

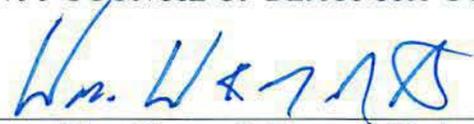
AN ORDINANCE OF THE COUNTY OF BEAUFORT, SOUTH CAROLINA, TO ADOPT AN ADDITION TO THE BEAUFORT COUNTY COMPREHENSIVE PLAN OF 2007.

BE IT ORDAINED that County Council of Beaufort County, South Carolina, hereby adds to the Beaufort County Comprehensive Plan of 2007, enacted by Ordinance 2007 / 40, Appendix F, Section 8, entitled May River Community Preservation Area Plan.

Adopted this 27th day of September, 2010.

COUNTY COUNCIL OF BEAUFORT COUNTY

BY:



Wm. Weston J. Newton, Chairman

APPROVED AS TO FORM:



Ladson Howell, Staff Attorney

ATTEST:



Suzanne M. Rainey, Clerk to Council

First Reading: August 23, 2010
Second Reading: September 13, 2010
Public Hearing: September 27, 2010
Third and Final Reading: September 27, 2010

Amending 2007 / 40

APPENDIX F, SECTION 8.
MAY RIVER COMMUNITY PRESERVATION (CP) PLAN

MAY RIVER COMMUNITY PRESERVATION DISTRICT PLAN

Purpose

The purpose of the May River Community Preservation Plan is to preserve the unique character of the May River / Highway 46 corridor by articulating a direction for future development of this community. The Plan addresses Natural & Cultural Resources, Land Use, Transportation, and Recreation. As a policy document, appended to the County's Comprehensive Plan, this plan is to be used to guide zoning, subdivision, facilities funding and design, and community development decisions made by government officials and agencies. The May River Community Plan serves as a foundation and the structure upon which more detailed policies, standards and master plans may be developed.

Process

In 2005, a group of concerned citizens (unofficially known as the May River Road Planning Committee) began meeting on a regular basis to identify critical issues affecting the May River / Highway 46 Corridor, as well as potential solutions. The group envisioned their efforts as a precursor to the County's Community Preservation process. The official CP process convened in 2007. Those interested in serving on the committee were asked to submit their names to the County's CP Planner. Citizens from surrounding (unincorporated) communities, as well as those who had served on the May River Road Planning Committee were deemed eligible. At a subsequent meeting, the community selected, by vote, the 13 member May River CP Committee. The Beaufort County Planning Commission approved and appointed the Committee.

The Committee met with representatives from agencies that service or might potentially impact the May River / Highway 46 Corridor (the Trust for Public Lands, the Town of Bluffton, Greater Bluffton Pathways, BJWSA, May River Waterbody Management Plan Project Team, etc.). Through this process the Committee was able to identify issues which they believed were most pertinent to the future of their community. These include:

- Preserving the low density and rural residential character of the corridor
- Preserving the existing rural character along May River Road
- Preserving the environmental integrity of the May River
- Maintaining a clear edge between urbanized areas (Bluffton, Pritchardville) and rural areas (the May River Road corridor)
- Preserving undeveloped lands within the District through acquisition and easements.
- Providing contextual pathways and trails

THE MAY RIVER COMMUNITY PRESERVATION DISTRICT

The majority of issues and goals outlined in this plan relate to preserving the status of the May River Corridor. Both Highway 46 and the May River have a capacity at which point they will reach a tipping point and become unsustainable in their current form. Given all of the approved development in Southern Beaufort County, Highway 46 is predicted by the County to fail by 2025.

Beaufort County and the Town of Bluffton are engaged in a constant effort to keep the May River pristine and healthy. The biggest threat to the river is overdevelopment of the immediate area. Currently, the average density of the entire CP District is just one unit per 8 acres.

The Town and County have committed to the establishment of consistent and compatible zoning regulations along the Highway 46 Corridor. Yet, along the eastern portion of the corridor the two jurisdictions utilize different regulatory tools and zoning. If this is to be the case, it is important that the future land use map for Beaufort County and the Town Of Bluffton are compatible in this area. Otherwise, there will be tremendous pressure for additional annexations.

Recommendation

Protect the unique rural character that exists along the Highway 46 corridor by promoting low intensity development that preserves the district's scenic attributes and rural feel while severely limiting commercial uses.

MAY RIVER CP DISTRICT DEVELOPMENT INTENSITY & CHARACTER

a. Development North of May River Road

The established density should be one unit per three acres on the north side of May River Road. This is in keeping with the density of Beaufort County's Rural Zoning District. The required open space will be 60% of the site. The minimum lot size is ½ acre.

