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City of Beaufort
1911 Boundary Street
Beaufort Municipal Complex
Beaufort, South Carolina 29902
(843) 525-7070
City Council Regular Meeting Agenda
August 19, 2025

Statement of Media Notification

"In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting."

Regular Meeting - Council Chambers, 2nd Floor - 7:00 PM

Please note, this meeting will be broadcast via zoom and live-streamed on Facebook. You can view the meeting at the City's page; City Beaufort SC

- I. Call to Order - Philip Cromer, Mayor**
- II. Invocation and Pledge of Allegiance - Mayor Pro Tem, Michael McFee**
- III. Public Comment - Agenda Items**
 - A. PLEASE LIMIT YOUR REMARKS TO FIVE MINUTES - The Mayor may interrupt public comments that continue past five minutes, are not related to an agenda item, or are disruptive - Persons violating these rules may be required to leave the meeting - [Public Comment Form](#)
- IV. Meeting Agenda Approval**
- V. Proclamations/Commendations/Recognitions**
 - A. Proclamation proclaiming August 18 - 22, 2025, as USCB Sand Shark Welcome Week
 - B. A Resolution Honoring and Memorializing the Life and the Legacy of Reverend Dr. Elijah Washington
- VI. Consent Agenda**
 - A. CIP Monthly Report
 - B. Community Development Monthly Report
 - C. Downtown Operations Monthly Report
 - D. Finance Department Monthly Report
 - E. Fire Department Monthly Report

- F. Human Resources Monthly Report
- G. Municipal Court Monthly Report
- H. Police Department Monthly Report
- I. Public Works Monthly Report
- J. Request from Beaufort County Veteran's Affairs for street closures to host the annual Veterans Day Parade on Tuesday, November 11, 2025, from 8:00 am to 12:00 pm
- K. Request from JP Signature Events (Building Brighter Futures) for co-sponsorship, waiver of the noise ordinance, drinking in public, and a waiver of alcohol in the Henry C. Chambers Waterfront Park to host the 3rd Annual Music Festival of the Lowcountry on Saturday, June 6, 2026, from 1:00 pm to 12:00 am
- L. Request from Beaufort Jasper YMCA for co-sponsorship for the 20th Annual Beaufort River Swim on Saturday, June 6, 2026, use of the Marina/Waterfront Park and portion of the Marina Parking Lot from 5:00 am to 12:00 pm

VII. Minutes

- A. Worksession and Regular Meeting - July 8, 2025
- B. Special Joint Worksession of Council with the Planning Commission - July 15, 2025

VIII. Old Business

- A. Ordinance amending Chapter 7 (Land Development) and Chapter 9 (Development Review Procedures) of the Beaufort Development Code - Second Reading
- B. Ordinance amending Chapter 5 (Landscaping, Parking, Lighting) of the Beaufort Development Code - Second Reading
- C. Ordinance to rename Southside Loop in Southside Park as Clayton Cooler Loop - Second Reading
- D. Ordinance to name the newly constructed Airport Road Project as Donnie Beer Drive - Second Reading
- E. Ordinance to adopt a Nuisance Abatement Ordinance for the City of Beaufort - Second Reading

IX. New Business

- A. Request from Historic Beaufort Foundation to host the 2025 Fall Festival of Houses & Gardens on October 18 & 19, 2025, requesting street closure, signage, and use of golf carts in the historic district to provide transportation to and from designated parking areas
- B. Request from NAMI (National Alliance on Mental Illness) for 5K Walk, Bridge/Road Closures on Saturday, May 16, 2026, between 7:00 am and 10:00 am

- C. Ordinance for the lease of commercial space that is part of the real property owned by the City of Beaufort, South Carolina located at 500 Carteret Street to Sea Island Insurance Group, LLC - First Reading
- D. An ordinance approving the sale of real property owned by the City of Beaufort, South Carolina located at 1101 Coleman Lane, Beaufort, South Carolina - First Reading
- E. An ordinance to amend City of Beaufort Ordinance 2024/11 regarding the fiscal year 2024-2025 City of Beaufort Budget to provide for the revenues and expenditures of General Fund, Parks and Tourism Fund, State Accommodations Tax Fund, American Rescue Plan Act Fund, Fire Impact Fee Fund, TIF II Fund, Stormwater Fund and Capital Projects - First Reading
- F. An ordinance to amend City of Beaufort Ordinance 2025/13 regarding the fiscal year 2025-2026 City of Beaufort Budget to provide for the revenues and expenditures of General Fund, State Accommodations Tax Fund, TIF II Fund, Stormwater Fund, and Capital Projects Fund - First Reading
- G. Authorization to allow the City Manager to enter into a Contractual Agreement for Landscaping and Maintenance of the Core Commercial District
- H. Authorization to allow the City Manager to enter into a Contractual Agreement for Landscape and Maintenance Right of Ways
- I. Authorization to allow the City Manager to enter into a Contractual Agreement for Parking Management and Enforcement Services
- J. An ordinance to regulate the Operation of Golf Carts within the City of Beaufort Pursuant to § 56-2-90 of the South Carolina Code, for City Code of Ordinances, Part 8, Chapter 6, Section 8 - First Reading
- K. Resolution supporting the selection of the City of Beaufort as the location for the new Veterans Affairs Community-Based Outpatient Clinic

X. Public Comment - Non-Agenda Items

- A. PLEASE LIMIT YOUR REMARKS TO FIVE MINUTES - The Mayor may interrupt public comments that continue past five minutes, or are disruptive - Persons violating these rules may be required to leave the meeting - [Public Comment Form](#)

XI. Reports

- A. City Manager's Report
- B. Mayor Report
- C. Reports by Council Members

XII. Executive Session

- A. Pursuant to Title 30, Chapter 4, Section (70)(a)(1) of the South Carolina Code of Law:

Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student or a person regulated by a public body , or the appointment of a person to a public body

- B. Pursuant to Title 30, Chapter 4, Section (70) (a) (2) of the South Carolina Code of Law: Discussion regarding the purchase or sale of property

XIII. Adjourn



PROCLAMATION

WHEREAS, the University of South Carolina Beaufort is a fully accredited, comprehensive, baccalaureate institution within the University of South Carolina System; and

WHEREAS, USCB provides specialized instruction in nineteen undergraduate degree and two graduate degree programs to fulfill its mission to respond to regional needs, draw upon regional strengths, and prepare graduates to contribute locally, nationally, and internationally; and

WHEREAS, USCB is a primary resource for exceptionally skilled healthcare professionals, teachers, hospitality managers, science-based researchers, and computational specialists in the South Carolina Lowcountry; and

WHEREAS, USCB has a reputation for institutional prominence as a regional catalyst for progress and engine for cultural and economic growth; and

WHEREAS, USCB's regional economic impact is in excess of 1,230 jobs, \$63 million in labor income, and \$141 million in economic development; and

WHEREAS, USCB welcomes more than 2,200 students, their parents, other family members, and friends to campuses in Bluffton, Beaufort, and on Hilton Head Island and to athletic facilities in Hardeeville for the start of the 2025-2026 academic year.

NOW, THEREFORE, the City Council of the City of Beaufort, South Carolina, hereby proclaims the week of August 18 - 22, 2025, as

USCB SAND SHARK WELCOME WEEK

IN WITNESS THEREOF, I hereunto set my hand and caused the Seal of the City of Beaufort to be affixed this 19th day of August 2025.

Philip E. Cromer, Mayor

Attest:

Traci Guldner, City Clerk



RESOLUTION NO. 2025-23

A RESOLUTION HONORING AND MEMORIALIZING THE LIFE AND THE LEGACY OF REVEREND DR. ELIJAH WASHINGTON

WHEREAS, the Reverend Dr. Elijah Washington, aged 83, of Lady’s Island, passed away on Friday, August 15, 2025, at Beaufort Memorial Hospital; and

WHEREAS, Dr. Washington was a dedicated pastor at First African Baptist Church on St. Helena Island and a retired obstetrician-gynecologist who served the community with unwavering compassion and excellence for over four decades; and

WHEREAS, he delivered countless infants in Beaufort County—indeed, many in our community fondly recall that “he was responsible for the births of half of Beaufort County’s children;” and

WHEREAS, his leadership, spiritual guidance, and medical service enriched the lives of families across Beaufort, and his presence at community meetings—such as those held at the Elijah Washington Medical Center—reflected his continual engagement in advancing public discourse and civic projects; and

WHEREAS, in 2018, he was honored with a Lowcountry Lifetime Achievement Award in recognition of his lifetime of dedication and service to the Lowcountry community; and

WHEREAS, Dr. Washington’s commitment to faith, medical care, community leadership, and mentorship leaves an enduring legacy of compassion, hope, and service for future generations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Beaufort, South Carolina, that:

- 1. The City Council publicly expresses its profound sympathy to the family of Dr. Washington—especially his wife, Mrs. Joyce Brown Washington—and to all who mourn his loss.**
- 2. The Council formally recognizes and honors Dr. Washington’s exceptional contributions as both a medical professional and spiritual leader, whose influence shaped the well-being and moral fabric of our community.**
- 3. The Council hereby declares that Dr. Elijah Washington shall forever be remembered in Beaufort—as a healer, guide, mentor, and inspiration to many.**
- 4. The Council directs the City Clerk to transmit a certified copy of this Resolution to the family of Dr. Washington, First African Baptist Church, and the Elijah Washington Medical Center as a tangible symbol of the City’s respect and gratitude.**
- 5. This Resolution shall be entered into the official minutes of the City Council and shall stand as a permanent testament to Dr. Washington’s legacy.**

***ADOPTED THIS 19th DAY OF AUGUST, 2025, by the City Council of the City of Beaufort,
South Carolina, in regular session duly assembled.***

SIGNED:

Philip E. Cromer, Mayor

ATTEST:

Traci Guldner, City Clerk



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 06/27/2025
From: Raul Dominguez, Capital Projects Director
Item Name: CIP Monthly Report
Meeting Date: August 19, 2025
Department: City Managers Office

Background Information:

Introduction:

Monthly report for June 2025.

Background:

Legal Authority:

Staff Recommendation:

Placed on Agenda For:

Action

Attachments:

1. CIP Monthly Report

Scott Marshall
CITY MANAGER
843-525-7070

John Sauvé
ASSISTANT CITY MANAGER
843-379-7525



CITY OF BEAUFORT
1911 Boundary Street
BEAUFORT, SOUTH CAROLINA 29902

COUNCIL MEMBERS:
Philip E. Cromer, Mayor
Mike McFee, Mayor Pro Tem
Neil Lipsitz
Mitch Mitchell
Josh Scallate

August 12, 2025

MEMORANDUM

To: City Council

From: Raul Dominguez CIP Director

Re: Capital Improvement Program Monthly Report

I. Summary Report

This report will cover brief project focus as the quarterly CIP update will take place on August 26th, and a more in-depth presentation will be made. Team continues to conduct weekly and bi-weekly meetings with our engineering and contracting partners on our ongoing projects. The team has also been included in monthly meetings with Beaufort County Engineering, SCDOT, and BJWSA. Listed below are our focused and active projects.

Pigeon Point Landing: Staff continues to work with O'Quinn Marine, Davis and Floyd along with stakeholder group in refining some of the points for the proposed upgrades.

Washington Street Park: The park is coming along beautifully weather continues to deviate the schedule by a few days. The steel is being wrapped in the cypress finish, the metal roof is pending installation due to weather.

Southside Phase 2: Stakeholder meeting was held it went well with a few comments from those who attended. Davis/Floyd finalizing documentation for review.

Bayard St: Meeting was held with stakeholders the group has come to an agreement which is suitable to them and the city. The CIP team is working

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1911 Boundary Street
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on easements and maintenance agreements as we move towards the RFP process.

Waterfront Park Relieving Platform: Staff and council received phase 1 final report which is under review engineers have been informed to enter phase 1b and portions of phase 2, which includes the presentation of the reconstruction process. Portions of the park will remain closed as we are towards the long-term solution.

King St: Contract has been awarded J.H. Hiers will be the contractor on this stormwater project. CIP Team preparing for one-on-one stakeholder/business owner meetings prior to construction work taking place.

Charles/Craven: Contract process is underway thru SCOR Gulf Stream Construction will be the contractor on this stormwater project. CIP Team also preparing for one-on-one stakeholder meetings prior to construction work taking place.



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 06/27/2025
From: Curt Freese, Community Development Director
Item Name: Community Development Monthly Report
Meeting Date: August 19, 2025
Department: Community Development Department

Background Information:

Introduction:

Monthly Report for June 2025.

Background:

Legal Authority:

Staff Recommendation:

Placed on Agenda For:

Action

Attachments:

1. Community Development



CURRENT PROJECTS

JUNE 2025

Issued Project Permits:

COMMERCIAL (Issued)

- Pine Court Apartments – 2305 - 2317 Pine Court S. – new 60-unit apartment complex (5 buildings) **issued – Resubmitted 8/2022 – Reissued 10/25/22- Reissued 7/25/24**
- Tabby Place Expansion – 913 Port Republic St. – **Issued 12/20/22 (extended)**
- Site Work Only – 918 Craven St. – **Issued 12/20/22 (extended)**
- New Hotel – 800 Port Republic St. – **Issued 12/21/22 (extended)**
- Parking Garage – 918 Craven St. – **Issued 12/21/22 (extended)**
- BMH – 955 Ribaut Rd. – Large Interior Renovations – **Issued 12/19/23**
- BMH – 955 Ribaut Rd. – ER Renovations – **Issued 12/09/24**
- Storage Facility – 1 Parris Island Gtway. – **Issued 1/18/24 (extended)**
- Carrington Manor – 2247 Boundary St. – Senior Living Bldg. – **Issued 1/25/24**
- Pointe Grand Apts. – 135 Burton Hill Rd. - Site Work Only – **Issued 4/10/24**
- Pointe Grand Apt Bldgs. – 135 Hillpointe Circle – **Issued 12/23/24**
- Hanover Park Apt Bldgs. – 139 Robert Smalls Pkwy. – **Issued 8/27/24**
- Storage/Residential Living – 1140 Ribaut Road phase 1 – **Issued 12/04/24**
- Storage/Residential Living – 1140 Ribaut Road phase 2 and 3 – **Issued 03/29/25**
- ALDI – 361 Robert Smalls Pkwy. – Site Work – **Issued 1/28/25**
- ALDI – 361 Robert Smalls Pkwy. – Bldg. – **Issued 02/06/25**
- Laundry Facility – 73 Schein Loop – **Issued 1/30/25**
- Academy Sports upfit – 320 Robert Smalls Pkwy. (old TJ Maz) – **Issued 1/30/25**
- Washington Street Park – 1011 Washington St. – Addition/Renovations – **Issued 2/13/25**
- 2003 Pearl Street – 150 Unit Apartments (Quality Inn) – **Issued 3/20/2025**
- Boat Landing Renovation – 2440 Pigeon Point Rd. – **Issued 3/25/2025**
- Pigeon Point Park Renovation – 1512 Pigeon Point Rd. – **Issued 4/22/2025**

COMMERCIAL (Pending)

- 3-Story Apt Bldg. w/1st Floor as Comm'l – 211 Charles St. – **(Outstanding Items - extended)**
- 15,056 Metal Warehouse – 25 John Galt Rd. – **(Outstanding Items)**
- Renovation of Warehouse – 3484 Trask Pkwy. – **(Outstanding Items)**
- Site Work for Warehouse – **123** Schork Rd. **(Outstanding Items)**
- Georgia Skin & Cancer – 1261 Ribaut Rd – **(Outstanding Items)**
- Life Center – 1801 Duke St. – **(Outstanding Items)**
- Cane Island Phase 1 - Site Work – 5 Cane Island Farm Road – **(Outstanding Items)**

SF RESIDENTIAL (New Construction) ISSUED within the last month

- 2947 Marshfront Drive (Camelia Banks Subd)
- 1182 Salty Hammock Court (Salem Bay Subd)

- 1180 Salty Hammock Court (Salem Bay Subd)
- 2 Tillandsia Point Dr (Distant Island Subd)
- 200 Harborview Dr (Whitehall Subd)
- 1178 Salty Hammock Court (Salem Bay Subd)

SF RESIDENTIAL (New Construction) SUBMITTED within the last month

- 608 Pilot Street
- 1316 Talbird Road – Site Work – 7 lot Residential Subdivision (**Outstanding Items**)

Historic Technical Review Committee:

- 807 Scott Street (Contributing c. 1885) – Discussion on various proposed exterior and interior renovations on existing dwelling;
- 913 West Street aka “The West Street Learning Center” as part of the Reconstruction Era National Historic Park (Non-contributing, c. 1900) – Brief overview/presentation of proposed archeological survey of the property to be conducted by the National Park Service;
- 706 Craven Street aka “Old Beaufort Firehouse” (Headquarters/Visitor’s Center of the Reconstruction Era National Historic Park; Contributing, c. 1912) – In-kind repairs of sheathing/flashing around cupola;
- 605 Carteret Street (Contributing, c. 1880) – Request for color change of exterior paint/shutters & front door replacement & adding of gutters/downspouts to roof;
- 1405 Duke Street (Contributing, c. 1900) – Proposal for addition of screened-in porch at the rear of existing dwelling;
- 1307 Washington Street (Contributing, c. 1920) – Request for installation of 6foot-high horizontal wood-fence along side of driveway;)
- 1006 Church Street (Contributing, c. 1910) – Proposal to rehabilitate existing structure and potentially add-on to the rear;
- 601 Bay Street (“Lewis Reeve Sams House”, Contributing, c. 1852) & 607 Bay Street (“Wm. Joseph Thomas House”, Contributing, c. 1909) – Discussion on proposal to partially utilize historic properties as Long-Term-Rental and Bed-and Breakfast accommodations;
- 506 Craven Street (Contributing, c. 1885) – Proposal to repair front door including replacement of colored glass panels with a single pane & replacement of mission-style lights;
- 1205 Congress Street (Contributing, c. 1930) – Follow-up to update electrical & plumbing; extension of structure by 35 sq. ft. and upfits to kitchen / bathroom as well as installation of new fence and re-painting of exterior to “Dove White” (SW color);
- 100 Laurens Street (“Paul Hamilton House”, Contributing, c. 1855) – The proposed project is for a free standing single story wood framed potting shed;

Historic Review Board:

- Permit Extension: 1114 Congress Street: Request for a one year COA extension for COA Applicant:
- 314 Charles Street, PIN R120 004 000 849B 0000, alterations The applicants are requesting approval to install two (2) storm doors – 1 on the front and 1 on the rear of their home.
- 914 Newcastle Street, PIN R120 004 000 0279 0000, new construction Applicant: The applicant is requesting final approval for construction of a new single-family residence.

Technical Review Committee:

- Change of Use request including structural changes for proposed Daycare Facility (1816 Boundary Street; PIN: R120 003 000 0023 0000) – Discussion on general prerequisites and structural changes to existing building to be converted into Daycare facility;
- Lowcountry Habitat for Humanity – Single-family residential development project (1107/1109 Coleman Lane; PIN: R120 006 000 0608 0000 / R120 006 000 0607 0000) – Discussion on proposal to build five (5) single-family residential dwelling units on two (2) current vacant lots;

City Council:

- PUBLIC HEARING AND SECOND READING - Ordinance amending Chapter 7 (Land Development) and Chapter 9 (Development Review Procedures) of the Beaufort Development Code
- An Ordinance to amend the City of Beaufort Zoning District Map by changing the zoning designation of real property located at 30 Cougar Drive, identified as Beaufort County Tax Map Number R123 015 000 0110 0000, from T3-Suburban District (T3-S) to Institutional & Campus District (IC) - Second Reading
- An ordinance to annex 1.72 acres of real property identified as Beaufort County Tax Map Number R100 026 000 0151 0000, 3659 Trask Parkway, to the City of Beaufort Pursuant to S.C. Code Ann 5-3-150(3) – First Reading
- An ordinance to amend the City of Beaufort Zoning District Map to include real property identified as Beaufort County Tax Map Number R100 026 000 0151 0000, 3659 Trask Parkway, to be zoned Regional Mixed Use (RMX) – First Reading

PC (Planning Commission):

PC (Planning Commission)

- Code Amendments –Chapter 8

ZBOA (Zoning Board of Appeals):

ZBOA (Zoning Board of Appeals) Scheduled:

- None

Tenant Change (Safety Inspections)

- 917 Bay Street _ Proposed Bus: Retail Store

Monthly Permits:**New Construction - Residential Dwellings & Commercial Structures
2025**

Month	Single Family	Multifamily	Commercial	Permit Fees
Jan	14	0	2	\$76,939.00
Feb	15	0	1	64,212.50
Mar	13	0	0	34,333.10
Apr	16	0	0	43,795.20
May	10	0	0	31,323.80
Jun	5	0	0	20,336.80
Jul				
Aug				
Sep				
Oct				
Nov				
Dec				
Totals	73	0	3	\$270,940.40

Total Residential Units: 76

Note: The total permit fees collected does not include impact fees.

	2025
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Month	Total Permits	Permit Fees Collected
Jan	83	\$102,854.09
Feb	89	\$77,962.09
Mar	116	\$70,670.29
Apr	106	\$56,917.73
May	96	\$48,165.86
Jun	85	\$33,039.35
Jul		
Aug		
Sep		
Oct		
Nov		
Dec		
Totals	575	\$389,609.41

Note: The total permit fees collected does not include impact fees.



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 06/27/2025
From: Linda Roper, Downtown Operations Director
Item Name: Downtown Operations Monthly Report
Meeting Date: August 19, 2025
Department: Downtown Operations

Background Information:

Introduction:

Monthly report for June 2025

Background:

Legal Authority:

Staff Recommendation:

Placed on Agenda For:

Action

Attachments:

1. Downtown Operations

City of Beaufort Downtown Operations & Community Services

Monthly Report

June 2025

The month of June was full of events and celebrations. The Downtown Operations Team coordinated with the event organizers for the events Downtown during the month of June as well as for the upcoming fall events.

Attended Ribbon cuttings for the new South Atlantic Bank building & new business Kalady Audiology. The team participated in the City of Beaufort Public Works Touch A Truck event at Southside Park.

We along with Public Works and The Greenery prepared the Waterfront Park and Downtown for the Water Festival after a steady two months of events, addressing trip hazards, installing replacement flowers, trees and shrubs damaged by Hurricane Helene. New flowerpots were added to West Street Extension along with replacements of missing and broken benches in Logan, Morrall and Cannon Park.

Events & Tour Coordinator Activity Report

June was another month of community engagement and planning for upcoming events. DTO met with several key event organizers and partners, continued coordination with City departments, and supported both daily operations and long-term event development. Tour operations remained steady as summer tourism gained momentum.

Tour Stats (April – June 2025)

- **Tours Given:** 1,307
- **Riders:** 12,504

City of Beaufort Downtown Operations & Community Services
Monthly Report
June 2025

Park Reservations June 2025

Location	Wedding	Special Event	Birthday	Other	Festival	Attendance	
						-50	50+
Waterfront Park		7			1		8
Pigeon Point Park							
Washington St. Park				4		4	
Southside Park			2	5		3	2
Whitehall Park				4		4	
The Bluff							
Other							
Totals	0	7	2	13	1	11	10

Washington Street Park remains closed for construction, however Friday community dinners and the United Way's shower trailer are still conducting their services.

Pigeon Point is closed for playground construction.

MAIN STREET BEAUFORT

June Monthly Report



Meetings & Events Attended:

WeShop SC: Participated in the monthly call to learn how AI and new tools are being integrated to better support local businesses on the platform.

Touch-A-Truck Meeting: Met with Public Works to discuss how Downtown Operations can assist with event logistics.

Cultural District Advisory Board Meeting: Prepared necessary materials and provided ongoing board support.

Ribbon Cutting – Kalady Audiology: Attended the ceremony and officially welcomed the business to Beaufort.

Main Street “Small Budget, Big Impact” Webinar: Joined a session focusing on program structure, downtown problem-solving, and emergency preparedness.

CVB Meeting: Collaborated with the department and the CVB to review data from past events and identify metrics for future event tracking.

Ribbon Cutting - South Atlantic Bank: Attended the ceremony and officially welcomed South Atlantic into their new location.

Main Street SC Retreat: Attended a three-day retreat focusing on program structure, downtown problem-solving, and emergency preparedness.

Execution & Planning:

First Friday (June 6, 2025) – Successfully organized and hosted a monthly community event in Downtown Beaufort.

Main Street Meet Up: Coordinated with SK Signs and Designs to feature Sunshine and Sass Clothing boutique as part of the ongoing series highlighting local merchants.

Business Break: Collaborated with WTOC to produce a spotlight segment promoting Downtown Beaufort.

Touch-A-Truck: Assisted Public Works with their annual event.

WEBSITE TOTAL VIEWS

 **4,684**

Main Street Beaufort eNewsletter

Month	Recipients	Open Rate	Opened
May	150	64%	88



INSTAGRAM INSIGHTS

TOP-PERFORMING CONTENT

386

REACH

↘ 47.8%

49

Views

773

VIEWS

↘ 933.1%

37

Reach



FACEBOOK INSIGHTS

TOP-PERFORMING CONTENT

117.3K

REACH

↗ 2%

70,259

Views

36,218

Reach

133.7K

IMPRESIONS

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City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 06/27/2025
From: Alan Eisenman, Finance Director
Item Name: Finance Department Monthly Report
Meeting Date: August 19, 2025
Department: Finance Department

Background Information:

Introduction:

Monthly Report for June 2025.

Background:

Legal Authority:

Staff Recommendation:

Placed on Agenda For:

Action

Attachments:

1. Finance Department

Scott Marshall
CITY MANAGER
843-525-7070
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CITY OF BEAUFORT
1911 Boundary Street
BEAUFORT, SOUTH CAROLINA 29902

COUNCIL MEMBERS:
Philip E. Cromer, Mayor
Mike McFee, Mayor Pro Tem
Neil Lipsitz
Mitch Mitchell
Josh Scallate

Dear Mayor, Members of City Council and City of Beaufort Stakeholders:

The City of Beaufort June 2025 unaudited financial statement is included in your agenda packet. This financial statement includes the City's Balance Sheet and Statement of Revenues, Expenditures, and Changes in Fund Balance (aka Income Statement). It also includes Budgetary Comparison Schedules for the City's fiscal year 2025 budgeted funds which include General Fund, TIF II Fund, Capital Projects Fund, Parks and Tourism Fund, American Rescue Plan Act (ARPA) Fund, Stormwater Fund, State Accommodations Tax Fund, and Fire Impact Fees Fund.

With June being the 12th month of the fiscal year 2025, recurring revenues and expenditures should be 100% of the budget. General Fund revenues are 100.5% of the budget while expenditures are 97.3% of the budget.

I'll be happy to answer any questions that you may have as you review the City's June 2025 unaudited financial statements.

Thanks,

Alan Eisenman CPA CGFO
Finance Director

CITY OF BEAUFORT, SOUTH CAROLINA
BALANCE SHEET
GOVERNMENTAL FUNDS
JUNE 30, 2025 (UNAUDITED)

	General Fund	TIF II Fund	Capital Projects Fund	Parks and Tourism Fund	American Rescue Plan Act Fund	Stormwater Fund	Other Governmental Funds	Total Governmental Funds
ASSETS								
Cash and cash equivalents	\$ 19,252,162	\$ 159,609	\$ 2,490,470	\$ 4,912,804	\$ 2,929,798	\$ 332,760	\$ 2,280,468	\$ 32,358,071
Taxes receivable, net	295,837	-	-	-	-	41,439	-	337,276
Other receivables	1,484,657	-	82,464	104,420	-	8,805	309,076	1,989,422
Inventories and other assets	32,120	-	-	-	-	-	-	32,120
Restricted cash and cash equivalents	-	3,820,034	-	2,587,435	-	838,179	26,086	7,271,734
Total assets	<u>21,064,776</u>	<u>3,979,643</u>	<u>2,572,934</u>	<u>7,604,659</u>	<u>2,929,798</u>	<u>1,221,183</u>	<u>2,615,630</u>	<u>41,988,623</u>
LIABILITIES, DEFERRED INFLOWS OF RESOURCES AND FUND BALANCES								
Liabilities:								
Accounts payable	1,297,116	22,546	611,824	221,889	303,451	22,175	296,800	2,775,801
Due to other governments	57,339	-	-	-	-	-	-	57,339
Unearned revenue	-	-	-	-	1,942,133	-	-	1,942,133
Accrued liabilities	671,552	-	-	139,217	4,932	25,025	3,142	843,868
Deposits and escrow	479,418	-	-	19,150	-	-	23,617	522,185
Total liabilities	<u>2,505,425</u>	<u>22,546</u>	<u>611,824</u>	<u>380,256</u>	<u>2,250,516</u>	<u>47,200</u>	<u>323,559</u>	<u>6,141,326</u>
Deferred Inflows of Resources:								
Unavailable revenue - property taxes	2,045,869	-	-	-	-	25,910	-	2,071,779
Total deferred inflows of resources	<u>2,045,869</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>25,910</u>	<u>-</u>	<u>2,071,779</u>
Fund balances:								
Nonspendable:								
Inventories	26,355	-	-	-	-	-	-	26,355
Cemetery	-	-	-	-	-	-	7,246	7,246
Restricted	1,577,099	3,957,097	1,961,110	4,636,968	679,282	309,894	2,248,777	15,370,227
Committed for:								
Land Acquisition	1,057,028	-	-	-	-	-	-	1,057,028
Vehicle and equipment replacement	1,865,039	-	-	-	-	-	-	1,865,039
Redevelopment	1,573,499	-	-	-	-	-	-	1,573,499
Capital Projects	1,247,829	-	-	2,587,435	-	838,179	-	4,673,443
Law enforcement	-	-	-	-	-	-	36,048	36,048
Assigned for:								
Subsequent year's budget	73,615	-	-	-	-	-	-	73,615
Unassigned	9,093,018	-	-	-	-	-	-	9,093,018
Total fund balances	<u>16,513,482</u>	<u>3,957,097</u>	<u>1,961,110</u>	<u>7,224,403</u>	<u>679,282</u>	<u>1,148,073</u>	<u>2,292,071</u>	<u>33,775,518</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 21,064,776</u>	<u>\$ 3,979,643</u>	<u>\$ 2,572,934</u>	<u>\$ 7,604,659</u>	<u>\$ 2,929,798</u>	<u>\$ 1,221,183</u>	<u>\$ 2,615,630</u>	<u>\$ 41,988,623</u>

CITY OF BEAUFORT, SOUTH CAROLINA
STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE MONTH ENDED JUNE 30, 2025 (UNAUDITED)

	General Fund	TIF II Fund	Capital Projects Fund	Parks and Tourism Fund	American Rescue Plan Act Fund	Stormwater Fund	Other Governmental Funds	Total Governmental Funds
REVENUES								
Property taxes	\$ 10,083,927	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,083,927
Other taxes	-	-	-	4,484,686	-	-	977,810	5,462,496
Franchise fees	2,407,025	-	-	-	-	-	-	2,407,025
Fines and forfeitures	80,238	-	-	-	-	-	-	80,238
Licenses and permits	7,769,035	-	-	-	-	-	299,242	8,068,277
Intergovernmental	3,736,995	-	1,784,644	-	2,501,162	-	-	8,022,801
Charges for services	2,058,711	-	-	636,572	-	1,359,690	-	4,054,973
Investment earnings	791,076	171,067	88,026	376,008	195,311	34,964	43,637	1,700,089
Miscellaneous	124,257	-	-	197,339	-	-	5,425	327,021
Total revenues	<u>27,051,264</u>	<u>171,067</u>	<u>1,872,670</u>	<u>5,694,605</u>	<u>2,696,473</u>	<u>1,394,654</u>	<u>1,326,114</u>	<u>40,206,847</u>
EXPENDITURES								
Current:								
General government	5,118,901	-	-	-	288,948	-	665,629	6,073,478
Law enforcement	6,451,191	-	-	1,411,202	-	-	-	7,862,393
Fire and emergency	7,080,905	-	-	-	-	-	-	7,080,905
Public works	2,484,944	20,000	-	-	-	733,671	-	3,238,615
Culture and recreation	-	-	-	1,777,147	-	-	-	1,777,147
Streets	862,089	-	-	-	-	-	-	862,089
Community development	1,295,514	-	-	968,084	-	-	-	2,263,598
Debt Service:								
Principal	1,541,915	-	-	603,858	-	345,000	52,358	2,543,131
Interest and other charges	303,438	-	-	370,743	-	170,755	11,296	856,232
Capital Outlay	-	26,814	7,254,143	187,280	462,929	-	-	7,931,166
Total expenditures	<u>25,138,897</u>	<u>46,814</u>	<u>7,254,143</u>	<u>5,318,314</u>	<u>751,877</u>	<u>1,249,426</u>	<u>729,283</u>	<u>40,488,754</u>
Excess (deficiency) of revenues over (under) expenditures	<u>1,912,367</u>	<u>124,253</u>	<u>(5,381,473)</u>	<u>376,291</u>	<u>1,944,596</u>	<u>145,228</u>	<u>596,831</u>	<u>(281,907)</u>
OTHER FINANCING SOURCES (USES)								
Issuance of revenue bonds	-	-	-	-	-	-	-	-
Transfers in	-	-	5,937,189	-	-	-	-	5,937,189
Transfers out	-	-	-	(3,439,758)	(1,749,285)	(728,271)	(19,875)	(5,937,189)
Total other financing sources (uses)	<u>-</u>	<u>-</u>	<u>5,937,189</u>	<u>(3,439,758)</u>	<u>(1,749,285)</u>	<u>(728,271)</u>	<u>(19,875)</u>	<u>-</u>
Net change in fund balances	1,912,367	124,253	555,716	(3,063,467)	195,311	(583,043)	576,956	(281,907)
Fund balances - beginning	<u>14,601,115</u>	<u>3,832,844</u>	<u>1,405,394</u>	<u>10,287,870</u>	<u>483,971</u>	<u>1,731,116</u>	<u>1,715,115</u>	<u>34,057,425</u>
Fund balances - ending	<u>\$ 16,513,482</u>	<u>\$ 3,957,097</u>	<u>\$ 1,961,110</u>	<u>\$ 7,224,403</u>	<u>\$ 679,282</u>	<u>\$ 1,148,073</u>	<u>\$ 2,292,071</u>	<u>\$ 33,775,518</u>

**CITY OF BEAUFORT, SOUTH CAROLINA
COMBINING BALANCE SHEET
OTHER GOVERNMENTAL FUNDS
JUNE 30, 2025 (UNAUDITED)**

	<u>Special Revenue Funds</u>			<u>Permanent Fund</u>	
	<u>State Accommodations Tax Fund</u>	<u>Fire Impact Fees Fund</u>	<u>Drug Control and Prevention Fund</u>	<u>Cemetery Fund</u>	<u>Total-Other Governmental Funds</u>
ASSETS					
Cash and cash equivalents	\$ 1,650,444	\$ 586,730	\$ 36,048	7,246	\$ 2,280,468
Other receivables	309,076	-	-	-	309,076
Restricted cash and cash equivalents	-	-	26,086	-	26,086
Total assets	<u>1,959,520</u>	<u>586,730</u>	<u>62,134</u>	<u>7,246</u>	<u>2,615,630</u>
LIABILITIES AND FUND BALANCES					
Liabilities:					
Accounts payable	296,800	-	-	-	296,800
Other accrued expenses	3,142	-	-	-	3,142
Deposits and escrow	-	-	23,617	-	23,617
Total liabilities	<u>299,942</u>	<u>-</u>	<u>23,617</u>	<u>-</u>	<u>323,559</u>
Fund balances:					
Nonspendable:					
Cemetery	-	-	-	7,246	7,246
Restricted	1,659,578	586,730	2,469	-	2,248,777
Committed for:					
Law enforcement	-	-	36,048	-	36,048
Total fund balances	<u>1,659,578</u>	<u>586,730</u>	<u>38,517</u>	<u>7,246</u>	<u>2,292,071</u>
Total liabilities and fund balances	<u>\$ 1,959,520</u>	<u>\$ 586,730</u>	<u>\$ 62,134</u>	<u>\$ 7,246</u>	<u>\$ 2,615,630</u>

CITY OF BEAUFORT, SOUTH CAROLINA
COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
OTHER GOVERNMENTAL FUNDS
FOR THE MONTH ENDED JUNE 30, 2025 (UNAUDITED)

	Special Revenue Funds			Permanent Fund	Total-Other Governmental Funds
	State Accommodations Tax Fund	Fire Impact Fees Fund	Drug Control and Prevention Fund	Cemetery Fund	
REVENUES					
Other taxes	\$ 977,810	\$ -	\$ -	\$ -	\$ 977,810
Licenses and permits	-	299,242	-	-	299,242
Investment earnings	42,623	-	1,014	-	43,637
Miscellaneous	-	-	5,425	-	5,425
Total revenues	<u>1,020,433</u>	<u>299,242</u>	<u>6,439</u>	<u>-</u>	<u>1,326,114</u>
EXPENDITURES					
Current:					
General government	665,629	-	-	-	665,629
Debt Service					-
Principal	-	52,358	-	-	52,358
Interest and other charges	-	11,296	-	-	11,296
Total expenditures	<u>665,629</u>	<u>63,654</u>	<u>-</u>	<u>-</u>	<u>729,283</u>
Excess of revenues over expenditures	<u>354,804</u>	<u>235,588</u>	<u>6,439</u>	<u>-</u>	<u>596,831</u>
OTHER FINANCING SOURCES (USES)					
Transfers out	(19,875)	-	-	-	(19,875)
Total other financing sources (uses)	<u>(19,875)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(19,875)</u>
Net change in fund balances	334,929	235,588	6,439	-	576,956
Fund balances - beginning	<u>1,324,649</u>	<u>351,142</u>	<u>32,078</u>	<u>7,246</u>	<u>1,715,115</u>
Fund balances - ending	<u>\$ 1,659,578</u>	<u>\$ 586,730</u>	<u>\$ 38,517</u>	<u>\$ 7,246</u>	<u>\$ 2,292,071</u>

**CITY OF BEAUFORT, SOUTH CAROLINA
BUDGETARY COMPARISON SCHEDULE
GENERAL FUND
FOR THE MONTH ENDED JUNE 30, 2025 (UNAUDITED)**

	Budgeted Amounts			Variance with Final Budget Positive (Negative)	Variance with Final Budget Percentage
	Original	Final	Actual		
Revenues:					
Property taxes	\$ 9,598,632	\$ 9,598,632	\$ 10,083,927	\$ 485,295	105.1%
Franchise fees	2,258,000	2,258,000	2,407,025	149,025	106.6%
Fines and forfeitures	56,000	56,000	80,238	24,238	143.3%
Licenses and permits	6,870,000	6,870,000	7,769,035	899,035	113.1%
Intergovernmental	3,854,181	5,400,389	3,736,995	(1,663,394)	69.2%
Charges for services	2,064,665	2,064,665	2,058,711	(5,954)	99.7%
Investment earnings	550,000	550,000	791,076	241,076	143.8%
Miscellaneous	110,000	110,000	124,257	14,257	113.0%
Total revenues	25,361,478	26,907,686	27,051,264	143,578	100.5%
Expenditures:					
Current:					
General government					
City council	345,321	345,321	397,608	(52,287)	115.1%
City manager	952,161	952,161	876,929	75,232	92.1%
Finance	1,000,850	1,000,850	990,449	10,401	99.0%
Human resources	554,368	554,368	525,605	28,763	94.8%
Information technology	1,025,621	1,071,829	980,256	91,573	91.5%
Court and legal	637,050	637,050	555,076	81,974	87.1%
Non-departmental	822,823	822,823	792,978	29,845	96.4%
	5,338,194	5,384,402	5,118,901	265,501	95.1%
Law enforcement					
Police	5,703,134	5,703,134	5,647,473	55,661	99.0%
School resource officers	624,561	624,561	673,485	(48,924)	107.8%
Crossing guards	23,470	23,470	23,284	186	99.2%
Victims rights	113,246	113,246	106,948	6,298	94.4%
	6,464,411	6,464,411	6,451,190	13,221	99.8%
Fire and emergency					
City of Beaufort fire	6,773,028	6,773,028	7,080,905	(307,877)	104.5%
	6,773,028	6,773,028	7,080,905	(307,877)	104.5%
Public works					
Administration	503,580	503,580	487,613	15,967	96.8%
Maintenance	828,479	828,479	588,050	240,429	71.0%
Solid waste	1,401,015	1,401,015	1,409,281	(8,266)	100.6%
	2,733,074	2,733,074	2,484,944	248,130	90.9%

**CITY OF BEAUFORT, SOUTH CAROLINA
BUDGETARY COMPARISON SCHEDULE
GENERAL FUND
FOR THE MONTH ENDED JUNE 30, 2025 (UNAUDITED)**

	Budgeted Amounts		Actual	Variance with Final Budget Positive (Negative)	Variance with Final Budget Percentage
	Original	Final			
Streets	1,035,281	1,185,281	862,089	323,192	72.7%
	1,035,281	1,185,281	862,089	323,192	72.7%
Community development	1,455,846	1,455,846	1,295,514	160,332	89.0%
	1,455,846	1,455,846	1,295,514	160,332	89.0%
Total current	23,799,834	23,996,042	23,293,543	702,499	97.1%
Debt service:					
Principal	1,541,915	1,541,915	1,541,915	-	100.0%
Interest	303,438	303,438	303,438	-	100.0%
Total debt service	1,845,353	1,845,353	1,845,353	-	100.0%
Total expenditures	25,645,187	25,841,395	25,138,896	702,499	97.3%
Excess (deficiency) of revenues over (under) expenditures	(283,709)	1,066,291	1,912,368	846,077	
Other financing sources (uses):					
Transfers in	70,416	70,416	-	(70,416)	0.0%
Transfers out	-	(255,645)	-	(255,645)	0.0%
Total financing sources (uses)	70,416	(185,229)	-	(326,061)	0.0%
Net change in fund balance	(213,293)	881,062	1,912,368	1,031,306	
Fund balance, beginning of year	14,601,115	14,601,115	14,601,115	-	
Fund balance, end of year	\$ 14,387,822	\$ 15,482,177	\$ 16,513,483	\$ 1,031,306	

**CITY OF BEAUFORT, SOUTH CAROLINA
BUDGETARY COMPARISON SCHEDULE
TAX INCREMENT FINANCING DISTRICT II – SPECIAL REVENUE FUND
FOR THE MONTH ENDED JUNE 30, 2025 (UNAUDITED)**

	Budgeted Amounts			Variance with Final Budget Positive (Negative)	Variance with Final Budget Percentage
	Original	Final	Actual		
Revenues:					
Investment earnings	\$ 180,000	\$ 180,000	\$ 171,067	\$ (8,933)	95.0%
Total revenues	180,000	180,000	171,067	(8,933)	95.0%
Expenditures:					
Current:					
Capital Outlay	109,000	209,000	26,814	182,186	12.8%
Total expenditures	109,000	209,000	26,814	182,186	12.8%
Excess of revenues over expenditures	71,000	(29,000)	144,253	(191,119)	
Other financing (uses):					
Transfers out	(100,000)	(100,000)	-	(100,000)	0.0%
Total other financing uses	(100,000)	(100,000)	-	(100,000)	0.0%
Net change in fund balance	(29,000)	(129,000)	144,253	(273,253)	
Fund balance, beginning of year	3,832,844	3,832,844	3,832,844	-	
Fund balance, end of year	\$ 3,803,844	\$ 3,703,844	\$ 3,977,097	\$ (273,253)	

**CITY OF BEAUFORT, SOUTH CAROLINA
BUDGETARY COMPARISON SCHEDULE
CAPITAL PROJECTS FUND – SPECIAL REVENUE FUND
FOR THE MONTH ENDED JUNE 30, 2025 (UNAUDITED)**

		Budgeted Amounts			Variance with Final Budget Positive (Negative)	Variance with Final Budget Percentage
		Original	Final	Actual		
Revenues:						
Intergovernmental		\$ 11,162,332	\$ 10,043,427	\$ 1,784,644	\$ (8,258,783)	17.8%
Investment earnings		-	-	88,026	88,026	100.0%
Total revenues		11,162,332	10,043,427	1,872,670	(8,170,757)	18.6%
Expenditures:						
Current:						
Capital Outlay		21,649,789	23,677,663	7,254,143	16,423,520	30.6%
Total expenditures		21,649,789	23,677,663	7,254,143	16,423,520	30.6%
Excess of revenues over expenditures		(10,487,457)	(13,634,236)	(5,381,473)	(24,594,277)	
Other financing sources:						
Transfers in		9,787,457	12,821,036	5,937,189	(6,883,847)	46.3%
Total other financing sources		9,787,457	12,821,036	5,937,189	(6,883,847)	46.3%
Net change in fund balance		(700,000)	(813,200)	555,716	(1,368,916)	
Fund balance, beginning of year		1,405,394	1,405,394	1,405,394	-	
Fund balance, end of year		\$ 705,394	\$ 592,194	\$ 1,961,110	\$ (1,368,916)	

**CITY OF BEAUFORT, SOUTH CAROLINA
BUDGETARY COMPARISON SCHEDULE
PARKS AND TOURISM – SPECIAL REVENUE FUND
FOR THE MONTH ENDED JUNE 30, 2025 (UNAUDITED)**

				Variance with					
Budgeted Amounts				Final Budget	Variance with				
				Positive	Final Budget				
				(Negative)	Percentage				
Revenues:									
Other taxes	\$	4,375,000	\$	4,375,000	\$	4,484,686	\$	109,686	102.5%
Charges for services		855,500		855,500		636,572		(218,928)	74.4%
Investment earnings		250,000		250,000		376,008		126,008	150.4%
Miscellaneous		-		-		197,339		197,339	0.0%
Total revenues		5,480,500		5,480,500		5,694,605		214,105	103.9%
Expenditures:									
Current:									
Law enforcement		1,611,454		1,611,454		1,411,202		200,252	87.6%
Culture and recreation		1,865,718		1,865,718		1,777,147		88,571	95.3%
Community development		1,032,461		1,032,461		968,084		64,377	93.8%
Debt Service:									
Principal		603,858		603,858		603,858		-	100.0%
Interest and other charges		365,743		365,743		370,743		(5,000)	101.4%
Capital Outlay		195,600		195,600		187,280		8,320	95.7%
Total expenditures		5,674,834		5,674,834		5,318,314		356,520	93.7%
Excess (deficiency) of revenues over (under)									
expenditures		(194,334)		(194,334)		376,291		570,625	
Other financing sources (uses):									
Issuance of revenue bonds		-		-		-		-	
Transfers out		(5,733,016)		(5,933,016)		(3,439,758)		(2,493,258)	
Total financing sources		(5,733,016)		(5,933,016)		(3,439,758)		(2,493,258)	
Net change in fund balance		(5,927,350)		(6,127,350)		(3,063,467)		3,063,883	
Fund balance, beginning of year		10,287,870		10,287,870		10,287,870		-	
Fund balance, end of year	\$	4,360,520	\$	4,160,520	\$	7,224,403	\$	3,063,883	

**CITY OF BEAUFORT, SOUTH CAROLINA
BUDGETARY COMPARISON SCHEDULE
AMERICAN RESCUE PLAN ACT (ARPA) – SPECIAL REVENUE FUND
FOR THE MONTH ENDED JUNE 30, 2025 (UNAUDITED)**

	Budgeted Amounts			Variance with Final Budget Positive (Negative)	Variance with Final Budget Percentage
	Original	Final	Actual		
Revenues:					
Intergovernmental	\$ -	\$ -	\$ 2,501,162	\$ 2,501,162	0.0%
Investment earnings	302,306	302,306	195,311	(106,995)	64.6%
Total revenues	302,306	302,306	2,696,473	2,394,167	892.0%
Expenditures:					
Current:					
General government	208,973	308,973	288,948	20,025	93.5%
Capital Outlay	143,333	206,593	462,929	(256,336)	224.1%
Total expenditures	352,306	515,566	751,877	(236,311)	145.8%
Excess of revenues over expenditures	(50,000)	(213,260)	1,944,596	2,630,478	
Other financing (uses):					
Transfers out	(2,643,960)	(5,142,954)	(1,749,285)	(3,393,669)	34.0%
Total other financing uses	(2,643,960)	(5,142,954)	(1,749,285)	(3,393,669)	34.0%
Net change in fund balance	(2,693,960)	(5,356,214)	195,311	(5,551,525)	
Fund balance, beginning of year	483,971	483,971	483,971	-	
Fund balance, end of year	\$ (2,209,989)	\$ (4,872,243)	\$ 679,282	\$ (5,551,525)	

**CITY OF BEAUFORT, SOUTH CAROLINA
BUDGETARY COMPARISON SCHEDULE
STORMWATER – SPECIAL REVENUE FUND
FOR THE MONTH ENDED JUNE 30, 2025 (UNAUDITED)**

		Budgeted Amounts		Actual	Variance with Final Budget Positive (Negative)	Variance with Final Budget Percentage
		Original	Final			
Revenues:						
Charges for services		\$ 1,288,717	\$ 1,288,717	\$ 1,359,690	\$ 70,973	105.5%
Investment earnings		80,000	80,000	34,964	(45,036)	43.7%
Total revenues		1,368,717	1,368,717	1,394,654	25,937	101.9%
Expenditures:						
Current:						
Public works		855,117	855,117	733,671	121,446	85.8%
Debt Service:						
Principal		345,000	345,000	345,000	-	100.0%
Interest and other charges		168,600	168,600	170,755	(2,155)	101.3%
Total expenditures		1,368,717	1,368,717	1,249,426	119,291	91.3%
Excess (deficiency) of revenues over (under) expenditures		-	-	145,228	(93,354)	
Other financing (uses):						
Transfers out		(1,310,480)	(1,418,480)	(728,271)	690,209	51.3%
Total other financing (uses)		(1,310,480)	(1,418,480)	(728,271)	690,209	51.3%
Net change in fund balance		(1,310,480)	(1,418,480)	(583,043)	(835,437)	
Fund balance, beginning of year		1,731,116	1,731,116	1,731,116	-	
Fund balance, end of year		\$ 420,636	\$ 312,636	\$ 1,148,073	\$ (835,437)	

**CITY OF BEAUFORT, SOUTH CAROLINA
STATE ACCOMMODATIONS TAX SPECIAL REVENUE FUND
BUDGET TO ACTUAL
FOR THE MONTH ENDED JUNE 30, 2025 (UNAUDITED)**

	Budgeted Amounts			Variance with Final Budget Positive (Negative)	Variance with Final Budget Percentage
	Original	Final	Actual		
Revenues:					
Other taxes	\$ 933,333	\$ 933,333	\$ 977,810	\$ 44,477	104.8%
Investment earnings	36,000	36,000	42,623	6,623	118.4%
Total revenues	969,333	969,333	1,020,433	51,100	105.3%
Expenditures:					
General government	875,437	875,437	665,629	209,808	76.0%
Law enforcement	23,480	23,480	-	23,480	0.0%
Total expenditures	898,917	898,917	665,629	233,288	74.0%
Excess of revenues over expenditures	70,416	70,416	354,804	284,388	
Other financing uses:					
Transfers out	(70,416)	(100,416)	(19,875)	(80,541)	19.8%
Total other financing uses	(70,416)	(100,416)	(19,875)	(80,541)	19.8%
Net change in fund balance	-	(30,000)	334,929	364,929	
Fund balance, beginning of year	1,324,649	1,324,649	1,324,649	-	
Fund balance, end of year	\$ 1,324,649	\$ 1,294,649	\$ 1,659,578	\$ 364,929	

**CITY OF BEAUFORT, SOUTH CAROLINA
FIRE IMPACT FEES SPECIAL REVENUE FUND
BUDGET TO ACTUAL
FOR THE MONTH ENDED JUNE 30, 2025 (UNAUDITED)**

	Budgeted Amounts			Variance with Final Budget Positive (Negative)	Variance with Final Budget Percentage
	Original	Final	Actual		
Revenues:					
Licenses and permits	\$ 100,000	\$ 100,000	\$ 299,242	\$ 199,242	299.2%
Investment earnings	5,000	5,000	-	(5,000)	0.0%
Total revenues	105,000	105,000	299,242	194,242	285.0%
Expenditures:					
Debt Service:					
Principal	52,358	52,358	52,358	-	100.0%
Interest and other charges	11,296	11,296	11,296	-	100.0%
Total expenditures	63,654	63,654	63,654	-	100.0%
Net change in fund balance	41,346	41,346	235,588	194,242	
Fund balance, beginning of year	351,142	351,142	351,142	-	
Fund balance, end of year	\$ 392,488	\$ 392,488	\$ 586,730	\$ 194,242	



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 06/27/2025
From: Tim Ogden, Fire Chief
Item Name: Fire Department Monthly Report
Meeting Date: August 19, 2025
Department: Fire Department

Background Information:

Introduction:

Monthly report for June 2025.

Background:

Legal Authority:

Staff Recommendation:

Placed on Agenda For:

Action

Attachments:

1. Fire Department



City of Beaufort/Town of Port Royal Fire Department

June 2025 Report

Public Events

The Fire Department held several public education events throughout June.

- Sparking Embers Fire Boot Camp
- Attended the Youth Volunteer Program at Beaufort Memorial Hospital.
- Touch a Truck with Public Works
- CPR Class for Beaufort Water Rescue
- Egg Drop at Bridges Prep
- 2nd Annual Unity in the Community Event
- CPR class for Future Guardians program
- Wet down and Truck Presentation in Shadow Moss
- Provided Medical Standby for Dragon Boat Races

Fire Training

The Training Division conducted 814 hours and installed 1 car seat.

Special Training: All companies completed walk throughs of USC Beaufort downtown with Lady's Island FD Engine 220 and Engine 221. Companies also completed Hurricane Preparedness training with the Training Division for the upcoming Hurricane Season.

Medical

CPR classes: 4

Medical Standby events: 3 – Lowcountry Music Festival, Tidal Creek Fellowship Worship, and the Dragon Boat Race.

EMT Student Ride-A-Longs - 7

In Service: All shifts; Hurricane disaster, USAR marking, and extrication.

Fire Marshal

82 Certified Inspections
56 Engine Company Pre Plans

Training:

The Fire Marshal Division attended the SC State Fire Rescue Conference and the SC State Fire Marshals Association Conference in Myrtle Beach.

Personnel

- Trey Carter promoted to Battalion Chief
- Brett Johnson promoted to Captain
- Andrew Cox and Andrea Piedra promoted to Lieutenant
- Curtis Yockey and Tawana Kozlowski promoted to FF3
- Maeve McDonough, Damian Henry and Corey Hagens promoted to FF1

Three Marines started under the Skill Bridge Program. Two are certified and One will be attending the Fire Academy Recruit School in August.

Deputy Chief Ross Vezin was elected as 4th Vice President this year for the State Firefighters Association. He will now move up every year and serve as President in 2029. This election takes place during the SC Firefighters Annual Conference and Chief Vezin received the majority vote from over 500 fire departments across the state.

Apparatus

Engine 3 (E4083)- at W.W. Williams for Transmission & A/C repairs

Utility (U0655)- at MyTech for Turbo and Radiator replacement.

Major Incidents

511 Calls for service

Responded to 3 lightning strikes in homes.

- Echotango Road- Bluffton Automatic Aid
- Island Lane (Islands of Beaufort)
- Broad Street

Responded to 1 building fire- Johnny Morrall Cir.

Responded to 1 capsized dragon boat at Downtown Marina

PERSONNEL		
Part-Time	9	
Personnel Assigned	55	
Volunteer Personnel	18	
TOTAL PERSONNEL	82	

INCIDENT SUMMARY	BFT	P.R.
Structural Fires	2	1
Vehicle Fires	0	1
Brush, Trash Fire	2	2
Medical Calls	201	126
Vehicle Accident	21	4
Extrication (350-357)	0	1
Hazardous Condition	10	4
Service Calls (500)	22	21
Good Intent Calls (600)	30	18
False Calls (700)	17	22
Water Rescue	1	0
EMS Standby	0	
Month	306	200
Total Month	506	

TRAINING/EDUCATION		
Local Instruction	814	
TOTAL	814	

VOLUNTEER		
Local Instruction	0	
Monthly Station Standby	15	
TOTAL	15	

AID SUMMARY - ALL	LI	BUR	PI	other
BEAUFORT				
Aid Given		2		1
Aid Received				
Mutual Aid Given				
Mutual Aid Received				
PORT ROYAL				
Aid Given			3	
Aid Received				
Mutual Aid Given				
Mutual Aid Received				

FIRE PREVENTION	BFT	P.R.
Inspections Conducted	44	38
Violations Noted	10	17
Violations Corrected	3	18
Knox Box Installations	0	0
Fire Plans Reviewed	13	1
Burning Permits Issued	0	0
Permission to Burn Given	0	0
Public Education Events	11	3
Public Edu. Man Hours	184	10
# of Adults	95	21
# of Children	270	20
Car Seats Installation	1	
Smoke Detectors	1	1
CPR Certifications	25	



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 06/27/2025
From: Ivette Burgess, Human Resources Director
Item Name: Human Resources Monthly Report
Meeting Date: August 19, 2025
Department: Human Resources Department

Background Information:

Introduction:

Monthly report for June 2025.

Background:

Legal Authority:

Staff Recommendation:

Placed on Agenda For:

Action

Attachments:

1. Human Resources

Memorandum

To: Scott Marshall, City Manager
From: Ivette Burgess, Human Resources Director
Date: 7/15/2025
Re: Department Update – June 2025

Onboarding/New Hires

3 New Hires:

- Nicolas Moreo, Michael Byrd, Colin Etherington - Police Officers, Police Department

HR Highlights

- HR Specialist continues to train new HR Administrative Assistant.
- Wrapped up Open Enrollment for FY26. Process took up most of June as new HR Specialist was being trained for the first time regarding OE.



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 06/27/2025
From: Sarah Farrow, Court Administrator
Item Name: Municipal Court Monthly Report
Meeting Date: August 19, 2025
Department: Municipal Court

Background Information:

Introduction:

Monthly report for June 2025.

Background:

Legal Authority:

Staff Recommendation:

Placed on Agenda For:

Action

Attachments:

1. Municipal Court

**City of Beaufort Municipal Court
Monthly Department Report
June 2025**

DEPARTMENT OVERVIEW:

Bench trials are held every Monday and Thursday at 3:00pm. Seven sessions of bench trials were held in June 2025 and 250 cases were tentatively scheduled.

CASE OVERVIEW:

- New cases filed: 118 (61 traffic/57 criminal)
- Cases disposed: 85 (57 traffic/28 criminal)

DISPOSED CASES BREAKDOWN:

- 57 traffic cases
 - 24 guilty indicators (forfeiture, plea, or trial)
 - 33 not guilty indicators (dismissal by officer, Judge, or trial)
- 28 criminal cases
 - 12 guilty indicators (by plea or trial)
 - 16 not guilty indicators (through plea agreement or trial)

ARREST WARRANT OVERVIEW:

- 93 issued for criminal offenses

EXPUNGEMENTS:

- 14 cases initiated from court date.

JURY TRIAL OVERVIEW:

- 46 jury cases pending: 24 criminal/22 traffic

Next session of jury trials to be held in September 2025.



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 06/27/2025
From: Stephenie Price, Police Chief
Item Name: Police Department Monthly Report
Meeting Date: August 19, 2025
Department: Police Department

Background Information:

Introduction:

Monthly Report for June 2025.

Background:

Legal Authority:

Staff Recommendation:

Placed on Agenda For:

Action

Attachments:

1. Police Department

BEAUFORT POLICE DEPARTMENT

1901 Boundary St. Beaufort, SC 29902

843-322-7900



Stephenie Price
Chief of Police

June 2025 Monthly Report

Part-1 Crimes Statistics

	Arson	Aggravated Assault	Burglary B/E	CSC	Homicide	Larceny	Mv Theft	Robbery
January	0	0	0	2	0	34	2	0
February	0	3	3	1	1	20	1	0
March	0	3	3	0	0	30	1	1
April	0	4	1	0	0	30	2	1
May	0	5	0	0	0	26	0	3
June	0	2	5	2	0	38	2	0

Total Calls for Service: 4,339

- Officer Initiated: 3,130
- 911 Line: 496
- Non-Emergency: 713
- SMS T-911: 0

Community Events Attended: 8

- June 6: Blood Drive
- June 14: Touch a Truck with Public Works
- June 15: Juneteenth Parade
- June 21: Unity in the Community Event at Greene Street Gym
- June 23-26: Future Guardian's Summer Camp
- June 25: Movie Event at Green Street Gym
- June 28: 3rd Annual Open House

Chief's Updates:

- June 2: Nuisance Abatement Meeting
- June 3: Interview with WSAV
- June 6: Blood Drive
- June 12: No Kings Demonstration at City Hall Meeting
- June 14: Touch a Truck
- June 14: No Kings Demonstration Rally
- June 16: Golf Cart Ordinance Meeting
- June 18: Ribbon Cutting South Atlantic Bank
- June 18: Patriot Day Meeting
- June 25: June 2: Nuisance Abatement Meeting
- June 25: Movie Event Charles Lind Brown Center
- June 26: MAG Meeting
- June 26: Neighborhood Meeting City Hall
- June 30: COPS Grant Application Submitted

Upcoming Events:

- July 11-20: Water Festival
- July 23: Movie Event



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 06/27/2025
From: Nathan Farrow, Public Works Director
Item Name: Public Works Monthly Report
Meeting Date: August 19, 2025
Department: Public Works Department

Background Information:

Introduction:

Monthly Report for June 2025.

Background:

Legal Authority:

Staff Recommendation:

Placed on Agenda For:

Action

Attachments:

1. Public Works



CITY OF BEAUFORT PUBLIC WORKS DEPARTMENTS
MONTHLY ACCOMPLISHMENTS

MONTH OF: AUGUST COUNCIL MEETING (FY26) WITH JUNE (FY25) ACCOMPLISHMENTS

EVENTS: ***PUBLIC WORKS 4TH ANNUAL “TOUCH A TRUCK”**
 ***EMERGENCY CLOSE PROMENADE/SEAWALL WFP**
 ***Bft Swim: PW delivery of “SAND” @ Marina Boat Landing**
 ***PW Set up/Take down electrical “Dragon Boat” @ WFP**
 ***PW Electric Set Up/Take down “Music Festival”**

Weekly Safety Briefs: Miguel Canela-Pena - **Hvy Equip in Heat / Summer and your body / Fire Extinguishers / Secure your Load**

See/Click/Fix: Reported: 68
 Resolved to date: 1,218

811 Locates Reported & Reviewed: 105

PO's (PR's) Created and Processed 38

Banners Reserved and Hung 23

On-Call Traffic: B. Durrance / N. Farrow/ A. Davis

Weekend Parks: M. Heru / N. Bloodsaw / C. Underwood / M. Alston

Recurring:

Meetings: Daily Staff / Weekly Supervisor / Weekly Review of FY 26 Budget

Update to reports: Drainage / Tree / Street / Banner / Credit Card / Budget
 Spread Sheet / Payroll / Daily Weight Tickets

Stormwater/Street: Routine Easement maintenance / Flap Gate inspection &
 Maintenance / inspection and maintenance all
 Equipment / routine drainage maintenance
 Maintenance of open land trust areas and large park/city owned
 Area (Commerce Park)

Parks:

- Inspection and maintenance to all Parks & playgrounds, restrooms, buildings, benches, etc.; along with all ground maintenance (cutting, weed eating, weed maintenance, plantings, tree trimming, etc)
- Routine restroom cleaning in multiple parks
- Routine full upkeep of Spanish Moss Trail litter control/water fountains / cross walks weekly
- City wide trash run all parks weekly
- Watering for beds and areas without irrigation

- **All staff completed Know B4 required training**

Administration:

- Complete FY 26 Hauler Permit Application for vehicles used @ Bft Cty dump sites, and email to Beaufort County Solid Waste.
- Assisted General Support with conduit install for Streetlights on Boundary Street.
- Touch a Truck meeting at Southside Park: establishing site for each item / delivered equipment / set up and take down back to PWC / clean Southside Park area after event / picked up raffle items and other supplies and “give a ways”.
- Attended a Southside Park phase 2 meeting at City Hall.
- Responded to and corrected a traffic signal malfunction at Ribaut Road and North Street / loop detection issue at Broad River Blvd and Parris Is Gtwy.
- Assisted staff with cleaning up the dumpster enclosure at the marina parking lot.
- Assisted staff with the removal of bicycles from the bike rack at WFP. Ops. Manager brought the bicycles to PW for 30-day hold.
- Assisted staff with the clean up of the area behind the Greenery shed at WFP.
- Responded after hours to a tree down on Scott Street between Prince Street and Duke Street.
- Checked the Broad Street area where a truck overturned into the green.
- Removed and set up re-install of “yield to” pedestrians in a crosswalk sign that had been hit.
- Oversaw staff checking multiple areas prone to flooding daily T-storms.
- The Ops. Manager found Hogarth and Boundary Street signals in flash on way into work and corrected.
- Assisted General Support staff with breaking down Music Festival equipment at WFP and storing the equipment away at Public Works.
- Attended a Night of Worship planning meeting at Downtown Operations and WFP.
- Assisted General Support with tree trimming at Southside Park.
- Responded to a tree leader that fell at the intersection of Godfrey and Nairne Streets with property damage to an enclosed trailer. Notified SCDOT and they responded to clean it up.
- On Sunday, Ops. Manager responded to a traffic light malfunction at Broad River Blvd and Parris Island Gateway and corrected it.
- Removed debris from a storm drain at Church Street and Boundary Street.
- Responded after hours to correct a traffic signal malfunction at Broad River Blvd. and Parris Island Gateway.

- Management met with Beaufort County Stormwater Inspectors on Bayard Street to look at a drainage pipe that was damaged.
- Provided support to Stormwater and crew repairing a sinkhole on Pick Pocket Plantation.
- Responded to a see click fix complaint at 1306 Duke Street concerning a bright streetlight.
- Assisted the Traffic Department with changing the green light bulb at Boundary Street and Hogarth.
- Responded to a tree down on Washington Street after hours and assisted Fleet Supervisor, General Support, and Park Team Leader with removal.
- Responded to report of a tree down on Reynolds Street Alley and assisted Parks staff with the removal of it.
- The Ops. Manager met with SCDOT at 2211 Prince Street in reference to a clogged storm drain.

Office Administration:

- YEAR END CLOSE OUT BUDGET (Invoices, reports, spread sheets, etc)
- PREP FOR FY26 OPENING BUDGET (spread sheets, report books, Log in sheets, etc)
- Worked w/ Finance Division for review and confirming “carry over” PO’s into the FY26 budget year.
- Internet Security Training
- Assist with Touch a Truck prep and set up
- Attended State Transport Police training class PWC.
- **EMERGENCY** – **HVAC** issues @ PD building – Staff locating part and making installation for repairs. Multiple a/c units “rented” until repairs completed.
- Researching an encroachment permit request on Coleman Lane (city owned street – stormwater drains/driveway/etc issues).
- Banner Hanging request for 2025 and partial 2026 for Downtown Operation division, multiple events (First Friday, Shrimp Festival, Dec Holiday Weekend, Taste of Beaufort, etc) Applications and documents were set for 14 events through PW.
- Research: multiple vendors contacted for rentals of porta pottys for the Spanish Moss Trail.
- Street Pole Banner exchange outs.
- Met with vendor to confirm accurate completion of “mats” maintenance at Police/Court building. New driver unaware of process for PD (needing escort through building and change out of mats and signature required, etc).

Facility Maintenance Division

- Fire Dept Hdqtr HVAC Compressor went down, troubleshoot & repaired
- Installed 2 soap dispensers at WFP marinas restrooms / tile repaired in foyer entrance WFP restrooms / Worked on Greenhouse at PWC - Water Cool fan needed replacing, - ordered
- Worked with Whitmore plumbing to order 8 faucet valve replacements
- Repaired water leak at Arsenal building / Repaired Women’s restroom lighting, faucet assembly, and toilet seat at 500 Carteret
- Corrected bad smell at City Hall / Restored chiller, at PD, “went out on faults” / Repaired HVAC at Carnegie building / Repaired back door at 1901 Boundary PD building; calibrated door on court side handicap ramp

- Repaired and installed toilet paper dispensers at Washington St Park / Repaired electrical outlet for camera
- Repaired “Peoples clock” on Bay Street - installed glass covering
- Touch A truck – worked event
- Walk through with elevator inspector / Test ran generator at City Hall / Escort Terminix @ PD building / Repair Cooling tower for the PD Chiller / Repaired Ice machine at PD / Sprayed for wasp nest at PD building
- Tile work repaired at Marina restrooms
- PD rooftop Air Handler Blower motor removed and replacement installed
- Repaired Upstairs Toilet at 500 Carteret
- Empty water tanks at PD portable AC
- Repaired Min split at the Arsenal men’s restroom
- Repaired Air Conditioner at Fire Station 4, drain pan clogged

Stormwater / Street Division:

- Performed easement maintenance in the Core District, Hundred Pines area, and Battery Creek Rd. / easement maintenance @ First Blvd and Southside Blvd. / Southside Blvd and Broad Street, along with Ivy and Azalea Ln. / Paul Dr into Southside Blvd
- Drainage inspections due to heavy rain during daily t-storms through out month.
- Assisted with park maintenance (cutting & mowing) @ Southside Park.
- Bush hogging at Battery Saxon, O’Connell St, Lafayette St, and Harrington St.
- Removal of dead pine tree @ 2656 Broad St. (Southern Tree Service)
- Bush hogging @ Southside Park and Harrington St., First Blvd, Ivy and Azalea Ln
- Attended Pipe installation training class in N. Charleston.
- Repaired sinkhole/trip hazards on the seawall @ Waterfront Park / Pick Pocket Plantation in front of The Oaks Nursing Home entranced. / Charles Street exit near gift shop / also other areas that were forming around catch basins on Lovejoy St behind Starbucks.
- Hauled debris to the landfill from the PW debris staging area.
- Cleaned up and staged equipment for Touch A Truck event @ Southside Park.
- Picked up illegal debris piles located on SS Blvd, Mossy Oaks Rd, The Core District, and Higginsonville/Pigeon Pt area.
- Repairing trip hazards on the seawall at the Waterfront Park.
- Assisted Fortis Vac Truck with cleaning out drainage systems located on Hookstra Ln and Elizabeth Ln.

Parks Division:

- Sprayed SS Park for ants in preparation for Touch a Truck event
- Repaired three locations at the WFP of broken or sunken pavers (See Click Fix)
- Removed three shrubs in front of the SS Dog Park
- Built 4 new metal picnic tables for SS Dog Park (3 for the large side and 1 extra for the small)
- Checked Drains in Mossy Oaks, Spanish Point, Pigeon Point and Old Point during heavy rainstorm

- Built 4 new benches for Downtown Operations
- Assisted Stormwater with mower maxing the Boundary St Bluff/Battery Saxton
- Supervisor responded to a bathroom issue at SS Park 1st Saturday of June

Traffic Control / General Support:

- Installed conduit and bases for 3 replacement streetlights on Boundary
- Replaced water jugs at Court
- Verified dominion has not repaired lights / Looked into damaged streetlight in front of USCB; and installed 3 street light for Dorm Phase 2 / Replaced Photocell on Boundary St light and Polk St light
- Assisted Stormwater with unclogging ditches Southside Blvd and surrounding area.
- Assisted with removing hanger (Broken Limb) on Ribaut / Bay St
- Set up and tear down for Music Festival @ WFP (electrical panels, etc) / Run wires through conduit for dorm lights
- Traffic light call out to Boundary and Hogarth
- Hung touch a truck banners for event
- Assist Fleet with troubleshooting small bush hog
- Remove banner on Bay and Ribaut
- Traffic call out to Bluffton Pkwy and Buckwalter
- Attended meeting for Night of Worship
- Assisted with pressure washing 308, Big Dump, Knucleboom, and Small Dump
- Trimmed tree at Southside for fire department
- Remove Air Conditioner from the Arsenal
- Touch a Truck prep (goody bags), set up, drop off equipment, etc. Worked the event.
- Removed tree debris from in front of USCB
- State Transport Police Training
- Ordered lights for Depot Building
- Installed flag supports on Downtown Bridge
- Replaced 3 Spigots at waterfront park
- Provided power and cable covers for Dragonboat Race event in the downtown park
- Replaced pavers on waterfront
- Attended Water Festival Meeting
- Repaired main entry door for Downtown Operations

Fleet / Equipment:

- Weekly Equipment and Vehicle checks
- Weekly stock and shop checks
- Touch A Truck: set up, delivery, tear down, clean up

- Repairs: Replaced 4 batteries in Tow Behind Arrow Board / Replaced 1 set of cutting blades and Battery on Street Department mower / Replaced 2 Carburetors on 2 presser washers / Replaced Carburetor on walk behind blower / parks department weed eater / Bobcat Mini-Bush Hog Fuel leak / Changed 1 set of cutting blades on parks dept. riding mower / Replaced 2 hydraulic hoses on manlift / Replaced 3 sets of cutting blades on riding mowers / Installed battery tender on Manlift trailer / Repaired wiring on Utility Trailer / Installed fuel tank on Bobcat Mini-Bush Hog / Repaired pulley on street department riding mower
- P/U debris on Pigeon Point Road and Whitehall Park with Knuckle Boom / debris with vehicle 403 at Marina parking lot / debris from Pick Pocket Plantation
- Drop-Off and P/U vehicle 702 for safety recall
- Cut grass at PW
- Annual Inspection completed on Skyjack
- Dropped off manlift Trailer to Blanchard Equip.
- After hours, addressed a down tree limb at Washington and Carteret Street (800PM to 0100AM)
- Assisted with the hanging of the flag on Woods Bridge
- Assisted duty off hours, weekend, the stage fencing for Waterfront Park closing. Installed fencing, barricades, signage, etc.



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 08/07/2025
From: Jennifer Pointer, Administrative Assistant
Item Name: Request from Beaufort County Veteran's Affairs for street closures to host the annual Veterans Day Parade on Tuesday, November 11, 2025, from 8:00 am to 12:00 pm
Meeting Date: August 19, 2025
Department: Downtown Operations

Background Information:

Introduction:

Request from Beaufort County Veteran's Affairs for street closures to host the annual Veterans Day Parade on Tuesday, November 11, 2025, from 8:00 am to 12:00 pm. The approved parade route will be used.

Background:

Beaufort County Veterans Affairs will host its annual Veterans Day Parade.

- Tuesday, November 11, 2025.
- 8:00 am to 12:00 pm.
- Floats, walking groups, autos, motorcycles, and marching bands.
- Approx. 45 organizations will participate.
- The approved parade route will be used.
- The parade will be broadcast live by Beaufort County Broadcast Services.

Legal Authority:

[City Code of Ordinances – Part 7, Chapter 6 – Parades, Picket Lines, Group Demonstrations](#)
[City Code of Ordinances – Part 7, Chapter 14 – Traffic Control and Street Closures](#)

Staff Recommendation:

Staff recommends approval

Placed on Agenda For:

Action

Attachments:

1. 2025-11-11 Veterans Day Parade



BEAUFORT COUNTY VETERANS AFFAIRS OFFICE

P.O. DRAWER 1228, BEAUFORT, SC 29901-1228

"HONORING ALL WHO SERVED"

Phone (843) 255-6880 / Fax (843) 255-9445

1 August 2025

Linda Roper
Downtown Operations and Community Services Director
500 Carteret St., Suite B2
Beaufort, SC 29902

Dear Ms. Roper,

We respectfully request to hold a Veterans Day parade on 11 November 2025. Beaufort has a long history of forging relations with our three bases and honors the contributions and sacrifices of all those who served. Bringing together our community for recognition of our Veteran community is most fitting. The format and execution of the parade will be the same as previous years. Next under is our application for the 2025 Veterans Parade. Should you have any questions, please don't hesitate to contact me.

Very Respectfully,

Caroline P. Fermin
Director, Veterans Affairs
(843) 255-6881
Caroline.fermin@bcgov.net



PUBLIC ASSEMBLY AND PARADE APPLICATION

City of Beaufort
500 Carteret Street Suite B2, Beaufort, South Carolina, 29902
p. (843) 379-1076 | www.cityofbeaufort.org
To be filed **NOT LESS** than 60 days before event

Please Check One:

☐ Public Assembly Request

☒ Parade Request

Name of Applicant: Caroline Fermin Director, Veterans Affairs

Address: P.O. Box 1228, Beaufort, SC 29901-1228 Phone # 843 255-6881

Name of Sponsoring Organization: Beaufort County Veterans Affairs

Address: P.O. Box 1228, Beaufort, SC 29901-1228

PUBLIC ASSEMBLY: \$25.00 non-refundable application fee is applied when 50 or more in attendance

Date of Public Assembly: 11/11/2025 Time Assemble will begin: 0830

Location of Assembly Area: Adventure and Boundary Streets

Type of Public Assembly (including description of activities): Parade with floats, walking groups, autos, motorcycles, and marching bands

Description of Recording Equipment, sound amplification equipment, banners, signs, or other devices to be used: Parade will be broadcast live by Beaufort County Broadcast services

PARADE: \$25.00 non-refundable application fee is payable when the application is submitted

Date of Parade: 11/11/2025

Time Parade Will Begin: 10:00 AM Parade will Terminate: 12:00 PM

Time Parade Line-Up Begins: 8:30AM Location(s) of Line-Up Area(s): Adventure Street

Route Proposed (Giving Starting & Termination Points):

Boundary, Carteret, Bay, Bladen ending at the National Cemetery

Approximate Number of Persons, Animals & Vehicles Constituting Parade:

45 organizations

Parade Will Occupy All of the Width of the Streets to be Traversed Yes

Parade Will Occupy Only a Portion of the Width of the Streets to be Traversed

Interval of Space between Units in Parade: 10-15 feet

NOTE: IF THE PARADE IS DESIGNED TO BE HELD BY AND ON BEHALF OF OR FOR ANY PERSON OTHER THAN THE APPLICANT, THE APPLICANT FOR SUCH PERMIT SHALL FILE A LETTER FROM THAT PERSON WITH THE CITY MANAGER AUTHORIZING THE APPLICANT TO APPLY FOR THE PERMIT ON HIS BEHALF.

