple family dwellings.

8. Institutional/Civic

This designation allows for institutional and civic land uses, which shall be allowed to occur as a mixed use throughout the East Argent Tract PDD. These land uses shall not count against the overall commercial acreage or residential density allowed for the East Argent 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, temple and other places of worship provided that such uses are housed in a permanent structure.
- c. Cemeteries provided that 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. Maintenance Areas

The maintenance areas will contain the facilities, tools and equipment necessary to maintain the common properties and golf courses within the East Argent Tract PDD. These facilities may be congregated on a central site or located in separate convenient sites for different services such as general community maintenance, golf course maintenance, recreation area maintenance or individual property regime maintenance.

Permitted uses include:

- a. Vehicle maintenance
- b. Storage of vehicles and parts, boats, recreational vehicles and resident storage

- c. Fuel storage
- d. Shops for woodwork, metalwork and painting.
- e. Greenhouses, plant propagation areas and holding yards
- f. Mulching facility and mulch storage.
- g. Storage of chemicals and bulk materials as permitted by law.
- h. Offices associated with community and maintenance.

10. Model Home/Sales Center

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

11. Neighborhood Commercial

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 East Argent 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.

a. Permitted Uses:

- (1) 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.
- (2) Mix of various uses permitted under this PDD
- (3) Single Family Residential
- (4) Multifamily Residential
- (5) Hotel / Inn / Resort and Condo/Hotel
- (6) Medical offices (not including facilities for patient care exceeding 48 hours)
- (7) Bed & Breakfast

- (8) Live/Work facilities (i.e. commercial below with residential above and commercial located within the same structure or homesite, not including a home business in a single family or multifamily residence)
- (9) Outdoor Entertainment.

Maximum building height shall meet the requirements of the Hardeeville MZDO for group dwellings and multiple family dwellings.

b. Prohibited Uses:

The following commercial uses are specifically prohibited:

- (1) Junkyards or auto salvage yards
- (2) Gambling facilities not authorized by law
- (3) Outdoor Amusement Parks
- (4) Outdoor go cart racing facilities
- (5) Outdoor roller coasters and other carnival like facilities
- (6) Sexually-oriented businesses

The provisions of Section 5.19 Special Nuisances from the MZDO as amended by Section III of this PDD shall apply to the entire development

12. Open Space

- a. Total open space for the East Argent 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 East Argent 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. Notwithstanding the foregoing, each master plan submittal for residential subdivision shall contain at least 10% total open space. Open space may be located in restricted access, gated communities and shall consist of the following:
 1. Landscaped areas including manicured village greens
 2. 50% of lagoons, ponds, impoundments and lakes (detention, retention, or recreational).
 3. 50% of freshwater wetlands
 4. Wetland buffers
 5. Forest, wildlife preserves/corridors, conservation areas and greenbelts
 6. Community Garden Plots
 8. Recreation areas including swimming pools, tennis courts, playgrounds, ball fields, lawn game fields gardens, etc.

9. Public or private, regulation or par three golf courses including ancillary facilities such as golf learning centers, practice facilities and support facilities.
10. Pedestrian/bicycle trails.
11. Perimeter buffers

13. 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 shall apply according to law throughout the PDD.
- b. Perimeter setbacks and buffer standards shall include:
 - (1) At adjacent property boundaries of East Argent Tract; 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. Underground utilities and stormwater management facilities (subject to the provisions of section 2.C.16(b) described below) are allowed in the perimeter setback and buffer area. Notwithstanding the foregoing, should any area of the PDD be adjacent to another property without an intervening wetland, buffers shall be increased to fifty (50) feet, and where differing land uses are encountered (I.e., multifamily to residential, light industrial to residential or commercial), fencing requirements of the MZDO shall apply in addition to the increased buffer.
- c. Highway 278 Corridor Overlay District (HCO) standards shall be adhered to provided that signage shall be governed by the provisions of the Master Sign Program attached as Exhibit L. Landscaping, including water features, is permitted in buffer areas.

14. Signage Control

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

15. 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. The Owner 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.

16. 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:

1. Open space and buffers
2. Conservation areas
3. 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.
4. Disposal of reclaimed water as permitted by SCDHEC.
5. Storm water management and recreational lakes.
6. Boardwalks, trails, bridges and other permitted structures.
7. Game Management

17. Utilities

This designation allows for utility service to serve the planning tracts of the East Argent Tract PDD. The following land uses shall be allowed only after written approval from the Owner/developer and its consultants for location and design. Screening, buffering, and other aesthetic matters must meet or exceed the MZDO requirements, and may be approved at Master Plan approval.

1. Potable water supply and distribution
2. Wastewater collection, treatment and disposal
3. Stormwater collection, treatment and detention
4. Irrigation
5. Communication towers
6. Satellite antennas
7. Cable television facilities
8. Telephone facilities
9. Power transmission and distribution
10. Fiber optic lines
11. Other utility services i.e., Internet access and other telecommunication uses.

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

1. Arterial streets and primary access roads.
2. Water supply.
3. Wastewater Treatment and Effluent Disposal.
4. Power substations.
5. Central telephone facilities.
6. Stormwater Management Lagoons.
7. Natural Gas Supply

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 be approved as part of the Master Plan approval process. Infrastructure projects must receive a Hardeeville Development Permit prior to construction.

18. 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.

19. Traditional Neighborhood Development (TND)

TND Overview

This Land Use Category allows for the development of a Traditional Neighborhood Development within the East Argent Tract PDD typified by the culture, value and traditions exemplified in the Historic Districts of Savannah, GA, Charleston, SC 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.

Design Standards shall be submitted at 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.

SECTION II:

MZDO CHANGES/EXEMPTIONS

In accordance with Section 4.21.700(E)(5) of the MZDO, the following clarifications or modifications to otherwise applicable standards of the MZDO are hereby made applicable to the East Argent Tract PDD by reference to MZDO sections below. It is acknowledged that concerted efforts have been made to identify each provision of the MZDO sought to be waived or modified, and thus to the extent that a specific provision of the MZDO is not listed below but conflicts with the wording and intent of the PDD, that provision shall be deemed to have been included in the listing below. To the extent the provisions of the PDD are not clear, then the provisions of the MZDO dated March 20, 2003, 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.18 and Section II.D.22
- 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 East Argent PDD.
- Section 4.21.600 This section is deleted. Setbacks and buffers are governed by the PDD Section II.D.18, Section II.D.15 and Section II.D.22
- 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 to provide at this point. The Council specifically acknowledges the

sufficiency of the East Argent 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 East Argent 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 as to provide that trees existing as part of planted pine crop area shall be represented on an exhibit illustrating the area containing the planted pinetree 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 5.3 Lots. Unless otherwise agreed at Master Plan approval, the provisions of 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. 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.13.

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

Section 5.15 Tree Protection, Tree Survey and Replacement of Trees. Trees shall be governed as modified by Section I.I Tree Preservation of the PDD.

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

Section 5.18 Stormwater Management. The rainfall frequency used to calculate stormwater runoff and design stormwater management facilities for watersheds 300 acres and above shall be the 25 year, 24 hour frequency, except for the Central Loop Road, which shall be designed to the fifty year storm event standard.

Section 6.9 Sidewalks. Sidewalks shall be provided in the East Argent 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 the Master Plan submittal..