Should the applicant agree to intense clustering of residences, with 80% open space, then the applicant should receive a bonus that permits them to subdivide at a rate of one unit per two acres. The applicant will be encouraged to construct a range of lot sizes, from ¼ acre cottage lots to 1 acre estate lots.

Connectivity to existing communities shall occur. When developing new neighborhoods open spaces shall be contiguous, usable (greenway with trails, parks, playgrounds, etc), and used to define the neighborhood edge. Whenever possible these lands shall be linked to neighboring green belts and open spaces.

b. Development South of May River Road

Due to the environmental sensitivity of the May River and the anticipated capacity of Highway 46 the established density should be one unit per five acres on the south side of May River Road. It is recommended that the required open space be comprised of 60% of the site. The minimum lot size should be 1 acre, unless the subdivision is on sewer, in which case the minimum lot size should be 1/2 acre.

Unless otherwise noted in the Scenic Road Overlay Standards, all development should reside behind a 100 foot setback (measured from the edge of the ROW), the first 75 feet of which shall be a vegetated buffer with 80% opacity (overstory, understory, and shrubs). Whenever possible the buffer should be comprised of indigenous species, requiring minimal (initial) to no irrigation or replacement. If non-indigenous species are utilized, the buffer shall require the use of irrigation to ensure survival.

1. River Lots

Waterfront lots in new subdivisions should have a minimum of 250 feet of parallel frontage along the May River or its tributaries. Furthermore, all development should be set back 100 feet from the OCRM Critical line. Existing lots of record should be exempt.

2. Guest Houses

Existing lots of record of 2 acres in size or greater are permitted one guest house not to exceed 2,000 square feet. A Guest House is deemed to be a part of the main property owner's "compound" and is not intended to be subdivided for other uses. They are for use by the property owner and his/her family and guests only. They should not be used for lease or rent, and should gain their access from the driveway of the principal house.

Parcels created after the adoption of the May River CP Code that are 5 acres or more in size should be permitted to have one or more Guest Houses. However, the total square footage of all guest dwellings (guest houses) should not exceed 75% of the square footage of the principal house. Furthermore, the total square footage of all guest houses (when added together) should not exceed 5000 square feet.

This formula allows for the equivalent of two estate homes (principal, and guest house); a "main" house with two "significantly" sized houses (principal, and two guest houses); or a "main" house and three traditionally sized cottages (principal, and three guest houses). Anything more significant essentially establishes the definition of a neighborhood. Construction of the principal dwelling must occur prior to, or in conjunction with any guest houses. Manufactured homes shall not be permitted to be used as guest houses.

MAY RIVER CP DISTRICT DEVELOPMENT FUNCTION

In order to ensure that this stretch of corridor remains rural it is anticipated that residents will head to Town or to Pritchardville to fulfill their daily needs. Therefore, the CP District should primarily consist of low density residential development. However, a few very low intensity, businesses (in keeping with the character of the roadway) such as farm stands, bed and breakfasts, and home based businesses will be allowed in the district. The design specifications for businesses requiring additional exposure and access will be addressed in the SCENIC ROAD OVERLAY DESIGN STANDARDS.

- Permitted Without Limitations
 - Agricultural
 - Residential
 - Single Family detached
 - Single Family Cluster
 - Family Compound
- Permitted With Limitations
 - Residential
 - Guest House
 - Home Occupation
 - Home Business
 - Commercial and Retail
 - Bed and Breakfast (not in excess of 6 rentable bedrooms)
 - Permanent Produce Stands

MAY RIVER CP DISTRICT DEVELOPMENT FORM

The Community Preservation District is actually bisected by two geographic features, the May River, and Highway 46. Both the River and the Highway serve as transportation and recreation corridors. These serve as the windows to the District. It is from these vantage points that people interpret the “character” and “feel” of the area. Therefore, the committee recommends the application of two overlay districts specifically aimed at addressing development within these corridors. These overlay districts shall be referred to as the Scenic Road Overlay and the River Overlay.

The boundary for the River Overlay will be measured 500 feet from the critical line and the boundary for the Scenic Road Overlay will extend 500 feet from the centerline of the road respectively. The current Corridor Overlay District regulations (located in Appendix B of the Beaufort County Zoning and Development Standards Ordinance (ZDSO)) will apply to Highway 46 unless they are in direct conflict with regulations found in the Scenic Road Overlay; in which case the Scenic Road overlay supersedes the Corridor Overlay District. The additional standards reflect the area's natural surroundings and ensure that development portrays a rural context.