Signature of Applicant: Caroline P. Fermin Digitally signed by Caroline P. Fermin
Date: 2023.08.31 08:19:23 -04'00' Date: 7/31/2025

OFFICE USE ONLY: Application Received By: _____ Date Received: _____ Receipt #: _____
Approved By: _____



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 08/12/2025
From: Jennifer Pointer, Administrative Assistant
Item Name: Request from JP Signature Events (Building Brighter Futures) for co-sponsorship, waiver of the noise ordinance, drinking in public, and a waiver of alcohol in the Henry C. Chambers Waterfront Park to host the 3rd Annual Music Festival of the Lowcountry on Saturday, June 6, 2026, from 1:00 pm to 12:00 am
Meeting Date: August 19, 2025
Department: Downtown Operations

Background Information:

Introduction:

Request for JP Signature Events (Building Brighter Futures) for co-sponsorship, waiver of the noise ordinance, drinking in public, and a waiver of alcohol in the Henry C. Chambers Waterfront Park in order to host the 3rd Annual Music Festival of the Lowcountry on Saturday, June 6, 2026, from 1:00 pm to 12:00 am

Background:

1. Request for co-sponsorship of Henry C. Chambers Waterfront Park for the 3rd Annual Music Festival of the Lowcountry to benefit the non-profit Building Better Futures for Saturday, June 6, 2026
2. Waiver of loud and unseemly noise ordinance for festival concerts from 1:00 pm to 12:00 am
3. Waiver for drinking in public during festival hours
4. Waiver for drinking in a public park (Waterfront Park)

Legal Authority:

[Code of Ordinances - Part 9, Chapter 1, Sec. 9-1008. - Loud and unseemly noise.](#)
[Code of Ordinances - Part 7, Chapter 7, Sec. 7-7002. - Public drinking.](#)

Staff Recommendation:

Approval

Placed on Agenda For:

Action

Attachments:

1. 2026-06-06 Letter of Intent_Music Festival of the Lowcountry 2026
2. 2026-06-06 Co-Sponsorship Form for CWP_musicfestivalofthelowcountry2026
3. 2026-06-06 Lowcountry Music Festival Building Brighter Futures - Certificate of Existence

Jamie Peart
Building Brighter Futures
1011 Bay St,
Beaufort, SC 29902
jamiepeart.realtor@gmail.com
(951) 852-5487

08/11/2015

City of Beaufort - City Council
1911 Boundary Street
Beaufort, South Carolina 29902

Subject: Letter of Intent the Music Festival of the Lowcountry 2026

Date of Event: 6/6/2026
Date of Setup: 6/5/2026
Date of Takedown: 6/7/2026
Time of Event: Event will be live from 1:00 PM – 12:00 AM

Dear Members of the City Council,

I am writing to express our sincere intent to organize the third Music Festival of the Lowcountry, a free family event aimed at building community spirit, diversity, and showcasing the remarkable talent that our local low country has to offer.

Event Overview:

The Music Festival of the Lowcountry is designed to bring together residents of Beaufort and surrounding areas for a day of musical celebration, fostering a sense of community and pride. Our primary goal is to create a vibrant and inclusive atmosphere that highlights the rich cultural heritage and artistic talent present in the Lowcountry. The tentative date is Saturday, June 6th, 2026, located in The Henry C. Chambers Waterfront Park on Bay Street in the heart of historic downtown Beaufort.

When the event began in 2024, it was a free event to the public offered by a for profit corporation. We are excited to state that today, Music Festival of the Lowcountry is hosted by Building Brighter Futures, a nonprofit organization. The intent of this festival is not to profit, but to offer a better experience for our community and to bring in visitors to increase our local economy during the month of June – a typically slower month according to Visit Beaufort.

Key Features:

1. **Community Engagement:** The festival will serve as a platform to showcase local talent, encouraging a sense of community pride and supporting the region's artists.

2. ****Security:**** We plan to collaborate with the Beaufort Police Department to ensure the safety and well-being of all attendees. Their expertise will be instrumental in maintaining order and providing a secure environment for the festival. We would like to take this time to request an in-kind sponsorship with the Beaufort Police Department.

3. ****Medical Services:**** The Beaufort Fire Department will be engaged to provide necessary medical services, ensuring prompt response and assistance in case of emergencies. We would like to take this time to request an in-kind sponsorship with the Beaufort Police Department.

4. ****Liability Insurance:**** We understand the importance of safety and are committed to securing liability insurance coverage of 1 million dollars to address any unforeseen circumstances that may arise during the event mitigating any risk for the city.

5. ****Power and Electrical:**** The Beaufort Public Works Department will play a crucial role in facilitating power and electrical requirements for the festival, ensuring a smooth and reliable setup.

6. ****Sanitation and Clean-Up:**** The Greenery will help maintain and protect the grounds. Capital Waste Services (CSW) will provide trash and waster services. We intend to work with On-site Porta Potties for Restroom and hand washing station.

7. **Food Vendors:** We intend to reach out to local food trucks and vendors and work with public works to protect the grounds from their stations.

8. **Alcohol:** We are discussing partnerships and sponsorships with Lee Distributors. We are prepared to obtain a license, purchase additional insurance, and will have stations setup to check IDs and provide bracelets.

City Hall Waiver Requests:

1. Noise
2. Alcohol in the Park
3. Fees to use the Park

We believe that the Music Festival of the Lowcountry aligns with the values and spirit of our community, offering a wholesome and entertaining experience for all attendees. The Music Festival of the Lowcountry on June 7th, 2025 invited and hosted more than 5,700 people in Henry C. Chambers Waterfront Park. Of those individuals, the average time spent at the event was 102 minutes. These statistics were collected and shared by Visit Beaufort.

We kindly request your support, sponsorship and collaboration in obtaining the necessary authorizations and approvals to host this event successfully. This is a not-for-profit event executed and sponsored by, volunteers, local businesses and business professionals. We respectfully ask for waivers of park rental and parking space fees. We are eager to work closely with the City of Beaufort to address any concerns or requirements that may arise during the planning process.

Thank you for your time and consideration. We look forward to the opportunity to contribute positively to the cultural vibrancy of Beaufort through the Music Festival of the Lowcountry.

Sincerely,

Jamie Peart
Building Brighter Futures
951-852-5487

REQUEST FOR CO-SPONSORSHIP

Henry C. Chambers Waterfront Park

Name of Event Music Festival of the Lowcountry

Date of Event: June 6, 2026

Contact person: Jamie Peart

Telephone: 951-852-5487 OR

Brittany Underwood | 678-654-8006

Please check all that apply.

	Yes	No
<i>Are you a "For Profit" entity?</i>		No
<i>Is this a fund-raising event?</i>		No
<i>Is this event open to the public?</i>	Yes	
<i>Is there a required fee / donation to attend this event?</i>		No
<i>Are you requesting more than two (2) park areas for this event?</i>	Yes	
<i>Will there be any type of "sales" for this event?</i>	Yes	
<i>Will this event require more than four (4) hours (includes setup & take down)? This is a multiple day display</i>	Yes	
<i>Will alcohol be sold / served?</i>	Yes	

****If you answered "no" to the first question, what is your non-profit status? (501 (C) (3), (4) or (6))?**Building Brighter Futures - Please see attached Certificate of Exsistence

Request for waivers/co-sponsorship of events must be approved by City Council prior to the event.

Events Coordinator Recommendation: Approved: _____ Denied: _____

Explanation: _____

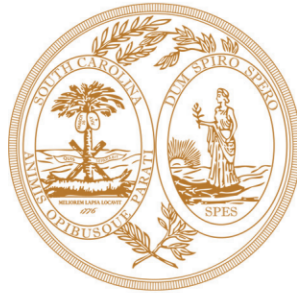
Forward for Council Deliberation: _____

Date of Council Meeting

Council: Approved: _____ Denied: _____

Explanation: _____

The State of South Carolina



Office of Secretary of State Mark Hammond

Certificate of Existence

I, Mark Hammond, Secretary of State of South Carolina Hereby Certify that:

Building Brighter Futures, a nonprofit corporation duly organized under the laws of the State of South Carolina on June 13th, 2025, has as of the date hereof filed as a nonprofit corporation for religious, educational, social, fraternal, charitable, or other eleemosynary purpose, and has paid all fees, taxes and penalties owed to the State, that the Secretary of State has not mailed notice to the company that it is subject to being dissolved by administrative action pursuant to S.C. Code Ann. §33-31-1421, and that the nonprofit corporation has not filed articles of dissolution as of the date hereof.

Given under my Hand and the Great Seal
of the State of South Carolina this 13th day
of June, 2025.


Mark Hammond, Secretary of State



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 08/12/2025
From: Jennifer Pointer, Administrative Assistant
Item Name: Request from Beaufort Jasper YMCA for co-sponsorship for the 20th Annual Beaufort River Swim on Saturday, June 6, 2026, use of the Marina/Waterfront Park and portion of the Marina Parking Lot from 5:00 am to 12:00 pm
Meeting Date: August 19, 2025
Department: Downtown Operations

Background Information:

Introduction:

Request from Beaufort Jasper YMCA for co-sponsorship for the 20th Annual Beaufort River Swim on Saturday, June 6, 2026, use of the Marina/Waterfront Park and portion of the Marina Parking Lot from 5:00 am to 12:00 pm.

Background:

1. Co-sponsorship of Marina/Waterfront Park, Saturday, June 6, 2026, from 5:00 am to 12:00 pm.

Legal Authority:

Home Rules & General Power.

Staff Recommendation:

Staff recommends approval of this event.

Placed on Agenda For:

Action

Attachments:

1. 2026-06-06 Beaufort River Swim



5K RUN/WALK APPLICATION

City of Beaufort-Downtown Operations & Community Services

Attn: Jennifer Pointer - Events & Tour Coordinator

500 Carteret Street, Suite B2 Beaufort, SC 29902

Phone: (843) 379-7519 / Email: events@cityofbeaufort.org | www.cityofbeaufort.org

To be filed NOT LESS than 150 days before event

- **Fee:** \$25.00 non-refundable application fee is payable when the application is submitted
- **Run/Walk Route:** City of Beaufort has a standard route in place that everyone must follow

Name of Applicant: Meredith Anderson

Address: 3007 Riverside Ln BA 29902 Phone # 843 592 2801

Email: meredithann.anderson@gmail.com

Name of Sponsoring Organization: Beaufort Jasper YMCA

Address: 1801 Richmond Ave Port Royal, SC 29935

Date of 5K Run/Walk: June 6, 2026

Time of 5K Run/Walk will Begin: 9:30

5K Run/Walk will Terminate: 12 noon

(Swim
starts
at 8:30)

Time 5K Run/Walk Line-Up Begins: _____ Location(s) of Line-Up Area(s): _____

Approximate Number of Persons, Animals in the 5K Run/Walk: 100

5K Run/Walk will occupy all the width of the streets to be traversed: no-red brick path/sidewalk

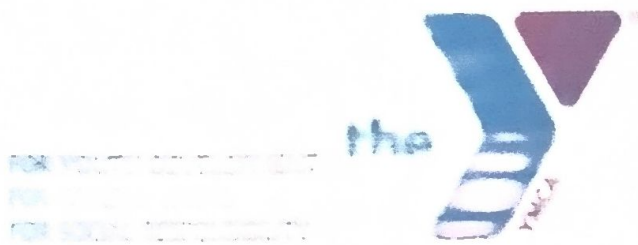
5K Run/Walk will occupy only a portion of the width of the streets to be traversed: _____

OFFICE USE ONLY: Application received by: _____ Date Received: _____

Receipt #: _____ Approved By: _____

NOTE: IF THE 5K RUN/WALK IS DESIGNED TO BE HELD BY AND ON BEHALF OF OR FOR ANY PERSON OTHER THAN THE APPLICANT, THE APPLICANT FOR SUCH PERMIT SHALL FILE A LETTER FROM THAT PERSON WITH THE CITY MANAGER AUTHORIZING THE APPLICANT TO APPLY FOR THE PERMIT ON HIS BEHALF.

Signature of Applicant: Meredith Anderson Date: 8/1/25



August 1, 2025 City of Beaufort-Downtown Manager & Events Coordinator

I would like to request on behalf of the Beaufort-Jasper YMCA of the Lowcountry the continued use of the downtown boat ramp and surrounding area for our 20th annual Beaufort River Swim on Saturday June 6, 2026. The last six years our swim grew to include a 5k optional run immediately following the swim. Our 5k run is unique in comparison to a traditional 5k; the participants do not line up for a gun start run. Once the swimmer is done with their swim, they transition (change into running attire) and then begin their run. The run will be on the red brick path behind the restaurants and on the sidewalk up the bridge. There will not be clusters of runners impeding on pedestrians in the park or on the bridge. The additional 5k has been successful and I anticipate the same for this year.

The Beaufort River Swim began in 2006 to promote the sport of swimming while the Water Festival was occurring. The Beaufort-Jasper YMCA took charge of the event in 2008. The YMCA recognized the need and opportunity to give swim lessons to both children and adults. All proceeds of this event benefit our Learn to Swim Program. We don't limit ourselves to swim lessons at our YMCA in Port Royal, the YMCA covers swim lessons throughout Beaufort, Jasper and Hampton Counties. Additionally, we have partnered with the Beaufort County School District to provide swim lessons to our local elementary school students. The Beaufort Jasper YMCA gave over 1,000 swim lessons to adults and children last year! This impact would not be possible without the Beaufort River Swim and its supporters.

We thank you for your consideration in our efforts. We believe no one in Beaufort, Jasper, or Hampton County should go without the opportunity to learn to swim because of lack of funds.

Respectfully,

Perri Flaherty
Aquatic Director
Wardle Family YMCA
Phone: 843-379-1365
Email : p.flaherty@wardlefamillyymca.org

BEAUFORT-JASPER YMCA OF THE LOWCOUNTRY
1801 Richmond Ave., Port Royal, SC 29935 • 843-522-9622 • beaufort-jasperymca.org

REQUEST FOR CO-SPONSORSHIP

Henry C. Chambers Waterfront Park

Name of Event Beaufort River Swim

Date of Event: June 6, 2026 Contact person: Meredith Anderson
Telephone: 843 592 2801

Please check all that apply.

	Yes	No
<i>Are you a "For Profit" entity?</i>		***
<i>Is this a fund-raising event?</i>		X
<i>Is this event open to the public?</i>	X	
<i>Is there a required fee / donation to attend this event?</i>	X	
<i>Are you requesting more than two (2) park areas for this event?</i>	X	
<i>Will there be any type of "sales" for this event?</i>		X
<i>Will this event require more than four (4) hours (includes setup & take down)? This is a multiple day display</i>	X	
<i>Will alcohol be sold / served?</i>		X

**If you answered "no" to the first question, what is your non-profit status? (501 (C) (3), (4) or (6))?

Request for waivers/co-sponsorship of events must be approved by City Council prior to the event.

Events Coordinator Recommendation: Approved: _____ Denied: _____

Explanation: _____

Forward for Council Deliberation: _____
Date of Council Meeting _____

Council: _____ Approved: _____ Denied: _____

Explanation: _____



City Council Worksession

Meeting Minutes – Planning Conference Room – 1st Floor

July 8, 2025

I. CALL TO ORDER

5:00 PM

Philip Cromer, Mayor

Members of Council in attendance - Philip Cromer, Neil Lipsitz, Michael McFee, Mitch Mitchell, Josh Scallate.

II. EMPLOYEE NEW HIRE RECOGNITION

A. Municipal Court.

JJ Sauvé, Deputy City Manager, introduced Spencer Wessel.

B. Police Department.

Stephenie Price, Police Chief, introduced Michael Byrd, Colin Etherington, and Nicolas Moreo.

III. PRESENTATIONS

A. Compensation Study.

Scott Marshall, City Manager, started off by saying the purpose of the meeting is to provide a chance to present the findings of the Compensation Study, and what the recommendations are. The recommendations do not equate to an implementation plan.

Ivette Burgess, Human Resources Director, introduced Steve Foster with Management Advisory Group International. Mr. Foster reported they performed a Compensation/Classification Study for all City positions. They created a Job Classification Tool which can be used by Human Resources to evaluate new or revise positions at a later date. The scope included 178 positions within 103 job titles. They then compared salary and compensation data with 13 competitors in our area which included Beaufort County, the Town of Bluffton, and the Town of Port Royal. Mechanics, Planner I, and various Fire and Police positions were further behind the market. He then went over three pay plans. Unified, Fire, and Police. It was noted the estimated annualized costs do not include overtime pay.

Mr. Marshall stated the City will take a very close look on how to prioritize suggested increases. He thinks the area of Public Safety needs to be addressed quickly. He stated the Beaufort County Sheriff's Office starting pay for a Deputy with no experience is now \$60,000.00 as compared to our \$52,000.00.

Councilman Lipsitz inquired about the Demotion Policy in the Study and wanted to know if it was consistent with the City's policy now. Ms. Burgess said yes.

Councilman Mitchell asked for an explanation about the statement written in the study regarding the system being hardwired to prevent any employee whose current salary exceeds the maximum of their proposed pay grade from receiving any type of adjustment.

Councilman Scallate inquired what Mr. Foster had stated about our competitors recently providing a flat raise and where we fall on the scale as to how competitive we are. Mr. Foster stated they were 75 percent through the study when some of the competitors started raising their compensation. Even though they included the three percent raise from the city, they did not want to change their approach, because if they did, then it would be starting off at a disadvantage. Councilman Scallate's concern back in the budget season was with the Sherriff's Office providing their raises and Beaufort County providing a flat raise across the board of \$1,800.00, we were going to further fall behind especially in regard to our starting salaries. He was eluding to this as being a potential problem down the road.

Mayor Cromer inquired about certificates/degrees being obtained by employees. Would these increase an employee's salary or just be a one time bonus. **Ms. Burgess** stated at this time the City does not have anything like this in effect, but it would be a one time bonus. She then spoke about how the Tuition Assistance Reimbursement Program works.

Staff will put together an implementation plan and bring it back to Council during a subsequent Worksession for discussion.

A. Ordinance to regulate the operation of golf carts in the city limits.

JJ Sauv , Deputy City Manager, stated at the June 10, 2025, City Council Worksession, **Councilman Scallate** led a discussion regarding adoption of a golf cart ordinance and requesting that staff review and bring forward a proposed ordinance to regulate golf cart operation within the City of Beaufort following recent amendments to South Carolina state law (Act No. 64, effective May 22, 2025) granting expanded municipal authority.

South Carolina Code 56-2-90, as amended by Act No. 64, allows municipalities to regulate designating roads for golf cart operation, establishing hours and methods of operation, permitting night operation with appropriate lighting, and authorizing separate golf cart paths.

The draft of the ordinance incorporates the state-required four-mile operational radius from the registered address, driver's license, insurance, and registration requirements, seatbelt usage requirements for passengers under 12, and optional municipal provisions for hours, night use, and street designation.

Mr. Sauv  then went over the key policy considerations. designated Street versus state default, night operations, public safety, and fiscal and operational impact.

Staff recommendation is to initially adopt an ordinance as drafted with any changes that are recommended this evening, utilizing the State Code language for operational streets unless Council desires specific street designations for enhanced traffic management.

Mr. Sauv  stated he has asked for some clarity regarding the language in the State Statute under Section 1, C-1 that does not specify secondary roads like it does in D-2. Gave an example of Ribaut Road being 35 miles per hour but is not considered a secondary road.

Councilman Lipsitz feels we should specify what roads are prohibited for golf carts.

Mayor Pro Tem, McFee does not think we should designate roadways, but use the speed limit and make it below 35 miles per hour. Nothing 35 and above.

Police Chief, Stephenie Price, from an enforcement perspective, it could be as easy as using language to state this does not include Ribaut Rd, Boundary Street, Trask Parkway, Carteret Street, and the section of Parris Island Gateway from Ambrose Run to Robert Smalls Parkway.

She reported there is no way for those that live in the Mossy Oaks area to get to downtown on a golf cart since there is a stretch from Allison Road to Reynolds Street where there are no secondary roads that can be used.

Councilman Scallate asked once we receive legal clarification and we were to default to it having to be a secondary highway, 35 miles per hour or less, is there any other good alternative option on how we can get people from Mossy Oaks to Downtown. He understands the concerns of having them go down Ribaut Road or putting them on the Spanish Moss Trail. Is there an alternative we could work towards that would make sense. **Mr. Sauv ** stated we could look into a golf cart path, but it would require land purchasing from point to point in some manner.

Some of the changes to be made to the ordinance include adding lighted turn signals to the golf cart as a requirement, eliminating the use of greater/less than signs throughout the document and using the language roadways within the city, instead of city roads. **Councilman Lipsitz** would still like to see seatbelts used by all passengers as a requirement.

Fire Chief, Tim Ogden, stated the Town of Port Royal has a similar ordinance. Would be beneficial for the language to be similar since sometimes citizens do not know if they are in the city or town limits.

Chief Price definitely has concerns about them being allowed down Ribaut Road.

Staff will proceed with making the necessary changes and bringing this to a regular meeting for first reading.

The following addressed Council with their comments and concerns:

Lise Sundrla, Historic Beaufort Foundation.

Robert Woodman, 801 Godfrey Street.

Mike Sutton, 949 Ribaut Road.

IV. ADJOURN

6:06 PM

Disclaimer: This document is a summary. All City Council Worksessions and Regular Meetings are recorded. Live stream can be found on the City's website at www.cityofbeaufort.org (Agenda section). Any questions, please contact the City Clerk, Traci Guldner at 843-525-7024 or by email at tguldner@cityofbeaufort.org.

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80 (a)(d)(e), as amended, notification of regular meetings was given at the beginning of the calendar year. A copy of the agenda was posted on the City's bulletin board and website www.cityofbeaufort.org twenty-four hours prior to the meeting. A copy of the agenda was given to the local news media and requested public on file.



City Council Regular Meeting

Meeting Minutes – City Hall Council Chambers, 2nd Floor

July 8, 2025

I. CALL TO ORDER

7:00 PM

Philip Cromer, Mayor

Members of Council in attendance - Philip Cromer, Neil Lipsitz, Michael McFee, Mitch Mitchell, Josh Scallate.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem, Michael McFee.

III. PUBLIC COMMENT – AGENDA ITEMS

Mike Tomy, Planning Commission Chair, addressed Council on Old Business, Item A. regarding updates to the Beaufort Development Code, Chapters 7 and 9.

IV. MEETING AGENDA APPROVAL

Councilman Lipsitz made a motion to pull Item L. - Request from the Junior Service League of Beaufort for use of the Henry C. Chambers Waterfront Park and co-sponsorship for the 2nd annual Scales and Tails Kids Fishing Tournament on April 4, 2026, from 8:30 am - 3:00 pm, off the Consent Agenda for discussion. The motion was seconded by Councilman Mitchell.

Item was moved to New Business Item K.

All were in favor, motion carried.

V. PRESENTATIONS

A. City Manager Employee Recognition of Police Officer Chris Cushman.

Scott Marshall, City Manager, and Police Chief, Stephenie Price, honored Police Officer Chris Cushman for his 33 years of dedicated service to the City of Beaufort and its citizens upon his retirement.

VI. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS

A. A Resolution honoring the 10th anniversary of the Pan-African Family Empowerment and Land Preservation Network's Help Save Gullah Geechee Land Campaign.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Lipsitz.

All were in favor, motion carried.

- B. Recognition of Paul Trask for his service on the Planning Commission.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Lipsitz.

All were in favor, motion carried.

- C. A Resolution honoring the career and legacy of Mark Robertson and proclaiming July 11, 2025, as "Mark Robertson Day" in the City of Beaufort, South Carolina.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Mitchell.

All were in favor, motion carried.

VII. CONSENT AGENDA

Motion to approve the Consent Agenda was made by Councilman Mitchell and seconded by Mayor Pro Tem, McFee.

All were in favor, motion carried.

Items approved are listed below:

- A. Capital Projects Monthly Report.

- B. Community Development Monthly Report.

- C. Downtown Operations Monthly Report.

- D. Finance Department Monthly Report.

- E. Fire Department Monthly Report.

- F. Human Resources Monthly Report.

- G. Municipal Court Monthly Report.

- H. Police Department Monthly Report.

- I. Public Works Monthly Report.

- J. Request from the Open Land Trust for street closure, waiver of drinking in public, waiver of noise ordinance to host Brunch on the Bluff on Saturday, April 25, 2026, from 11:00 am to 2:00 pm.

- K. Request from Technical College of the Lowcountry PTA Club to host the Jingle All the Way 5K from TCL on the Spanish Moss Trail on Saturday, December 13, 2025, from 9:00 am - 12:00 pm.

VIII. MINUTES

- A. Worksession and Regular Meeting - June 10, 2025.

Motion to approve was made by Councilman Lipsitz and seconded by Councilman Mitchell.

Minutes approved as presented.

IX. OLD BUSINESS

- A. **PUBLIC HEARING AND SECOND READING - Ordinance amending Chapter 7 (Land Development) and Chapter 9 (Development Review Procedures) of the Beaufort Development Code.**

Mayor Cromer opened up the Public Hearing.

The following addressed Council:

Lise Sundrla, Historic Beaufort Foundation.
Jessie White, Coastal Conservation League.
Megan Morris, Beaufort Chamber of Commerce.
Bill Bardenwerper, member of the Planning Commission.

Mayor Cromer closed the Public Hearing.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Lipsitz.

Members of Council addressed their questions and concerns to Curt Freese, Community Development Director.

Councilman Lipsitz made a motion to postpone approval of second reading until the next meeting in August. Councilman Mitchell seconded the motion.

The motion passed by a vote of 3 - 2.

Mayor Cromer, Councilman Lipsitz and Councilman Mitchell were in favor.

Mayor Pro Tem, McFee and Councilman Scallate were against.

A special joint meeting of Council will be held with the Planning Commission.

- B. **PUBLIC HEARING AND SECOND READING - An ordinance to annex 1.72 acres of real property identified as Beaufort County Tax Map Number R100 026 000 0151 0000, 3659 Trask Parkway, to the City of Beaufort Pursuant to S.C. Code Ann 5-3-150(3).**

Mayor Cromer opened up the Public Hearing.

No public comment.

Mayor Cromer closed the Public Hearing.

Motion to approve was made by Councilman Mitchell and seconded by Councilman Lipsitz.

All were in favor, motion carried.

- C. **PUBLIC HEARING AND SECOND READING - An ordinance to amend the City of Beaufort Zoning District Map to include real property identified as Beaufort County Tax Map Number R100 026 000 0151 0000, 3659 Trask Parkway, to be zoned Regional Mixed Use (RMX).**

Mayor Cromer opened up the Public Hearing.

No public comment.

Mayor Cromer closed the Public Hearing.

Motion to approve was made by Councilman Lipsitz and seconded by Councilman Mitchell.

All were in favor, motion carried.

- D. An Ordinance to amend, Part 8 - Motor Vehicles and Traffic, and Chapter 2 - Parking, of the City of Beaufort Code of Ordinances- Second Reading.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Lipsitz.

Councilman Scallate made a motion to amend Section 8-2001 to add Employee Parking as an established zone. Councilman Lipsitz seconded the motion.

All were in favor, motion carried.

Councilman Scallate made a motion to amend Section 8-2002 by changing the time limit from 2 hours to 4 hours for the Library and Playground Parking Lots. Councilman Mitchell seconded the motion.

The motion passed by a vote of 3 - 2.

Councilman Lipsitz, Councilman Mitchell, and Councilman Scallate voted for.

Mayor Cromer, and Mayor Pro Tem, McFee voted against.

The main motion passed by a vote of 4 - 1. Mayor Pro Tem, McFee voted against.

X. NEW BUSINESS

- A. PUBLIC HEARING AND FIRST READING - Ordinance to rename Southside Loop in Southside Park as Clayton Cooler Loop.

Mayor Cromer opened up the Public Hearing.

No public comment.

Mayor Cromer closed the Public Hearing.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Lipsitz.

JJ Sauv , Deputy City Manager, provided background information for the name change. The Planning Commission were in favor.

All were in favor, motion carried.

- B. PUBLIC HEARING AND FIRST READING - Ordinance to name the newly constructed Airport Road Project as Donnie Beer Drive.

Mayor Cromer opened up the Public Hearing.

No public comment.

Mayor Cromer closed the Public Hearing.

Motion to approve was made by Councilman Lipsitz and seconded by Councilman Mitchell.

JJ Sauv , Deputy City Manager, provided background information for the naming of the road.

All were in favor, motion carried.

- C. PUBLIC HEARING AND FIRST READING - Ordinance amending Chapter 5, (Landscaping, Parking and Lighting) of the Beaufort Development Code.

Mayor Cromer opened up the Public Hearing.

Jessie White, Coastal Conservation League addressed Council.

Mayor Cromer closed the Public Hearing.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Lipsitz.

Curt Freese, Community Development Director, provided information regarding the key changes to the Landscaping and Tree sections of the Development Code, that included the Administration of Tree Permits, and Fencing.

All were in favor, motion carried.

- D. Request from Morgan Powell to host a wedding and reception on Saturday, May 16, 2026, in White Hall Park, waiver of drinking in public, waiver of drinking in a public park, and loud and unseemly noise ordinances from 4:00 pm - 8:30 pm.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Lipsitz.

All were in favor, motion carried.

- E. Request from The Exchange Club of Beaufort for co-sponsorship to host the 2025 Patriot Day and Awards Ceremony at the Henry C. Chambers Waterfront Park on Thursday, September 11, 2025, from 7:00 pm - 9:00 pm to include a multi-agency vehicle procession from White Hall Park over the Woods Bridge to the Waterfront Park.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Mitchell.

All were in favor, motion carried.

- F. An ordinance to adopt a Nuisance Abatement Ordinance for the City of Beaufort - First Reading.

Motion to approve was made by Councilman Mitchell and seconded by Councilman Lipsitz.

JJ Sauv , Deputy City Manager, specified the ordinance follows the State Nuisance Abatement Code, but allows for a quicker timeline for addressing some issues at the local level. It has been codified by the City Attorney to match up with all of our existing ordinances.

All were in favor, motion carried.

- G. A Resolution of the City Council of the City of Beaufort, South Carolina, adopting the City of Beaufort Strategic Plan for Fiscal Years 2026-2027.

Motion to approve was made by Councilman Lipsitz and seconded by Mayor Pro Tem, McFee.

All were in favor, motion carried.

- H. Resolution authorizing the City Manager to enter into a contract for construction of the King Street and Port Republic Stormwater Projects, pending final approval by the South Carolina Rural Infrastructure Authority (RIA) and appropriate Grant Budget approval.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Lipsitz.

JJ Sauv , Deputy City Manager, provided a brief overview. There is currently approximately \$9 million budgeted for construction which includes grant funding. The pump station was taken out of the scope of work. Davis and Floyd handled the bid process following the City's guidelines. J. H. Hiers Construction was the lowest responsive bidder with a bid of \$6,484,956.00. This is reflective of the current market. Staff will await the required contract approval documents from RIA before moving forward. Future budget amendments, funding modifications, or substantive changes to the contract scope will be brought back before Council for approval.

All were in favor, motion carried.

- I. Authorization to allow the City Manager to enter into a Memorandum of Understanding with the Blue Ridge Parkway Foundation's Kids in Parks Program and the Friends of the Spanish Moss Trail.

Motion to approve was made by Councilman Mitchell and seconded by Councilman Lipsitz.

All were in favor, motion carried.

- J. City Attorney Contract renewal.

Motion to approve was made by Mayor Pro Tem, McFee and seconded by Councilman Lipsitz.

Scott Marshall, City Manager, stated in August 2023, when Ben Coppage was appointed City Attorney, the agreement allowed for the renewal of an additional two years upon written agreement between the parties. Mr. Coppage's next 2-year commitment would start on August 23, 2025, and expire on August 22, 2027.

All were in favor, motion carried.

- K. Request from the Junior Service League of Beaufort for use of the Henry C. Chambers Waterfront Park and co-sponsorship for the 2nd annual Scales and Tails Kids Fishing Tournament on April 4, 2026, from 8:30 am - 3:00 pm.

Motion to approve was made by Councilman Lipsitz and seconded by Mayor Pro Tem, McFee.

Councilman Lipsitz asked for this to be pulled off the Consent Agenda for discussion since the announcement of the partial closing of the Henry C. Chambers Waterfront Park. If the portion of the park, where this normally takes place, is not open when the event happens in April 2026, they will be moving down to the area near the Marina where the Water Festival Toad Fishing Tournament was held.

All were in favor, motion carried.

XI. PUBLIC COMMENT – NON-AGENDA ITEMS

Anthony Pope, Lafayette Street, asked Council to pay attention to the urban community and to try and understand them.

Rob Cahill, 608 Water Street, thinks there are too many no trespassing signs in the Waterfront Park. He also would like to see the restrooms open longer in the evenings.

XII. REPORTS

City Manager's Report

Offered an apology to the Mayor and Council for Mr. Freese's breach of decorum in referring to a Council Member by his nickname when making a presentation. This is unprofessional, does not meet expectations and will not happen again.

Thanked Public Works, Downtown Operations, Fire, Police, and Capital Improvement Projects. Upon receiving the engineering report recommending closure of the Waterfront Park promenade, these departments responded immediately and collaboratively. Their ability to mobilize onsite, adjust plans in real time, and communicate effectively with both Festival leadership and the public, turned a potentially disruptive situation into a well-managed adjustment. This is teamwork at its finest. Special thanks as well to Deputy City Manager, J.J. Sauvé and Public Information Officer, Ashley

Brandon. Their timely, accurate public messaging and coordination with local media helped ensure our community remained well-informed and confident in the City's response.

Congratulated Lise Sundrla on her appointment as the Executive Director of the Historic Beaufort Foundation.

The Beaufort Water Search and Rescue volunteer organization is celebrating 50 years of service. This dedicated group has responded to countless water-related emergencies across Beaufort County—including during events like Water Festival and Dragon Boat. Tomorrow night, the Beaufort/Port Royal Fire Department will formally recognize them at the Port Royal Town Council meeting in honor of their five decades of volunteer service.

Noted the joint meeting of City Council and the Town of Port Royal, originally scheduled for July 10, 2025, has been cancelled.

Stated the next meeting of Council will be on August 19, 2025.

Mayor's Report

Thanked all for the prayers and support for his wife following her recent accident.

Reported on meetings/events he had attended which included being the Reviewing Official at the Marine Corps Graduation at Parris Island.

Councilman Mitchell

Thanked all for their well wishes following his recent surgery.

Attended a 1st SC Volunteers Park Stakeholders meeting.

Mayor Pro Tem, McFee

Attended the Northern Regional Implementation Committee (NRPIC) meeting.

Councilman Scallate

Thanked all for their well wishes following his recent accident.

Was able to attend the Waterfront Advisory Committee meeting virtually.

Councilman Lipsitz

Was elected to the position of Secretary on the Executive Board for the Lowcountry Council of Governments.

XIII. EXECUTIVE SESSION

- A. Pursuant to Title 30, Chapter 4, Section (70) (a) (2) of the South Carolina Code of Law:
Discussions regarding the conveyance of property.

Councilman Lipsitz made a motion to go into Executive Session and seconded by Mayor Pro Tem, McFee.

All were in favor, motion carried.

Councilman Lipsitz made a motion to come out of Executive Session and seconded by Mayor Pro Tem, McFee.

All were in favor, motion carried.

No actions from Executive Session.

XIV. ADJOURN

10:26 PM

Motion to adjourn was made by Councilman Lipsitz and seconded by Mayor Pro Tem, McFee.

All were in favor, motion carried.

Disclaimer: This document captures all actions taken by Council and summarizes discussions. All City Council Worksessions and Regular Meetings are recorded. Live stream can be found on the City's website at www.cityofbeaufort.org (Agenda section). Any questions, please contact the City Clerk, Traci Guldner at 843-525-7024 or by email at tguldner@cityofbeaufort.org.

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80 (a)(d)(e), as amended, notification of regular meetings was given at the beginning of the calendar year. A copy of the agenda was posted on the City's bulletin board and website www.cityofbeaufort.org twenty-four hours prior to the meeting. A copy of the agenda was given to the local news media and requested public on file.



Special Joint Worksession of Council with the Planning Commission Meeting Minutes – Planning Conference Room – 1st Floor

July 15, 2025

I. CALL TO ORDER

1:00 PM

Philip Cromer, Mayor.

Members of Council in attendance -Phil Cromer, Neil Lipsitz, Michael McFee, Mitch Mitchell, Josh Scallate

Members of Planning Commission in Attendance - Libby Anderson, Bill Bardenwerper, Clint Hallman, Kim McFann, Benjie Morillo, Bill Suter, Mike Tomy.

II. PUBLIC COMMENT – AGENDA ITEM ONLY

The following addressed Council with their comments and concerns:

Rob Cahill, 608 Water Street, his written comments are attached.

Dianne Farelly, 2415 Oak Haven Street.

Stephen Kirsch, 2200 Spanish Court.

Meghan Morris, Beaufort Chamber of Commerce.

Graham Trask, 1211 Bay Street.

III. DISCUSSION

A. Ordinance amending Chapter 7 (Land Development) and Chapter 9 (Development Review Procedures) of the Beaufort Development Code.

Members of Council presented their questions, comments and concerns to the members of the Planning Commission and **Curt Freese, Community Development Director**, regarding proposed amendments to Chapter 7 and Chapter 9. One of the discussions dealt with gated communities. Should existing communities who want to gate themselves, and who have ownership of the roads within, be allowed to do so. Should new gated community developments be allowed moving forward. Discussions also took place on Traffic Impact Analysis Studies, and demolitions needing sunset dates.

Scott Marshall, City Manager, reminded all the language captured in these materials are exactly as they were from first reading held on May 13, 2025. All changes to be made must be in the form of motions to amend during the regular meeting when second reading is held.

Curt Freese, Community Development Director, and the Planning Commission Chair, Mike Tomy went over the concerns that were expressed by the Beaufort Regional Chamber of Commerce.

Staff will bring a clean version back in front of the Planning Commission at their next meeting. Afterwards, the clean version will be brought back to Council with applicable motions to amend certain language throughout the chapters.

IV. ADJOURN

3:21 PM

Disclaimer: This document is a summary. All City Council Worksessions and Regular Meetings are recorded. Live stream can be found on the City's website at www.cityofbeaufort.org (Agenda section). Any questions, please contact the City Clerk, Traci Guldner at 843-525-7024 or by email at tguldner@cityofbeaufort.org.

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City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 08/07/2025
From: Curt Freese, Community Development Director
Item Name: Ordinance amending Chapter 7 (Land Development) and Chapter 9 (Development Review Procedures) of the Beaufort Development Code - Second Reading
Meeting Date: August 19, 2025
Department: Community Development Department

Background Information:

Introduction:

In response to both the City Council's and citizens' request for improvements to the current Beaufort Development Code, Planning Commission recommended changes to Sections 7 and 9 regarding infrastructure, traffic impact analysis, community open space, subdivisions, and process and approvals. The goal of the update is to correct errors, address current issues, and to incorporate more modernized and transparent development practices and standards.

Background:

On July 15, City Council and Planning Commission held a joint meeting to discuss the second reading of revisions to Chapters 7 and 9 of the Development Code. Comments from the Chamber of Commerce and Council were considered. Staff, and the Chairman and Vice Chairman, considered the comments from the marked up version of the Chamber of Commerce, and comments from Council. After reviewing all comments, the recommended changes were placed into the clean draft of the ordinance found in this packet. Major substantive changes are found on the separate motions document and must be formally acted upon with motions to City Council. Changes that are scriveners' errors, or clarifications to the code, are also found in this packet with the reference provided. The recommendations were approved by unanimous vote by the Planning Commission at their July 21, 2025, meeting.

Legal Authority:

S.C. Code Ann. § 6-29-310 et seq.

Staff Recommendation:

Approval with motions for each substantive change from first reading, attached.

Placed on Agenda For:

Action

Attachments:

1. Memo, Post City Council and Planning Commission Meeting of Final Ordinance and Recommended Motions
2. Final Ordinance to Adopt Chapter 7 and 9
3. Exhibit A, Final Version, Ordinance, Chapter 7 LAND DEVELOPMENT
4. Exhibit B, Final Version Chapter 9 DEVELOPMENT REVIEW PROCEDURES
5. Redline of Changes to Chapter 7 (for reference only)
6. Redline of Changes to Chapter 9 (for reference only)
7. Addendum: List of Motions to be Made During Second Reading by Council



CITY OF BEAUFORT
Community Development Department

SCOTT MARSHALL
City Manager

1911 BOUNDARY STREET
BEAUFORT, SC 29902
(843) 525-7011
FAX (843) 986-5606

CURT FREESE
Community Development
Director

To: City Council
From: Curt Freese, Community Development Director
Date: 8/19/25
Issue: Code Edit Process, Beaufort Development Code

Background:

On July 15, City Council and Planning Commission held a joint meeting to discuss the second reading of revisions to Chapters 7 and 9 of the Development Code. Comments from the Chamber of Commerce and Council were considered. Staff, and the Chairman and Vice Chairman, considered the comments from the marked up version of the Chamber of Commerce, and comments from Council. After reviewing all comments, the recommended changes were placed into the clean draft of the ordinance found in this packet. Major substantive changes are found on the separate motions document and must be formally acted upon with motions to City Council. Changes that are scriveners' errors, or clarifications to the code, are also found in this packet with the reference provided. The recommendations were approved by unanimous vote by the Planning Commission at their July 21, 2025 meeting.

Substantive Changes:

Street Network Requirements 7.2.2 E & 7.2.2 E 3

Changes related to gated communities. Added reference to new subdivision so it is clear the requirement is for new development. Also added an exemption to allow existing communities with private streets and no future thru-street connections the ability to have gated streets.

Traffic Impact Analysis 7.3.2 A 3

Change to remove the Boundary Street, and other exceptions for required TIA's, as such streets are now experiencing increased traffic, and such an exemption is no longer practical.



CITY OF BEAUFORT
Community Development Department

SCOTT MARSHALL
City Manager

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CURT FREESE
Community Development
Director

Traffic Impact Analysis 7.3.2 C 2 b

Change the area map from one half mile to “one mile” to capture more intersections in the TIA.

Traffic Impact Analysis 7.3.2 D

Substantive changes to the table are recommended. The changes include moving towards utilizing all intersections affected by a development, instead of a half mile radius limit, clarifying language and the table by eliminating the future traffic impact analysis as a separate table section, and combining it as a requirement with the table for a TIA.

Community Green Space and Community Open Space Types 7.4.3

The recommendation is to remove the size requirement found in the original code, as Staff could not find any justification or reasoning for the sizes for open space and parks provided. The size of such amenities does not impact any other portion or requirement of the code.

Sketch Plan Section 7.5.3 (Title Commitment):

The title commitment was removed and kept in the preliminary plat, as the sketch plan is considered conceptual and thus unnecessary at this stage of development.

Sketch Plan Section 7.5.3, Preliminary Plat Section 7.5.4, Site Plan Section 7.5.7

Change notice requirement for all approval actions from 500’ to 1,000’, so more citizens are notified of land use actions in their vicinity.

Preliminary Plat Section 7.5.4

Add post Approval actions for grading which were formerly in the Final Plat section only.

Recommendation: Review and make recommended motions for approval of each substantive change.

ORDINANCE

AMENDING CHAPTER 7 (LAND DEVELOPMENT) AND CHAPTER 9 (DEVELOPMENT REVIEW PROCEDURES) OF THE BEAUFORT DEVELOPMENT CODE

WHEREAS, the State of South Carolina has conferred to the City of Beaufort (hereinafter “City”) the power to enact ordinances “in relation to roads, streets, markets, law enforcement, health, and order in the municipality or respecting any subject which appears to it necessary and proper for the security, general welfare, and convenience of the municipality or for preserving health, peace, order, and good government in it . . .” as set forth in S.C. Code Ann. § 5-7-20; and

WHEREAS, the City of Beaufort adopted the Beaufort Development Code (hereinafter “Code”) on June 27, 2017, as set forth in section 5-6001 of the Code of Ordinances of the City of Beaufort, South Carolina; and

WHEREAS, the adoption of certain amendments of the Code will better enable the City, its citizens, and other interested parties to use the Code “for the general purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare” in accordance with S.C. Code Ann. § 6-29-710; and

WHEREAS, the Planning Commission has the duty to review and make recommendations to the City Council regarding amendments to the text of the Code pursuant to Section 10.2.A.3.b. of the Code; and

WHEREAS, the Planning Commission has reviewed and made recommendations for the amendment of Chapter 7 (Land Development) and Chapter 9 (Development Review Procedures) of the Code, as shown on Exhibit A and B, hereto, respectively; and

WHEREAS, the amendments to Chapter 7 (Land Development) are for the general purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare;

WHEREAS, the amendments to Chapter 9 (Development Review Procedures), allow for greater transparency, public involvement, and clearer and more predictable development outcomes;

WHEREAS a public hearing before the Beaufort City Council was held regarding changes to the recommended amendments on May 13, 2025, and July 8th, with notice of the hearing published in *The Beaufort Gazette* on April 14, 2025, and May 9th, 2025;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by S.C. Code Ann. § 6-29-760 and the Code of Ordinances of the City of Beaufort, South Carolina, that the Code by striking Chapter 7 of the Code in its entirety and replacing it with the amended Chapter as shown on Exhibit A and by striking Chapter 9 of the Code in its entirety and replacing it with the amended Chapter as shown on Exhibit B.

This ordinance shall become effective August 19, 2025.

PHILIP CROMER, MAYOR ATTEST:

TRACI GULDNER, CITY CLERK

1st Reading _____

2nd Reading & Adoption _____

Reviewed by: _____
City Attorney

7: LAND DEVELOPMENT

7.1: IMPROVEMENT REQUIREMENTS

7.1.1 PURPOSE

The purpose of these land development requirements is to:

- A. Encourage economically sound and environmentally sensitive development.
- B. Assure the timely provision of required streets, utilities, and other facilities and services to new land developments.
- C. Assure the adequate provision of safe and convenient vehicular and pedestrian traffic access and circulation in and through new land developments.
- D. Assure the provision of needed open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, and other public purposes.
- E. Assure, in general, the wise and timely development of new areas, in harmony with the Comprehensive Plan of the city.
- F. Encourage new subdivision developments that complement the City's historic development pattern.
- G. Promote compact, well-defined, sustainable neighborhoods that enhance the City's character.
- H. Create livable neighborhoods that foster a sense of community and reduce dependency on vehicles.
- I. Encourage the proper arrangement of new streets in relation to existing or planned streets and ensure streets facilitate safe, efficient, and pleasant walking, biking and driving.

7.1.2 APPLICABILITY

- A. Unless noted otherwise in this section, all new development projects shall be required to have public sewer and underground wiring, and shall comply with Section 7.2.3 (Lot Access Standards).
- B. Installation or construction of the improvements specified in the Table of Required Improvements (Section 7.1.3) is required for all development projects, except those which (1) are subject to the Minor Development Design Review or Minor Subdivision provisions of this Code or are located in the Historic District and (2) affect less than one whole Block Face.
- C. The Applicant, developer, and real property owner shall be responsible for the installation and construction of required improvements according to the provisions of this Code, except as may otherwise be specifically provided herein or by agreement.
- D. A Final Subdivision Plat shall not be approved unless the improvements required by this Chapter have been installed or constructed or the Applicant has made improvement guarantees, pursuant to Section 7.1.5, to the satisfaction of the City, for the installation of said improvements.

7.1.3 TABLE OF REQUIRED IMPROVEMENTS

		ZONING DISTRICT										
REQUIRED IMPROVEMENTS ³	SECTION REFERENCE	T1	T3-S	T3-N	T4-HN	T4-N	T5-DC	T5-UC	RMX	IC	LI	MHP
Public Water and Hydrants	7.1.3.B	□	■	■	■	■	■	■	■	■	■	■
Public Sewer	7.1.3.B	□	■	■	■	■	■	■	■	■	■	■
Paved Streets ¹	7.2.4	□	■	■	■	■	■	■	■	■		
Streetscape ²	Appendix C	□	■	■	□	■	■	■	■	■	■	■
Underground Drainage	7.1.3.A	□	■	■	■	■	■	■	■	■	■	□
Curb and Gutter	Appendix C	□	□	□	□	■	■	■	■	■	■	□
Sidewalks	7.2.4.C	□	□	□	□	■	■	■	■	■	■	□
Street Trees	7.2.5	□	□	■	■	■	■	■	■	■	□	□
Street Lights	n/a	□	□	□	□	■	■	■	■	■	■	■
Street Signs (private streets)	n/a	■	■	■	■	■	■	■	■	■	■	■
Underground Wiring On-Site	7.1.3.C	■	■	■	■	■	■	■	■	■	■	■
Community Green Space and Open Space Space	7.4	□	■	■	□	■	□	■	■	■	□	□
■ required improvements by district		□ may be required at the discretion of the Planning Commission based on existing conditions, surrounding context, and Street Infrastructure Plans (Appendix C)										
¹ Rear lanes/alleys may be permitted to be paved with pervious material, such as gravel, depending on the location.												
² Complete street requirements shall be coordinated with the Street Infrastructure Plans in Appendix C.												
³ For Infill and development of Redevelopment Areas or Redevelopment Districts, the installation or construction of these improvements are required to the extent feasible based on existing conditions including roads, utilities and adjacent buildings.												

- A. **Street Improvements:** Land designated for public streets shall be cleared and filled in accordance with the latest edition of the "Standard Specifications for Highway Construction" issued by the South Carolina State Department of Transportation, or as determined appropriate by the Administrator. No land may be disturbed until a Building Permit has been issued (Section 9.5). See Section 5.4 for Tree Removal Standards. See Section 7.2 for more standards on street location. See Appendix C for Street Regulating Plan and Design Standards.
- B. **Water and Sewer Facilities:** Water and sewer facilities shall be provided in accordance with the standard procedures and policies of the water and sewer provider and the South Carolina Department of Environmental Services (SCDES) and shall be approved by the water and sewer provider.

-
- C. **Utility lines:** All utility lines within a development site shall be installed underground. The Planning Commission may approve an exception only in cases where there are existing above-ground lines that serve the property.

7.1.4 SURVEY AND ENGINEERING

- A. **Installation of Permanent Reference Points:** Permanent reference points shall be placed in accordance with the following requirements:
- (1) **General Standards:** Boundary surveys shall be performed, in accordance with the state minimum standards published by the State Board of Registration for Professional Engineers and Land Surveyors, unless more stringent requirements are specified. A minimum of two points in any survey must be tied to the state plane coordinate system. The survey may be done on the horizontal ground distance and tied back to the state plane coordinates.
 - (2) **Control Monuments:** Vertical control monuments shall be placed in or near the centerline of pavement of subdivision streets at a minimum of 1 per 4 acres. Where practical, control monuments shall be placed at points of curvature and points of tangency of curves. The control monument may be poured on the job or be a concrete marker of the type commonly used in the area: at least 3 feet long and tapered with a 12-inch long, ¼-inch diameter brass or bronze rod embedded in the top. Control monuments shall be placed in a cast iron water main valve type box with a cover flush with the pavement.
 - (3) **Property Marker:** A steel or wrought iron pipe, rebar, or the equivalent, not less than 0.5 inches in diameter and at least 24 inches in length shall be set at all property corners and points of curves, except those located by monuments. They shall be flush with the ground.
 - (4) **Accuracy:** Land surveys within the city limits shall be Class A surveys, set at an accuracy of at least 1:10000.

7.1.5 IMPROVEMENT GUARANTEES

- A. **Types Allowed:** Prior to approval of a Final Subdivision Plat (Section 7.5.5) the Applicant shall provide a performance guarantee to ensure the completion of required improvements within a period of time as agreed upon by the Administrator and the Applicant, and expressed in the guarantee. Such guarantee may be in the form of a performance bond, a surety bond, a cash deposit, or a letter of credit. A performance guarantee shall be posted in the amount of 125% of the total cost of improvements.
- (1) **Performance/Surety Bonds and Letters of Credit:** The performance or surety bond, or letter of credit, shall be in a form acceptable to the City. It shall include a pledge by the bank, insurance company or other bonding/lending institution that the funds necessary to carry out the terms of the agreement are guaranteed for payment and will be released only upon receipt of written instruction from the city.
- (2) **Cash Deposits:** If the surety is in the form of a cash deposit with the City, proportional parts thereof shall be refundable in relation to progress payments less retainage, subject to approval of the City and subject to a minimum deposit balance of 25% of the project cost.
- (3) **Maintenance Guarantees:** If the Applicant completes all required improvements and complies with all conditions of the subdivision agreement as determined by the City, the remainder of monies retained by a financial institution or by the City may be released to the Applicant or his successor in title. Prior to release, the Applicant shall provide the City, prior to the issuance of any building permit, a performance bond, a surety bond, or a cash deposit equal to the amount determined by the City to be necessary to ensure the repair of any damage to the existing improvements during the course of any construction, but in no case will the amount of the security be less than \$1,000.00 for each individual building lot. Prior to the issuance of any certificate of occupancy, the city shall determine whether or not any breakage or damage has occurred. If no damage to any off-site improvements has occurred, then the city may release the security to the Applicant or his successor in title. If damages have occurred, they shall be repaired, or the city may draw on the security before it is released.

7.1.6 EASEMENT AND UTILITY STANDARDS

- A. **Multiple installations within easements:** Easements shall be designed so as to provide efficient installation of utilities. Public utility installations shall be located as to permit multiple installations within the easements. The developer will establish final utility grades prior to utility installations. Public utility easement dedication shall be required with any minor or major subdivision action.
- B. **Underground utilities:** Telephone lines, electric lines, cable television lines and other like utility services shall be placed underground. The Applicant and developer shall be responsible for complying with the requirements of this Section and shall make the necessary arrangements including any construction or installation charges with each utility provider for the installation of such underground facilities. Transformers, switching boxes, meter cabinets, pedestals, ducts and other facilities necessarily appurtenant to such underground utilities shall be placed underground or on the surface but not on utility poles. Screening or fencing is required and subject to approval of the City. Electric transmission and distribution feeder lines and necessary appurtenances thereto may not be placed above ground

unless they are carrying greater than 115 kV. Upon approval of the City, such facilities shall be placed within easements or rights-of-way provided for particular facilities.

7.2: STREET NETWORK AND DESIGN STANDARDS

7.2.1 STREET INFRASTRUCTURE PLANS

- A. **Purpose and Intent:** The Street Infrastructure Plans in Appendix C provide diagrams of the City's street network and establish the ideal alignment, hierarchy and design characteristics - including total right-of-way width, sidewalk and streetscape amenities, parking lanes, travel lanes and other geometric and urban design details - for all existing streets, proposed streets that have been adopted as part of an Official Map, and new potential streets in the City.
- B. **Official Street Network Plan:** Pursuant to S.C. Code § 6-7-1210, *et seq.* (1976), as amended, the City has previously adopted several Official Maps. An Official Street Network Plan is incorporated into this Code in Appendix C.2 to represent a composite of these previously-adopted Official Maps.
- (1) **Purpose:** This plan represents a composite of all Official Maps, to date, in the City. The map designates existing or proposed streets or ways within the City that are targeted for creation, expansion or other improvements. The Official Street Network Plan shall initially consist of a series of four (4) separate maps, included in Appendix C, which shall be deemed a part of this Code.
- (2) **Modification:** The Official Street Network Plan may be modified or supplemented pursuant to the procedure for Text & Map Amendments (Section 9.16). In addition, the maps will be automatically updated as additional Official Maps are approved pursuant to the appropriate process required by state law.
- C. **Street Frontage Requirements:** The provisions regarding street sections in Appendix C show specific street designs for the purpose of identifying future improvements by both the City and fronting property owners. These sections depict the ideal arrangement and design of street elements.
- (1) **Applicability:** For any project that is considered part of a Major Subdivision Site Plan, requires a Certificate of Appropriateness as a Major project type (Section 9.10.2.A.2.), and/or which affects one whole Block Face, the fronting property owner shall install all prescribed streetscape improvements as part of the development project. The installation of street frontage improvements shall be a condition of Final Plat approval for Major Subdivisions and Certificates of Occupancy for Site Plans, including, as necessary, improvement guarantees under the authority of Section 7.1.5.
- Exception:** If similar elements as prescribed in the street section exist — e.g. on-street parking, sidewalk, tree plantings — the requirement to install the streetscape element(s) shall be waived if those items meet the intent of the prescribed street section, even if the existing items do not meet the exact requirements of that street section. *Example Scenarios: If a street section prescribes a 5-foot sidewalk, but a 4-foot sidewalk already exists, the existing sidewalk will satisfy the sidewalk requirement. However, if the street section requires a 5-foot planting strip between the curb and the sidewalk, and the 4-foot sidewalk is directly adjacent to the curb, this would not satisfy the intent of the street section and would need to be reconstructed per the prescribed standards.*

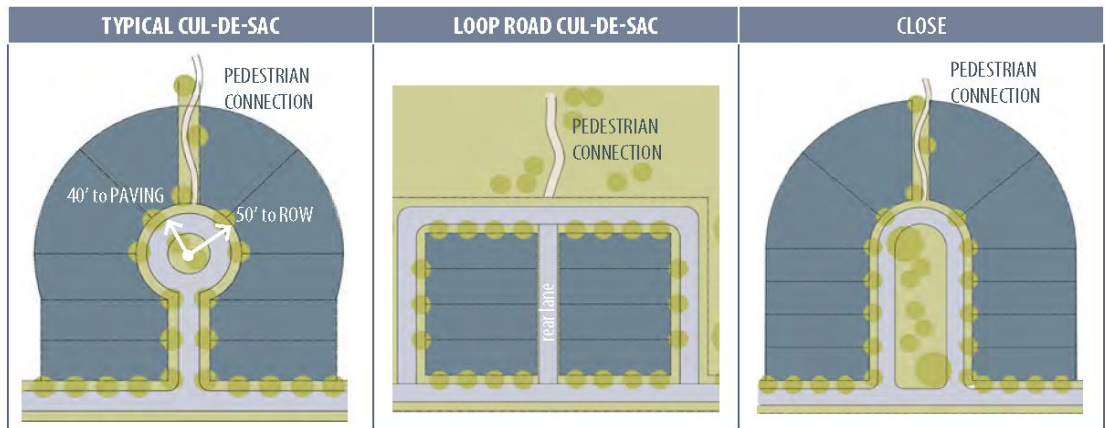
-
- (2) **Scope of Improvements:** Street frontage improvements shall be installed along the entire frontage of the property to the centerline of the street or, if a multi-lane street, the affected lane, at the sole cost of the Applicant as directed by the Administrator.
- (a) Street frontage improvements may include the following: curb, gutter, sidewalk, storm drainage, street lighting, traffic signal equipment, utility installation, extension, or relocation, landscaping strip, street trees and landscaping, irrigation, street widening, pavement overlay or reconstruction, and channelization.
 - (b) In addition to required frontage improvements, the Applicant shall provide ramps from the new sidewalk or walkway to the existing shoulder, across streets and pavement and channelization tapering back to the existing pavement and channelization as required to address safety concerns.
- D. **Dedication of Right-of-Way:** In the case of a street section adopted as part of an Official Map, where the width of the existing right-of-way is insufficient to install the prescribed street section, the fronting property owner shall be required to reserve the appropriate amount of right-of-way (as measured from the centerline of the existing street). The future right-of-way shall conform to all of the street network requirements of Section 7.2.2. Where a new right-of-way that is not shown in the Street Regulating Plan is required as part of a new development, it shall be designed with appropriate elements based on its proposed location and zoning district. (See Appendix C).
- (1) In the case of a street section that is not part of an Official Map, where the width of the existing right-of-way is insufficient to install the prescribed street section, the property owner shall reserve the appropriate amount of right-of-way to complete the desired street section. If the owner dedicates and installs the complete right-of-way, the cost of the improvements may be borne by the City (see Section 7.2.1 E).
 - (2) Where an area is designated as a future right-of-way and identified on an Official Map, new development shall reserve this area for the new street in the future. If access is needed to the site in that location, the street shall be constructed in the general location shown.
 - (a) Exceptions and Alternatives: Where the available rights-of-way — do not functionally permit the full section to be constructed due to existing structures or topographic conditions limited to wetlands, specimen and landmark trees, the Administrator may adjust the requirements for the street section.
- E. **Compensation:** When a project is required to make off-site improvements within the existing right-of-way, dedicate and/or improve a street with insufficient right-of-way, or install a new street (be it public or private) per the requirements in Section 7.2.1.C., above, compensation of the developer for the costs associated with such improvements may be available at the City's discretion. To the extent that the City has the authority and the ability to do so, the Traffic Impact fee for the project shall be reduced by the assessed value of the dedicated land and/or construction cost of the right-of-way improvement. This may be done either as a direct reduction, rebate, or reimbursement of fees.

7.2.2 STREET NETWORK REQUIREMENTS

- A. **Continuation of Adjoining Street System:** The proposed street layout shall be coordinated with the street system of the surrounding area to form an interconnected street pattern, formalized by a platted public access easement. The adequacy of street connectivity shall be assessed by the Technical Review Committee ("TRC") based on the ability of the proposed alignments to:
- (1) Permit multiple routes between origin and destination points;

-
- (2) Diffuse traffic; and
 - (3) Shorten walking distances.
- B. **Block Sizes:** Blocks shall be compact so that they are comfortably walkable and appropriate for their context.
- (1) In T3-S zones, block sizes are flexible, but the perimeter shall not exceed 2,640 linear feet (½ mile). An average block perimeter of less than 2,000 feet is preferred.
 - (2) In T3-N zones, block sizes are flexible, but the perimeter shall not exceed 1,700 linear feet. An average block perimeter of less than 1,500 feet is preferred.
 - (3) In T4, T5 and RMX zones, blocks shall be no more than 400 feet on any side. An average block length of 250 to 300 feet is preferred. The block perimeter shall not exceed 1,320 linear feet (¼-mile).
 - (4) Exceptions may be made for natural elements such as wetlands, trees, topography, and cultural resources, to be incorporated into the site design.
- C. **Street Stubs:** New developments shall connect to any existing street stubs from adjacent properties and stub to all adjacent properties.
- (1) **Exemptions:** Street stubs shall not be required where the Planning Commission finds the conditions listed below would prevent connections:
 - (a) Topographical conditions: pre-development slopes of 18% or greater.
 - (b) Environmental conditions: marshes, floodplains, specimen and landmark trees, etc.
 - (c) Property shape that would not allow for street stubs.
 - (d) Property accessibility: existing platted subdivision with no stubs.
 - (e) Incompatible adjacent land uses.
 - (2) **Location:** Where multiple connection opportunities exist, street stub connections shall be prioritized in the site design as follows:
 - (a) Adjacent parcels 20 acres or greater in size.
 - (b) Adjacent parcels that abut or are traversed by existing or proposed streets.
 - (c) The Street Network Diagram recommends a street connection (indicated as a proposed street).
 - (3) **Design:**
 - (a) Stub streets and streets intended for extension during future phases shall be constructed to extend to the property line for constructability to adjoining property.
 - (b) Stub streets shall not exceed 150 feet in length without a paved turnaround (permanent or temporary).
 - (c) **Disclosure:** The Final Subdivision Plat shall be recorded depicting that future connection is required at any stub streets and streets intended for extension during future phases. A clearly visible street sign shall be erected at the end of the stub street stating that the street is planned to connect to a future street.

- D. **Cul-de-sacs and Dead-end Streets:** Dead-end streets and cul-de-sacs are prohibited, except in T-3 and LI zoning districts, where cul-de-sacs or other turn-arounds may be approved by the Planning Commission. Compliance with the following standards must be met in all circumstances:



- (1) Permanent dead-end streets shall be no longer than 300 feet and shall be provided with a turn-around such as a cul-de-sac or close.
 - (2) Temporary dead-end streets shall be provided with a temporary turnaround area which shall be designed considering traffic usage, maintenance, and removal.
 - (3) Alternative design solutions, such as a close (first preference), or a loop road cul-de-sac (second preference) are preferable to a typical cul-de-sac.
 - (4) Cul-de-sacs shall have a minimum right-of-way radius of 50 feet and minimum paved radius of 40 feet. When ample radii space exists, cul-de-sacs shall contain a central planted median.
 - (5) Whenever cul-de-sac roads are created, at least one pedestrian access easement shall be provided, to the extent practicable, between each cul-de-sac head or road turnaround and the sidewalk system of the closest adjacent road or pedestrian pathway. The access easement shall be direct with a minimum width of 12 feet.
- E. **Gated Streets:** New gated streets for new subdivisions are prohibited with the following exceptions:
- (1) At the discretion of the Planning Commission, in T3-S zoning districts where connection to the existing street grid is not practicable due to topography or existing surrounding conditions.
 - (2) At the discretion of the Planning Commission when the access proposed to be gated is an alley or rear lane and is not the primary building frontage.
 - (3) At the discretion of the Planning Commission, where existing communities own their own streets and have no existing or future street connectivity.
- F. **Street Naming and Renaming:** New street names and street renaming are subject to the requirements of S.C. Code § 6-29-1200. Proposed Street names and number systems shall be reviewed by and subject to the approval of the Administrator and the Beaufort County Emergency Management Department. No duplicate/similar names are allowed, as determined by these agencies.

- G. **Reserved Strips Prohibited:** Reserved strips at the terminus of a new street shall be prohibited.

7.2.3 LOT ACCESS STANDARDS

- A. **Applicability:** Any development that requires one or more access points for purposes of ingress and/or egress shall be subject to the provisions of this section. All new access points must be approved by the appropriate permitting authority. Access points may not be installed on undeveloped property less than 2 acres.
- B. **Maximum Number:** For single-family and two- and three-family dwellings, only one driveway shall be permitted per lot. In T3-S, circular driveways may be permitted on lots greater than 100 feet in width, where no sidewalk exists. Driveways may only be installed when rear access is not possible or required. For double frontage lots, one curb cut per street may be permitted. For all other building types, the maximum number of driveways allowed for any property is outlined in the table below.

FRONTAGE WIDTH	MAXIMUM PERMITTED ACCESS POINTS (CURB CUTS) PER STREET FRONTAGE
Less than 150 feet	1
150 feet or more	2 - Additional access points (in excess of 2) shall be permitted only after the Applicant successfully demonstrates the necessity for such additional access points, as determined by the appropriate design review body. Along arterial roads and thoroughfares, such additional access points shall be "right-in, right-out" driveways only.

C. **Location and Spacing:**

(1) **Street Intersection:** No curb cut or other access point shall be located closer than:

- (a) 20 feet from the intersecting point of the 2 street right-of-way property lines involved (or such lines extended in case of a rounded corner);
- (b) 25 feet from the intersection of the 2 curb lines involved (or such lines extended in case of a rounded corner), whichever is the least restrictive.

(2) **Spacing:** All access points shall have a minimum separation from certain features as follows:

FEATURE	MINIMUM SEPARATION ¹	
Adjacent Property Line (does not apply to shared or joint-use driveways)	0 ft	
Another Curb Cut (driveway or street intersection) on all roads except Major Thoroughfares	25 ft	
Another Curb Cut (driveway or street intersection) on Major Thoroughfares (streets with the Street Section designation of Major Thoroughfare, or the Robert Smalls Parkway, Sea Island Parkway/Lady's Island Drive, or Boundary Street Specific Street Section) —	Dependent on posted speed limit as follows:	
	Speed Limit	Separation
	< 35 mph	100 ft
	35 mph	200 ft
	40 mph	250 ft
	45 mph ²	300 ft
	45 mph ²	300 ft

	55+ mph ²	500 ft
¹ Minimum separation is measured from centerline		
² On Robert Smalls Parkway (Hwy 170) west of Parris Island Gateway, a minimum of 500 ft. separation distance is required		

- (3) **Corner Lots:** Access points on corner lots shall be from the side (or secondary) street, unless a shared curb cut on the main thoroughfare is existing or proposed.
- (4) **Access to Lots from Major Thoroughfares:** Driveways serving individual residential lots shall not have direct access onto streets identified as Major Thoroughfares — as identified on the second row of the chart in Section 7.2.3 C.2. — unless no alternative means of access, such as alleys or parallel access roads, exist, and it is unreasonable or impractical to require an alternative means of access.
- (5) **Shared Access:** See Section 5.7.7 C.
- (6) **Rear Access Required/No Front Access:** For lots developed in the transect zones of T3-N, T-4, and T5-UC, all new access points shall be from a rear alley and/or road, except for lots within the historic district. Exemptions to allow front loaded access points where connection to the existing street grid is not practicable due to topography or existing surrounding conditions shall be at the discretion of the Planning Commission with approval of major subdivisions, and the Codes Administrator for individual lots.

D. Size:

- (1) **Alleys:** Alley pavement width may be a maximum of 24 feet wide for two-way traffic and 16 feet wide for one-way traffic. For more design standards, see Appendix C.
- (2) **Driveways:**
 - (a) Driveways for single-family and 2- and 3-family uses may not exceed 12 feet wide, except in T3-S district, where they may be a maximum of 20 feet wide.
 - (b) **Tandem Parking:** Tandem parking is allowed in all zones for all residential uses if:
 - (i) Both tandem parking spaces satisfy the parking requirement of one residential unit; and
 - (ii) Neither of the tandem parking spaces shall be for required accessible parking spaces.
 - (c) Driveways to other uses and parking areas shall not exceed 24 feet in width for 2-way drives or 12 feet in width for one-way drives, except those with turn lanes required by the City or SCDOT.

E. Access to Lots from Alleys/Rear Lanes:

- (1) **Specific to T3-N, T4, and T5 districts:** Alleys/rear lanes shall be provided along the rear property lines of lots as follows:
 - (a) In new subdivisions greater than 1 acre, alleys shall be provided for newly created lots that meet any of the following criteria:
 - (i) The lots are part of a Block Face with an average lot width of 60 feet or less at the building setback line (excluding lots on cul-de-sacs).
 - (ii) The lots are arranged around a Common Open Space.

(iii) The lots front a collector or arterial road, regardless of the average lot width.

(iv) The lots are intended for multi-family dwellings and/or mixed-use buildings.

(b) For Infill developments, the same standards apply as specified in the immediately preceding subsection, but only for developments that include 4 or more contiguous lots, where one lot is a corner lot. In the Historic District, the standards apply only to the Beaufort Conservation District; the requirement may be waived at the discretion of the Historic Review Board.

F. Specific to Commercial Developments and Subdivisions:

(1) **Out-parcels:** Out-parcels for shopping, office, or industrial centers shall be limited to internal access to the center, unless otherwise approved as part of a master development plan. All driveways shall be paved from the road to the property line.

(2) **Abandoned Driveways:** Abandoned driveways (i.e., curb cuts that are no longer used for vehicular access and are physically blocked by structures) shall be closed, and the area shall be restored to the typical cross section of the right-of-way.

7.2.4 STREET DESIGN STANDARDS

A. **Street Section Design:** The elements and widths of all proposed streets shall be in conformity with the appropriate street section designated in the Street Infrastructure Plans (Section 7.2.1 and Appendix C).

B. **Traffic Control and Signs:** The type and location of traffic control devices used on City streets must be approved by the Administrator or the Administrator's designee, and traffic control on private streets shall be included and approved as part of the major subdivision or site plan. Traffic signals should be used where warranted, but alternative means of traffic control such as roundabouts should be considered first. When it can be shown that a particular zoning action, master plan, or development plan impacts the street system to a point that a traffic signal is warranted according to the latest version of the United States Department of Transportation's Manual on Uniform Traffic Control Devices ("MUTCD") and approved by the Administrator or the Administrator's designee, the developer shall be responsible for all or a portion of the signal installation.

C. **Sidewalks/Multi-use Paths:** Where required by the provisions of Appendix C, all sidewalks or multi-use paths must be constructed concurrently with the street or, if the street is already constructed, prior to acceptance of any improvements. Exceptions to the requirement to install a sidewalk may be granted by the Planning Commission if:

(1) Alternative pedestrian paths/bikeways have been or will be provided outside of the normal right-of-way.

(2) There are unusual topographic, vegetative, or other natural conditions that would render strict adherence to the requirements of this section unreasonable and not consistent with the purposes and goals of this Code.

D. **Utility Easements:** Utility easements which require a width of 8 feet or more shall be located in rear alleys or adjacent to rear lot lines. Special permission to install utility easements in other locations may be requested by the utility companies and is subject to approval by the appropriate design review body.

E. **Special Consideration for Protected Resources and other Natural Features:** Street layout and design shall give additional consideration to preserving protected resources and enabling natural areas to be protected or minimally disturbed. Where streets are built in areas that have protected resources or

natural features, all utilities shall be placed within the street right-of-way and under the street to avoid additional destruction of the natural features.

7.2.5 STREET TREE PLANTING REQUIREMENTS

- A. **Planting Areas:** Planting strips and tree wells shall be established in accordance with the width and plantings designated in the appropriate Street Section of the Street Infrastructure Plans (7.2.1 and Appendix C).
- B. **Location and Number:** Street trees shall be planted in the location and per the spacing specified for the corresponding street classification in Appendix C. However, in specific cases, where due to the location of utilities or other site constraints, the Planning Commission may allow street trees to be planted on private property adjacent to the right-of-way.
- C. **Tree Species:** The species of overstory and understory trees listed in Appendix A.2 may be used for street tree planting
- D. **Minimum Tree Size:** At the time of planting, young trees should be 2.5 inch caliper, with the lower side of the crown a minimum of 6 feet above grade.

7.3: STREET ENGINEERING STANDARDS

7.3.1 STREET DESIGN, CERTIFICATION, AND CONSTRUCTION SPECIFICATIONS

- A. **Design Drawings and Certification:** Professional engineers, registered in the State of South Carolina, shall prepare plans, profiles, cross sections, and specifications for all subdivision roads and streets. The engineers shall certify that the roads/streets are built to comply with the approved plans and specifications. Cross sections shall be developed every 100 feet at intersections and break points in grade. Cross sections shall show the complete rights-of-way including travel lanes, shoulders, ditches, curb and gutter, and sidewalks and utility locations, as applicable.
- B. **Construction Specifications for Paved Streets:** Street construction specifications for paved streets shall comply with the South Carolina Department of Transportation Standards.

7.3.2 TRAFFIC IMPACT ANALYSIS

- A. **Applicability:** A Traffic Impact Analysis ("TIA") shall be required for any development that is shown to generate more than 50 trips during the peak hour on the adjacent street(s) in the most recent Institute of Transportation Engineers ("ITE") Trip Generation Manual or any alternative, approved at the discretion of the Planning Commission or the TRC, or by the engineering department.
 - (1) A second phase, second subdivision, or addition that generates traffic beyond this threshold, when taken as a whole, shall also require a TIA, even though that development may not qualify on its own.
 - (2) A use shall not be changed without conducting a new TIA if the new use would generate traffic beyond the 50 trips during peak hour threshold referenced above. The Planning Commission may waive this requirement.

B. **Traffic Access Management Analysis:** As part of the TIA process, the proposed development shall have an "access analysis" undertaken by the administrator to ensure that sufficient access to all proposed developments and subdivisions is achieved.

- (1) The standards in the South Carolina Department of Transportation's "Access and Roadside Management Standards Manual" ("ARMS Manual") shall serve as a guide for this analysis, which shall include identification of the following:
 - (a) Access improvements, such as deceleration lanes, that the Applicant must install at the Applicant's own expense;
 - (b) The location of any curb cuts based on, but not limited to, sight distances, existing roadway infrastructure, opposing driveways locations, and shared access;
 - (c) Requirements for adequate driveway design, including, but not limited to, turning radius and stacking distance.
- (2) The access requirements approved by the Planning Commission or the TRC shall be incorporated on development or subdivision plans prior to their approval.
- (3) If an Applicant is required to provide site-related traffic improvements, the cost of implementing such improvements shall be borne by the Applicant, and no such costs shall be eligible for a credit or offset from any transportation impact fees unless specifically permitted by the Development Fee Procedures as stated in the Beaufort County Code of Ordinances, Chapter 82, Article II or most recent version.

