

OKATIE CROSSINGS
PLANNED DEVELOPMENT
DISTRICT
STANDARDS

Jasper County and Beaufort County, South Carolina

Prepared For:

Sembler Atlanta, Inc.

Submitted to:

The City of Hardeeville

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APPLICANT AND PLANNING TEAM

Developer / Applicant:

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Atlanta, GA
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Owner:

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Knoxville, TN
Ms. Christina Myer

Land Planner / Landscape Architect:

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Bluffton, SC
Mr. James K. Tiller, FASLA

Engineer and Surveyor:

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Savannah, GA
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OKATIE CROSSINGS

PLANNED DEVELOPMENT DISTRICT STANDARDS

I. INTRODUCTION AND NARRATIVE

The Okatie Crossings Planned Development District (“PDD”) shall be comprised of that certain real property located in Jasper County and Beaufort County, South Carolina (the “Property”) as more particularly described in the attached **Exhibit A** and as depicted on the survey attached as **Exhibit B**. The Property is owned by Horne Real Estate, LLC (“Owner”). Owner has entered into a contract to sell the Property to Sembler Atlanta, Inc. (“Developer”).

The Property is subject to a PUD designation with Jasper County and a PUD designation with Beaufort County. 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 Property be annexed into the City of Hardeeville. Owner and Developer are pursuing annexation of the Property into the City, rezoning of the Property to a Planned Development District (“PDD”) designation through the City, and a Development Agreement (“Development Agreement”), with the City of Hardeeville.

A. THE PROPERTY

1. The Property is located in Jasper County and Beaufort County and is bounded by South Carolina Highway 170 to the east, U.S. Highway 278 to the south, and a privately owned parcel to the north and west. The Property has approximately 2,700 feet of frontage along South Carolina Highway 170 and approximately 3,000 feet of frontage along U.S. Highway 278. The survey and plat information of the Property shows the following information:

- (a) Vicinity map
- (b) Boundary and dimensions
- (c) Existing adjacent streets
- (d) Adjacent property owners
- (e) Existing easements
- (f) Existing structures
- (g) Adjacent rivers or major wetlands

2. The Property consists of approximately 282 acres including approximately 278 of acres of uplands and approximately 4 acres of jurisdictional freshwater wetlands. The property does not have critical area or frontage on salt marsh or creeks. The wetlands delineation survey attached as **Exhibit C** shows the freshwater wetlands on the site. The wetland delineation was verified by the U.S. Army Corps of Engineers as evidenced by their letter included with Exhibit C. Flood zones for the property are indicated on the boundary survey attached as **Exhibit B**.

3. The survey attached as **Exhibit B** depicts the Property boundary. The land surrounding the Property is, as of this writing, predominantly commercial or undeveloped.

B. PLANNED DEVELOPMENT DISTRICT PROCESS

1. The Planned Development District (PDD) zoning category was adopted by the City of Hardeeville to permit and encourage the effective, efficient, and economical development of large tracts of land that are in the best interests of the long range development plans of the City. The PDD designation will provide reasonable certainty as to the lawful requirements that must be met in protecting vested property rights. This PDD Standards are being agreed to among Owner, Developer, and the City for the purpose of providing assurances to the Owner and Developer so that Owner and Developer may proceed without encountering future changes in law which would materially affect the ability to develop under the Conceptual Master Plan.

2. In the event Owner, its successors or assigns, acquires real property adjacent to the Property, City agrees to allow Owner, its successors or assigns, to annex such real property to the terms of these PDD Standards and the Development Agreement.

C. CONCEPTUAL MASTER PLAN

1. It is anticipated that the Property will be developed over a period of up to five years, in accordance with the Conceptual Master Plan attached as **Exhibit D** and as the same may be supplemented by subsequent master and development plans submitted pursuant to the provisions of these PDD Standards. 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 this PDD Standards and the Development Agreement.

2. The goal of this PDD Standards is to provide guidelines to produce a high quality, mixed use and commercial development that raises the quality of life and development standards in the area while anticipating the future needs for commerce and services. The Property provides an opportunity for commercial land uses that will be developed over a period of time. The PDD designation is necessary to accommodate the commercial land uses and to provide for the responsible planning and development of the property over time.

3. The Conceptual Master Plan for the Property, prepared by J. K. Tiller Associates, Inc. and (Thomas & Hutton Engineering, Co.) attached as **Exhibit D**, shows a general roadway layout and shows areas designated for commercial use and future development. Proposed land uses in the development are detailed under Section 2 - Land Use Designation and Definitions.

4. The Conceptual Master Plan seeks to maintain open space requirements set forth in the Hardeeville Municipal Zoning and Development Code (“MZDO”) dated March 20, 2008, a copy of which is attached as **Exhibit I**, except as amended hereinafter by the provisions of this PDD Standards. The open space and amenities, if any, will be owned and

maintained by the Owner, Developer, a property owners' association(s), their successors or assigns or other legally designated entity. All property deeded to a governmental entity shall become the maintenance responsibility of that entity or as otherwise provided in accordance with the Okatie Crossings Development Agreement.

5. The Conceptual Master Plan and the provisions of these PDD Standards 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 presently do not exist in current zoning documents.

6. In the event of a conflict among the Okatie Crossings PDD documents, the hierarchy of documents is: 1) the Development Agreement; 2) this PDD Standards, which includes all attachments and exhibits; and 3) the MZDO as amended. In the event of an omission, the MZDO shall govern. To the extent of ambiguity, the parties shall attempt to review same consistent with the terms of the Development Agreement, PDD Standards and the MZDO.

D. ENVIRONMENTAL PROTECTION

1. As part of the development process, Owner or its successors or assigns will meet the stormwater management requirements of Hardeeville, except as modified by the provisions of this PDD Standards, and the then existing requirements of South Carolina Department of Health and Environmental Control's Office of Ocean and Coastal Resource Management (OCRM).

2. Owner or its successors or assigns will prepare stormwater management plans for the Property as the Property is developed in accordance with a stormwater drainage master plan to be prepared by a professional engineering firm licensed by the State of South Carolina prior to the development of any parcel. The stormwater drainage master plan will address the hydrological characteristics of the entire site, as well as adjacent drainage patterns of relative importance. The plan will address pre-development conditions and post-development stormwater management for flood control and sediment reduction. This plan will also address storm water quality through the use of several types of Best Management Practices (BMP's) as established by the stormwater standards of the MZDO as amended, and then applicable state and federal governmental regulations to enhance water quality and protect the surrounding freshwater wetlands.

3. Freshwater wetlands on the property are typical of the South Carolina Lowcountry. A copy of the wetlands delineation plan and verification letter from the US Army Corps of Engineers (USACOE) is included as **Exhibit C**. Verification/extension of the delineation is ongoing at this time.

4. On-site wetland impacts resulting from the development of the Property will be permitted jointly through the USACOE and the OCRM a division of the South Carolina Department of Health and Environmental Control (SCDHEC). All impact mitigation will

meet or exceed state or federal standards then in effect. Non-jurisdictional impacts to wetlands will be permitted through OCRM and SCDHEC.

E. CULTURAL AND HISTORICAL RESOURCES

As part of a comprehensive study of the property, an intensive cultural and historical resources survey was conducted by Brockington and Associates, Inc. for the Property. The survey concluded that no archeological sites were located on the Property. A copy of the Cultural and Historical Resources Survey is included as **Exhibit E**. No requirements in connection with historical or cultural resources pertaining to the Property, other than as may be required by the State of South Carolina in accordance with applicable law, shall be imposed on the Property.

F. WATER AND SEWER SERVICE

Water and sewer service will be provided to any development in the Property by Beaufort Jasper Water and Sewer Authority ("BJWSA") or other governmental utility provider in accordance with BJWSA's agreement of consolidation and transfer with the City of Hardeeville. Planning for the water and sewer systems will commence at the time of Development Agreement and Planned Development District Approval by the City. Preliminary discussions with BJWSA indicate a willingness to serve the property as evidenced by an Intent to Serve letter included as **Exhibit F**. BJWSA operates and maintains water and sewer systems within their service area upon completion by the developer and acceptance by the Authority.