Recommendation

Encourage a NATURAL and RURAL aesthetic by promoting context sensitive design standards, preserving the existing tree canopy over and adjacent to the highway, and maintaining the thoroughfare as a two lane highway.

a. Development within the Scenic Road Overlay

1. Regulation / Review

Within the May River Corridor, only non-residential properties and those places where the public frontage (i.e. road right of way) and the private frontage (i.e. a new neighborhood entranceway) converge shall be reviewed by the Joint Corridor Review Board (JCRB). Such non-residential uses are extremely limited in scope within the Community Preservation District and do not warrant the establishment of an individual review board. The CP Committee will have the right to nominate two additional members to sit in and vote when commercial projects from the May River CP District are heard by the JCRB. The two nominees shall reside in the May River CP District. Ideally, one citizen representative and one "design professional" (employed in a field such as Planner, Urban Designer, Architect, and Landscape Architect) will characterize the representatives from the May River CP District.

2. Aesthetics

This overlay is intended to give the impression that the Highway 46 corridor primarily bisects lands in an open or cultivated state or that are sparsely settled. Despite the increasing population density of this area, the primary viewshed should make every effort to reflect woodlands and agricultural land.

It should be recognized that there is a vast difference between a low intensity, formally regulated corridor, and one with a truly "rural" context. Outside of Town, May River Rd. exudes a truly rural context. The informality of the corridor allows for "eclecticism" and promotes a "sense of uniqueness". While the corridor is no longer agricultural, the dominant features are woodlands, wetlands, and scattered vernacular buildings of various setbacks. There is also an undeniable character associated with this Corridor; one that is very much in keeping with the "rural south".

All new residential development shall reside behind a 100-foot setback (measured from the edge of the right-of-way (ROW)), the first 75 feet of which will include a vegetated buffer with 80% opacity (both overstory & understory and shrubs). The buffer shall be comprised of indigenous species and shall be irrigated and replaced wherever and whenever necessary.

3. Streets and Trails

Highway 46 is a very heavily traveled roadway that would normally be considered by S.C. Department of Transportation (SCDOT) for widening. In order to prevent

this, every measure possible to slow traffic down while allowing free movement must be attempted. The posted speed should not exceed 45 mph.

Secondary roads should be designed to calm or slow traffic as opposed to promoting its free flow. Promote creative ways to narrow road width and defer to the natural landscape as much as possible. Roads shall not utilize curb and gutter, but rather swales. Turning radii should be shallow unless impeded geographically. "Environmental or green" features and "rural & natural" materials shall be listed and encouraged in the code. Off-road bicycle trails and walkways that are that are pervious, natural, and appropriate for rural settings should be included in every new development. However, to exclude the "resort look" and maintain both the tree canopy and overall rural character they shall be considered for placement off of the road. Sidewalks are only appropriate for small lot clusters, and these should utilize surface materials that are pervious and or natural.

The Community Preservation Committee will form an implementation committee that will meet seasonally as needed. This committee will be charged with implementation (as needed), accessing how the plan is working, and nominating to the County Council two representatives for the JCRB. In terms of the Corridor Overlay, as improvements are made along the highway or communities develop along the highway frontage, this committee will work with various public entities (County, SCDOT, SCE&G) and landowners / developers to examine the burying of existing power lines along the ROW. Portions of this ROW could serve as a trail system or bike lane.

4. Plantings and Lighting

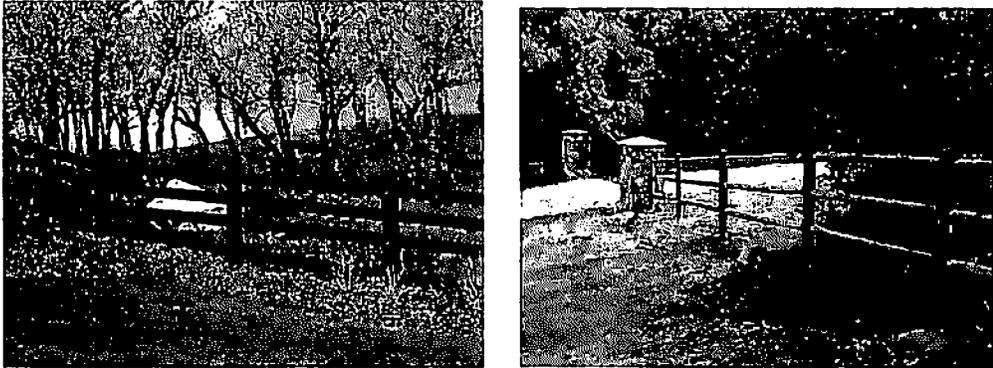
Plantings in rural areas are typically naturalized and native as opposed to being formal and symmetric. Plantings (landscaping) within the Highway Buffer should native or indigenous species. These require minimal (initial) to no irrigation or replacement. If non-indigenous species are utilized, the buffer shall require the use of irrigation to ensure survival.