C. **Traffic Impact Analysis Plan Preparation:**

- (1) The TIA shall be conducted by an engineer registered in South Carolina who is experienced in the conduct of traffic analysis.
- (2) Prior to beginning the TIA, the Applicant shall supply the City with the following:
 - (a) A written narrative describing the proposed land use(s), size, and projected opening date of the project and all subsequent phases.
 - (b) A site location map showing surrounding development within a one mile radius of the property under development consideration.
 - (c) A proposed site plan or preliminary subdivision plat illustrating access to public or private roads and connectivity to other contiguous developments.
- (3) Prior to beginning the TIA, the Applicant shall receive, in writing, the parameters to be followed in the study, including the directional split of driveway traffic, trip distribution, background traffic growth rate, previously approved but not completed projects, and the intersections to be analyzed, along with any associated turning movement counts that are available or discussed and approved by the TRC.
- (4) To review the TIA, the Planning Commission and TRC will require current trip generation information, available information on land use, travel patterns, and traffic conditions, and shall consult with the SCDOT.

D. **Plan Contents:**

Background information	Requirement
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List of all nonexistent transportation improvements assumed in the analysis	Required
Map of site location, description of the parcel, general terrain features, and location within the jurisdiction and region.	Required
Description of geographic scope/ limits of study area.	Any roadway on which 50 or more of the new peak hour vehicle trips generated by the proposal are distributed and at any intersection along such roadway that TRC or the Planning Commission determine may be impacted.
Plan at an engineering scale of the existing and proposed site uses.	Required
Description and map or diagram of nearby uses, including parcel zoning.	Required
Description and map or diagram of existing roadways.	Required
Description and map or diagram of programmed improvements to roadways, intersections, and other transportation facilities within the study area.	Required
Analysis of Existing and Future Conditions	
Collected and projected daily and peak hour of the generator traffic volumes, tabulated and presented on diagrams with counts provided in an appendix.	Required
Analyses for intersections and roadways identified by TRC and the Planning Commission. Delay and Level of Service (LOS) are tabulated, and LOS is presented on diagrams for each lane group.	Required
Incorporation of all Traffic Impact Analysis studies and Trip Generation from approved developments or vested unbuilt developments within mile radius at time of proposal.	Any roadway on which 50 or more of the new peak hour vehicle trips generated by the proposal are distributed and at any intersection along such roadway that TRC or the Planning Commission determine may be impacted.
Speed Study	If requested by City

Crash history near site	If requested by City
Sight distance	If requested by City
Trip Generation	
Site trip generation, with tabulated data, broken out by analysis year for multi- phase developments, and including justification for deviations from ITE rates, if appropriate.	Required
Description and justification of internal capture reductions for mixed use developments and pass-by trip reductions, if appropriate, including table of calculations used.	Required

- (1) **Phased Developments:** All phases of a development are subject to review, and all traffic plans for the entire development shall be integrated with the overall traffic analysis. A TIA for a specific phase of development shall be applicable to the phase of development under immediate review. However, each phase of development shall expand and provide detailed analysis at the development plan stage beyond the estimates provided for at the concept plan or master plan stage.
- (2) **Infrastructure Analysis:** The adequacy of the roads that the development will be accessed from shall be assessed in the TIA. Recommendations for improvements to these roads shall be made. The relative share of the capacity created shall be broken down as follows: development share, other developments' share, any existing overcapacity, and capacity available for future growth.
- (3) **Required Elements of the TIA:**
 - (a) A site plan or subdivision plat identifying access points to and from existing or proposed streets and intersections, along with all opposing intersections across adjacent streets.
 - (b) Description of the proposed development, including the type and intensity of proposed land use(s) including, but not limited to: the number of residential units by type, the number of existing and proposed lots, the type of proposed nonresidential development and the amount of such development measured by gross floor area or other appropriate unit of measurement, the general size and type of accessory development or facilities, and, for nonresidential development, adequate information to identify the appropriate land use category for trip generation.
 - (c) Projected vehicular trips to and from the completed development during a.m. and p.m. peak hour — trip rates shall be taken from ITE Manual or alternatively, an Applicant may elect to perform, at his own expense, a trip generation study which may be submitted as part of the TIA plan. The trip generation study shall be subject to the review and verification of the TRC and engineer. For proposed uses not specifically listed in the ITE Manual, and for which a trip generation study has not been performed, the designated engineer(s) shall determine the most appropriate trip generation rate. The TRC shall make the determination of the

appropriate trip generation rate, from whatever the source. The percentage of pass-by trips, if used in the plan, shall be included, as well as the source of this information.

- (d) A written narrative setting forth the assumptions upon which any projection was made in developing the TIA plan shall be included in the analysis. If the assumptions are derived from the ITE Manual, the materials shall be referenced and properly cited. If the assumptions are not from the ITE Manual, appropriate excerpts from other reliable transportation planning resources shall be included in the study, and reasons underlying the assumptions shall be stated in the narrative.
- (e) The TIA shall review access to the site. The adequacy of the entrance design shall be evaluated, and recommendations made on acceleration and deceleration lanes, left-turn lanes, or signalizations shall be part of the TIA. Educational facilities shall include pick-up and drop-off plans and analysis of the impact on the surrounding streets and intersections.
- (f) The TIA shall review the number and types of curb cuts that are permitted. In particular, the TIA shall assess the connection of the property to adjoining properties. Where the use, scale of development, or size of adjoining properties is such that trips would be anticipated between the proposed use and the other properties, the TIA shall make recommendation on interconnections. The TIA shall recommend interconnections to provide a smooth flow of traffic between uses along arterials and collector roads to ensure that as much traffic as possible uses secondary roads, rather than major roads, for short trips.
- (g) The TIA shall be based on intersection analysis procedures for signalized intersections as identified in the most current edition of the Transportation Research Board's Highway Capacity Manual, and/or the last update that analyzes and emulates these procedures by means of computer software, if available. The results of any required analysis/computer analysis shall, at a minimum, indicate compliance or variance from the Traffic Service Level Goals (Section 7.3.2.M.).
- (h) The intersections that must be analyzed in the study are identified as:
 - (i) Any intersection that serves as a development's point of access. This will include intersections of public and/or private roads with major arterials, and driveways offering direct access.
 - (iii) The first major intersection as identified by the Code Administrator on both sides of the development's point of access.
 - (iv) Other intersections on major arterials if development generates more than 50 a.m. or p.m. peak hour trips to that intersection, or if the intersection's level of service or demand is significantly impacted by site related traffic.
 - (v) Unsignalized intersections and access drives — these shall be considered if development impacts are anticipated. The plan must include the results of an analysis of the operating conditions of critical intersections and/or all intersections identified in the concept plan. The analysis shall reflect the projected condition of these intersections and movements, based on the scheduled opening date of the development. Other phases of the development, if they can be reasonably determined, shall be considered as well.

- E. **Mitigation Plan Required:** If the initial analysis indicates that the city's adopted Traffic Service Level Goals (Section 7.3.2.M.) will not be met, a mitigation plan must be prepared, based on additional

analysis. The mitigation plan must show how the city's Traffic Service Level Goals are addressed as mitigated. Applicants will be responsible for mitigating the traffic impacts at any intersection affected by a proposed development.

- (1) If a traffic signal is recommended, the TIA shall provide information that:
 - (a) Clearly indicates the need for a traffic signal.
 - (b) Assesses the ability of other existing, planned, or proposed public roads to accommodate the new traffic at a location other than the main highway in the vicinity of the proposed development.
 - (c) Describes in detail how a specific development will affect the study area transportation system.
 - (d) Provides documentation of appropriate South Carolina Manual of Uniform Traffic Control Devices signal warrant satisfaction.
 - (e) Gives design geometry of the private road that is consistent with that of public road intersections, including curbs, appropriate lane widths, pavement markings, and vertical alignment. Other roadway factors to be considered include, but are not limited to, speed, type of highway, grades, sight distance, existing level of service, conflicting accesses, and the effect of future traffic signal systems.
 - (f) Provides an approach-throat length for the road to ensure the movement of vehicles entering the site will not be impeded by conditions within the development and ensure that all signal-spacing requirements are adequately met.
- (2) The desirable spacing of signalized intersections on principal arterials is the SCDOT, county, or City standards. The TRC may recommend to SCDOT the installation of a traffic signal at locations where, using SCDOT standards, spacing is inappropriate due to topography, existing or proposed road layout, documented accident history, unique physical constraints, existing or proposed land use patterns, or requirements to achieve specific objectives for highway segment designations, as shown in any locally adopted land use or transportation plan, approved City or county transportation plan, or approved transportation policy.
- (3) Signal spacing concerns may be ameliorated in the following ways:
 - (a) A proposed private road that may otherwise be considered for the installation of a traffic signal may be replaced by an on-site route or a frontage road that directs traffic to or from a nearby public road.
 - (b) A private road that is being considered for traffic signal installation may be required to connect to the existing or planned local road system to allow uses of surrounding properties.
 - (c) An existing or proposed intersection may be relocated.
 - (d) A shared private road may be required to serve the needs of the multiple properties.
- (4) A traffic signal progression analysis is required if the proposed location is closer than the SCDOT standards, given the presence of existing signals or the possible existence of identified future signals proposed as part of a highway signal system. A traffic signal progression analysis for all new, revised, or planned traffic signal systems on state highways shall be performed using methods, models, computer software, data sources, roadway segment length, and assumptions

approved by the TRC. The roadway segment, analyzed to the extent possible, shall include all traffic signals in the existing or future traffic signal system. The progression analysis shall:

- (a) Demonstrate acceptable existing and future traffic signal systems operation that may include the morning peak, evening peak, midday period, and other appropriate time period during any day of the week, adjusted for peak season, for cycle lengths and travel speeds approved by the TRC.
 - (b) Provide for a progressed traffic band speed no more than 5 mph (8 km/h) below the existing posted speed for both directions of travel during the off-peak periods, nor more than 10 mph (16 km/h) below the existing posted speed during peak periods. Approval by the TRC is required where speeds deviate more than the above.
 - (c) Demonstrate that sufficient vehicle storage is available at all locations within the traffic signal system without encroaching on the functional boundaries of adjacent lanes and signalized intersections. The functional boundary of an intersection shall be determined in discussion with the TRC, based on existing or projected conditions.
 - (d) Provide a common cycle length with adequate pedestrian crossing times at all signalized intersections.
 - (e) Provide a progression bandwidth as large as that required, or as presently exists, for through traffic on the federal or state highway at the most critical intersection within the roadway segment. The most critical intersection is the intersection carrying the highest through volume per lane.
- (5) The traffic signal progression analysis shall be supplemented by a traffic engineering report that also considers highway capacity and safety of the roadway segment under consideration. Traffic volumes, intersection geometry, and lane balance, considered at all locations, shall be appropriate for the present and identified future conditions, which are usually considered to include the year of completion, and 5 years into the future.
- F. **Summary:** A clear and concise summary of recommended improvements that can serve as an executive summary is required.
- G. **TIA Review:** The TRC shall review all TIAs as part of the applicable Design Review phase. Final TIAs shall be approved prior to the Applicant submitting a Project Permit application (Section 9.5).
- H. **Application:** A TIA shall be submitted to the TRC. Coordination with other entities in the county government or South Carolina Department of Transportation (SCDOT) shall be the responsibility of the City.
- I. **Completeness:** The Planning Commission or TRC shall determine whether a TIA is complete. Thorough and complete TIAs are the responsibility of the Applicant. Failure by the Applicant to provide a complete TIA may result in review delays for its plat or plan.
- J. **Action on TIA:** The TRC must first approve the TIA in regard to completeness and accuracy. Following review of the required impact analysis plan, TRC shall recommend to the Planning Commission for its Final Approval action as follows:
- (1) Approval of the TIA as submitted;
 - (2) Approval of the TIA with conditions or modifications as part of the development review and approval process. An acceptable TIA with traffic mitigation measures may include the reduction of the density or intensity of the proposed development, phasing of the proposed development to

coincide with state and/or county-programmed transportation improvements, Applicant-provided transportation improvements, fees in lieu of construction, or any other reasonable measures to ensure that the adopted traffic service-level goals are met. If mitigation is required, it shall be required as a condition of any approval from the city.

- K. **Timing of Implementation:** If a traffic mitigation program is part of an approved TIA, the developer may be required to place a performance bond on all traffic mitigation improvements required as a result of the project. This requirement may arise if the timing of the improvements needs to be synchronized with other scheduled improvements anticipated for the area.
- L. **Responsibility for Costs of Improvements:** The costs of implementation of an approved mitigation program shall be the responsibility of the Applicant. No certificates of zoning compliance or building permits shall be issued unless provisions of the TIA are met.
- M. **Traffic Service Level Goals:** The average stop time delay in seconds per vehicle for each intersection determined to be critical to the TIA for the proposed development shall be compared to the City's traffic service level goal of "D" for the average delay for all vehicles at any signalized intersection during the a.m. and p.m. peak hours.

7.4: COMMUNITY GREEN SPACE AND COMMUNITY OPEN SPACE

7.4.1 PURPOSE AND INTENT

- A. **Intent:** Community Green Space and Community Open Space are intended for the use and enjoyment of a development's residents, employees, or users. These spaces serve to preserve natural areas, ensure access to open areas and recreation, reduce the heat island effect, enhance stormwater quality, and provide community health benefits. Community Green Space and Community Open Spaces are not, by definition, required to be deeded or to be granted via easement to any public entity or municipality. See Section 7.4.5 for ownership information.
- B. **Purpose:** The purpose of this section is to provide a set of Community Green Space and Community Open Space types and their associated standards to use within all districts. Community Green Space and Community Open Space types in this section are distinct from those areas that are environmentally sensitive and must be otherwise protected as regulated through Chapter 8 (Environmental Protection).
- C. **Applicability:** See Section 7.1.2.
- D. **Community Green Space Definition:** an area of grass, trees, parks, trails or multi-use pathways, or other vegetation set apart for recreational or aesthetic purposes within a development. It can be privately or publicly owned.
- E. **Community Open Space Definition:** Open space is land or water that is undeveloped and not used for residential, commercial, industrial, or institutional purposes. It can be privately or publicly owned, and can include areas like forests, farms, parks, and coastal lands.

7.4.2 COMMUNITY GREEN SPACE AND COMMUNITY OPEN SPACE REQUIREMENT

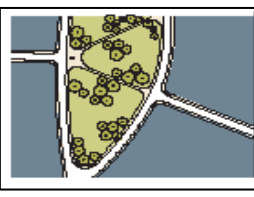
- A. **Minimum Requirements:** Development in all districts shall preserve the minimum amounts of Community Green Space and Open Space as identified below (see following page):

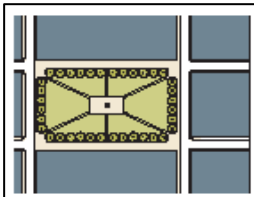
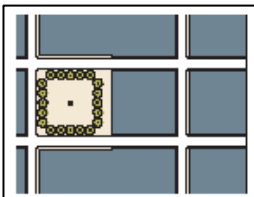
OPEN/CIVIC SPACE REQUIREMENT											
SIZE	T1	T3-S	T3-N	T4-HN	T4-N	T5-DC	T5-UC	RMX	IC	LI	MHP ¹
Less than 3 acres	See footnote (3)										
3 acres—10 acres	50%	20%	15%	exempt	10%	exempt	10%	10%	15%	exempt	
10 acres—15 acres	50%	20%	15%	exempt	10%	exempt	10%	15%	20%	exempt	10%
15 acres—40 acres	50%	20%	15%	n/a	15%	exempt	15%	20%	20%	exempt	10%
Greater than 40 acres	50%	25%	20%	n/a	20%	exempt	20%	25%	25%	exempt	10%
¹ Each Manufactured Home Park shall have a minimum total area of 2,500 square feet set aside for common recreational open space, or at least 100 square feet of space for each mobile home lot, whichever is greater. ² Specific to TND Overlay Projects: The open space requirement may be calculated comprehensively or by specific Transect zones. The requirements of 2.8.3.E must be met in addition to the requirements of this table. ³ For properties less than 3 acres, community green space and community open space shall be at the discretion of the approving authority, i.e., Codes Administrator or Planning Commission.											

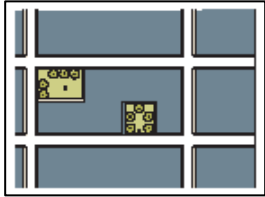
- B. **Areas to be Included in Community Green Space and Community Open Space Calculations:** The features and areas identified in Section 7.4.3 shall be credited towards the open space requirements for the purposes of complying with this Chapter.
- C. **Areas not to be Included in Community Green Space and Community Open Space Calculations:** The following areas shall not be counted toward open space requirements:
- (1) Private yards which are not subject to an open space or conservation easement.
 - (2) Public road rights-of-way or private street easements, including sidewalks located within those rights-of-way or easements.
 - (3) Open parking areas and driveways for dwellings.
 - (4) Land covered by structures not designated for active recreational uses.
 - (5) Designated outdoor storage areas.

7.4.3 COMMUNITY GREEN SPACE AND COMMUNITY OPEN SPACE TYPES

The majority of Community Green Space and Community Open Space shall conform to one of the 8 types in the table below. If 75% or more of the types listed below are utilized for required open space, a 20% increase in number of dwelling units is permitted.

CIVIC/ OPEN SPACE TYPE	DIAGRAM	DESCRIPTION	PERMITTED DISTRICTS	SERVICE AREA	CHARACTER	TYPICAL FACILITIES
Regional Park/Natural Preserve		A natural preserve that is available for unstructured recreation. It may contain small civic buildings and areas of structured activity, but is primarily left natural. These areas may include forests as well as wetlands and regional retention areas if they are treated as amenities (e.g. Port Royal's Cypress Wetlands).	T1	Regional	Frontage: Independent Disposition: Natural, formal or informal	Passive and active recreation, drinking fountains, Community facility < 7,500 gross square feet, paths and trails
Sport Complex		An open space that consolidates heavily programmed athletic fields and associated facilities.	T1, IC, RMX	Regional	Frontage: Independent Disposition: Formal or informal	Passive and active recreation, drinking fountains, community facility < 7,500 gross square feet, paths and trails
Community Park		An open space that is available for unstructured recreation and a limited amount of structured recreation. It may contain a limited amount of athletic fields.	T3, T4, T5, RMX, IC	Multiple Neighborhoods	Frontage: Independent Disposition: Informal	Passive and active recreation, drinking fountains, community facility < 5,000 gross square feet, paths and trails

CIVIC/ OPEN SPACE TYPE	DIAGRAM	DESCRIPTION	PERMITTED DISTRICTS	SERVICE AREA/ SIZE	CHARACTER	TYPICAL FACILITIES
Greenway		A linear open space that may follow natural corridors, a greenway provides unstructured and limited amounts of structured recreation.	T1, T3, T4, T5, RMX, IC	Multiple Neighborhoods	Frontage: Independent or building Disposition: Natural or informal	Passive and active recreation, drinking fountains, community facility < 5,000 gross square feet, paths and trails
Square/Green		An open space that is available for civic purposes, unstructured, and limited amounts of structured recreation. It can be located along waterfronts.	T3, T4, T5, RMX, IC	Neighborhood	Frontage: Building Disposition: Formal	Passive and active (unstructured or structured) recreation, accessory structure, drinking fountains, community facility < 5,000 gross square feet, paths and trails
Plaza		A formal open space available for civic purposes and commercial activities, a plaza is typically hardscaped and can be located along waterfronts.	T4, T5, RMX, IC	Neighborhood	Frontage: Building Disposition: Formal	Passive recreation, accessory structure, drinking fountains, paths and trails
Pocket Park/Pocket Plaza		An open space that is available for informal activities in close proximity to neighborhood residences. Pocket plazas are usually paved.	T3, T4, T5, IC, RMX	Neighborhood	Frontage: Building Disposition: Formal or informal	Passive recreation, accessory structure, drinking fountains, paths and trails

CIVIC/ OPEN SPACE TYPE	DIAGRAM	DESCRIPTION	PERMITTED DISTRICTS	SERVICE AREA/ SIZE	CHARACTER	TYPICAL FACILITIES
Playground		An open space designed and equipped for the recreation of children. A playground may be fenced and may include an open shelter. Playgrounds may be included within other civic spaces.	T3, T4, T5, IC, RMX	Neighborhood	Frontage: Independent or building Disposition: Formal or informal	Accessory structure, drinking fountains, paths and trails
<i>Notes:</i> <i>1. The illustration and description of each civic space type is illustrative in nature and not regulatory.</i> <i>2. The Permitted Districts may be modified per a plan if the project is utilizing the Traditional Neighborhood Development Floating Overlay District (Section 2.8.3).</i>						

The following provisions apply to the eight (8) Community Green Space and Community Open Space Types listed in the table:

- A. **Playgrounds and Community Gardens:** These may be incorporated into any of the other Community Green Space and Community Open Space types - except Natural Preserve - or may stand alone.
- B. **Waterfront:** When Community Green Space and Community Open Space is required, per Section 7.4.2, developments that contain waterfront access should include some type of common access to at least 25% of the waterfront. This counts towards the Community Green Space and Community Open Space requirement. When open space is required, for every 10% of the waterfront that is allocated for public access, a 5% increase in number of dwelling units shall be permitted, up to a maximum of a 20% increase.
- C. **Illustrative Standards:** The columns titled "Diagram," "Description," and "Typical Facilities" of the table of Community Green Space and Community Open Space Types are illustrative only.
- D. **Regulatory Standards:** The following elements shall be regulatory:
 - (1) **Service Area:** Describes how the space relates to the city as a whole and the area that will be served by the Community Green Space and Community Open Space.
 - (2) **Size:** The permitted size for each Community Green Space and Community Open Space.
 - (3) **Frontage:** The relationship along property lines of a Community Green Space and Community Open Space to adjacent buildings or lots.
 - (a) **Building:** Community Green Space and Community Open Spaces that are listed as having a "building" frontage shall have the fronts of buildings, either attached to the park or across a street, facing onto the space for a minimum of 75% of the perimeter.
 - (b) **Independent:** Community Green Space and Community Open Spaces that are listed as having an "independent" frontage shall have the fronts of buildings, either attached to the park or across a street, facing onto the space to the maximum extent possible, but may have the side or rear of a building or lot front onto the space. The side or rear of a building or lot fronting onto the Community Green Space and Community Open Space shall be designed with a secondary frontage and entrance along the space.
 - (4) **Disposition:** The character of the design of the Community Green Space and Community Open Space.
 - (a) **Natural:** Civic spaces with natural character are designed in a natural manner with no formal arrangement of elements.
 - (b) **Formal:** Civic spaces with a formal character have a more rigid layout that follows geometric forms and have trees and other elements arranged in formal patterns.
 - (c) **Informal:** Civic spaces with an informal character have a mix of formal and natural characteristics.
 - (5) **Food Production:** Community Gardens and other Community Green Space and Community Open Spaces may be used to grow food. See Section 8.5.3 for specifications and requirements.

7.4.4 DESIGN OF COMMUNITY GREEN SPACE AND COMMUNITY OPEN SPACES

- A. **Design Standards for Community Green Space and Community Open Space:** Land used as Community Green Space and Open Space shall meet the following design standards:
- (1) **Location:**
 - (a) Where relevant and appropriate, the land shall be located so as to be readily accessible and usable by residents and users of the development. To the maximum extent practicable, a portion of the open space shall provide focal points for the development.
 - (b) Common space set aside for children's play areas and other recreational activities shall be clearly visible from the dwelling units on the site.
 - (c) The land shall, to the maximum extent practicable, be located to adjoin, extend, and enlarge any open areas, trails, parks, or other open space resources that exist or are planned within or adjacent to the development.
 - (2) **Provision in Multi-Phase Developments:** In multi-phase developments, open space Manuals may be calculated either by phases, or by collectively looking at the developments as a whole.
- B. **Accessory Structure Standards:** All accessory structures within parks and open spaces — including, but not limited to, restrooms, open-air pavilions, gazebos, picnic shelters, and outdoor theaters — shall not be subject to the physical requirements of the building form or siting standards in Chapter 2 (Map and Districts). They shall be designed to be consistent with the character of the district in which they are located. Such consistency may require accessory structures to maintain building setbacks, frontage, massing, disposition, and character similar to adjacent development as determined by the administrator.

7.4.5 OWNERSHIP AND MAINTENANCE OF COMMUNITY GREEN SPACE AND COMMUNITY OPEN SPACE

- A. Open space areas or other community facilities shall be preserved and maintained in accordance with the approved:
- (1) Development Design, in accordance with Section 9.8;
 - (2) ZBOA Special Exception, in accordance with Section 9.13; or
 - (3) Subdivision, in accordance with Section 9.9, whichever is appropriate.
- B. Provision must be made by the property owner to ensure preservation and long-term maintenance and management of Community Green Space and Community Open Spaces through one of the following mechanisms:
- (1) Conveyance of the land to a property owners' or homeowners' association that holds the land in common ownership and will be responsible for managing and maintaining it for its intended purposes.
 - (2) Conveyance of the land to a third-party beneficiary, such as a nonprofit environmental or civic organization, that is organized for, capable of, and willing to accept responsibility for managing and maintaining the land for its intended purpose.
 - (3) Dedication of the land to the city or other appropriate public agency that is organized for, capable of, and willing to accept responsibility for managing and maintaining the land for its intended purposes.

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- C. All methods utilizing private ownership shall require deed restrictions, covenants, or other legal instruments that ensure continued use of the land and facilities for their intended uses, and provide for the continued and effective management, operation, and maintenance of the land and facilities.
 - D. Failure to maintain Community Green Space and Community Open Space areas or other community facilities shall be a violation of this Code subject to the remedies and penalties in Chapter 12 (Violations and Enforcement).
 - E. If the owner of a Community Green Space and/or Community Open Space fails to maintain it in reasonable condition, and in accordance with approved plans, and fails to correct deficiencies cited by the City, the City shall have the authority to correct the deficiencies at the owner's expense.

7.5: SUBDIVISION AND SITE PLAN STANDARDS

7.5.1 GENERAL PROVISIONS

The provisions of this Section shall apply to any and all subdivision of land, or site plan within the municipal boundaries of the City, unless expressly and specifically exempted or provided otherwise in this Code. No development shall be undertaken without prior approval or authorization pursuant to the terms of this Code. All development shall comply with the applicable terms, conditions, requirements, standards and procedures established in this Section and the Code. The submittal of an application for approval pursuant to the provisions of these Subdivision standards constitutes consent to, and agreement to comply with, all of its applicable provisions.

This Section establishes procedural and substantive rules for obtaining the necessary approval to develop land and construct buildings and structures. Development applications will be reviewed for compliance with the City's Comprehensive Plan, Civic Master Plan, Beaufort Preservation Manual, and this Code.

Scheduling of the review of development applications before Staff, TRC, the Planning Commission or City Council is at the discretion of the City. Any change to a development application by an Applicant after formal submittal of that application to the City constitutes a decision by the Applicant that may result in the City deciding to vacate a decision reached during or following a hearing and/or void the pending application. The City may then reschedule or cancel the review of the development application at its discretion.

Prior to formal submittal of any subdivision application identified in this Section, the Planning Department will provide to an Applicant an individualized submittal checklist indicating the documents and information needed, quantities of those documents to be submitted, and the referral agencies that will be involved in the review process. The Applicants are responsible for being fully familiar with all applicable provisions of these Subdivision Regulations. Upon determination by staff that a submittal constitutes a complete development application, the City will forward the packets to each referral agency.

7.5.2 SUBDIVISION TYPES AND PROCESS OUTLINES

Methods of land subdivision. There are two ways to subdivide land based on the magnitude of scale: Minor Subdivision and Major Subdivision.

A. **Minor Subdivisions.**

Definition. A Minor Subdivision is a subdivision, or amendment to a subdivision which has been previously platted, which includes no additional public right-of-way dedication, and includes one or more of the following:

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- (1) The boundaries of five or fewer lots are created from one parent tract or lot, cumulatively and not more than 3 acres;
 - (2) Any lot line adjustment; or
 - (3) A consolidation of multiple lots into one when a new street or street change is not involved.

B. Major Subdivisions.

Definition. A Major Subdivision is a subdivision which includes one or more of the following:

- (1) Dedication of public right-of-way, public infrastructure or other public tracts, or a private road;
- (2) The subdivision consists of six or more lots or tracts; or
- (3) The creation of lots on property which have never previously been platted.

7.5.3 SKETCH PLAN

- A. **Purpose.** The Sketch Plan is a conceptual design of the development submitted with a Major Subdivision application, that depicts what the Applicant envisions for the overall development, including zoning, transportation, pedestrian network, parks, tree canopy, community open space, and other amenities. The purpose is to allow the Applicant, the Planning Commission, and the community the opportunity to discuss the conceptual subdivision before it goes through the major subdivision platting process.
- B. **Requirements.** A Sketch Plan shall be submitted and provided to staff in advance of any public and/or community meeting for all Major Subdivisions. Major proposed changes to any approved preliminary plat(s) may require a new Sketch Plan review if the Code Administrator determines the changes are significantly different from the Sketch Plan discussed at the public meeting.

The Sketch Plan shall consist of the following elements:

- (1) **Street plan:** The Applicant shall provide a preliminary traffic plan that addresses the following elements:
 - (a) The proposed street network and connectivity to the existing Street network, including all proposed access points.
 - (b) The location and layout of all arterial and collector roads within the development.
 - (c) The scope of a traffic impact study prepared by a S.C. licensed traffic engineer which evaluates proposed access points, the existing street system, and any need for any road improvements (including off-site improvements) created by the proposed development.
- (2) **Community Open space plan:** The Applicant shall provide a preliminary open space plan that depicts compliance with Section 7.4 of this Code, with the following elements:
 - (a) Proposed Community open space distribution and location, including percentage of open space.
 - (b) Compliance with Section 7.4.2, Community Green Space and Community Open Space Requirement.
 - (c) Required buffer areas in accordance with Section 5.5.1.
 - (d) Wetland areas and setbacks as determined by SCDES-BCM, if applicable.
 - (e) Proposed park locations, acreage, and types of parks in accordance with Section 7.4.

(3) **Pedestrian network:**

- (a) Location of all trails within development, and connection to existing trail network.
- (b) Connectivity of sidewalks to the existing pedestrian system, including any off-site sidewalk improvements. This includes planning for a one-quarter mile pedestrian distance.
- (c) Depiction of any bike lanes or any other multi-modal features.

(4) **Zoning/Design:**

- (a) The location of zoning boundaries shall be provided with the application and depicted on the Sketch Plan.
- (b) The Sketch Plan should show how the development is consistent with the surrounding area, and within the property itself.
- (c) Conceptual building design and massing.

(5) **Overall utility plan:**

- (a) A letter from the appropriate utility, confirming the existing capacity of the surrounding utility system, and the future capacity of the utility system for the proposal. Utility plans for the interior of the development (such as water and sewer service lines) are not required as part of this process.
- (b) Proposed connections to the existing utility system.

C. **Sketch Plan application submittal.** The application package shall include the following items:

- (1) Development application form and fee.
- (2) Name of project.
- (3) North arrow, scale (not greater than one inch equals 200 feet), and date of preparation.
- (4) Vicinity map.
- (5) Legal description.
- (6) Acreage of property; acreage in each zoning district; acreage in parks; and acreage in open space.
- (7) USGS topographic contours.
- (8) Location and approximate acreage of proposed land uses.
- (9) Existing easements and rights-of-way on or adjacent to the property.
- (10) Existing streets on or adjacent to the property (show and label street names).
- (11) Table providing the following information for each proposed land use area: total acreage; proposed density; and proposed number of dwelling units and/or commercial buildings.
- (12) Location and acreage of proposed open space and parks as per Section 7.4., trails, regional trail connections, playgrounds, and schools or other public uses.
- (13) Proposed street system depicting the location and layout of all arterial and collector roads within the development.

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- (14) The scope of a traffic impact study prepared by a S.C. licensed traffic engineer which evaluates proposed access points, the existing street system, and any need for any road improvements (including off-site improvements) created by the proposed development.
 - (15) Floodplain boundary with a note regarding the source of information.
 - (16) Zoning on adjoining properties.
 - (17) A letter from the appropriate utility, confirming the existing capacity of the surrounding utility system, and the future capacity of the utility system for the development.
 - (18) Proposed connections to the existing utility system.
 - (19) The location of any proposed or required lift stations.
 - (20) Design rationale — description of how the development is integrated with surrounding area, how it responds to site features/constraints and how it is consistent with this Code.
 - (21) General description of plan for drainage and storm water management, including any regional drainage solutions.
 - (22) Description of how the proposed development complies with the City's Comprehensive Plan.
 - (23) Concept of structure location, massing and design.

D. **Application certification of completion.** Within 30 days, staff shall either certify the application is complete and in compliance with all submittal requirements or reject it as incomplete and notify the Applicant of any deficiencies. Applicant shall then correct any deficiencies in the application package and re-submit the application to the City.

E. **Sketch Plan Process.**

- (1) Planning Commission Meeting. The Planning Commission shall hold a public meeting to review and provide comments on the Sketch Plan.
- (2) Notice to neighboring property owners. The City shall send advance notice of the Planning Commission meeting by regular mail to neighboring property owners within 1,000 feet of the property per this Code.

F. **Sketch Plan review criteria.** The Planning Commission shall use the following criteria in addition to other applicable provisions of this Code to evaluate the Applicant's application:

- (1) The land use mix within the project conforms to Beaufort's Zoning District Map and Comprehensive Plan Preferred Land Use Map and furthers the goals and policies of the Comprehensive Plan.
- (2) The Sketch Plan is consistent with the rationale and criteria set forth in this Chapter, the City's Comprehensive Plan, and the Civic Master Plan as amended.
- (3) The preliminary traffic, open space, park, utility, and pedestrian design is adequate and functional given the existing and planned capacities of each system, and meets the standards found in this Code.
- (4) The conceptual design and massing proposed is consistent with the requirements of the Development Code.

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- G. **Timeframe related to approval of Sketch Plan.** After a period of 12 months has passed without submittal of a Preliminary Plat application, the Administrator may require an Applicant to submit a new Sketch Plan application for Planning Commission review.
 - H. **Minor amendments.** A minor amendment to the Sketch Plan may be reviewed administratively if it:
 - (1) Does not change any land use, or location of any land use.
 - (2) Does not change the number of lots or density by more than ten percent cumulatively.
 - (3) Does not contain significant changes in arterial or collector street alignment and/or access points, or other major public elements such as drainage improvements, utility lines or facilities.
 - (4) Does not change any measurable standard (other than above), such as open space or park area, by more than ten percent cumulatively.

7.5.4 PRELIMINARY PLAT

- A. **Purpose.** The purpose of the preliminary plat is to provide the City with an overall plat and the associated preliminary engineering for the proposed development.
- B. **Application process.**
 - (1) **Pre-application conference.** A pre-application conference with the City is required before the Applicant may submit a preliminary plat application. Topics to be discussed will include:
 - (a) The provisions of this Code and the applicable requirements;
 - (b) The application and review process;
 - (c) Submittal requirements; and
 - (d) Changes or modifications based on direction from the Planning Commission at Sketch Plan approval.
 - (2) **Application submittal.** Following review of the Sketch Plan, the Applicant may submit the complete preliminary plat application to the City. The preliminary plat application package shall be formatted and packaged per the application submittal checklist provided by the City and include the following items in both printed and electronic formats:
 - (a) Development application form;
 - (b) Application fee;
 - (c) Title commitment. The title commitment must be current and dated no more than 120 days from the date of preliminary plat application submittal; and
 - (d) The preliminary plat that shall provide the following information:
 - (i) Title of project.
 - (ii) North arrow, scale (not greater than one inch equals 100 feet) and date of preparation.
 - (iii) Vicinity map.
 - (iv) Names and addresses of owners, Applicant, engineers, and surveyors.
 - (v) Legal description.

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- (vi) Total acreage of property.
 - (vii) Existing contours at two-foot intervals (based on USGS datum).
 - (viii) Name and location of abutting subdivisions or owners of abutting property (if land is not platted).
 - (ix) Lots, blocks, and street layout (with cross-sections), dimensions and square footage for each lot. Dimensions and square footages may be rounded to the nearest whole number.
 - (x) Consecutive numbering of all lots and blocks.
 - (xi) Existing and proposed easements (including rights-of-way) on and adjacent to the property.
 - (xii) Existing and proposed zoning on and adjacent to property.
 - (xiii) Approximate location and size of existing sewer lines, water lines and fire hydrants. Approximate location of proposed sewer lines, water lines, and fire hydrants with a letter from BJWSA and the Fire Marshall.
 - (xiv) Location by field survey or aerial photography of existing and proposed water courses and bodies of water such as irrigation ditches and lakes. Water courses shall include direction of flow.
 - (xv) Tree Survey with Existing Tree Canopy Survey.
 - (xvi) Floodplain boundary with a note regarding source of information (if a floodplain does not exist on the property, state this on the plan).
 - (xvii) The boundaries of proposed phases of the subdivision if the final plat is intended to be submitted in multiple phases.
 - (xviii) General location of existing surface improvements such as buildings, fences, or other structures which will remain on the property as part of the subdivision.
 - (xix) Location and acreage of proposed parks, trails, playgrounds, schools or other public uses.
 - (xx) Location, function, ownership and manner of maintenance of any private open space.
 - (xxi) Land use table including land uses, approximate acreage of each land use type, percentage of each land use type density (net and gross) and how public dedication requirement will be met.
 - (xxii) Total number of lots.
 - (xxiii) Number of each type of dwelling unit proposed.
 - (xxiv) An AutoCad drawing file of the Preliminary Plat in a format specified by the Codes Administrator.
 - (xxv) Surveyor's certificate.

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- (3) **Drawing standards.** The preliminary plat drawing shall comply with the following standards:
- (a) The preliminary plat shall be prepared by or under the direct supervision of a registered land surveyor, architect and/or engineer, shall be signed and stamped by said surveyor, architect and/or engineer, and shall meet applicable State of South Carolina requirements.
 - (b) Contiguous parcels separated by easements (including public rights-of-way), public tracts, or railroads, parcels not contiguous with each other shall not be included in one plat, nor shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be included on one plat, provided that all owners join in the application and acknowledgment.
 - (c) Lengths on the preliminary plat boundary shall be shown to the nearest hundredth of a foot and bearings shall be shown in degrees, minutes, and seconds.
 - (d) Bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside, with the lot dimensions.
 - (e) Names and signatures of all owners with any interest in the property shall be on the preliminary plat and shall be made in black drawing ink.
- (4) **Explanation of how the plat is consistent with this Code, the Comprehensive Plan, the Civic Master Plan, and the Sketch Plan.**
- (5) **Preliminary grading and drainage plan and report.** This plan and report must be certified by a South Carolina registered professional engineer or Land Surveyor and include approximate earthwork quantities (how earthwork on the site is "balanced"), storm drainage concepts such as locations of pipe and other conveyance facilities, locations for on-site detention or downstream structural improvements, and soil erosion and sedimentation control plans and specifications. It must also discuss the impacts on and to any existing floodways and/or floodplains both on and adjacent to the site as well as any FEMA applications or approvals that may be required.
- (6) **Preliminary water and sewer plan and study.** This plan shall be prepared by a registered professional engineer. It is necessary that the engineer consult with the appropriate utility service providers regarding the design of all utilities through the subdivision.
- (7) **Preliminary landscape and open space plan.** The landscape plan must address the treatment of all exterior spaces. Landscape plans are to be designed to meet the requirements of this Code and show approximate locations of trees, shrubs, groundcovers, turf, buffering, fences, walls and other site amenities that will be included in the plan.
- (8) **Traffic study.** A TIA with requirements consistent with Section 7.3.2. This study must be prepared by a S.C. licensed professional traffic engineer and identify the projected impacts to the local and regional traffic system. The direct roadway impacts and proposed share in the cost of regional improvements and intersections must be identified for the project.
- (9) **Archaeological Impact Assessment.** As determined by the Codes Administrator, an Applicant may be required to provide the City, pursuant to Section 8.4, with records listing historically or archaeologically significant findings on the property being subdivided at the Applicant's expense.
- (10) **General ecological resource survey.** Prepared by an environmental expert, a survey identifying the potential/absence/habitat of a threatened or endangered species and wetlands or other ecologically

sensitive area. Said survey shall make practical recommendations regarding treatment or mitigation of the findings.

- (11) **Conceptual Design.** Applicant should provide conceptual design and massing examples (i.e. typical building elevations, but not required for each individual lot), consistent with the requirements of this Code.
- C. **Planning Commission Hearing.** The Planning Commission shall hold a public hearing to approve, approve with conditions, or deny the Preliminary Plat.
- (1) **Notice to neighboring property owners.** The City shall send advance notice of the Planning Commission hearing by regular mail to neighboring property owners within 1,000 feet of the property per this Code.
 - (2) **Approval.** The Planning Commission shall review and act on the Preliminary Plat. The Planning Commission shall approve, approve with conditions, or deny the Preliminary Plat based on the review criteria below.
- D. **Review criteria.** In addition to all provisions of this Code, the Planning Commission shall use the following criteria to evaluate the Preliminary Plat:
- (1) The Preliminary Plat is consistent with the rationale and criteria set forth in this Code.
 - (2) The land use mix within the project conforms to the City's Development Code and complies with the Comprehensive Plan and Civic Master Plan.
 - (3) The utility and transportation design are adequate, given existing and planned capacities of those systems.
 - (4) Lot layout, including structure, location, and design of each lot.
- E. **Phasing.** The Preliminary Plat shall designate the boundaries of phases for which separate Final Plats will be presented for approval. Each phase, either alone or in conjunction with previously approved and recorded phases, must meet all of the requirements of this Code.
- F. **Early grading.** After approval of a Preliminary Plat, Applicant may proceed with preliminary grading of the project area if a construction plan set for grading and drainage is approved and a memorandum authorizing grading work is issued by the Codes Administrator. Early grading and storage of construction related equipment is at the risk of the Applicant and no Final Plat approval by the Planning Commission is expressed or implied by any authorization of early grading.
- G. **Timeframe related to approval of Preliminary Plat.** A Preliminary Plat approval is in full force and effect for a period of two years from the date of approval. Approval will automatically expire at the end of two years unless an Applicant requests in writing a 12 month extension from the Planning Commission prior to termination or submits a completed Final Plat application for all or a portion of the property.
- H. **Post approval actions.** Prior to issuance of a grading permit, the Applicant shall submit the following documentation to the City:
- (1) **List of contractors.** List of all contractors that will be performing the improvements.

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- (2) **Proof of insurance/business license.** Proof of workman's comprehensive insurance and liability insurance for each contractor and business license.
 - (3) **Open space deed restriction.** Areas designated as open space shall be protected by a deed restriction or other appropriate method to ensure that they cannot be subdivided or developed in the future and will remain as open space until unless the use is modified by the City.
 - (4) **Construction traffic control plan.** Applicant will develop a plan for Codes Administrator or appointee, review that addresses construction traffic, construction water, temporary road closures, street repairs, dust, noise and other construction-related concerns.

7.5.5 FINAL PLAT

- A. **Purpose.** The purpose of the Final Plat is to complete the subdivision of land consistent with this Code.
- B. **Application process.**
 - (1) **Application submittal.** The Final Plat application shall substantially conform to the Preliminary Plat as approved at the public hearing and shall meet all conditions of approval. The Applicant shall submit the completed Final Plat application package to the City. The Final Plat application shall be formatted and packaged per the application submittal checklist provided by the City and include:
 - (a) Development application form.
 - (b) Application fee.
 - (2) **Standards.** The Final Plat shall comply with the following standards:
 - (a) All requirements of Section 7.5.4.
 - (b) The plat shall be prepared by or under the direct supervision of a registered land surveyor, shall be signed and stamped by said surveyor, and shall meet applicable State of South Carolina requirements.
 - (c) Existing and proposed easements (including rights-of-way) in and adjacent to property (labeled and dimensioned).
 - (d) Existing and proposed street names for all streets on and adjacent to the property.
 - (e) Final Traffic Impact Analysis (if applicable) as per the requirements found in this Code.
 - (f) If applicable, prior to commencement of construction, a State Highway utility permit from SCDOT.
 - (g) If applicable, prior to commencement of construction, a State Highway access permit from SCDOT.
 - (h) If applicable, prior to commencement of construction, a construction dewatering permit from SCDES.
 - (i) If applicable, prior to commencement of construction, a 404 Permit from the Army Corps of Engineers.
 - (j) Prior to commencement of construction, acceptable collateral in the amount and form stipulated in Section 7.1.5.

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- (3) **Original plats.** The Applicant shall submit to the City five original, signed copies of the Final Plat, ready to record, and final executed copies of all agreements.
- (4) **Complete engineering plans and specifications.** As a condition of Final Plat approval the Applicant shall prepare and submit the following:
- (a) **Construction plans and profiles.** The plans and profiles shall be prepared by a registered professional engineer licensed in the State of South Carolina. Plans shall be 24 inches high by 36 inches wide and provide the following information:
 - (b) The horizontal to vertical scales shall be chosen to best depict the aspects of the design.
 - (c) Minimum horizontal scale: One inch equals 100 feet.
 - (d) Minimum vertical scale: One inch equals ten feet.
 - (e) The typical road geometric and structural cross-section is to be shown on each plan sheet.
 - (f) The plan must show right-of-way lines and widths, road names, lot lines, tangent lengths and bearings, curve radii, delta angles, curve lengths, chord lengths and bearings, stationing at all beginning of curves and end of curves, intersections, structures, angles, curb lines, cross pans, traffic control devices (islands, striping, signs, etc.), drive cuts, curb returns and radii, and all other features to enable construction in accordance with approved standards and standard engineering practice. Stationing may be centerline if approved by the Codes Administrator. Construction plans shall include water lines and appurtenances, sewer lines and appurtenances, and storm water lines and appurtenances and any other wet utilities.
 - (g) The profiles shall include existing and proposed grade at curb and gutter or centerline of street elevation at point of intersection of vertical curves, intersections, grade breaks, point of curb return (PCR), point of reverse curve (PRC), and other critical points, structures, and all other features.
 - (h) **Structure details.** Sufficient data shall be given regarding construction of major structures and road appurtenances such as bridges, culverts, gutters, drives, walks, cross pans, etc.; detail shall include orientation line and grade, cross-sections, dimensions, reinforcement schedules, materials, quality specification, etc., or as the Codes Administrator may approve.
 - (i) **Final Water Report.** A final water report including hydraulic analysis and pipe sizing calculations. Note, this report can be verified by BJWSA and does not need to be submitted to the City.
 - (j) **Final Sanitary Sewer Report.** A sanitary sewer report including hydraulic analysis and pipe sizing calculations. Note, this report can be verified by BJWSA and does not need to be submitted to the City.
 - (k) Sewage collection and water supply distribution plans, profiles and specifications. The plans, profiles and specifications shall be prepared by a registered professional engineer and shall be accompanied by written approvals from BJWSA.
 - (l) **Final drainage plans and reports.** Based upon the approved preliminary drainage plan, a final report is to be submitted in accordance with SOLOCO Drainage and Design Criteria, as amended or as the Codes Administrator may approve. The plan and report must provide:
 - (m) Erosion control plans, when required.
 - (n) Sizing of all pipes, inlets, conveyance ways, and other appurtenances.

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- (o) **Final grading plan.** The final grading plan shall be 24 inches high by 36 inches wide and illustrate existing and proposed contours and lot and block grading details.
 - (p) **Soils report.** The soils report shall detail pavement design and construction requirements and shall be submitted after overlot grading is complete.
 - (q) **Final landscape and open space plan.** The landscape plan must address the treatment of all exterior spaces. Landscape plans are to be designed to meet the requirements of this Code and show trees, shrubs, groundcovers, turf, buffering, fences, walls and other site amenities that will be included in the plan. All plant materials must be adapted to the physical limitations of the local climate and specific conditions of the landscape plan. All plant materials must meet specifications of the American Association of Nurseryman for number one grade. All street trees must be selected from the City of Beaufort recommended tree list.
 - (r) Landscape Plan drawn to scale (not greater than one inch equals 50 feet) on 24 by 36-inch sheets which includes:
 - (i) Project name.
 - (ii) Scale, north arrow and date of preparation.
 - (iii) Existing and proposed streets and street names.
 - (iv) Lot lines, easements and public rights-of-way as shown on the subdivision plat, including gross and net area of all parcels.
 - (v) Location of proposed building footprints and parking areas.
 - (vi) Location of storage, loading, and service areas.
 - (vii) Existing and proposed two-foot contours (based on USGS datum).
 - (viii) Natural features, wetlands, wildlife corridors, floodplains, streams, ditches, and other (ix) waterways.
 - (ix) The location of existing and proposed utilities. Utility lines can be 'ghosted' in on the landscape plan to vary the line types for cleaner drawings.
 - (x) All existing trees within the proposed site and adjacent to the site must be accurately identified on the plan. Existing trees must be labeled as to their size, species and if they are intended to remain, be removed or transplanted. All replacement mitigation trees will need to be shown separately on the plan. Tree protection standards for existing trees to remain shall be included on the plan.
 - (xi) The extent and location of proposed trees, shrubs and perennials and quantities of each species. Plant materials are to be drawn at two-thirds of their mature size.
 - (xii) Landscape schedule including the represented plant symbol, Latin name, common name, planting size and number of individual plants. All plant materials are to meet the minimum size requirements as provided in this Code.
 - (xiii) Proposed treatment of all ground surfaces must be clearly indicated, including turf, paving, mulch, native grass, seeded grass, etc. Grass areas are to be specified as seed or sod, and a seed mix/rate specified.

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- (xiv) Sight distance triangles must be shown at street intersections pursuant to this Code.
 - (xv) Project specific landscape notes and details to ensure the proper planting, establishment and survival of plant materials. Additional notes detailing the warranty for plant materials and continued maintenance shall be included.
 - (xvi) Open space and pedestrian circulation system.
 - (xvii) Proposed grading of the project site, including drainage swales, detention basins, retaining walls and any off-site infrastructure improvements.
 - (xviii) Notes for conservation and retention of topsoil and landscape soil preparation.
 - (xix) Restoration, revegetation or enhancement of disturbed natural areas or open space feature.
 - (xx) Park structures, signage, play equipment, and other landscape or park amenities and appurtenances.
 - (xxi) A PDF file and an AutoCad drawing file of the Final Plat in an electronic format specified by the Codes Administrator.
 - (xxii) Design standards as required in Site Plan section 7.5.7.B.4.

(5) **Post approval actions.** Prior to issuance of a building or grading permit, the Applicant shall submit the following documentation to the City:

- (a) List of contractors. List of all contractors that will be performing the improvements.
- (b) Proof of insurance/business license. Proof of workman's comprehensive insurance and liability insurance for each contractor and business license.
- (c) Open space deed restriction. Areas designated as open space shall be protected by a deed restriction or other appropriate method to ensure that they cannot be subdivided or developed in the future and will remain as open space unless the use is modified by the City.
- (d) Construction traffic control plan. Applicant will develop a plan for Codes Administrator or appointee, review that addresses construction traffic, construction water, temporary road closures, street repairs, dust, noise and other construction-related concerns.

C. **Approval.** The Administrator shall review and act on the Final Plat. The Administrator may choose to approve, approve with conditions, or deny the Final Plat based on the criteria below.

(1) **Final Plat review criteria.** In addition to all provisions of this Code, the Administrator evaluates the Applicant's Final Plat application based on whether the Final Plat is in substantial conformance with the approved Preliminary Plat. For the purposes of this Code, "substantial conformance" includes design adjustments made to meet any conditions of Preliminary Plat approval, and is determined as follows:

- (a) Does not change any land use;
- (b) Does not contain changes which would render the final plat in nonconformance with requirements of this Code;

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- (c) Does not contain significant changes in street alignment and/or access points, or other public elements such as drainage improvements, utility lines or facilities; and
 - (d) Does not increase density.

D. **Timeframe related to approval of Final Plat.** A Final Plat is in full force and effect for a period of two years from the date of recordation unless a longer timeframe is specifically allowed by the City in an approved Development Agreement or unless improvements are completed and accepted on all or a portion of the development. Applicants may formally request one 12 month extension from the Administrator prior to termination of Final Plat approval. Prior to the expiration of the original two year timeframe or the extension timeframe, an Applicant may formally request an additional extension if substantial progress has been made on installation of improvements.

7.5.6 MINOR SUBDIVISION PLAT

A. **Purpose.**

- (1) The purpose of the Minor Subdivision Plat is a subdivision or amendment to a subdivision which has been previously platted, which includes no additional public right-of-way dedication, and includes one or more of the following:
 - (a) The boundaries of five or fewer lots are created from one parent tract or lot, cumulatively and not more than 3 acres (e.g., any portion of a tract that is subdivided counts toward the five total, and does not itself become a new parent tract to subdivide an additional five lots from);
 - (b) Any lot line adjustment, consolidation of multiple lots into one; and
 - (c) A consolidation of multiple lots into one when a new street or street change is not involved.

B. **Application submittal.** The Applicant shall submit the complete Minor Subdivision plat application package to the City. The application shall be formatted and packaged per the application submittal checklist provided by the City and include:

- (1) Development application form.
- (2) Application fee.
- (3) **Title commitment.** A current title commitment, dated no more than 30 days from the date of minor subdivision plat application submittal

C. **Plat standards.** The plat drawing shall comply with the following standards:

- (1) The plat shall be prepared by or under the direct supervision of a registered land surveyor and meet applicable State of South Carolina requirements.
- (2) Except for parcels separated by public rights-of-way, public tracts, or railroads, parcels not contiguous shall not be included in one plat, nor shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be included on one plat, provided that all owners join in the dedication and acknowledgment.
- (3) Lengths shall be shown to the nearest hundredth of a foot and bearings shall be shown in degrees, minutes and seconds.

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- (4) Bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside, with the lot dimensions.
 - (5) All signatures shall be made in black drawing ink.
 - (6) Title of project.
 - (7) North arrow, scale (not greater than one inch equals 100 feet) and date of preparation.
 - (8) Vicinity map.
 - (9) Legal description.
 - (10) Basis for establishing bearing.
 - (11) Names and addresses of owners, Applicant, designers, engineers, and surveyors.
 - (12) Total acreage of subdivision.
 - (13) Bearings, distances, chords, radii, central angles, and tangent lines for the perimeter and all lots, blocks, rights-of-way, and easements.
 - (14) Lot and block numbers, numbered in consecutive order, and square footage or acreage to two decimal places of each lot or tract.
 - (15) Parcels excepted from inclusion noted as "not included in this subdivision" and the boundary completely indicated by bearings and distances.
 - (16) Existing rights-of-way in and adjacent to subject property (labeled and dimensioned).
 - (17) Existing and proposed street names for all streets on and adjacent to the property.
 - (18) Existing easements and their type in and adjacent to subject property (labeled and dimensioned).
 - (19) Location and description of monuments;
 - (20) Floodplain boundary with a note regarding source of information (if a floodplain does not exist on the property, please state this on the plat).
 - (21) Blocks for signatures of owner, surveyor, and City approval, as applicable.

- D. **Recordation of Minor Subdivision Plat.** Five signed copies of the Minor Subdivision plat shall be delivered to the City. The Applicant will be responsible for recording the minor subdivision plat with Beaufort County.

7.5.7 SITE PLAN

- A. **Purpose.** The Site Plan is a prerequisite to a building permit for all multi-family (excluding duplexes), commercial, and industrial developments. The site plan shows how the lot will be developed so that the City can ensure that the site design will be in compliance with the Development Code, Comprehensive Plan, and Civic Master Plan.
- B. **Application.** A Site Plan Application shall include the following:
- (1) Land use application form.
 - (2) Application fee and fee agreement.

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- (3) **Site Plan plat** — The Site Plan shall be a minimum of 18 inches by 24 inches and shall provide the following information:
- (a) Title of project.
 - (b) North arrow, scale (no greater than one inch equals 50 feet) and date of preparation.
 - (c) Vicinity map.
 - (d) Address of project.
 - (e) Legal description of property.
 - (f) Name, address, and phone number of property owner.
 - (g) Name, address, and phone number of person or firm responsible for plan.
 - (h) Lot size (square footage).
 - (i) Bearings and distances of all lot lines.
 - (j) Existing and proposed easements and rights-of-way.
 - (k) Existing and proposed paved areas and sidewalks on the site and in the adjacent rights-of-way, all dimensioned, showing how pedestrians will have access to the site and buildings.
 - (l) Existing and proposed curb cuts on the site and in the adjacent rights-of-way (on both sides of perimeter streets), all dimensioned.
 - (m) Existing and proposed two-foot contours.
 - (n) Existing waterways on or adjacent to the site.
 - (o) Finished floor elevations for all structures.
 - (p) Footprint (including roof overhangs and eaves, decks, balconies, and outside stairs and landings) of all proposed structures and their use with their dimensions and locations noted with respect to the property lines.
 - (q) Existing structures and their use.
 - (r) Square footage of the proposed building(s) and the footprint of the proposed building(s).
 - (s) Proposed structure height.
 - (t) For multi-family residential, the number of residential units and bedrooms per unit.
 - (u) Location of proposed signs and lighting.
 - (v) Specifications for the signs and lights, including type, height and general conformance to the Code. For commercial and industrial uses, a photometric plan prepared by a qualified electrical or lighting engineer shall be submitted that depicts all lighting fixtures and the light spread (in footcandles) of these fixtures across the site to all property boundaries.
 - (w) Proposed traffic controls and striping for parking areas (all lanes, driveways, and parking spaces must be dimensioned).
 - (x) Trash disposal areas and enclosures including specifications for enclosures.
 - (y) Location and size of existing and proposed water and sewer service connections and tap sizes.

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- (z) Location and size of water and sewer lines to which the service connections will be or are made.
 - (aa) Location and size of water meter(s).
 - (bb) Location and size of backflow-prevention devices.
 - (cc) Indication of how and where perimeter drain will drain (if one exists).
 - (dd) Location of existing electrical lines and poles on or adjacent to the site.
 - (ee) Location of proposed electrical service connection and meter location.
 - (ff) Location of electric transformer.
 - (gg) Location of all fire hydrants. If none exist on site, note distance and direction of the closest hydrant adjacent to the site within 500 feet.
 - (hh) Location of detention/retention areas and storm sewer infrastructure with the required drainage easements.
 - (ii) The distance from the proposed building(s) or structure(s) to adjacent lot lines, easements, and adjacent structures.
 - (jj) A land use chart (table).
 - (kk) Certificate blocks for signatures of owner, surveyor and City approval.
- (4) **Design standards** — Demonstrate in written or graphic form how the proposed structure(s) is consistent with the design requirements of this Code. Provide elevations of proposed structures/graphic visual aids. Provide complete building elevations, drawn to scale, with illustrations of all colors and identifying major materials and cut sheets to be used in the structure(s). In addition, Staff may require building floor plans, sectional drawings, perspective drawings, models, and/or computer visualizations when the impacts of a proposal warrant such information.
 - (5) **Drainage report** — A drainage report, prepared by a S.C. licensed professional, including an erosion control study and plan, as applicable, must be reviewed and approved by the appropriate sanitation district (if applicable) prior to submittal of the report to the City as part of the site plan application.
 - (6) **Final landscape and open space plan** — Provide an existing and proposed landscape plan with tree protection zones and a tree survey, and open space plan consistent with Chapters 5 and 7 of this Code.
 - (7) **Traffic Impact Analysis** — Provide TIA as per requirements of Section 7.3.2.

- C. **TRC and Staff Review.** Staff and TRC shall review the application and prepare comments. Staff and TRC will review the site plan map to ensure it is consistent with the site plan review criteria. Following the review, Staff will prepare a written report outlining any changes that the Applicant must make before the site plan can be recommended for public hearing with the Planning Commission. This report will be forwarded to the Applicant and the Applicant shall make all necessary changes to the site plan and resubmit a revised copy to the City.

D. Planning Commission Hearing.

- (1) Notice to neighboring property owners. The City shall send advance notice of the Planning Commission meeting by regular mail to neighboring property owners within 1,000 feet of the property per this Code.
- (2) The Planning Commission shall hold a public hearing on the proposal.
- (3) At the conclusion of the public hearing, the Planning Commission may approve, deny, or approve with conditions the application for a Major Development. No Major Development shall be approved unless the following findings of fact are made:
 - (a) The plan is consistent with the City of Beaufort Comprehensive Plan and Civic Master Plan.
 - (b) The plan complies with all applicable requirements of this Code.
 - (c) There exists adequate infrastructure (transportation and utilities) to support the plan as proposed.
 - (d) The plan conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site.

E. Post approval actions.

- (1) Building Permit. A building permit shall be issued only if a site plan has been approved. However, with the approval of the City, an Applicant may submit a building permit application concurrent with the site plan application. Building permits shall not be issued for any development that is not in conformance with the approved site plan.
- (2) Phasing and expiration of approval. The site plan shall be effective for a period of three years from the date of approval, unless stated otherwise in the written site plan approval. Building permits shall not be issued based on site plans that have an approval date more than three years old. For multi-phased plans, building permits shall not be issued based on an approval date more than three years from the date of Phase I approval.

F. Appeals. See Sections 7.6 and 9.17

G. Permit Validity. Upon the approval of a Major Development Design application, the Applicant shall have 2 years to obtain a Project Permit. Failure to secure a permit for the permitted work within this time shall render the approval void. Any change to the approved plans that has not been authorized by the Planning Commission shall invalidate the Site Plan approval and any subsequent Project Permits.

H. Permit Extension. The Planning Commission may grant a one year extension of this time period upon submittal by the Applicant of sufficient justification for the extension. Extensions shall be submitted at least 1 month prior to the expiration date.

I. Amendments to approved Site Plans.

- (1) Minor variations in the location of structures, improvements, or open space areas caused by engineering or other unforeseen difficulties may be reviewed and approved by the City Staff. Such changes shall not exceed ten percent of any measurable standard or modify the use, character, or density of an approved site plan. All plans so modified shall be revised to show the authorized changes and shall become a part of the permanent records of the City.

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- (2) Changes to approved site plans that exceed the ten percent threshold, or other major modifications (such as changes in building size or footprint, relocation of access points, changes to required parking, etc.), shall be considered as a new site plan application. Such amendments shall require Planning Commission review and approval to become effective. A complete site plan application shall be prepared and submitted in compliance with the requirements set forth in this Section.

7.6: APPEALS

See Chapter 9.17 for overall specifications regarding appeals.

9: DEVELOPMENT REVIEW PROCEDURES

9.1: PURPOSE AND GENERAL PROVISIONS

9.1.1 PURPOSE

In order to establish an orderly process to develop land within the jurisdiction of the City of Beaufort, the purpose of this article is to provide a clear and comprehensible development process that is fair and equitable to all interests, including the applicants, affected neighbors, city staff and related agencies, and the City Council.

9.1.2 APPLICABILITY

The provisions of this article shall be applicable to all development activity under the jurisdiction of the City of Beaufort.

9.1.3 CONFORMITY WITH CODE

The Administrator shall not issue a permit or license for any use, building, or purpose that conflicts with any provision of this Code.

9.1.4 PERMIT/DEVELOPMENT DESIGN REVIEW/HISTORIC REVIEW APPLICATION TYPE TABLE

See following pages.

APPLICATION TYPE	SECTION	PROCESS TYPE	REVIEWING AGENCY	PUBLIC NOTIFICATION (9.1.5)	APPROVING AGENCY		APPROVAL PERIOD	APPROVAL EXTENSION
ADMINISTRATIVE PERMITS								
Zoning Permit	9.4	Ministerial	Admin	No	Admin		6 months	6 months, 1 time
Building Permit	9.5	Ministerial	Admin	No	Admin		6 months	Resubmit
Certificate of Occupancy	9.7	Ministerial	Admin	No	Admin		n/a	n/a
DEVELOPMENT DESIGN REVIEW								
Development Design Review, Minor Site Plan	9.8.1	Ministerial	Admin	No	Admin		24 months	12 months, 1 time
Development Design Review, Major Site Plan	9.8.2	Discretionary	Admin, TRC	Yes	PC		24 months	12 months, 1 time
SUBDIVISION REVIEW								
Sketch Plan	7.5.3	Discretionary	Admin, TRC	Yes	PC		12 months	12 months,
Preliminary Plat	7.5.4	Discretionary	Admin, TRC	Yes	PC		24 months	12 months, 1 time
Final Plat	7.5.5	Ministerial	Admin, TRC	No	Admin		24 months	12 months, 1 time
Minor Subdivision	7.5.6	Ministerial	Admin	No	Admin		n/a	n/a
HISTORIC PRESERVATION								
Beaufort Historic District - Certificate of Appropriateness, Minor	9.9	Ministerial	Admin	Demolition Only: Yes	Admin		24 months	12 months, up to 3 times
Beaufort Historic District - Certificate of Appropriateness, Major	9.9	Discretionary	Admin	Demolition & Design Exception only: Yes	HRB		24 months; no expiration for demolitions	12 months, up to 3 times

ADJUSTMENTS								
Administrative Adjustment	9.12	Ministerial	Admin	No	Admin		24 months	12 months, up to 3 times
Special Exception	9.12	Discretionary	Admin	Yes	ZBOA		24 months	12 months, up to 3 times
Variance	9.13	Discretionary	Admin	Yes	ZBOA		24 months	12 months, up to 3 times
Admin-Administrator / PC-Planning Commission / CC-City Council / ZBOA-Zoning Board of Appeals / HRB-Historic District Review Board / TRC-Technical Review Committee / Court - Circuit Court								
Note: Any appeals that are assigned to Court are eligible for pre-litigation mediation pursuant to S.C. Code § 6-29-1155								

(Ord. No. O-14-23, 9-26-2023)

9.1.5 PUBLIC NOTIFICATION

All public meetings shall be posted and advertised with the media as required by state law. The following procedures have been established for development applications/petitions that require additional notification of the public prior to consideration and/or approval.

A. BASIC NOTICE, MINIMUM STANDARDS FOR NOTICE OF ALL MEETINGS AND HEARINGS:

Written public notice of dates, times and places of all City of Beaufort development review public meetings and hearings shall be provided in accordance with S.C. Code § 30-4-80, any other applicable provision of State Law, and this Code. This includes, at minimum, posting of a copy of the notice, including the agenda, in the building where the meeting shall be held, posting of the notice, the agenda, and the meeting materials packet on the website maintained by the City of Beaufort, and notifications to persons, organizations and news media requesting such notice as contemplated by S.C. Code § 30-4-80 (E). While State Law requires a minimum of 24 hours written notice in the absence of a special notice requirement, City Staff shall provide, at a minimum, seven (7) calendar days of notice.

B. PUBLICATION OF NOTICE OF A HEARING IN A NEWSPAPER:

When required by State Law, a distinctive advertisement (public hearing notice) shall be placed by the Administrator in a local newspaper of general circulation within the City. This notice shall be published in accordance with the time limits required by State Law or, if none, not less than 15 calendar days prior to the meeting. The content of said published notice shall include all content required by State Law, including without limitation the following:

- (1) The general location of land that is the subject of the application;
- (2) The tax map, parcel number, and street address if available;
- (3) The substance of the application, including the magnitude of proposed development and the current zone;
- (4) The time, date, and location of the public hearing;
- (5) A phone number to contact the City; and
- (6) A statement that interested parties may appear at the public hearing.

C. NOTICE OF APPLICATION SIGN:

A notice of application sign shall be posted by the Administrator on the subject property in a location clearly visible from each street adjacent to the property as required by State Law, including without limitation for all hearings on applications for zoning or rezoning, variances, special exceptions, site plans, and preliminary plats, as well as demolition and design exceptions. The notice shall be posted no less than 15 calendar days prior to the hearing at which the application will be reviewed. The sign shall include the following information:

- (1) Type of application;
- (2) The date, time, and place of the public hearing; and
- (3) A phone number to contact the city.

D. **MAILED/EMAILED NOTICE:**

Mailed/emailed notice shall be provided as required by State Law, including without limitation mailed notice to adjoining property owners when required by State Law. Additionally, the City shall provide mailed/emailed notices upon request as per S.C. Code § 30-4-80 (E) and the Policy and Procedures contained on the website operated by the City. For demolition of structures listed on the most recent "Above-Ground Historic Sites Survey" that are located outside the Historic District, written notice to members of the Historic District Review Board (HRB), Historic Beaufort Foundation (HBF), and neighbors within 500 feet of the property will be required at least 15 days before any permit is issued.

9.1.6 DECISION BASED ON PUBLIC HEARING

This section intentionally left blank.

9.1.7 WRITTEN NOTICE OF DECISIONS REQUIRED

Within 10 calendar days after a final decision is made by any reviewing body under the requirements of this Code, a copy of the written decision shall be sent to the applicant or appellant. A copy of the decision shall be filed in the office of the Administrator, where it shall be available for public inspection during regular office hours.

9.1.8 TIME LIMITS FOR RESUBMISSION OF APPLICATIONS

In the event that any application required under this Code is denied or disapproved, an application for substantially the same request shall not be refiled for one year from the advertised public hearing date. Where no public hearing is required, time shall run from the date of mailing of the notice of denial.

9.1.9 VESTED RIGHTS AND EXPIRATION OF APPROVALS

- A. **General:** Approval of any application pursuant to this Code shall authorize only the particular use, plan, or other specific activity for which the application was issued, and not any other approval requiring separate application.
- B. **Vested Rights for Final Development Plans/Plats:** For specific provisions see chart in chapter 9.1.4 and applicable provisions in chapter 7.
- C. **Time Limitations For Other Types Of Approval:**
 - (1) All permits and approvals not referenced in this section shall expire as shown in Section 9.1.4 (Permit/Development Design Review/Historic Review Application Type Table) without further action, unless the holder of the permit or approval either submits a complete application for the appropriate subsequent permit, approval, or extension, or if no subsequent permit, approval, or extension is required, completes the work described in the permit or approval within the timeframes established.
 - (2) Upon written request, an extension of an approval may be granted by the decision-making body for good cause for a period not to exceed that shown in Section 9.1.4 (Permit/Development Design Review/Historic Review Process Type Table). No written request for an extension shall be considered unless submitted to the Administrator no later than one month prior to expiration. Failure to submit an application for an extension within the time limits established by this section shall result in the approval's expiration.

9.2: APPLICATION PROCEDURES

9.2.1 PRE-APPLICATION CONFERENCE

- A. **Mandatory Pre-application Conference:** A pre-application conference with the Administrator shall be required prior to filing an application for the following approvals:

- (1) Subdivision review involving the creation of new streets.
- (2) New construction, except for detached single-family homes not part of a new subdivision.
- (3) Text and Map amendment (Rezoning).
- (4) Site plan.
- (5) Text amendment.

The Administrator shall have the authority to waive any mandatory pre-application conference where such conference is deemed unnecessary by the Administrator.

- B. **Optional Pre-application Conference:** Prior to the submission of any application required by this Code, a potential applicant may request an optional pre-application conference to discuss procedures, standards, or regulations required by this Code. Upon receipt of such request, the Administrator shall afford an opportunity for such a pre-application conference at the earliest reasonable time.

9.2.2 APPLICATION FORMS AND FEES

The following regulations shall apply to all applications.

- A. **Forms:** Applications required under this Code shall be submitted on forms and in such numbers as required by the City.
- B. **Fees:**
- (1) Filing fees shall be established from time to time by resolution of the City Council to defray the actual cost of processing the application.
 - (2) All required fees shall be made payable to "The City of Beaufort."
 - (3) An applicant who has paid an appropriate fee pursuant to the submission of an application, but who chooses to withdraw such application prior to any review or action taken, may request in writing a refund of 75% of the total amount paid.

9.2.3 APPLICATION DEADLINE

This section intentionally left blank.

9.2.4 COMPLETE APPLICATION REQUIRED

- A. The Administrator shall have 14 business days to review the application and shall determine whether the application is complete and ready to proceed.
- B. If the application is not complete, the Administrator shall inform the applicant in writing within the 14-day period, specifying the ways in which the application is incomplete, and the applicant shall have 60

days during which to provide the requested materials and complete the application. Any application for which additional materials have not been provided during this 60-day period shall be considered null and void. This application period may be extended by the Administrator upon mutual agreement to provide the required materials at some date certain in the future.

9.2.5 CONCURRENT PROCESSING

Any applicant may submit an application for any sequential approvals (such as a zoning map amendment and site plan approval) required under this Code and request that such sequential approvals be processed concurrently; however, such concurrent processing shall proceed at the applicant's own risk and shall have no implication in regard to the approval of any of the various approvals requested.

9.3: APPLICATION REQUIREMENTS

The following general standards for various applications are intended to require only that data/information that is necessary to render an informed decision by the reviewing agency. A narrative explaining the scope of the project will be required for all applications. The "Application Submittal Requirements" list, on file with the Administrator, is intended to provide further guidance to applicants as to the necessary level of detail for each application component listed below.

APPLICATION TYPE	CODE SECTION	PRE-APPLICATION CONFERENCE (7.5.4.B)	SKETCH PLAN (7.5.3)	SITE PLAN – INCL. BUILDING ELEVATIONS (7.5.7)	FINAL PLAT (7.5.5)	TRAFFIC IMPACT ANALYSIS (7.3.2)	ARCHEOLOG. IMPACT ASSESSMENT (8.4)
ADMINISTRATIVE PERMITS							
Zoning Permit	9.4	See Administrator					
Building Permit	9.5						
Certificate of Compliance	9.6						
Certificate of Occupancy	9.7						
DEVELOPMENT DESIGN REVIEWS							
Minor Site Plan	9.8.1	See Code Sec. 7.5: Subdivision and Site Plan Standards					
Major Site Plan	9.8.2						
SUBDIVISION REVIEWS							
Subdivision, Major (Sketch Plan)	9.9	See Code Sec. 7.5: Subdivision and Site Plan Standards					
Subdivision, Major (Preliminary Plat)							
Final Subdivision Plat							
HISTORIC PRESERVATION							
Beaufort Historic District - Certificate of Appropriateness (CoA), Minor	9.10	☐	☐	☐	N/A	N/A	N/A
CoA, Major	9.10	☒	☒	☒	N/A	☐	☐

PERMIT TYPE	CODE SECTION	PRE-APPLICATION CONFERENCE (7.5.4.B.4)	SKETCH PLAN (7.5.3)	SITE PLAN – INCL. BUILDING ELEVATIONS (7.5.7)	FINAL PLAT (7.5.5)	TRAFFIC IMPACT ANALYSIS (7.3.2)	ARCHEOLOG. IMPACT ASSESSMENT (8.4)
ADJUSTMENTS							
Administrative Adjustment	9.12	See Administrator					
ZBOA Special Exception	9.13	■	■	■	N/A	□	N/A
ZBOA Variance	9.14	■	■	■	N/A	□	N/A
AMENDMENTS							
Text & Map Amendments	9.16	■	■	■	N/A	N/A	N/A
■ = Required Compliance				□ = On an “as needed” basis as determined by the Administrator			

9.4: ZONING PERMIT

9.4.1 APPLICABILITY

Only Required Permit: A zoning permit certifying compliance with this Code shall be the only type of approval required for the following activities:

- A. Home Occupations as regulated by Section 3.3.2 (Home Occupations — Major and Minor).
- B. Temporary uses that do not materially affect the area's natural environment, parking requirements, transportation patterns, public health, or economic values. (See Section 3.12 Temporary Uses)
- C. Conditional uses not requiring a building permit.
- D. Special events.
- E. Changes of use, and any uses permitted with additional standards per Article 3 (Land Use Provisions).
- F. Removal of trees as regulated in Section 5.4 (Tree Removal).

9.4.2 PROCESS AND APPROVAL

- A. **Process Type:** Ministerial.
- B. **Pre-Application Procedure:** None.
- C. **Required Application Information:** See Administrator.
- D. **Public Notification:** None.
- E. **Determination of Compliance:** Once an application is deemed complete by the Administrator, the Administrator shall review the application and approve or deny it based on compliance with the standards contained in this Code.



- F. **Permit Validity:** Upon the approval of the zoning permit, the applicant shall have 6 months to take action on the approval. If no action is taken, the permit becomes null and void, and the applicant shall resubmit. **Exception:** Tree Removal Permits have no expiration.
- G. **Permit Extension:** The Administrator may grant a single extension of up to 6 months upon submittal by the applicant of sufficient justification for the extension. Permits issued for temporary uses may be renewed only if it is determined that said use is clearly of a temporary nature, will cause no traffic congestion, and would not create a nuisance to surrounding uses.