G. UTILITY SERVICE

1. The Property is in the service territory of Palmetto Electric Cooperative ("Palmetto Electric") for electrical power. Preliminary discussions with Palmetto Electric indicate a willingness to serve the property as evidenced by an Intent to Serve letter included as **Exhibit G**. Owner or its successors or assigns will coordinate with Palmetto Electric regarding planning for the Property.

2. Hargray or another licensed provider will provide telephone service to the Property. Owner or its successors or assigns will coordinate with the provider regarding planning for the Property. Preliminary discussions with Hargray indicate a willingness to serve the property as evidenced by an Intent to Serve letter included as **Exhibit H**.

3. Other Utility services shall be provided by legally established entities at the discretion of Owner or its successors or assigns, provided such are in accordance with the franchising ordinances/licensing with the City.

4. Utilities must be underground, except as reasonably necessary for above ground support facilities, as well as the above ground major transmission lines belonging to Santee Cooper or other utility, included in an existing easement. The Owner reserves the

right to negotiate with Santee Cooper and other utilities in regards to possible redesign of some of the structures within the easement.

H. ROADWAYS AND TRAFFIC

Note: The Applicant is currently engaged in a detailed Traffic Impact Assessment which shall impact some of the following statements. The Traffic Assessment shall be prepared in accordance with the City of Hardeeville Traffic Impact Assessment Ordinance and provided to the City of Hardeeville Planning Director for approval as part of the Master Plan submission.

1. At the current time there are two (2) public roads which are contiguous to the Property; South Carolina Highway 170 to the east and U.S. Highway 278 to the south. Both of these highways are under the jurisdiction of the South Carolina Department of Transportation (SCDOT) in regards to access, construction, improvements and maintenance.

2. Due to their proximity to the Property, these two highways shall provide ingress and egress to the Property. Current plans provide for five (5) access points on Highway 170 and one (1) access point on Highway 278. These points of ingress and egress are indicated on the Concept Master Plan, Exhibit D. The Conceptual Master Plan shows both points that exist now and those that shall be proposed. The Conceptual Master Plan also indicates those intersections which may be signalized and those which may have full or limited access. The protocol for the configuration of these intersections shall be addressed and promulgated as part of the Traffic Impact Assessment (TIA) and any further requirement as the result of the study with the City and SCDOT. Final location of the ingress and egress points on Highway 170 shall be proposed upon the results of the TIA at Master Plan Phase.

3. Access to and from U.S. Highway 278 for the Property shall be as shown on the Conceptual Master Plan. This access exists now and is planned to be a signalized full access intersection.

4. Each of the potential ingress and egress points shall be a subject of the TIA and final assessment of each shall be evaluated as part of that study. Each shall be evaluated as to be a full access traffic movement – defined as an access which allows any and all possible vehicular traffic movement into and out of the development. Limited access traffic movement – defined as an access which limits the movement of traffic into and out of the development (i.e., right-in-right-out only). Traffic signalization may occur, with SCDOT and City approvals, when actual traffic volumes or other contributing factors warrant their installation. Funding for any required traffic signal shall be generated from road impact fees collected by the City of Hardeeville and/or public financing.

5. The egress and ingress points shown on the plan are conceptual and may be redesigned and relocated to accommodate site specific characteristics, adjacent land use modulation and access points promulgated by the TIA and/or requirements of SCDOT.

6. The Property shall have public and private roadways designed to this PDD Standards.

7. All roadways within the Property and shown on the Conceptual Master Plan are subject to modification at Master Plan(s) review and approval. Relocation may be necessary due to site conditions that may include, but are not limited to, soil conditions, environmental concerns, physical constraints and design parameters.

8. Notwithstanding the provisions of Section I(H)(5) above, roadway design standards may be modified to reduce environmental impacts and increase tree preservation provided safety concerns are not compromised. To protect and preserve significant trees, such design is hereby encouraged.

9. All approvals for access encroachments onto state highways will be reviewed and approved by the SCDOT only so long as the proposed work falls within a state right-of-way. The City of Hardeeville and the Applicant are in agreement that the existing access points will be sufficient for the issuance of Development Permits and Building Permits. Certificates of Occupancy will be issued as appropriate Access Encroachments are constructed and approved by the appropriate governing body.

I. LANDSCAPING STANDARDS

Owner or Developer shall adopt landscaping standards for the Property which shall be submitted to the City of Hardeeville for approval prior to Master Plan Approval.

J. PARKING

The required parking spaces for commercial uses, mixed use and multi-family land uses on the Property shall be as shown on Table below based on Land Use.

Parking Table

Permitted Use	Minimum Off-Street Parking (*)
RESIDENTIAL USES	
SITE BUILT DWELLINGS	
Multi-Family, apartments	1 space per unit
Townhouses	2.0 spaces per unit
RETAIL TRADE	
Beer, wine & liquor	1.0 per 222 – 250 sf GFA
Building materials, garden supplies	1.0 per 350 sf GFA
Clothing & accessory stores	1.0 per 350 s.f. GFA
Convenience stores	1.0 per 350 s.f. GFA
Electronics & appliances	1.0 per 350 s.f. GFA

Permitted Use	Minimum Off-Street Parking (*)
Flea markets	1.5 per stall
Food & beverage stores	1.0 per 350 s.f. GFA
Fruit & vegetable	1.0 per 350 s.f. GFA
Fuel dealers (HD Gas)	1.0 per 500 s.f. GFA
Furniture & home furnishings	1.0 per 350 s.f. GFA
Gasoline stations	1.0 per 600 s.f. GFA
General merchandise stores	1.0 per 350 s.f. GFA
Grocery stores	1.0 per 200 s.f. GFA
Health & personal care	1.0 per 350 s.f. GFA
Lawn & garden equipment & supplies stores	1.0 per 350 s.f. GFA
Lumber & building materials	1.0 per 350 s.f. GFA
Miscellaneous retail	1.0 per 350 s.f. GFA
Motor vehicle & parts	1.0 per 600 s.f. GFA
Non-store retailers	1.0 per 350 s.f. GFA
Specialty stores	1.0 per 350 s.f. GFA
Sporting goods, hobbies, books & music	1.0 per 350 s.f. GFA
<i>FINANCE & INSURANCE</i>	
Banks	1.0 per 350 s.f. GFA
Credit intermediation (including check cashing, title loans, payday loans, etc)	1.0 per 350 s.f. GFA
Funds, trust & other financial vehicles	1.0 per 350 s.f. GFA
Insurance carriers & related activities	1.0 per 350 s.f. GFA
Security & commodity contracts & financial investments	1.0 per 350 s.f. GFA
<i>REAL ESTATE & RENTAL & LEASING</i>	
Mini-warehouses	1.0 per 6 storage units
Real estate	1.0 per 350 s.f. GFA
Rental & leasing services	1.0 per 500 s.f. GFA
Video tape rental	1.0 per 350 s.f. GFA
<i>PROFESSIONAL, SCIENTIFIC & TECHNICAL SERVICES</i>	
Professional, scientific, technical services	1.0 per 300 s.f. GFA
Veterinary services	1.0 per 350 s.f. GFA
<i>MANAGEMENT OF COMPANIES & ENTERPRISES</i>	
Management of companies & enterprises	1.0 per 350 s.f. GFA
<i>EDUCATIONAL SERVICES</i>	
Business schools, computer and management training	5.0 per classroom, plus 2 per admin office
Educational support services	1.0 per 200 s.f. GFA