As an ecologically sensitive, rural corridor, overhead lighting should be used only when necessary to address issues of safety. Such lighting should not consist of standard cobra head lights, but rather an aesthetically pleasing alternative. Lighting is anticipated on both signage (private business) and for security purposes (residences). At this scale, Pipe and Post lighting is most appropriate. Within a subdivision, column lighting may also be used; however, it is most appropriate around clustered housing or smaller lots.

5. Fencing, Private Entryway Features, Signage

Fencing on land that abuts the Highway 46 ROW should be split rail (2, 3, or 4 rails) and maintained in its natural condition, or painted a color currently found along the corridor (i.e. white, Charleston green, black, etc). Living fences composed of wood and wire are also allowed and encouraged both in

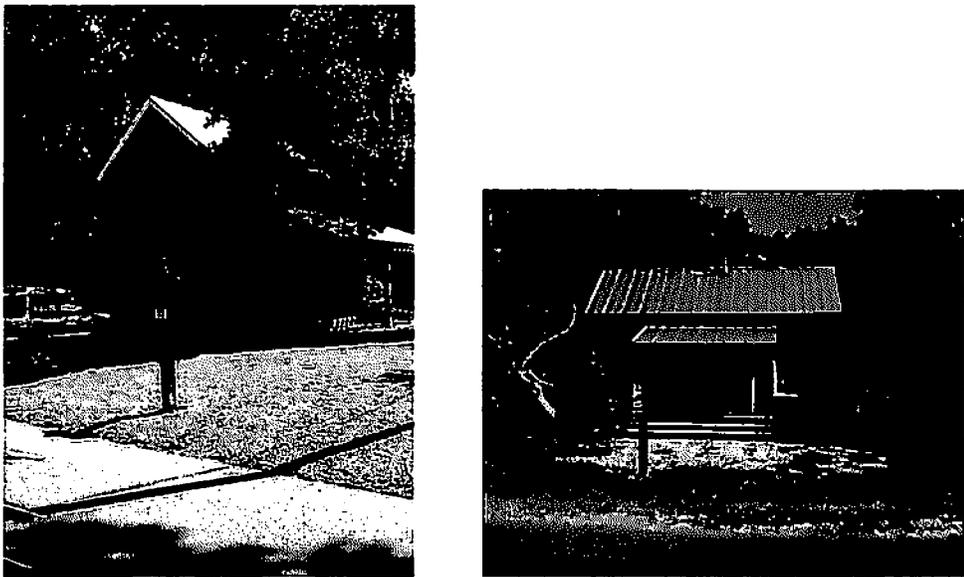
neighborhoods and in lieu of privacy fences. Chain link, metal, or so called "privacy" fences are prohibited. Picket fences, while filled with character, are more indicative of sub-urban housing districts. They are prohibited along Highway 46.



Examples of rural split rail fencing.

Private gatehouses and monumental or ornate entryways are prohibited along the Highway 46 ROW. A break in the fencing, a small hanging sign, and possibly a light is all that is necessary. Those developments requesting additional entryway structures must locate them at least 150' from the centerline (at the buffer line). All entry features shall be in keeping with the rural nature of the preservation district and shall be approved as part of the JCRB process.

Projecting, wall, and monument type signage should be permitted; however, it is critical that it be of a proper scale and rural character. These items are encouraged to be unique in their composition and made of natural materials (wood, metal, brick, etc).



Examples of rural signage.

Recommendation

Accommodate future development along the May River and discourage visual blight by promoting context sensitive (Lowcountry maritime) and environmentally sound design standards.

b. Development within the Scenic River Overlay

1. Future Development Pattern

The Scenic River Overlay is intended to ensure that future structures are befitting of their maritime setting and do not overwhelm the corridor both visually and environmentally.

The Scenic River Overlay should require all development to be setback a minimum of 100 feet from the OCRM critical line. Guidelines will also address vegetation standards, selective clearing criteria, and enforcement provisions. With the exception of the view corridor guidelines found in the ZDSO, the first 50 feet of the 100-foot setback shall be maintained in its natural state.

A principal residence should not exceed a maximum height of 2.5 stories (35 feet) or 40 feet with appurtenances.

In order to prevent visual clutter, houses that directly front the river or a tidal creek should maintain a minimum riverfront lot width of 250 feet and locate accessory structures or Guest Cottages on the landward side of the main residence. The setback and lot width negates the need for architectural review of individual residences within the River Overlay.

If a property is located in both Overlay Districts the primary dwelling may front whichever corridor the applicant chooses. Residential uses on Highway 46 are not part of the JCRB review process.

2. Docks

Docks will adhere to those standards currently found in the Beaufort County ZDSO under Water Dependent Uses.