9.5: BUILDING PERMIT

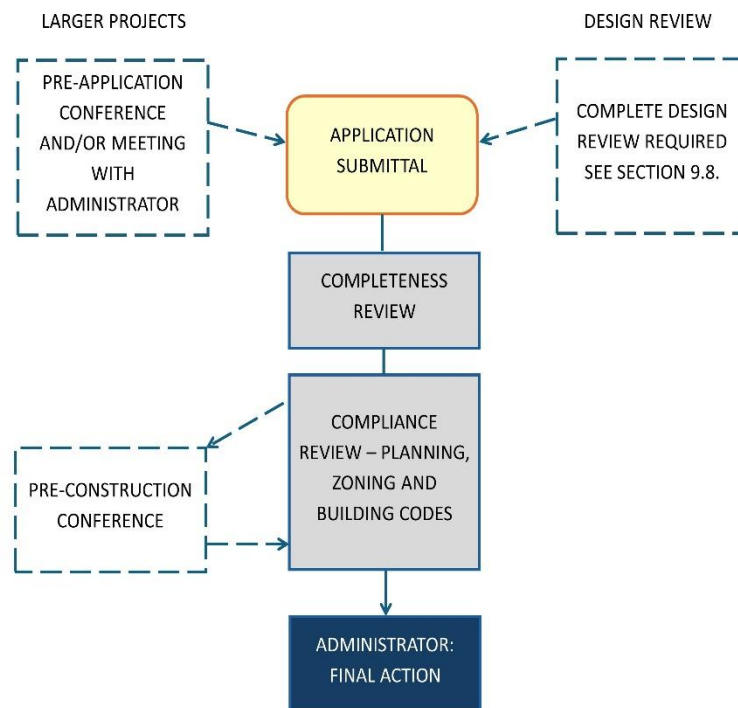
9.5.1 APPLICABILITY

A Building Permit shall be required for any building, structure, or attachment to a structure to be erected, moved, added to, or structurally altered. This includes, but is not limited to:

- A. **Site Work:** Any modifications to a parcel of land, not to include construction of a structure.
- B. **New Construction and Expansion:**

- (1) **Primary Building(s):** New construction of all types of structures.
 - (2) **Accessory Structures or Uses:** Accessory uses incidental to single-family residential structures (e.g., detached garage, swimming pool, tool shed) as regulated by Section 3.11 (Accessory Uses and Structures).
 - (3) **Building Expansions:** Heated and unheated (e.g., porches, decks, sunrooms) building expansions.
 - (4) **Site Elements:** Any site elements not attached to the building (e.g., porches, patios).
- C. **Signs:** Erection of new signs or modification to existing signs, including Master Sign Plans.
 - D. **Awnings:** Includes new awnings and awning re-covers.
 - E. **Fences and Enclosures:** Erection of, demolition of, or any changes to fences and other types of enclosures.
 - F. **Demolition:** Removal of existing buildings, structures, or site work.

9.5.2 PROCESS AND APPROVAL



- A. **Process Type:** Ministerial.
- B. **Pre-Application Procedure:** For large-scale projects, a pre-construction meeting may be required. For all other projects, no meeting is required, but applicants are encouraged to call or visit the Administrator prior to requesting a Building Permit to determine what information is required for the application.
- C. **Required Application Information:** See Administrator. The application shall include all drawings and specifications required by building codes adopted by S.C. Code § 6-9-50.

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- D. **Determination of Conformity:** The review, approval, and distribution of drawings and specifications required shall be coordinated by the Administrator in accordance with the building codes adopted by S.C. Code § 6-9-50. Upon issuance of a permit, the Administrator shall endorse, by writing or stamp, all sets of drawings showing approval. Such drawings shall be kept at the work site and made available for inspection by the Administrator upon request. Approved Project Permits shall be conspicuously posted by the applicant on the property for which they were obtained until the applicant has obtained a Certificate of Occupancy, pursuant to Section 9.7.
- E. **Public Notification:** None required.
- F. **Changes to Approved Plans:** If a project has undergone design review and received Design Approval or Beaufort Historic District - Certificate of Appropriateness, as applicable, no changes between the design review set and the building permit set shall be permitted unless they are presented in writing and approved by the Administrator at the time a Project Permit is sought. If the Administrator is not made aware of any changes, the plans submitted for design review will take precedence.
- G. **Changes to Approved Permits:**
- (1) After a Project Permit has been issued, no changes or deviations from the terms of the permit or the application and accompanying plans shall be made without the specific written approval of such changes or deviations by the Administrator. Any exterior changes may require review and approval by the appropriate decision-making body.
 - (2) An amendment to a Project Permit that requires payment of an additional fee, either because of an increase in the size of the buildings, a change in the scope of work, or an increase in the estimated cost of the proposed work, shall not be approved until the applicant has paid the additional fees, and the amendment has been properly reviewed by the appropriate decision-making body.
- H. **Notification and Approval Before Construction Begins:**
- (1) Before any work begins pursuant to the Project Permit, the applicant shall furnish the Administrator with the name of the general contractors, or the owner acting as the general contractor, who will be performing the work;
 - (2) The applicant or the applicant's authorized agent shall provide adequate advance notice to the Administrator at such time as the work is ready for inspection under the Building Code. Upon receiving such notification, the Administrator shall inspect the work.
- I. **Licensed Specialty Contractor(s) May Be Required:** Where any local ordinances or any provision of the South Carolina Law require that work be done by a licensed specialty contractor of any kind, no Project Permit for such work shall be issued unless it is to be performed by such licensed specialty contractor. It shall further be the contractor's responsibility to conform to all local ordinances and state building codes for all installations or repairs of a building or utility system.
- J. **Permit Validity:** Any Project Permit shall become null and void unless the work approved by the permit is commenced within 180 days after the date of issuance. No work shall be considered to have commenced for the purposes of this paragraph until an inspection has been made and recorded. If after commencement the work is discontinued for a period of 180 days, the permit shall immediately expire. No work authorized by any permit that has expired shall thereafter be performed until a new permit has been secured.
- K. **Permit Extension:** None - shall resubmit.

9.6: [SECTION LEFT INTENTIONALLY BLANK]

9.7: CERTIFICATE OF OCCUPANCY

9.7.1 APPLICABILITY

A Certificate of Occupancy shall be required for occupancy and use of a building that is erected or enlarged.

9.7.2 PROCESS AND APPROVAL

- A. **Process Type:** Ministerial.
- B. **Pre-Application Procedure:** n/a.
- C. **Required Application Information:** See Administrator.
- D. **Public Notification:** None.
- E. **Issuance of Certificate of Occupancy:** A final Certificate of Occupancy shall not be issued by the Administrator until a design and landscape compliance review has been completed.
- F. **Temporary Certificate of Occupancy:** Pending the issuance of a permanent Certificate of Occupancy, a temporary certificate may be issued. The certificate shall be issued by the Administrator in conformity with the provisions of this Code and the building code. The temporary certificate may include such safeguards and conditions as will protect the safety of the occupants and the public. Where improvements required by this Code or the specific approval of the development are incomplete, a guarantee acceptable to the City — equal to 125% of the costs of such improvements — may be required to ensure the installation of the improvements.
- G. **Permit Validity:** n/a.
- H. **Permit Extension:** n/a.



9.8: DEVELOPMENT DESIGN REVIEW

9.8.1 DEVELOPMENT DESIGN REVIEW (MINOR SITE PLAN)

A. **Applicability:**

- (1) All buildings, except single-family residential structures, in developments that contain 5 or fewer residential units.
- (2) Demolition of structures of any size where no new building is proposed.
- (3) Improvements to existing non-residential or multi-family structures that do not exceed 75% of the fair market value of the existing improvements.

B. **Exceptions:**

- (1) Detached single-family homes on individual lots outside of the Historic District are not subject to Development Design Review. However, they may be subject to the Building Design Standards laid out in Article 4, depending on the zoning district and Planning Commission (PC) conditions and approvals, if applicable, on Preliminary and Site Plans.
- (2) Projects in the Beaufort Historic District are not subject to Development Design Review and shall instead be evaluated by the HRB for compliance with the Historic District Guidelines. (See Section 9.10.2 - Beaufort Historic District - Certificate of Appropriateness, Minor and Major)
- (3) Projects in the LI Zone are not subject to Development Design Review. However, they are subject to the Building Design Standards described in 4.2.2.B.3.

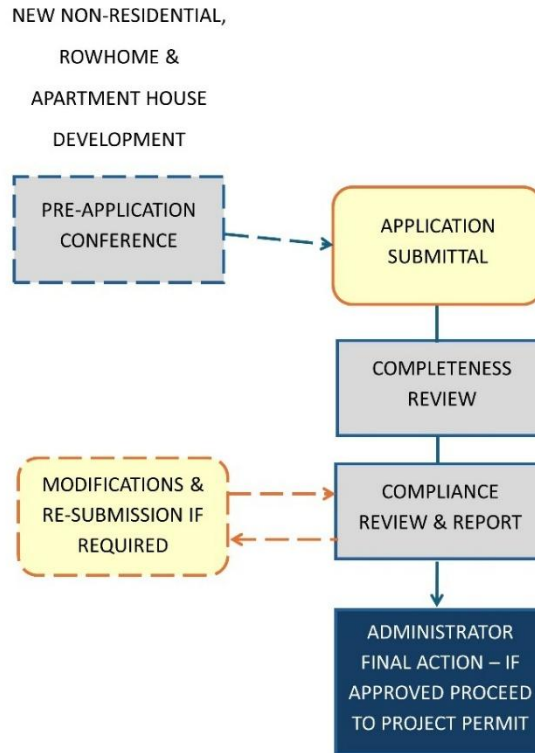
C. **Process Type:** Ministerial — The Administrator may submit any application subject to staff approval to the Planning Commission for approval.

D. **Pre-Application Procedure:** No meeting is required, but applicants are encouraged to call or visit the Administrator to determine what information is required for the application.

E. **Required Application Information:** see Section 9.3 (Table) for specific Application Requirements — these may be waived by the Administrator as the Administrator deems appropriate.

F. **Public Notification:** None.

G. **Determination of Compliance:** Once an application is deemed complete by the Administrator, the Administrator shall review the application and approve, deny, or approve the plan with conditions based on compliance with the standards contained in this Code. All decisions shall be in writing. Following an approval or approval with conditions, the applicant shall be directed to prepare detailed Subdivision/Development Plats and/or Plans (see Section 7.5 for specific Subdivision and Site Plan Standards) for final approval by the Administrator.



- H. **Permit Validity:** Upon the approval of the Minor Development Design application, the applicant shall have 1 year to obtain a Building Permit. Failure to secure Building Permits for the permitted work within this time shall render the approval void. Any change to the approved plans that has not been authorized by the Administrator shall invalidate the Minor Development Design Plan and any subsequent Building Permits (see Section 9.5).
- I. **Permit Extension:** The Administrator may grant up to one 1-year extension of this time period upon submittal by the applicant of sufficient justification for the extension. Extensions shall be submitted at least 1 month prior to the expiration date.

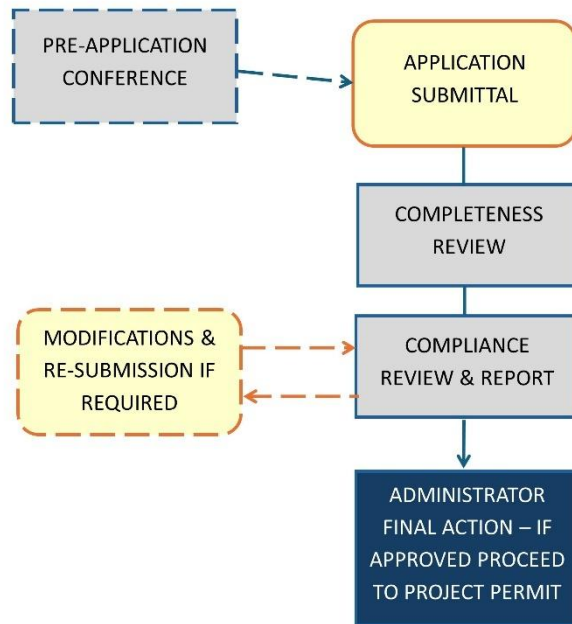
9.8.2 DEVELOPMENT DESIGN REVIEW (MAJOR SITE PLAN)

A. **Applicability:**

- (1) **Civic and Educational Facilities:** Any new development classified as a Civic Facility or Educational Facility (see Sections 3.4.1 A. and 3.4.1 C., respectively).
- (2) **Vehicle-Related Uses:** Any new development that includes fuel-dispensing facilities, drive-thru facilities, or structured parking.
- (3) **Nonresidential Development:** Any commercial or industrial development.
- (4) **Residential Development:** Single-family, attached, over 5 units or multi-family developments containing more than 5 units.
- (5) **Exceptions:**
 - (a) Lots in the Beaufort Historic District are not subject to Development Design Review, and shall instead be evaluated by the HRB for compliance with the Historic District Guidelines (see Section 9.10 Beaufort Historic District - Certificate of Appropriateness, Minor and Major).

-
- (b) Projects in Redevelopment District Overlay Districts, are not subject to review by the Planning Commission and shall instead be evaluated by the Administrator (see Section 2.7.3). The Administrator shall post all projects for review in said districts for a 15-day public review and comment period for each major submittal. Minor revisions to the plans (not related to use, density, building frontage, or building height) shall not constitute a major submittal. A copy of all public comments shall be disseminated to the applicant and Administrator for each public comment period. The Administrator shall respond in writing to all public comments after each major submittal, and the applicant will be required to attend a TRC committee meeting before the project is issued final approval.
- (c) Design Exception: Design Exceptions may be used to modify any dimensional standards or design requirements, found in Articles 2 and 4, for development projects that have unique characteristics that justify a deviation from the underlying standards. Such deviations are intended to provide flexibility from the underlying standards to permit compatible development patterns which are indicative of the surrounding area and/or use an innovative approach or technique. The process is intended to provide the minimum relief necessary to create a more innovative and context-sensitive development consistent with the City's adopted plans. This tool is not intended to circumvent the map amendment (rezoning) procedure where that tool would provide a similar modification of standards.
- (i) **Applicability:** Planning Commission shall have the authority to authorize a design exception from any applicable standard(s) set forth in Article 2 (Maps and Districts) — except for Section 2.6, Height and Section 2.7.4, Air Installation Compatibility Use Zone (AICUZ) overlay district standards — and Article 4 (Building Design and Infill Standards).
- (ii) **Review Criteria:** Planning Commission may approve an application for a Design Exception where it reasonably determines that there will be no significant negative impact upon residents of surrounding property, or upon the general public. The board shall consider the following criteria in its review:
- **Compatibility:** The proposed exception is appropriate for its location. It is compatible with the character of surrounding properties and the development permitted by the zoning of the surrounding properties, and will not reduce property values of surrounding properties.
 - **No Adverse Impact:** The design of the proposed exception minimizes adverse effects including visual impacts of the proposed use on surrounding properties; furthermore, the proposed exception does not create a nuisance for surrounding properties.
 - **Consistency with Adopted Plans:** The proposed development is in general conformity with the City's Comprehensive Plan, Civic Master Plan and other plans officially adopted by the City.

ADMINISTRATIVE
APPROVAL PROCESS



- B. **Application Type, Requirements and Approval:** See Table under Section 9.1.4 for standards and requirements.

9.9: SUBDIVISION REVIEW

9.9.1 PROVISIONS FOR ALL SUBDIVISIONS

- A. **Applicability and Requirements:** See Article 7 of this code
- B. **Unlawful to Record Plat without City Approval:** It shall be unlawful to offer and cause to be recorded any plan, plat, or replat of land within the city limits of Beaufort with the Beaufort County Register of Deeds office unless the same bears the endorsement and approval of the city.
- C. **Permit Validity:** A subdivision approval shall expire as set out in Section 9.1.9 (Vested Rights and Expiration of Approvals) of this Code unless a Certificate of Compliance is obtained, or it is recorded at the Beaufort County Register of Deeds office.

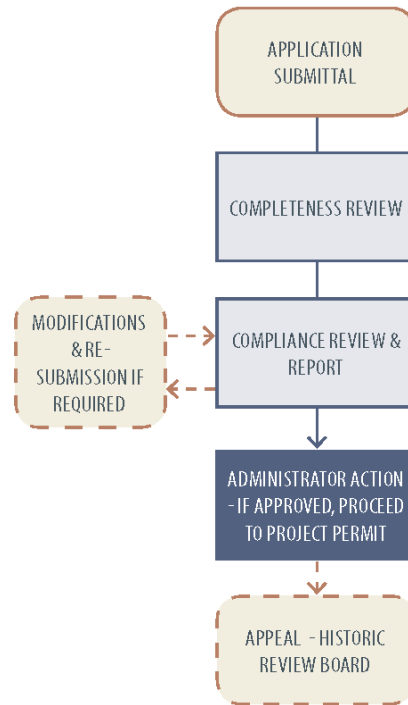
9.10: CERTIFICATE OF APPROPRIATENESS

9.10.1 APPLICABILITY

- A. A Certificate of Appropriateness shall be required for any construction activity in any historic district, including:
 - (1) New structures.
 - (2) Modification to, or expansion of, existing structures, including those that apply for the Bailey Bill Special Tax Assessment for Rehabilitated Historic Properties.
 - (3) Relocation of any existing structure.
- B. Demolition or partial demolition of any structure.

9.10.2 PROCESS AND APPROVAL

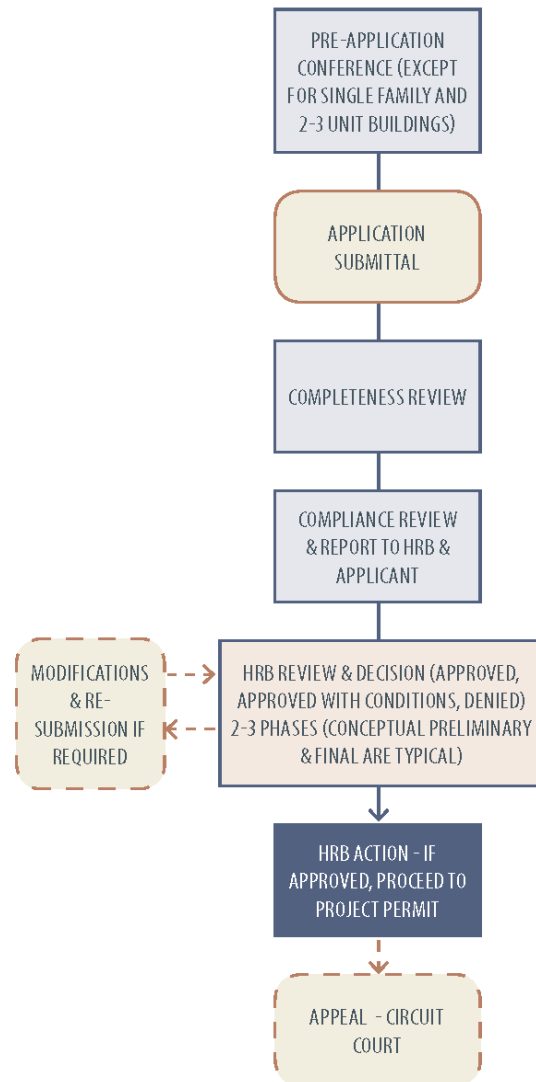
- A. **Process Type:** The review process required to approve Certification of Appropriateness is based on the following project types:
 - (1) **Minor:** Administrative review shall apply to applications for a Certification of Appropriateness for the following items. The Administrator may submit any applications that are subject to staff approval to the Historic District Review Board (HRB) for approval.
 - (a) Changes to a building or property, to include fences, paint color, roof materials, canopies and awnings, site changes, and window replacements on noncontributing structures.
 - (b) New construction and building modifications to include construction of non-habitable accessory buildings in the Beaufort Preservation Neighborhood.



- (c) Modifications to non-contributing structures in the BCN.
- (d) Demolitions of non-contributing structures in the BCN.
- (e) Demolition or partial demolition of a structure that is listed in the "1997 Beaufort County Historic Sites Survey," or the most recent historic sites survey, and lies outside the Beaufort Historic District.
- (f) Demolition of noncontributing accessory structures (e.g., sheds, carports, etc.).

Such approval shall follow the procedures for Development Design Review-Minor Site Plan (Section 9.8.1).

- (2) **Major:** Discretionary review by the HRB shall apply to all other applications for Certificates of Appropriateness.



- (3) **Design Exception:** Design Exceptions shall be used to modify any dimensional standards or design requirements, found in Articles 2 and 4, for development projects that have unique characteristics that justify a deviation from the underlying standards. Such deviations are intended to provide flexibility from the underlying standards to permit compatible development patterns which are indicative of the surrounding area and/or use an innovative approach or technique. The process is intended to provide the minimum relief necessary to create a more innovative and context-sensitive development consistent with the City's adopted plans. This tool is not intended to circumvent the map amendment (rezoning) procedure where that tool would provide a similar modification of standards.

- (a) **Applicability:** The HRB shall have the authority to authorize a variance of up to 35 percent from any numerical standard set forth in Article 2 (Maps and Districts) — except for Section

2.6, Height and Section 2.7.4, Air Installation Compatibility Use Zone (AICUZ) overlay district standards — and Article 4 (Building Design and Infill Standards).

(b) **Review Criteria:** The HRB may approve an application for a Design Exception where it reasonably determines that there will be no significant negative impact upon residents of surrounding property, or upon the general public. The board shall consider the following criteria in its review:

(i) **Compatibility:** The proposed exception is appropriate for its location. It is compatible with the character of surrounding properties and the development permitted by the zoning of the surrounding properties, and will not reduce property values of surrounding properties.

(ii) **No Adverse Impact:** The design of the proposed exception minimizes adverse effects including visual impacts of the proposed use on surrounding properties; furthermore, the proposed exception does not create a nuisance for surrounding properties.

(iii) **Consistency with Adopted Plans:** The proposed development is in general conformity with the City's Comprehensive Plan, Civic Master Plan and other plans officially adopted by the City.

B. **Guidance Standards, Maintenance of Consistent Policies:** In order to provide guidance and insight into desirable goals and objectives for the Beaufort Historic District, the documents described in this section are hereby adopted for use by the HRB in the exercise of its authority granted under Section 10.7 of this Code.

(1) The "Beaufort Preservation Manual," August 1979, and the "Beaufort Preservation Manual, Supplement," August 1990, shall be utilized by the HRB for review of projects located within the Beaufort Preservation Neighborhood.

(2) The "Northwest Quadrant Design Principles," May 1999 shall be utilized by the HRB for the review of projects located within the Beaufort Conservation Neighborhood.

(3) The Secretary of Interior's "Standards for Rehabilitation" shall be utilized for review of all projects that modify a contributing structure.

(4) The Building Design Standards, in Article 4 of this Code, shall be utilized for review of all new construction.

(5) The Historic District Infill Design Guidelines, in Section 4.7 of this Code, shall be utilized for review of all new construction.

(6) Any special area policies adopted by the HRB.

C. **Approval of Certificate of Appropriateness:** In reviewing an application, the HRB shall conduct a public meeting and consider, among other things, the historic, architectural and aesthetic features of such structure, the nature and character of the surrounding area, the use of such structure and its importance to the city, the character and appropriateness of design, scale of buildings, arrangement, texture, materials and color of the structure in question, and the relation of such elements to similar features of structures in the immediate surroundings. The HRB shall not consider the interior arrangement or interior design unless the interior arrangement or design affect the exterior appearance, nor shall it make requirements except for the purpose of preventing developments that are not in harmony with the prevailing character of the Beaufort Historic District, or that are obviously incongruous with this character.

D. **Demolitions:**

- (1) In all applications involving the demolition of a contributing primary structure or contributing accessory structure, provisions shall be made for a public hearing as set forth in Section 9.1.5. Demolition of non-contributing structures are approved by the Administrator.
- (2) In any case involving the demolition or partial demolition of a structure, before granting approval or requiring a postponement, the HRB may call on the Administrator to provide them with a report on the state of repair and structural stability of the structure under consideration.
- (3) Upon receiving an application for demolition or partial demolition of a structure that is listed in the "1997 Beaufort County Historic Sites Survey" and lies within the limits of the city but outside the Beaufort Historic District, the Administrator, within 30 days of receiving the application, shall either approve it, or find that the preservation and protection of historic places and the public interest will be best served by postponing the demolition for a designated period — this shall not exceed 60 days from the receipt of the application, and notify the applicant of such postponement. The application will be announced to the public in accordance with the notification standards set forth in Section 9.1.3. Within the period of postponement of demolition or alteration of any building, the Administrator shall take steps to ascertain what may be done to preserve the building, including consultation with private civic groups, interested private citizens and other public boards or agencies, including investigation of the potential use of the power of eminent domain when the preservation of a given building is clearly in the interest of the general welfare of the community and of certain historic and architectural significance.

- E. **Denial of Certificate of Appropriateness:** The HRB may refuse any application that, in the opinion of the HRB, does not comply with the standards and guidelines listed in Section 9.10.2.B. and thus would be detrimental to the interests of the city. In case of disapproval, the HRB shall state the reasons therefore in a written statement to the applicant, and may give verbal advice to the applicant and make recommendations in regard to appropriateness of design, arrangement, texture, material, color, etc. of the property involved.

Among other grounds for considering a design inappropriate and requiring disapproval and resubmission are the following defects:

- (1) Arresting and spectacular effects.
- (2) Violent contrasts of materials or colors and intense or lurid colors.
- (3) A multiplicity or incongruity of details resulting in a restless and disturbing appearance.
- (4) The absence of unity and coherence in composition, that is not in consonance with the dignity and character of the present structure, in the case of repair.
- (5) Construction of, remodeling, or enlargement of an existing building in a manner not consistent with the prevailing character of the neighborhood.

- F. **Issuance of Certificate of Appropriateness:** When a Certificate of Appropriateness and Building Permit have been issued, the Administrator shall, from time to time, inspect the alteration or construction approved by such certificate and may report such inspection to the HRB listing all work inspected and reporting any work that is not in accordance with such certificate, or that violates any ordinances of the city.

- G. **Resubmittal:** After disapproval of an application, the applicant may make modifications to the plans and resubmit. The applicant may not resubmit the same proposal, without modifying it based on HRB

comments, for 12 months from the date of the original submission. Reconsideration of an application for demolition that has been denied by the HRB may not be heard until 12 months from the date of the original public hearing, unless a major change has occurred in the property condition that is attributable to natural causes.

- H. **Appeal—Minor:** Appeals of the decisions of the Administrator shall be heard by the HRB. The application for appeal shall be made within 30 days of the decision.
- I. **Appeal—Major:** Any party aggrieved by the decisions of the HRB may appeal to the circuit court within 30 days of the decision.

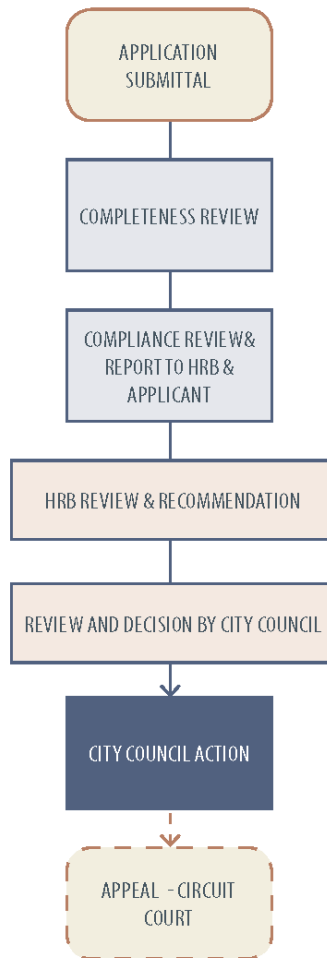
9.11: HISTORIC DESIGNATION

9.11.1 STANDARDS FOR LOCAL HISTORIC DISTRICT DESIGNATION

- A. A structure, group of structures, site or district may be designated for historic preservation if it demonstrates at least one of the following:
 - (1) **Historic, Cultural Importance:**
 - (a) It has significant character, interest, or value as part of the development, or heritage of the community.
 - (b) It is the site of a historic event with a significant effect upon society.
 - (c) It exemplifies the cultural, political, economic, social, or historic heritage of the community.
 - (2) **Architectural or Engineering Importance:**
 - (a) It portrays the environment in an era of history characterized by a distinctive architectural style.
 - (b) It embodies those distinguishing characteristics of an architectural type or engineering specimen.
 - (c) It is the work of a designer whose individual work has significantly influenced the development of Beaufort.
 - (d) It contains elements of design, detail, materials, or craftsmanship that represent significant innovation.
 - (3) **Geographical Importance:**
 - (a) By being part of or related to a square, park, or other distinctive area, it should be developed or preserved according to a plan based on a historic, cultural, or architectural motif.
 - (b) Owing to its unique location or singular physical characteristic, it represents an established and familiar feature of the neighborhood, community or city.
 - (4) **Archeological Importance:**
 - (a) It has yielded, or may be likely to yield, information important in prehistory or history.

- B. An area may be designated as a Beaufort Conservation Neighborhood (BCN) if it meets one or more of the above criteria, and meets the following two additional criteria:
- (1) There are a sizable number of properties in the subject area that are not considered to contribute to the architectural or historical significance of the area; and
 - (2) The cultural values or financial resources of a significant number of property owners in the subject area, as reasonably considered by Beaufort City Council, are such that the flexible standards of the BCN are appropriate.
- C. Individual structures, sites, and properties located within a BCN may be designated as notable properties to be subject to Beaufort Historic District standards, guidelines and procedures rather than BCN standards, guidelines, and procedures, at such time as standards, guidelines, and procedures may be established for the BCN that are different from those in effect for the remainder of the Historic District. Beaufort City Council may designate structures, sites, and properties as notable properties where it reasonably determines that those structures, sites, or properties embody a particularly high degree of significance in accordance with the criteria listed in this section.

9.11.2 LOCAL HISTORIC DISTRICT DESIGNATION PROCESS



Based upon the criteria set forth in this section, the HRB shall review such proposed designations, and then it shall make a recommendation regarding the designation to City Council for final approval.

9.11.3 HISTORIC SIGN DESIGNATION

- A. **Historic Signs:** A historic sign is a sign that, by its construction materials, unusual age, prominent location, unique design, or craftsmanship from another period, makes a contribution to the cultural, historic, or aesthetic quality of the city's streetscape.
- (1) Signs are designated as historic signs by City Council upon a favorable recommendation of the HRB. The council shall hold a public hearing before designating a sign a historic sign. Before designating a sign as a historic sign, the council shall make a finding that all of the following conditions are met:
- (a) The sign is at least 25 years old and has been at its present location for at least 25 years.
 - (b) The sign is an appurtenant graphic to the property, i.e., an on-premises sign that relates to the use of the property, as opposed to an off-premises billboard.
 - (c) The sign is structurally safe or is capable of being made so without substantially altering its historical significance.
 - (d) The sign is of exemplary technology, craftsmanship, or design of the period in which it was constructed, it uses historic sign materials (wood, metal, or paint directly applied to buildings) and means of illumination (neon or incandescent fixtures), and it is not significantly altered from its historic period. If the sign has been altered, it shall be restorable and shall be restored to its historic function and appearance.
 - (e) The sign is of extraordinary significance to the city.
- (2) Historic signs are exempt from the requirements of Section 11.6 (Nonconforming Signs).

9.12: ADMINISTRATIVE ADJUSTMENT

9.12.1 PURPOSE AND APPLICABILITY

- A. **Purpose:** Administrative Adjustments are specified deviations from otherwise applicable development standards where development is proposed that would be:
- (1) Compatible with surrounding land uses;
 - (2) Harmonious with the public interest; and
 - (3) Consistent with the purposes of this Code.
- B. **Adjustment of Numerical Standard:** The Administrator shall have the authority to authorize modification of up to 10% from any numerical standard set forth in Article 2 (Map & Districts) and Article 4 (Building Design and Infill Standards) of this Code. Any request greater than 10% shall be treated as a variance handled by the Zoning Board of Appeals (ZBOA), and subject to the requirements of Section 9.14.

(1) **Specific to Landscaping and Tree Conservation:** The following applies to landscaping and tree conservation requirements in Article 5 (Landscaping, Parking & Lighting) with regard to the criteria in Section 9.12.2 E.:

- (a) In unusual cases, where there are few existing trees on a site and the planned development is small in size relative to the size of the parcel, then the Administrator may adjust the tree planting requirements (Section 5.3) downward in order not to require excessive planting out of proportion to the scale of the development.
- (b) In the case of multi-phase developments on one parcel, the tree planting requirements (Section 5.3) may be adjusted according to the size of each phase of the development.
- (c) Any particular planting requirement shall be proportionately reduced where existing plant materials are of sufficient sizes and forms to satisfy the requirement.

- C. **Adjustment of Building Design Standards:** Where an existing condition (e.g. utility easement, restrictive covenant, tree or natural feature) prohibits strict compliance with the building design standards in Article 4, the Administrator may waive or adjust the standard as appropriate to assure compliance to the extent practical. This adjustment shall be as small as possible in order to accommodate the existing conditions.
- D. **Permission of Flag Lot:** Where conditions set forth in Section 2.5.5 C. are met, the Administrator may permit a flag lot. When a flag lot is proposed in conjunction with a Major Subdivision, it shall be incorporated into the process laid out in Section 9.9.

9.12.2 PROCESS AND APPROVAL

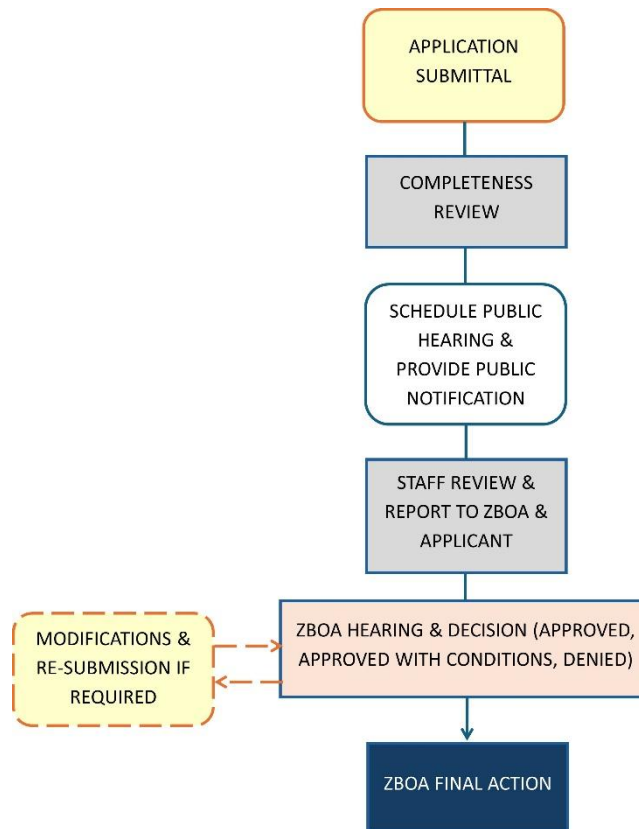


- A. **Process Type:** Ministerial
- B. **Public Notification:** None.
- C. **Required Application Information:** An application for an Administrative Adjustment shall include a brief description of the requirement to be varied and any other material necessary to ensure the criteria in this section are met.

-
- D. **Administrator Review:** The Administrator shall review the application and approve, approve with conditions, or deny the application, based upon the criteria in Section 9.12.2 E. A written decision including affirmative findings on the criteria set forth below shall be transmitted to the applicant.
- E. **Administrative Adjustment Criteria:** To approve an application for an Administrative Adjustment, the Administrator shall make an affirmative finding that the following criteria are met:
- (1) Granting the Administrative Adjustment will ensure the same general level of land use compatibility as the otherwise applicable standards.
 - (2) Granting the Administrative Adjustment will not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate buffering, screening, setbacks, and other land use considerations.
 - (3) Granting the Administrative Adjustment will not adversely affect property values in any material way.
 - (4) Granting the Administrative Adjustment will be generally consistent with the purposes and intent of this Code.
- F. **Expiration and Lapse of Approval:** Property owners shall have 6 months from the date of approval of an Administrative Adjustment to secure a Building Permit to carry out the proposed improvements. If a complete Building Permit application has not been filed within 6 months of the date of approval, the approval shall be void.

9.13: ZBOA SPECIAL EXCEPTION

9.13.1 APPLICABILITY



ZBOA Special Exceptions may be made for situations in which proposed land uses are generally compatible with the land uses permitted by-right in a district (per Section 3.2 Table of Permitted Uses) but require individual review of their location, design, and configuration to evaluate the potential for adverse impacts on adjacent property and uses. The ZBOA Special Exception process ensures the appropriateness of the use at a particular location within a given District.

9.13.2 PROCESS AND APPROVAL

- A. **Process Type:** Discretionary.
- B. **Required Application Information:** All applicable forms as determined by the Administrator, along with such accompanying material as is required to ensure compliance with the criteria listed in Section 9.12.2 E.
- C. **Public Notification:** see Section 9.1.5 for specific Public Notification requirements
- D. **Staff Review and Report:** The Administrator shall prepare a staff report that reviews the proposed development in light of the Comprehensive Plan, Civic Master Plan, the review criteria listed below, and the requirements of this Code. A copy of the report shall be provided to the Zoning Board of Appeals (ZBOA) and the applicant before the scheduled hearing.

E. **ZBOA Hearing:**

- (1) The ZBOA shall hold a public hearing on the Special Exception application.
- (2) After review of the application and the public hearing, the ZBOA shall make a written finding and approve, approve with modifications or conditions, or disapprove the request.
- (3) If approval, or approval with modifications or conditions, is granted, the decision shall be communicated in writing within 15 days to the applicant, and the applicant shall then be authorized to submit a development permit application consistent with this Code.

F. **ZBOA Special Exception Review Criteria:** The ZBOA may approve an application for a Special Exception where it reasonably determines that there will be no significant negative impact upon residents of surrounding property/-ies or upon the general public. The ZBOA shall consider the following criteria in its review:

- (1) The proposed use/-s is/are compatible with existing land uses in the surrounding area.
- (2) The harmony of the proposed site plan, circulation plan, and schematic architectural designs with the character of the surrounding area.
- (3) The likely impact on public infrastructure — such as roads, parking facilities, and water and sewer systems —and on public services — such as police and fire protection and solid waste collection — and the ability of existing infrastructure and services to adequately service the proposed use without negatively impacting existing uses in the area and in the City (a traffic impact analysis shall be required per Section 7.3.2).
- (4) The general conformity of the proposed use and designs with the city's Civic Master Plan, Comprehensive Plan, and any other plans officially adopted by the City.
- (5) The likely impact on public health and safety.
- (6) The potential creation of noise, lights, fumes, dust, smoke, vibration, fire hazard, or other injurious or obnoxious impacts.

G. **Conditions:** The ZBOA may impose such conditions and restrictions upon the application as may be necessary to minimize or mitigate any potential adverse impacts of the proposed use.

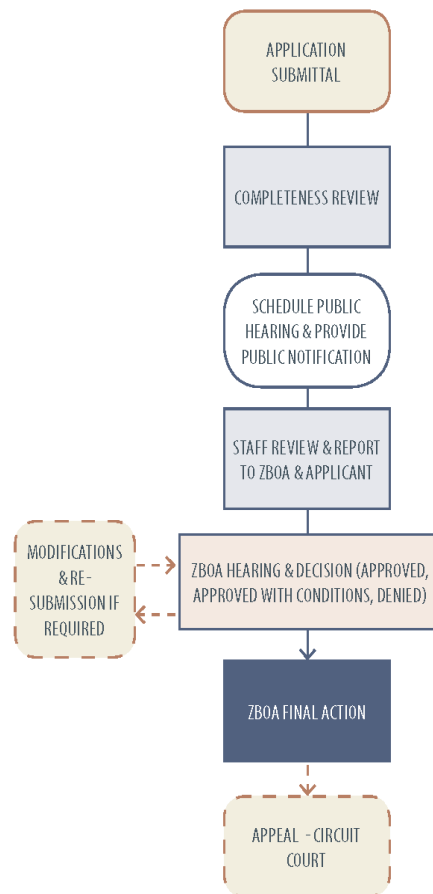
9.14: VARIANCE

9.14.1 APPLICABILITY

Variances to all ordinance standards may be requested with the following exceptions:

- A. No variances to the Table of Permitted Uses (Section 3.2) shall be permitted.
- B. No variances to sign regulations (Article 6) shall be permitted.
- C. No variances to parking provisions for Carriage Houses (4.5.3.B.9) shall be permitted.
- D. Design Exceptions (Sections 9.10.2.A.3.) shall be approved by the Historic Review Board.

9.14.2 PROCESS AND APPROVAL



- (1) **Process Type:** Discretionary.
- (2) **Application Requirements:** All applicable forms as determined by the Administrator, along with such accompanying material as is required to ensure compliance with the criteria listed in Section 9.14.2 F.

-
- (3) **Staff Review and Report:** The Administrator shall prepare a staff report that shall be provided to the applicant or appellant and the ZBOA before the scheduled hearing.
 - (4) **Public Notice:** see Section 9.1.5 for specific Public Notification requirements.
 - (5) **ZBOA Hearing:**
 - (1) After review of the variance application and the public hearing, the ZBOA shall approve, approve with conditions, or deny the application.
 - (2) If approval or approval with conditions is granted, the decision shall be communicated in writing to the applicant within 15 days, and the applicant shall be authorized to submit a development permit application.
 - (6) **Criteria for Approval of Variances:**
 - (1) **Required Findings:** A variance may be granted by the ZBOA if it concludes that the strict enforcement of any design and performance standard set forth in this Code would result in unnecessary hardship to the applicant, and that by granting the variance, the spirit of this Code will be observed, public welfare and safety will not be diminished, and substantial justice will be done. A variance may be granted in an individual case of unnecessary hardship only when the ZBOA makes, and explains in writing, all of the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property. For example, the variance is justified because of topographic or other special conditions unique to the property and development involved, in contradistinction to the mere inconvenience or financial disadvantage.
 - (b) These conditions do not generally apply to other property in the vicinity.
 - (c) The conditions are not the result of the applicant's own actions.
 - (d) Granting of the variance would not substantially conflict with the Comprehensive Plan, the Civic Master Plan and the purposes and intent of this Code.
 - (e) Because of these conditions, the application of this Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.
 - (f) The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the zone will not be harmed by the granting of the variance.
 - (2) **Limitations:** The ZBOA may not grant a variance if it would do any of the following:
 - (a) Allow the establishment of a use not otherwise permitted in the applicable district.
 - (b) Increase the density of a use above which is permitted in the applicable district.
 - (c) Physically extend a nonconforming use of land.
 - (d) Change the zone boundaries shown on the Official Zoning Map.
 - (3) **Profitability Not to Be Considered:** Profitability shall not be considered grounds for a variance.
 - (4) **Conditions:** In granting a variance, the ZBOA may attach to it conditions regarding the location, character, or other features of the proposed building, structure, or use as the ZBOA considers advisable to protect established property values in the surrounding area, or to promote public health, safety, or general welfare.

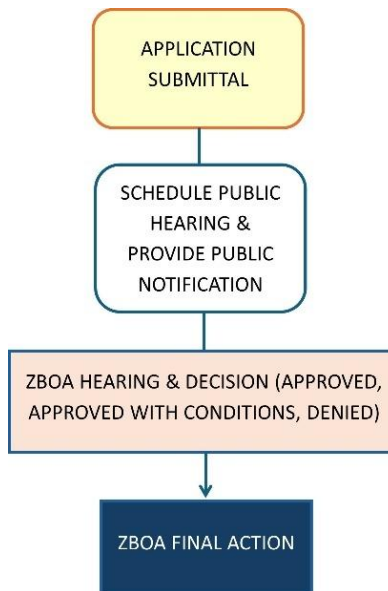
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- (5) **Design Review Recommendation:** Projects requiring Design Review – see Sections 9.8 and 9.9 – shall obtain a formal recommendation to the ZBOA by the appropriate Design Review Body prior to the ZBOA making a decision on the project.

9.15: ADMINISTRATIVE APPEALS

9.15.1 APPLICABILITY

Any person aggrieved by a decision, interpretation or determination of the Administrator may appeal to the ZBOA. As per South Carolina Code of Laws Section 6-29-800, the Zoning Board of Appeals (ZBOA) has the power to hear and decide appeals where it is alleged there is error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning ordinance, i.e. The Beaufort Development Code.

9.15.2 PROCESS AND APPROVAL



- A. **Process Type:** n/a.
- B. **Pre-Application Procedure:** n/a.
- C. **Required Application Information:** Within 30 days of a decision or order of the Administrator, an application for appeal shall be filed with the Administrator and the ZBOA specifying the grounds of the appeal.
- D. **Public Notification:** see Section 9.1.5 for specific Public Notification requirements.
- E. **Effect of Appeal:** An appeal stays all legal proceedings in furtherance of the action in question, unless the Administrator certifies to the ZBOA that a stay would, in his/her opinion, cause imminent peril to life and

property. In such case, proceedings shall not be stayed except by a restraining order that the ZBOA or by a court of record may grant.

- F. **ZBOA Hearing:** The ZBOA shall schedule the matter for a hearing at its next regularly-scheduled meeting, and give at least 15 days public notice of such hearing in a newspaper of general circulation in the city, as well as due notice to the parties of interest. At the hearing, any party may appear in person, by agent, or by attorney. Following the hearing, the ZBOA shall take one of the following actions, consistent with the provisions of this Code:
- (1) Affirm the action of the Administrator;
 - (2) Modify the action of the Administrator, and to that end, the ZBOA shall have all the powers of the officer, board, or commission from which the appeal is taken, and may issue a permit or direct that a permit be issued; or
 - (3) Reverse the action of the Administrator, and to that end, the ZBOA shall have all the powers of the officer, board or commission from which the appeal is taken, and may issue a permit or direct that a permit be issued.
- G. **Findings of Fact:** The ZBOA, in its execution of the duties specified in this section, may subpoena witnesses, and in case of contempt, may certify such fact to the circuit court that has jurisdiction.
- H. **Decision:** All final decisions and orders of the ZBOA shall be in writing and shall be permanently filed in the office of the board as a public record. All findings of fact and conclusions of law shall be separately stated in final decisions or orders of the ZBOA, which shall be delivered to parties of interest within 15 days by certified mail.
- I. **Contempt Penalty:** In case of contempt by a party, witness, or other person before the ZBOA, the ZBOA may certify this fact to the circuit court of the county in which the contempt occurs, and the judge of the court, in open court or in chambers, after hearing, may impose a penalty as authorized by law.

9.16: TEXT & MAP AMENDMENTS

9.16.1 APPLICABILITY

When the public necessity, convenience, general welfare, or good zoning practice justify such action, and after the required review and report by the Planning Commission, the City Council may undertake the necessary steps to amend this Code, and its accompanying map.

(Ord. No. O-14-23 , 9-26-2023)

9.16.2 INITIATION OF AMENDMENTS

A proposed amendment to this Code may be initiated by any member of the City Council, the PC, the Administrator, or by any city resident or business owner filing an application with the Administrator.

(Ord. No. O-14-23 , 9-26-2023)

9.16.3 APPROVAL PROCESS

Requests to amend this Code shall be processed in accordance with the following requirements:

- A. **Application Procedure:** Application forms for code amendment requests shall be obtained from the Administrator. Completed forms, together with an application fee as required by Section 9.2.2, plus any additional information the applicant deems pertinent, shall be filed with the Administrator.

- (1) Applications for zoning map amendments (rezoning) shall also include:



- (a) Boundary map of the subject property that is prepared and sealed by a registered land surveyor.
- (b) Where applicable, a copy of correspondence illustrating that the applicant has solicited written comments from the appropriate property owners' association regarding the requested amendment. Such correspondence shall encourage the association to direct any

comments in writing to the Administrator and the applicant within 15 calendar days of receipt of the notification.

- (c) Written consent from the owner of the property that is being considered for an amendment. This is required if the applicant is not the city.

B. Staff Review and Report:

- (1) The Administrator shall prepare a staff report that reviews the proposed amendment in light of the Comprehensive Plan and the general requirements of this Code. A copy shall be provided to the PC and the applicant before the scheduled public meeting.
- (2) For amendments where the most intense permitted use in the proposed district would generate more than 50 external trips during the peak hour, a TIA (Section 7.3.2) may be required; all road improvements needed to maintain the current level of service shall be identified (based on that analysis), and assurances shall be provided so that all road improvements will be in place so the impacts of the development are accommodated, and the current level of service is maintained.
- (3) At the discretion of the Planning Commission, the submittal may include the requirements of a Sketch Plan submittal as per Section 7.5.3, or a conceptual Site Plan (to include building elevations and any applicable Sketch Plan requirements as per Section 7.5.3) to be submitted with the map amendment request so that the impacts of development on the community are properly considered.

C. Planning Commission Hearing:

- (1) **Public Notification:** see Section 9.1.5 for specific Public Notification requirements.
- (2) **Hearing by PC:** All papers and other data submitted by the applicant on behalf of the amendment request shall be transmitted to the PC. The PC, at regular meetings, shall review and prepare a recommendation for transmittal to the City Council. At such meeting(s), any party may appear in person, by agent, or by attorney. Following action by the PC, all papers and data pertinent to the application shall be transmitted to the City Council for final action. The PC shall study the proposed amendment, taking into account the following factors:
 - (a) Consistency (or lack thereof) with the Comprehensive Plan and Civic Master Plan;
 - (b) Compatibility with the present zoning, with conforming uses of nearby property, and with the character of the neighborhood;
 - (c) Suitability of the property that would be affected by the amendment;
 - (d) Compatibility with the natural features of — and any archaeological or cultural resources on — the property;
 - (e) Marketability of the property that would be affected by the amendment; and
 - (f) Availability of roads, sewer, water, and stormwater facilities generally suitable and adequate for the affected property.
- (3) At the close of the public meeting, the PC shall recommend approval, modified approval, or denial of the amendment.
- (4) Upon receipt of a recommendation from the PC, the staff shall have 30 days within which to submit its report of the PC's deliberations and recommendation City Council. If the PC or its staff fail to submit a report within the 30-day period, it shall be deemed to have recommended approval of the proposed amendment.

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- (5) If, after three PC meetings, no recommendation has been made (e.g., each meeting has resulted in the request being tabled), the item will proceed to City Council. Staff will prepare a report of the PC deliberations within 30 days of the third PC meeting.

D. City Council Action:

- (1) **Public Notification:** see Section 9.1.5 for specific Public Notification requirements.
- (2) **Timing:** City Council shall consider the proposed map or text amendment at the earliest reasonable date and shall consider the report of the PC in making a decision.
- (3) **Decision:** City Council may schedule an additional public hearing to approve, approve with modifications, or deny the proposed amendment.
- (4) **Notification of Result:** The applicant shall be notified in writing within 15 days of City Council's action.

(Ord. No. O-14-23 , 9-26-2023)

9.16.4 UPDATE OF ZONING MAP

Following City Council's final action, any necessary changes shall be made to this Code, or to the Official Zoning Map within 7 days. A written record of the type and date of such change shall be maintained by the Administrator. After 7 days of the official action, the action by City Council shall be considered official even if the Administrator fails to make the written change to the appropriate document.

9.17: APPEALS

9.17.1 APPLICABILITY

Any person or entity desiring to appeal any decision, order, requirement or determination of any official, board or other authority set forth in this Code, thereby taking advantage of certain enumerated appeal rights granted by the South Carolina legislature, are encouraged to carefully review the appeal provisions of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, as amended, codified at South Carolina Code of Laws, Title 6, Chapter 29, and to seek appropriate legal advice.

9.17.2 SPECIFIC AUTHORITIES

The following statutes apply to the different types of appeals. They should be consulted if filing an appeal.

- A. **Appeal from decision of the City Council on a Zoning Map amendment or other regulatory enactment under this Code.** See S.C. Code § 6-29-760.
 - (1) Time Period: within 60 days of the final decision.
 - (2) To Whom: Circuit Court.
- B. **Appeal from decision of the Planning Commission on a Subdivision Preliminary Plat and a Major Development Site Plan.** See S.C. Code §§ 6-29-1150 and 6-29-900, respectively.
 - (1) Time Period: within 30 days after the affected party receives actual notice of the final decision.

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- (2) To Whom: Circuit Court.
- C. **Appeal from decision of the Historic District Review Board.** See S.C. Code § 6-29-900.
- (1) Time Period: within 30 days after the affected party receives actual notice of the final decision.
- (2) To Whom: Circuit Court.
- D. **Appeal from decision of the Zoning Board of Appeals.** See S.C. Code § 6-29-820, et seq.
- (1) Time Period: within 30 days after the affected party receives actual notice of the final decision.
- (2) To Whom: Circuit Court.
- E. **Appeal of an alleged error in any order, requirement, determination or decision of administrative official on a Subdivision Sketch Plan, Preliminary or Final Plat, Minor Plat, or Site Plan and involving non-historic structures and neighborhoods under their legal purview.** See S.C. Code §§ 6-29-880, 6-29-890, and 6-29-1150, respectively.
- (1) Time Period: 30 days from date of the specific action appealed.
- (2) To Whom: Planning Commission.
- F. **Appeal of an alleged error in any order, requirement, determination or decision of administrative official involving historic structures and neighborhoods under their legal purview.** See S.C. §§ 6-29-880 and 6-29-890, respectively.
- (1) Time Period: 30 days from date of the specific action appealed.
- (2) To Whom: Historic District Review Board.
- G. **Appeal of an alleged error in any order, requirement, determination or decision of administrative official in the enforcement of the zoning ordinance, not subject to statutory authority of the Planning Commission or Historic District Review Board, as above.** See S.C. Code § 6-29-800.
- (1) Time Period: 30 days from date of the specific action appealed.
- (2) To Whom: Zoning Board of Appeals.
- H. **Appeal of the issuance or failure to issue a Zoning Permit.** See S.C. Code § 6-29-800 (A) and (C).
- (1) Time Period: 30 days from date of the specific action appealed.
- (2) To Whom: Zoning Board of Appeals.
- I. **Appeal of the issuance or failure to issue a Building Permit and/or a Certificate of Occupancy.** See S.C. Code § 6-29-880, 6-29-890, and 6-29-1150.
- (1) Time Period: 30 days from date of the specific action appealed.
- (2) To Whom: Planning Commission or Historic District Review Board, as applicable.

7: LAND DEVELOPMENT

7.1: IMPROVEMENT REQUIREMENTS

7.1.1 PURPOSE

The purpose of these land development requirements is to:

- A. Encourage economically sound and environmentally sensitive development.
- B. Assure the timely provision of required streets, utilities, and other facilities and services to new land developments.
- C. Assure the adequate provision of safe and convenient vehicular and pedestrian traffic access and circulation in and through new land developments.
- D. Assure the provision of needed open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, and other public purposes.
- E. Assure, in general, the wise and timely development of new areas, in harmony with the Comprehensive Plan of the city.
- F. Encourage new subdivision developments that complement the City's historic development pattern.
- G. Promote compact, well-defined, sustainable neighborhoods that enhance the City's character.
- H. Create livable neighborhoods that foster a sense of community and reduce dependency on vehicles.
- I. Encourage the proper arrangement of new streets in relation to existing or planned streets and ensure streets facilitate safe, efficient, and pleasant walking, biking and driving.

7.1.2 APPLICABILITY

- A. Unless noted otherwise in this section, all new development projects shall be required to have public sewer and underground wiring, and shall comply with Section 7.2.3 (Lot Access Standards).
- B. All installation or construction of the improvements specified in the Table of Required Improvements (Section 7.1.3) is required for all development —with the exception of projects that qualify as, except those which (1) are subject to the Minor Development Design Review (Section 9.8.1)—or Minor Subdivision (Section 9.9.2), provisions of this Code or are located in the Historic District, and (2) affect less than one whole block face —are required to install or construct the improvements specified in the Table of Required Improvements (Section 7.1.3). Block Face.
- C. The applicant ~~Applicant, developer, and real property owner~~ shall be responsible for the installation and construction of required improvements according to the provisions of this Code, except as may otherwise be specifically provided herein or by ~~city policy or~~ agreement.

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- D. ~~Approval of a Final~~ Subdivision Plat ~~(Section 9.9.4)~~ shall ~~not~~ be subject to the applicant having installed approved unless the improvements ~~designated in~~ required by this article, Chapter have been installed or having guaranteed ~~(constructed or the Applicant has made improvement guarantees, pursuant to~~ Section 7.1.5), to the satisfaction of the ~~city~~ City, for the installation of said ~~improvement~~ improvements.

7.1.3 TABLE OF REQUIRED IMPROVEMENTS

		ZONING DISTRICT										
REQUIRED IMPROVEMENTS ³	SECTION REFERENCE	T1	T3-S	T3-N	T4-HN	T4-N	T5-DC	T5-UC	RMX	IC	LI	MHP
Public Water and Hydrants	7.1.3.B											
Public Sewer	7.1.3.B											
Paved Streets ¹	7.2.4											
Streetscape ²	Appendix C											
– Underground Drainage	7.1.3.A											
– Curb and Gutter	Appendix C											
– Sidewalks	7.2.4.C											
– Street Trees	7.2.5											
– Street Lights	n/a											
Street Signs (private streets)	n/a											
Underground Wiring On-Site	7.1.3.C											
Community Green Space and Open Space Space	7.4											
■ required improvements by district		□ may be required at the discretion of the administrator <u>Planning Commission</u> based on existing conditions, surrounding context, and street section <u>Street Infrastructure Plans</u> (Appendix C)										
¹ – <u>Rear lanes/alleys</u> may be permitted to be paved with pervious material, such as gravel, depending on the location.												
² – <u>Complete street requirements</u> shall be coordinated with the specific street section found in the regulating plan <u>Street Infrastructure Plans</u> in Appendix C.												
³ – <u>For Infill and development of Redevelopment, as defined in Section 8.3.2, Areas or Redevelopment Districts, the installation or construction of these items (referring to the table of required provisions)</u> <u>improvements</u> are required to the extent feasible based on existing conditions including roads, utilities and adjacent buildings.												

- A. **Street Improvements:** Land designated for public streets shall be cleared and filled in accordance with the latest edition of the "South Carolina Standard Specifications for Highway Construction", issued by the South Carolina State Highway Department of Transportation, or as determined appropriate by the

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~~administrator~~Administrator. No land may be disturbed until a ~~Project~~Building Permit has been issued (Section 9.5). See Section 5.4 for Tree Removal Standards. See Section 7.2 for more standards on street location. See Appendix C for Street Regulating Plan and Design Standards.

- B. **Water and Sewer Facilities:** Water and sewer facilities shall be provided in accordance with the standard procedures and policies of the water and sewer provider and the South Carolina Department of ~~Health and Environmental Control~~ (DHEC Services (SCDES)) and shall be approved by the water and sewer provider.
- C. **Utility lines:** All utility lines within a development site shall be installed underground, ~~unless, The Planning Commission may approve an exception only in cases where~~ there are existing above-ground lines that serve the property.

7.1.4 SURVEY AND ENGINEERING

- A. **Installation of Permanent Reference Points:** Permanent reference points shall be placed in accordance with the following requirements:

~~(1-)~~ **General Standards:** Boundary surveys shall be performed, in accordance with the state minimum standards published by the State Board of Registration for Professional Engineers and Land Surveyors, unless more stringent requirements are specified. A minimum of two points in any survey must be tied to the state plane coordinate system. The survey may be done on the horizontal ground distance and tied back to the state plane coordinates.

~~(2-)~~ **Control Monuments:** Vertical control monuments shall be placed in or near the centerline of pavement of subdivision streets at a minimum of 1 per 4 acres. Where practical, control monuments shall be placed at points of curvature and points of tangency of curves. The control monument may be poured on the job or be a concrete marker of the type commonly used in the area: at least 3 feet long and tapered with a 12-inch long, ¼-inch diameter brass or bronze rod embedded in the top. Control monuments shall be placed in a cast iron water main valve type box with a cover flush with the pavement.

~~(3-)~~ **Property Marker:** A steel or wrought iron pipe, rebar, or the equivalent, not less than 0.5 inches in diameter and at least 24 inches in length shall be set at all property corners and points of curves, except those located by monuments. They shall be flush with the ground.

~~(4-)~~ **Accuracy:** Land surveys within the city limits shall be Class A surveys, set at an accuracy of at least 1:10000.

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7.1.5 IMPROVEMENT GUARANTEES

- A. **Types Allowed:** Prior to approval of a Final Subdivision Plat (Section ~~9-9.4~~7.5.5) the ~~applicant~~Applicant shall provide a performance guarantee to ensure the completion of required improvements within a period of time as agreed upon by the Administrator and the ~~applicant~~Applicant, and expressed in the guarantee. Such guarantee may be in the form of a performance bond, a surety bond, a cash deposit, or a letter of credit. A performance guarantee shall be posted in the amount of 125% of the total cost of improvements.

~~(1-)~~ **Performance/Surety Bonds and Letters of Credit:** The performance or surety bond, or letter of credit, shall be in a form acceptable to the ~~city~~City. It shall include a pledge by the bank, insurance company or other bonding/lending institution that the funds necessary to carry out the terms of the

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Last revised: 7/21/25

Chapter 7 – Land Development

agreement are guaranteed for payment, and will be released only upon receipt of written instruction from the city.

(2-) **Cash Deposits:** If the surety is in the form of a cash deposit with the City-of-Beaufort, proportional parts thereof shall be refundable in relation to progress payments less retainage, subject to approval of the cityCity and subject to a minimum deposit balance of 25% of the project cost.

(3-) **Maintenance Guarantees:** If the applicantApplicant completes all required improvements and complies with all conditions of the subdivision agreement as determined by the cityCity, the remainder of monies retained by a financial institution or by the cityCity may be released to the applicantApplicant or his successor in title. Prior to release, the applicantApplicant shall provide the cityCity, prior to the issuance of any building permit, a performance bond, a surety bond, or a cash deposit equal to the amount determined by the city that wouldCity to be necessary to ensure the repair of any damage to the existing improvements during the course of any construction, but in no case will the amount of the security be less than \$1,000.00 for each individual building lot. Prior to the issuance of any certificate of occupancy, the city shall determine whether or not any breakage or damage has occurred. If no damage to any off-site improvements has occurred, then the city may release the security to the applicantApplicant or his successor in title. If damages have occurred, they shall be repaired, or the city may draw on the security before it is released.

7.1.6 EASEMENT AND UTILITY STANDARDS

A. **Multiple installations within easements:** Easements shall be designed so as to provide efficient installation of utilities. Public utility installations shall be located as to permit multiple installations within the easements. The developer will establish final utility grades prior to utility installations. Public utility easement dedication shall be required with any minor or major subdivision action.

B. **Underground utilities:** Telephone lines, electric lines, cable television lines and other like utility services shall be placed underground. The Applicant and developer shall be responsible for complying with the requirements of this Section and shall make the necessary arrangements including any construction or installation charges with each utility provider for the installation of such underground facilities. Transformers, switching boxes, meter cabinets, pedestals, ducts and other facilities necessarily appurtenant to such underground utilities shall be placed underground or on the surface but not on utility poles. Screening or fencing is required and subject to approval of the City. Electric transmission and distribution feeder lines and necessary appurtenances thereto may not be placed above ground unless they are carrying greater than 115 kV. Upon approval of the City, such facilities shall be placed within easements or rights-of-way provided for particular facilities.

7.2: STREET NETWORK AND DESIGN STANDARDS

7.2.1 STREET INFRASTRUCTURE PLANS

A. **Purpose and Intent:** The Street Infrastructure Plans (in Appendix C) provide diagrams of the city'sCity's street network and establishesestablish the ideal alignment, hierarchy and design characteristics - including total right-of-way width, sidewalk and streetscape amenities, parking lanes, travel lanes and other geometric and urban design details - for all existing streets, proposed streets that have been adopted as part of an Official Map, and new potential streets in the City-of-Beaufort.

B. **Official Street Network Plan:** Pursuant to ~~the authority of~~ S.C. Code ~~1976~~ § 6-7-1210, ~~et seq.~~ (1976), as amended, the City has previously adopted several Official Maps. An Official Street Network Plan is incorporated into this Code in ~~order~~Appendix C.2 to represent a composite of these previously-adopted Official Maps.

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~~(1.)~~ **Purpose:** This plan represents a composite of all Official Maps, to date, in the City. The map designates existing or proposed streets or ways within the City that are targeted for creation, expansion or other improvements. The Official Street Network Plan shall initially consist of a series of four (4) separate maps, included in Appendix C, which shall be deemed a part of ~~the Beaufort~~this Code.

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~~(2.)~~ **Modification:** The Official Street Network Plan may be modified or supplemented ~~per~~pursuant to the procedure for Text & Map Amendments and Rezonings (Section 9.16). ~~The Planning Commission (PC) will review the Official Street Network Plan on a regular basis at intervals of every 6 months, or thereabouts.~~ In addition, the maps will be automatically updated as additional Official Maps are approved ~~per~~pursuant to the appropriate process required by state law.

C. **Specific Street Sections**Frontage Requirements: The provisions regarding street sections ~~noted in~~ Appendix C show specific street designs for the ~~purposes~~purpose of identifying future improvements by both the ~~city~~City and fronting property owners. These sections depict the ideal arrangement and design of street elements.

~~(1.)~~ **Applicability:** For any project that is considered part of a Major Subdivision (Section 9.8.3), Major Development Design Review (Section 9.8.2), or Site Plan, requires a Certificate of Appropriateness, as a Major project type (Section 9.10.2-A.2-), and/or which affects one whole ~~block face~~Block Face, the fronting property owner shall install all prescribed streetscape improvements as part of the development project. The installation of street frontage improvements shall be a condition of Final Plat approval for Major Subdivisions and Certificates of Occupancy for Site Plans, including, as necessary, improvement guarantees under the authority of Section 7.1.5.

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~~a.~~ **Exception:** If similar elements as prescribed in the street section exist — e.g., on-street parking, sidewalk, tree plantings — the requirement to install the streetscape element(s) ~~shall be waived if those items meet the intent of the prescribed street section, even if the existing items do not meet the exact requirements of that street section.~~ *Example Scenarios: If a street section prescribes a 5-foot sidewalk, but a 4-foot sidewalk already exists, the existing sidewalk will satisfy the sidewalk requirement. However, if the street section requires a 5-foot planting strip between the curb and the sidewalk, and the 4-foot sidewalk is directly adjacent to the curb, this would not satisfy the intent of the street section and would need to be reconstructed per the prescribed standards.*

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~~2. — Insufficient Right-of-Way Width:~~

~~a.~~ **(2) Scope of Improvements:** Street frontage improvements shall be installed along the entire frontage of the property to the centerline of the street or, if a multi-lane street, the affected lane, at the sole cost of the Applicant as directed by the Administrator.

(a) Street frontage improvements may include the following: curb, gutter, sidewalk, storm drainage, street lighting, traffic signal equipment, utility installation, extension, or relocation, landscaping strip, street trees and landscaping, irrigation, street widening, pavement overlay or reconstruction, and channelization.

(b) In addition to required frontage improvements, the Applicant shall provide ramps from the new sidewalk or walkway to the existing shoulder, across streets and pavement and channelization tapering back to the existing pavement and channelization as required to address safety concerns.

D. Dedication of Right-of-Way: In the case of a street section adopted as part of an Official Map, where the width of the existing right-of-way is insufficient to install the prescribed street section, the fronting property owner ~~may~~**shall** be required to reserve the appropriate amount of right-of-way (as measured from the centerline of the existing street). ~~If the owner chooses to dedicate and install the complete right-of-way, the cost of the improvements may be compensated—see Section 7.2.1 E.~~ The future right-of-way shall conform to all of the street network requirements of Section 7.2.2. Where a new right-of-way that is not shown in the Street Regulating Plan is required as part of a new development, it shall be designed with appropriate elements based on its proposed location and zoning district. (See Appendix C).

~~b.~~**(1)** In the case of a street section that is not part of an Official Map, where the width of the existing right-of-way is insufficient to install the prescribed street section, the property owner ~~is encouraged to~~**shall** reserve the appropriate amount of right-of-way to complete the desired street section. If the owner ~~chooses to dedicate~~**dedicates** and ~~install~~**installs** the complete right-of-way, the cost of the improvements may be ~~compensated—borne by the City~~ (see Section 7.2.1 E.).

c. Exceptions and Alternatives:

~~i.~~**(2)** Where available right-of-way ~~— due to existing structures and topographic conditions — do not permit the full section to be constructed, the~~ Administrator may adjust the required section.

~~ii.~~ A different street section may be approved which accomplishes the same intent in a smaller dimension. an area is designated as

d. Creation of New Right-of-Way:

1. Where a future right-of-way ~~is and~~ identified on an Official Map, ~~and thus represented on the Official Street Network Plan — these are indicated as "New Adopted Streets" —~~ new development shall reserve this area for the new street in the future. If access is needed to the site in that location, the street shall be constructed in the general location shown.

a. Alternative Paths: The administrator may approve a different street configuration if it the proposed development plan provides a similar amount and quality of connectivity through the site. This is determined by evaluating one or more of the following: number of connections, connections of specific site elements, and required access to existing and proposed structures. For modification of the Official Street Network Plan, See Section 7.2.1 B-2.

b. Street Standards: The future right-of-way shall conform to all of the street network requirements of Section 7.2.2 below.

2. Where a new right of way that is not shown in the street regulating plan, is required as part of a new development, it shall be designed with appropriate elements based on its proposed location and zoning district. (See Appendix C). ~~(a)~~ **Exceptions and Alternatives:** Where the available rights-of-way ~~— do not functionally permit the full section to be constructed due to existing structures or topographic conditions limited to wetlands, specimen and landmark trees, the Administrator may adjust the requirements for the street section.~~

E. Compensation: When a project is required to make off-site improvements within the existing right-of-way, dedicate and/or improve a street with insufficient right-of-way, or install a new street (be it public or private) per the requirements in Section 7.2.1 C., above, compensation ~~of the developer for the costs associated with such improvements~~ may be available ~~at the City's discretion~~. To the extent that the City has the authority and the ability ~~to do so~~, the Traffic Impact fee for the project shall be reduced by the assessed value of the dedicated land and/or construction cost of the right-of-way improvement. This may be done either as a direct reduction, rebate, or reimbursement of fees.

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7.2.2 STREET NETWORK REQUIREMENTS

- A. **Continuation of Adjoining Street System:** The proposed street layout shall be coordinated with the street system of the surrounding area to form an interconnected street pattern, formalized by a platted public access easement. ~~Adequate~~The adequacy of street connectivity shall be assessed by the Technical Review Committee ("TRC,") based on the ability of the proposed alignments to:

- (1) ~~1.~~ — Permit multiple routes between origin and destination points;
- (2) ~~2.~~ — Diffuse traffic; and
- (3) ~~3.~~ — Shorten walking distances.

- B. **Block Sizes:** Blocks shall be compact so that they are comfortably walkable and appropriate for their context.

- (1) ~~1.~~ — In T3-S zones, block sizes are flexible, but the perimeter shall not exceed 2,640 linear feet (½ mile). An average block perimeter of less than 2,000 feet is preferred.
- (2) ~~2.~~ — In T3-N zones, block sizes are flexible, but the perimeter shall not exceed 1,700 linear feet (¼ mile). An average block perimeter of less than 1,500 feet is preferred.
- (3) ~~3.~~ — In T4, ~~T5~~ and ~~T5RMX~~ zones, blocks shall be no more than 400 feet on any side. An average block length of 250 ~~to~~ 300 feet is preferred. The block perimeter shall not exceed 1,320 linear feet (¼-mile).
- (4) ~~4.~~ — Exceptions may be made for natural elements such as wetlands, trees, topography, and cultural resources, to be incorporated into the site design.

- C. **Street Stubs:** New developments shall ~~if practicable,~~ connect to any existing street stubs from adjacent properties and stub to all adjacent properties.

- (1) ~~1.~~ **Exemptions:** Street stubs shall not be required where the Planning Commission finds the conditions listed below would prevent connections:

- (a) ~~a.~~ — Topographical conditions ~~;~~ pre-development slopes of 18% or greater ~~;~~
- (b) ~~b.~~ — Environmental conditions ~~;~~ marshes, floodplains, specimen and landmark trees, etc. ~~;~~
- (c) ~~c.~~ — Property shape ~~;~~ that would not allow for street stubs.
- (d) ~~d.~~ — Property accessibility ~~;~~ existing platted subdivision with no stubs ~~;~~
- (e) ~~e.~~ — Incompatible adjacent land uses.

- (2) ~~2.~~ **Location:** Where multiple connection opportunities exist, street stub connections shall be prioritized in the site design as follows:

- (a) ~~a.~~ — Adjacent parcels 20 acres or greater in size.
- (b) ~~b.~~ — Adjacent parcels that abut or are traversed by existing or proposed streets.
- (c) ~~c.~~ ~~Where the~~ The Street Network Diagram recommends a street connection (indicated as a proposed street).

- (3) ~~3.~~ **Design:**

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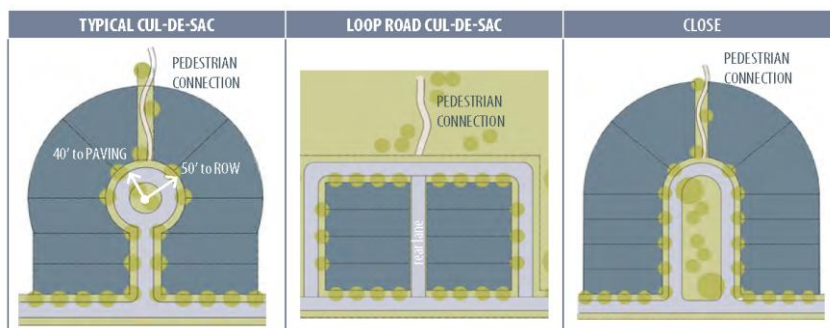
(a) ~~a.~~—Stub streets and streets intended for extension during future phases shall be constructed to extend to the property line ~~or as close to the line as practical for constructability to adjoining property.~~

b. ~~It shall be the responsibility of the second development to construct the connection to an existing stub street.~~

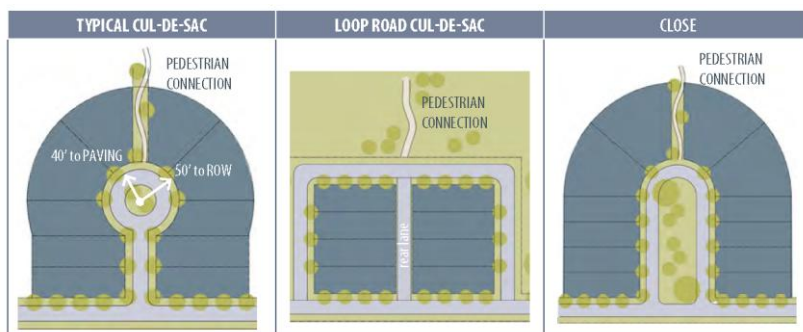
(b) ~~c.~~—Stub streets shall not exceed 150 feet in length without a paved turnaround (permanent or temporary).

(c) ~~d.~~—**Disclosure:** The Final Subdivision ~~Plan~~**Plat** shall be recorded ~~stating~~**depicting** that future connection is ~~possible~~**required** at any ~~sub~~**stub** streets and streets intended for extension during future phases. A clearly visible street sign ~~may~~**shall** be erected at the end of the stub street stating that the street is planned to connect to a future street.

D. **Cul-de-sacs and Dead-end Streets:** Dead-end streets and cul-de-sacs are prohibited, ~~unless specifically approved by the TRC. In T-3 except in T-3 and LI zones only, zoning districts, where~~ cul-de-sacs or other turn-arounds may be approved by the ~~TRC~~**Planning Commission**. Compliance with the following



standards **must be met** in all circumstances:



1.

(1) Permanent dead-end streets shall be no longer than 300 feet and shall be provided with a turnaround such as a cul-de-sac or close.

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- (2) ~~2~~ — Temporary dead-end streets shall be provided with a temporary turnaround area which shall be designed considering traffic usage, maintenance, and removal.
- (3) ~~3~~ — Alternative design solutions, such as a close (first preference), or a loop road cul-de-sac (second preference) are preferable to a typical cul-de-sac.
- (4) ~~4~~ — Cul-de-sacs shall have a minimum right-of-way radius of 50 feet and minimum paved radius of 40 feet. When ample radii ~~exists~~ space exists, cul-de-sacs shall contain a central planted median.
- (5) ~~5~~ — Whenever cul-de-sac roads are created, at least one pedestrian access easement shall be provided, to the extent practicable, between each cul-de-sac head or road turnaround and the sidewalk system of the closest adjacent road or pedestrian pathway. The access easement shall be direct with a minimum width of 12 feet.

E. **Gated Streets:** New gated streets for new subdivisions are ~~not encouraged. However they may be permitted, at prohibited with the following exceptions:~~

- (1) ~~At the discretion of the Metropolitan Planning Commission, in T3-S zoning districts where connection to the existing street grid is not practicable due to topography or existing surrounding conditions. They may be permitted by the applicable Design Review Authority~~
- (2) ~~At the discretion of the Planning Commission when the access proposed to be gated is an alley or rear lane and is not the primary building frontage.~~
- (3) ~~At the discretion of the Planning Commission, where existing communities own their own streets and have no existing or future street connectivity.~~

F. **Street Naming and Renaming:** ~~Proposed New~~ street names and street renaming are subject to the requirements of S.C. Code § 6-29-1200. Proposed Street names and number systems will ~~shall~~ be reviewed by ~~the administrator and subject to the approval of the Administrator~~ and the Beaufort County Emergency Management Department. No duplicate/similar names are allowed, as determined by these agencies.

G. **Reserved Strips Prohibited:** Reserved strips at the terminus of a new street shall be prohibited.

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7.2.3 LOT ACCESS STANDARDS

- A. **Applicability:** Any development that requires ~~one or more~~ access ~~point (rear alley/lane or driveway)~~ points for purposes of ingress and/or egress shall be subject to the provisions of this section. All new ~~accesses~~ access points must be approved by the appropriate permitting authority. Access points may not be installed on undeveloped property less than 2 acres.
- B. **Maximum Number:** For single-family and two- and three-family dwellings, only one driveway shall be permitted per lot. In T3-S, circular driveways may be permitted on lots greater than 100 feet in width, where no sidewalk exists. Driveways may only be installed when rear access is not possible or required. For double frontage lots, one curb cut per street may be permitted. For all other building types, the maximum number of driveways allowed for any property is outlined in the table below.