Permitted Use	Minimum Off-Street Parking (*)
Elementary schools	2.0 per classroom, plus 5 admin spaces
Junior colleges, colleges, universities, professional schools	5.0 per classroom, plus 2 per admin office
Other schools & instruction	5.0 per classroom, plus 2 per admin office
Secondary schools	5.0 per classroom, plus 10 admin spaces
HEALTH CARE & SOCIAL ASSISTANCE	
Ambulatory health care services	1.0 per 150 s.f. GFA
Community care for elderly	0.4 per bed
Community, food, & housing & emergency & relief services	1.0 per 350 s.f. GFA
Day care services	1.0 per 200 s.f. GFA
Hospitals	0.7 per bed
Individual & family services	1.0 per 350 s.f. GFA
Nursing & residential care facilities	0.4 per bed
Nursing care facilities	1.0 per 500 s.f. GFA
Social assistance	1.0 per 350 s.f. GFA
Vocational rehabilitation services	1.0 per 350 s.f. GFA
ARTS, ENTERTAINMENT & RECREATION	
Amusement, gambling & recreation	By individual review
Museums, historical sites & similar institutions	1.0 per 1,000 s.f. GFA
Performing arts, spectator spots & related industries	1.0 per 300 s.f. GFA
Other repair	1.0 per 350 s.f. GFA
Personal & laundry services	1.0 per 500 s.f. GFA
Personal care services	2.5 per chair or basin
Pet care	1.0 per 250 s.f. GFA
Public Assembly	Ref Section 3.2.A.17
Fraternal, professional, political, civic, business organizations	1.0 per 350 s.f. GFA
PUBLIC ADMINISTRATION	
Administration of economic programs	1.0 per 350 s.f. GFA
Administration of environmental quality & housing programs	1.0 per 350 s.f. GFA
Administration of housing, planning, CD programs	1.0 per 350 s.f. GFA
Administration of human resources	1.0 per 350 s.f. GFA
Correctional institutions (possible holding cell location)	1.0 per jail cell, plus 10 per 250 s.f. GFA
Courts	1.0 per 350 s.f. GFA
Executive, legislative & general government	1.0 per 350 s.f. GFA
Fire protection	4.0 per bay
Justice, public order & safety	1.0 per 350 s.f. GFA

Permitted Use	Minimum Off-Street Parking (*)
Police protection	1.0 per 350 s.f. GFA
Public parks & recreation	By individual review
UTILITIES	
Collection	1.0 per 500 s.f. GFA
Electric	1.0 per 500 s.f. GFA
Electric, gas & sanitary services	1.0 per 500 s.f. GFA
Generation	1.0 per 500 s.f. GFA
Natural gas distribution	1.0 per 500 s.f. GFA
Sewerage systems	1.0 per 500 s.f. GFA
Steam & air conditioning supply	1.0 per 500 s.f. GFA
Storage / treatment	1.0 per 500 s.f. GFA
Transmission	1.0 per 500 s.f. GFA
Treatment	1.0 per 500 s.f. GFA
Water supply systems	1.0 per 500 s.f. GFA
CONSTRUCTION	
Building construction – general contractor & operative builders	4.0 per 1,000 s.f. GFA
Office warehouse / flex space	1.0 per 1,000 s.f. GFA
WHOLESALE TRADE	
Wholesale trade – durable goods	4.0 per 1000 s.f. GFA
Wholesale trade – nondurable goods	4.0 per 1000 s.f. GFA
TRANSPORTATION AND WAREHOUSING	
Broadcasting & telecommunications	1.0 per 350 s.f. GFA
Communication towers & antenna	None
Information services & data processing	1.0 per 350 s.f. GFA
Libraries	1.0 per 350 s.f. GFA
Motion picture theaters	1.0 per 5 seats
Motion pictures & sound industries	1.0 per 350 s.f. GFA
US Postal Service	1.0 per 350 s.f. GFA
Warehousing & storage	1.0 per 1,000 s.f. GFA
ADMINISTRATIVE & SUPPORT WASTE MANAGEMENT & REMEDIATION SERVICES	
Landscape services	1.0 per 1,000 s.f. GFA
ACCESSORY USES TO RESIDENTIAL USES	
No Parking Required	
ACCESSORY USES TO NON-RESIDENTIAL USES	
No Parking Required	
TEMPORARY USES	
No Parking Required	

(*) Parking Standards including requirements for size and location are located in Article 4.6 of this Ordinance

Ninety degree and Forty Five degree angle (16' travel lane for one way and 20' travel lane for 2 way 45 degree) parking spaces shall be allowed. In parking lots, parking lanes may be 60 feet on center. 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 based on this PDD Standards and the City of Hardeeville at Master Plan approval. The Owner reserves the right to supplement or replace parking requirements by establishing golf cart parking. The final location and quantity of golf cart parking will be established and approved at Master Plan and/or Development Plan approval

K. STORMWATER MANAGEMENT

The Property shall conform to all of the Stormwater Management Provisions of the Hardeeville MZDO, as amended, and applicable state and federal requirements. The design storm used for all stormwater design within the Property shall be a 25 year storm event. Sufficient stormwater BMPs shall be employed in the development of the Property to ensure runoff leaving the site does not degrade water quality. This requirement shall apply only for roads and enclosed structures. Using paved parking areas or underground storage facilities for stormwater retention areas shall be permitted on the Property.

1. As part of the development process, Owner or its successors or assigns will meet the stormwater management requirements of Hardeeville, except as modified by the provisions of this PDD Standards, and the then existing requirements of South Carolina Department of Health and Environmental Control's Office of Ocean and Coastal Resource Management (OCRM).

2. Owner or its successors or assigns will prepare stormwater management plans for the Property as the Property is developed in accordance with a stormwater drainage master plan to be prepared by a professional engineering firm licensed by the State of South Carolina prior to the development of any parcel. The stormwater drainage master plan will address the hydrological characteristics of the entire site, as well as adjacent drainage patterns of relative importance. The plan will address pre-development conditions and post-development stormwater management for flood control and sediment reduction. This plan will also address storm water quality through the use of several types of Best Management Practices (BMP's) as established by the stormwater standards of the MZDO as amended and then applicable state and federal governmental regulations to enhance water quality and protect the surrounding freshwater wetlands.

L. TREE PRESERVATION

1. The Applicant understands that the MZDO mandates a minimum allowable post development tree coverage for Conceptual PDD be an average of fifteen (15) trees, two and one-half (2 ½) inches dbh (diameter breast height) or larger, per inhabitable post development upland acre within the area of the Conceptual PDD Plan and shall be verified with future Development Plan Phase submissions.

2. Since for many years this site has been a tree farm and hunting preserve, harvesting of pine trees for wood and wood fiber is a common place occurrence and shall continue. This site has soil characteristics that shall require modifications for drainage and soil stability, it is anticipated that removal of the pine crops may be made necessary to accommodate the development. This requirement is the result of extensive studies that have occurred to locate soil types within the PDD area with soil structure adequate to support development. These better soils shall be utilized and transported to other sites for the improvement of soils in other locations. It shall also be necessary to utilize some areas as temporary soil storage, while other areas within the development are being prepared for that soil placement. Such temporary soil storage areas shall be considered an allowed use in all locations except required highway buffer and wetland buffer areas. Storage may occur in these locations provided that permanent soil placement for landscape berms and other uses, if other requirements of this PDD are met. While temporary soil storage areas are in use, the area shall not be included in acreage calculations for the fifteen trees per acre, post-development tree requirements of this PDD. However, when no longer in use for soil storage, all such soil storage areas shall be included in the overall acreage for fifteen trees per acre calculation when the final sites are permitted under a permanent development plan. Temporary soil storage sites shall be subject to approval by the Hardeeville Planning Staff to ensure appropriate safeguards are in place regarding sediment in stormwater runoff and to protect specimen hardwood trees.

3. Tree surveys for the average fifteen (15) trees per acre shall be based on “field estimates” made and certified by a Landscape Architect. This estimate shall be based on aerial reconnaissance of existing aerial photography and onsite verification for identification of a representative tree area, the size of one acre. Survey the tree species, size (2 ½ “ dbh and greater) and obtain totals of each species and their size for that acre of land. Using the sample of trees and sizes for the one acre, the Landscape Architect shall use this sample for the areas of the site to be impacted by development to determine trees remaining after land disturbance. This analysis will occur as each Development phase is reviewed. This survey technique shall be used in lieu of typical tree survey requirements outlined in Section 4.8, Tree Protection of the Hardeeville MZDO. A certification letter provided by a licensed Landscape Architect documenting the fifteen (15) trees per acre requirement shall be delivered to the City of Hardeeville at Development Plan Phase, this shall include trees used as replacements for parking lots, roadways, plazas, landscaped green spaces, streets, etc. based on the requirements of the Design Guidelines for the PDD. It shall be the responsibility of the Developer to maintain an ongoing record of fifteen (15) trees per acre. These records shall be kept in electronic files and made available to the City when requested.