FRONTAGE WIDTH	MAXIMUM PERMITTED DRIVEWAYS <u>ACCESS POINTS</u> (CURB CUTS) PER STREET FRONTAGE
up to <u>Less than</u> 150 feet	<u>1</u>

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150 feet or more	2 - Additional driveways <u>access points</u> (in excess of 2) shall be permitted only after the applicant <u>Applicant</u> successfully demonstrates the necessity for such additional driveways <u>access points</u> , as determined by the appropriate Design Review <u>Body design review body</u> . Along arterial roads and thoroughfares, such additional driveways <u>access points</u> shall be "right-in, right-out" driveways only.
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C. Location and Spacing:

(1-) **Street Intersection:** No curb ~~cut~~ or other access point shall be located closer than:

(a) ~~a~~ — 20 feet from the intersecting point of the 2 street right-of-way property lines involved (or such lines extended in case of a rounded corner);

(b) ~~b~~ — 25 feet from the intersection of the 2 curb lines involved (or such lines extended in case of a rounded corner), whichever is the least restrictive.

(2-) **Spacing:** All access points shall have a minimum separation from certain features as follows:

FEATURE	MINIMUM SEPARATION ¹	
Adjacent Property Line (does not apply to shared or joint-use driveways)	0 ft	
Another Curb Cut (driveway or street intersection) on all roads except Major Thoroughfares	25 ft	
Another Curb Cut (driveway or street intersection) on Major Thoroughfares — defined as (streets with the Street Section designation of Major Thoroughfare, or the Robert Smalls Parkway, Sea Island Parkway/Lady's Island Drive, or Boundary Street Specific Street Section — Another Curb Cut (driveway or street intersection) —)	Depends on Posted <u>Dependent on posted speed limit as follows:</u> Speed Limit	
	<u>Speed Limit</u>	<u>Separation</u>
	< 35 mph	100 ft
	35 mph	200 ft
	40 mph	250 ft
	45 mph ²	300 ft
	50 <u>45</u> mph ²	400 <u>300</u> ft
	55+ mph ²	500 ft
¹ — Minimum separation is measured from centerline		
² — On Robert Smalls Parkway (Hwy 170) west of Parris Island Gateway, a minimum of 500 ft. separation distance is required		

(3) **3-Corner Lots:** Access points on corner lots shall be from the side (or secondary) street, unless a shared curb cut on the main thoroughfare is existing or proposed.

(4) **4-Access to Lots from Major Thoroughfares:** Driveways serving individual residential lots shall not have direct access onto streets identified as Major Thoroughfares — as identified on the second row of the chart in Section 7.2.3 C.2. — unless no alternative means of access, such as alleys or parallel access roads, ~~exist~~ exist, and it is unreasonable or impractical to require an alternative means of access.

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(5) ~~5.~~ **Shared Access:** See Section 5.7.7 C.

(6) **Rear Access Required/No Front Access:** For lots developed in the transect zones of T3-N, T-4, and T5-UC, all new access points shall be from a rear alley and/or road, except for lots within the historic district. Exemptions to allow front loaded access points where connection to the existing street grid is not practicable due to topography or existing surrounding conditions shall be at the discretion of the Planning Commission with approval of major subdivisions, and the Codes Administrator for individual lots.

D. **Size:**

(1-) **Alleys:** Alley pavement width may be a maximum of 24 feet wide for two-way traffic and 16 feet wide for one-way traffic. For more design standards, see Appendix C.

(2-) **Driveways:**

(a) ~~a.~~ Driveways for single-family and 2- and 3-family uses may not exceed 12 feet wide, except in T3-S district, where they may be a maximum of 20 feet wide.

(b) ~~b.~~ **Tandem Parking:** Tandem parking is allowed in all zones for all residential uses if:

(i) ~~i.~~ Both tandem parking spaces satisfy the parking requirement of one residential unit; and

(ii) ~~ii.~~ Neither of the tandem parking spaces shall be for required accessible parking spaces.

(c) ~~c.~~ Driveways to other uses and parking areas shall not exceed 24 feet in width for 2-way drives or 12 feet in width for one-way drives, except those with turn lanes required by the ~~city~~City or SCDOT.

E. **Access to Lots from Alleys/Rear Lanes:**

(1-) **Specific to T3-N, T4, and T5 districts:** Alleys/rear lanes shall be provided along the rear property lines of lots as follows:

(a-) In new subdivisions greater than 1 acre, alleys shall be provided for newly created lots that meet any of the following criteria:

(i) ~~i.~~ The lots are part of a ~~block face~~Block Face with an average lot width of 60 feet or less at the building setback line (excluding lots on cul-de-sacs).

(ii) ~~ii.~~ The lots are arranged around a Common Open Space.

(iii) ~~iii.~~ The lots front a collector or arterial road, regardless of the average lot width.

(iv) ~~iv.~~ The lots are intended for multi-family dwellings and/or mixed-use buildings.

(b-~~In infill situations~~) For Infill developments, the same standards apply as specified ~~above in the immediately preceding subsection~~, but only for developments that include 4 or more contiguous lots, where one lot is a corner lot. In the Historic District, the standards apply only to the Beaufort Conservation District; the requirement may be waived at the discretion of the Historic Review Board.

F. **Specific to Commercial Developments and Subdivisions:**

(1) ~~1.~~ **Out-parcels:** Out-parcels for shopping, office, or industrial centers shall be limited to internal access to the center, unless otherwise approved as part of a master development plan. All driveways shall be paved from the road to the property line.

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(2) ~~2.~~ **Abandoned Driveways:** Abandoned driveways (i.e., curb cuts that are no longer used for vehicular access and are physically blocked by structures) shall be closed, and the area shall be restored to the typical cross section of the right-of-way.

7.2.4 STREET DESIGN STANDARDS

- A. **Street Section Design:** The elements and widths of all proposed streets shall be in conformity with the appropriate street section designated in the Street ~~Regulating Plan~~Infrastructure Plans (Section 7.2.1 and Appendix C).
- ~~B. **Traffic Control and Signs:** Traffic control and street name signs shall be installed at all street intersections and other appropriate areas as determined by the applicant and street owner.~~
- ~~C. **B. Traffic Control and Signs:** The type and location of traffic control devices used on City streets must be approved by the Administrator or the Administrator's designee, and traffic control on private streets shall be included and approved as part of the major subdivision or site plan. Traffic signals should be used where warranted, but alternative means of traffic control such as roundabouts should be considered first. When it can be shown that a particular zoning action, master plan, or development plan impacts the street system to a point that a traffic signal is warranted according to the latest version of the United States Department of Transportation's Manual on Uniform Traffic Control Devices ("MUTCD") and approved by the Administrator or the Administrator's designee, the developer shall be responsible for all or a portion of the signal installation.~~
- C. **Sidewalks/Multi-use Paths:** Where required ~~per~~by the ~~Street Section~~provisions of Appendix C, all sidewalks or multi-use paths must be constructed concurrently with the street, or, if the street is already constructed, prior to acceptance of any improvements. Exceptions to ~~or partial waiver of~~, the requirement to install a sidewalk may be granted by the Planning Commission if:
- (1) ~~1.~~ Alternative pedestrian paths/bikeways have been or will be provided outside of the normal right-of-way.
- (2) ~~2.~~ There are unusual topographic, vegetative, or other natural conditions ~~to the extent that would render~~ strict adherence to ~~said~~the requirements ~~would be of this section~~ unreasonable and not consistent with the purposes and goals of this Code.
- D. **Utility Easements:** Utility easements which require a width of 8 feet or ~~larger~~more shall be located in rear alleys or ~~along the side or adjacent to~~ rear lot lines. Special permission to install utility easements in other locations may be requested by the utility companies and is subject to approval by the appropriate ~~Design Review Body~~design review body.
- E. **Special Consideration ~~to Protect for~~ Protected Resources and other Natural Features:** Street layout and design shall give additional consideration to preserving protected resources and enabling natural areas to be protected or minimally disturbed. Where streets are built in areas that have protected resources or natural features, all utilities shall be placed within the street right-of-way and under the street ~~in order~~ to avoid additional destruction of the natural features.

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7.2.5 STREET TREE PLANTING REQUIREMENTS

- A. **Planting Areas:** Planting strips and tree wells shall be established in accordance with the width and plantings designated in the appropriate Street Section of the Street ~~Regulating Plan~~Infrastructure Plans (7.2.1 and Appendix C).

- B. **Location and Number:** Street trees ~~should~~shall be planted in the location and per the spacing specified for the corresponding street classification in Appendix C. However, in specific cases, where ~~it is not practical due~~, to the location of utilities or other site constraints, the Planning Commission may allow street trees ~~may~~to be planted on private property adjacent to the right-of-way.
- C. **Tree Species:** ~~Overstory~~The species of overstory and understory trees ~~as prescribed listed in this section reference Appendix A.2 (Recommended Trees and Shrubs)~~may be used for street tree planting
- D. **Minimum Tree Size:** At the time of planting, young trees should be 2.5 inch caliper, with the lower side of the crown a minimum of 6 feet above grade ~~to avoid hazards to pedestrians~~.

7.3: STREET ENGINEERING STANDARDS

7.3.1 STREET DESIGN, CERTIFICATION, AND CONSTRUCTION SPECIFICATIONS

- A. **Design Drawings and Certification:** Professional engineers, registered in the ~~state~~State of South Carolina, shall prepare plans, profiles, cross sections, and specifications for all subdivision roads and streets. The engineers shall certify that the roads/streets are built to comply with the approved plans and specifications. Cross sections shall be developed every 100 feet at intersections and break points in grade. Cross sections shall show the complete rights-of-way including travel lanes, shoulders, ditches, curb and gutter, and sidewalks and utility locations, as applicable.
- B. **Construction Specifications for Paved Streets:** Street construction specifications for paved streets shall ~~be in compliance~~comply with the South Carolina Department of Transportation Standards.

7.3.2 TRAFFIC IMPACT ANALYSIS

- A. **Applicability:** A ~~"traffic impact analysis"~~Traffic Impact Analysis ("TIA") shall be required for any development that is shown ~~to generate more than 50 trips during the peak hour on the adjacent street(s)~~ in the most recent Institute of Transportation Engineers ~~(("ITE"))~~ Trip Generation Manual or any alternative, approved at the discretion of the Planning Commission or the TRC, or by the engineering department ~~to generate more than 50 trips during the peak hour on the adjacent street(s).~~
- (1) ~~1.~~ A second phase, second subdivision, or addition that generates traffic beyond this threshold, when taken as a whole, shall also require a TIA, even though that development ~~does~~may not qualify on its own.
- ~~2.~~ A use shall not be changed without conducting a new TIA if the new use would generate traffic beyond the 50 trips during peak hour threshold referenced above. The ~~administrator or TRC~~Planning Commission may waive this requirement ~~in unusual circumstances~~.
- (2) ~~3.~~ Exception: Development ~~except for Educational Facilities with greater than 100 students on lots included in the Boundary Street Master Plan, adopted on August 28, 2006, and lots in the area bounded by Calhoun Street, Carteret Street, Bay Street, and Ribaut Road, and lots zoned Limited Industrial (LI), shall not be subject to the requirements of this section.~~
- B. **Traffic Access Management Analysis:** As part of the TIA process, the proposed development shall have an "access analysis" undertaken by the administrator to ensure that sufficient access to all proposed developments and subdivisions is achieved.

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~~(1-)~~ The standards in the South Carolina Department of Transportation's "Access and Roadside Management Standards Manual" ~~(a.k.a., ("ARMS Manual"))~~ shall serve as a guide for this analysis, which shall include identification of the following:

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~~(a) a-~~ Access improvements, such as deceleration lanes, that the ~~applicant~~ Applicant must install at ~~his or her~~ the Applicant's own expense, ~~such as deceleration lanes~~;

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~~(b) b-~~ The location of any curb cuts based on, but not limited to, sight distances, existing roadway infrastructure, opposing driveways locations, and shared access;

~~(c) c-~~ Requirements for adequate driveway design, including, but not limited to, turning radius and stacking distance.

~~(2-)~~ The access requirements approved by the ~~administrator~~ Planning Commission or the TRC shall be incorporated on development or subdivision plans prior to their approval.

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~~(3-)~~ If an ~~applicant~~ Applicant is required to provide site-related traffic improvements, the cost of implementing such improvements shall be borne by the ~~applicant~~ Applicant, and no such costs shall be eligible for a credit or offset from any transportation impact fees unless specifically permitted by the Development Fee Procedures ~~as stated in the~~ Beaufort County Code of Ordinances, Chapter 82, Article ~~VIII~~ or most recent version.

C. Traffic Impact Analysis Plan Preparation:

~~(1-)~~ The TIA shall be conducted by an engineer registered in South Carolina who is experienced in the conduct of traffic analysis.

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~~(2-)~~ Prior to beginning the TIA, the ~~applicant~~ Applicant shall supply the ~~city~~ City with the following:

~~(a) a-~~ A written narrative describing the proposed land use(s), size, and projected opening date of the project and all subsequent phases.

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~~(b) b-~~ A site location map showing surrounding development within a one-half mile radius of the property under development consideration.

~~(c) c-~~ A proposed site plan or preliminary subdivision plat illustrating access to public or private roads and connectivity to other contiguous developments.

~~(3-)~~ Prior to beginning the TIA, the ~~applicant~~ Applicant shall receive, in writing, the parameters to be followed in the study, including the directional split of driveway traffic, trip distribution, background traffic growth rate, previously approved but not completed projects, and the intersections to be analyzed, along with any associated turning movement counts that are available or discussed and approved by the TRC.

~~(4-)~~ To review the TIA, the Planning Commission and TRC will ~~utilize updated~~ require current trip generation information, available information on land use, travel patterns, and traffic conditions, and shall consult with the SCDOT.

D. Plan Contents:

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<u>Background information</u>	<u>Requirement</u>
<u>List of all nonexistent transportation improvements assumed in the analysis</u>	<u>Required</u>

<u>Map of site location, description of the parcel, general terrain features, and location within the jurisdiction and region.</u>	<u>Required</u>
<u>Description of geographic scope/ limits of study area.</u>	<u>Any roadway on which 50 or more of the new peak hour vehicle trips generated by the proposal are distributed and at any intersection along such roadway that TRC or the Planning Commission determine may be impacted.</u>
<u>Plan at an engineering scale of the existing and proposed site uses.</u>	<u>Required</u>
<u>Description and map or diagram of nearby uses, including parcel zoning.</u>	<u>Required</u>
<u>Description and map or diagram of existing roadways.</u>	<u>Required</u>
<u>Description and map or diagram of programmed improvements to roadways, intersections, and other transportation facilities within the study area.</u>	<u>Required</u>
<u>Analysis of Existing and Future Conditions</u>	
<u>Collected and projected daily and peak hour of the generator traffic volumes, tabulated and presented on diagrams with counts provided in an appendix.</u>	<u>Required</u>
<u>Analyses for intersections and roadways identified by TRC and the Planning Commission. Delay and Level of Service (LOS) are tabulated, and LOS is presented on diagrams for each lane group.</u>	<u>Required</u>
<u>Incorporation of all Traffic Impact Analysis studies and Trip Generation from approved developments or vested unbuilt developments within mile radius at time of proposal.</u>	<u>Any roadway on which 50 or more of the new peak hour vehicle trips generated by the proposal are distributed and at any intersection along such roadway that TRC or the Planning Commission determine may be impacted.</u>
<u>Speed Study</u>	<u>If requested by City</u>
<u>Crash history near site</u>	<u>If requested by City</u>
<u>Sight distance</u>	<u>If requested by City</u>

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Trip Generation	
Site trip generation, with tabulated data, broken out by analysis year for multi-phase developments, and including justification for deviations from ITE rates, if appropriate.	Required
Description and justification of internal capture reductions for mixed use developments and pass-by trip reductions, if appropriate, including table of calculations used.	Required

(1-) Phased Developments: All phases of a development are subject to review, and all traffic plans for the entire development shall be integrated with the overall traffic analysis. A TIA for a specific phase of development shall be applicable to the phase of development under immediate review. However, each phase of development shall expand and provide detailed analysis at the development plan stage beyond the estimates provided for at the concept plan or master plan stage.

(2-) Infrastructure Analysis: The adequacy of the roads that the development will be accessed from shall be assessed in the TIA. Recommendations for improvements to these roads shall be made. The relative share of the capacity created shall be broken down as follows: development share, other developments' share, any existing overcapacity, and capacity available for future growth.

(3-) Required Elements of the TIA:

(a-) A site plan or subdivision plat identifying ~~accesses~~access points to and from existing or proposed streets and intersections, along with all opposing intersections across adjacent streets.

(b-) Description of the proposed development, including the type and intensity of proposed land use(s) including, but not limited to: the number of residential units by type, the number of existing and proposed lots, the type of proposed nonresidential development and the amount of such development measured by gross floor area or other appropriate unit of measurement, the general size and type of accessory development or facilities, and, for nonresidential development, adequate information to identify the appropriate land use category for trip generation.

(c-) Projected vehicular trips to and from the completed development during a.m. and p.m. peak hour — trip rates shall be taken from ITE Manual or alternatively, an ~~applicant~~Applicant may elect to perform, at his own expense, a "trip generation study" which may be submitted as part of the ~~traffic impact analysis~~TIA plan. ~~Such~~The trip generation study shall be subject to the review and verification of the TRC and engineer. For proposed uses not specifically listed in the ITE Manual, and for which a trip generation study has not been performed, the designated engineer(s) shall determine the most appropriate trip generation rate. The TRC shall make the determination of the appropriate trip generation rate, from whatever the source. The percentage of pass-by trips, if used in the plan, shall be included, as well as the source of this information.

(d-) A written narrative setting forth the assumptions upon which any projection was made in developing the ~~traffic impact analysis~~TIA plan shall be included in the analysis. If the assumptions are derived from the ITE Manual, the materials shall be referenced and properly cited. If the assumptions are not from the ITE Manual, appropriate excerpts from other

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reliable transportation planning resources shall be included in the study, and reasons underlying the assumptions shall be stated in the narrative.

(e-) The TIA shall review access to the site. The adequacy of the entrance design shall be evaluated, and recommendations made on acceleration and deceleration lanes, left-turn lanes, or signalizations shall be part of the TIA. Educational facilities shall include pick-up and drop-off plans and analysis of the impact on the surrounding streets and intersections.

(f-) The TIA shall review the number and types of curb cuts that are permitted. In particular, the TIA shall assess the connection of the property to adjoining properties. Where the use, scale of development, or size of adjoining properties is such that trips would be anticipated between the proposed use and the other properties, the TIA shall make recommendation on interconnections. The TIA shall recommend interconnections to provide a smooth flow of traffic between uses along arterials and collector roads to ensure that as much traffic as possible uses secondary roads, rather than major roads, for short trips.

(g-) The TIA shall be based on intersection analysis procedures for signalized intersections as identified in the most current edition ~~transportation research board's highway capacity manual~~ of the Transportation Research Board's Highway Capacity Manual, and/or the last update that ~~analyses~~ analyzes and emulates these procedures by means of computer software, if available. The results of any required analysis/computer analysis shall, at a minimum, indicate compliance or variance from the Traffic Service Level Goals (Section 7.3.3-2.M-).).

(h-) The intersections that must be analyzed in the study are identified as:

(i) i. Any intersection that serves as a development's point of access. This will include intersections of public and/or private roads with major arterials, and driveways offering direct access.

(iii) iii. The first major intersection as identified by the ~~city engineer~~ Code Administrator on both ~~sides~~ sides of the development's point of access.

(iv) iii. Other intersections on major arterials if development generates more than 50 a.m. or p.m. peak hour trips to that intersection, or if the intersection's level of service or demand is significantly impacted by site related traffic.

(v) iv. Unsignalized intersections and access drives — these shall be considered if development impacts are anticipated. The plan must include the results of an analysis of the operating conditions of critical intersections and/or all intersections identified in the concept plan. The analysis shall reflect the projected condition of these intersections and movements, based on the scheduled opening date of the development. Other phases of the development, if they can be reasonably determined, shall be considered as well.

E. **Mitigation Plan Required:** If the initial analysis indicates that the city's adopted Traffic Service Level Goals (Section 7.3.2-.M.) will ~~be~~ not be met, a mitigation plan must be prepared, based on additional analysis. The mitigation plan must show how the city's Traffic Service Level Goals are addressed as mitigated. Applicants will be responsible for mitigating the traffic impacts at any intersection affected by a proposed development.

(1-) If a traffic signal is recommended, the TIA shall provide information that:

(a) a. Clearly indicates the need for a traffic signal.

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(b) ~~b~~—Assesses the ability of other existing, planned, or proposed public roads to accommodate the new traffic at a location other than the main highway in the vicinity of the proposed development.

(c) ~~c~~—Describes in detail how a specific development will affect the study area transportation system.

(d) ~~d~~—Provides documentation of appropriate South Carolina Manual of Uniform Traffic Control Devices signal warrant satisfaction.

(e) ~~e~~—Gives design geometry of the private road that is consistent with that of public road intersections, including curbs, appropriate lane widths, pavement markings, and vertical alignment. Other roadway factors to be considered include, but are not limited to, speed, type of highway, grades, sight distance, existing level of service, conflicting accesses, and the effect of future traffic signal systems.

(f) ~~f~~—Provides an approach-throat length for the road to ensure the movement of vehicles entering the site will not be impeded by conditions within the development, and ensure that all signal-spacing requirements are adequately met.

(2-) The desirable spacing of signalized intersections on principal arterials is the SCDOT, county, or ~~city~~City standards. The TRC may recommend to SCDOT the installation of a traffic signal at locations where, using SCDOT standards, spacing is inappropriate due to topography, existing or proposed road layout, documented accident history, unique physical constraints, existing or proposed land use patterns, or requirements to achieve specific objectives for highway segment designations, as shown in any locally adopted land use or transportation plan, approved ~~city~~City or county transportation plan, or approved transportation policy.

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(3-) Signal spacing concerns may be ameliorated in the following ways:

(a) ~~a~~—A proposed private road that may otherwise be considered for the installation of a traffic signal may be replaced by an on-site route or a frontage road that directs traffic to or from a nearby public road.

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(b) ~~b~~—A private road that is being considered for traffic signal installation may be required to connect to the existing or planned local road system to allow uses of surrounding properties.

(c) ~~c~~—An existing or proposed intersection may be relocated.

(d) ~~d~~—A shared private road may be required to serve the needs of the multiple properties.

(4-) A traffic signal progression analysis is required if the proposed location is closer than the SCDOT standards, given the presence of existing signals or the possible existence of identified future signals proposed as part of a highway signal system. A traffic signal progression analysis for all new, revised, or planned traffic signal systems on state highways shall be performed using methods, models, computer software, data sources, roadway segment length, and assumptions approved by the TRC. The roadway segment, analyzed to the extent possible, shall include all traffic signals in the existing or future traffic signal system. The progression analysis shall:

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(a) ~~a~~—Demonstrate acceptable existing and future traffic signal systems operation that may include the morning peak, evening peak, midday period, and other appropriate time period during any day of the week, adjusted for peak season, for cycle lengths and travel speeds approved by the TRC.

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(b) ~~b~~—Provide for a progressed traffic band speed no more than 5 mph (8 km/h) below the existing posted speed for both directions of travel during the off-peak periods, nor more than

10 mph (16 km/h) below the existing posted speed during peak periods. Approval by the TRC is required where speeds deviate more than the above.

(c) ~~e.~~ Demonstrate that sufficient vehicle storage is available at all locations within the traffic signal system without encroaching on the functional boundaries of adjacent lanes and signalized intersections. The functional boundary of an intersection shall be determined in discussion with the TRC, based on existing or projected conditions.

(d) ~~e.~~ Provide a common cycle length with adequate pedestrian crossing times at all signalized intersections.

(e) ~~e.~~ Provide a progression bandwidth as large as that required, or as presently exists, for through traffic on the federal or state highway at the most critical intersection within the roadway segment. The most critical intersection is the intersection carrying the highest through volume per lane.

(5-) The traffic signal progression analysis shall be supplemented by a traffic engineering report that also considers highway capacity and safety of the roadway segment under consideration. Traffic volumes, intersection geometry, and lane balance, considered at all locations, shall be appropriate for the present and identified future conditions, which are usually considered to include the year of completion, and 5 years into the future.

F. **Summary:** A clear and concise summary of recommended improvements that can serve as an executive summary is required.

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G. **TIA Review:** The TRC shall review all TIAs as part of the applicable Design Review phase—~~see Section 9.8 and 9.9 for appropriate process.~~ Final TIAs shall be approved prior to the ~~applicant~~Applicant submitting a Project Permit application (Section 9.5).

H. **Application:** A TIA shall be submitted to the TRC. Coordination with other entities in the county government or South Carolina Department of Transportation (SCDOT) shall be the responsibility of the ~~city~~City.

I. **Completeness:** The ~~Planning Commission or~~ TRC shall determine whether a TIA is complete. Thorough and complete TIAs are the responsibility of the ~~applicant~~Applicant. Failure by the ~~applicant~~Applicant to provide a complete TIA may result in review delays for ~~their~~its plat or plan.

J. **Action on TIA:** The TRC must first approve the TIA in regard to completeness and accuracy. Following review of the required impact analysis plan, TRC shall recommend ~~to the Planning Commission for its Final Approval~~ action as follows:

(1) ~~1.~~ Approval of the TIA as submitted;

(2) ~~2.~~ Approval of the TIA with conditions or modifications as part of the development review and approval process. An acceptable TIA with traffic mitigation measures may include the reduction of the density or intensity of the proposed development, phasing of the proposed development to coincide with state and/or county-programmed transportation improvements, ~~applicant~~Applicant-provided transportation improvements, fees in lieu of construction, or any other reasonable measures to ensure that the adopted traffic service-level goals are met. If mitigation is required, it shall be required as a condition of any approval from the city.

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K. **Timing of Implementation:** If a traffic mitigation program is part of an approved TIA, the developer may be required to place a performance bond on all traffic mitigation improvements required as a result of ~~this~~the project. This requirement may arise if the timing of the improvements needs to be synchronized with other scheduled improvements anticipated for the area.

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- L. **Responsibility for Costs of Improvements:** The costs of implementation of an approved mitigation program shall be the responsibility of the ~~applicant~~Applicant. No certificates of zoning compliance or building permits shall be issued unless provisions of the TIA are met.
- M. **Traffic Service Level Goals:** The average stop time delay in seconds per vehicle for each intersection determined to be critical to the TIA for the proposed development shall be compared to the ~~city's adopted~~City's traffic service level goal of "D" for the average delay for all vehicles at any signalized intersection during the a.m. and p.m. peak hours.

7.4: COMMUNITY GREEN SPACE AND COMMUNITY OPEN SPACE

7.4.1 PURPOSE AND INTENT

- A. ~~A.~~ **Intent:** Community Green Space and Community Open Space ~~is~~are intended for the use and enjoyment of a development's residents, employees, or users. These spaces serve to preserve natural areas, ensure access to open areas and recreation, reduce the heat island effect, enhance stormwater quality, and provide community health benefits. Community Green Space and Community Open Spaces are not, by definition, required to be deeded or to be granted via easement to any public entity or municipality. See Section 7.4.5 for ownership information.
- B. ~~B.~~ **Purpose:** The purpose of this section is to provide a set of Community Green Space and Community Open Space types and their associated standards to use within all districts. Community Green Space and Community Open Space types in this section are distinct from those areas that are environmentally sensitive and must be otherwise protected as regulated through ~~Article~~Chapter 8 (Environmental Protection~~→~~).
- C. ~~C.~~ **Applicability:** See Section 7.1.2.

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- D. **Community Green Space Definition:** an area of grass, trees, parks, trails or multi-use pathways, or other vegetation set apart for recreational or aesthetic purposes within a development. It can be privately or publicly owned.
- E. **Community Open Space Definition:** Open space is land or water that is undeveloped and not used for residential, commercial, industrial, or institutional purposes. It can be privately or publicly owned, and can include areas like forests, farms, parks, and coastal lands.

7.4.2 COMMUNITY GREEN SPACE AND **COMMUNITY** OPEN SPACE REQUIREMENT

- A. **Minimum Requirements:** Development in all districts shall preserve the minimum amounts of Community Green Space and Open Space as identified below:
- (see following page):

~~(Supp. No. 1)~~

Beaufort, South Carolina, The Beaufort Development Code

Chapter 7 – Land Development

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- ~~(3) 3.~~ Open parking areas and driveways for dwellings.
 - ~~(4) 4.~~ Land covered by structures not designated for active recreational uses.
 - ~~(5) 5.~~ Designated outdoor storage areas.

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7.4.3 COMMUNITY GREEN SPACE AND COMMUNITY OPEN SPACE TYPES

The majority of Community Green Space and Community Open Space shall conform to one of the 8 types in the table below. If 75% or more of the types listed below ~~is~~are utilized for required open space, a 20% increase in number of dwelling units is permitted.

CIVIC/ OPEN SPACE TYPE	DIAGRAM	DESCRIPTION	PERMITTED DISTRICTS	SERVICE AREA/ SIZE	CHARACTER	TYPICAL FACILITIES
Regional Park/Natural Preserve	 	A natural preserve that is available for unstructured recreation. It may contain small civic buildings and areas of structured activity, but is primarily left natural. These areas may include forests as well as wetlands and regional retention areas if they are treated as amenities (e.g. Port Royal's Cypress Wetlands).	T1	Regional Min: 200 acres* Max: None *Natural preserves with no structured activity have no minimum size. <u>Regional</u>	Frontage: Independent Disposition: Natural, formal or informal	Passive and active recreation, drinking fountains, Community facility < 7,500 gross square feet, paths and trails
Sport Complex	 	An open space that consolidates heavily programmed athletic fields and associated facilities.	T1, IC, RMX	Regional Min: 25 acres Max: None	Frontage: Independent Disposition: Formal or informal	Passive and active recreation, drinking fountains, community facility < 7,500 gross square feet, paths and trails

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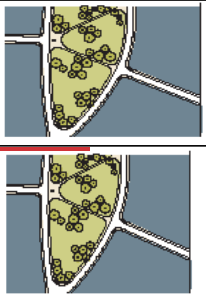
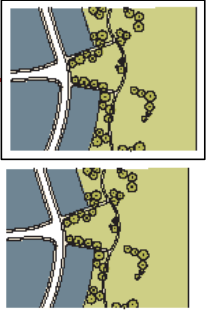
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Community Park		An open space that is available for unstructured recreation and a limited amount of structured recreation. It may contain a limited amount of athletic fields.	T3, T4, T5 , RMX, IC	Multiple Neighborhoods Min: 8 acres Max: None	Frontage: Independent Disposition: Informal	Passive and active recreation, drinking fountains, community facility < 5,000 gross square feet, paths and trails
CIVIC/ OPEN SPACE TYPE	DIAGRAM	DESCRIPTION	PERMITTED DISTRICTS	SERVICE AREA/ SIZE	CHARACTER	TYPICAL FACILITIES
Greenway		A linear open space that may follow natural corridors, a greenway provides unstructured and limited amounts of structured recreation.	T1, T3, T4, T5, RMX, IC	Multiple Neighborhoods Min: 8 acres or 1 mile Max: None	Frontage: Independent or building Disposition: Natural or informal	Passive and active recreation, drinking fountains, community facility < 5,000 gross square feet, paths and trails

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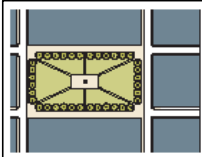
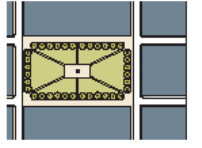
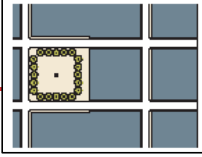
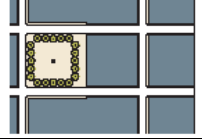
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Square/Green		An open space that is available for civic purposes, unstructured, and limited amounts of structured recreation. It can be located along waterfronts.	T3, T4, T5, RMX, IC	Neighborhood Min: 0.5 acres Max: 5 acres	Frontage: Building Disposition: Formal	Passive and active (unstructured or structured) recreation, accessory structure, drinking fountains, community facility < 5,000 gross square feet, paths and trails
						
Plaza		A formal open space available for civic purposes and commercial activities, a plaza is typically hardscaped and can be located along waterfronts.	T4, T5, RMX, IC	Neighborhood Min: 0.5 acres Max: 2.5 acres	Frontage: Building Disposition: Formal	Passive recreation, accessory structure, drinking fountains, paths and trails
						

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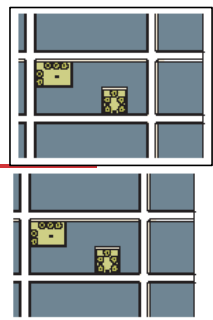
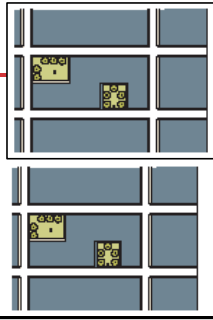
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Pocket Park/Pocket Plaza		An open space that is available for informal activities in close proximity to neighborhood residences. Pocket plazas are usually paved.	T3, T4, T5, IC, RMX	Neighborhood Min: 4,000 square feet Max: 0.5 acre	Frontage: Building Disposition: Formal or informal	Passive recreation, accessory structure, drinking fountains, paths and trails
CIVIC/ OPEN SPACE TYPE	DIAGRAM	DESCRIPTION	PERMITTED DISTRICTS	SERVICE AREA/ SIZE	CHARACTER	TYPICAL FACILITIES
Playground		An open space designed and equipped for the recreation of children. A playground may be fenced and may include an open shelter. Playgrounds may be included within other civic spaces.	T3, T4, T5, IC, RMX	Neighborhood Min: None Max: None	Frontage: Independent or building Disposition: Formal or informal	Accessory structure, drinking fountains, paths and trails
Notes: 1. The illustration and description of each civic space type is illustrative in nature and not regulatory. 2. The Permitted Districts may be modified per a plan if the project is utilizing the Traditional Neighborhood Development Floating Overlay District (Section 2.8.3).						

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The following provisions apply to the eight (8) Community Green Space and Community Open Space Types listed in the table:

- A. **Playgrounds and Community Gardens:** These may be incorporated into any of the other Community Green Space and Community Open Space types - except Natural Preserve - or may stand alone.
- B. **Waterfront:** When Community Green Space and Community Open Space is required, per Section 7.4.2, developments that contain waterfront access should include some type of common access to at least 25% of the waterfront. This counts towards the Community Green Space and Community Open Space requirement. When open space is required, for every 10% of the waterfront that is allocated for public access, a 5% increase in number of dwelling units shall be permitted, up to a maximum of a 20% increase.
- C. **Illustrative Standards:** The columns titled "Diagram," "Description," and "Typical Facilities" of the table of Community Green Space and Community Open Space Types are illustrative only.
- D. **Regulatory Standards:** The following elements shall be regulatory:

(1-) **Service Area:** Describes how the space relates to the city as a whole and the area that will be served by the Community Green Space and Community Open Space.

(2-) **Size:** The permitted size for each Community Green Space and Community Open Space.

(3-) **Frontage:** The relationship along property lines of a Community Green Space and Community Open Space to adjacent buildings or lots.

(a) ~~a.~~ **Building:** Community Green Space and Community Open Spaces that are listed as having a "building" frontage shall have the fronts of buildings, either attached to the park or across a street, facing onto the space for a minimum of 75% of the perimeter.

(b) ~~b.~~ **Independent:** Community Green Space and Community Open Spaces that are listed as having an "independent" frontage shall have the fronts of buildings, either attached to the park or across a street, facing onto the space to the maximum extent possible, but may have the side or rear of a building or lot front onto the space. The side or rear of a building or lot fronting onto the Community Green Space and Community Open Space shall be designed with a secondary frontage and entrance along the space.

(4-) **Disposition:** The character of the design of the Community Green Space and Community Open Space.

(a-) ~~a.~~ **Natural:** Civic spaces with natural character are designed in a natural manner with no formal arrangement of elements.

(b-) ~~b.~~ **Formal:** Civic spaces with a formal character have a more rigid layout that follows geometric forms and have trees and other elements arranged in formal patterns.

(c-) ~~c.~~ **Informal:** Civic spaces with an informal character have a mix of formal and natural characteristics.

(5-) **Food Production:** Community Gardens and other Community Green Space and Community Open Spaces may be used to grow food. See Section 8.45.3 for specifications and requirements.

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7.4.4 DESIGN OF COMMUNITY GREEN SPACE AND COMMUNITY OPEN SPACES

- A. **Design Standards for Community Green Space and Community Open Space:** Land used as Community Green Space and Open Space shall meet the following design standards:

(1-) Location:

- (a) ~~a~~—Where relevant and appropriate, the land shall be located so as to be readily accessible and usable by residents and users of the development. To the maximum extent practicable, a portion of the open space shall provide focal points for the development.
- (b) ~~b~~—Common space set aside for children's play areas and other recreational activities shall be clearly visible from the dwelling units on the site.
- (c) ~~c~~—The land shall, to the maximum extent practicable, be located to adjoin, extend, and enlarge any open areas, trails, parks, or other open space resources that exist or are planned within or adjacent to the development.

(2-) Provision in Multi-Phase Developments: In multi-phase developments, open space Manuals may be calculated either by phases, or by collectively looking at the ~~development~~developments as a whole.

- B. **Accessory Structure Standards:** All accessory structures within parks and open spaces — including, but not limited to, restrooms, open-air pavilions, gazebos, picnic shelters, and outdoor theaters — shall not be subject to the physical requirements of the building form or siting standards in ~~Article~~Chapter 2 (Map and Districts). They shall be designed to be consistent with the character of the district in which they are located. Such consistency may require accessory structures to maintain building setbacks, frontage, massing, disposition, and character similar to adjacent development as determined by the administrator.

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7.4.5 OWNERSHIP AND MAINTENANCE OF COMMUNITY GREEN SPACE AND COMMUNITY OPEN SPACE

- A. Open space areas or other community facilities shall be preserved and maintained in accordance with the approved:

- (1) ~~1~~-Development Design, in accordance with Section 9.8;
- (2) ~~2~~-ZBOA Special Exception, in accordance with Section 9.13; or
- (3) ~~3~~-Subdivision, in accordance with Section 9.9, whichever is appropriate.

- B. Provision must be made by the property owner to ensure preservation and long-term maintenance and management of Community Green Space and Community Open Spaces through one of the following mechanisms:

- (1) ~~1~~-Conveyance of the land to a property owners' or homeowners' association that holds the land in common ownership and will be responsible for managing and maintaining it for its intended purposes.
- (2) ~~2~~-Conveyance of the land to a third-party beneficiary, such as a nonprofit environmental or civic organization, that is organized for, capable of, and willing to accept responsibility for managing and maintaining the land for its intended purpose.

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(3) 3. Dedication of the land to the city or other appropriate public agency that is organized for, capable of, and willing to accept responsibility for managing and maintaining the land for its intended purposes.

- C. All methods utilizing private ownership shall require deed restrictions, covenants, or other legal instruments that ensure continued use of the land and facilities for their intended uses, and provide for the continued and effective management, operation, and maintenance of the land and facilities.
- D. Failure to maintain Community Green Space and Community Open Space areas or other community facilities shall be a violation of this Code subject to the remedies and penalties in ArticleChapter 12 (Violations and Enforcement).
- E. If the owner of ~~any~~ Community Green Space and /or Community Open Space fails to maintain it in reasonable condition, and in accordance with approved plans, and fails to correct deficiencies cited by the ~~city~~City, the ~~city~~City shall have the authority to correct the deficiencies ~~perat~~ the ~~City's Code of Ordinances, Section 6-2003 (or equivalent Health and Sanitation section of any updated Code of Ordinances)-owner's expense.~~

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7.5: SUBDIVISION AND SITE PLAN STANDARDS

7.5.1 GENERAL PROVISIONS

The provisions of this Section shall apply to any and all subdivision of land, or site plan within the municipal boundaries of the City, unless expressly and specifically exempted or provided otherwise in this Code. No development shall be undertaken without prior approval or authorization pursuant to the terms of this Code. All development shall comply with the applicable terms, conditions, requirements, standards and procedures established in this Section and the Code. The submittal of an application for approval pursuant to the provisions of these Subdivision standards constitutes consent to, and agreement to comply with, all of its applicable provisions.

This Section establishes procedural and substantive rules for obtaining the necessary approval to develop land and construct buildings and structures. Development applications will be reviewed for compliance with the City's Comprehensive Plan, Civic Master Plan, Beaufort Preservation Manual, and this Code.

Scheduling of the review of development applications before Staff, TRC, the Planning Commission or City Council is at the discretion of the City. Any change to a development application by an Applicant after formal submittal of that application to the City constitutes a decision by the Applicant that may result in the City deciding to vacate a decision reached during or following a hearing and/or void the pending application. The City may then reschedule or cancel the review of the development application at its discretion.

Prior to formal submittal of any subdivision application identified in this Section, the Planning Department will provide to an Applicant an individualized submittal checklist indicating the documents and information needed, quantities of those documents to be submitted, and the referral agencies that will be involved in the review process. The Applicants are responsible for being fully familiar with all applicable provisions of these Subdivision Regulations. Upon determination by staff that a submittal constitutes a complete development application, the City will forward the packets to each referral agency.

7.5.2 SUBDIVISION TYPES AND PROCESS OUTLINES

Methods of land subdivision. There are two ways to subdivide land based on the magnitude of scale: Minor Subdivision and Major Subdivision.

A. Minor Subdivisions.

Definition. A Minor Subdivision is a subdivision, or amendment to a subdivision which has been previously platted, which includes no additional public right-of-way dedication, and includes one or more of the following:

- (1) The boundaries of five or fewer lots are created from one parent tract or lot, cumulatively and not more than 3 acres;
- (2) Any lot line adjustment; or
- (3) A consolidation of multiple lots into one when a new street or street change is not involved.

B. Major Subdivisions.

Definition. A Major Subdivision is a subdivision which includes one or more of the following:

- (1) Dedication of public right-of-way, public infrastructure or other public tracts, or a private road;

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- (2) The subdivision consists of six or more lots or tracts; or
- (3) The creation of lots on property which have never previously been platted.

7.5.3 SKETCH PLAN

- A. **Purpose.** The Sketch Plan is a conceptual design of the development submitted with a Major Subdivision application, that depicts what the Applicant envisions for the overall development, including zoning, transportation, pedestrian network, parks, tree canopy, community open space, and other amenities. The purpose is to allow the Applicant, the Planning Commission, and the community the opportunity to discuss the conceptual subdivision before it goes through the major subdivision platting process.
- B. **Requirements.** A Sketch Plan shall be submitted and provided to staff in advance of any public and/or community meeting for all Major Subdivisions. Major proposed changes to any approved preliminary plat(s) may require a new Sketch Plan review if the Code Administrator determines the changes are significantly different from the Sketch Plan discussed at the public meeting.

The Sketch Plan shall consist of the following elements:

- (1) **Street plan:** The Applicant shall provide a preliminary traffic plan that addresses the following elements:
 - (a) The proposed street network and connectivity to the existing Street network, including all proposed access points.
 - (b) The location and layout of all arterial and collector roads within the development.
 - (c) The scope of a traffic impact study prepared by a S.C. licensed traffic engineer which evaluates proposed access points, the existing street system, and any need for any road improvements (including off-site improvements) created by the proposed development.
- (2) **Community Open space plan:** The Applicant shall provide a preliminary open space plan that depicts compliance with Section 7.4 of this Code, with the following elements:
 - (a) Proposed Community open space distribution and location, including percentage of open space.
 - (b) Compliance with Section 7.4.2, Community Green Space and Community Open Space Requirement.
 - (c) Required buffer areas in accordance with Section 5.5.1.
 - (d) Wetland areas and setbacks as determined by SCDES-BCM, if applicable.
 - (e) Proposed park locations, acreage, and types of parks in accordance with Section 7.4.
- (3) **Pedestrian network:**
 - (a) Location of all trails within development, and connection to existing trail network.
 - (b) Connectivity of sidewalks to the existing pedestrian system, including any off-site sidewalk improvements. This includes planning for a one-quarter mile pedestrian distance.
 - (c) Depiction of any bike lanes or any other multi-modal features.

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(4) Zoning/Design:

- (a) The location of zoning boundaries shall be provided with the application and depicted on the Sketch Plan.
- (b) The Sketch Plan should show how the development is consistent with the surrounding area, and within the property itself.
- (c) Conceptual building design and massing.

(5) Overall utility plan:

- (a) A letter from the appropriate utility, confirming the existing capacity of the surrounding utility system, and the future capacity of the utility system for the proposal. Utility plans for the interior of the development (such as water and sewer service lines) are not required as part of this process.
- (b) Proposed connections to the existing utility system.

C. Sketch Plan application submittal. The application package shall include the following items:

- (1) Development application form and fee.
- (2) Name of project.
- (3) North arrow, scale (not greater than one inch equals 200 feet), and date of preparation.
- (4) Vicinity map.
- (5) Legal description.
- (6) Acreage of property; acreage in each zoning district; acreage in parks; and acreage in open space.
- (7) USGS topographic contours.
- (8) Location and approximate acreage of proposed land uses.
- (9) Existing easements and rights-of-way on or adjacent to the property.
- (10) Existing streets on or adjacent to the property (show and label street names).
- (11) Table providing the following information for each proposed land use area: total acreage; proposed density; and proposed number of dwelling units and/or commercial buildings.
- (12) Location and acreage of proposed open space and parks as per Section 7.4., trails, regional trail connections, playgrounds, and schools or other public uses.
- (13) Proposed street system depicting the location and layout of all arterial and collector roads within the development.
- (14) The scope of a traffic impact study prepared by a S.C. licensed traffic engineer which evaluates proposed access points, the existing street system, and any need for any road improvements (including off-site improvements) created by the proposed development.
- (15) Floodplain boundary with a note regarding the source of information.
- (16) Zoning on adjoining properties.

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(17) A letter from the appropriate utility, confirming the existing capacity of the surrounding utility system, and the future capacity of the utility system for the development.

(18) Proposed connections to the existing utility system.

(19) The location of any proposed or required lift stations.

(20) Design rationale — description of how the development is integrated with surrounding area, how it responds to site features/constraints and how it is consistent with this Code.

(21) General description of plan for drainage and storm water management, including any regional drainage solutions.

(22) Description of how the proposed development complies with the City's Comprehensive Plan.

(23) Concept of structure location, massing and design.

D. Application certification of completion. Within 30 days, staff shall either certify the application is complete and in compliance with all submittal requirements or reject it as incomplete and notify the Applicant of any deficiencies. Applicant shall then correct any deficiencies in the application package and re-submit the application to the City.

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E. Sketch Plan Process.

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(1) Planning Commission Meeting. The Planning Commission shall hold a public meeting to review and provide comments on the Sketch Plan.

(2) Notice to neighboring property owners. The City shall send advance notice of the Planning Commission meeting by regular mail to neighboring property owners within 1,000 feet of the property per this Code.

F. Sketch Plan review criteria. The Planning Commission shall use the following criteria in addition to other applicable provisions of this Code to evaluate the Applicant's application:

(1) The land use mix within the project conforms to Beaufort's Zoning District Map and Comprehensive Plan Preferred Land Use Map and furthers the goals and policies of the Comprehensive Plan.

(2) The Sketch Plan is consistent with the rationale and criteria set forth in this Chapter, the City's Comprehensive Plan, and the Civic Master Plan as amended.

(3) The preliminary traffic, open space, park, utility, and pedestrian design is adequate and functional given the existing and planned capacities of each system, and meets the standards found in this Code.

(4) The conceptual design and massing proposed is consistent with the requirements of the Development Code.

G. Timeframe related to approval of Sketch Plan. After a period of 12 months has passed without submittal of a Preliminary Plat application, the Administrator may require an Applicant to submit a new Sketch Plan application for Planning Commission review.

H. Minor amendments. A minor amendment to the Sketch Plan may be reviewed administratively if it:

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- (1) Does not change any land use, or location of any land use.
 - (2) Does not change the number of lots or density by more than ten percent cumulatively.
 - (3) Does not contain significant changes in arterial or collector street alignment and/or access points, or other major public elements such as drainage improvements, utility lines or facilities.
 - (4) Does not change any measurable standard (other than above), such as open space or park area, by more than ten percent cumulatively.

7.5.4 PRELIMINARY PLAT

A. **Purpose.** The purpose of the preliminary plat is to provide the City with an overall plat and the associated preliminary engineering for the proposed development.

B. **Application process.**

(1) **Pre-application conference.** A pre-application conference with the City is required before the Applicant may submit a preliminary plat application. Topics to be discussed will include:

- (a) The provisions of this Code and the applicable requirements;
- (b) The application and review process;
- (c) Submittal requirements; and
- (d) Changes or modifications based on direction from the Planning Commission at Sketch Plan approval.

(2) **Application submittal.** Following review of the Sketch Plan, the Applicant may submit the complete preliminary plat application to the City. The preliminary plat application package shall be formatted and packaged per the application submittal checklist provided by the City and include the following items in both printed and electronic formats:

- (a) Development application form;
- (b) Application fee;
- (c) Title commitment. The title commitment must be current and dated no more than 120 days from the date of preliminary plat application submittal; and
- (d) The preliminary plat that shall provide the following information:
 - (i) Title of project.
 - (ii) North arrow, scale (not greater than one inch equals 100 feet) and date of preparation.
 - (iii) Vicinity map.
 - (iv) Names and addresses of owners, Applicant, engineers, and surveyors.
 - (v) Legal description.
 - (vi) Total acreage of property.
 - (vii) Existing contours at two-foot intervals (based on USGS datum).

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- (viii) Name and location of abutting subdivisions or owners of abutting property (if land is not platted).
 - (ix) Lots, blocks, and street layout (with cross-sections), dimensions and square footage for each lot. Dimensions and square footages may be rounded to the nearest whole number.
 - (x) Consecutive numbering of all lots and blocks.
 - (xi) Existing and proposed easements (including rights-of-way) on and adjacent to the property.
 - (xii) Existing and proposed zoning on and adjacent to property.
 - (xiii) Approximate location and size of existing sewer lines, water lines and fire hydrants. Approximate location of proposed sewer lines, water lines, and fire hydrants with a letter from BJWSA and the Fire Marshall.
 - (xiv) Location by field survey or aerial photography of existing and proposed water courses and bodies of water such as irrigation ditches and lakes. Water courses shall include direction of flow.
 - (xv) Tree Survey with Existing Tree Canopy Survey.
 - (xvi) Floodplain boundary with a note regarding source of information (if a floodplain does not exist on the property, state this on the plan).
 - (xvii) The boundaries of proposed phases of the subdivision if the final plat is intended to be submitted in multiple phases.
 - (xviii) General location of existing surface improvements such as buildings, fences, or other structures which will remain on the property as part of the subdivision.
 - (xix) Location and acreage of proposed parks, trails, playgrounds, schools or other public uses.
 - (xx) Location, function, ownership and manner of maintenance of any private open space.
 - (xxi) Land use table including land uses, approximate acreage of each land use type, percentage of each land use type density (net and gross) and how public dedication requirement will be met.
 - (xxii) Total number of lots.
 - (xxiii) Number of each type of dwelling unit proposed.
 - (xxiv) An AutoCad drawing file of the Preliminary Plat in a format specified by the Codes Administrator.
 - (xxv) Surveyor's certificate.

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(3) **Drawing standards.** The preliminary plat drawing shall comply with the following standards:

- (a) The preliminary plat shall be prepared by or under the direct supervision of a registered land surveyor, architect and/or engineer, shall be signed and stamped by said surveyor, architect and/or engineer, and shall meet applicable State of South Carolina requirements.
- (b) Contiguous parcels separated by easements (including public rights-of-way), public tracts, or railroads, parcels not contiguous with each other shall not be included in one plat, nor shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be included on one plat, provided that all owners join in the application and acknowledgment.
- (c) Lengths on the preliminary plat boundary shall be shown to the nearest hundredth of a foot and bearings shall be shown in degrees, minutes, and seconds.
- (d) Bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside, with the lot dimensions.
- (e) Names and signatures of all owners with any interest in the property shall be on the preliminary plat and shall be made in black drawing ink.

(4) **Explanation of how the plat is consistent with this Code, the Comprehensive Plan, the Civic Master Plan, and the Sketch Plan.**

(5) **Preliminary grading and drainage plan and report.** This plan and report must be certified by a South Carolina registered professional engineer or Land Surveyor and include approximate earthwork quantities (how earthwork on the site is "balanced"), storm drainage concepts such as locations of pipe and other conveyance facilities, locations for on-site detention or downstream structural improvements, and soil erosion and sedimentation control plans and specifications. It must also discuss the impacts on and to any existing floodways and/or floodplains both on and adjacent to the site as well as any FEMA applications or approvals that may be required.

(6) **Preliminary water and sewer plan and study.** This plan shall be prepared by a registered professional engineer. It is necessary that the engineer consult with the appropriate utility service providers regarding the design of all utilities through the subdivision.

(7) **Preliminary landscape and open space plan.** The landscape plan must address the treatment of all exterior spaces. Landscape plans are to be designed to meet the requirements of this Code and show approximate locations of trees, shrubs, groundcovers, turf, buffering, fences, walls and other site amenities that will be included in the plan.

(8) **Traffic study.** A TIA with requirements consistent with Section 7.3.2. This study must be prepared by a S.C. licensed professional traffic engineer and identify the projected impacts to the local and regional traffic system. The direct roadway impacts and proposed share in the cost of regional improvements and intersections must be identified for the project.

(9) **Archaeological Impact Assessment.** As determined by the Codes Administrator, an Applicant may be required to provide the City, pursuant to Section 8.4, with records listing historically or archaeologically significant findings on the property being subdivided at the Applicant's expense.

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(10) **General ecological resource survey.** Prepared by an environmental expert, a survey identifying the potential/absence/habitat of a threatened or endangered species and wetlands or other ecologically sensitive area. Said survey shall make practical recommendations regarding treatment or mitigation of the findings.

(11) **Conceptual Design.** Applicant should provide conceptual design and massing examples (i.e. typical building elevations, but not required for each individual lot), consistent with the requirements of this Code.

C. **Planning Commission Hearing.** The Planning Commission shall hold a public hearing to approve, approve with conditions, or deny the Preliminary Plat.

(1) **Notice to neighboring property owners.** The City shall send advance notice of the Planning Commission hearing by regular mail to neighboring property owners within 1,000 feet of the property per this Code.

(2) **Approval.** The Planning Commission shall review and act on the Preliminary Plat. The Planning Commission shall approve, approve with conditions, or deny the Preliminary Plat based on the review criteria below.

D. **Review criteria.** In addition to all provisions of this Code, the Planning Commission shall use the following criteria to evaluate the Preliminary Plat:

(1) The Preliminary Plat is consistent with the rationale and criteria set forth in this Code.

(2) The land use mix within the project conforms to the City's Development Code and complies with the Comprehensive Plan and Civic Master Plan.

(3) The utility and transportation design are adequate, given existing and planned capacities of those systems.

(4) Lot layout, including structure, location, and design of each lot.

E. **Phasing.** The Preliminary Plat shall designate the boundaries of phases for which separate Final Plats will be presented for approval. Each phase, either alone or in conjunction with previously approved and recorded phases, must meet all of the requirements of this Code.

F. **Early grading.** After approval of a Preliminary Plat, Applicant may proceed with preliminary grading of the project area if a construction plan set for grading and drainage is approved and a memorandum authorizing grading work is issued by the Codes Administrator. Early grading and storage of construction related equipment is at the risk of the Applicant and no Final Plat approval by the Planning Commission is expressed or implied by any authorization of early grading.

G. **Timeframe related to approval of Preliminary Plat.** A Preliminary Plat approval is in full force and effect for a period of two years from the date of approval. Approval will automatically expire at the end of two years unless an Applicant requests in writing a 12 month extension from the Planning Commission prior to termination or submits a completed Final Plat application for all or a portion of the property.

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H. **Post approval actions.** Prior to issuance of a grading permit, the Applicant shall submit the following documentation to the City:

- (1) **List of contractors.** List of all contractors that will be performing the improvements.
- (2) **Proof of insurance/business license.** Proof of workman's comprehensive insurance and liability insurance for each contractor and business license.
- (3) **Open space deed restriction.** Areas designated as open space shall be protected by a deed restriction or other appropriate method to ensure that they cannot be subdivided or developed in the future and will remain as open space until unless the use is modified by the City.
- (4) **Construction traffic control plan.** Applicant will develop a plan for Codes Administrator or appointee, review that addresses construction traffic, construction water, temporary road closures, street repairs, dust, noise and other construction-related concerns.

7.5.5 FINAL PLAT

A. **Purpose.** The purpose of the Final Plat is to complete the subdivision of land consistent with this Code.

B. **Application process.**

(1) **Application submittal.** The Final Plat application shall substantially conform to the Preliminary Plat as approved at the public hearing and shall meet all conditions of approval. The Applicant shall submit the completed Final Plat application package to the City. The Final Plat application shall be formatted and packaged per the application submittal checklist provided by the City and include:

- (a) Development application form.
- (b) Application fee.

(2) **Standards.** The Final Plat shall comply with the following standards:

- (a) All requirements of Section 7.5.4.
- (b) The plat shall be prepared by or under the direct supervision of a registered land surveyor, shall be signed and stamped by said surveyor, and shall meet applicable State of South Carolina requirements.
- (c) Existing and proposed easements (including rights-of-way) in and adjacent to property (labeled and dimensioned).
- (d) Existing and proposed street names for all streets on and adjacent to the property.
- (e) Final Traffic Impact Analysis (if applicable) as per the requirements found in this Code.
- (f) If applicable, prior to commencement of construction, a State Highway utility permit from SCDOT.
- (g) If applicable, prior to commencement of construction, a State Highway access permit from SCDOT.

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(h) If applicable, prior to commencement of construction, a construction dewatering permit from SCDES.

(i) If applicable, prior to commencement of construction, a 404 Permit from the Army Corps of Engineers.

(j) Prior to commencement of construction, acceptable collateral in the amount and form stipulated in Section 7.1.5.

(3) **Original plats.** The Applicant shall submit to the City five original, signed copies of the Final Plat, ready to record, and final executed copies of all agreements.

(4) **Complete engineering plans and specifications.** As a condition of Final Plat approval the Applicant shall prepare and submit the following:

(a) **Construction plans and profiles.** The plans and profiles shall be prepared by a registered professional engineer licensed in the State of South Carolina. Plans shall be 24 inches high by 36 inches wide and provide the following information:

(b) The horizontal to vertical scales shall be chosen to best depict the aspects of the design.

(c) Minimum horizontal scale: One inch equals 100 feet.

(d) Minimum vertical scale: One inch equals ten feet.

(e) The typical road geometric and structural cross-section is to be shown on each plan sheet.

(f) The plan must show right-of-way lines and widths, road names, lot lines, tangent lengths and bearings, curve radii, delta angles, curve lengths, chord lengths and bearings, stationing at all beginning of curves and end of curves, intersections, structures, angles, curb lines, cross pans, traffic control devices (islands, striping, signs, etc.), drive cuts, curb returns and radii, and all other features to enable construction in accordance with approved standards and standard engineering practice. Stationing may be centerline if approved by the Codes Administrator. Construction plans shall include water lines and appurtenances, sewer lines and appurtenances, and storm water lines and appurtenances and any other wet utilities.

(g) The profiles shall include existing and proposed grade at curb and gutter or centerline of street elevation at point of intersection of vertical curves, intersections, grade breaks, point of curb return (PCR), point of reverse curve (PRC), and other critical points, structures, and all other features.

(h) **Structure details.** Sufficient data shall be given regarding construction of major structures and road appurtenances such as bridges, culverts, gutters, drives, walks, cross pans, etc.; detail shall include orientation line and grade, cross-sections, dimensions, reinforcement schedules, materials, quality specification, etc., or as the Codes Administrator may approve.

(i) **Final Water Report.** A final water report including hydraulic analysis and pipe sizing calculations. Note, this report can be verified by BJWSA and does not need to be submitted to the City.

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- (j) **Final Sanitary Sewer Report.** A sanitary sewer report including hydraulic analysis and pipe sizing calculations. Note, this report can be verified by BJWSA and does not need to be submitted to the City.
- (k) Sewage collection and water supply distribution plans, profiles and specifications. The plans, profiles and specifications shall be prepared by a registered professional engineer and shall be accompanied by written approvals from BJWSA.
- (l) **Final drainage plans and reports.** Based upon the approved preliminary drainage plan, a final report is to be submitted in accordance with SOLOCO Drainage and Design Criteria, as amended or as the Codes Administrator may approve. The plan and report must provide:
- (m) Erosion control plans, when required.
- (n) Sizing of all pipes, inlets, conveyance ways, and other appurtenances.
- (o) **Final grading plan.** The final grading plan shall be 24 inches high by 36 inches wide and illustrate existing and proposed contours and lot and block grading details.
- (p) **Soils report.** The soils report shall detail pavement design and construction requirements and shall be submitted after overlot grading is complete.
- (q) **Final landscape and open space plan.** The landscape plan must address the treatment of all exterior spaces. Landscape plans are to be designed to meet the requirements of this Code and show trees, shrubs, groundcovers, turf, buffering, fences, walls and other site amenities that will be included in the plan. All plant materials must be adapted to the physical limitations of the local climate and specific conditions of the landscape plan. All plant materials must meet specifications of the American Association of Nurseryman for number one grade. All street trees must be selected from the City of Beaufort recommended tree list.
- (r) Landscape Plan drawn to scale (not greater than one inch equals 50 feet) on 24 by 36-inch sheets which includes:
- (i) Project name.
 - (ii) Scale, north arrow and date of preparation.
 - (iii) Existing and proposed streets and street names.
 - (iv) Lot lines, easements and public rights-of-way as shown on the subdivision plat, including gross and net area of all parcels.
 - (v) Location of proposed building footprints and parking areas.
 - (vi) Location of storage, loading, and service areas.
 - (vii) Existing and proposed two-foot contours (based on USGS datum).
 - (viii) Natural features, wetlands, wildlife corridors, floodplains, streams, ditches, and other (ix) waterways.
 - (ix) The location of existing and proposed utilities. Utility lines can be 'ghosted' in on the landscape plan to vary the line types for cleaner drawings.

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- (x) All existing trees within the proposed site and adjacent to the site must be accurately identified on the plan. Existing trees must be labeled as to their size, species and if they are intended to remain, be removed or transplanted. All replacement mitigation trees will need to be shown separately on the plan. Tree protection standards for existing trees to remain shall be included on the plan.
 - (xi) The extent and location of proposed trees, shrubs and perennials and quantities of each species. Plant materials are to be drawn at two-thirds of their mature size.
 - (xii) Landscape schedule including the represented plant symbol, Latin name, common name, planting size and number of individual plants. All plant materials are to meet the minimum size requirements as provided in this Code.
 - (xiii) Proposed treatment of all ground surfaces must be clearly indicated, including turf, paving, mulch, native grass, seeded grass, etc. Grass areas are to be specified as seed or sod, and a seed mix/rate specified.
 - (xiv) Sight distance triangles must be shown at street intersections pursuant to this Code.
 - (xv) Project specific landscape notes and details to ensure the proper planting, establishment and survival of plant materials. Additional notes detailing the warranty for plant materials and continued maintenance shall be included.
 - (xvi) Open space and pedestrian circulation system.
 - (xvii) Proposed grading of the project site, including drainage swales, detention basins, retaining walls and any off-site infrastructure improvements.
 - (xviii) Notes for conservation and retention of topsoil and landscape soil preparation.
 - (xix) Restoration, revegetation or enhancement of disturbed natural areas or open space feature.
 - (xx) Park structures, signage, play equipment, and other landscape or park amenities and appurtenances.
 - (xxi) A PDF file and an AutoCad drawing file of the Final Plat in an electronic format specified by the Codes Administrator.
 - (xxii) Design standards as required in Site Plan section 7.5.7.B.4.

(5) Post approval actions. Prior to issuance of a building or grading permit, the Applicant shall submit the following documentation to the City:

- (a) List of contractors. List of all contractors that will be performing the improvements.
- (b) Proof of insurance/business license. Proof of workman's comprehensive insurance and liability insurance for each contractor and business license.

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- (c) Open space deed restriction. Areas designated as open space shall be protected by a deed restriction or other appropriate method to ensure that they cannot be subdivided or developed in the future and will remain as open space unless the use is modified by the City.
- (d) Construction traffic control plan. Applicant will develop a plan for Codes Administrator or appointee, review that addresses construction traffic, construction water, temporary road closures, street repairs, dust, noise and other construction-related concerns.

C. **Approval.** The Administrator shall review and act on the Final Plat. The Administrator may choose to approve, approve with conditions, or deny the Final Plat based on the criteria below.

(1) **Final Plat review criteria.** In addition to all provisions of this Code, the Administrator evaluates the Applicant's Final Plat application based on whether the Final Plat is in substantial conformance with the approved Preliminary Plat. For the purposes of this Code, "substantial conformance" includes design adjustments made to meet any conditions of Preliminary Plat approval, and is determined as follows:

- (a) Does not change any land use;
- (b) Does not contain changes which would render the final plat in nonconformance with requirements of this Code;
- (c) Does not contain significant changes in street alignment and/or access points, or other public elements such as drainage improvements, utility lines or facilities; and
- (d) Does not increase density.

D. **Timeframe related to approval of Final Plat.** A Final Plat is in full force and effect for a period of two years from the date of recordation unless a longer timeframe is specifically allowed by the City in an approved Development Agreement or unless improvements are completed and accepted on all or a portion of the development. Applicants may formally request one 12 month extension from the Administrator prior to termination of Final Plat approval. Prior to the expiration of the original two year timeframe or the extension timeframe, an Applicant may formally request an additional extension if substantial progress has been made on installation of improvements.

7.5.6 MINOR SUBDIVISION PLAT

A. **Purpose.**

- (1) The purpose of the Minor Subdivision Plat is a subdivision or amendment to a subdivision which has been previously platted, which includes no additional public right-of-way dedication, and includes one or more of the following:
 - (a) The boundaries of five or fewer lots are created from one parent tract or lot, cumulatively and not more than 3 acres (e.g., any portion of a tract that is subdivided counts toward the five total, and does not itself become a new parent tract to subdivide an additional five lots from);

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(b) Any lot line adjustment, consolidation of multiple lots into one; and

(c) A consolidation of multiple lots into one when a new street or street change is not involved.

B. Application submittal. The Applicant shall submit the complete Minor Subdivision plat application package to the City. The application shall be formatted and packaged per the application submittal checklist provided by the City and include:

(1) Development application form.

(2) Application fee.

(3) Title commitment. A current title commitment, dated no more than 30 days from the date of minor subdivision plat application submittal

C. Plat standards. The plat drawing shall comply with the following standards:

(1) The plat shall be prepared by or under the direct supervision of a registered land surveyor and meet applicable State of South Carolina requirements.

(2) Except for parcels separated by public rights-of-way, public tracts, or railroads, parcels not contiguous shall not be included in one plat, nor shall more than one plat be made on the same sheet. Contiguous parcels owned by different parties may be included on one plat, provided that all owners join in the dedication and acknowledgment.

(3) Lengths shall be shown to the nearest hundredth of a foot and bearings shall be shown in degrees, minutes and seconds.

(4) Bearings, distances and curve data of all perimeter boundary lines shall be indicated outside the boundary line, not inside, with the lot dimensions.

(5) All signatures shall be made in black drawing ink.

(6) Title of project.

(7) North arrow, scale (not greater than one inch equals 100 feet) and date of preparation.

(8) Vicinity map.

(9) Legal description.

(10) Basis for establishing bearing.

(11) Names and addresses of owners, Applicant, designers, engineers, and surveyors.

(12) Total acreage of subdivision.

(13) Bearings, distances, chords, radii, central angles, and tangent lines for the perimeter and all lots, blocks, rights-of-way, and easements.

(14) Lot and block numbers, numbered in consecutive order, and square footage or acreage to two decimal places of each lot or tract.

(15) Parcels excepted from inclusion noted as "not included in this subdivision" and the boundary completely indicated by bearings and distances.

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- (16) Existing rights-of-way in and adjacent to subject property (labeled and dimensioned).
 - (17) Existing and proposed street names for all streets on and adjacent to the property.
 - (18) Existing easements and their type in and adjacent to subject property (labeled and dimensioned).
 - (19) Location and description of monuments;
 - (20) Floodplain boundary with a note regarding source of information (if a floodplain does not exist on the property, please state this on the plat).
 - (21) Blocks for signatures of owner, surveyor, and City approval, as applicable.

D. **Recordation of Minor Subdivision Plat.** Five signed copies of the Minor Subdivision plat shall be delivered to the City. The Applicant will be responsible for recording the minor subdivision plat with Beaufort County.

7.5.7 SITE PLAN

A. **Purpose.** The Site Plan is a prerequisite to a building permit for all multi-family (excluding duplexes), commercial, and industrial developments. The site plan shows how the lot will be developed so that the City can ensure that the site design will be in compliance with the Development Code, Comprehensive Plan, and Civic Master Plan.

B. **Application.** A Site Plan Application shall include the following:

- (1) Land use application form.
- (2) Application fee and fee agreement.
- (3) **Site Plan plat** — The Site Plan shall be a minimum of 18 inches by 24 inches and shall provide the following information:
 - (a) Title of project.
 - (b) North arrow, scale (no greater than one inch equals 50 feet) and date of preparation.
 - (c) Vicinity map.
 - (d) Address of project.
 - (e) Legal description of property.
 - (f) Name, address, and phone number of property owner.
 - (g) Name, address, and phone number of person or firm responsible for plan.
 - (h) Lot size (square footage).
 - (i) Bearings and distances of all lot lines.
 - (j) Existing and proposed easements and rights-of-way.

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- (k) Existing and proposed paved areas and sidewalks on the site and in the adjacent rights-of-way, all dimensioned, showing how pedestrians will have access to the site and buildings.
 - (l) Existing and proposed curb cuts on the site and in the adjacent rights-of-way (on both sides of perimeter streets), all dimensioned.
 - (m) Existing and proposed two-foot contours.
 - (n) Existing waterways on or adjacent to the site.
 - (o) Finished floor elevations for all structures.
 - (p) Footprint (including roof overhangs and eaves, decks, balconies, and outside stairs and landings) of all proposed structures and their use with their dimensions and locations noted with respect to the property lines.
 - (q) Existing structures and their use.
 - (r) Square footage of the proposed building(s) and the footprint of the proposed building(s).
 - (s) Proposed structure height.
 - (t) For multi-family residential, the number of residential units and bedrooms per unit.
 - (u) Location of proposed signs and lighting.
 - (v) Specifications for the signs and lights, including type, height and general conformance to the Code. For commercial and industrial uses, a photometric plan prepared by a qualified electrical or lighting engineer shall be submitted that depicts all lighting fixtures and the light spread (in footcandles) of these fixtures across the site to all property boundaries.
 - (w) Proposed traffic controls and striping for parking areas (all lanes, driveways, and parking spaces must be dimensioned).
 - (x) Trash disposal areas and enclosures including specifications for enclosures.
 - (y) Location and size of existing and proposed water and sewer service connections and tap sizes.
 - (z) Location and size of water and sewer lines to which the service connections will be or are made.
 - (aa) Location and size of water meter(s).
 - (bb) Location and size of backflow-prevention devices.
 - (cc) Indication of how and where perimeter drain will drain (if one exists).
 - (dd) Location of existing electrical lines and poles on or adjacent to the site.
 - (ee) Location of proposed electrical service connection and meter location.
 - (ff) Location of electric transformer.
 - (gg) Location of all fire hydrants. If none exist on site, note distance and direction of the closest hydrant adjacent to the site within 500 feet.

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(hh) Location of detention/retention areas and storm sewer infrastructure with the required drainage easements.

(ii) The distance from the proposed building(s) or structure(s) to adjacent lot lines, easements, and adjacent structures.

(jj) A land use chart (table).

(kk) Certificate blocks for signatures of owner, surveyor and City approval.

(4) **Design standards** — Demonstrate in written or graphic form how the proposed structure(s) is consistent with the design requirements of this Code. Provide elevations of proposed structures/graphic visual aids. Provide complete building elevations, drawn to scale, with illustrations of all colors and identifying major materials and cut sheets to be used in the structure(s). In addition, Staff may require building floor plans, sectional drawings, perspective drawings, models, and/or computer visualizations when the impacts of a proposal warrant such information.

(5) **Drainage report** — A drainage report, prepared by a S.C. licensed professional, including an erosion control study and plan, as applicable, must be reviewed and approved by the appropriate sanitation district (if applicable) prior to submittal of the report to the City as part of the site plan application.

(6) **Final landscape and open space plan** — Provide an existing and proposed landscape plan with tree protection zones and a tree survey, and open space plan consistent with Chapters 5 and 7 of this Code.

(7) **Traffic Impact Analysis** — Provide TIA as per requirements of Section 7.3.2.

C. **TRC and Staff Review.** Staff and TRC shall review the application and prepare comments. Staff and TRC will review the site plan map to ensure it is consistent with the site plan review criteria. Following the review, Staff will prepare a written report outlining any changes that the Applicant must make before the site plan can be recommended for public hearing with the Planning Commission. This report will be forwarded to the Applicant and the Applicant shall make all necessary changes to the site plan and resubmit a revised copy to the City.

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D. Planning Commission Hearing.

- (1) Notice to neighboring property owners. The City shall send advance notice of the Planning Commission meeting by regular mail to neighboring property owners within 1,000 feet of the property per this Code.
- (2) The Planning Commission shall hold a public hearing on the proposal.
- (3) At the conclusion of the public hearing, the Planning Commission may approve, deny, or approve with conditions the application for a Major Development. No Major Development shall be approved unless the following findings of fact are made:
 - (a) The plan is consistent with the City of Beaufort Comprehensive Plan and Civic Master Plan.
 - (b) The plan complies with all applicable requirements of this Code.
 - (c) There exists adequate infrastructure (transportation and utilities) to support the plan as proposed.
 - (d) The plan conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site.

E. Post approval actions.

- (1) Building Permit. A building permit shall be issued only if a site plan has been approved. However, with the approval of the City, an Applicant may submit a building permit application concurrent with the site plan application. Building permits shall not be issued for any development that is not in conformance with the approved site plan.
- (2) Phasing and expiration of approval. The site plan shall be effective for a period of three years from the date of approval, unless stated otherwise in the written site plan approval. Building permits shall not be issued based on site plans that have an approval date more than three years old. For multi-phased plans, building permits shall not be issued based on an approval date more than three years from the date of Phase I approval.

F. Appeals. See Sections 7.6 and 9.17

G. Permit Validity. Upon the approval of a Major Development Design application, the Applicant shall have 2 years to obtain a Project Permit. Failure to secure a permit for the permitted work within this time shall render the approval void. Any change to the approved plans that has not been authorized by the Planning Commission shall invalidate the Site Plan approval and any subsequent Project Permits.

H. Permit Extension. The Planning Commission may grant a one year extension of this time period upon submittal by the Applicant of sufficient justification for the extension. Extensions shall be submitted at least 1 month prior to the expiration date.

I. Amendments to approved Site Plans.

- (1) Minor variations in the location of structures, improvements, or open space areas caused by engineering or other unforeseen difficulties may be reviewed and approved by the City Staff. Such changes shall not exceed ten percent of any measurable standard or modify the use, character, or

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density of an approved site plan. All plans so modified shall be revised to show the authorized changes and shall become a part of the permanent records of the City.

- (2) Changes to approved site plans that exceed the ten percent threshold, or other major modifications (such as changes in building size or footprint, relocation of access points, changes to required parking, etc.), shall be considered as a new site plan application. Such amendments shall require Planning Commission review and approval to become effective. A complete site plan application shall be prepared and submitted in compliance with the requirements set forth in this Section.

7.6: APPEALS

See Chapter 9.17 for overall specifications regarding appeals.

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9: DEVELOPMENT REVIEW PROCEDURES

9.1: PURPOSE AND GENERAL PROVISIONS

9.1.1 PURPOSE

In order to establish an orderly process to develop land within the jurisdiction of the City of Beaufort, the purpose of this article is to provide a clear and comprehensible development process that is fair and equitable to all interests, including the applicants, affected neighbors, city staff and related agencies, and the City Council.

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9.1.2 APPLICABILITY

The provisions of this article shall be applicable to all development activity under the jurisdiction of the City of Beaufort.

9.1.3 CONFORMITY WITH CODE

The Administrator shall not issue a permit or license for any use, building, or purpose that conflicts with any provision of this Code. ~~Any permit, license or certificate issued in conflict with the provisions of this Code, whether intentionally or unintentionally, shall be null and void.~~

9.1.4 PERMIT/~~PROCESS~~DEVELOPMENT DESIGN REVIEW/HISTORIC REVIEW APPLICATION TYPE TABLE

[See following pages.](#)

PERMIT/PROCESS APPLICATION TYPE	SECTION	PERMIT/PROCESS TYPE	REVIEWING AGENCY	PUBLIC NOTIFICATION (9.1.3-5)	APPROVING AGENCY	APPEAL PROCESS	PERMIT APPROVAL PERIOD	PERMIT APPROVAL EXTENSION
ADMINISTRATIVE PERMITS								
Zoning Permit	9.5.4	Administrative Ministerial	Admin	None-No	Admin	ZBOA	6 months	6 months, 1 time
Building Permit	9.5	Administrative Ministerial	Admin	None-No	Admin	ZBOA	6 months	Resubmit
Certificate of Compliance	9.5	Administrative	Admin	None	Admin	ZBOA	n/a	n/a
Certificate of Occupancy	9.6.7	Administrative-Ministerial	Admin	None-No	Admin	ZBOA	n/a	n/a
DEVELOPMENT DESIGN REVIEW								
Development Design Review, Minor Site Plan	9.78.1	Administrative-Ministerial	Admin	None-No	Admin	PC	24 months	12 months, up to 5 times-1 time
Development Design Review, Major Site Plan	9.78.2	Discretionary	Admin, TRC	None-Yes	PC	Court 30 days to appeal	24 months	12 months, up to 5 times-1 time
SUBDIVISION REVIEW								
Subdivision, Minor, Site Sketch Plan	9.8 7.5.3	Discretionary-Administrative	Admin, TRC	None-Yes	Admin-PC	PC	24-12 months	12 months, up to 5 times

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Subdivision, Major, Sketch Plan, Preliminary Plat	9.8 7.5.4	Discretionary	Admin, TRC	None-Yes	PC	Court	24 months	12 months, up to 5 times <u>1 time</u>
Subdivision, Major, Site Plan Final Plat	9.8 7.5.5	Administrative-Ministerial	Admin, TRC	None-No	Admin	PC	24 months	12 months, up to 5 times <u>1 time</u>
Minor Subdivision-Final Plan	9.8 7.5.6	Administrative-Ministerial	Admin TRC	None-No	Admin	PC	24 months <u>n/a</u>	12 months, up to 5 times <u>n/a</u>
HISTORIC PRESERVATION								
Beaufort Historic District - Certificate of Appropriateness, Minor	9.9	Administrative-Ministerial	Admin	Demolition Only: Yes (1,2,3)	Admin	HRB	24 months	12 months, up to 53 times
Beaufort Historic District - Certificate of Appropriateness, Major	9.9	Discretionary	Admin	Demolition & Design Exception only: Yes (1,2)	HRB	Court 30 days to appeal	24 months; no expiration for demolitions	12 months, up to 53 times
Local Historic District/Historic Sign Designation-ADJUSTMENTS			9.10	Legislative	Admin, PC, HRB	None	CC	Court
								n/a
								n/a

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RELIEF								
Administrative Adjustment	9.1112	Administrative Ministerial	Admin	None-No	Admin	ZBOA	24 months	12 months, up to 53 times
Special Exception	9.12	Discretionary	Admin	Yes (1, 2)	ZBOA	Court 30 days to appeal	24 months	12 months, up to 53 times
Variance	9.13	Discretionary	Admin	Yes (1, 2)	ZBOA	Court 30 days to appeal	24 months	12 months, up to 53 times
ADMINISTRATION APPEALS								
Administrative Appeal	9.14	Discretionary	Admin	Yes (1)	ZBOA	Court 30 days to appeal	12 months	6 months
AMENDMENTS								
Code Amendments	9.16	Legislative	Admin, PC	Yes (1, 2 & 3)	CC	Court 30 days to appeal	n/a	n/a
Admin-Administrator / PC-Planning Commission / CC-City Council / ZBOA-Zoning Board of Appeals / HRB-Historic District Review Board / TRC-Technical Review Committee / Court - Circuit Court								
Note: Any appeals that are assigned to Court are eligible for pre-litigation mediation pursuant to § SC STS.C. Code § 6-29-1155								

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(Ord. No. O-14-23, 9-26-2023)

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9.1.5 PUBLIC NOTIFICATION

All public meetings shall be posted and advertised with the media as required by state law. The following procedures have been established for development applications/petitions that require additional notification of the public prior to consideration and/or approval.

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A. ~~Level 1~~ Published Notice:

~~1. Required Notification Type:~~ AA. BASIC NOTICE, MINIMUM STANDARDS FOR NOTICE OF ALL MEETINGS AND HEARINGS:

Written public notice of dates, times and places of all City of Beaufort development review public meetings and hearings shall be provided in accordance with S.C. Code § 30-4-80, any other applicable provision of State Law, and this Code. This includes, at minimum, posting of a copy of the notice, including the agenda, in the building where the meeting shall be held, posting of the notice, the agenda, and the meeting materials packet on the website maintained by the City of Beaufort, and notifications to persons, organizations and news media requesting such notice as contemplated by S.C. Code § 30-4-80 (E). While State Law requires a minimum of 24 hours written notice in the absence of a special notice requirement, City Staff shall provide, at a minimum, seven (7) calendar days of notice.

B. PUBLICATION OF NOTICE OF A HEARING IN A NEWSPAPER:

When required by State Law, a distinctive advertisement (public hearing notice) shall be placed by the Administrator in a local newspaper of general circulation within the ~~city~~-City. This notice shall be published in accordance with the time limits required by State Law or, if none, not less than 15 calendar days prior to the meeting. The content of said published notice shall include all content required by State Law, including without limitation the following:

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~~2. Required Period of Notice:~~ This notice shall be published not less than 15 calendar days prior to the meeting.

~~3. Content of Notice:~~

(1) ~~a.~~ The general location of land that is the subject of the application;

(2) ~~b.~~ The tax map ~~and~~, parcel number, and street address if available;

(3) ~~c.~~ The substance of the application, including the magnitude of proposed development and the current zone;

(4) ~~d.~~ The time, date, and location of the public hearing;

(5) ~~e.~~ A phone number to contact the ~~city~~-City; and

(6) ~~f.~~ A statement that interested parties may appear at the public hearing.

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B. ~~Level 2~~ Posted Notice:

~~1. Required Notification Type:~~

C. NOTICE OF APPLICATION SIGN:

A notice of application sign shall be posted by the Administrator. ~~The sign shall be posted~~ on the subject property in a location clearly visible from each street adjacent to the property.

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~~2. Required Period of Notice:~~ This, as required by State Law, including without limitation for all hearings on applications for zoning or rezoning, variances, special exceptions, site plans, and preliminary plats, as well as demolition and design exceptions. The notice shall be posted ~~not~~ no less than 15 calendar days prior to the ~~meeting~~hearing at which the application will be reviewed. ~~The sign~~ shall include the following information:

~~3. Content of Notice:~~

- ~~(1) a.~~ Type of application;
- ~~(2) b.~~ The date, time, and place of the public hearing; and
- ~~(3) c.~~ A phone number to contact the city.

~~C. Level 3~~

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D. MAILED/EMAILED NOTICE:

Mailed/Emailed Notice:

1. ~~Unless otherwise required by state law, the city may choose to provide, at its discretion, mailed and/or emailed notice in accordance with city policy, which may be amended from time to time.~~
2. ~~shall be provided as required by State Law, including without limitation mailed notice to adjoining property owners when required by State Law. Additionally, the City shall provide mailed/emailed notices upon request as per S.C. Code § 30-4-80 (E) and the Policy and Procedures contained on the website operated by the City.~~ For demolition of structures listed on the most recent "Above-Ground Historic Sites Survey" that are located outside of the Historic District, written notice to members of the Historic District Review Board, (HRB), Historic Beaufort Foundation, (HBF), and neighbors within ~~200~~500 feet of the property will be required at least 15 days before any permit is issued.

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9.1.6 DECISION BASED ON PUBLIC HEARING

~~A decision shall be made by the appropriate review body within 60 days of the close of the required public hearing.~~
This section intentionally left blank.

9.1.7 WRITTEN NOTICE OF DECISIONS REQUIRED

Within 10 calendar days after a final decision is made by any ~~board~~reviewing body under the requirements of this Code, a copy of the written decision shall be sent to the applicant or appellant. A copy of the decision shall be filed in the office of the Administrator, where it shall be available for public inspection during regular office hours.

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9.1.8 TIME LIMITS FOR RESUBMISSION OF APPLICATIONS

In the event that any application required under this Code is denied or disapproved, an application for ~~exactly~~substantially the same request shall not be refiled for one year from the advertised public hearing date. Where no public hearing is required, time shall run from the date of mailing of the notice of denial. ~~The Administrator, upon petition by the applicant, may permit a re-filing of said application after 6 months from the original public hearing date upon a determination that:~~

- A. ~~Significant physical, economic, or land use changes have taken place on the subject tract or within the immediate vicinity; or~~
- B. ~~A text amendment has been adopted that would allow for favorable review of a resubmitted application for the subject property.~~

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9.1.9 VESTED RIGHTS AND EXPIRATION OF APPROVALS

- A. **General:** Approval of any application pursuant to this Code shall authorize only the particular use, plan, or other specific activity for which the application was issued, and not any other approval requiring separate application.
- B. ~~Vested Rights for Final Development Plans/Plats:~~ A vested right is established for 2 years upon the final approval of a development plan, plat, or phased development plan. An applicant shall have 2 years from final approval to receive a building permit or, if no building permit is required, to obtain a

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certificate of compliance. Such vested right may receive up to five 1-year extensions for good cause upon written request by the landowner to the Administrator, no later than one month prior to expiration, unless an amendment to this Code has been adopted that prohibits approval.

1. A vested right in a development plan, plat, or phased development plan shall not attach to the property until all plans have been received and approved, and all fees have been paid in accordance with this section.
2. A vested right is subject to revocation by the City Council after notice and public hearing that there was a material misrepresentation by the landowner or substantial noncompliance with the terms and conditions of the original or amended approval.
3. A vested plan is subject to later local governmental overlay zoning that imposes additional site plan related requirements, but does not affect allowable types, height as it affects density, or intensity of uses.
4. Phased development plans remain subject to review and approval of all phases prior to any portion of the project being vested.
5. In the case of projects where more than 1 building is to be built, the applicant may submit a series of Project Permit applications. The first application shall be submitted within 2 years from the date the development plan approval is granted. Each subsequent application shall be submitted within 180 days from the date of issuance of a Certificate of Compliance or Certificate of Occupancy for the previous building, whichever shall occur first. The lapse of more than 180 days shall cause the expiration of the development plan approval.

B. Vested Rights for Final Development Plans/Plats: For specific provisions see chart in chapter 9.1.4 and applicable provisions in chapter 7.

C. **Time Limitations For Other Types Of Approval:**

- (1) 1 All permits and approvals not referenced in Section 9.1.9 B, this section shall expire as shown in Section 9.1. 24 (Permit/~~Process~~Development Design Review/Historic Review Application Type Table) without further action, unless the holder of the permit or approval either submits a complete application for the appropriate subsequent permit, approval, or extension, or if no subsequent permit, approval, or extension is required, completes the work described in the permit or approval within the timeframes established.
- (2) 2 Upon written request, an extension of an approval may be granted by the decision-making body for good cause for a period not to exceed that shown in Section 9.1. 24 (Permit/Development Design Review/Historic Review Process Type Table). No written request for an extension shall be considered unless submitted to the Administrator no later than one month prior to expiration. Failure to submit an application for an extension within the time limits established by this section shall result in the approval's expiration.

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9.2: APPLICATION PROCEDURES

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9.2.1 PRE-APPLICATION CONFERENCE

- A. **Mandatory Pre-application Conference:** A pre-application conference with the Administrator shall be required prior to filing an application for the following approvals:

- (1) ~~1-~~ Subdivision review involving the creation of new streets.
- (2) ~~2-~~ New construction, except for detached single-family homes not part of a new subdivision.
- (3) ~~3-Text and~~ Map amendment (Rezoning).
- (4) ~~4-Site plan.~~
- (5) Text amendment.

The Administrator shall have the authority to waive any mandatory pre-application conference where such conference is deemed unnecessary ~~by the Administrator.~~

- B. **Optional Pre-application Conference:** Prior to the submission of any application required by this Code, a potential applicant may request an optional pre-application conference to discuss procedures, standards, or regulations required by this Code. Upon receipt of such request, the Administrator shall afford an opportunity for such a pre-application conference at the earliest reasonable time.

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9.2.2 APPLICATION FORMS AND FEES

The following regulations shall apply to all applications.

- A. **Forms:** Applications required under this Code shall be submitted on forms and in such numbers as required by the ~~city~~City.

- B. **Fees:**

- (1) ~~1-~~ Filing fees shall be established from time to time by resolution of the City Council to defray the actual cost of processing the application.
- (2) ~~2-~~ All required fees shall be made payable to "The City of Beaufort."
- (3) ~~3-~~ An applicant who has paid an appropriate fee pursuant to the submission of an application, but who chooses to withdraw such application prior to any review or action taken, may request in writing a refund of 75% of the total amount paid.

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9.2.3 APPLICATION DEADLINE

~~All applications shall be completed and submitted to the Administrator according to schedules as determined by the city.~~

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9.2.4 COMPLETE APPLICATION REQUIRED

- A. The Administrator shall have ~~5-working~~14 business days to review the application ~~materials submitted~~ and ~~confirm that all shall determine whether~~ the ~~required items have been submitted~~ application is complete and ready to proceed.

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- B. If the application is not complete, the Administrator shall inform the applicant in writing within the 514-day period, specifying the ways in which the application is incomplete, and the applicant shall have 60 days during which to provide the requested materials and complete the application. Any application for which additional materials have not been forthcomingprovided during this 60-day period shall be considered null and void. This application period may be extended by the Administrator upon mutual agreement to provide the required materials at some date certain in the future.

9.2.5 CONCURRENT PROCESSING

Any applicant may submit an application for any sequential approvals (such as a zoning map amendment and site plan approval) required under this Code and request that such sequential approvals be processed concurrently; however, such concurrent processing shall proceed at the applicant's own risk, and shall have no implication in regard to the approval of any of the various approvals requested.

9.3: APPLICATION REQUIREMENTS

The following general standards for various applications are intended to require only that data/information that is necessary to render an informed decision by the reviewing agency. A narrative explaining the scope of the project will be required for all applications. The "Application Submittal Requirements" list, on file with the Administrator, is intended to provide further guidance to applicants as to the necessary level of detail for each application component listed below.

PERMIT/PROCESS TYPE	SECTION	PRE-APPLICATION CONFERENCE (9.2.1)-TYPE	SITE ANALYSIS (9.3.1.A)-CODE SECTION	SKETCH PLAN (9.3.1.B)-PRE-APPLICATION CONFERENCE (7.5.4.B)	SITE PLAN (9.3.1.C)-SKETCH PLAN (7.5.3)	CONSTRUCTION DOCUMENTS (9.3.1.D)-SITE PLAN – INCL. BUILDING ELEVATIONS (7.5.7)	AS-BUILT DRAWINGS (9.3.1.F)-FINAL PLAT (7.5.5)
ADMINISTRATIVE PERMITSADMINISTRATIVE PERMITS							
-Zoning Permit			9.4			See Adminis	
ProjectBuilding Permit			9.5		See Administrator		
Certificate of Compliance			9.4.6		See Administrator		
Certificate of Occupancy			9.6.7		See Administrator		
DEVELOPMENT DESIGN REVIEWDEVELOPMENT DESIGN REVIEWS							
Development Design Review, Minor	9.7		⊖		⊖		⊖
Development Design	9.7		⊖	⊖	⊖	⊖	⊖

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- 9: DEVELOPMENT REVIEW PROCEDURES
9.3: APPLICATION REQUIREMENTS

<u>Review,</u>													
Major Minor													
SUBDIVISION REVIEW													
Minor Site Plan	9.8.1	See Code Sec. 7.5; Subdivision, Minor, and Site Plan Standards	9-8					-#					
Major Site Plan	9.8.2												
SUBDIVISION REVIEWS													
Subdivision, Major, (Sketch Plan)	9.8-9	# See Code Sec. 7.5: <u>Subdivision and Site Plan Standards</u>		#	#								
Subdivision, Major, Site Plan (Preliminary Plat)	9-8							-#					
Final Subdivision Plat	9-8							-#	#				-#
HISTORIC PRESERVATION/HISTORIC PRESERVATION													
Beaufort Historic District - Certificate of Appropriateness, (CoA), Minor	9.9 10							N/A					
Certificate of Appropriateness CoA, Major	9.9 10							N/A					
Historic District Designation	9.10	See Administrator											
RELIEF													
Administrative Adjustment	9.11	See Administrator											
Special Exception Permit	9.12												
Variance Permit	9.13												
ADMINISTRATION APPEALS													
Administrative Appeal	9.14	See Administrator											
AMENDMENTS													

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- 9: DEVELOPMENT REVIEW PROCEDURES
9.3: APPLICATION REQUIREMENTS

-Amendments	9.15	■										
■ = Required Compliance			□ = On an "as needed" basis as determined by the Administrator									

~~9. DEVELOPMENT REVIEW PROCEDURES~~
~~9.3. APPLICATION REQUIREMENTS~~

9.3.1 APPLICATION ELEMENTS

- A. ~~**Site Analysis:** A site analysis is intended to identify forest stands or trees of a uniform size and species, specimen trees of varying sizes and species, particularly free standing or open grown or field grown trees, a distinctive tree line or forest edge, existing watercourses and floodplains, previously documented federal or state recognized endangered species habitats, and areas of historic, cultural, or archeological significance. (See Section 8.3 as applicable.) This requirement provides the city and the applicant the ability to evaluate the proposed development in order to preserve existing resources and to improve the appearance of the development proposed. It is the expectation that readily available spatial data, including GIS information, will be sufficient for this survey.~~
- B. ~~**Sketch Plan:** The sketch plan shall show in simple line drawing form the proposed layout of streets, lots, buildings, civic spaces, tree coverage, and other features in relation to existing conditions, based upon the size of the tract proposed for development. Sketch Plans shall be reviewed as binding documents for Certificates of Compliance, and for any other permits or approvals for which the Administrator requires only a Sketch Plan to be submitted with the application. Sketch Plans shall be used for non binding review for all other development application processes in which they are required.~~

~~C. **Site Plan (syn.**~~

<u>PERMIT TYPE</u>	<u>CODE SECTION</u>	<u>PRE-APPLICATION CONFERENCE (7.5.4.B.4)</u>	<u>SKETCH PLAN (7.5.3)</u>	<u>SITE PLAN – INCL. BUILDING ELEVATIONS (7.5.7)</u>	<u>FINAL PLAT (7.5.5)</u>	<u>TRAFFIC IMPACT ANALYSIS (7.3.2)</u>	<u>ARCHEOLOG. IMPACT ASSESSMENT (8.4)</u>
<u>ADJUSTMENTS</u>							
<u>Administrative Adjustment</u>	<u>9.12</u>	<u>See Administrator</u>					
<u>ZBOA Special Exception</u>	<u>9.13</u>	☒	☒	☒	<u>N/A</u>	☐	<u>N/A</u>
<u>ZBOA Variance</u>	<u>9.14</u>	☒	☒	☒	<u>N/A</u>	☐	<u>N/A</u>
<u>AMENDMENTS</u>							
<u>Text & Map Amendments</u>	<u>9.16</u>	☒	☒	☒	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>

~~9: DEVELOPMENT REVIEW PROCEDURES~~
~~9.3: APPLICATION REQUIREMENTS~~

☒ = Required Compliance	☐ = On an “as needed” basis as determined by the Administrator
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Preliminary Plat): The site plan is intended to provide a detailed two-dimensional drawing that illustrates all of the required site features, including buildings*, parking areas*, street locations, street sections, rights-of-way, property lines and setbacks, required or proposed Critical Area buffers, trees proposed to remain and to be removed and tree protection zones, site landscaping and lighting* (in conceptual form), and all related development calculations (e.g., density, proposed building areas, number of parking spaces, estimated impervious surface, proposed tree coverage, percentage of open space) in sufficient detail to show compliance with this Code. When Specimen or Landmark Trees are proposed to be preserved or removed, an Arborist Report is required per Section 5.3.2 B. Detailed engineering drawings such as subsurface utilities (e.g., water and sewer) and calculations for on-site stormwater facilities are not required for Site Plans. *When a Site Plan is being used as a Preliminary Plat for a Subdivision, these elements are not required to be shown.

D. **Construction Documents:** The construction documents for development design review and subdivision plans shall constitute a full and complete set of engineered drawings necessary for final permitting and horizontal and vertical construction. This includes detailed landscaping plans, lighting plans, grading and drainage plans, and stormwater calculations.

E. **As-Built Drawings:** The as-built drawings shall show the final installed conditions and specifications for all public infrastructure. The designer of the infrastructure shall certify, under seal, that the installed infrastructure is in compliance with the approved plans and designs and with the requirements of this Code. A final inspection and approval by the Administrator shall occur before the release of any performance securities.

F. **Final Plat:** The final plat shall be prepared by a registered land surveyor licensed to practice in the State of South Carolina, and shall meet the requirements of the Beaufort County Register of Deeds Office. The Final Plat shall constitute an accurate survey of the entire phase as shown on the approved site plan and shall include all the relevant notes and certifications.

G. **Building Elevations for Design Review:** For certain applications, it may be necessary to submit scaled drawings of each elevation visible from a public street or civic space. These drawings shall be in color and shall accurately represent the building heights, floor levels, and building materials, and shall include written identification of building materials. In addition, the Administrator may require a physical model or up to three drawings from different perspectives that show how the building fits into the context of the block.

9.4: ZONING PERMIT

9.4.1 APPLICABILITY

Only Required Permit: A zoning permit certifying compliance with this Code shall be the only type of approval required for the following activities:

- A. Home Occupations as regulated by Section 3.4.3.2 (Home Occupations — Major and Minor).
- B. Temporary uses that do not materially affect the area's natural environment, parking requirements, transportation patterns, public health, or economic values. (See Section 3.4.3.12 Temporary Uses)
- C. Conditional uses not requiring a building permit.
- D. Special events.

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- E. Changes of use, and any uses permitted with additional standards per Article 3 (Land Use Provisions).
 - F. Removal of trees as regulated in Section 5.4 (Tree Removal).

9.4.2 PROCESS AND APPROVAL

- A. **Process Type:** ~~Administrative~~.Ministerial.
- B. **Pre-Application Procedure:** None.
- C. **Required Application Information:** See Administrator.
- D. **Public Notification:** None.



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- E. **Determination of Compliance:** Once an application is deemed complete by the Administrator, the Administrator shall review the application and approve or deny it based on compliance with the standards contained in this Code.

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- ~~F. **Appeals:** Appeals of zoning permit applications denied by the Administrator shall be taken to the Zoning Board of Appeals within 30 days of the decision, in accordance with the procedures found in Section 9.15 (Administrative Appeals).~~

~~G. _____~~

- ~~F. **Permit Validity:** Upon the approval of the zoning permit, the applicant shall have 6 months to take action on the approval. If no action is taken, the permit becomes null and void, and the applicant shall resubmit. Exception: Tree Removal Permits have no expiration.~~

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~~1. G.Exception: Tree Removal Permits have no expiration.~~

- ~~H. **Permit Extension:** The Administrator may grant a single extension of up to 6 months upon submittal by the applicant of sufficient justification for the extension. Permits issued for temporary uses may be renewed only if it is determined that said use is clearly of a temporary nature, will cause no traffic congestion, and would not create a nuisance to surrounding uses.~~

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9.5: ~~PROJECT~~BUILDING PERMIT

9.5.1 APPLICABILITY

A ~~Project~~Building Permit shall be required for any building, structure, or attachment to a structure to be erected, moved, added to, or structurally altered. This includes, but is not limited to:

- A. **Site Work:** Any modifications to a parcel of land, not to include construction of a structure.
- B. **New Construction and Expansion:**

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(1) 1. **Primary Building(s):** New construction of all types of structures.

(2) 2. **Accessory Structures or Uses:** Accessory uses incidental to single-family residential structures (e.g., detached garage, swimming pool, tool shed) as regulated by Section 3. ~~42~~11 (Accessory Uses and Structures).

(3) 3. **Building Expansions:** Heated and unheated (e.g., porches, decks, sunrooms) building expansions.

(4) 4. **Site Elements:** Any site elements not attached to the building (e.g., porches, patios).

- C. **Signs:** Erection of new signs or modification to existing signs, including Master Sign Plans.
- D. **Awnings:** Includes new awnings and awning re-covers.
- E. **Fences and Enclosures:** Erection of, demolition of, or any changes to fences and other types of enclosures.
- F. **Demolition:** Removal of existing buildings, structures, or site work.

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9.5.2 PROCESS AND APPROVAL

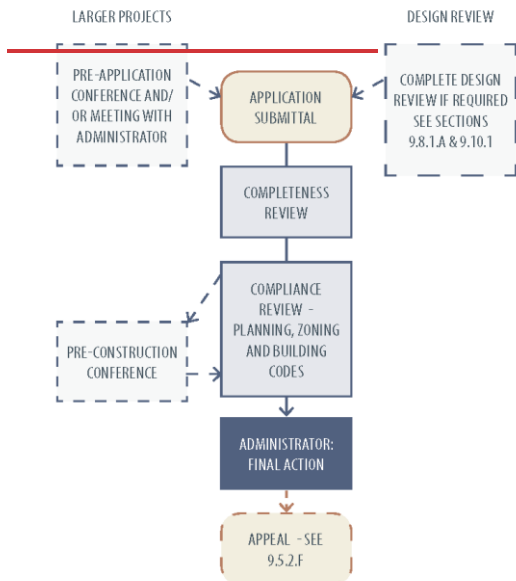
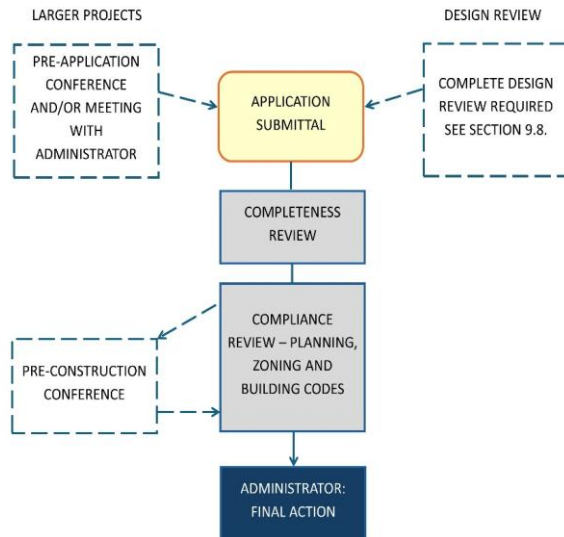
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A. **Process Type:** ~~Administrative~~Ministerial.

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B. **Pre-Application Procedure:** For large-scale projects, a pre-construction meeting may be required. For all other projects, no meeting is required, but applicants are encouraged to call or visit the Administrator prior to requesting a ~~Project~~Building Permit to determine what information is required for the application.

C. **Required Application Information:** See Administrator. The application shall include all drawings and specifications required by building codes adopted by S.C. Code § 6-9-50.

D. **Determination of Conformity:** The review, approval, and distribution of drawings and specifications required shall be coordinated by the Administrator in accordance with the building codes adopted by ~~SCCL Section~~S.C. Code § 6-9-50. Upon issuance of a permit, the Administrator shall endorse, by writing or stamp, all sets of drawings showing approval. Such drawings shall be kept at the work site and made available for inspection by the Administrator upon request. Approved Project Permits shall be conspicuously posted by the applicant on the property for which they were obtained until the applicant has obtained a Certificate of Occupancy, pursuant to Section 9.7.

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E. **Public Notification:** None required. _____

~~F. Appeals: Appeals of Project Permit applications denied by the Administrator that are not reviewed by the Building codes department, shall be taken to the Zoning Board of Appeals (Section 10.3). The appeal of any Project Permit application requiring approval by the Building codes department shall be taken to the Building Board of Appeals within 30 days of the decision, in accordance with the procedures found in the City Code of Ordinances, Section 5-1005.1 (or appropriate section as amended from time to time).~~

~~G. Changes to Approved Plans:~~ If a project has undergone design review and received Design Approval or ~~Beaufort Historic District~~ - Certificate of Appropriateness, as applicable, no changes between the design review set and the building permit set shall be permitted unless they are presented in writing and approved by the Administrator at the time a Project Permit is sought. If the Administrator is not made aware of any changes, the plans submitted for design review will take precedence.

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~~H. Changes to Approved Permits:~~

~~(1) 1-~~After a Project Permit has been issued, no changes or deviations from the terms of the permit or the application and accompanying plans shall be made without the specific written approval of such changes or deviations by the Administrator. Any exterior changes may require review and approval by the appropriate decision-making body.

~~(2) 2-~~An amendment to a Project Permit that requires payment of an additional fee, either because of an increase in the size of the buildings, a change in the scope of work, or an increase in the estimated cost of the proposed work, shall not be approved until the applicant has paid the additional fees, and the amendment has been properly reviewed by the appropriate decision-making body.

~~I. Notification and Approval Before Construction Begins:~~

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~~(1) 1-~~Before any work begins pursuant to the Project Permit, the applicant shall furnish the Administrator with the name of the general contractors, or the owner acting as the general contractor, who will be performing the work;

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~~(2)~~ ~~2-~~The applicant or the applicant's authorized agent shall provide adequate advance notice to the Administrator at such time as the work is ready for inspection under the Building ~~code~~Code. Upon receiving such notification, the Administrator shall inspect the work.

~~J.~~ **Licensed Specialty Contractor(s) May Be Required:** Where any local ordinances or any provision of the ~~SCCL~~South Carolina Law require that work be done by a licensed specialty contractor of any kind, no Project Permit for such work shall be issued unless it is to be performed by such licensed specialty contractor. It shall further be the contractor's responsibility to conform to all local ordinances and state building codes for all installations or repairs of a building or utility system.

~~K.~~ **Permit Validity:** Any Project Permit shall become null and void unless the work approved by the permit is commenced within 180 days after the date of issuance. No work shall be considered to have commenced for the purposes of this paragraph until an inspection has been made and recorded. If after commencement the work is discontinued for a period of 180 days, the permit shall immediately expire. ~~Extensions of up to 180 days per request may be granted by the Administrator, but shall be requested in writing prior to expiration of the permit.~~No work authorized by any permit that has expired shall thereafter be performed until a new permit has been secured.

~~L.~~ **Permit Extension:** None - shall resubmit.

9.6: CERTIFICATE OF COMPLIANCE

9.6.1 APPLICABILITY

~~A Certificate of Compliance shall be required as part of a final site inspection for development work completed subsequent to a previously approved subdivision or site plan. It may also be required for a change in occupancy or use of an existing building to a conforming use.~~

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9.6.2 PROCESS AND APPROVAL



A. ~~Process Type: Administrative.~~

B. ~~Pre Application Procedure: n/a.~~

C. ~~Required Information: Upon completion of all development work and simultaneous with the applicant's request to the Administrator for a final site inspection, the applicant shall submit the following documents to the Administrator for review and approval:~~

- ~~1. A registered engineer's sealed certification of completed roads, parking, drainage systems and utilities.~~
- ~~2. Certification of Compliance with approved landscaping and tree planting plan by a registered landscape architect or a landscape contractor.~~
- ~~3. A digital file of the as-built drawings, indicating accurate site conditions of pavements, parking spaces, utilities, structures, and drainage — this may be submitted after the Certificate of Compliance and Certificate of Occupancy (Section 9.7) are issued.~~
- ~~4. South Carolina Department of Health and Environmental Control permits to operate water and sewer system.~~
- ~~5. City agreement to accept ownership and maintenance responsibility for dedicated roads and drainage systems where applicable.~~
- ~~6. Other applicable agencies' final certification.~~
- ~~7. An owner's affidavit stating that all work has been completed consistent with the applicant's development permit and any applicable provisions of this chapter, plus a copy of the documents that clearly set forth the ownership and maintenance provisions and responsibilities for infrastructure improvements.~~

D. ~~Public Notification:~~ None.

E. ~~Issuance of a Certificate of Compliance:~~ Upon determination of compliance, the Administrator shall complete a Certificate of Compliance and forward it to the applicant. A final Certificate of Occupancy (Section 9.7) shall not be issued by the Administrator until a Certificate of Compliance has been issued, in accordance with the provisions of this section, for the site or phase thereof in which the building is located. The Administrator's approval of the Certificate of Occupancy may be accepted as Certificate of Compliance, unless a separate Certificate of Compliance has specifically been requested by the applicant.

F. ~~Appeals:~~ Appeals of Certificate of Compliance applications denied by the Administrator shall be taken to the Zoning Board of Appeals within 30 days of the decision, in accordance with the procedures found in Section 9.15 (Administrative Appeals).

G. ~~Permit Validity:~~ n/a.

H. ~~Permit Extension:~~ n/a.

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9.7: CERTIFICATE OF OCCUPANCY

9.7.1 APPLICABILITY

A Certificate of Occupancy shall be required for occupancy and use of a building that is erected or enlarged.

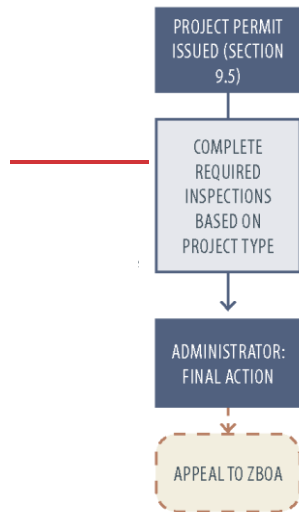
9.7.2 PROCESS AND APPROVAL

- A. **Process Type:** ~~Administrative~~ Ministerial.
- B. **Pre-Application Procedure:** n/a.
- C. **Required Application Information:** See Administrator.

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D. **Public Notification:** None.

E. **Issuance of Certificate of Occupancy:** A final Certificate of Occupancy shall not be issued by the Administrator until a ~~Certificate of Compliance (9.6)~~ design and landscape compliance review has been issued for the site or phase thereof in which the building is located and all outstanding building code issues have been satisfied completed.

F. **Temporary Certificate of Occupancy:** Pending the issuance of a permanent Certificate of Occupancy, a temporary certificate may be issued. The certificate shall be issued by the Administrator in conformity with the provisions of this Code and the building code. The temporary certificate may include such safeguards and conditions as will protect the safety of the occupants and the public. Where improvements required by this Code or the specific approval of the development are incomplete, a guarantee acceptable to the City — equal to 125% of the costs of such improvements — may be required to ensure the installation of the improvements.

G. **Permit Validity:** n/a.

G. ~~**Appeals:** Appeals of Certificate of Occupancy applications denied by the Administrator shall be taken to the Zoning Board of Appeals within 30 days of the decision, in accordance with the procedures found in Section 9.15 (Administrative Appeals).~~

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H. ~~Permit Validity: n/a.~~



~~I. Permit Extension: n/a.~~

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9.8: DEVELOPMENT DESIGN REVIEW

9.8.1 DEVELOPMENT DESIGN REVIEW (MINOR SITE PLAN)

A. Applicability:

~~1. All structures having a 10,000 square foot or less building footprint, except Vehicle-Related Uses as defined in Section 9.8.2 A.2.~~

(1) ~~2~~-All buildings, except single-family residential structures, in developments that contain ~~245~~ or fewer residential units.

(2) ~~3~~-Demolition of structures of any size where no new building is proposed.

(3) ~~4~~-Improvements to existing non-residential or multi-family structures that do not exceed 75% of the ~~assessed~~fair market value of the existing improvements.

B. Exceptions:

(1) ~~1~~-Detached single-family homes on individual lots outside of the Historic District are not subject to Development Design Review. However, they may be subject to the Building Design Standards laid out in Article 4, depending on the zoning district and Planning Commission (PC) conditions and approvals, if applicable, on Preliminary and Site Plans.

(2) ~~2~~-Projects in the Beaufort Historic District are not subject to Development Design Review, and shall instead be evaluated by the HRB for compliance with the Historic District Guidelines. (See Section 9.10.2 - Beaufort Historic District - Certificate of Appropriateness, Minor and Major-~~1~~)

(3) ~~3~~-Projects in the LI Zone are not subject to Development Design Review. However, they are subject to the Building Design Standards described in 4.2.2.B.3.

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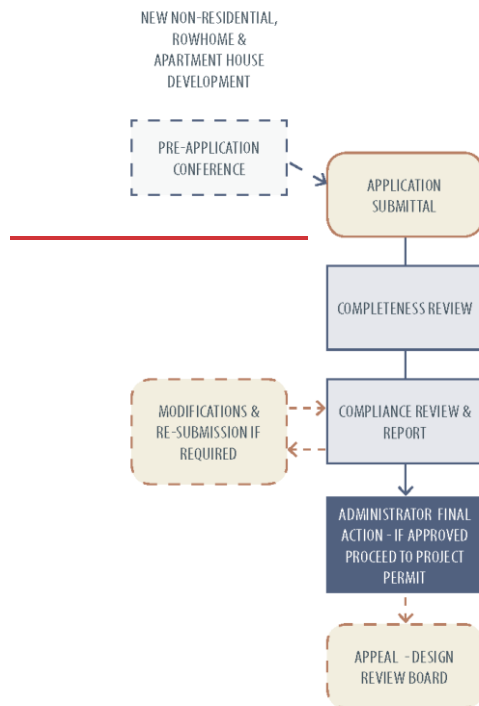
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- C. **Process Type:** ~~Administrative~~Ministerial — The Administrator may submit any ~~applications~~application subject to staff approval to the ~~Design Review Board~~Planning Commission for approval.
- D. **Pre-Application Procedure:** No meeting is required, but applicants are encouraged to call or visit the Administrator to determine what information is required for the application.
- E. **Required Application Information:** Site Analysis (see Section 9.3.1), Site Plan (Section 9.3.3) and Building Elevations (Table) for Design Review (Section 9.3.7)~~Specific Application Requirements~~ — these may be waived by ~~the~~ Administrator as ~~the Administrator deems~~ appropriate.
- F. **Public Notification:** None.
- G. **Determination of Compliance:** Once an application is deemed complete by the Administrator, the Administrator shall review the application and approve, deny, or approve the plan with conditions based on compliance with the standards contained in this Code. All decisions shall be in writing. Following an approval or approval with conditions, the applicant shall be directed to prepare detailed ~~Construction Documents (Section 9.3.1 D.)~~Subdivision/Development Plats and/or Plans (see Section 7.5 for specific Subdivision and Site Plan Standards) for final approval by the Administrator.
- H. ~~Appeals: Appeals of the decisions of the Administrator shall be heard by the Design Review Board. Application for appeal shall be made within 30 days of the decision.~~

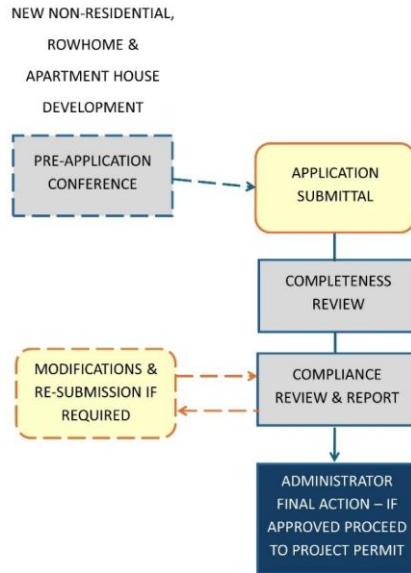
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- H. **Permit Validity:** Upon the approval of the Minor Development Design application, the applicant shall have ~~2-years~~1 year to obtain a ~~Project~~Building Permit. Failure to secure ~~Project~~Building Permits for the permitted work within this time shall render the ~~compliance~~approval void. Any change to the approved plans that has not been authorized by the Administrator shall invalidate the Minor Development Design Plan and any subsequent ~~Project~~Building Permits- (see Section 9.5).
- J. **Permit Extension:** The Administrator may grant up to ~~5-one~~1-year ~~extension~~extension of this time period upon submittal by the applicant of sufficient justification for the extension. Extensions shall be submitted at least 1 month prior to the expiration date.

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9.8.2 DEVELOPMENT DESIGN REVIEW (MAJOR SITE PLAN)

A. **Applicability:**

- (1) ~~1-~~Civic and Educational Facilities: Any new development classified as a Civic Facility or Educational Facility (see Sections 3.4.1 A. and 3.4.1 C-~~), respectively~~.
- (2) ~~2-~~Vehicle-Related Uses: Any new development that includes fuel-dispensing facilities, drive-thru facilities, or structured parking.
- (3) ~~3-~~Nonresidential Development: Any commercial or industrial development.
- (4) ~~4-~~Residential Development: Single-family, attached, over 5 units or multi-family developments containing more than ~~10-units~~5units.
- (5) ~~5-~~Exceptions:

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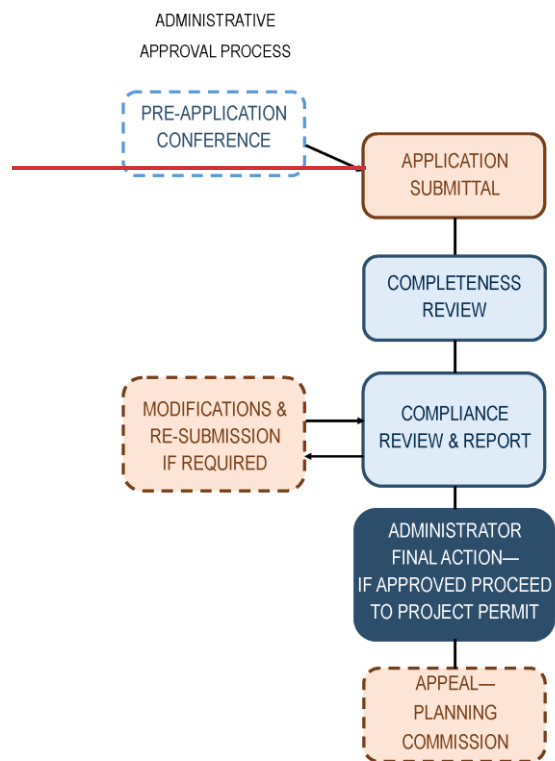
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(a) ~~a.~~ Lots in the Beaufort Historic District are not subject to Development Design Review, and shall instead be evaluated by the HRB for compliance with the Historic District Guidelines (see Section 9.10 Beaufort Historic District - Certificate of Appropriateness, Minor and Major).

(b) ~~b.~~ Projects in Redevelopment District Overlay Districts, are not subject to review by the Planning Commission and shall instead be evaluated by the Administrator (see Section 2.7.3). The Administrator shall post all projects for review in said districts for a 15-day public review and comment period for each major submittal. Minor revisions to the plans (not related to use, density, building frontage, or building height) shall not constitute a major submittal. A copy of all public comments shall be disseminated to the applicant and Administrator for each public comment period. The Administrator shall respond in writing to all public comments after each major submittal, and the ~~project~~applicant will be required to attend a TRC committee meeting before the project is issued final approval.

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~~B. Process Type: Discretionary.~~

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- C. ~~**Pre-Application Procedure:** Every applicant for a Major Development Plan is required to meet with the Administrator prior to the submittal of an application. The purpose of this meeting is to provide clarification and assistance in the preparation and submission of plat for approval. It is recommended that the applicant provide a Sketch Plan (Section 9.3.1 B.) to the Administrator prior to or at the pre-application conference. The provision of a sketch plan will allow the Administrator an opportunity to review the proposal before the applicant expends funds on the preparation of a detailed Site Plan.~~
- D. ~~**Required Application Information:** Site Analysis (Section 9.3.1 A.), Sketch Plan (Section 9.3.1 B.), Site Plan (Section 9.3.1 C.), Construction Documents (Section 9.3.1 D.), As-Built Drawings (Section 9.3.1 E.), Building Elevations for Design Review (Section 9.3.1 G.) —a Traffic Impact Analysis (Section 7.3.3) and/or Archeological Impact Analysis (Section 8.3) may also be necessary as determined by the Administrator.~~
- E. ~~**Determination of Completeness:** The Administrator shall review the application to ensure that it is complete, prepare a report and recommendation on the application, and schedule the matter for a public review before the Design Review Board.~~
- F. ~~**Public Notification:** None.~~
- G. ~~**Neighborhood Meeting:** Optional.~~
- H. ~~**Public Meeting:** The Planning Commission shall hold a public meeting on the proposal. The applicant and other property owners likely to be materially affected by the application shall be given an opportunity to be heard.~~
- I. ~~**Decisions/Findings of Fact:** Following the public meeting, the Planning Commission may approve, deny, or approve with conditions the application for a Major Development. No Major Development shall be approved unless the following findings of fact can be made:~~
1. ~~The plan is consistent with the adopted plans and policies of the City.~~
 2. ~~The plan complies with all applicable requirements of this Code.~~
 3. ~~There exists adequate infrastructure (transportation and utilities) to support the plan as proposed.~~
 4. ~~The proposed plan conforms to the character of the neighborhood, considering the location, type and height of buildings or structures and the type and extent of landscaping on the site.~~
 5. ~~The proposed plan conforms to the Building Design Standards in Article 4.~~
 6. ~~The application will not substantially lessen the value of adjoining or abutting property, and will not be detrimental to the use or development of adjacent properties or other neighborhood uses.~~
- J. ~~**Time Frame for Review:** Major Development Design applications shall be acted upon within 90 days after filing; otherwise, the application shall be deemed approved, and a permit shall be issued. An extension of time may be granted by mutual consent of the Planning Commission and the applicant. Following approval, or approval with conditions, the applicant shall be directed to prepare detailed Construction Documents (Section 9.3.1 D.) for final approval by the Administrator and the TRC (as necessary).~~
- K. ~~**Appeals:** Any party aggrieved by the decisions of the Planning Commission may appeal to the Circuit Court of Beaufort County within 30 days of the decision.~~

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L. **Permit Validity:** Upon the approval of the Major Development Design application, the applicant shall have 2 years to obtain a Project Permit. Failure to secure a permit for the permitted work within this time shall render the compliance void. Any change to the approved plans that has not been authorized by the Administrator shall invalidate the design approval, and any subsequent building permits.

M. **Permit Extension:** The Administrator may grant up to 5 one-year extensions of this time period upon submittal by the applicant of sufficient justification for the extension. Extensions shall be submitted at least 1 month prior to the expiration date.

(Ord. No. O 14 23, 9 26 2023)

(c) Design Exception: Design Exceptions may be used to modify any dimensional standards or design requirements, found in Articles 2 and 4, for development projects that have unique characteristics that justify a deviation from the underlying standards. Such deviations are intended to provide flexibility from the underlying standards to permit compatible development patterns which are indicative of the surrounding area and/or use an innovative approach or technique. The process is intended to provide the minimum relief necessary to create a more innovative and context-sensitive development consistent with the City's adopted plans. This tool is not intended to circumvent the map amendment (rezoning) procedure where that tool would provide a similar modification of standards.

(i) Applicability: Planning Commission shall have the authority to authorize a design exception from any applicable standard(s) set forth in Article 2 (Maps and Districts) — except for Section 2.6, Height and Section 2.7.4, Air Installation Compatibility Use Zone (AICUZ) overlay district standards — and Article 4 (Building Design and Infill Standards).

(ii) Review Criteria: Planning Commission may approve an application for a Design Exception where it reasonably determines that there will be no significant negative impact upon residents of surrounding property, or upon the general public. The board shall consider the following criteria in its review:

- Compatibility: The proposed exception is appropriate for its location. It is compatible with the character of surrounding properties and the development permitted by the zoning of the surrounding properties, and will not reduce property values of surrounding properties.
- No Adverse Impact: The design of the proposed exception minimizes adverse effects including visual impacts of the proposed use on surrounding properties; furthermore, the proposed exception does not create a nuisance for surrounding properties.
- Consistency with Adopted Plans: The proposed development is in general conformity with the City's Comprehensive Plan, Civic Master Plan and other plans officially adopted by the City.

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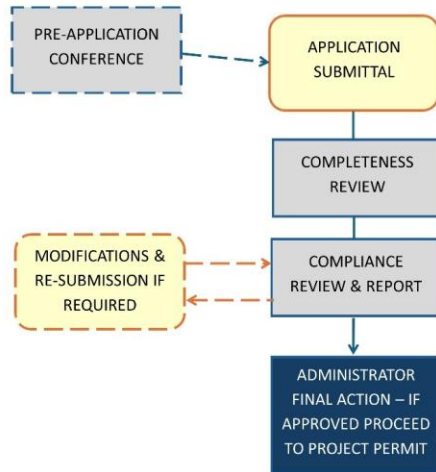
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ADMINISTRATIVE
APPROVAL PROCESS



B. Application Type, Requirements and Approval: See Table under Section 9.1.4 for standards and requirements.

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9.9: SUBDIVISION REVIEW

9.9.1 PROVISIONS FOR ALL SUBDIVISIONS

- A. **Applicability:** ~~All development that involves the subdivision of one or more parcels shall be subject to the subdivision approval requirements of this division, with the following exceptions:~~
- ~~1. The division of land into parcels of 5 acres or more where no new street is involved.~~
 - ~~2. Subdivision of land into parcels of less than 5,000 square feet in area when they are exclusively for the provision of local utilities such as pump stations.~~
 - ~~3. The combination or recombination of entire lots of record where no new street or change to existing streets is involved.~~
- B. ~~Land Development Standards and Requirements:~~ **See Article 7 of this code.**
- EC. Unlawful to Record Plat without City Approval:** It shall be unlawful to offer and cause to be recorded any plan, plat, or replat of land within the city limits of Beaufort with the Beaufort County Register of Deeds office unless the same bears the endorsement and approval of the city. _____
- D. ~~Appeals:~~
- ~~1. Subdivision Plat decisions made by the Metropolitan Planning Commission (MPC) may be appealed to the circuit court within 30 days of the decision.~~
 - ~~2. Subdivision Plat decisions made by the TRC may be appealed to the MPC within 30 days of the decision. The MPC shall review the Subdivision Plat within 60 days and shall have all of the same authority as the TRC in such review. The decision of the MPC shall be final.~~
- EC. Permit Validity:** A subdivision approval shall expire as set out in Section 9.1.9 (Vested Rights and Expiration of Approvals) of this Code unless a Certificate of Compliance is obtained, or it is recorded at the Beaufort County Register of Deeds office.

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9.9.2 MINOR SUBDIVISION



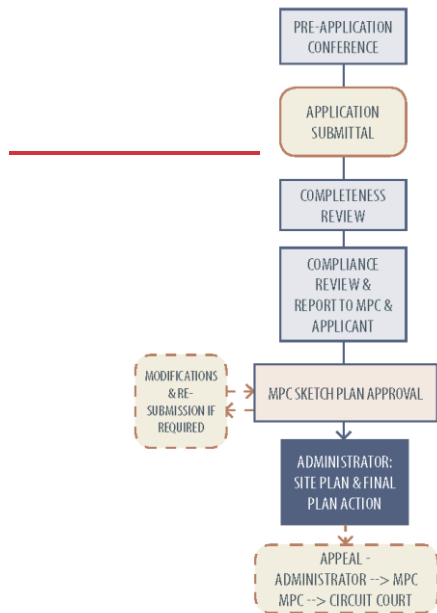
- A. ~~Applicability:~~ The Minor Subdivision review process is allowed for those divisions of land that:
- ~~1. Combine or recombine portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this Code. A nonconforming lot may be included in a lot recombination if the resultant lot becomes closer to conformity.~~
 - ~~2. Subdivide parcels less than 10 acres in size.~~
 - ~~3. Create no new streets.~~
 - ~~4. Do not involve any other conditions that require any additional approval(s) from any city board or commission, as determined by the Administrator.~~
- B. ~~Process Type:~~ Administrative.
- C. ~~Required Application Information:~~ A Minor Subdivision plat shall be submitted consistent with the requirements of the city.
- D. ~~Exceptions:~~
- ~~1. Any development that utilizes the Small Scale Planned Infill Standards (Section 2.8.1) or the Cottage Court Standards (Section 2.8.2) may divide land into 10 or fewer lots and be reviewed as a minor subdivision.~~
 - ~~2. A rear lane, accessed off of a separate, platted street, which provides access to the rear of a lot, will not be considered a "new street" for the purposes of this section.~~
 - ~~3. The subdivision of any property listed on the original 1969 National Historic Landmark District nomination is not permitted. Variance requests for this provision may be made per Section 9.14.~~

9.9.3 MAJOR SUBDIVISION—SKETCH PLAN AND SITE PLAN

A. ~~Applicability:~~ Any division of land that does not meet all of the requirements for Minor Subdivisions (Section 9.9.2 A.).

B. ~~Process Type:~~ Discretionary.

C. ~~Required Application Information:~~ Site Plan (syn. Preliminary Plat—Section 9.3.1 C.).



D. ~~Public Notification:~~ Level 2 for Sketch Plan Review.

E. ~~Sketch Plan Review:~~

1. ~~Procedure:~~ The subdivider shall submit to the Administrator, not less than the requisite number of days prior to the regularly scheduled meeting date of the MPC, the required number of copies of the Sketch Plan. Additional copies of the plat or any supplemental information may be requested.
2. ~~Review by Technical Review Committee:~~ The Sketch Plan shall then be submitted to and checked by the TRC for conformance with the requirements of this Code. The TRC shall review the plat within 30 days after submissions. The TRC shall either approve and certify the plat, or notify the subdivider in writing of any noncompliance with the regulations of this Code.
3. ~~Review and Action by Metropolitan Planning Commission:~~
 - a. ~~The MPC shall approve, approve with conditions, or disapprove the Sketch Plan within 60 days after submission. Unless this time limit is extended by mutual agreement, failing to act within the time limit constitutes approval of the Sketch Plan. If a proposed Site Plan is~~

determined by the MPC to be in conformance with all applicable provisions of this Code, the MPC shall approve the Site Plan, and shall advise the applicant in writing of:

- i. ~~The conditions of such approval, if any;~~
 - ii. ~~Certification of the plan by the City; and~~
 - iii. ~~The date on which the MPC granted approval.~~
- b. ~~A determination by the MPC that all applicable provisions have not been satisfied shall result in disapproval of the Site Plan and notice of such disapproval shall be given to the applicant in writing.~~
- c. ~~Approval of a Sketch Plan shall not constitute approval of the Site Plan or Final Subdivision Plat. Application for approval of the Site Plan (Preliminary Plat) and Final (Record) Plat will be considered only after the requirements for each approval as specified herein have been fulfilled and after all other specified conditions have been met.~~
- d. ~~Upon approval of the Sketch Plan by the MPC, the subdivider may proceed to comply with the other requirements of these regulations and the preparation of the Site Plan and then Final Subdivision Plat.~~

4. ~~**Approved Plans Containing School Sites:** Where a tract of land that has been approved by the County Board of Education as a proposed school site lies wholly or partially within an area proposed to be subdivided, and provided the Board of Education has notified the city and the property owner of its approval of the proposed school site prior to or within 10 days after the presentation of a Site Plan to the TRC for approval, the subdivider shall reserve the proposed school site for a period of not more than 60 days from the date of approval of the Site Plan. Such reservation would be stated as a condition of preliminary approval by the TRC.~~

F. ~~Site Plan Review:~~

1. ~~**Procedure:** The subdivider shall submit the Site Plan (syn. Preliminary Plat, Section 9.3.1 C.) to the Administrator. The Site Plan shall be in conformance with the approved Sketch Plan, including any conditions required by the MPC.~~
2. ~~**Review by Technical Review Committee:** The Site Plan shall then be submitted to and checked by the TRC for conformance with the requirements of this Code. The TRC shall review the Site Plan within 30 days after submissions. The TRC shall either approve and certify the plat, or notify the subdivider in writing of any noncompliance with the regulations of this Code.~~

9.9.4 FINAL SUBDIVISION PLAT

- A. ~~The Final Plat shall constitute only that portion of the approved Site Plan which the subdivider proposes to record and develop at the time of submission. Approval of the Final Plat shall be subject to the installation of the improvements designated in Section 7.1.3 (Table of Required Improvements) or certified evidence from the city that said improvements shall be installed in accordance with these regulations.~~

1. ~~Procedure:~~

- a. ~~The subdivider shall submit to the Administrator the required number of copies of the Final Plat.~~
- b. ~~The plat shall then be submitted to and checked by the TRC for conformance with the approved Site Plan and with the requirements of these regulations. The TRC shall review the plat within 30 days after submission. The TRC shall either approve and certify the plat~~

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~~or notify the subdivider in writing of any noncompliance with these regulations or any deviation from the approved Site Plan that is found on the Final Plat.~~

~~e. Approval and certification by the TRC shall not be deemed to constitute or affect an acceptance by the city, or the county, or the public of the dedication of any street or other ground shown upon the plat. Upon receipt of the plat, City Council shall determine the acceptance or non-acceptance of all dedicated streets, easements, rights of way, public parks, and other public lands as shown on the plat. If accepted by the city, action to that effect shall be noted on the Final Plat; if not accepted, the reasons for non-acceptance shall be so stated.~~

~~d. It shall be unlawful to sell or transfer property (lots) within the approved subdivision until after the plat has been recorded with the Register of Deeds Office.~~

~~B. Subdivision in Phases: Whenever part of a tract is proposed for platting, and it is intended to subdivide additional parts in the future, or abutting land is in the same ownership, a sketch plan for the entire tract shall be submitted with the plat.~~

9.10: CERTIFICATE OF APPROPRIATENESS

9.10.1 APPLICABILITY

A. A Certificate of Appropriateness shall be required for any construction activity in any historic district, including:

(1) ~~1~~-New structures.

(2) ~~2~~-Modification to, or expansion of, existing structures, including those that apply for the Bailey Bill Special Tax Assessment for Rehabilitated Historic Properties.

(3) ~~3~~-Relocation of any existing structure.

B. Demolition or partial demolition of any structure.

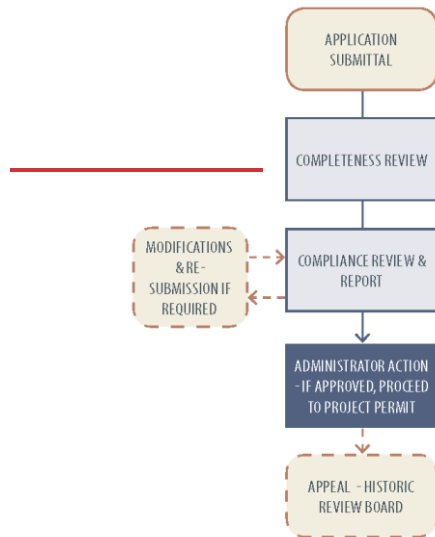
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9.10.2 PROCESS AND APPROVAL

A. **Process Type:** The review process required to approve Certification of Appropriateness is based on the following project types:

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(1) ~~1~~ **Minor:** Administrative review shall apply to applications for a Certification of Appropriateness for the following items. The Administrator may submit any applications that are subject to staff approval to the Historic District Review Board (HRB) for approval.

(a) ~~a~~ Changes to a building or property, to include fences, paint color, roof materials, canopies and awnings, site changes, and window replacements on noncontributing structures.

(b) ~~b~~ New construction and building modifications to include construction of non-habitable accessory buildings in the Beaufort Preservation Neighborhood.

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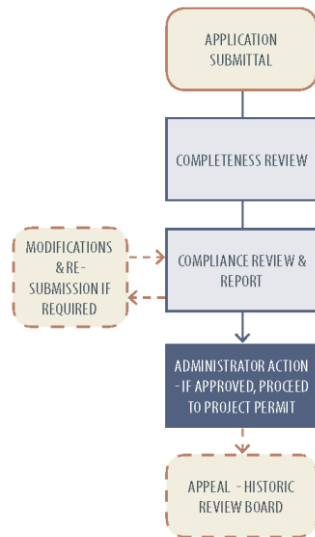
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(c) ~~e.~~ Modifications to non-contributing structures in the BCN.

(d) ~~d.~~ Demolitions of non-contributing structures in the BCN.

(e) ~~e.~~ Demolition or partial demolition of a structure that is listed in the "1997 Beaufort County Historic Sites Survey," or the most recent historic sites survey, and lies outside the Beaufort Historic District.

(f) ~~f.~~ Demolition of noncontributing accessory structures (e.g., sheds, carports, etc.).

Such approval shall follow the procedures for Development Design Review-Minor [Site Plan](#) (Section 9.8.1).

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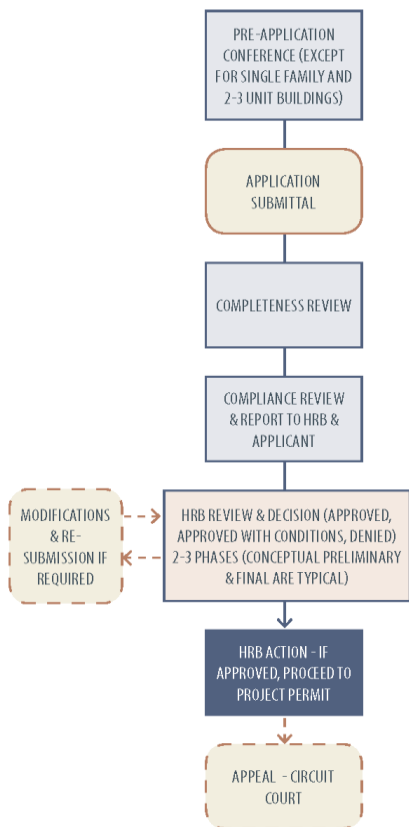
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(2) ~~2-~~**Major:** Discretionary review by the HRB shall apply to all other applications for Certificates of Appropriateness.

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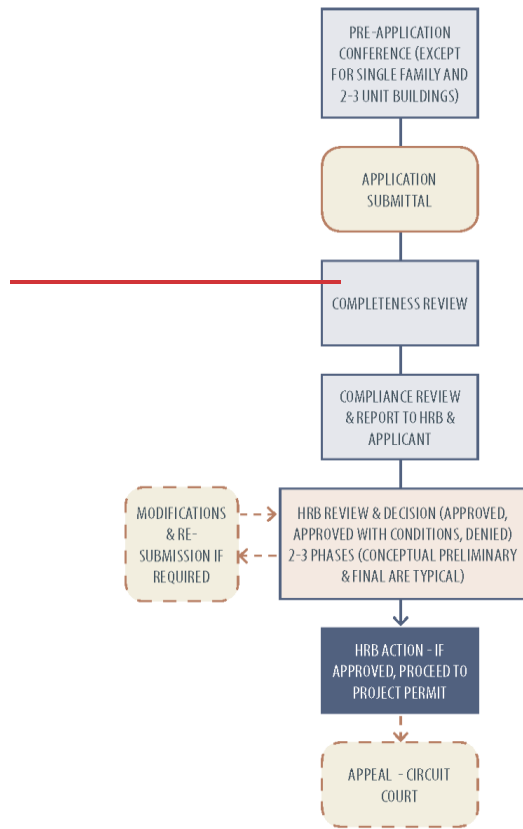
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3.

(3) Design Exception: Design Exceptions shall be used to modify any dimensional standards or design requirements, found in Articles 2 and 4, for development projects that have unique characteristics that justify a deviation from the underlying standards. Such deviations are intended to provide flexibility from the underlying standards to permit compatible development patterns which are indicative of the surrounding area and/or use an innovative approach or technique. The process is intended to provide the minimum relief necessary to create a more innovative and context-sensitive development consistent with the City's adopted plans. This tool is not intended to circumvent the map amendment (rezoning) procedure where that tool would provide a similar modification of standards.

(a) Applicability: The HRB shall have the authority to authorize a variance of up to 35 percent from any numerical standard set forth in Article 2 (Maps and Districts) — except for Section

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2.6, Height and Section 2.7.4, Air Installation Compatibility Use Zone (AICUZ) overlay district standards — and Article 4 (Building Design and Infill Standards).

(b) b. Review Criteria: The HRB may approve an application for a Design Exception where it reasonably determines that there will be no significant negative impact upon residents of surrounding property, or upon the general public. The board shall consider the following criteria in its review:

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(i) i. Compatibility: The proposed exception is appropriate for its location. It is compatible with the character of surrounding properties and the development permitted by the zoning of the surrounding properties, and will not reduce property values of surrounding properties.

(ii) No Adverse Impact: The design of the proposed exception minimizes adverse effects including visual impacts of the proposed use on surrounding properties; furthermore, the proposed exception does not create a nuisance for surrounding properties.

~~**i. Compatibility:** The proposed exception is appropriate for its location. It is compatible with the character of surrounding properties and the development permitted by the zoning of the surrounding properties, and will not reduce property values of surrounding properties.~~

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~~**ii. No Adverse Impact:** The design of the proposed exception minimizes adverse effects including visual impacts of the proposed use on surrounding properties; furthermore, the proposed exception does not create a nuisance for surrounding properties.~~

(iii) iii. Consistency with Adopted Plans: The proposed development is in general conformity with the City's Comprehensive Plan, Civic Master Plan and other plans officially adopted by the City.

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B. B. Guidance Standards, Maintenance of Consistent Policies: In order to provide guidance and insight into desirable goals and objectives for the Beaufort Historic District, the documents described in this section are hereby adopted for use by the HRB in the exercise of its authority granted under Section 10.7 of this Code.

(1) 1. The "Beaufort Preservation Manual," August 1979, and the "Beaufort Preservation Manual, Supplement," August 1990, shall be utilized by the HRB for review of projects located within the Beaufort Preservation Neighborhood.

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(2) 2. The "Northwest Quadrant Design Principles," May 1999 shall be utilized by the HRB for the review of projects located within the Beaufort Conservation Neighborhood.

(3) 3. The Secretary of Interior's "Standards for Rehabilitation" shall be utilized for review of all projects that modify a contributing structure.

(4) 4. The Building Design Standards, in Article 4 of this Code, shall be utilized for review of all new construction.

(5) 5. The Historic District Infill Design Guidelines, in Section 4.7 of this Code, shall be utilized for review of all new construction.

(6) 6. Any special area policies adopted by the HRB.

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~~C. C.~~ **Approval of Certificate of Appropriateness:** In reviewing an application, the HRB shall conduct a public meeting and consider, among other things, the historic, architectural and aesthetic features of such structure, the nature and character of the surrounding area, the use of such structure and its importance to the city, the character and appropriateness of design, scale of buildings, arrangement, texture, materials and color of the structure in question, and the relation of such elements to similar features of structures in the immediate surroundings. The HRB shall not consider the interior arrangement or interior design unless the interior arrangement or design affect the exterior appearance, nor shall it make requirements except for the purpose of preventing developments that are not in harmony with the prevailing character of the Beaufort Historic District, or that are obviously incongruous with this character.

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D. Demolitions:

- (1)** ~~1~~-In all applications involving the demolition of a contributing primary structure or contributing accessory structure, provisions shall be made for a public hearing as set forth in Section 9.1.5. Demolition of non-contributing structures are approved by the Administrator.
- (2)** ~~2~~-In any case involving the demolition or partial demolition of a structure, before granting approval or requiring a postponement, the HRB may call on the Administrator to provide them with a report on the state of repair and structural stability of the structure under consideration.
- (3)** ~~3~~-Upon receiving an application for demolition or partial demolition of a structure that is listed in the "1997 Beaufort County Historic Sites Survey" and lies within the limits of the city but outside the Beaufort Historic District, the Administrator, within 30 days of receiving the application, shall either approve it, or find that the preservation and protection of historic places and the public interest will be best served by postponing the demolition for a designated period — this shall not exceed 60 days from the receipt of the application, and notify the applicant of such postponement. The application will be announced to the public in accordance with the notification standards set forth in Section 9.1.3. Within the period of postponement of demolition or alteration of any building, the Administrator shall take steps to ascertain what may be done to preserve the building, including consultation with private civic groups, interested private citizens and other public boards or agencies, including investigation of the potential use of the power of eminent domain when the preservation of a given building is clearly in the interest of the general welfare of the community and of certain historic and architectural significance.

E. Denial of Certificate of Appropriateness: The HRB may refuse any application that, in the opinion of the HRB, does not comply with the standards and guidelines listed in Section 9.10.2-B. and thus would be detrimental to the interests of the city. In case of disapproval, the HRB shall state the reasons therefore in a written statement to the applicant, and may give verbal advice to the applicant and make recommendations in regard to appropriateness of design, arrangement, texture, material, color, etc. of the property involved.

Among other grounds for considering a design inappropriate and requiring disapproval and resubmission are the following defects:

- (1)** ~~1~~-Arresting and spectacular effects.
- (2)** ~~2~~-Violent contrasts of materials or colors and intense or lurid colors.
- (3)** ~~3~~-A multiplicity or incongruity of details resulting in a restless and disturbing appearance.
- (4)** ~~4~~-The absence of unity and coherence in composition, that is not in consonance with the dignity and character of the present structure, in the case of repair.
- (5)** ~~5~~-Construction of, remodeling, or enlargement of an existing building in a manner not consistent with the prevailing character of the neighborhood.

F. Issuance of Certificate of Appropriateness: When a Certificate of Appropriateness and Building Permit have been issued, the Administrator shall, from time to time, inspect the alteration or construction approved by such certificate and may report such inspection to the HRB listing all work inspected and reporting any work that is not in accordance with such certificate, or that violates any ordinances of the city.

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~~G.~~ ~~G.~~ **Resubmittal:** After disapproval of an application, the applicant may make modifications to the plans and resubmit. The applicant may not resubmit the same proposal, without modifying it based on HRB comments, for 12 months from the date of the original submission. Reconsideration of an application for demolition that has been denied by the HRB may not be heard until 12 months from the date of the original public hearing, unless a major change has occurred in the property condition that is attributable to natural causes.

~~H.~~ ~~H.~~ **Appeal—Minor:** Appeals of the decisions of the Administrator shall be heard by the HRB. The application for appeal shall be made within 30 days of the decision.

~~I.~~ ~~I.~~ **Appeal—Major:** Any party aggrieved by the decisions of the HRB may appeal to the circuit court within 30 days of the decision.

9.11: HISTORIC DESIGNATION

9.11.1 STANDARDS FOR LOCAL HISTORIC DISTRICT DESIGNATION

~~A.~~ ~~A.~~ A structure, group of structures, site or district may be designated for historic preservation if it demonstrates at least one of the following:

~~(1)~~ ~~1.~~ **Historic, Cultural Importance:**

~~(a)~~ ~~a.~~ It has significant character, interest, or value as part of the development, or heritage of the community.

~~(b)~~ ~~b.~~ It is the site of a historic event with a significant effect upon society.

~~(c)~~ ~~c.~~ It exemplifies the cultural, political, economic, social, or historic heritage of the community.

~~(2)~~ ~~2.~~ **Architectural or Engineering Importance:**

~~(a)~~ ~~a.~~ It portrays the environment in an era of history characterized by a distinctive architectural style.

~~(b)~~ ~~b.~~ It embodies those distinguishing characteristics of an architectural type or engineering specimen.

~~(c)~~ ~~c.~~ It is the work of a designer whose individual work has significantly influenced the development of Beaufort.

~~(d)~~ ~~d.~~ It contains elements of design, detail, materials, or craftsmanship that represent significant innovation.

~~(3)~~ ~~3.~~ **Geographical Importance:**

~~(a)~~ ~~a.~~ By being part of or related to a square, park, or other distinctive area, it should be developed or preserved according to a plan based on a historic, cultural, or architectural motif.

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~~(b) b.~~—Owing to its unique location or singular physical characteristic, it represents an established and familiar feature of the neighborhood, community or city.

~~(4) 4.~~ **Archeological Importance:**

~~(a) a.~~—It has yielded, or may be likely to yield, information important in prehistory or history.

~~B. b.~~—An area may be designated as a Beaufort Conservation Neighborhood (BCN) if it meets one or more of the above criteria, and meets the following two additional criteria:

~~(1) 1.~~—There are a sizable number of properties in the subject area that are not considered to contribute to the architectural or historical significance of the area; and

~~(2) 2.~~—The cultural values or financial resources of a significant number of property owners in the subject area, as reasonably considered by Beaufort City Council, are such that the flexible standards of the BCN are appropriate.

~~C. c.~~—Individual structures, sites, and properties located within a BCN may be designated as notable properties to be subject to Beaufort Historic District standards, guidelines and procedures rather, than BCN standards, guidelines, and procedures, at such time as standards, guidelines, and procedures may be established for the BCN that are different from those in effect for the remainder of the Historic District. Beaufort City Council, may designate structures, sites, and properties as notable properties where it reasonably determines that those structures, sites, or properties embody a particularly high degree of significance in accordance with the criteria listed in this section.

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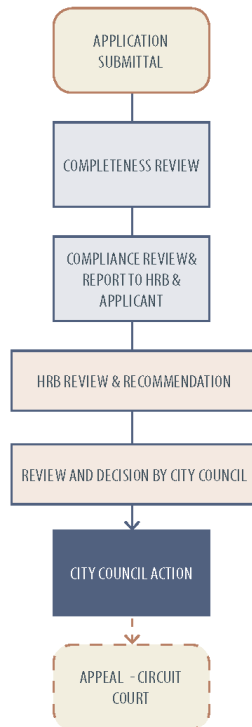
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9.11.2 LOCAL HISTORIC DISTRICT DESIGNATION PROCESS



Based upon the criteria set forth in this section, the HRB shall review such proposed designations, and then it shall make a recommendation regarding the designation to City Council for final approval.

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9.11.3 HISTORIC SIGN DESIGNATION

~~A. A.~~ **Historic Signs:** A historic sign is a sign that, by its construction materials, unusual age, prominent location, unique design, or craftsmanship from another period, makes a contribution to the cultural, historic, or aesthetic quality of the city's streetscape.

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~~(1) 1.~~ Signs are designated as historic signs by City Council upon a favorable recommendation of the HRB. The council shall hold a public hearing before designating a sign a historic sign. Before designating a sign as a historic sign, the council shall make a finding that all of the following conditions are met:

~~(a) a.~~ The sign is at least 25 years old and has been at its present location for at least 25 years.

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~~(b) b.~~—The sign is an appurtenant graphic to the property, i.e., an on-premises sign that relates to the use of the property, as opposed to an off-premises billboard.

~~(c) c.~~—The sign is structurally safe or is capable of being made so without substantially altering its historical significance.

~~(d) d.~~—The sign is of exemplary technology, craftsmanship, or design of the period in which it was constructed, it uses historic sign materials (wood, metal, or paint directly applied to buildings) and means of illumination (neon or incandescent fixtures), and it is not significantly altered from its historic period. If the sign has been altered, it shall be restorable and shall be restored to its historic function and appearance.

~~(e) e.~~—The sign is of extraordinary significance to the city.

~~(2) 2.~~—Historic signs are exempt from the requirements of Section 11.6 (Nonconforming Signs).

9.12: ADMINISTRATIVE ADJUSTMENT

9.12.1 PURPOSE AND APPLICABILITY

~~A. a.~~ **Purpose:** Administrative Adjustments are specified deviations from otherwise applicable development standards where development is proposed that would be:

~~(1) 1.~~—Compatible with surrounding land uses;

~~(2) 2.~~—Harmonious with the public interest; and

~~(3) 3.~~—Consistent with the purposes of this Code.

~~B. b.~~ **Adjustment of Numerical Standard:** The Administrator shall have the authority to authorize modification of up to 10% from any numerical standard set forth in Article 2 (Map & Districts) and Article 4 (Building Design and Infill Standards) of this Code. Any request greater than 10% shall be treated as a variance handled by the Zoning Board of Appeals (ZBOA), and subject to the requirements of Section 9.14.

~~(1) 1.~~ **Specific to Landscaping and Tree Conservation:** The following applies to landscaping and tree conservation requirements in Article 5 (Landscaping, Parking & Lighting) with regard to the criteria in Section 9.12.2 E.:

~~(a) a.~~—In unusual cases, where there are few existing trees on a site and the planned development is small in size relative to the size of the parcel, then the Administrator may adjust the tree planting requirements (Section 5.3) downward in order not to require excessive planting out of proportion to the scale of the development.

~~(b) b.~~—In the case of multi-phase developments on one parcel, the tree planting requirements (Section 5.3) may be adjusted according to the size of each phase of the development.

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~~(c) e.~~ Any particular planting requirement shall be proportionately reduced where existing plant materials are of sufficient sizes and forms to satisfy the requirement.

~~C. c.~~ **Adjustment of Building Design Standards:** Where an existing condition (e.g. ~~7.2~~ utility easement, restrictive covenant, tree or natural feature) prohibits strict compliance with the building design standards in Article 4, the Administrator may waive or adjust the standard as appropriate to assure compliance to the extent practical. This adjustment shall be as small as possible in order to accommodate the existing conditions.