4. Preserved trees, and/or newly planted trees, necessary to meet the tree cover (fifteen trees per acre average) shall also be maintained in a similar fashion in the electronic files. Plans shall be made part of the ongoing tree tally for each phase of development. Replacement trees may also be provided by identifying existing trees between two and one-half (2 ½) inches and seven (7) inches in diameter that are preserved. The preserved and planted trees shall together, be used to meet the average tree requirement over the upland as defined.

II. LAND USE DESIGNATION AND DEFINITIONS

A. INTRODUCTION AND NARRATIVE

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

B. ALLOWED LAND USES

1. General Commercial land uses shall be permitted in the Property, as defined below. The purpose of this portion of this PDD Standards is to state which land uses shall be allowed within the Property, however by allowing these uses this does not obligate the developer to provide the uses or facilities stated herein. Final allowable land uses shall be adopted at Master Plan approval.

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

3. Design Regulations will be established for each area at the time of Master Plan approval in accordance with Section II(D)(4) herein.

C. ALLOWED DENSITY AND TRANSFER OF DENSITY BETWEEN PLANNING AREAS

1. The planning for the Property contemplates primarily commercial land use as outlined and listed in this PDD Standards (including wetlands) as generally depicted on the Conceptual Master Plan. The Owner and its successors and assigns shall have the right to convert up to 40 acres of commercial acreage to residential acreage with density as provided in Section 4.0 Dwelling Units. There will be no overall cap on building square footage. Additional residential density beyond that allowed above shall be subject to and limited by approval of Hardeeville City Council.

2. Overall residential density shall include Multi-Family Residential sold in fee, in common, or available as rental units. Bed and Breakfast, Guesthouses and Hotels shall not count against residential density. Fractional Ownership/Time Shares and Condo/Hotels count as 0.5 residential units for purposes of density. Condo/Hotels are defined as primarily transient, short term lodging facilities which have units owned by individuals/entities and may be under some type of common management/leasing program.

3. Commercial acreage shall include the commercial uses as included in the General Commercial Uses in the PDD or MZDO as modified and shall have no cap placed on unit density (building square footage/acre), provided compliance with overall PDD density stormwater, parking, buffering, landscaping and other site design requirements of the PDD. 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 overall PDD density stormwater, parking, buffering, landscaping and other site design requirements of the MZDO, as modified, and PDD are met. All commercial development shall be subject to the provisions of the City of Hardeeville MZDO unless specifically modified or exempted by this Okatie Crossings PDD Standards and Development Agreement.

D. DEFINITIONS OF LAND USE AND DENSITY TERMS

In the absence of a term definition in this PDD Standards or in the Development Agreement for the Property, the definitions of the MZDO or outlined in the Development Agreement shall apply in the interpretation of the PDD Standards. The locations of specific land uses, other than General Commercial, are not described on the Conceptual Master Plan, but in the Land Use categories indicated as Permitted Uses in D.3 below. However, the definitions below shall generally describe the allowed uses within the Property.

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/Office Use . This land use designation allows for a multi-use Business Park to meet regional demands for Office, Commercial Services and Wholesale/Retail Businesses facilities. Permitted uses include:

(a) Establishments involved in office park, 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 at the time of Master Plan application and approval.

(c) Office uses shall provide a minimum buffer as specified in this PDD Standards adjacent uses not separated by roadways or wetland of an equal width (including wetland buffer).

3. General Commercial. This land use designation allows for the development of concentrated commercial and office nodes located on primary vehicular routes to serve the Property and surrounding area. There shall be no height limitations for General Commercial construction provided that building safety, fire protection and other applicable safety concerns are addressed to the satisfaction of the City. Occupancies that exceed Fifty (50) feet in height or exceed a total fire flow demand of three thousand five hundred (3,500) gallons per minute (GPM) as referenced in the Insurance Service Organization (ISO) requirements for specialized equipment must have plans approved by the Fire Chief and appropriate Staff at the City of Hardeeville.

(a) Permitted Uses:

(i) Establishments engaged in selling goods or merchandise to the general public for personal or household consumption (e.g. shopping centers, shopping malls, big box retail, retail stores, 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:

(ii) Uses allowed in the General Commercial District in the City of Hardeeville MZDO

(iii) Attached Single Family residential over General Commercial

(iv) Multi-family residential/over General Commercial

(v) Multi-family residential not over General Commercial

(vi) Assembly and Worship

(vii) Colleges and Professional Schools

(viii) Schools, Neighborhood (elementary and middle school)

(ix) Schools (community high school)

(x) Daycare, commercial

- (xi) Utilities
- (xii) Public Services
- (xiii) Institutional / Civic /Government Office
- (xiv) Neighborhood Commercial
- (xv) Retail Sales
 - (A) Beer, wine and liquor
 - (B) Building materials and garden supplies
 - (C) Clothing and accessory stores
 - (D) Convenience store
 - (E) Electronic /appliance
 - (F) Food and beverage
 - (G) Fruit and vegetables
 - (H) Fuel dealer
 - (I) Furniture stores
 - (J) Gas Stations
 - (K) General merchandise
 - (L) Grocery store
 - (M) Health and personal care
 - (N) Lawn and garden supply / equipment stores
 - (O) Lumber and building materials
 - (P) Miscellaneous retail
 - (Q) Motor vehich and parts
 - (R) Non-retail store
 - (S) Specialty store
 - (T) Sporting goods / hobbies / books / music
- (xvi) Hotel, Motel, Inn, Resort and Condominium / Hotel
- (xvii) Commercial Retail/Large Format Retail (Big Box)
- (xviii) Office
- (xix) Restaurant (including outdoor seating)
- (xx) Service Businesses
- (xxi) Dry-cleaning and Laundry Services
- (xxii) Parking Garages (also multi-level)
- (xxiii) Gasoline sales/convenience stores with no Repair Bays or
Facilities
 - (xxiv) Commercial Amusement (indoor)
 - (xxv) Christmas Tree Sales/Pumpkin Patch Sales/Other Holiday
Sales/Farmer's Markets/Festivals/Special Events
 - (xxvi) Roadside Stands (on designated areas only)
 - (xxvii) Commercial Outdoor Sales and Service (related to existing
retail and food and beverage services)
 - (xxviii)Public Interest and Special Events (permitted, located, and
scheduled ahead of time)
 - (xxix) Nightclub and entertainment
 - (xxx) Movie Theaters
 - (xxxi) Banks / Insurance / Financial Investments / Commodities

(xxxii) Mini-warehouse facilities will be limited to a maximum height of two stories.

(xxxiii) Outdoor Amusement Parks

(xxxiv) Oil Change/Auto Repair/Auto Maintenance including gasoline sales

(xxxv) Kiosks/Carts

(xxxvi) Waste Storage

(xxxvii) Maintenance Area

(xxxviii) Temporary Construction or Sales Trailers / Offices

(xxxix) Business Park / Office Park

(xl) Mixed Use

(xli) Open Space

(xlii) Silviculture

(xliii) Roads and Rights-of-Way

(xliv) Sidewalk Displays.

(xlv) Real estate

(xlvi) Rental and leasing

(xlvii) Video tape rental

(xlviii) Professional / scientific / technical services

(xlix) Veterinary services

(l) Management companies

(li) Business schools

(lii) Educational support services

(liii) Health Care

(U) Elderly

(V) Relief services

(W) Day Care

(X) Hospital

(Y) Family / individual services

(Z) Nursing care

(AA) Social assistance

(BB) Vocational rehabilitation services

(liv) Museums

(lv) Performing arts

(lvi) Personal care services

(lvii) Pet care

(lviii) Public assembly (churches)

(lix) Fraternal / professional / political / civic / business organizations

(lx) Public administration and related

(lxi) Utilities and related services – sewer, water, gas, steam, air, electric transmission, and the like

(lxii) Manufacturing as related to retail sales

(lxiii) Construction as related to material sales, service, storage, office space

(lxiv) Broadcasting and telecommunications

- (lxv) Libraries
- (lxvi) Motion picture theaters
- (lxvii) Motion picture sound industries
- (lxviii) US Postal Service
- (lxix) Warehousing and storage
- (lxx) Landscape services
- (lxxi) Residential Accessory Uses
- (lxxii) Building structures and storage

(b) Sidewalks and 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) Prohibited Uses. The following commercial uses are specifically prohibited:

- (i) Junkyards or auto salvage yards
- (ii) Gambling facilities not authorized by law
- (iii) Sexually-oriented businesses
- (iv) Truck Terminals

(d) No Setbacks. There shall be no setback requirements for General Commercial parcels except at the perimeter of the PDD as required in this document.

(e) Design Guidelines. (for building architectural details, signage, color, etc.) The PDD shall have design regulations internal to the Property. Owner or developer shall adopt and submit to City Design Guidelines as part of the Master Plan submission.

4. Dwelling Units.

(a) The maximum number of residential dwelling units on the Property will be 1,000, including conversions of commercial to residential or vice versa, as allowed in this PDD Standards, or any additional units allowed under the Development Agreement.

(b) For apartments, multi-family, or condominiums there shall be no minimum lot size or setbacks and setbacks shall be required as stipulated in the PDD and requirements of building safety, fire protection and other applicable code requirements.

(c) There shall be no height limitations for residential construction provided that building safety, fire protection and other applicable safety concerns are addressed to the satisfaction of the City. Occupancies that exceed Fifty (50) feet in height or exceed a total fire flow demand of three thousand five hundred (3,500) gallons per minute (GPM) as referenced in the Insurance Service Organization (ISO)

requirements for specialized equipment must have plans approved by the Fire Chief and appropriate Staff at the City of Hardeeville.

(d) Multi-family residential units are allowable up to a maximum of 40 units per net acre on a site-specific basis. Density is based on the number of stories in a site specific project. One-story projects are limited to 8 DU/AC, two-story projects are limited to 16 DU/AC and projects with a three-story site shall be at 24 DU/AC. Multifamily residential consists of attached 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. 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) Multi-family units do not have a lot size designation.

(g) Mobile homes and manufactured homes are not allowed within the Property.

(h) Performance Standards and Design Guidelines for the Dwelling Units shall be determined at the time of Master Plan application and approval, if not otherwise included herein this PDD Standards.

5. Hotel, Motel, Inn, Resort and Condominium/Hotel. This land use designation allows for hotels, inns, timeshare projects, resorts and spas that consist of building or buildings with guest rooms for sleeping, kitchens and or a dining room(s) to provide meals for guests, including public restaurants, bars, and entertainment areas. Hotels, Motels, Inns, and spas shall be considered a General Commercial land use. Conference and facilities may or may not accompany the hotel/inn and may be integral to the hotel/inn or detached. Resorts under this land use may include fractional ownership. Hotels, Inns, and spas shall be considered a commercial land use and will not count against the residential unit cap except for Fractional Ownership/Time Shares and Condominium/Hotels, which count as 0.5 residential units for purposes of density, but count as a commercial unit (Hotel/Motel) for Developer Fees under the Development Agreement. There shall be no maximum building height limitations for hotel, motel, inn, resort, or condominium/hotel construction, provided that building safety, fire protection and other applicable safety concerns are addressed to the satisfaction of the City.

6. Institutional/Civic/Government Office within the General Commercial Uses. This designation allows for institutional and civic land uses, which shall be allowed to occur as a mixed use throughout the Property. These land uses shall not count against the overall commercial acreage or residential density allowed for the Property.

(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.

7. Maintenance Areas: Maintenance areas will contain the facilities, tools and equipment necessary to maintain the common properties within the Property. These facilities may be congregated on a central site or located in separate convenient sites for different services such as general community maintenance, recreation area maintenance or individual property regime maintenance, although screened from view either by vegetation, walls, fences, or associated buildings. This requires no setback on buffers except as provided in the Design Guidelines approved by the City of Hardeeville at Master Plan Phase. Permitted uses include:

(a) Vehicle maintenance;

(b) Storage of vehicles and parts, boats, recreational vehicles and resident storage, vegetation, greenhouses for propagating flowers and plants used within the PDD;

(c) Fuel storage;

(d) Shops for woodwork, metalwork and painting;

(e) Storage of chemicals and bulk materials as permitted by law;

(f) Offices associated with community and maintenance;

(g) Parking;

(h) Access roadways.

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

boutiques. Included in the Mixed Use area will be a “sprinkling” of green vegetation and other features providing a refreshing respite for residents and shoppers.

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

(a) This designation allows for Dwelling Units to be located in the same building with, adjacent to, or near general commercial development within the same tract of the Property.

(b) The following are permitted uses, accessory uses and structures for the Mixed Use Area:

- (i) Attached Single family residential (in fee recital or in common)
- (ii) Multifamily residential
- (iii) Institutional/Civic
- (iv) General Commercial (and all uses listed in Section II.D.3(a))
- (v) Open Space (see PDD Standards – D-9 Open Space)
- (vi) Community Recreation
- (vii) Accessory Structures

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

9. Open Space: Total open space for the Property shall be calculated for all acreage within the boundaries of the Property and not on a site-specific basis for each phase of the Property, individual development, or project. The Property shall provide at least 20.00% open space (unless reduced to 15% as set forth below and in accordance with Development Agreement Section XI (B) (1). Conveyance of Property and Open Space Requirements) which equates to 56.4 acres based upon the total acreage of 282 acres. Open space may be located in restricted access, gated multi-family communities and shall consist of the following:

(a) Landscaped areas including, without limitation, manicured village greens and squares, parking lot islands, medians, buffer areas, and within road rights of way, and parking areas

(b) Lagoons, ponds, impoundments and lakes

(c) Freshwater wetlands

(d) Wetland buffers

- (e) Forest, wildlife preserves/corridors, conservation areas and greenbelts
- (f) Community Open Plazas
- (g) Recreation areas including swimming pools, tennis courts, playgrounds, ball fields, lawn game, basketball or other sports courts, fields gardens, etc.
- (h) Pedestrian/bicycle trails
- (i) Perimeter buffers

In addition and in accordance with the Development Agreement, Owner or Developer, as applicable, shall have the right to convey to the City a total of eight (8) acres of the Property located in Jasper County from an area to be mutually agreed upon at Master Plan submittal, upon such conveyance, the open space requirements of this PDD Standards shall be reduced from twenty percent (20%) to fifteen percent (15%). Design of any vertical structure on such portion of the Property conveyed to the City shall be in accordance with the architectural guidelines generally applicable to the Property under this PDD Standards.

10. Restricted Access. Owner and its successors and assigns shall have the right (but not the obligation) to create restricted access communities within the Property as long as such limited access does not adversely affect in any material respect adjacent traffic patterns located on public rights-of-way, and provides for interconnectivity of both internal and external residential developments with the non residential areas of the Property open to the general public so as to minimize the need for road trips off of the Property.

11. Setbacks and Buffers.

(a) There shall be a minimum building setback applied to the Property as provided in the City of Hardeeville MZDO for PDD Districts or as modified by this PDD Standards. Setbacks and buffers shall meet the minimum requirement established, and as set forth in this PDD Standards. These Standards shall apply to the perimeter of the Property only; provided, however, that any required wetlands setbacks shall apply according to law throughout the Property.

(b) At adjacent property boundaries of the Property, building setbacks and buffers shall be as established in the MZDO Modifications of this PDD, except where said boundary is a jurisdictional wetland or recorded conservation easement, then the building setbacks and buffers shall be as determined by the state and federal agencies having jurisdiction over the wetlands. Underground utilities, stormwater management facilities, and other land uses as stipulated in the MZDO Modifications

of this PDD document (see Section II.4.G.4.c of this PDD Standards), are allowed in the perimeter setback and buffer area.