~~D. d.~~ **Permission of Flag Lot:** Where conditions set forth in Section 2.5.5 C. are met, the Administrator may permit a flag lot. When a flag lot is proposed in conjunction with a Major Subdivision, it shall be incorporated into the process laid out in Section 9.9. ~~3.~~

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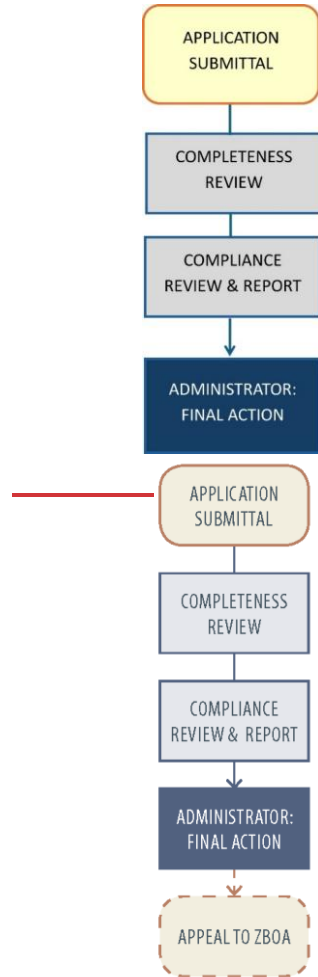
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9.12.2 PROCESS AND APPROVAL



A. Process Type: ~~Administrative~~-Ministerial

B. B. ~~Public Notification:~~ None.

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~~C.~~ ~~C.~~ **Required Application Information:** An application for an Administrative Adjustment shall include a brief description of the requirement to be varied and any other material necessary to ensure the criteria in this section are met.

~~D.~~ ~~D.~~ **Administrator Review:** The Administrator shall review the application and approve, approve with conditions, or deny the application, based upon the criteria in Section 9.12.2 E. A written decision including affirmative findings on the criteria set forth below shall be transmitted to the applicant.

~~E.~~ ~~E.~~ **Administrative Adjustment Criteria:** To approve an application for an Administrative Adjustment, the Administrator shall make an affirmative finding that the following criteria are met:

~~(1)~~ ~~1-~~Granting the Administrative Adjustment will ensure the same general level of land use compatibility as the otherwise applicable standards.

~~(2)~~ ~~2-~~Granting the Administrative Adjustment will not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate buffering, screening, setbacks, and other land use considerations.

~~(3)~~ ~~3-~~Granting the Administrative Adjustment will not adversely affect property values in any material way.

~~(4)~~ ~~4-~~Granting the Administrative Adjustment will be generally consistent with the purposes and intent of this Code.

~~F.~~ ~~Appeals:~~ A decision denying an Administrative Adjustment may be appealed to the ZBOA within 30 days of the mailing of the Administrator's decision in accordance with Section 9.15 (Administrative Appeals).

~~F.~~ ~~G.~~ **Expiration and Lapse of Approval:** Property owners shall have 6 months from the date of approval of an Administrative Adjustment to secure a Building Permit to carry out the proposed improvements. If a complete Building Permit application has not been filed within 6 months of the date of approval, the approval shall be void.

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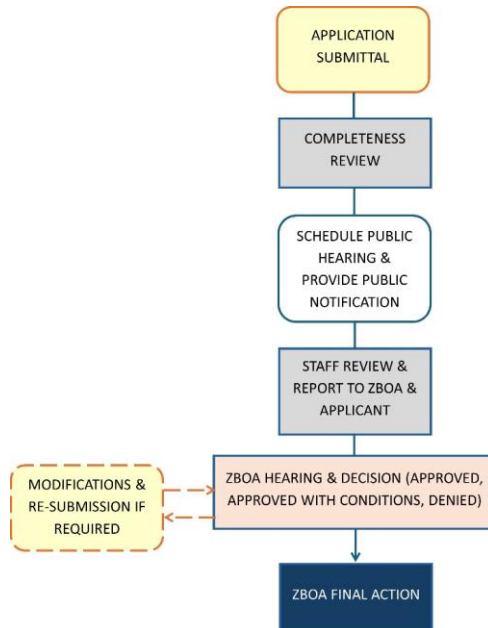
9.13: ZBOA SPECIAL EXCEPTION

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9.13.1 APPLICABILITY



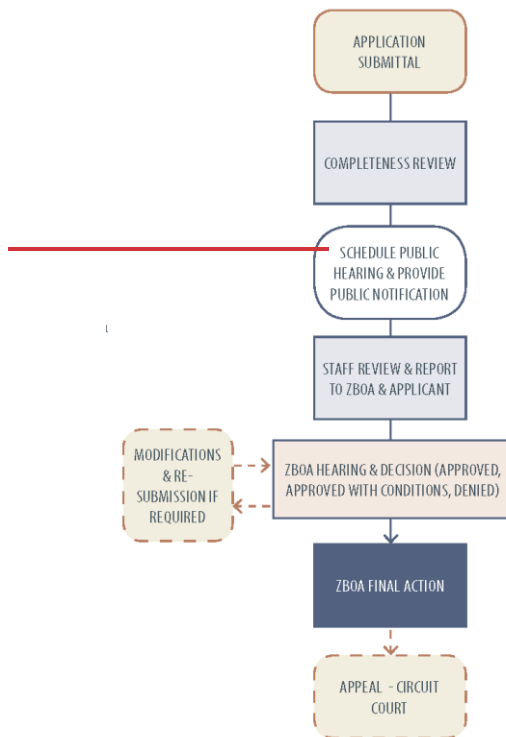
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ZBOA Special Exceptions may be made for situations in which proposed land uses are generally compatible with the land uses permitted by-right in a district (per Section 3.2 Table of Permitted Uses) but require individual review of their location, design, and configuration to evaluate the potential for adverse impacts on adjacent property and uses. The **ZBOA** Special Exception process ensures the appropriateness of the use at a particular location within a given District.

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9.13.2 PROCESS AND APPROVAL

A. A. Process Type: Discretionary.

B. B. Required Application Information: All applicable forms as determined by the Administrator, along with such accompanying material as is required to ensure compliance with the criteria listed in Section 9.12.2 E.

C. C. Public Notification: ~~Level~~ see Section 9.1, 2, and 3.5 for specific Public Notification requirements

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~~D. D.~~ **Staff Review and Report:** The Administrator shall prepare a staff report that reviews the proposed development in light of the Comprehensive Plan, Civic Master Plan, the review criteria listed below, and the requirements of this Code. A copy of the report shall be provided to the Zoning Board of Appeals (ZBOA) and the applicant before the scheduled hearing.

~~E. E.~~ **ZBOA Hearing:**

~~(1) 1.~~ The ZBOA shall hold a public hearing on the Special Exception application.

~~(2) 2.~~ After review of the application and the public hearing, the ZBOA shall make a written finding and approve, approve with modifications or conditions, or disapprove the request.

~~(3) 3.~~ If approval, or approval with modifications or conditions, is granted, the decision shall be communicated in writing within 15 days to the applicant, and the applicant shall then be authorized to submit a development permit application consistent with this Code.

~~F. F.~~ **ZBOA Special Exception Review Criteria:** The ZBOA may approve an application for a Special Exception where it reasonably determines that there will be no significant negative impact upon residents of surrounding property ~~/-ies~~ or upon the general public. The ZBOA shall consider the following criteria in its review:

~~(1) 1.~~ The proposed ~~uses compatibility~~ use/-s is/are compatible with existing land uses in the surrounding area.

~~(2) 2.~~ The harmony of the proposed site plan, circulation plan, and schematic architectural designs with the character of the surrounding area.

~~(3) 3.~~ The likely impact on public infrastructure — such as roads, parking facilities, and water and sewer systems — and on public services — such as police and fire protection and solid waste collection — and the ability of existing infrastructure and services to adequately service the proposed use without negatively impacting existing uses in the area and in the City (a traffic impact analysis shall be required per Section 7.3.2).

~~(4) 4.~~ The general conformity of the proposed use and designs with the city's Civic Master Plan, Comprehensive Plan, and any other plans officially adopted by the City.

~~(5) 5.~~ The likely impact on public health and safety.

~~(6) 6.~~ The potential creation of noise, lights, fumes, dust, smoke, vibration, fire hazard, or other injurious or obnoxious impacts.

~~G. G.~~ **Conditions:** The ZBOA may impose such conditions and restrictions upon the application as may be necessary to minimize or mitigate any potential adverse impacts of the proposed use.

~~H. Appeal:~~ Any party aggrieved by the decisions of the ZBOA may appeal to the circuit court within 30 days of the decision.

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9.14: VARIANCE

9.14.1 APPLICABILITY

Variances to all ordinance standards may be requested with the following exceptions:

- ~~A.~~ ~~A.~~ No variances to the Table of Permitted Uses (Section 3.2) shall be permitted.
- ~~B.~~ ~~B.~~ No variances to sign regulations (Article 6) shall be permitted.
- ~~C.~~ ~~C.~~ No variances to parking provisions for Carriage Houses (4.5.3.B.9) shall be permitted.
- ~~D.~~ ~~D.~~ Design Exceptions (~~Section~~Sections 9.10.2-~~A.3.~~A.3.) shall be approved by the Historic Review Board.

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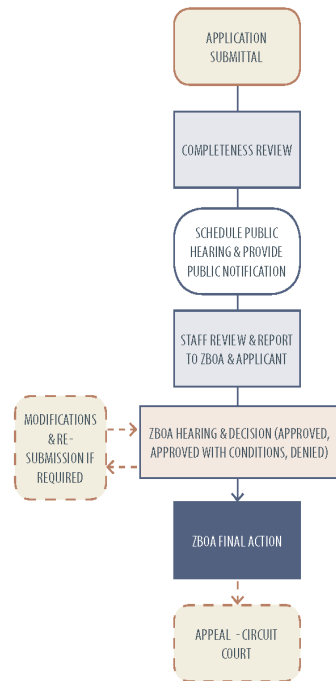
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9.14.2 PROCESS AND APPROVAL



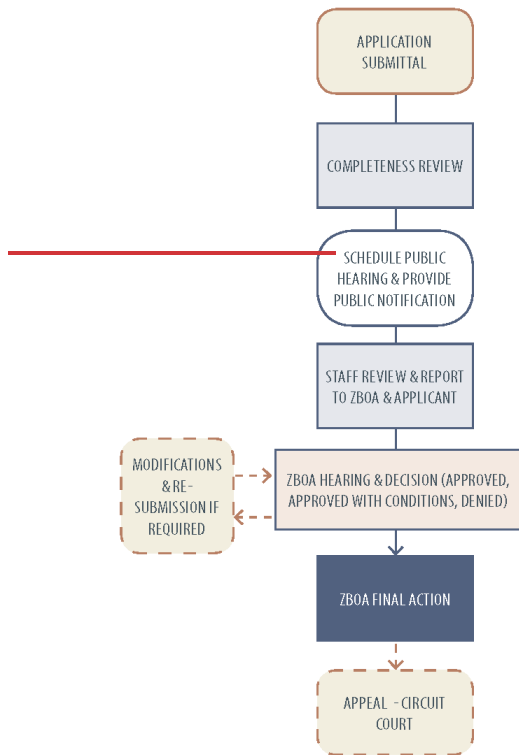
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A. _____

(1) **Process Type:** Discretionary.

(2) **B. Application Requirements:** All applicable forms as determined by the Administrator, along with such accompanying material as is required to ensure compliance with the criteria listed in Section 9.14.2 F.

(3) **C. Staff Review and Report:** The Administrator shall prepare a staff report that shall be provided to the applicant or appellant and the ZBOA before the scheduled hearing.

(4) **D. Public Notice:** Levels see Section 9.1, 2, and 3.5 for specific Public Notification requirements.

(5) **E. ZBOA Hearing:**

(1) **4.** After review of the variance application and the public hearing, the ZBOA shall approve, approve with conditions, or deny the application.

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~~(2) 2-~~ If approval or approval with conditions is granted, the decision shall be communicated in writing to the applicant within 15 days, and the applicant shall be authorized to submit a development permit application.

~~(6) F-~~ **Criteria for Approval of Variances:**

~~(1) 1-~~ **Required Findings:** A variance may be granted by the ZBOA if it concludes that the strict enforcement of any design and performance standard set forth in this Code would result in unnecessary hardship to the applicant, and that by granting the variance, the spirit of this Code will be observed, public welfare and safety will not be diminished, and substantial justice will be done. A variance may be granted in an individual case of unnecessary hardship only when the ZBOA makes, and explains in writing, all of the following findings:

~~(a) a-~~ There are extraordinary and exceptional conditions pertaining to the particular piece of property. For example, the variance is justified because of topographic or other special conditions unique to the property and development involved, in contradistinction to the mere inconvenience or financial disadvantage.

~~(b) b-~~ These conditions do not generally apply to other property in the vicinity.

~~(c) c-~~ The conditions are not the result of the applicant's own actions.

~~(d) d-~~ Granting of the variance would not substantially conflict with the Comprehensive Plan, the Civic Master Plan and the purposes and intent of this Code.

~~(e) e-~~ Because of these conditions, the application of this Code to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

~~(f) f-~~ The authorization of a variance will not be of substantial detriment to adjacent property or the public good, and the character of the zone will not be harmed by the granting of the variance.

~~(2) 2-~~ **Limitations:** The ZBOA may not grant a variance if it would do any of the following:

~~(a) a-~~ Allow the establishment of a use not otherwise permitted in the applicable district.

~~(b) b-~~ Increase the density of a use above which is permitted in the applicable district.

~~(c) c-~~ Physically extend a nonconforming use of land.

~~(d) d-~~ Change the zone boundaries shown on the Official Zoning Map.

~~(3) 3-~~ **Profitability Not to Be Considered:** Profitability shall not be considered grounds for a variance.

~~(4) 4-~~ **Conditions:** In granting a variance, the ZBOA may attach to it conditions regarding the location, character, or other features of the proposed building, structure, or use as the ZBOA considers advisable to protect established property values in the surrounding area, or to promote public health, safety, or general welfare.

~~(5) 5-~~ **Design Review Recommendation:** Projects requiring Design Review ~~—~~ see Sections 9.8 and 9.9 ~~—~~ shall obtain a formal recommendation to the ZBOA by the appropriate Design Review Body prior to the ZBOA making a decision on the project.

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~~G. **Appeal:** Any party aggrieved by the decisions of the ZBOA may appeal to the circuit court within 30 days of the decision. __~~

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9.15: ADMINISTRATIVE APPEALS

9.15.1 APPLICABILITY

Any person aggrieved by a decision, interpretation or determination of the Administrator may appeal to the ZBOA. ~~The Administrator shall immediately transmit to the ZBOA all papers constituting the record of the appealed action. As per South Carolina Code of Laws Section 6-29-800, the Zoning Board of Appeals (ZBOA) has the power to hear and decide appeals where it is alleged there is error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the zoning ordinance, i.e. The Beaufort Development Code.~~

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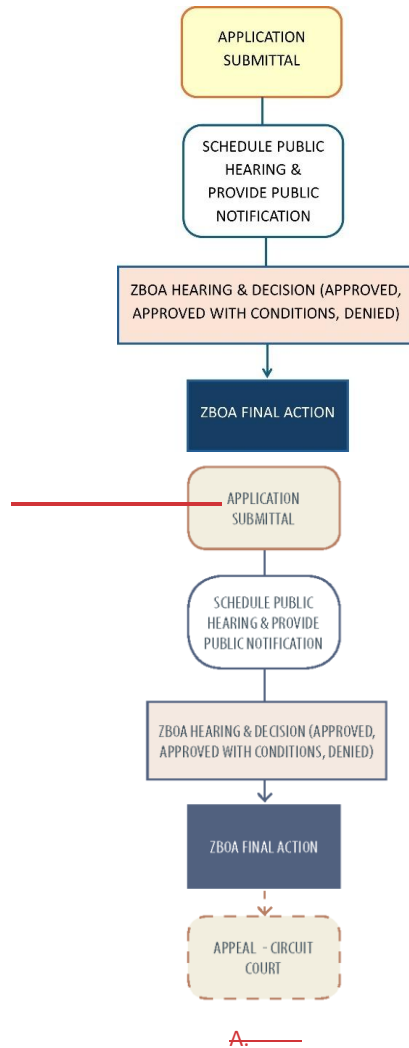
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9.15.2 PROCESS AND APPROVAL



A. Process Type: ~~Discretionary~~/a.

B. Pre-Application Procedure: n/a.

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~~C. C.~~ **Required Application Information:** Within 30 days of a decision or order of the Administrator, an application for appeal shall be filed with the Administrator and the ZBOA specifying the grounds of the appeal.

~~D. D.~~ **Public Notification:** ~~Level-see Section 9.1.-5 for specific Public Notification requirements.~~

~~E. E.~~ **Effect of Appeal:** An appeal stays all legal proceedings in furtherance of the action in question ~~(except enforcement proceedings),,~~ unless the Administrator certifies to the ZBOA that a stay would, in his/her opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed except by a restraining order that the ZBOA or by a court of record may grant.

~~F. F.~~ **ZBOA Hearing:** The ZBOA shall schedule the matter for a hearing at its next regularly-scheduled meeting, and give at least 15 days public notice of such hearing in a newspaper of general circulation in the city, as well as due notice to the parties of interest. At the hearing, any party may appear in person, by agent, or by attorney. Following the hearing, the ZBOA shall take one of the following actions, consistent with the provisions of this Code:

~~(1) 1-~~ Affirm the action of the Administrator;

~~(2) 2-~~ Modify the action of the Administrator, and to that end, the ZBOA shall have all the powers of the officer, board, or commission from which the appeal is taken, and may issue a permit or direct that a permit be issued; or

~~(3) 3-~~ Reverse the action of the Administrator, and to that end, the ZBOA shall have all the powers of the officer, board or commission from which the appeal is taken, and may issue a permit or direct that a permit be issued.

~~G. G.~~ **Findings of Fact:** The ZBOA, in its execution of the duties specified in this section, may subpoena witnesses, and in case of contempt, may certify such fact to the circuit court that has jurisdiction.

~~H. H.~~ **Decision:** All final decisions and orders of the ZBOA shall be in writing and shall be permanently filed in the office of the board as a public record. All findings of fact and conclusions of law shall be separately stated in final decisions or orders of the ZBOA, which shall be delivered to parties of interest within 15 days by certified mail.

~~I. I.~~ **Contempt Penalty:** In case of contempt by a party, witness, or other person before the ZBOA, the ZBOA may certify this fact to the circuit court of the county in which the contempt occurs, and the judge of the court, in open court or in chambers, after hearing, may impose a penalty as authorized by law.

~~J. Appeals:~~ Any party aggrieved by the decisions of the ZBOA may appeal to the circuit court within 30 days of the decision. __

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9.16: ~~TEXT & MAP AMENDMENTS AND REZONINGS~~

9.16.1 APPLICABILITY

When the public necessity, convenience, general welfare, or good zoning practice justify such action, and after the required review and report by the Planning Commission, the City Council may undertake the necessary steps to amend this Code, and its accompanying map.

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(Ord. No. O-14-23 , 9-26-2023)

9.16.2 INITIATION OF AMENDMENTS

A proposed amendment to this Code may be initiated by any member of the City Council, the PC, the Administrator, or by any city resident or business owner filing an application with the Administrator.

(Ord. No. O-14-23 , 9-26-2023)

9.16.3 APPROVAL PROCESS

Requests to amend this Code shall be processed in accordance with the following requirements:

~~A.~~ ~~A.~~ **Application Procedure:** Application forms for code amendment requests shall be obtained from the Administrator. Completed forms, together with an application fee as required by Section 9.2.2, plus any additional information the applicant deems pertinent, shall be filed with the Administrator.

~~(1)~~ ~~1.~~ Applications for zoning map amendments (rezoning) shall also include:

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(a) ~~a~~ —Boundary map of the subject property that is prepared and sealed by a registered land surveyor.

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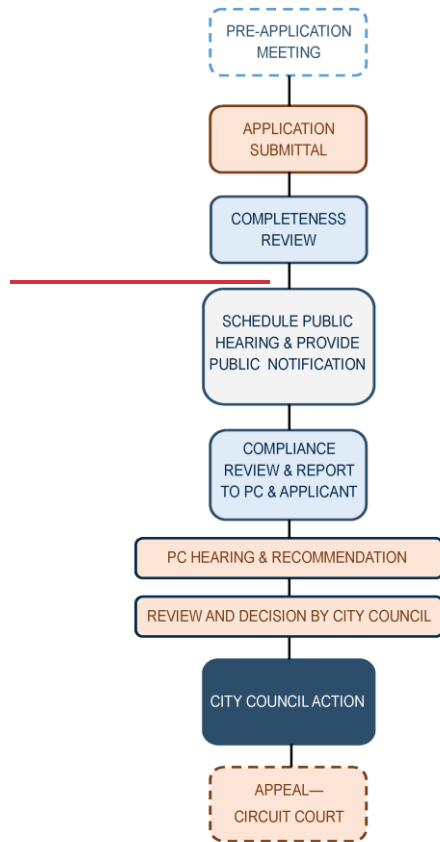
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~~(b) b.~~ Where applicable, a copy of correspondence illustrating that the applicant has solicited written comments from the appropriate property owners' association regarding the requested amendment. Such correspondence shall encourage the association to direct any comments in writing to the Administrator and the applicant within 15 calendar days of receipt of the notification.

~~(c) c.~~ Written consent from the owner of the property that is being considered for an amendment. This is required if the applicant is not the city.

~~B. b.~~ **Staff Review and Report:**

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(1) ~~1~~—The Administrator shall prepare a staff report that reviews the proposed amendment in light of the Comprehensive Plan and the general requirements of this Code. A copy shall be provided to the PC and the applicant before the scheduled public meeting.

(2) ~~2~~—For amendments where the most intense permitted use in the proposed district would generate more than 50 external trips during the peak hour, a TIA (Section 7.3.~~3.2~~) may be required; all road improvements needed to maintain the current level of service shall be identified (based on that analysis), and assurances shall be provided so that all road improvements will be in place so the impacts of the development are accommodated, and the current level of service is maintained.

C. ~~Planning Commission Recommendation:~~

(3) ~~1~~—At the discretion of the Planning Commission, the submittal may include the requirements of a Sketch Plan submittal as per Section 7.5.3, or a conceptual Site Plan (to include building elevations and any applicable Sketch Plan requirements as per Section 7.5.3) to be submitted with the map amendment request so that the impacts of development on the community are properly considered.

C. ~~Planning Commission Hearing:~~

(1) **Public Notification:** ~~None~~ see Section 9.1.5 for specific Public Notification requirements.

(2) ~~2~~—**Hearing by PC:** All papers and other data submitted by the applicant on behalf of the amendment request shall be transmitted to the PC. The PC, at regular meetings, shall review and prepare a recommendation for transmittal to the City Council. At such meeting(s), any party may appear in person, by agent, or by attorney. Following action by the PC, all papers and data pertinent to the application shall be transmitted to the City Council for final action. The PC shall study the proposed amendment, taking into account ~~all factors that it may deem relevant, including, but not limited to~~ the following factors:

(a) ~~a~~—Consistency (or lack thereof) with the Comprehensive Plan and Civic Master Plan;

(b) ~~b~~—Compatibility with the present zoning, with conforming uses of nearby property, and with the character of the neighborhood;

(c) ~~c~~—Suitability of the property that would be affected by the amendment;

(d) ~~d~~—Compatibility with the natural features of — and any archaeological or cultural resources on — the property;

(e) ~~e~~—Marketability of the property that would be affected by the amendment; and

(f) ~~f~~—Availability of roads, sewer, water, and stormwater facilities generally suitable and adequate for the affected property.

(3) ~~3~~—At the close of the public meeting, the PC shall recommend approval, modified approval, or denial of the amendment.

(4) ~~4~~—Upon receipt of a recommendation from the PC, the staff shall have 30 days within which to submit its report of the PC's deliberations and recommendation City Council. If the PC or its staff fail to submit a report within the 30-day period, it shall be deemed to have recommended approval of the proposed amendment.

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(5) ~~5.~~ If, after three PC meetings, no recommendation has been made (e.g., each meeting has resulted in the request being tabled), the item will proceed to City Council. Staff will prepare a report of the PC deliberations within 30 days of the third PC meeting.

D. ~~D.~~ **City Council ~~Hearing~~Action:**

(1) ~~1.~~ **Public Notification:** ~~Levels 1, 2, and 3~~ see Section 9.1.5 for specific Public Notification requirements.

(2) ~~2.~~ **Timing:** City ~~council~~Council shall consider the proposed map or text amendment at the earliest reasonable date and shall consider the report of the PC in making a decision.

(3) ~~3.~~ **Decision:** City ~~council shall act~~Council may schedule an additional public hearing to approve, approve with modifications, or deny the proposed amendment.

(4) ~~4.~~ **Notification of Result:** The applicant shall be notified in writing within 15 days of City Council's action.

(Ord. No. O-14-23 , 9-26-2023)

9.16.4 UPDATE OF ZONING MAP

Following City Council's final action, any necessary changes shall be made to this Code, or to the Official Zoning Map within 7 days. A written record of the type and date of such change shall be maintained by the Administrator. After 7 days of the official action, the action by City Council shall be considered official even if the Administrator fails to make the written change to the appropriate document.

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~~9.16.5~~ 9.17: APPEALS

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~~An applicant aggrieved by the amendment decisions of the City Council may appeal to the circuit court within 30 days of the decision.~~

9.17.1 APPLICABILITY

~~Any person or entity desiring to appeal any decision, order, requirement or determination of any official, board or other authority set forth in this Code, thereby taking advantage of certain enumerated appeal rights granted by the South Carolina legislature, are encouraged to carefully review the appeal provisions of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, as amended, codified at South Carolina Code of Laws, Title 6, Chapter 29, and to seek appropriate legal advice.~~

9.17.2 SPECIFIC AUTHORITIES

~~The following statutes apply to the different types of appeals. They should be consulted if filing an appeal.~~

- A. ~~Appeal from decision of the City Council on a Zoning Map amendment or other regulatory enactment under this Code. See S.C. Code § 6-29-760.~~

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(1) Time Period: within 60 days of the final decision.

(2) To Whom: Circuit Court.

B. Appeal from decision of the Planning Commission on a Subdivision Preliminary Plat and a Major Development Site Plan. See S.C. Code §§ 6-29-1150 and 6-29-900, respectively.

(1) Time Period: within 30 days after the affected party receives actual notice of the final decision.

(2) To Whom: Circuit Court.

C. Appeal from decision of the Historic District Review Board. See S.C. Code § 6-29-900.

(1) Time Period: within 30 days after the affected party receives actual notice of the final decision.

(2) To Whom: Circuit Court.

D. Appeal from decision of the Zoning Board of Appeals. See S.C. Code § 6-29-820, et seq.

(1) Time Period: within 30 days after the affected party receives actual notice of the final decision.

(2) To Whom: Circuit Court.

E. Appeal of an alleged error in any order, requirement, determination or decision of administrative official on a Subdivision Sketch Plan, Preliminary or Final Plat, Minor Plat, or Site Plan and involving non-historic structures and neighborhoods under their legal purview. See S.C. Code §§ 6-29-880, 6-29-890, and 6-29-1150, respectively.

(1) Time Period: 30 days from date of the specific action appealed.

(2) To Whom: Planning Commission.

F. Appeal of an alleged error in any order, requirement, determination or decision of administrative official involving historic structures and neighborhoods under their legal purview. See S.C. §§ 6-29-880 and 6-29-890, respectively.

(1) Time Period: 30 days from date of the specific action appealed.

(2) To Whom: Historic District Review Board.

G. Appeal of an alleged error in any order, requirement, determination or decision of administrative official in the enforcement of the zoning ordinance, not subject to statutory authority of the Planning Commission or Historic District Review Board, as above. See S.C. Code § 6-29-800.

(1) Time Period: 30 days from date of the specific action appealed.

(2) To Whom: Zoning Board of Appeals.

H. Appeal of the issuance or failure to issue a Zoning Permit. See S.C. Code § 6-29-800 (A) and (C).

(1) Time Period: 30 days from date of the specific action appealed.

(2) To Whom: Zoning Board of Appeals.

I. Appeal of the issuance or failure to issue a Building Permit and/or a Certificate of Occupancy. See S.C. Code § 6-29-880, 6-29-890, and 6-29-1150.

(1) Time Period: 30 days from date of the specific action appealed.

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(2) To Whom: Planning Commission or Historic District Review Board, as applicable.

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Motions for Substantive Changes, City Council.

Motions for Second Reading

**(This includes substantive changes to the recommended Chapter 7 and 9. All
scriveners/clarification changes are accepted as part of the clean version of the document)**

Street Network Requirements 7.2.2 E

- I hereby make the motion to amend Section 7.2.2 E with the following changes, to add the words “for new subdivisions”

Street Network Requirements 7.2.2 E 3,

- I hereby make the motion to amend Section 7.2.2 E 3 with the following changes, to add subsection 3 as an exception, with the following standards “At the discretion of the Planning Commission, where existing communities own their own streets and have no existing or future street connectivity.”

Traffic Impact Analysis 7.3.2 A 3

- I hereby make the motion to amend Section 7.3.2 A 3, to strike the exception found in subsection 3 from the Code: “Exception: Development on lots included in the Boundary Street Master Plan, adopted on August 28, 2006, and lots in the area bounded by Calhoun Street, Carteret Street, Bay Street, and Ribaut Road, and lots zoned Limited Industrial (LI), shall not be subject to the requirements of this section. This exception does not apply to Educational Facilities with greater than 100 students.”

Traffic Impact Analysis 7.3.2 C 2 b

- I hereby make the motion to amend Section 7.3.2 C 2 b: “Strike “one half mile,” and change to “one mile.”

Traffic Impact Analysis 7.3.2 D

- I hereby make the motion to update the Table found in Section 7.3.2 D:

Background information	Requirement
List of all nonexistent transportation improvements assumed in the analysis	Required
Map of site location, description of the parcel, general terrain features, and location within the jurisdiction and region.	Required
Description of geographic scope/ limits of study area.	Any roadway on which 50 or more of the new peak hour vehicle trips generated by the proposal are distributed and at any intersection along such roadway that TRC or the Planning Commission determine may be impacted
Plan at an engineering scale of the existing and proposed site uses.	Required
Description and map or diagram of nearby uses, including parcel zoning.	Required
Description and map or diagram of existing roadways.	Required
Description and map or diagram of programmed improvements to roadways, intersections, and other transportation facilities within the study area.	Required
Analysis of Existing and Future Conditions	
Collected and projected daily and peak hour of the generator traffic volumes, tabulated and presented on diagrams with counts provided in an appendix.	Required

Analyses for intersections and roadways identified by TRC and the Planning Commission. Delay and Level of Service (LOS) are tabulated, and LOS is presented on diagrams for each lane group.	Required
Incorporation of all Traffic Impact Analysis studies and Trip Generation from approved developments or vested unbuilt developments within mile radius at time of proposal.	Any roadway on which 50 or more of the new peak hour vehicle trips generated by the proposal are distributed and at any intersection along such roadway that TRC or the Planning Commission determine may be impacted.
Speed Study	If requested by City
Crash history near site	If requested by City
Sight distance	If requested by City
Trip Generation	
Site trip generation, with tabulated data, broken out by analysis year for multi- phase developments, and including justification for deviations from ITE rates, if appropriate.	Required
Description and justification of internal capture reductions for mixed use developments and pass-by trip reductions, if appropriate, including table of calculations used.	Required

7.4.3 COMMUNITY GREEN SPACE AND COMMUNITY OPEN SPACE TYPES

- I hereby make the motion to amend the table of Section 7.4.3, to remove the size requirements for each for each park/open space type in the table.

Sketch Plan Section 7.5.3 C 2:

- I hereby make the motion to amend Section 7.5.3 C 2 to remove the Title commitment requirement

Sketch Plan Section 7.5.3 E 2:

- I hereby make the motion to amend Section 7.5.3 E 2: change the public notice requirement to 1,000 feet.

Preliminary Plat Section 7.5.4 C 1

- I hereby make the motion to change Section 7.5.4 C 1: change the public notice requirement to 1,000 feet.

Preliminary Plat Section 7.5.4 H

- I hereby make the motion to add Section 7.5.4. H: Post Approval actions for grading, with the following requirements:

Post approval actions. Prior to issuance of a grading permit, the applicant shall submit the following documentation to the City:

- (1) List of contractors. List of all contractors that will be performing the improvements.
- (2) Proof of insurance/business license. Proof of workman's comprehensive insurance and liability insurance for each contractor and business license.
- (3) Open space deed restriction. Areas designated as open space shall be protected by a deed restriction or other appropriate method to ensure that they cannot be subdivided or developed in the future and will remain as open space until unless the use is modified by the City.
- (4) Construction traffic control plan. Applicant will develop a plan for Codes Administrator or appointee, review that addresses construction traffic, construction water, temporary road closures, street repairs, dust, noise and other construction-related concerns.

Site Plan Section 7.5.7 D 1

- I hereby make the motion to change Section 7.5.7 D 1: change the public notice requirement to 1,000 feet.



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 07/01/2025
From: Curt Freese, Community Development Director
Item Name: Ordinance amending Chapter 5 (Landscaping, Parking, Lighting) of the Beaufort Development Code - Second Reading
Meeting Date: August 19, 2025
Department: Community Development Department

Background Information:

Introduction:

In response to both the City Council's and citizens' request for improvements to the current Beaufort Development Code, Planning Commission together with staff have been busy in making changes to several chapters of this Code. The overarching goal is to correct errors, address current issues the city faces and to incorporate more modernized development practices and standards.

Background:

The revisions of Chapter 5 specifically include new tree canopy provisions as well as more effective tree protection measures. Moreover, it includes enhanced buffering requirements along major roads and thoroughfares, parking space and screening requirements as well as improved fencing standards, including a prohibition on all electric fences within the city.

Legal Authority:

Code of Laws of South Carolina, Section 6-29-710 as the amendment of the Beaufort Code is "for the general purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare".

Staff Recommendation:

Approve Chapter 5 recommended code revisions

Placed on Agenda For:

Action

Attachments:

1. development code update process memo june 23, 2025 chapters 5
2. City of Beaufort chapter 5 ordinance
3. 5__LANDSCAPING__PARKING__AND__LIGHTING_revisions as per PC Meeting_05_19_25_tracked change - BTC Edit_rev CK - clean version
4. 5__LANDSCAPING__PARKING__AND__LIGHTING_revisions as per PC Meeting_05_19_25_tracked change - BTC Edit_rev CK



CITY OF BEAUFORT
Community Development Department

SCOTT MARSHALL
City Manager

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CURT FREESE
Community Development
Director

Date: June 23, 2025

From: Curt Freese, Community Development Director

To: City Council

ISSUE: Beaufort Development Code Changes Chapters 5

Background

Chapter 5

The revisions of Chapter 5 are the result of productive work sessions from March to May, as well as additions from Commission members, concerned citizens and other groups within the city. This included subcommittee meetings with representatives of PTAC, the Coastal Conservation League and Michael Murphy, the City's contractual arborist (his advice was offered gratis) which began in 2024. The changes include innovative new canopy standards developed by Clemson University but revised to the Low Country, rules on unpermitted cutting, changes to buffer areas along major roadways, parking lot screening, parking requirements and fencing. This also includes a prohibition on all electric fences within the city. All standards were significantly revised or rewritten in the work session to address errors in the code, issues the city faces, and more modernized development practices.

Key Changes 5.1

- Purpose and Intent (5.1.1): Emphasizes preserving a sustainable tree canopy to enhance public health, safety, aesthetics, and environmental benefits. Specific goals include increasing canopy coverage, reducing pollution, preventing erosion, and preserving biodiversity.
- Definitions (5.1.2): Introduces precise terms such as Arborist Report, Certified Arborist, Diameter at Breast Height (DBH), Hazardous Tree, and Tree Protection Zone (TPZ) to standardize tree management practices.



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- Certified Arborist Report (5.1.3): Mandates detailed tree assessments using a modified Level 2 Basic Tree Risk Assessment (ANSI A300). Trees are categorized into four risk groups (A–D, color-coded green to red) based on health and stability, with mitigation pruning recommended for Categories A–C to reduce risks and preserve trees.

Key Changes, Section 5.2 Applicability and Administration

- Requires Tree Permits for removing or pruning trees ≥ 8 " DBH or Specimen/Landmark trees, except for exempted activities (e.g., post-disaster removals, invasive species).
- Exempts single-, two-, and three-family lots from replacement planting requirements, except for Specimen/Landmark trees.
- Introduces strict pre-development standards, including a deferral for unauthorized tree removal (5 years for $>10\%$ canopy loss without a Forestry Management Plan).

Key Changes 5.4 Tree Removal

- Designates Specimen and Landmark trees by species and DBH thresholds (e.g., Live Oak: 12" for Specimen, 24" for Landmark) with priority on preservation.
- Establishes minimum canopy coverage (25% residential, 30% commercial, 15% T5-UC) for developments $>5,000$ sq ft, with exemptions for single-family lots.
- Allows parking reductions (10–20%) and fenestration reductions (20%) for preserving $>30\%$ existing canopy.
- Defines Tree Protection Zones (TPZ) with a minimum radius of 0.5 ft per 1" DBH, prohibiting disturbances like grading or paving.

Key Changes 5.4-5.5 Perimeter Buffers



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- Perimeter Buffers and Landscaping (5.4):
 - Specifies buffer widths and planting types (A–E) on major streets with Type E (50 ft) for major arterials like Robert Smalls Parkway.
 - Simplified adjoining or adjacent use buffer areas
 - Requires parking lot screening with evergreen shrubs or walls (90% opacity in Historic District, 50% elsewhere) and landscaped peninsulas/medians (e.g., 12'x18' with one overstory tree).
 - Foundation beds required for RMX and IC districts (5–8 ft wide, 67% front coverage for multi-story buildings).
- Installation and Maintenance (5.5):
 - Replacement planting requires 100% caliper replacement for Specimen/Landmark trees; mitigation fees doubled \$300 per caliper inch, doubled for unapproved removals.

Summary of Major Tree Changes:

- Stringent Permitting and Penalties: The requirement for Tree Permits and Certified Arborist Reports for trees ≥ 8 " DBH or Specimen/Landmark trees now has doubled mitigation fees for unapproved removals.
- Pre-Development Deferrals: The 2–5-year deferral for unauthorized tree removal could delay development projects for violations.
- Canopy Coverage Requirements: The 25–30% canopy minimum for larger developments, prevent cutting of existing trees, clearcutting, etc.



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- Buffer and Screening Costs: Extensive buffer requirements along major corridors and parking lot screening mandates (e.g., Type E buffers, 50 ft wide) discourage buildings on ROW lines, an increase natural screening for community.

Parking Standards Section 5.6

- Cleanup of Parking Standards 5.6
- Revision of code language, moving parking lot landscaping from parking to landscape standards.
- Added new standards for parking minimums for retail, industrial, hotels, etc.
- Parking Maximums: Allow Planning Commission discretion with parking study.

Fencing Section 5.8

- Revision of Fencing Standards previously a small section in encroachments in Chapter 2
- Set basic standards for fencing in transect and conventional districts
- Set standards for historic districts consistent with preservation manual (no opaque fences, limited front fences, etc)
- Prohibiting Electric Fences entirely in the city.

Recommendation: Approve Chapter 5 recommended code revisions.

ORDINANCE 2025/18

AMENDING CHAPTER 5 LANDSCAPING, PARKING AND LIGHTING, OF THE BEAUFORT DEVELOPMENT CODE

WHEREAS, the State of South Carolina has conferred to the City of Beaufort the power to enact ordinances “in relation to roads, streets, markets, law enforcement, health, and order in the municipality or respecting any subject which appears to it necessary and proper for the security, general welfare, and convenience of the municipality or for preserving health, peace, order, and good government in it . . .” as set forth in *Code of Laws of South Carolina*, Section 5-7-20; and

WHEREAS, the City of Beaufort adopted the *Beaufort Code* by reference on June 27, 2017, as set forth in section 5-6001 of the *Code of Ordinances Beaufort, South Carolina*; and

WHEREAS, the amendment of the *Beaufort Code* is “for the general purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare” in accordance with *Code of Laws of South Carolina*, Section 6-29-710; and

WHEREAS, the amendments to Chapter 5, Landscaping, Parking, and Lighting are for the general purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare;

WHEREAS, the amendments to Chapter 5, allow for clearer and more predictable development outcomes, enhanced tree protection, improved buffer areas on major corridors, and more practical parking requirements;

WHEREAS a public hearing before the Beaufort City Council was held regarding changes to the ordinance on July 8, 2025, with notice of the hearing published in *The Beaufort Gazette* on June 20, 2025;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority of same, pursuant to the power vested in the Council by Section 6-29-760, *Code of Laws of South Carolina, 1976*, that *The Beaufort Code* by replacing the code as found in the attached Exhibit A.

This ordinance shall become effective August 19, 2025.

PHILIP E. CROMER, MAYOR

ATTEST:

TRACI GULDNER, CITY CLERK

1st Reading _____

2nd Reading & Adoption _____

Reviewed as to form by Ben Coppage, City Attorney

EXHIBIT A

5: LANDSCAPING, PARKING AND LIGHTING

5.1: LANDSCAPING AND TREE PROTECTION

5.1.1 PURPOSE AND INTENT

The purpose and intent of this chapter is to regulate and protect a sustainable and healthy tree canopy throughout the City of Beaufort while promoting the benefits and advantages of retaining mature trees in our landscapes, parks, and streets. There are many benefits directly attributable to trees, and the regulation of tree preservation is necessary for the preservation of public health, safety, general welfare, environment and aesthetics in the City of Beaufort. Great care should be taken to integrate new development into the existing landscape, and to preserve natural vegetation where possible.

Specifically, the standards in this section are meant to:

- Maintain the current and increase for future, the total tree canopy within the City limits;
- Preserve healthy trees that might otherwise be removed through the required use of arborist reports and tree risk assessments;
- Lessen air pollution and promote clean air quality by increasing dust filtration;
- Prevent soil erosion;
- Improve surface drainage, minimize flooding, and minimize the cost of constructing and maintaining drainage systems necessitated by the increased flow and diversion of surface waters;
- Conserve energy by reducing heating and cooling costs;
- Reduce noise, heat, dust, and glare;
- Preserve biodiversity, wildlife habitat, and habitat corridors;
- Educate the public as to the importance of trees and the inherent risks that they pose and that most tree risks can be mitigated for;
- Beautify and enhance land and views from the City's entryways, public lands, and streets;
- Preserve residents' quality of life and the natural heritage of the City; and
- Maintain the ambience of the City of Beaufort and enhance property values.

5.1.2 Definitions

1. *Arborist Report.* A report compiled by an ISA Certified Arborist containing pertinent information about the physical and structural health of the trees on a site.

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2. *Caliper*. The diameter of the trunk of a tree measured six (6) inches above the ground for trees up to and including four-inch diameter and measured twelve (12) inches above the ground for larger trees. This measurement is used for proposed or nursery-grown trees.
 3. *Certified Arborist*. A person who has met the criteria for certification from the International Society of Arboriculture (ISA), maintains his or her credentials, and is an employee of the company submitting the request for pruning or removal.
 4. *Commercial Use*. Any use of property for the principal purpose of engaging in any business, calling, occupation, profession, or activity engaged in with the object of gain, benefit, or advantage, to include without limitation those commercial uses stated in Sections 3.6 and 13.1 of the Beaufort Code.
 5. *Developed Land*. Land on which manmade structures exist or land modifications (clearing, grading, etc.) have occurred.
 6. *Diameter at Breast Height (DBH)*. The diameter in inches of the trunk of a tree, or, for multiple trunk trees, the aggregate diameters of multiple trunks, measured four and one-half (4½) feet from the existing grade at the base of the tree. This measurement is used for existing trees.
 7. *Diseased tree*. A tree that has been infected or infested by a severe disease or a pest that is known to cause or is causing the death of a tree.
 8. *Drip Line*. An imaginary vertical line extending downward from the outermost tips of a tree's branches to the ground.
 9. *Hazard*. A likely source of harm. In relation to trees, a hazard is the tree part or parts identified as a likely source of harm.
 10. *Hazardous tree*. A tree that has been assessed and found to be likely to fail and cause an unacceptable degree of injury, damage, or disruption – that is, it poses an elevated risk.
 11. *Elevated Risk*. A tree, or any part of a tree, that poses a risk of harm to persons or property due to damage, deterioration, or numerous hazards, and where such risk cannot be mitigated by any arboricultural procedures.
 12. *Healthy Tree*. A tree that is not dead, dying, or diseased; is not at an elevated risk for failure; or is not an invasive tree.
 13. *Impervious Surface*. Solid surface that prevents aeration, infiltration, and water penetration, resulting in several harmful side effects.
 14. *Invasive Species*. Non-native organisms that are detrimental to natural areas or native flora and fauna.
 15. *Live Crown Ratio (LCR)*. Is the percentage of a tree's total height that supports live foliage, serving as an indicator of tree vigor and health. LCR is calculated by dividing the length of the live crown (the part of the tree with foliage) by the total height of the tree and then multiplying by 100 to express it as a percentage.
 16. *Mitigation Pruning*: Pruning methods prescribed by a certified arborist that will result in the reduction of the risk of tree or tree limb failure, usually associated with a tree risk assessment report.
 17. *Native species*. Flora and fauna that developed naturally in a specific area over time and evolved alongside other local flora and fauna, creating balanced relationships within their habitat. Native species form communities and biological interactions with other specific flora, fauna, fungi, and other organisms.
 18. *Official*. A member of City staff designated by the City Manager.

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19. *Overmature Tree*. See *Senescent Tree*.
 20. *Overstory Tree*. A tree that, when mature, reaches a height of at least thirty-five (35) feet.
 21. *Pervious Surface*. A surface that allows water to percolate through to the area underneath rather than becoming runoff.
 22. *Replacement Planting*. Tree planting that is proposed as a replacement for a tree which has been cut down.
 23. *Residential Lot of Record*. A lot where single, two-, or three-family development is permitted.
 24. *Risk*. The combination of the likelihood of an event that may cause damage and the severity of the potential damage. In the context of trees, risk is the likelihood that a tree will cause personal injury, property damage, or disruption of activities and the likely severity of those damages.
 25. *Senescent Tree*. A tree that has reached a stage where its growth, vigor, and health are declining, often nearing the end of its natural lifespan. It includes both natural age-related decline and stress-induced deterioration.
 26. *Specimen and Landmark Trees*. see Section 5.3.1.
 27. *Tree Protection Zone*. The area reserved around a tree or group of trees in which no grading, access, stockpiling, or other construction activity shall occur, the extent of which will be determined by the proposed site design and existing site conditions. See Section 5.3.3 for specific requirements.
 28. *Tree Risk Assessment*: The systematic process to identify, analyze, and evaluate tree risk, and to recommend mitigation procedures.
 29. *Undeveloped Land*. Land on which manmade structures or land modifications (clearing, grading, etc.) do not exist.
 30. *Understory Tree*. A tree that, when mature, reaches a height of twelve (12) to thirty-five (35) feet and, in its natural habitat, grows under larger, higher canopied trees.
 31. *Willful Violation*. A violation in which the landowner, developer, and/or operator of real property knowingly fails to comply with the requirements of this section.

5.1.3 Certified Arborist Report

A. Requirements

The purpose of a Certified Arborist Report is to provide a visual ground assessment of all trees on a parcel of real property, including Specimen and Landmark trees, using the most current copy of certified tree and topographical survey created by a Professional Land Surveyor.

Each tree will have a detailed visual ground inspection of its surrounding site, buttress roots, trunk, and branches and an assessment of the tree's general health. The information will be used to determine physical and structural health of the trees, as well as the likelihood of potential failures in each tree. This assessment protocol is based on a modified Level 2, Basic Tree Risk Assessment as outlined in The American National Standards Institute ("ANSI") A300 Tree Care Standards – Part 9: Tree, Shrub and Other Woody Plant Management – Standard Practices.

The Level 2 Basic Tree Risk Assessment is not the highest level of assessment available to arborists. Any trees that are required to be preserved on site which may need a higher level of assessment shall also be identified and any additional necessary recommendations given.

Recommendations will be given for performance and timing of maintenance procedures, such as crown pruning, root pruning and root fertilization, if deemed necessary after soil testing, and measures that should be performed on trees that are to be preserved on site.

This report also positively verify the identification of all trees listed on the tree and topographical survey.

B. Mitigation Pruning

All of the trees in each of the groupings, except for Category D, as identified Sec. 5.1.3.D., will have the potential to improve their standing on the site with the application of mitigation pruning.

This can generally consist of some combination of limb end weight reduction, deadwood and vine removal, the culling of understory plants, or other creative arboricultural methods to reduce some of the risks that trees present and allow more trees to be preserved on site.

C. Risks and Hazards

The report shall take into consideration hazards that may be found in the trees, potential targets, a tree inherent stability under normal weather conditions, static and dynamic loads and, most importantly, what arboricultural procedures can be applied to reduce any of the risks or hazards that may be uncovered.

D. Assessment Format

Each of the Specimen and Landmark trees on a site plan will be categorized into four different groups, designating each tree's individual condition based on both structural and physical health factors. In order to make the report more diverse and the tree cover more sustainable, any of the more valuable smaller trees are also suggested to be assessed and highlighted so that there will be more information on their status and thus may be able to remain in the landscape. Each condition grouping will be highlighted with a specific color on the site plan. These designating letters and grouping categories are as follows:

Category A) **Highlighted in Green:** A tree with no or slight defects and a low risk of failure. This tree is thriving for its species and location. It has little or no obvious faults or defects that would warrant a more detailed inspection. Some minor pruning may be needed including light reduction of end-weight growth and removal of deadwood. Tree longevity is open-ended and unrestricted. There is an improbable likelihood of limb, lead, or total trunk failures occurring under normal weather conditions over the next 5 to 10 years. There may be no specific mitigation pruning recommended at this time.

Category B) **Highlighted in Orange:** A tree with moderate defects having a reasonable risk of failure. This tree is growing well for its species and location. It may have some minor, obvious faults and defects which would need to be aerially inspected. There may be a possible likelihood of limb or lead failures under normal weather conditions over the next 5 to 10 years. There is an improbable likelihood of total trunk failure over the next 5 to 10 years. These possible failures can, in most cases, be mitigated by prescription reduction or heading pruning procedures. These procedures can reduce the risk of failures to a level of risk that can be considered acceptable by most tree managers. There may be some other specific pruning needs such as crown raising, crown reduction, invasive vine severing, deadwood removal and Spanish moss reduction if present in large amounts, over and above the mitigation pruning recommendations.

Category C) **Highlighted in Blue:** A tree with severe defects and a high risk of failure. This tree is failing to thrive and may be in decline. It has obvious faults, defects, and hazards present that have a probable likelihood of causing limb, lead, or trunk failures. Timely prescribed and above normal mitigation pruning may in some cases reduce these hazards and risks of failures to a level that could be acceptable by some tree managers. If mitigation pruning is chosen, monthly inspections by the tree manager and annual inspections by a certified arborist are recommended.

Category D) **Highlighted in Red:** A tree with critical defects and an imminent risk of failure. This tree may already be dead or, if still alive, have severe critical defects and hazards with an imminent likelihood of limb, lead, and total trunk failure. No amount of mitigation pruning can reduce any of the risks present to an acceptable level. Depending on occupancy rates of the areas adjacent to these trees, immediate or timely attention is called for.

E. Hazard vs Risk

The correct use of the terms “hazard” and “risk” in accordance with ANSI A300 Part 9: Tree Shrub, and Other Woody Plant Management – Standard Practices (Tree Risk Assessment and Tree Structure Assessment) shall be included in the report.

A tree is considered hazardous when it has been assessed and found to be likely to fail and cause an unacceptable degree of injury, damage, or disruptions – that is, it poses a high or extreme risk.

Risk is the combination of the likelihood of an event and the severity of the potential consequences.

A hazard is a likely source of harm. In relation to trees, a hazard is the tree part or parts identified as a likely source of harm.

5.1.4 Recommended Trees and Shrubs

The following commonly found species of trees and evergreen shrubs are listed by category. The lists are not exhaustive and applicants are not required to select species found on these lists.

BROAD-LEAVED OVERSTORY TREES	
American Beech	<i>Fagus grandifolia</i>
American Elm	<i>Ulmus americana</i>
American Sycamore	<i>Platanus occidentalis</i>
Ashleaf Maple	<i>Acer negundo</i>
Black Oak	<i>Quercus velutina</i>
Black Gum	<i>Nyssa sylvatica</i>

*Drake Elm (Everclear, Allee or Bosque)	Ulmus Parvifolia
Eastern Cottonwood	Populus deltoides
Honey Locust	Gleditsia triacanthos
*Cathedral Live Oak	Quercus virginiana 'Cathedral'
Laurel Oak	Quercus laurifolia
Live Oak	Quercus virginiana
*Overcup Oak	Quercus lyrata 'Highbeam'
Pecan	Carya illinoensis
Pignut Hickory	Carya glabra
Pumpkin Ash	Fraxinus profunda
*Pyramidal European Hornbeam	Carpinus betulus 'Fastigiata'
Red Maple	Acer rubrum
*Nuttall oak	Quercus nuttalli
Shumard Oak	Quercus shumardii
Southern Magnolia	Magnolia grandiflora
Southern Red Oak	Quercus falcata
Swamp Chestnut Oak	Quercus michauxii
Sweet Gum	Liquidambar styraciflua
*Trident Maple	Acer buergerianum 'Aeryn'
Water Tupelo	Nyssa aquatica
White Oak	Quercus alba
Willow Oak	Quercus phellos
*Starred trees are recommended for street tree plantings	
CONE-BEARING OVERSTORY TREES	
*Bald Cypress	Taxodium distichum
Loblolly Pine	Pinus taeda
Long Leaf Pine	Pinus palustris
Pond Cypress	Taxodium distichum nutans
Pond Pine	Pinus serotina
Slash Pine	Pinus elliotii

Short Leaf Pine	Pinus echinata
Spruce Pine	Pinus glabra
*Starred trees are recommended for street tree plantings	
UNDERSTORY TREES	
Allegheny Chinkapin	Castanea pumila
American Holly	Ilex opaca
American Plum	Prunus americana
Bigleaf Snowbell	Styrax grandifolia
Bitternut Hickory	Carya cordiformis
Black Cherry	Prunus serotina
Black Willow	Salix nigra
Blackjack Oak	Quercus marilandica
Bluejack Oak	Quercus incana
Buckthorn Bumelia	Bumelia lycioides
Cabbage Palmetto	Sabal palmetto
Carolina Ash	Fraxinus caroliniana
*Carolina Basswood	Tilia caroliniana
Carolina Buckthorn	Rhamnus caroliniana
Carolina Laurelcherry	Prunus caroliniana
Carolina Silverbell	Halesia carolina
Chickasaw Plum	Prunus augustifolia
Coastal Plain Willow	Salix caroliniana
Common Hoptree	Ptelea trifoliata
Common Persimmon	Diospyros virginiana
Common Sweetleaf	Symplocos tinctoria
*Crepe Myrtle	Lagerstroemia indica
*Dahoon Holly	Ilex cassine
Eagleston (a.k.a. Foster) Holly	Ilex attenuata 'Eagleston' or 'Fosteri'
Eastern Coralbean	Erythrina herbacea
Eastern Redbud	Cercis canadensis

Eastern Red Cedar	Juniperus virginiana
Flatwoods Plum	Prunus umbellata
Florida Basswood	Tilia floridana
Florida Maple	Acer barbatum
Flowering Dogwood	Cornus florida
Fringetree	Chionanthus virginicus
Green Ash	Fraxinus pennsylvanica
*Hasse Magnolia (a.k.a. Alta)	Magnolia grandiflora 'Hasse' or 'Alta'
Hercules Club	Anthoxylum clava-herculis
Ironwood	Carpinus caroliniana
Littlehip Hawthorn	Crataegus spathulata
Loblolly Bay	Gordonia lasianthus
Mockernut Hickory	Caryatomentosa
Myrtle Oak	Quercus myrtifolia
*Oklahoma Redbud	Cercis reniformis 'Oklahoma'
Parsley Hawthorn	Crataegus marshallii
Pawpaw	Asimina triloba
Planer Tree	Planera aquatica
Possumhaw Holly	Ilex decidua
Post Oak	Quercus stellata
Red Buckeye	Aesculus pavia
Red Mulberry	Morus rubra
Redbay	Persea borbonia
River Birch	Betula nigra
Hickory	Carya pallida
*Sabal Palm	Sabal palmetto
Sassafras	Sassafras albidum
Sourwood	Oxydendrum arboreum
Southern Bayberry	Myrica cerifera
Southern Crab Apple	Malus angustifolia

Southern Red Cedar	Juniperis silicicola
Sparkleberry	Vaccinium arboreum
Sugarberry	Celtis laevigata
Swamp Cotton wood	Populus heterophylla
Sweetbay	Magnolia virginiana
Tough Bumelia	Bumelia tenax
Turkey Oak	Quercus laevis
Water Hickory	Carya aquatica
Water Oak	Quercus nigra
Waterlocust	Gleditsia aquatica
Witch Hazel	Hamamelis virginiana
*Yaupon Holly, Weeping	Ilex vomitoria 'Pendula'
*Starred trees are recommended for street tree plantings	
SCREENING SHRUBS	
Sasanqua	Cammellia sasanqua
Yaupon Holly	Ilex vomitoria
Chinese Mahonia	Mahonia fortuneiw
Nandina	Nandina domestica
Pittosporum	Pittosporum tobira
Podocarpus	Podocarpus macrophyllus
Indian Hawthorne	Raphiolepis indica
Cleyera	Ternstroemia gymnanthera
Laurestinus	Viburnum tinus
Japanese Viburnum	Viburnum macrophyllum
Elaeagnus	Elaeagnus pungens
So. Indica Azalea	Azalea indica
Burford Holly	Ilex cornuta "Burfordi"
Wax Myrtle	Myrica cerifera
Fatsia	Fatsia japonica
Florida Anise	Illicium floridanum

Pfitzer Juniper	Juniperus chinensis "pfitzeriana"
Wax Leaf Ligustrum	Ligustrum japonicum
Oleander	Nerium oleander
Breath-of-Spring	Lonicera fragrantissima
Loropetalum	Loropetalum chinense
Juliana Barberry	Berberis julianae
Hedge Bamboo	Bambusa multiplex
Bay Laurel	Laurus nobilis
Banana Shrub	Michelia figo
Sweet Myrtle	Myrtus communis
*Starred trees are recommended for street tree plantings	

5.1.5 Specific Best Practices

When pruning trees less than six inches in caliper, the operator shall retain a 60% or greater live crown ratio (LCR). For example, a 10-foot-tall tree shall have a minimum of six feet of total crown foliage after pruning and four feet of exposed trunk from the ground to the lowest branch. There shall never be more than seven feet of exposed trunk from the ground to the lowest branch.

For trees six inches in caliper and larger, the live crown ratio – the ratio of tree canopy height to trunk height - shall be no less than 2:1 (*Example: A 30' tall tree should have a canopy no less than 20' tall and an exposed trunk no greater than 10' tall.*)

5.1.6 Sample Tree Mitigation Schedule

Tree Mitigation Chart Example																								
SCHEDULE OF TREES TO BE REMOVED																								
Project Name: Retail Shop		Zoning District: TS-UC																						
TREE TYPE	8"	10"	11"	12"	13"	14"	15"	16"	17"	18"	19"	20"	21"	22"	23"	24"	26"	27"	29"	32"	33"	38"	42"	TOTALS (TYPE)
LIVE OAK		1		1			1							1		1								5
LAUREL OAK	1	1	2		1	2	3	1	4	1	1	1	2			1		3		2	1	1	2	30
WATER OAK		1											1											2
CHERRY	1	2			1	1				1	1					1								8
SWEETGUM	1																							1
PINE (not Longleaf)	1			1			2	2				2	3	2	1	2	1		1					18
TOTALS (SIZE)	4	5	2	2	2	3	6	3	4	2	2	3	6	3	1	4	1	3	1	2	1	1	2	63

SCHEDULE OF TREES TO BE SAVED									
TREE TYPE	8"	15"	18"	19"	22"	25"	29"	36"	45"
LIVE OAK		1			1			1	1
LAUREL OAK	2			1		1	1		
PECAN			1						
TOTALS (SIZE)	2	1	1	1	1	1	1	1	1

Mitigation required	
Inches	12" 22" 10"
Fee	\$2,400 \$3,500 \$0
If mitigation is not possible	

Mitigation Calculation Summary	
50% or less of 100/1000	25% or no additional fee if mitigation is not possible
Landmark #	Specimen #
24	49
0	0
0	21
0	8
0	0
0	0
0	0
24	70
	41

Color Key	
Landmark Trees - A or B	highlighted in yellow
Specimen Tree - A or B	highlighted in orange
Other 8" DBH or + - A or B	highlighted in blue
Any tree C or D	unhighlighted

A, B, C, D rating refers to the Category in the Certified Arborist Report - See Appendix A

This is for illustrative purposes only and may be changed from time to time. An excel template for this planting schedule, along with typical tree planting details, can be found on the Planning Department's website.

5.2: APPLICABILITY AND ADMINISTRATION

5.2.1 APPLICABILITY

A. General

- (1) **Tree preservation.** Consistent with the purpose of this section, priority shall be placed on retention of existing trees. All reasonable efforts shall be made to preserve and retain any existing Specimen and Landmark trees and established stands or groves of trees.
- (2) **Permit required for removal.** Except as exempted in 5.2.1.B. below, a Tree Permit shall be required to remove or relocate any tree of eight inches DBH or more, or a Specimen or Landmark tree, in the City. See Section 5.2.2.A for specific requirements. For single family and 2- and 3-family buildings on existing lots of record, a permit is only required for the removal of Specimen or Landmark trees.
- (3) **Permit required for pruning.** A Tree Permit is required to prune any Landmark tree as described in Table 5.3.1.A. Pruning must be done by, or under the guidance of, a certified arborist and shall meet ANSI A300 Standards for pruning.
- (4) **Trees designated for retention.** A Tree Permit shall be required for the removal or relocation of any tree previously designated to be retained on an approved development plan.
- (5) **Enforcement.** Failure to comply with the standards of this section shall be a violation of this ordinance and subject to the remedies and penalties specified in Section 12 of the Code.

B. Exemptions

- (1) The following activities are exempt from the standards in this chapter and the requirements for a Tree Permit:
 - a. Removal of severely damaged trees that have an imminent likelihood of failure or pose an immediate risk to person or property following a natural disaster such as a hurricane, tornado, ice or windstorm, flood, wildfire, or any other such act of nature.
 - b. Tree removal associated with forestry activities shielded from local development regulation in accordance with S.C. Code Ann. § 48-23-205, subject to the limitations on subsequent development in Section 5.2.2.C., below. Forestry activities shall be regulated by a Forestry Management Plan approved by a certified South Carolina Forester.
 - c. Removal of plant species designated as invasive by the South Carolina Forestry Commission, including, but not limited to the following: Chinese Tallow (*Triadica sebifera*), Chinaberry Tree (*Melia azedarach*), Callery Pear (*Pyrus calleryana*), Camphor Tree (*Cinnamomum camphora*), and Princess tree (*Paulownia tomentosa*).
- (2) No Tree Permit is required where the proposed tree removal or alteration is reviewed and authorized in accordance with an approved Site Development Permit or Building Permit, though compliance with the standards in this section is required.
- (3) Residential Lots of Record, as defined in Sec. 5.1.2, are exempt from the replacement planting and mitigation requirements of Section 5.5.2.C. Replacement planting and mitigation for tree removals in conjunction with development of these properties shall be regulated by Section 5.5.2.F., below. All other requirements of this ordinance shall apply to such uses.

5.2.2 ADMINISTRATION

Application Procedure. No Project Permit shall be issued, nor shall any development be commenced, for any site subject to the requirements of this article without an approved plan for all site elements including landscaping, lighting, and parking, as part of a greater development design review process as outlined in Article 9 (Development Review Procedures).

A. Tree Protection Information in Applications

(1) New Development

- (a) Applications for a Major Subdivision, Site Plan, Zoning & Building Permit, or Certificate of Occupancy shall include at least the following information:
 - (i) A Tree Survey verified by a certified arborist, as described in subsection 5.2.2.A.3. below;
 - (ii) A brief written narrative of proposed plans for tree protection and justification for proposed removals and replacements, verified by a certified arborist;
 - (iii) A complete tree tally sheet listing exact species and diameter of trees on site;
 - (iv) For a Major Subdivision/Site Plan, a site plan showing utility lines, grading activities as well as building and pavement footprints (pervious and impervious surfaces) in relation to existing trees and denoting trees to be removed with an "X"; and
 - (v) A replacement tree replanting schedule, if required by Sections 5.3.2.G and 5.5.2 below.
- (b) Applications for a Residential Building (Project) Permit shall include at least the following:
 - (i) A Tree Survey;

-
- (ii) A certified arborist report including all Specimen and Landmark trees; and
 - (iii) A site plan showing utility lines as well as building and pavement footprints (pervious and impervious surfaces) in relation to existing trees and denoting trees to be removed with an "X."

(2) Existing Development. Applications for pruning or removal of trees on individual developed lots shall include a tree survey and a report from a certified arborist. An exception is granted on developed single-, two-, and three-family lots wherein a scope of work from a certified arborist is only required for removal of a Specimen or Landmark tree and pruning of a landmark tree. A tree survey shall never be required on developed single-, two-, and three-family lots.

(3) Tree Survey. The tree survey shall be in the form of a map or site plan, prepared and sealed by a registered land surveyor within two years of the date of application. The tree survey shall be at the same scale as the required site development plan and shall include the species and DBH of all trees 8" DBH or greater. All palmetto trees over eight (8) feet tall shall be measured in height, from the ground to the base of the frond initiation point.

B. Authorization for Tree Removal.

(1) Permit Required. No person shall cause, suffer, permit or allow the following:

- (a) The removal of a tree 8" DBH or greater or Specimen or Landmark Tree without first obtaining written authorization, to include all necessary permit(s), from the City to conduct the removal.
- (b) Any encroachments, excavations, or change of the natural grade within the critical root zone (CRZ) of a protected tree, unless approved by the Codes Administrator, prior to the commencement of said activity, that the activity will not negatively impact the tree. The critical root zone area shall be defined as the greater of either:
 - (i) The area extending from the trunk of the tree to the outer-most point of the canopy or drip line; or,
 - (ii) All of the area starting at the trunk and extending to a distance of one (1) foot for each inch in diameter the trunk measures at four and one-half (4 1/2) feet above ground level.

(2) Criteria. No authorization for the removal of any tree 8" DBH or greater or any Specimen or Landmark Tree shall be granted unless the applicant for removal of the tree demonstrates one or more of the following conditions in writing:

- (a) **Health.** The tree is dead, dying, or diseased according to a certified arborist report and verified by the City Official or designee.
- (b) **Elevated Risk.** The tree presents hazards that cannot be mitigated by any arboricultural procedures due to its deteriorated or damaged state.
- (c) **Developability.** The tree constrains reasonable development of the specific site, considering lot size, applicable setbacks, context, building type and use, stormwater requirements, and other relevant site development considerations.

(3) Permit Decision. Upon review of a completed application, the Codes Administrator shall approve, approve with conditions, or deny the permit.

- (a) The applicant shall be notified of approval or denial, and if denied, informed of the reasons for denial.
- (b) Permits may be issued conditionally, provided that the conditions are stated in writing and are appropriately referenced on the permit. Among such conditions may be stipulations that the

developer of a site provide legal mechanisms which ensure the protection of Specimen and Landmark Trees after construction has occurred on the development. Such mechanisms may include, but not be limited to, conservation easements, common open space requirements, vegetation or tree protection easements or buffers, deed restrictions, and restrictions in homeowners' or condominium association documents.

(c) In the event questions or disputes arise concerning tree conditions, the City may call upon and consult with a certified arborist or other qualified professional to reach a decision. All appeals of staff decisions, and other form of administrative relief sought as a result of the application of these standards, shall be the purview of the Zoning Board of Appeals.

(4) Timing. The official shall be notified within five (5) business days prior to tree removal approved as part of a Site Plan.

(5) Permit posting. A copy of the approved tree permit shall be clearly posted on the job site during all phases of clearing and construction activities.

C. Pre-Development Standards. Trees shall be marked with color ribbons, using blue ribbons to mark trees to be preserved, red ribbons for trees to be removed, and orange ribbons for elevated risk trees that are proposed to be removed (elevated risk trees will not count towards the overall required tree replacement). In heavily wooded areas, the official may allow large groups of trees to be preserved or removed to be marked with the appropriately colored ribbon extending around the perimeter of the group of trees.

D. Tree removal without permit prior to Development. Nothing in this section shall be construed as to prevent the practice of forestry, as exempted from local development regulation by S.C. Code Ann. § 48-23-205. Forestry practiced in the City shall be accompanied by a Forestry Management Plan that has been approved by a certified South Carolina Forester.

(a) In addition to other provisions in accordance with Section 12 of this Code, no application for subdivision plan (meaning sketch or preliminary plat), site plan, certificate of appropriateness or conditional use permit shall be accepted if, within twenty-four (24) months prior to said application, any trees on any property the subject of such application have been removed without legal authorization under this Code, whether by the present owner of the subject property or by a party who previously owned the subject property.

This twenty-four (24) month period shall be extended to sixty (60) months if said property is part of a development site on which more than 10% of the total trees have been cut.

(b) In addition, no such tree removal shall occur in the time between acceptance of such application and final approval without such application being subject to denial or revocation and the same penalties as above.

(c) An affidavit signed by the owner of the property at the time of application submittal shall be submitted with all such applications testifying to the fact that no trees have been removed without legal authorization under this Code during these specified periods of time.

E. Tree Protection and Restoration Plan (TPRP).

(1) A TPRP shall be submitted along with all other materials required at the time of application for Preliminary Plat review of a Major Subdivision, Site Plan, or when submitting for a Zoning & Building Permit or Certificate of Occupancy. The TPRP shall comply with the requirements of Section 5.3 and include the following:

(a) A **tree survey**, performed by an engineer, certified arborist, or registered landscape architect, licensed by the State of South Carolina, identifying both the existing areas of canopy coverage, and all mature canopy trees located on the proposed development site prior to any disturbance;

(b) A **graphic representation** of the location of all mature canopy trees (noting the type and size) within fifty (50) feet of any area to be disturbed, indicating whether each is to be preserved or removed, and showing all protective measures such as fencing;

(c) **Notes** specifying that: 1) no disturbance is to occur within fifty (50) feet of mature canopy trees until all required protective measures are installed, inspected and approved; and 2) all landscaping work occurring in the critical root zone area subsequent to the removal of protective measures is restricted to hand tools and machinery appropriately configured to limit negative impacts on existing root systems; and

(d) **Mitigation/replanting.** A description of the efforts proposed to be taken to offset or mitigate any impacts to the canopy, such as transplanting or planting replacement trees.

(e) **Maintenance plan.** All Specimen and Landmark Trees shall be maintained in conformance with the following:

- (i) Required maintenance activities shall, for no less than a five (5) year period after completion of development, be set out in a plan approved by the City.
- (ii) During the required maintenance period, the City Codes Administrator, or designee, shall have the right to conduct periodic inspections to ensure continuing compliance with the maintenance plan, and to confirm the health and viability of all required trees and plant material. In the event an inspection reveals a Specimen or Landmark tree to be missing, dead, or otherwise unhealthy and/or a threat to safety, notice of the situation, along with recommended actions for mitigation, shall be provided to the property owner, who shall either comply with the recommended actions, or, if appropriate, plant an approved replacement tree, within thirty (30) days.

(2) All trees and features required by an approved TPRP shall be installed prior to the issuance of a Certificate of Occupancy. The Code Administrator may approve a reasonable delay in installation, provided the developer provides a bond of an amount sufficient to provide for the installation of all required items.

F. Landscaping Installation and Maintenance:

(1) Time for Installation of Required Landscaping

(a) **Time Limit.** All required landscaping shall be installed in accordance with the required planting standards set forth in this Section before issuance of a Certificate of Occupancy unless the Code Administrator grants an extension to this time limit in accordance with subsection 2, below.

(2) Extension.

(a) The Code Administrator may, for good cause shown, grant an extension to the above time limit, allowing a developer/owner to delay the installation of required landscaping. Circumstances that may warrant an extension include, but are not limited to, the following:

- (i) Unusual environmental conditions, such as drought, cold weather, hurricanes, or over-saturated soil (deep mud);
- (ii) The inappropriateness of the current season for planting the approved plant species;

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- (iii) Evidence that the approved plant species or required plant sizes are not commercially available and cannot be substituted within a reasonable time despite an applicant's diligent effort to secure the required materials; or
 - (iv) Completion of utility work occurring in a proposed landscaped area that is incomplete or delayed.

(3) Maintenance of Landscaping Materials. The owner shall be responsible for the maintenance of all landscape areas not in the public right-of-way. Such areas shall be maintained in accordance with the approved landscape plan or alternative landscape plan and shall present a healthy and orderly appearance free from refuse and debris. All plant life shown on an approved landscape plan or alternative landscape plan shall be replaced if it dies, is seriously damaged, or is removed.

(a) **Damage Due to Natural Occurrence.** If any vegetation or physical element functioning to meet the standards of this Section is severely damaged due to an unusual weather occurrence, natural catastrophe, or other natural occurrence such as damage by wild or domestic animals, the owner or developer may be required to replant or replace the vegetation or element if the landscaping standards are not being met. The owner shall have one growing season to replace or replant. In determining the extent of replanting or replacement required, the Code Administrator shall consider the type and location of the landscape buffer or required vegetation area as well as the propensity for natural re-vegetation.

(b) **Protection during Operations.** The owner or developer shall take actions to protect trees and landscaping from unnecessary damage during all facility and site maintenance operations. Plants shall be maintained in a way that does not obstruct sight distances at roadway and driveway intersections, obstruct traffic signs or devices, or interfere with the use of bikeways, sidewalks, or pedestrian trails.

(c) **Natural Death.** The natural death of existing vegetation within any required landscape area does not necessarily constitute a violation and does not require re-vegetation to replace the plant material unless the required landscape area no longer complies with the required standards of this Section. In no instance shall this provision be construed to prevent re-planting if, in the opinion of the Code Administrator, the required performance standard of the landscaping is not being met.

(d) **Irrigation.** Temporary spray irrigation systems may be used to establish seeded and/or planted areas.

(4) Monitoring of Compliance with Landscaping Standards.

(a) **Inspections before Certificate of Occupancy.** The Code Administrator shall inspect a development site before issuance of a Certificate of Occupancy for the development and such certificate shall not be issued if the landscaping required under this Section is not living or healthy or is not installed in accordance with the approved landscape plan.

(b) **Additional Inspections.** The Code Administrator or the Code Administrator's designee may inspect a development site during the second growing season following the installation of required landscaping to ensure compliance with the approved landscape plan or alternative landscape plan, and to ensure that the landscaping is properly maintained. Failure to maintain required landscaping (trees and shrubs) in accordance with the standards of this Section shall constitute a violation of this Development Code.

G. Enforcement. Enforcement of this Section shall be pursuant to the provisions of Chapter 12 of this Code.

5.3: TREE PLANTING AND PROTECTION

5.3.1 SPECIMEN AND LANDMARK TREES

- A. **Preservation of Specimen and Landmark Trees.** Priority shall be placed on tree preservation and all persons shall make all reasonable efforts to preserve and retain existing Specimen and Landmark trees.
- B. **Designation of Specimen and Landmark Trees:** Certain trees, because of their species and size, are an asset to both the City and individual property owners and are hereby designated as "Specimen" and "Landmark" trees. Such trees shall be defined as those trees with a DBH equal to or greater than that indicated in the following table:

SPECIES	COMMON NAME	SPECIMEN TREE (MIN. DBH) ^{*/**}	LANDMARK TREE (MIN. DBH) ^{/§}
Cornus florida	Flowering Dogwood	8 inches	18 inches
Cercis canadensis	Redbud	8 inches	18 inches
Magnolia grandiflora	Southern Magnolia	8 inches	14 inches
Ilex opaca	American Holly	8 inches	14 inches
Pinus Glabra	Spruce Pine	8 inches	14 inches
Juniperus virginiana	Eastern Red Cedar	12 inches	24 inches
Quercus virginiana	Live Oak	12 inches	24 inches
Sabal palmetto	Cabbage Palm	18 feet tall	36 feet tall
Taxodium distichum	Bald Cypress	16 inches	24 inches
Quercus velutina	Eastern Black Oak	16 inches	24 inches
Nyssa sylvatica	Tupelo/Black Gum	16 inches	24 inches
Quercus alba	White Oak	16 inches	24 inches
Quercus falcata	Southern Red Oak	16 inches	24 inches
Acer rubrum	Red Maple	16 inches	24 inches
Ulmus americana	Elm	16 inches	24 inches
Pinus palustris	Longleaf Pine	16 inches	24 inches
Fagus grandifolia	American Beech	16 inches	24 inches
Quercus stellata	Post Oak	16 inches	24 inches
Carya illinoensis	Pecan	24 inches	-
Carya ovata	Hickory	24 inches	-
Liquidambar styraciflua	Sweet Gum	24 inches	-
Quercus laurifolia	Laurel Oak	24 inches	-
Plantus occidentalis	Sycamore	24 inches	-
Pinus species	All other pines	24 inches	-
* DBH = diameter at breast height (or about 4.5 feet above grade)			
** not applicable, if specific trees are deemed “senescent” by a certified arborist			

5.3.2 TREE COVERAGE REQUIREMENTS

- A. **Applicability and Canopy Standards:** In addition to the standards laid out in Section 7.2.5 (Street Tree Planting Requirements), land or property subject to be developed, shall maintain a minimum baseline canopy coverage area as detailed in this Section.