(c) There shall be no building setback requirements for general commercial development within the Property. Buffer standards shall be in accordance with the City of Hardeeville MZDO unless specifically modified or exempted by this Okatie Crossings PDD Standards.

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

13. Utilities.

(a) This land use designation allows for utility service to serve the Property. The following land uses shall be allowed only after written approval from Owner, its successors and assigns, and/or the POA. Screening, buffering, and other aesthetic matters must meet the MZDO requirements as modified in the PDD, and may be approved at Master Plan approval.

- (i) Potable water supply and distribution
- (ii) Wastewater collection, treatment and disposal
- (iii) Stormwater collection, treatment and detention
- (iv) Irrigation
- (v) Communication towers
- (vi) Satellite antennas
- (vii) Cable television facilities
- (viii) Telephone facilities
- (ix) Power transmission and distribution
- (x) Fiber optic lines
- (xi) Other utility services i.e., Internet access and other telecommunication uses

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

- (i) Arterial streets and primary access roads
- (ii) Water supply

- (iii) Wastewater Treatment and Effluent Disposal
- (iv) Power substations
- (v) Central telephone facilities
- (vi) Stormwater Management Lagoons
- (vii) Natural Gas Supply

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

III. MZDO CHANGES/EXEMPTIONS

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

ARTICLE 2: ZONING DISTRICT – Revise as Follows:

Section 2.1, General Provisions No Change

Section 2.2, Residential Districts

2.2.A., General Purpose of Residential District

2.2.A.1 Delete and add the following:

“Provide appropriate located area for residential development that are consistent with this PDD Standards and normal standards for public health, safety and general welfare.”

2.2.A.2 No Change

2.2.A.3 Delete and add the following:

“Establish the scale and character of the residential neighborhood.”

2.2.A.4 Delete and add the following:

“Blend the Residential Use traffic into the traffic anticipated for the Property.”

2.2.A.5 Delete

2.2.B., Specific Purposes of Residential Districts

2.2.B.1. Delete

2.2.B.2. Delete

2.2.B.3 Change by deletion of the last sentence beginning with “Where adjacent...”

Section 2.3, Non Residential Districts

2.3.A., General Purpose of Non Residential Districts

2.3.A.1 No Change

2.3.A.2 No Change

2.3.A.3. Delete and add the following:

“Maximize the positive impacts of non-residential development on City taxpayers by providing the income with the least demand for public infrastructure.”

2.3.B., Specific Purpose of Non Residential Districts

2.3.B.1. Delete

2.3.B.2. Delete and add the following:

“2. General Commercial District (GC)
The GC District is intended to be developed and reserved for business retail, restaurants, and residential uses. The regulations which apply are identified in this PDD Standards and accompanying Development Agreement and are designed to encourage the formation and continuance of a compatible and economical environment for business, financial, service, professional and residential uses which benefit from being located in close proximity to one another.”

2.3.B.3. Delete

2.3.B.4. Delete

2.3.B.5. Delete

Section 2.4, Special Purpose and Overlay Districts

Section 2.4.A., Conservation Preservation District (CP) Delete

2.4.B, Mixed Use District (MU) Delete

2.4.C., Downtown General Commercial Delete

2.4.D., Downtown Mixed Use District Delete

2.4.E., Rural Agricultural District Delete

2.4.F., Manufactured Home Community Delete

2.4.G., Planned Development District

2.4.G.1., Purpose No Change

2.4.G.2., Procedural Requirements Delete and add the following:

“The procedure to establish a PDD District is set forth in Section 7.4 of the MZDO as amended in this PDD Standards.”

2.4.G.3., Permitted Uses No Change

2.4.G.4., District Design and Development Standards

2.4.G.4.a. No Change

2.4.G.4.b. Add the following after the word right-of-way, “unless otherwise amended in this PDD Standards.”

2.4.G.4.c., Buffer Requirements

2.4.G.4.c.i. Delete and add the following:

“The minimum buffer shall be established in the Table 4-5-1 of Section 4.5 Landscape and Tree Conservation, Item 3, Specification and Options, which requires a bufferyard of fifteen (15) feet where commercial is adjacent to single family use. This buffer would apply to the areas along and adjacent to Sun City / Pulte developments and would be zero (0) feet adjacent to the other commercial out parcels to the east and south of the Property. The buffer areas along Highway 278 currently exceed the Highway Corridor buffer requirement. In its present configuration it is fifty (50) feet in depth and exceeds or meets the buffer landscape standards. The remainder of the Property is adjacent to Highway 170 and would conform to the requirements in Table 4-5-1, Bufferyard 2 requirement of ten (10) foot buffers.

- 2.4.G.4.c.ii. Delete and add the following:
- “Buffers shall meet or exceed the standards established in the City of Hardeeville MZDO, Section 4.5 Landscaping and Tree Conservation, Table 4-5.1, Adjacent Use Buffer Requirements and shall apply to the perimeter of the Property only.”
- 2.4.G.4.c.iii. Delete and add the following:
- “Development shall be required to reside behind the Property setback and the only allowed uses within the buffers shall be pedestrian walks or paths, bicycle paths, sidewalks, underground utilities, vegetation. The buffer areas may be maintained regularly and this includes tree pruning and removal of unwanted underbrush, if any; new plantings shall receive regular maintenance.”
- 2.4.G.4.c.iv. Delete and add the following:
- “The buffers, where existing vegetation does not exist shall be planted to meet or exceed the requirements set forth in the City of Hardeeville MZDO, Section 4.5, Table 4-5-1 requirements for bufferyard 2 adjacent to Highway 170 (10 trees; or 6 trees and 12 shrubs; or 24 shrubs or 6 foot fence per 100 lineal feet) and bufferyard 3 (15 trees; or 8 trees and 24 shrubs or 48 shrubs; or 6 foot fence and 20 shrubs or trees per 100 lineal feet) adjacent to Sun City/Pulte. No other buffer planting shall be required.”
- 2.4.G.4.d. No Change
- 2.4.G.4.e. Delete
- 2.4.G.4.f. Delete
- 2.4.H. Add the following: “Note: Highway Corridor Overlay District (HCOD) - This section of the MZDO is applicable to Highway 278 and this Highway Corridor Buffer Requirements currently exceed the City of Hardeeville HCOD Standards. The corridor buffer as it exists is now fifty (50) feet in depth which exceeds the twenty-five (25) foot buffer required. The buffer currently meets or exceeds the plant material requirement of the HCOD in the MZDO. Further all developable lots along Highway 278, when developed, would be required to come before the HCOD

Review Board for approval and will be required to meet the standards set in the MZDO, once the PDD and Annexation is approved.”

- 2.4.H.1. Purpose - No change
- 2.4.H.2. District Created Highway Corridor - No Change
- 2.4.H.3. District Boundaries - No change
- 2.4.H.4. District Design and Development Standards - This section does not apply to this PDD for the reason stated above. Therefore items a. through f. are deleted from this PDD ordinance.
- 2.4.H.4.g. Architectural Design and Materials - Delete this section. The requirement for Architectural Design and Materials shall be addressed at the Master Plan Phase. A complete architectural design shall be presented to the City of Hardeeville for review, comment and approval.

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

ARTICLE 4: GENERAL DEVELOPMENT STANDARDS

- 4.1 No Change
- 4.2.A. Delete and add the following:

“No minimum Lot Area, Area Per Dwelling Unit, Lot Width, Minimum Front, Side and Rear Setback and Building Maximum Heights for all Use Categories identified in Section D. Definition of Land Use and Density Terms above, shall be governed by this PDD Standards.”
- 4.2.B., Measurements and Exceptions
 - 4.2.B.1., Items a, b, c, d and e shall not apply to the Property. Setback requirements for lots shall be governed by this PDD Standards.
 - 4.2.B.1.f. Delete and add the following:
 - f. Access to subdivision lots:

- i. access shall be provided to subdivided lots via roadways and access corridors within the Property.
- ii. Delete

4.2.B.1.g. Lot Shapes; Delete and add the following: “In so far as practical lots shall be platted to accommodate building layout taking into consideration future expansion, for required parking area and access.”

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

4.2.B.2.a.i. Setbacks – Delete in its entirety and add the following: “Setback requirements for lots shall be governed by this PDD Standards as stipulated in Section 2.4.G.4.b.”

4.2.B.2.a.ii No Change

4.2.B.2.b. and c. No Change

4.2.B.3 No Change

4.3. Open Space

4.3.A. Area qualifying as Open Space – delete and add the following: “Open space shall mean all areas not utilized for buildings, roads and parking. The areas shall include wildlife preserves, wetlands, buffers, recreation areas, parks, swimming pools, tennis courts, basketball courts, lakes, lagoons, ponds, Community Open Plazas and the like. (See also Section II Land Use Designation and Definitions.”

4.3.B. Delete in its entirety and add the following: “The Open Space requirement of this PDD shall be twenty (20%) percent as required in Table 4.3 – Commercial Use, except as otherwise provided herein”.

- 4.3.C. Delete in its entirety and add the following: “Open space requirements shall be based on the requirements of the entire PDD. Within the residential component of this development in those areas of total residential use (not residential above general commercial) it is the intent of the developer to provide recreational amenities that will include both passive and active open space”. “The example” shown in the MZDO does not apply – delete.
- 4.4. No Change
- 4.5 Landscaping
- 4.5.A.1. No Change
- 4.5.A.2. No Change
- 4.5.A.3. Delete and add the following: “Landscape Standards for the PDD shall be governed by the Design Guidelines and shall be submitted as part of the Master Plan Phase. The Guideline Standards approved and adopted by the City of Hardeeville shall meet or exceed the MZDO Standards of this Section.”
- 4.5.A.4 Delete – (Section I – Introduction and Narrative, Item L. shall apply to the Standards of this PDD.)
- 4.5.A.5 No Change
- 4.5.A.6. No Change
- 4.5.A.7. No Change (See also Section 2.4.G.4.c. through f.)
- 4.5.A.8. No Change
- 4.5.A.9. Delete
- 4.5.A.10. No Change
- 4.5.A.11. No Change
- 4.5.A.12. No Change
- 4.5.B. Screening – delete - See Site Design Guidelines to be provided at Master Plan Phase. (See also Section 2.4.G.4.)

4.5.C. Landscape – No Change – See Site Design Guidelines to be provided and approved at Master Plan Phase.

4.6 Parking and Loading

4.6.A. No Change

4.6.B. No Change

4.6.C. Delete and add the following: “If the required automobile parking space cannot be reasonably provided on the same lot on which the principal use is conducted, such spaces may be provided on other adjacent or nearby off-street property within reasonable walking distance. A parking easement or other suitable legal encumbrance, to be filed of record, shall be required to be submitted to City Staff and the City Attorney for approval, which easement shall not be terminable without the City’s permission to ensure the off-site parking is available for so long as the use requiring it is in existence.”

4.6.D. Delete

4.6.E. No Change

4.6.F. Delete and add the following: “Parking spaces shall be a minimum of 9 feet x 18 feet, overall there shall be a minimum of 25% of parking spaces within the Property to support commercial development sized at 10 feet x 20 feet. This requirement does not include any space necessary for the maneuvering of vehicles within the parking lot or access and egress. Aisle widths shall meet the Standards of this PDD and to ensure public safety including emergency vehicular concerns. The Planning Director may require that plans be prepared by a licensed professional. Handicapped parking shall meet the latest ADA Standards.”

4.6.G. No Change

4.6.H. No Change

4.7 Lighting

4.7.A. No Change

4.7.B. No Change

- 4.7.C. Delete and add the following: “Light mounting shall be in accordance with the PDD Design Guidelines to be submitted at Master Plan Phase.”
- 4.7.D. No Change
- 4.7.E. No Change
- 4.7.F. No Change
- 4.7.G. No Change
- 4.7.H. Delete
- 4.8 Tree Protection
- 4.8.A. No change
- 4.8.B. Delete and add the following: “Harvesting of trees and silviculture management shall be allowed on the Property throughout and including construction of the development. This practice shall include the planting, cultivation and harvesting of trees for purposes of producing wood fiber and timber. Planting and growth of trees shall be allowed upon the Property for uses as tree farming for use in purposes of replanting on or off the Property.”
- 4.8.C. Delete
- 4.8.D. Add the following at the beginning of the paragraph: “After the Property has been developed in accordance with this PDD Standards each individual subdivided lot after the Master Plan Phase approval shall be required to ...”
- 4.8.E. Delete and add the following: “Due to the nature of the soil for engineering requirements, soils will have to be removed or relocated in order to accommodate development and engineering requirements. Therefore, tree replacement shall be permitted in order to attempt to meet the fifteen (15) trees per upland and undeveloped acre. The Property shall have landscaping Guidelines in accordance with the Site Design Guidelines.”

- 4.8.F. Add the following before Item 1. “In those areas not affected by tree harvesting practices the following requirements shall apply.”
- 4.8.F.1. Delete and add the following: “Tree preservation and replacement is addressed throughout this PDD Standards. (See Section I, Item L – Tree Preservation.”
- 4.8.F.2. Add the following at the beginning of the paragraph: “At the Development Plan Phase and”
- 4.8.F.3. No Change
- 4.8.F.4. No change
- 4.8.G. Add the following at the beginning of the paragraph: “At the time of Development Plan Approval submission...”
- 4.9 Erosion and Sediment Control and Stormwater Management – Revise this section as follows:
- 4.9.A. No Change
- 4.9.B. No Change
- 4.9.C.1. No Change
- 4.9.C.2. No Change
- 4.9.C.3. No Change
- 4.9.C.4.a. No Change
- 4.9.C.4.b., i., ii., iii., iv., v., vi., vii., viii., ix., x. No Change
- 4.9.C.4.b.xi. is hereby amended to delete “finished floor elevations”.
- 4.9.C.4.b.xii. is hereby amended to modify the certification statement as follows: “I (we) hereby acknowledge that to the best of our knowledge, information and belief that all clearing, grading and/or development will be done pursuant to this section.”
- 4.9.C.4.c. No Change
- 4.9.5. No Change

4.9.D.1	No Change
4.9.D.2	No Change
4.9.D.3.a	No Change
4.9.D.3.b.i., ii., iii., iv., v., vi., ix., x., xi., xii., xiv., xv.	No Change
4.9.D.3.b.viii.D	No Change
4.9.D.3.b.xiii	is hereby amended to replace “and at least one (1) current soil boring log and one (1) soil boring per additional acre of stormwater management detention/retention ponds” with “and a boring log of soil borings onsite in locations as recommended by a geotechnical engineer.”
4.9.D.3.c	No Change
4.9.D.3.d	No Change
4.9.D.4	No Change
4.9.D.5.a	No Change
4.9.D.5.b.	No Change
4.9.D.5.c	No Change
4.9.D.5.d	No Change
4.9.D.6.	No Change
4.9.D.7.a.	No Change
4.9.D.7.b	Delete in its entirety and replaced with the following: “Stormwater runoff and stormwater management facility design shall be designed to accommodate a 25 year, 24 hour storm event.”
4.9.D.7.c. and .d	No Change
4.9.D.8.a thru d.	No Change
4.9.D.8.e	is hereby amended to change 50 year to 25 year.

4.9.D.8.f. thru .i	No Change
4.9.D.9.a thru e.	No Change
4.9.D.9.f	is hereby amended to change the year references from “2, 25, 50 and 100” to be “2, 10 and 25.”
4.9.D.10.a.	No Change
4.9.D.10.b.i., ii., iv.	No Change
4.9.D.10.b.iii	is hereby amended to add “Surface water shall be allowed to collect within designated parking and landscaped areas during design storm events as defined in this article and as approved by the City Engineer. In no event shall the flooding elevation during the 100 year storm event exceed the buildings finished floor.”
4.9.D.11.a.	No Change
4.9.11.b.	shall not apply to the property.
4.9.D.12.a	is amended to delete “and preclude the creation of backwater inundating any areas outside of the dedicated drainage easements.” And to add “Water shall be allowed to pond in parking and landscaped areas during heavy rains and such areas may be used as temporary retention As approved by the City Engineer.”
4.9.D.12.b	is amended to delete “and to preclude the creation of headwater inundating any areas outside of the dedicated drainage easements.” And to add “Water shall be allowed to pond in parking and landscaped areas during heavy rains and such areas may be used as temporary retention as approved the City Engineer.”
4.9.D.12.c.	No Change
4.9.D.12.d.	No Change
4.9.D.13.a. and .b	No Change
4.9.D.13.c	is hereby amended to change the year references from “2, 25, 50 and 100” to be “2, 10 and 25.”
4.9.D.13.d and e	No Change

4.9.D.13.f	is hereby amended to replace “in seventy two (72) hours” with “as required by SCDHEC-OCRM.”
4.9.D.13.g	No Change
4.9.D.13.h.	No Change
4.9.D.13.i.i.	No Change
4.9.D.13.i.ii	shall not apply to the Property, but shall be consistent with Section 4.9.D.3.c..
4.9.D.13.i.iii	No Change
4.10 Streets	
4.10.A.	Delete
4.10.B.	No Change
4.10.C.1., 2., 3.	No Change
4.10.C.4.a. and b.	No Change
4.10.C.4.c	Delete
4.10.C.4.d.	No Change
4.10.C.4.e	Amend to add to end of each of subsections i, ii, iii, iv “or by recommendation of geotechnical engineer.”
4.10.C.4.f.,g., and h.	No Change
4.10.C.4.i	is hereby amended to revise the word “inlets” to be “inlet boxes.”
4.10.C.4.j., k., l., m., and n.	No Change
4.10.C.4.o	does not apply to the Property.
4.10.C.4.p.	No Change
4.10.D.	No Change
4.10.E.	No Change

4.10.F Delete and add the following: “If trips per peak hour for any development exceed seventy five (75), appropriate mitigation needs as necessary to meet the requirements of the City of Hardeeville Traffic Impact Assessment Ordinance shall be met, unless a waiver/modification is granted by the City Planning Director based on future design year conditions which are safe and within the range of acceptable operation and which may also be acceptable to South Carolina Department of Transportation design standards, when required.

ARTICLE 5 Subdivision Design and Improvements

5.1.A. No Change

5.1.B. Delete in its entirety and replace with the following: “Sidewalks shall be shown and approved, if any, at the Master Plan Phase of approval by the City of Hardeeville”.

5.1.C.1 Delete

5.1.C.2 and .3 No Change

5.1.D Delete in its entirety and replace with the following: “There shall be no lot width, depth, or area requirements for residential lots or for commercial lots in the Property. Setback requirements shall be governed by the provisions of this PDD Standards.”

5.1.E.1., 2., 3. No Change

5.1.E.4.a. Add the following: “If the property contains Special Flood Hazard areas designated as Zone A, no Base Flood Elevation shall exist and thus a topographic contour line shall not be required.

5.1.E.4.b. is hereby amended to replace “Section 8” with “Chapter 9” and to add the following: “Development Permits shall be granted for areas of land disturbance with a Flood Zone A. The City will not issue a building permit for any structure located with a Flood Zone A until a Base Flood Elevation has been established.

5.1.E.4.c. Delete

5.1.E.4.d. No Change

ARTICLE 6: Development Review Bodies

6.6 Delete

ARTICLE 7: Review and Approval Procedures

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

7.5.A. No Change

7.5.B. No Change

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

7.5.C.1. Add “if applicable” after the statement.

7.5.C.2. Add “if applicable” after the statement.

7.5.C.3. Add “if applicable” after the statement.

7.5.C.4. Add “if applicable” after the statement.

7.5.C.5. Add “if applicable” after the statement.

- 7.5.C.6 Add “if applicable” after the statement.
- 7.5.C.7 Add “if applicable” after the statement.
- 7.5.C.8 Add “if applicable” after the statement.
- 7.5.C.9 Add “if applicable” after the statement.
- 7.5.C.10 Add “if applicable” after the statement.
- 7.5.C.11. Add “if applicable” after the statement.
- 7.5.C.12. Add “if applicable” after the statement.
- 7.5.C.13. Add “if applicable” after the statement.
- 7.5.C.14 Add “if applicable” after the statement.
- 7.5.C.15 Add “if applicable” after the statement.
- 7.5.C.16. Add “if applicable” after the statement.
- 7.5.C.17. Add “if applicable” after the statement.
- 7.5.C.18 Add “if applicable” after the statement.
- 7.5.C.19 Add “if applicable” after the statement.
- 7.5.C.20 Add “if applicable” after the statement.
- 7.5.C.21 Add “if applicable” after the statement.
- 7.5.C.22 Add “if applicable” after the statement.
- 7.5.C.23 Add “if applicable” after the statement.
- 7.5.C.24 Add “if applicable” after the statement.
- 7.5.C.25 Add “if applicable” after the statement.
- 7.5.C.26 Add “if applicable” after the statement.
- 7.5.D.1. Add the following: “The City of Hardeeville and the Applicant are in agreement that the existing access points will be sufficient for the issuance of Development Permits and

Building Permits. Certificates of Occupancy will not be issued until all proposed Access Encroachments are constructed and approved by the appropriate governing body.”

7.6.C.A.

No Change

7.6.C.1.

No Change

7.6.C.2.

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

7.6.C.2.a.

Add “if applicable” after the statement.

7.6.C.2.b.

Add “if applicable” after the statement.

7.6.C.2.c.

Add “if applicable” after the statement.

7.6.C.2.d

Add “if applicable” after the statement.

7.6.C.3.

No Change

7.6.C.3.b.xiv

Add the following section:

“7.6.C.3.b.xiv. Bond or legal surety, acceptable to the City of Hardeeville, guaranteeing the completed installation of all required improvements within the area to be platted. Such bonds or other surety shall be payable to the City of Hardeeville and equal one hundred twenty-five (125%) percent of a registered engineers’ estimate of construction cost. Notwithstanding the above, in the event that a bond or letter of credit has been posted with a third party to assure completion of required improvements, the City shall accept evidence of such bond or letter of credit in lieu of requiring an

additional bond or letter of credit to be posted, provided that the City is made an additional payee under the bond or letter of credit. The Applicant shall complete all improvements including required mechanisms guaranteeing perpetual ownership and maintenance within twelve (12) months of the date the final plat is recorded. Failure to do so shall entitle the City of Hardeeville to act on the posted bond and cause the improvements to be completed on behalf of the lot purchasers in the development. Extension to twelve month time period afforded for completion of improvements may be granted one time by the City of Hardeeville. Such requests must be submitted prior to the expiration date and accompanied by:

- a. An explanation of why the extension is necessary;
- b. Signed / Dated agreement with the extension by all affected lot owners in the development to date;
- c. Amount of work completed, cost remaining for incomplete work and time frame for completion of work, certified by a registered engineer;
- d. Amended bond or surety for incomplete work in an amount of one hundred twenty five (125%) percent of the cost of completion and sufficient duration to secure the completion of the work.”

7.7

No Change

7.8.A.

shall add “The City of Hardeeville and the Applicant are in agreement that the existing access points will be sufficient for the issuance of Development Permits and Building Permits. Certificates of Occupancy will not be issued until all proposed Access Encroachments are constructed and approved by the appropriate governing body.”

7.8.B.

No Change

7.8.C.

Clarification is required prior to the approval of the PDD.

7.8.D.

No Change

ARTICLE 8: Signs

Until an Owner Signage Program is approved, the Standards in Article 8 of the MZDO shall apply. Owner or its successors or assigns shall adopt a signage program for the Property in accordance with this PDD Standards which shall be submitted to the City for approval at the time of the Master Plan submittal.