Canopy Standards

1. All **development** proposed subsequent to the adoption of this section, with the exception of those activities specifically listed herein, shall be subject to the following standards:**Required Canopy Coverage for new development:** All proposed non-residential, multi-family residential, and mixed-use development anticipated to have a land disturbance area greater than five thousand (5,000) square feet shall be subject to the minimum canopy coverage area requirements listed in the Minimum Canopy Coverage Requirements table below. Any single-family residential development consisting of two or less lots (existing single-family lots of record are exempt), or existing single family or duplex lots of record, are exempt from the required canopy coverage for development requirements.

2. **Encroachments:** The appropriate approval body may authorize encroachments into any setback for the protection of any Specimen or Landmark tree, or the tree protection zone of any such tree.
3. **Parking Reduction:** The appropriate approval body may authorize up to a 10% total parking reduction for development for the protection of any land landmark or specimen tree, or the tree protection zone of any such tree. Should the development protect over 30% of the existing tree canopy, a parking reduction of 20% on all standards may be authorized by the appropriate approval body. The appropriate approval body may reduce the required parking landscaping requirements of 5.7.8., including reduction or removal of parking lot islands, should they conflict with the preservation or protection of a Specimen or Landmark tree.

	Minimum Canopy Percentage
Residential Developments (except for residential lots of record and Minor Subdivisions)	25%
Commercial Developments	30%
T5-UC (Transect only)	15%
Encroachments	The appropriate approval body may authorize encroachments into any setback for the protection of any Specimen or Landmark tree, or the tree protection zone of any such tree.
Parking Reduction	The appropriate approval body may authorize up to a 10% total parking reduction for development for the protection of any land landmark or specimen tree, or the tree protection zone of any such tree. Should the development protect over 30% of the existing tree canopy, a parking reduction of 20% on all standards may be authorized by the appropriate approval body. The appropriate approval body may reduce the required parking landscaping requirements of 5.7.8 b, including reduction or removal of parking lot islands, should they conflict with the preservation or protection of a Specimen or Landmark tree.
Fenestration/Transparency	Should the development protect over 30% of the existing tree canopy, the appropriate approval body may authorize up to a 20% reduction of required fenestration on any building except for properties within the T-5 UC district.

4. **Canopy Coverage for Development Calculation:** For the purposes of this section, the canopy coverage area of a tree shall be defined as the area contained within the boundary established by a vertical projection along the outermost limit of the tree's crown at maturity. The canopy area cannot include any wetland or required drainage area within its calculation. The canopy coverage area of a parcel or development site shall be defined as the total of all non-conifer tree canopy

areas, retained and/or planted, proposed to exist post-development. The following methods may be used to determine the tree canopy area:

(a) To Establish Existing Tree Canopy Area

For each [mature tree](#) proposed to be retained post – development, the radius (r) of the canopy area shall equal the distance from the center of the trunk to the outermost point of the tree’s crown. Calculate the total canopy area (CA) with the following formula: $CA = \pi r^2$. In the event existing site conditions are accurately reflected on aerial photography, the radius (r) may be determined through scaled measurements.

(b) To Establish Tree Canopy Area for Trees Proposed to be Planted

To determine the canopy area proposed to be planted, the radius (r) of each species of tree to be utilized, at twenty (20) years maturity, shall be determined based on accepted industry standards, and the total canopy area (CA) calculated ($CA = \pi r^2$).

(c) Alternative Methods

The Codes Administrator may approve other methods of calculation or sources of information, provided such alternatives are based on accepted industry practices, and utilize the best available information.

Exemptions: The following [development](#) and activities shall be exempt from the requirements of this section:

- (a) Removal and/or pruning of any tree not identified by these standards as a [Landmark or Specimen Tree](#) located on any residential [lots](#) of record by the owner.
- (b) Mitigation efforts associated with clean-up activities following a natural disaster or other significant Acts of God; typically, the City will issue a period of [waiver](#) of the strict application of these standards for a specified period of time.
- (c) Licensed plant and tree nurseries, and other duly permitted commercial tree growers, provided trees are planted or growing on the premises for sale to the general [public](#) in the ordinary course of business.
- (d) Tree pruning and removal by duly constituted communication, water, sewer, electrical or other utility companies; or federal, state, or local government agencies; or engineers or surveyors working under a contract with said utility companies or agencies, provided removal is limited to those areas necessary for maintenance of existing lines or facilities, or for construction of new lines or facilities in furtherance of providing utility service to its customers. Additionally, all such activity must be conducted so as to avoid any unnecessary removal and, in the case of aerial electrical utility lines, shall not be greater than that specified by the National Electrical Code, or other appropriate adopted industry standard, for safe electrical clearances.

B. Tree Protection in conjunction with Development: Developers shall avoid any activity during all phases of construction that may result in:

- (1) Mechanical injuries to roots, trunk, and branches.
- (2) Injuries by chemical poisoning.
- (3) Injuries by grade changes.
- (4) Injuries by excavations.

(5) Injuries by paving.

Any willful action inconsistent with this standard, which results in the injury of a Specimen or Landmark tree, shall constitute a violation of these regulations.

Upon completion of construction, or as otherwise approved, fencing and other measures may be removed to allow for landscaping and final site work, provided all work is either conducted with hand tools or with machinery utilized in a manner appropriate to protect against soil compaction and other damage to root systems.

- C. Protective Fencing:** The owner shall be responsible for the erection of required protection fencing, and any other specified measures necessary to protect any existing or installed vegetation prior to the commencement of disturbance activity. At a minimum, all trees proposed to be preserved during development shall be protected with a sturdy and visible fence before clearing and grading begins. The following standards shall apply:

1. The location of tree protection fencing and method of construction shall be noted on the landscape plan.
2. Tree protection fencing shall be installed and remain in place and in good condition until all development activities are completed.
3. The tree protection fence shall be located one (1) foot from the tree trunk for each one (1) inch in Tree Diameter at Breast Height (DBH) with a minimum distance of ten (10) feet required from the edge of the trunk
4. Tree protection fencing shall be constructed from any material substantial enough to prohibit and keep out vehicles, people, and all other activities associated with the development process.
5. No soil disturbance or compaction, stock piling of soil or other construction materials, vehicular traffic, or storage of heavy equipment is allowed in the tree and root protection area(s) of trees to be retained.

- D. Tree Replacement:** The following standards shall apply to all required tree replacements:

- a. Replacement species shall be the same species as each tree removed, provided the removed tree was a native species; all other replacement trees must be listed on the City's approved tree list.
- b. Replacement formula: one (1) square foot of replacement canopy (measured at maturity) for one (1) square foot of canopy removed.
- c. Single trees may be replaced with two (2) or more trees provided the caliper inch requirements measured at DBH are met.
- d. Replacement trees shall be planted within any part of the development site or on City property with staff consultation and approval.
- e. If it is determined that a site cannot sustainably support all or a portion of the required tree replacement pursuant to Section 5.5.2.B, then a fee based on the mitigation schedules in Sections 5.5.2.B. or 5.5.2.C shall be paid to the City for the purposes of tree planting and maintenance.

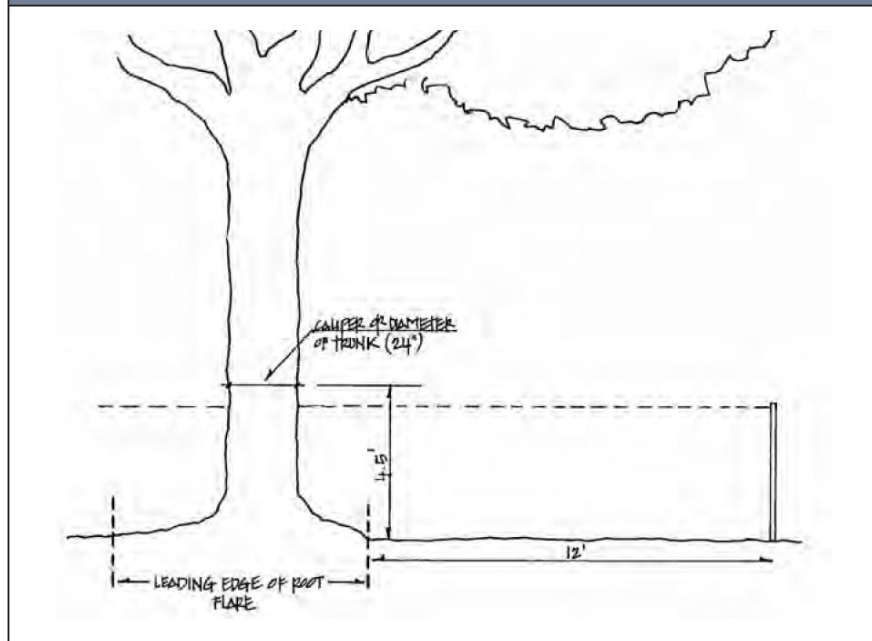
- E. Utilities and Agencies:** Utility companies and governmental agencies, and city departments, in the course of constructing or maintaining easements or rights-of-way for water, sewage, electricity, gas, drainage, telephone, internet, or television, shall:

-
1. Minimize trimming of hardwood overstory trees that do not significantly interfere with the intended purpose of construction or maintenance.
 2. Establish design guidelines for construction and maintenance that identify the saving of hardwood overstory trees as a factor to be considered in the design process.
 3. Establish guidelines to avoid limbing, topping, or severe pruning of trees whenever reasonably practicable, and where it is unavoidable, according to ANSI A300 Standards, which may include tree removal.
 4. Provide for a consultation process with the city prior to the commencement of major construction or maintenance or the removal of any Specimen or Landmark tree.
- F. Waiver for Emergency:** In the event that a tree poses a threat to public safety due to death, disease, or damage resulting from events including, but not limited to fires, floods, hurricanes, other natural disasters, intentional harm, or negligence, the Codes Administrator may waive the requirements of Section 5.4.1. As soon as it is feasible after the waiver, the administrator shall issue written findings outlining the threat to public safety that prompted the waiver. The administrator may require that the owner of the site replace the tree when the findings conclude that the removal was necessitated by intentional harm or negligence.
- G. Normal Tree Maintenance:** Nothing in this Code shall restrict normal tree maintenance by a property owner (including removal of dead wood and branches or limbs that endanger life or property) for any tree except for Landmark trees upon which any pruning must be done according to Section 5.4.4 A.

5.3.3 TREE ROOT PROTECTION ZONE (TPZ) REQUIREMENTS

- A. Applicability:** A permanent "tree protection zone" (TPZ) surrounding preserved trees shall be established to protect the underground root system. This area shall not be disturbed at any time before, during, or after construction.
- B. Size and Shape:** The minimum TPZ shall be as follows:
1. A circle with a radius of ½ foot per 1 inch of DBH, ideally measured from the leading edge of the root flare.

EXAMPLE: TREE PROTECTION ZONE SIZE DIAGRAM



2. The TPZ shall be indicated on both site and landscape plans for all trees shown to remain.
- C. **Adjustments and Exceptions:**
1. The size and shape of the TPZ may be adjusted where any of the following occur: root pruning, root invigoration, restoring the natural grade of the soil, water air nutrient exchange ("W.A.N.E.") feeder, porous paving materials, and/or a tree well.
 2. The size and shape of the TPZ may be adjusted as needed to accommodate construction practices. The reduction of minimum radius of TPZ may require additional remediation measures as recommended and performed by a certified arborist prior to site disturbance.
- D. **Tree Wells:** In general, tree wells are discouraged, unless approved by the Codes Administrator following consultation with a certified arborist. If they are used, a tree well shall encompass at least half the area beneath the canopy of the tree and extend in every direction, no less than halfway from the trunk to the tree's dripline. A tree root aeration system shall be installed that shall extend from 2 feet inside the tree well wall to the dripline of the canopy.
- E. **Pre-Construction Treatment:** Based on the certified arborist report, the following may be required to retain trees and facilitate their health during and after the construction process: root pruning, fertilization, and root invigoration. These practices, as applicable, shall be performed for a minimum of 3 months prior to site disturbance.
- F. **Prohibited Activities:** The following are prohibited within all TPZs:
1. Placement of building materials, dirt, debris, oils, paints, or any other materials, equipment, or vehicles.
 2. Irrigation pipe installation.
 3. Grading, with the exception of a 2-inch cut or 2-inch fill of topsoil, sod, or mulch.
 4. Paving for roadways, driveways, or sidewalks.
 5. Cutting of roots for installation of utilities or drainpipe of any kind.

Exception: If excavation work for water line installation within a TPZ is deemed necessary during construction operations, such excavation shall be accomplished utilizing hand excavation methods that remove soil around tree roots without severing them.

- H. **Damages and Repairs:** When encroachment or construction activity within a TPZ has damaged or destroyed a tree or tree growing site, the city, at the discretion of the Codes Administrator, may seek mitigation for the value of any damaged trees within a TPZ, per the Mitigation Schedule in Section 5.5.2, and/or may require treatments or additional plantings. Such mitigation shall occur prior to the issuance of a Certificate of Occupancy.

5.3.4 STREET TREE PLANTING REQUIREMENTS

Street tree planting requirements are established in Section 7.2.5.

5.4: PERIMETER BUFFERS, LANDSCAPING, AND SCREENING

Perimeter buffers are intended to provide spatial separation between uses of differing intensities. Buffers that are required for protection of environmentally sensitive areas are prescribed by Section 8 (Environmental and Resource Protection).

5.4.1 BUFFER TYPES

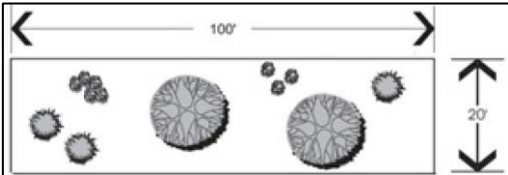
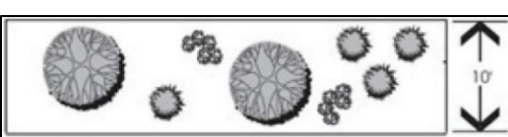
The table below describes five (5) different Buffer Types in terms of their function, opacity, width, and planting requirements. The planting requirements should be used as a guide to achieve an aesthetically pleasing, landscaped buffer. Either of the options under a specific buffer type may be used at the discretion of the developer/applicant. If the square footage of an existing building on a site is being increased by more than fifty percent (50%) then the buffers must be brought into compliance with the standards in this table.

The following provisions shall be applied, if necessary:

1. Required **overstory trees** shall be distributed and spaced to maximize their future health and effectiveness as buffers. Other required vegetation shall be distributed within the buffer as appropriate to the function of the buffer.
2. Where an **adjacent use** is designed for solar access, **understory trees** may be substituted for **overstory trees**.
3. Fences or walls within an adjacent street or use buffer shall comply with the standards of Sec. 5.8.
4. A berm may be provided in conjunction with the provision of a hedge, fence, or wall to achieve **height** requirements, provided its side slopes do not exceed a ratio of three horizontal feet to one vertical foot and the width of its top is at least one-half its **height**.
5. If a buffer length is greater or less than 100 linear feet, the planting requirements shall be applied on a proportional basis, rounding up for a requirement that is 0.5 or greater, and down for a requirement that is less than 0.5. (For example, if the buffer length is 150 linear feet, and there is a requirement that 5 **overstory trees** be planted every 100 linear feet, 8 **overstory trees** are required to be planted in the buffer ($1.5 \times 5 = 7.5$, rounded up to 8)).

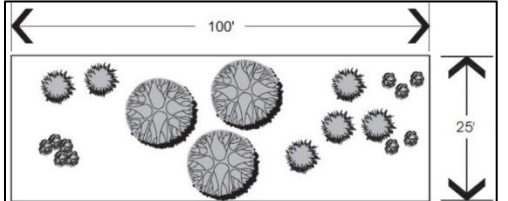
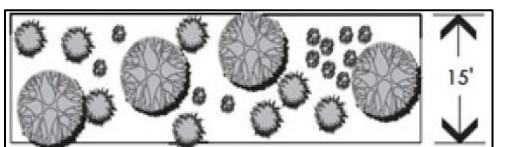
TYPE A BUFFER

This buffer includes low-**density** screening designed to partially block visual contact and create spatial separation between **adjacent uses** or between **development** and **adjacent streets** with low traffic volumes.

Option 1		• Depth: 20 feet • Overstory trees: 2 every 100 linear feet • Understory trees: 3 every 100 linear feet • Evergreen shrubs: 8 every 100 linear feet
Option 2		• Depth: 10 feet • Overstory trees: 2 every 100 linear feet • Understory trees: 4 every 100 linear feet • Evergreen shrubs: 10 every 100 linear feet

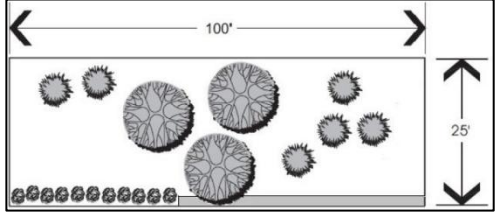
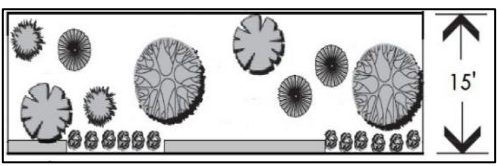
TYPE B BUFFER

This buffer includes low- to medium-**density** screening designed to create the impression of spatial separation without significantly interfering with visual contact between **adjacent uses** or between **development** and **adjacent** minor roadways.

Option 1		• Depth: 25 feet • Overstory trees: 3 every 100 linear feet • Understory trees: 6 every 100 linear feet • Evergreen shrubs: 10 every 100 linear feet
Option 2		• Depth: 15 feet • Overstory trees: 4 every 100 linear feet • Understory trees: 8 every 100 linear feet • Evergreen shrubs: 12 every 100 linear feet

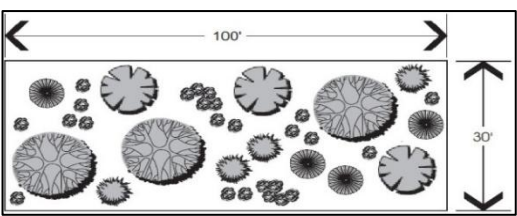
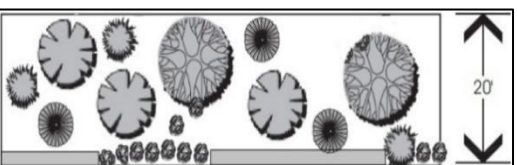
TYPE C BUFFER

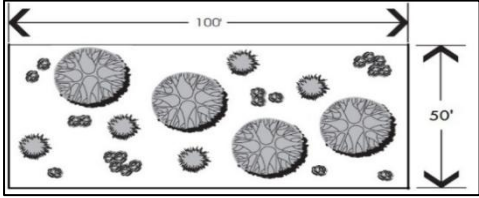
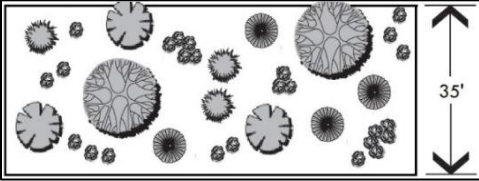
This buffer includes medium-**density** screening designed to eliminate visual contact at lower levels and create spatial separation between **adjacent uses**.

Option 1		• Depth: 25 feet • Overstory trees: 3 every 100 linear feet • Understory trees: 5 every 100 linear feet • A solid wall or fence at least 3 feet high or a solid evergreen hedge at least 3 feet high and 3 feet wide
Option 2		• Depth: 15 feet • Overstory trees: 4 every 100 linear feet • Understory trees: 6 every 100 linear feet • A solid wall or fence at least 3 feet high or a solid evergreen hedge at least 3 feet high and 3 feet wide • At least 50% of all trees must be evergreen

TYPE D BUFFER

The buffer includes high-density screening designed to eliminate visual contact up to a height of six (6) feet and create a strong spatial separation between **adjacent uses**.

Option 1		• Depth: 30 feet • Overstory trees: 5 every 100 linear feet • Understory trees: 6 every 100 linear feet • Evergreen shrubs: 35 every 100 linear feet and at least 6 feet high at maturity • At least 50% of all trees must be evergreen
Option 2		• Depth 20 feet • Overstory trees: 6 every 100 linear feet • Understory trees: 8 every 100 linear ft • 4A solid wall or fence at least 4 feet high or a solid evergreen hedge at least 4 feet high and 3 feet wide. • At least 50% of all trees must be evergreen

TYPE E BUFFER		
This buffer provides greater spacing and high- density screening designed to define "green" corridors along major roadways.		
Option 1		• Depth: 50 feet • Overstory trees: 4 every 100 linear feet • Understory trees: 5 every 100 linear feet • Evergreen shrubs: 30 every 100 linear feet and at least 6 feet high at maturity
Option 2		• Depth: 35 feet • Overstory trees: 5 every 100 linear feet • Understory trees: 7 every 100 linear feet • Evergreen shrubs: 35 every 100 linear feet and at least 6 feet high at maturity • At least 50% of all trees must be evergreen

5.4.2 FRONT BUFFER REQUIREMENTS ALONG MAJOR CORRIDORS

In addition to the buffer requirements above, buffers shall be provided along all parcel boundaries that abut these roads, as established in the following table.

Location	FRONT BUFFER REQUIREMENTS ALONG MAJOR CORRIDORS *				
		Buffer Type			
Robert Smalls Parkway (SC 170) from Parris Island Gateway to Broad River Bridge		Type E			
Sea Island Parkway (US 21 S) from Airport Junction Intersection going South		Type E			
Trask Parkway (US 21 N) from the intersection of Laurel Bay Rd./Geiger Blvd. to the intersection of Clarendon Rd. /Bruce K Smalls Dr.		Type E			
Lady's Island Drive (US 21)		Type D			
Parris Island Gateway (US 21)		Type D			

Robert Smalls Parkway (SC 170) from Parris Island Gateway to Boundary Street Redevelopment District		Type D			
Sams Point Road (SC 802)		Type D			
Salem Road, Old Salem Road, Broad River Boulevard, County Shed Road, Old Jericho Road, Castle Rock Road, Goethe Hill Road, Grober Hill Road, Meridian Road		Type D			
Trask Parkway (US 21 N) from the intersection of Parris Island Gateway to Laurel Bay Rd./Geiger Blvd.)		Type C			
Sea Island Parkway (U.S. 21 S) From Woods Swing Bridge to Airport Junction		Type B			
Ribaut Road (SC 281)		Type A			
Southside Boulevard, Mossy Oaks Road		Type A			

*Requirements based on the design of the building and how it addresses the street may be waived or altered by the applicable approval body.

- A. Maintenance of Required Plantings:** Trees and shrubs shall not be pruned in any manner that would significantly diminish the desired softening character of the front buffer, except in accordance with standard horticultural practice, or as required at driveway sight triangles. See Section 5.1.5 for more information on best practices for pruning.

B. Existing Vegetation

1. If a buffer area has existing trees, they shall be preserved and be used as part of the buffer to comply with the buffer standards of this Ordinance. Where groupings of native shrubs are present, their preservation with minimum disturbance is required. Any clearing or other work in buffers must have the prior approval of the Code Administrator.
2. In order to preserve existing vegetation and to restrict activities within a buffer, protective fencing shall be installed during development activity.
3. Existing vegetation that is preserved shall not be limbed up from the ground more than five feet to the lowest branches, except as follows:
 - a. Vegetation at intersections may be limbed up to a greater height to ensure compliance with sight triangles; and
 - b. If understory planting is proposed, the Code Administrator may allow existing vegetation to be limbed up to a height that will provide adequate sunlight to plants.
4. The removal of invasive species shall be allowed with an approved replanting plan, if needed.

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- C. Buffer Materials:** At the time of planting, overstory and understory trees included as part of required buffers shall be no less than 2.5 caliper inches; evergreen shrubs shall be at least three feet in height above ground level. All buffer plantings must be native species of plants.
- D. Development Within Required Buffers:** Development is prohibited within required buffers except in accordance with this subsection. The following activities may occur in required buffers, unless expressly prohibited elsewhere in this chapter, or by the Planning Commission as part of an approved Site Plan:
- a. Street or driveway access, provided it runs approximately perpendicular to/from the adjacent street right-of-way or common property line.
 - b. Walkways, pathways, trails, benches, bike racks, and other elements associated with passive recreation or the provision of continuous pedestrian and bicycle connections between adjoining properties, provided all landscaping as required by this Section is provided and the Codes Administrator determines that installation or maintenance of such elements will minimize impacts on to required vegetation to the maximum extent.
 - c. Lighting fixtures.
 - d. Stormwater Management: Stormwater and drainage facilities that permit vegetation may encroach into the buffers if the planting requirements are fulfilled.
 - e. Signage, lighting fixtures, and street furniture.
 - f. Fountains, plazas, sculptures, and similar features that are part of publicly owned facilities, where approved by the Codes Administrator.
 - g. Service and utility lines and minor facilities (e.g. water, sanitary sewer, electrical, telephone, natural gas, cable, storm drainage lines, utility boxes and pedestals), subject to the following standards:
 - i. Such lines generally shall run approximately perpendicular to/from the adjacent street right-of-way or common property line. If they must be installed approximately parallel to the street right-of-way or property line, the easement for the lines may be included as part of a required buffer if the easement allows the vegetation or structures necessary to meet buffer screening requirements and provides the requisite visual separation in a manner that is aesthetically acceptable; otherwise, additional buffer width shall be required to provide the space needed for the required buffer screening.
 - ii. Permission for easement and right-of-way disturbance and clearings for such utility and service lines and facilities shall be more favorably considered when such activity is consolidated with vehicular access routes.

5.4.3 SIDE AND REAR BUFFER REQUIREMENTS

Landscaped perimeter buffers shall be preserved or established along the front of sites located within Conventional Districts, and along the side and rear boundary lines along all districts. The buffers are based upon a specific parcel's underlying zoning designation and that of the parcel it abuts. Where the buffer requirements of this section are in conflict with the corridor buffer requirements, the greater buffer width and/or plantings shall apply.

All residential developments shall have a Type D rear and side yard buffer where an adjoining use is other than that same residential type, unless a different buffer requirement is imposed by the Planning Commission.

All non-residential or mixed-use developments adjoining a residential use shall have a Type D rear and side yard buffer, unless a different buffer requirement is imposed by the Planning Commission.

5.4.4 PARKING LOT SCREENING AND LANDSCAPING

- A. **Screening:** All parking areas shall be screened from the public right-of-way or primary vehicular access point(s) — if the parking area does not front a public right-of-way — with evergreen shrubs, walls, fences, or some combination thereof. Screening is not required at areas designated for signage, or pedestrian or vehicle access points. Screening devices shall be installed at the height and opacity specified in the table below:

LOCATION	MINIMUM REQUIRED OPACITY AT PLANTING ¹	SHRUBS		WALL/FENCE
			Height within 4 Years	Installation Height ²
Beaufort Historic District Overlay	90%		5 ft	4 ft
All Other Areas	50%		5 ft	4 ft
¹ The area bounded by the shrub at its projected size in 4 years shall be deemed to be practically 100% opaque.				
² Height is measured from adjacent sidewalk, street or curb grade, whichever is higher.				

B. **Landscaping:**

1. **Applicability:** This applies in all Districts. The Planning Commission may grant a reduction of up to 30% of these requirements.
2. **Priority:** In parking lot design, priority should be given to working around existing trees, and then secondarily creating areas where new plantings would be required.
3. **Landscaped Peninsulas and Medians Shall be Established as Follows:**
 - a. **Size:** Landscaped peninsulas with a plantable area of at least 12 feet wide by 18 feet long shall be established parallel to parking spaces and at the end of the parking aisle in order to separate the last space from any adjacent driveways.
 - b. **Planting:** At least one (1) broad-leaved overstory tree shall be provided within each landscaped peninsula. All landscaped peninsulas and medians shall be landscaped with mulch, sod, shrubs, or ground cover vegetation. See Section 5.1.4 for recommended plantings list.
 - c. **Specific to Transect Zones:** No more than 12 continuous parking spaces shall be permitted in a row without an interrupting landscaped peninsula, except in the following circumstances:
 - i. The parking lot is gravel, or covered with other soft pervious pavement materials, and spaces are not striped, or
 - ii. There is a landscaped median.
 - d. **Specific to Conventional Zones:**
 - i. No more than 10 continuous parking spaces shall be permitted in a row without an interrupting landscaped peninsula.

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- ii. On the interior of parking lots, landscaped medians between all head-to-head” rows of parking are required.
 - iii. Where wheel stops are to be used for the protection of landscaped medians, the minimum median width shall be 6 feet. Plantings in such medians shall be limited to a combination of turfgrass or groundcover, palms, and shrubs that have a mature height and spread of 4 feet or less.
 - iv. Where wheel stops are not used for the protection of landscaped medians the minimum median width shall be 9 feet. Plantings in such medians shall be limited to a combination of turfgrass or groundcover, palms, understory trees and/or shrubs which have a mature height and spread of 5 feet or less.
 - v. Shrub coverage in the medians and peninsulas shall be at least 50%.

5.5: LANDSCAPE INSTALLATION AND MAINTENANCE

5.5.1 GENERAL REQUIREMENTS

- A. Trees planted shall be botanically compatible with local conditions, healthy, and disease-and pest-free. Plant materials shall conform to the standards established by the American Association of Nurserymen in the "American Standard for Nursery Stock" (ASNS).
- B. Irrigation shall be required in all new developments unless the Code Administrator specifically waives this requirement, based on the unique character of the development and/or the nature of the proposed plant material.

Exception: New construction in T3 zones, and single-family residential construction in T4 zones on new or existing lots, is not required to have irrigation.
- C. Landscaping shall be maintained in good condition and shall be kept free from refuse and debris.
- D. Installed trees must adhere to the grades and standards outlined in the ASNS. The minimum size at installation of all trees and shrubs planted pursuant to the requirements of this Code is as follows:
 - 1. **Overstory trees:** 2.5 caliper inches (measured at 6 inches above grade).
 - 2. **Understory trees:** 8 feet high.
 - 3. **Shrubs:** Shrubs must be reasonably projected to grow to maturity (i.e., to meet specific size or coverage requirements) within 3 years, unless otherwise specified herein.
- E. Existing healthy shrubs and trees may be used to satisfy any requirements of this Code, provided they meet the minimum size requirements outlined in Section 5.5.1 D.
- F. Use of existing vegetation, native plants, drought-tolerant plants, and water conserving irrigation techniques, such as use of a rain sensor, and re-use of rain water, is encouraged. Preservation of groupings of trees (e.g., tree-saving areas) is encouraged and generally favored over preservation of scattered individual trees.
- G. Where understory trees are specified, preserved, or planted, broad-leaved overstory trees may be substituted on a one-to-one basis to satisfy the requirement.

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- H. In conjunction with any development, grass or ground cover shall be planted, or mulch installed to a depth of 3 inches, on all portions of exposed bare ground not otherwise developed or landscaped. This shall include planting strips and other areas within rights-of-way that are contiguous to the development site. Grass and/or ground covers shall provide 75% coverage within 1 calendar year from the time of planting. Gravel or crushed shell may be approved as an acceptable ground cover if it is coordinated with the overall site and landscape design; however, they shall not be used as a substitute for organic mulch in plant beds. The use of dyed hardwood or synthetic material is prohibited.
 - I. All earthen drainage structures with a maximum gradient of 3:1 may be hydroseeded or sodded. Ditch and pond banks with slopes greater than 3:1 shall be treated with erosion control fabric or matting and/or receive erosion resistant landscaping materials such as ground covers or wetland plant species.
 - J. Landscaping shall not obstruct the view of motorists using any road or driveway.
 - K. Where site conditions are inappropriate for an overstory tree, due to existing utilities, building design, or other conflicts either above or below ground, up to 2 understory trees may be substituted for 1 overstory tree.
 - L. Severe trimming, pruning, or other maintenance that results in significant alteration of the natural shape of a tree or modification of the central leader (including "lollipoping," "heading," or similar techniques) is prohibited, except in conjunction with public utility maintenance.

5.5.2 REPLACEMENT PLANTING AND MITIGATION

- A. **Applicability:**
 - 1. Where the Codes Administrator approves removal of trees for new development.
 - 2. Where any vegetation, existing or proposed, used to comply with the requirements of this section, does not survive in a healthy condition.
 - 3. When a tree protected under this ordinance is removed from a property without permission from the Codes Administrator, is significantly damaged during construction, or significantly declines and is recommended for removal by a certified arborist at the end of the two-year maintenance guarantee period.
- B. **Replacement Planting and Mitigation:** The tree mitigation fee is established to allow tree planting elsewhere in the City in cases where the requirements for retention of existing trees cannot be achieved. Where a certified arborist determines that a site cannot sustainably support all, or a portion of, the required replacement, due to the size and shape and/or structures and/or viable site constraints, a fee based on the mitigation schedules in subsections 5.5.2.C. or 5.5.2.F. below shall be paid to the City for the purposes of tree planting and maintenance.
- C. **Replacement and Mitigation Schedule:** With the exception of Residential Lots of Record, replacement plantings and mitigation shall be according to the following chart:

REPLACEMENT AND MITIGATION SCHEDULE				
Tree Type	Transect Zones		Conventional Zones	
	Replacement: % Caliper Inches	Mitigation: Cost/Caliper Inch	Replacement: % Caliper Inches	Mitigation: Cost/Caliper Inch
Landmark Tree*	100%*	\$350	100%	\$350
Specimen Tree*	100%*	\$250	100%*	\$250
All other trees 8-inch caliper or greater	25%	none	33%	none
* Any tree that is removed without approval shall require the replacement of caliper inches or the mitigation cost per caliper inch to be doubled, in addition to any city costs, including but not limited to, tree surveys and arborist fees. <u>Examples:</u> Approved Specimen Removal: a 12-inch Live Oak is approved for removal. The applicant must plant back 12 caliper inches of Live Oak or pay a mitigation fee of \$3,000 (12 inches x \$250/inch) if the site cannot support the replacement. Approved Landmark Removal: a 30-inch Live Oak is approved for removal. The applicant must plant back 30 caliper inches of Live Oak or pay a mitigation fee of \$15,000 (30 inches x \$500/inch) if the site cannot support the replacement.				

1. **Timing of Fee Payment.** All required tree mitigation fees shall be paid prior to the issuance of a Site Development Permit or Building Permit.
 2. **Tree Replacement Fund.** The City shall establish and maintain a separate accounting fund for the deposit of tree mitigation fees paid in lieu of providing required replacement trees. Such funds need not be segregated from other City monies for banking purposes. Any yield on such accounting fund shall accrue to that fund and shall only be spent on trees on publicly owned and maintained property. Qualifying debits include the cost of trees, installation of trees, and maintenance of trees.
- D. The provisions of this section shall apply to all projects, regardless of the date the Site Development Permit or development approval was issued.
- E. **Exemption.** Any Specimen or Landmark tree that fails due to a natural catastrophe shall be exempt from the requirements of this section.

F.

5.6: PARKING

5.6.1 PURPOSE

The purpose of this section is to regulate and ensure the provision of adequate parking and access for bicycles and motor vehicles. The section also provides options for adjusting parking requirements and providing parking alternatives. These standards ensure that the parking needs of new land uses and development are met, while being designed and located in a manner consistent with the desired character and development patterns of the community.

5.6.2 APPLICABILITY

The parking standards of this section shall apply to new developments and when a structural alteration in an existing building produces an increase in dwelling units, guest rooms, floor area, seating or bed capacity.

5.6.3 BICYCLE PARKING

- A. **Applicability:** Bicycle parking is required everywhere except in the T3 zoning district, in T4 districts in detached single-family residential developments, and in the LI district. In the T5 district, the Codes Administrator has the authority to waive the bicycle parking requirement if it is not appropriate or feasible.
- B. **Location and Configuration:** Bicycle parking shall be placed in a usable and accessible location. The rack(s) shall be placed so that neither the rack nor the bike within it blocks pedestrian or vehicular access ways and shall be maintained and kept clean and in proper working order at all times.
- C. **Size:** Developments shall provide either racks for 5% of the number of required off-street vehicular parking spaces or 2 bicycle parking spaces, whichever is greater. Spaces shall be a minimum of 2 feet by 6 feet.

5.6.4 PARKING SPACE REQUIREMENTS

- A. **Minimum Number of Parking Spaces:** The number of motor vehicle parking spaces required shall be determined by the table below. Uses not listed in the following chart shall use the parking requirement for the most similar use, as determined by the Codes Administrator. The Planning Commission may, in its discretion, grant exemptions from the requirements of this subsection when the applicant shows, by a parking study or otherwise, that a departure from the standards is necessary.

USE	MINIMUM NUMBER OF MOTOR VEHICLE PARKING SPACES REQUIRED*	
	CONVENTIONAL DISTRICTS	TRANSECT-BASED DISTRICTS
RESIDENTIAL		
Single-Family, and Short-Term Rental	2 per unit	
2- and 3-Family, Multi-Family and Accessory Units		
Studio	1 per unit	
1 Bedroom	1 per unit	
2 Bedrooms	1.75 per unit	
3+ Bedrooms	2 per unit	
Dwelling units located within mixed-use buildings	No spaces required	
Group Homes	1 per 3 bedrooms	
RETAIL		
Gas Stations/Fuel Sales	1 per 300 gross square feet	1 per 300 gross square feet
Grocery Stores	1 per 200 gross square feet	1 per 200 gross square feet

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Restaurant, Cafe, Coffee Shop, Bar, Tavern and Nightclub	1 per 300 gross square feet	1 per 300 gross square feet
Drive-Through Facilities	1 per 300 gross square feet	1 per 300 gross square feet
All Other Retail Uses	1 per 300 gross square feet	1 per 300 gross square feet
RECREATION, EDUCATION, PUBLIC ASSEMBLY		
Colleges and Universities	1 per 4 students at capacity class attendance	
Community/Public Safety Facilities	1 per 300 gross square feet	1 per 400 gross square feet
Schools, Public or Private		
Grades K-8	2 per classroom	1 per 400 gross square feet
Grades 9-12 or Trade	1 per 4 students and employees	1 per 400 gross square feet
Theaters	1 per 4 seats, plus 1 per 2 employees	1 per 400 gross square feet
All Other Assembly Uses		
With Fixed Seats	1 per 5 seats	1 per 400 gross square feet
Without Fixed Seats	1 per 300 gross square feet	1 per 400 gross square feet
SERVICES		
Day Care (Child or Adult) - 5 or greater	1 per 10 persons cared for (child or adult)	1 per 400 gross square feet
Lodging	1 per room, plus spaces required for on-site accessory uses	1 per room
Medical		
Doctor's Offices	1 per 300 gross square feet	1 per 400 gross square feet
Other	1 per 2 beds, plus 1 per staff, plus 1 per 4 employees	1 per 400 gross square feet
All Other Service Uses	1 per 300 gross square feet	1 per 400 gross square feet
INDUSTRIAL		
Buildings under 20,000 square feet	1 per 1,000 square feet of gross floor area	
Buildings over 20,000 square feet	0.5 per 1,000 square feet of gross floor area	
*	Except at the discretion of the Planning Commission, when shown by the applicant that a departure from the standards is necessary, such as through a parking study.	

B. Credits for On-Street Parking:

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1. On-street parking spaces along the lot frontage may count toward the minimum number of required parking spaces if needed.
 2. For multi-family dwellings over 3 units, and for commercial buildings over 4,000 square feet, adjacent existing on-street parking within 400 feet from the property line may be used to count toward the on-site parking requirement if needed.
 3. Where on-street parking does not exist, additional on-street parking spaces meeting City standards (see Appendix C) may be constructed to fulfill all or part of the on-site parking requirement. This must be approved by the Technical Review Committee and any outside agencies, as appropriate.
 4. On a block face where formalized on-street parking is available, single-family and 2-family dwellings, and nonresidential uses with less than 4,000 square feet of space, and any structure listed as "Contributing" on the "1997 Beaufort County Above Ground Historic Resources Survey," or most recent historic survey, shall be exempt from these off-street parking requirements.
- C. **Maximum Number of Parking Spaces:** The maximum number of off-street parking spaces shall be as follows:
1. For buildings with a footprint less than or equal to 60,000 gross square feet, no more than 140% of the required minimum number of parking spaces are permitted, except at the discretion of the Planning Commission, shown by the applicant that a departure from the standards is necessary, such as through a parking study
 2. For buildings with a footprint greater than 60,000 gross square feet, no more than 125% of the required minimum number of parking spaces are permitted, except at the discretion of the Planning Commission, shown by the applicant that a departure from the standards is necessary, such as through a parking study.
 3. **Exceptions:**
 - a.
 - b.
 - a. Group Housing or Multi-Family buildings built specifically to accommodate student housing are permitted a maximum of 1 parking space per bedroom, plus an additional 125% for guest parking.
 - b. Uses within the IC district.
 - c. When an exception is granted by the Planning Commission following the Planning Commission's finding, in its discretion, that an applicant has shown, by a parking study or otherwise, that a departure from these requirements is necessary.
- D. **Off Site Parking:** Required parking may be provided off site if the following standards are met:
1. Required parking may be provided in off-street parking facilities on another property within 250 feet of the site proposed for development, as measured along street rights-of-way. Parking further than 400 feet may be approved by the Codes Administrator if it is in conjunction with a plan to provide access to the lot (e.g., shuttle service).
 2. In any transect-based district, required parking may not be located along a major thoroughfare without being screened from the street by buildings.
 3. Unless an exception is granted by the Planning Commission, pedestrian access between the use or the site and the off-premise parking area shall be via a continuous sidewalk or walkway, not separated by a street.

4. The owner shall provide a written parking agreement reflecting the arrangement with the other site.

5.6.5 PARKING EXCEPTIONS

- A. In the T5-DC District, all nonresidential uses, except for motels/hotels/extended stay guest accommodations, shall be exempt from the off-street parking requirements of this section. Where such uses elect to provide off-street parking, it shall meet the design requirements of this section.
- B. Any structure being reoccupied that is listed on the city's "Vacant and Abandoned Structures" list shall be exempt from these off-street parking requirements if on-site parking cannot be accommodated.
- C. In the Boundary Street Redevelopment District, see Section 2.7.3 E. for parking requirements.

5.6.6 SHARED PARKING AND PARKING REDUCTIONS

- A. **Shared Parking—Two Uses:** When two use types share common parking facilities, the minimum amount of required parking may be reduced. The minimum amount of required parking shall be calculated as the sum of the required parking for the two uses separately, divided by the factor listed in the table below.

SHARED PARKING FACTOR FOR TWO USES				
	Residential	Lodging	Office	Retail/Restaurant
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office	1.4	1.7	1.0	1.2
Retail/Restaurant	1.2	1.3	1.2	1.0

EXAMPLE: A mixed-use building that typically requires 10 residential spots and 20 retail spots may be reduced as follows: $(10+20) / 1.2 = 25$ spots. This is a 5-spot reduction due to the shared parking factor.

- B. **Shared Parking—Three or More Uses:** When three or more use types share common parking facilities, or if a use type is not listed in Table 5.6.4., the amount of required parking may be reduced as appropriate in accordance with Section 5.6.6 C. below.
- C. **Parking Reductions:**
 1. The Codes Administrator may grant a reduction in the parking requirements set forth in this section in the following cases:
 - a. Where uses in the same or adjoining development, having different peak hour demand, seek to share parking, the applicant must submit to the Codes Administrator an analysis and substantiated projections of peak parking demand — based on historic data from other locations or a similar use — for the entire development to justify the shared use of parking spaces for separate uses.
 - b. Where the special nature of a certain development (e.g., special types of housing projects inhabited by persons with low or no automobile ownership) does not require the amount of parking listed in Section 5.6.4.
 - c. Where fewer parking spaces are needed due to location and use — e.g., if there is a high concentration of residential units adjacent to a neighborhood-serving use, a parking reduction may be warranted.

-
2. The Codes Administrator shall consider the following in determining whether a reduction is warranted:
 - a. The likelihood that the reduced number of parking spaces can satisfy demand.
 - b. The amount of time during the year when the number of spaces provided may be insufficient and the amount of resulting parking overflow.
 - c. The impact of periodic overflows upon the public streets and other parking facilities.
 - d. The nature of surrounding land uses, character of surrounding road system, and nearby circulation pattern.
 3. In all cases, the burden to demonstrate that a reduction in parking requirements is warranted shall rest with the applicant.

5.6.7 PARKING LOT DESIGN

A. General Design Standards:

1. **Design:** Parking stalls shall be located in areas that will not require backing into access driveways or streets, except where allowed for residences, or when no other practical alternative exists, as determined by the Codes Administrator.
 - a. **Parking Stall Dimensions:** Unless an exception is granted by the Planning Commission, off-street parking spaces shall be at least 9 feet wide by 18 feet long, exclusive of access or maneuvering spaces.
 - b. **Travel Lane Dimensions:** Travel lanes shall not exceed 24 feet wide for 2-way traffic, except in specific areas that may require additional room for truck access. A minimum of 20 feet clear between parking spaces shall be provided for 2-way traffic. One-way traffic may be permitted to have travel lanes width reduced to 16 feet if approved by the fire marshal.
2. **No Storage:** Minimum parking areas shall be kept free of material storage, including portable containers, and outdoor display/sales, except on a temporary basis as part of an approved Temporary Use (see Section 3.13).
3. **Maintenance:** Parking areas shall be maintained to provide for vehicle access and shall be kept free of litter, debris, and potholes.
4. **Identified as to Purpose and Location:** Off-street parking areas with 4 or more spaces, and off-street loading areas, shall include painted lines, wheel stops, or other methods of identifying individual parking spaces and loading areas and distinguishing such spaces from aisle and other circulation features.
5. **Parking Space Marking:** The individual parking spaces in a lot shall be delineated in all parking lots except those utilizing road bond, gravel, grass, or other vegetative surfacing. Such parking lots shall delineate parking spaces with a wheel stop or vegetative buffer.
6. **Front Yard Parking:** Where Section 7.2.3 (Lot Access Standards) permits driveways, they may be used for front yard parking areas, but the width of such front yard parking areas shall be limited to the driveway width specified in that section.

B. Pedestrian Corridors in Parking Lots: Parking lots with 40 spaces or greater shall be designed to separate pedestrian travel from vehicles. They shall include designated pedestrian walkways to provide safe access to building entries for pedestrians.

1. Perimeter sidewalks — typically located on public rights-of-way— and/or interior parking lot pedestrian corridors may be utilized to provide the required pedestrian access.

2. Pedestrian pathways (if provided) shall be a minimum 5 feet in width.
 3. Where parking is located between a public entrance and the fronting sidewalk, a pedestrian pathway shall be provided, following the shortest practical route across the parking lot between at least 1 such entrance on each side of the building facing a public street.
 4. Pedestrian pathways shall be clearly delineated with striping. This may also be accomplished with the use of paving materials that differ from that of vehicular areas, striping or other similar methods.
- C. **Connectivity:**
1. Wherever feasible, adjoining parking lots (except those serving residential buildings of less than 4 units) shall be interconnected, or designed to interconnect in the future.
 2. Where a parking lot connection is provided, an easement for ingress and egress to adjacent lots shall be recorded by the property owner with the Beaufort County Register of Deeds.
 3. When parking lots are connected, one or more of the following incentives may be utilized, at the discretion of the applicant:
 - a. The side or rear setback adjacent to the connection may be reduced to 5 feet.
 - b. An additional 10% of parking spaces exceeding the 140% maximum may be provided.
 - c. Impervious surface may be increased by 5%.
- D. **Materials:**
1. Parking spaces and driveways shall be paved with a material that supports the anticipated load and context. Pervious or semi-pervious paving materials are encouraged. Where possible, such materials shall be used in combination with on-site stormwater control devices.
 2. Parking provided above the minimum required parking spaces shall be with a pervious material.
- E. **Accessible Parking:** All parking facilities that require accessible parking spaces shall ensure that a portion of the total number of required parking spaces shall be specifically designated, located, and reserved for use by persons with physical disabilities, in accordance with the standards in the federal American with Disabilities Act (ADA).
- F. **Tandem Parking and Residential Driveways:** See Section 7.2.3 D.2.b.

5.6.8 STRUCTURED PARKING

See Section 4.5.11.

5.6.9 PARKING OF SPECIFIC VEHICLES

- A. **Parking, Storage or Use of Campers or Other Major Recreation Equipment:**
 - 1. No major recreational equipment shall be parked or stored in any T3 or T4 district in a manner which poses a nuisance or constitutes a hazard. When parked in a permanent location, such equipment shall observe all setbacks, yard, and other requirements set forth within the districts in which they are located.
 - 2. Parking or storage of recreational equipment shall not be permitted in any district between the street and the building face. No such equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored in any location not approved for such uses.
- B. **Vehicles Without License Plates:** Any vehicle or trailer of any kind requiring licenses, but without current plates, shall not be parked other than in completely enclosed buildings.
- C. **Commercial Vehicles:**
 - 1. Trucks, tractors, or tractor-trailers having a capacity of more than a 8,000 pound load, front- and rear-end loaders, or any kind of commercial, industrial, agricultural and transportation vehicles/equipment used primarily for business purposes, shall not be parked or stored on or adjacent to any parcel in a T3 or T4-HN district for purposes other than unloading, loading, or delivery services.
 - 2. Automobiles, small trucks, vans, vehicle trailers permitted in conjunction with an approved home occupation (1 per home occupation), and recreational vehicles, utilized for personal or business use, are excluded from the provisions of this section.

5.7: LIGHTING

5.7.1 PURPOSE

The standards set forth in this section are designed to:

- A. Ensure that all site lighting is designed and installed to maintain adequate lighting levels on-site;
- B. Prevent excessive light spillage and glare directed at adjacent properties, neighboring areas, and motorists; and
- C. Provide security for people and land.

5.7.2 APPLICABILITY

The provisions of this article shall apply to all development with the following exemptions:

- A. All temporary emergency lighting needed by the police or fire departments or other emergency services, as well as all vehicular luminaires, shall be exempt from the requirements of this Code.
- B. All hazard warning luminaires required by federal regulatory agencies are exempt from the requirements of this article, except that all luminaires used must be red and must be shown to be as close as possible to the federally required minimum lumen output requirement for the specific task.

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- C. Individual residential lighting that is not part of a site plan, street section, or outdoor lighting plan for any other common or public area, provided that it does not extend past the boundaries of that property. Security lighting on residential property must comply with Section 5.7.6.
 - D. Lighting associated with landscape/holiday/festive/temporary uses.
 - E. Lighting of public art that has been permitted or otherwise approved by the city.
 - F. Other Municipal or State lighting installed for the benefit of public health, safety, and welfare.
 - G. All fixtures installed or temporarily used by public agencies, their agents, or contractors for the purpose of illuminating public streets.
 - H. Lighting of U.S. Flags, provided the flag standard does not exceed the maximum permitted building height for that district.

5.7.3 GENERAL STANDARDS FOR EXTERIOR LIGHTING

- A. **Hours of Illumination:** Public and institutional uses, commercial uses, and industrial uses (heavy and light) that are adjacent to existing residential development or vacant land in the RMX, T1, T3-S, and T3-N Districts shall turn off all exterior lighting by 10:00 p.m. or within one hour of closing, whichever occurs first, with the following exception:

Lighting that is necessary for security or emergency purposes – meaning the minimum amount of exterior lighting necessary to illuminate possible points of entry or exit into a structure, to illuminate exterior walkways, or to illuminate outdoor storage areas-may be turned on at all times. Additional standards for security lighting are in Section 5.7.5 (Security Lighting).
- B. **Illumination Direction:** In all districts, lighting shall be directed downward. In addition, upwardly directed lighting shall not be used to illuminate structures, except for low-wattage architectural lighting.

5.7.4 DESIGN STANDARDS FOR EXTERIOR LIGHTING

- A. **Maximum Lighting Height:** For purposes of these regulations, the mounting height of a lighting fixture shall be defined as the vertical distance from the grade elevation of the surface being illuminated to the top of the light post, not including the fixture.
 - 1. In pedestrian oriented areas, the height of the light post shall not exceed 20 feet above grade.
 - 2. In auto-centric areas, such as parking lots which support shopping centers, large retailers, or manufacturing sites, etc., the height of the light post shall not exceed 30 feet above grade.
 - 3. Wherever possible, outdoor seating areas, building entrances, and walkways shall be illuminated using ground mounted fixtures not more than four feet tall.
 - 4. In historic districts, light poles exceeding 15 feet above grade must be approved by the Historic Review Board.
- B. **Shielding:** Light fixtures in excess of 1,800 lumens shall use full cut-off lenses or hoods to prevent glare or spillover from the project site onto adjacent lands and streets.
- C. **Maximum Illuminance Levels:** Requirements in the following table shall apply only to light trespass into parcels in T3 and T4 zoning districts at the property line.

TYPE OF USE	MAXIMUM ILLUMINANCE AT PROPERTY LINE
Agricultural, Residential, Day Care-Child or Adult, Community Oriented Civic Facilities, School-Public or Private, Colleges and Universities, and Water-Oriented Facilities	0.5 foot-candles
Retail, Recreation, Education, Public Assembly (except Community-Oriented Civic Facilities, School-Public or Private, Colleges and Universities, and Water-Oriented Facilities), and Services (except Day Care-Child or Adult)	2.5 foot-candles
Industrial and Transportation, Communications, Infrastructure	2.5 foot-candles
Vehicular Use Areas (Note: Minimum illuminance level at the edge of the vehicle use area shall be 0.2 foot-candles.)	2.5 foot-candles

5.7.5 SECURITY LIGHTING

- A. Motion-activated security lights, unshielded flood and spotlights with 45 watts or less, installed for security and activated by motion sensor, are permitted. These unshielded lights must be mounted and aimed in a manner that minimizes up-lighting and light trespass.
- B. All floodlights shall be installed such that the fixture shall be aimed down at least 45 degrees from vertical. Flood lights shall be positioned such that any such fixture located within 50 feet of a public street right-of-way is mounted and aimed perpendicular to the right-of-way.
- C. All flood or spot lamps emitting 1,000 or more lumens shall be aimed at least 60 degrees down from horizontal, or shielded such that the main beam from the light source is not visible from adjacent properties or the public street right-of-way.
- D. Landscape and decorative lighting using incandescent lighting of 40 watts or less is permitted, provided that the light is installed and aimed to prevent lighting build-up and light trespass and is shielded to prevent view from the public right-of-way.
- E. Area “dusk to dawn” open-bottom lights, with photosensors that automatically turn the light on and off at certain levels of ambient illumination, are permitted. These lights must be full cutoff.

5.7.6 ILLUMINATION OF OUTDOOR SPORTS FIELDS AND PERFORMANCE AREAS

Lighting of outdoor sports fields and performance areas shall comply with the following standards:

- A. **Glare Control Package:** All lighting fixtures shall be equipped with a glare control package (e.g. louvers, shields, or similar devices) and aimed so that their beams are directed and fall within the primary playing or performance area.
- B. **Hours of Illumination:** The hours of operation for the lighting system for any game or event shall not continue more than 1 hour after the end of the game or event.

5.7.7 PROHIBITED LIGHTING TYPES

- A. **Laser Source Light:** The use of laser source light or any similar high intensity light for outdoor advertising or entertainment is prohibited.
- B. **Searchlights:** The operation of searchlights for advertising purposes is prohibited.
- C. **Flashing Lights:** With the exception of motion-activated security lighting, lights that flash, move, revolve, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsation are prohibited.
- D. **Awning and Canopy Back-Lighting:** Awnings and canopies used for building accents over doors, windows, etc. shall not be uplit. Lighting that illuminates the sidewalk, or downlights onto the architectural features of a building, may be installed under canopies.

5.8 Fencing

The purpose and intent of this section is to establish minimum standards to regulate the location, **height**, and appearance of fences and walls to maintain visual harmony within **neighborhoods** and zoning districts throughout the City, protect **adjacent** properties from the indiscriminate placement and unsightliness of fences and walls, and ensure the safety, security, and privacy of properties.

A. Applicability

This section applies to the **construction**, substantial reconstruction, or replacement of fences or walls not required for support of a principal or **accessory structure**, and to any other linear barrier intended to delineate different portions of a **lot**, within the City. Temporary fences for **construction sites**, sand fencing in beachfront areas, and **tree** protection fencing are exempt from the standards and requirements of this section.

B. Height

Fences and walls shall be subject to the following **height** limits:

1. Front or Street Side Setback: Four feet in height, with the following exceptions:
 - a. On T3 lots that front Ribaut Road, fences may be permitted to be 7 feet in height on the condition that such fences are set back from the front property line 1 foot for every 1 foot increase in height above 4 feet.
 - b. In the LI District, parcels fronting Primary Streets may have fences or walls up to 6 feet in height. Parcels fronting all other streets may be up to 10 feet in height.
 - c. All above ground electric fences are not permitted.,.
2. Interior Side or Rear Setback (if side yard is not facing a street or a double frontage lot)
 - a. Transect-Based District: 6 feet in height if not facing a street.
 - b. Interior Side or Rear Setback of a Conventional District: 8 feet in height.
 - c. Interior Side or Rear Setback of LI District: 10 feet in height.
3. Historic District: All fences shall be 4 feet in height or less along all setbacks. Exceptions may be approved by the Historic District Review Board (HDRB).

C. Materials:

1. The support structures for fences, such as posts, shall be located on the inside of the fence.
2. The **gates**, posts, columns, and associated details of entry **gates** are allowed within the required setbacks along **streets** if they do not exceed six feet in **height** and are approved by the Code Administrator in accordance with the requirements of this **Ordinance**.
3. All fences in the historic district shall be picket, cast iron, or wire fencing with vegetation.
4. Chain-link fencing is not permitted outside the LI district.
5. All above ground electric fences are not permitted.,

D. Appearance:

Fences and walls visible from a **street right-of-way** shall be composed of a design, materials, and colors that are compatible with those of **buildings** and other elements of **development** on the site.

5: LANDSCAPING, PARKING AND LIGHTING

5.1: LANDSCAPING AND TREE PROTECTION

5.1.1 PURPOSE AND INTENT

The purpose and intent of this ~~code~~ chapter is to regulate and protect a sustainable and healthy tree canopy throughout the City of Beaufort while promoting the benefits and advantages of retaining mature trees in our landscapes, parks, and streets. There are many benefits directly attributable to trees and the regulation of tree preservation is necessary for the preservation of public health, safety, general welfare, environment and aesthetics in the City of Beaufort. Great care should be taken to integrate new development into the existing landscape, and to preserve natural vegetation where possible.

Specifically, the standards in this section are meant to:

- Maintain the current and increase for future, the total tree canopy within the City limits;
- Preserve healthy trees that might otherwise be removed through the required use of arborist reports and tree risk assessments;
- Lessen air pollution and promote clean air quality by increasing dust filtration;
- Prevent soil erosion;
- Improve surface drainage, minimize flooding, and minimize the cost of constructing and maintaining drainage systems necessitated by the increased flow and diversion of surface waters;
- Conserve energy by reducing heating and cooling costs;
- Reduce noise, heat, dust, and glare;
- Preserve biodiversity, wildlife habitat, and habitat corridors;
- Educate the public as to the importance of trees and the inherent risks that they pose and that most tree risks can be mitigated for;
- Beautify and enhance land and views from the City's entryways, public lands, and streets;
- Preserve residents' quality of life and the natural heritage of the City; and
- Maintain the ambience of the City of Beaufort and enhance property values.

5.1.2 Definitions

1. ~~(a)~~ *Arborist Report*. A report compiled by an ISA Certified Arborist containing pertinent information about the physical and structural health of the trees on a site.

2. ~~(b)~~ *Caliper*. The diameter of the trunk of a tree measured six (6) inches above the ground for trees up to and including four-inch diameter and measured twelve (12) inches above the ground for larger trees. This measurement is used for proposed or nursery-grown trees.
3. ~~(c)~~ *Certified Arborist*. A person who has met the criteria for certification from the International Society of Arboriculture (ISA), maintains his or her credentials, and is an employee of the company submitting the request for pruning or removal.

~~(d) Clearcutting~~. A forestry practice in which most of or all the trees in an area are uniformly cut down.

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4. ~~(e)~~ *Commercial Use*. Any use of property for a-the principal purpose of engaging in any business, calling, occupation, profession, or activity engaged in with the object of gain, benefit, or advantage, use of operating a "business," as defined to include without limitation those commercial uses stated in Sections 3.6 and 13.1 of the Beaufort Code, that may be operated for the object of gain or benefit.
5. ~~(f)~~ *Developed Land*. Land on which manmade structures exist or land modifications (clearing, grading, etc.) have occurred.
6. ~~(g)~~ *Diameter at Breast Height (DBH)*. The diameter in inches of the trunk of a tree, or, for multiple trunk trees, the aggregate diameters of multiple trunks, measured four and one-half (4½) feet from the existing grade at the base of the tree. This measurement is used for existing trees.
7. ~~(h)~~ *Diseased tree*. A tree that has been infected or infested by a severe disease or a pest that is known to cause or is causing the death of a tree.
8. ~~(i)~~ *Drip Line*. An imaginary vertical line extending downward from the outermost tips of a tree's branches to the ground.
9. ~~(j)~~ *Hazard*. A likely source of harm. In relation to trees, a hazard is the tree part or parts identified as a likely source of harm.
10. ~~(k)~~ *Hazardous tree*. A tree is considered hazardous when it that has been assessed and found to be likely to fail and cause an unacceptable degree of injury, damage, or disruption – that is, it poses an elevated risk.
11. ~~(l)~~ *Elevated Risk*. A tree, or any part of a tree, that poses a risk of harm to persons s or property due to damage, deterioration, or numerous hazards, and where such risk cannot be mitigated by any arboricultural procedures.
12. ~~(m)~~ *Healthy Tree*. A tree that is not dead, dying, or diseased; is not at an elevated risk for failure; or is not an invasive tree.
13. ~~(n)~~ *Impervious Surface*. Solid surface that prevents aeration, infiltration, and water penetration, resulting in several harmful side effects.
14. ~~(o)~~ *Invasive Species*. Any non-native organism whose introduction causes or is likely to cause economic or environmental harm or harm to human health. Are nNon-native organisms that are detrimental to our natural areas or native flora and fauna. Managing these pests often costs landowners, land managers, and tax payers millions of dollars each year. Invasive species contribute to the loss of habitat for native species and contribute to their declines.
15. ~~(p)~~ *Live Crown Ratio (LCR)*. Is the percentage of a tree's total height that supports live foliage, serving as an indicator of tree vigor and health. LCR is calculated by dividing the length of the live crown (the part of the tree with foliage) by the total height of the tree and then multiplying by 100 to express it as a percentage.

16. Mitigation Pruning: Pruning methods prescribed by a certified arborist that will result in the reduction of the risk of tree or tree limb failure, usually associated with a tree risk assessment report.
- 14-17. ~~(g)~~ Native species. ~~Native species of flora and fauna are organisms that developed naturally in a specific area over time. They and evolved alongside other local plants (flora) and animals (fauna), creating balanced relationships within their habitat. Native species form communities and biological interactions with other specific flora, fauna, fungi, and other organisms.~~
- 15-18. ~~(p)~~ Official. A member of City staff designated by the City Manager.
- 16-19. ~~(q)~~ Overmature Tree. ~~See Senescent Tree. A tree or stand that has passed the age of maturity where the rate of growth has diminisheddiminished, and the trees are weakened.~~
- 17-20. ~~(r)~~ Overstory Tree. A tree that, when mature, reaches a height of at least thirty-five (35) feet.
- 18-21. ~~(s)~~ Pervious Surface. A surface that allows water to percolate through to the area underneath rather than becoming runoff.
- 19-22. ~~(t)~~ Replacement Planting. Tree planting that is proposed as a replacement for a tree which has been cut down.
23. ~~(u)~~ Residential Lot of Record. A lot ~~existing prior to the adoption of this ordinance~~ where single, two-, or three-family development is permitted.
24. Risk. ~~is~~ The combination of the likelihood of an event ~~that may cause damage~~ and the severity of the potential ~~consequences~~ damage. In the context of trees, risk is the likelihood ~~of a conflict or tree failure occurring and affecting a target and the severity of the associated consequences that a tree will cause personal injury, property damage, or disruption of activities and the likely severity of those damages.~~
- 20-25. Senescent Tree. A tree that has reached a stage where its growth, vigor, and health are declining, often nearing the end of its natural lifespan. It includes both natural age-related decline and stress-induced deterioration. ~~Different tree species react differently to this senescent life stage; some will respond to mitigation pruning.~~
- 21-26. ~~(v)~~ Specimen and Landmark Trees. see Section 5.3.1.A.
27. ~~(w)~~ Tree Protection Zone. The area reserved around a tree or group of trees in which no grading, access, stockpiling, or other construction activity shall occur, the extent of which will be determined by the proposed site design and existing site conditions. See Section 5.3.3 for specific requirements.
- 22-28. Tree Risk Assessment: The systematic process to identify, analyze, and evaluate tree risk, and to recommend mitigation procedures.
- 23-29. ~~(x)~~ Undeveloped Land. ~~Raw~~ Land and on which manmade structures or land modifications (clearing, grading, etc.) do not exist.
- 24-30. ~~(y)~~ Understory Tree. A tree that, when mature, reaches a height of twelve (12) to thirty-five (35) feet and, ~~in its whose~~ natural habitat, ~~is growing-grows~~ under larger, higher canopied trees.
- 25-31. ~~(z)~~ Willful Violation. A violation in which the landowner, developer, and/or operator ~~of real property~~ knowingly ~~failed-fails~~ to comply with the requirements of this section.

5.1.3 Certified Arborist Report

A. Requirements

The purpose of a Certified Arborist Report is to ~~perform~~ provide a visual ground assessment of all trees on a parcel of real property, including Specimen and Landmark trees, using the most current copy of certified ~~Tree-tree~~ and ~~Topotopographical survey~~ created by a Registered Professional Land Surveyor.

Each tree will have a detailed visual ground inspection of its surrounding site, buttress roots, trunk, and branches and an assessment of the tree's general health. The information will be used to determine physical and structural health of the trees, as well as the likelihood of potential failures in each tree. This assessment protocol is based on a modified Level 2, Basic Tree Risk Assessment as outlined in The American National Standards Institute ("ANSI") A300 Tree Care Standards – Part 9: Tree, Shrub and Other Woody Plant Management – Standard Practices.

The Level 2 Basic Tree Risk Assessment is not the highest level of assessment available to arborists. Any trees that are required to be preserved on site which may need a higher level of assessment shall also be identified and any additional necessary recommendations given.

Recommendations will be given for performance and timing of maintenance procedures, such as crown pruning, root pruning and root fertilization, if deemed needed-necessary after soil testing, ~~and~~ measures that should be performed on trees that are to be preserved on site.

This report also ~~verifies a positive~~ positively verify the identification of all trees listed on the tree and topographical survey ~~Tree and Topo~~.

B. Mitigation Pruning

~~Mitigation pruning is an important component of this report.~~ All of the trees in each of the groupings, except for Category D, as identified Sec. 5.1.3.D., will have the potential to improve their standing on the site with the application of mitigation pruning.

This can generally consist of some combination of limb end weight reduction, deadwood and vine removal, the culling of understory plants, or other creative arboricultural methods to reduce some of the risks that trees present and allow more trees to be preserved on site.

C. ~~Arborist Duty of Care~~ Risks and Hazards

~~Arborists have a Duty of Care to the trees that they are assessing, not to the entity who might be financing the report. This Duty of Care~~ The report shall take into consideration hazards that may be found in the trees, potential targets, a tree's inherent stability under normal weather conditions, static and dynamic loads and, most importantly, what arboricultural procedures can be applied to reduce any of the risks or hazards that may be uncovered. ~~The ultimate site goals and future intentions for these trees by the owner are never a component of the assessment.~~

D. Assessment Format

Each of the Specimen and Landmark trees on a site plan will be categorized into four different groups, designating each tree's individual condition based on both structural and physical health factors. In order to make the report more diverse and the tree cover more sustainable, any of the more valuable smaller trees are also suggested to be assessed and highlighted so that there will be more information on their status and thus may be able to remain in the landscape. Each condition grouping will be highlighted with a specific color on the site plan. These designating letters and grouping categories are as follows:

Category A) **Highlighted in Green:** A tree with no or slight defects and a low risk of failure. This tree is thriving for its species and location. It has little or no obvious faults or defects that would warrant a more detailed

inspection. Some minor pruning may be needed including light reduction of end-weight growth and removal of deadwood. Tree longevity is open-ended and unrestricted. There is an improbable likelihood of limb, ~~or~~ lead, ~~or~~ total trunk failures occurring under normal weather conditions over the next 5 to 10 years. There may be no specific mitigation pruning recommended at this time.

Category B) **Highlighted in Orange:** A tree with moderate defects having a reasonable risk of failure. This tree is growing well for its species and location. It may have some minor, obvious faults and defects which would need to be aerially inspected. There may be a possible likelihood of limb or lead failures under normal weather conditions over the next 5 to 10 years. There is an improbable likelihood of total trunk failure over the next 5 to 10 years. These possible failures can, in most cases, be mitigated by prescription reduction or heading pruning procedures. These procedures can reduce the risk of failures to a level of risk that can be considered acceptable by most tree managers. There may be some other specific pruning needs such as crown raising, crown reduction, invasive vine severing, deadwood removal and Spanish moss reduction if present in large amounts, over and above the mitigation pruning recommendations.

Category C) **Highlighted in Blue:** A tree with severe defects and a high risk of failure. This tree is failing to thrive and may be in decline. It has obvious faults, defects, and hazards present that have a probable likelihood of causing limb, lead, or trunk failures. Timely prescribed and above normal mitigation pruning may in some cases reduce these hazards and risks of failures to a level that could be acceptable by some tree managers. If mitigation pruning is chosen, monthly inspections by the tree manager and annual inspections by a certified arborist are recommended.

Category D) **Highlighted in Red:** A tree with critical defects and an imminent risk of failure. This tree may already be dead or, if still alive, ~~has~~ have severe critical defects and hazards with an imminent likelihood of limb, lead, and total trunk failure. No amount of mitigation pruning ~~could~~ can reduce any of the risks present to an acceptable level. Depending on occupancy rates of the areas adjacent to these trees, immediate or timely attention is called for.

E. Hazard vs Risk

~~In the wording of this report, please consider the~~ The correct use of the terms “hazard” and “risk” in accordance with ANSI A300 Part 9: Tree Shrub, and Other Woody Plant Management – Standard Practices (Tree Risk Assessment and Tree Structure Assessment) ~~shall be included in the report.~~

A tree is considered hazardous when it has been assessed and found to be likely to fail and cause an unacceptable degree of injury, damage, or disruptions – that is, it poses a high or extreme risk.

Risk is the combination of the likelihood of an event and the severity of the potential consequences.

A hazard is a likely source of harm. In relation to trees, a hazard is the tree part or parts identified as a likely source of harm.

5.1.4 Recommended Trees and Shrubs

The following commonly found species of trees and evergreen shrubs are listed by category. The lists are not exhaustive and applicants are not required to select species found on these lists.

BROAD-LEAVED OVERSTORY TREES	
American Beech	Fagus grandifolia
American Elm	Ulmus americana
American Sycamore	Platanus occidentalis

Ashleaf Maple	Acer negundo
Black Oak	Quercus velutina
Black Gum	Nyssa sylvatica
*Drake Elm (Everclear, Allee or Bosque)	Ulmus Parvifolia
Eastern Cottonwood	Populus deltoides
Honey Locust	Gleditsia triacanthos
*Cathedral Live Oak	Quercus virginiana 'Cathedral'
Laurel Oak	Quercus laurifolia
Live Oak	Quercus virginiana
*Overcup Oak	Quercus lyrata 'Highbeam'
Pecan	Carya illinoensis
Pignut Hickory	Carya glabra
Pumpkin Ash	Fraxinus profunda
*Pyramidal European Hornbeam	Carpinus betulus 'Fastigiata'
Red Maple	Acer rubrum
*Nuttall oak	Quercus nuttalli
Shumard Oak	Quercus shumardii
Southern Magnolia	Magnolia grandiflora
Southern Red Oak	Quercus falcata
Swamp Chestnut Oak	Quercus michauxii
Sweet Gum	Liquidambar styraciflua
*Trident Maple	Acer buergerianum 'Aeryn'
Water Tupelo	Nyssa aquatica
White Oak	Quercus alba
Willow Oak	Quercus phellos
*Starred trees are recommended for street tree plantings	
CONE-BEARING OVERSTORY TREES	
*Bald Cypress	Taxodium distichum
Loblolly Pine	Pinus taeda
Long Leaf Pine	Pinus palustris

Pond Cypress	Taxodium distichum nutans
Pond Pine	Pinus serotina
Slash Pine	Pinus elliotii
Short Leaf Pine	Pinus echinata
Spruce Pine	Pinus glabra
*Starred trees are recommended for street tree plantings	
UNDERSTORY TREES	
Allegheny Chinkapin	Castanea pumila
American Holly	Ilex opaca
American Plum	Prunus americana
Bigleaf Snowbell	Styrax grandifolia
Bitternut Hickory	Carya cordiformis
Black Cherry	Prunus serotina
Black Willow	Salix nigra
Blackjack Oak	Quercus marilandica
Bluejack Oak	Quercus incana
Buckthorn Bumelia	Bumelia lycioides
Cabbage Palmetto	Sabal palmetto
Carolina Ash	Fraxinus caroliniana
*Carolina Basswood	Tilia caroliniana
Carolina Buckthorn	Rhamus caroliniana
Carolina Laurelcherry	Prunus caroliniana
Carolina Silverbell	Halesia carolina
Chickasaw Plum	Prunus augustifolia
Coastal Plain Willow	Salix caroliniana
Common Hoptree	Ptelea trifoliata
Common Persimmon	Diospyros virginiana
Common Sweetleaf	Symplocus tinctoria
*Crepe Myrtle	Lagerstroemia indica
*Dahoon Holly	Ilex cassine

Eagleston (a.k.a. Foster) Holly	Ilex attenuata 'Eagleston' or 'Fosteri'
Eastern Coralbean	Erythrina herbacea
Eastern Redbud	Cercis canadensis
Eastern Red Cedar	Juniperus virginiana
Flatwoods Plum	Prunus umbellata
Florida Basswood	Tilia floridana
Florida Maple	Acer barbatum
Flowering Dogwood	Cornus florida
Fringetree	Chionanthus virginicus
Green Ash	Fraxinus pennsylvanica
*Hasse Magnolia (a.k.a. Alta)	Magnolia grandiflora 'Hasse' or 'Alta'
Hercules Club	Anthoxylum clava-herculis
Ironwood	Carpinus caroliniana
Littlehip Hawthorn	Crataegus spathulata
Loblolly Bay	Gordonia lasianthus
Mockernut Hickory	Caryatomentosa
Myrtle Oak	Quercus myrtifolia
*Oklahoma Redbud	Cercis reniformis 'Oklahoma'
Parsley Hawthorn	Crataegus marshallii
Pawpaw	Asimina triloba
Planer Tree	Planera aquatica
Possumhaw Holly	Ilex decidua
Post Oak	Quercus stellata
Red Buckeye	Aesculus pavia
Red Mulberry	Morus rubra
Redbay	Persea borbonia
River Birch	Betula nigra
Hickory	Carya pallida
*Sabal Palm	Sabal palmetto
Sassafras	Sassafras albidum

Sourwood	Oxydendrum arboreum
Southern Bayberry	Myrica cerifera
Southern Crab Apple	Malus angustifolia
Southern Red Cedar	Juniperis silicicola
Sparkleberry	Vaccinium arboreum
Sugarberry	Celtis laevigata
Swamp Cotton wood	Populus heterophylla
Sweetbay	Magnolia virginiana
Tough Bumelia	Bumelia tenax
Turkey Oak	Quercus laevis
Water Hickory	Carya aquatica
Water Oak	Quercus nigra
Waterlocust	Gleditsia aquatica
Witch Hazel	Hamamelis virginiana
*Yaupon Holly, Weeping	Ilex vomitoria 'Pendula'
*Starred trees are recommended for street tree plantings	
SCREENING SHRUBS	
Sasanqua	Cammellia sasanqua
Yaupon Holly	Ilex vomitoria
Chinese Mahonia	Mahonia fortuneiw
Nandina	Nandina domestica
Pittosporum	Pittosporum tobira
Podocarpus	Podocarpus macrophyllus
Indian Hawthorne	Raphiolepis indica
Cleyera	Ternstroemia gymnanthera
Laurestinus	Viburnum tinus
Japanese Viburnum	Viburnum macrophyllum
Elaeagnus	Elaeagnus pungens
So. Indica Azalea	Azalea indica
Burford Holly	Ilex cornuta "Burfordi"

Wax Myrtle	Myrica cerifera
Fatsia	Fatsia japonica
Florida Anise	Illicium floridanum
Pfitzer Juniper	Juniperus chinensis "pfitzeriana"
Wax Leaf Ligustrum	Ligustrum japonicum
Oleander	Nerium oleander
Breath-of-Spring	Lonicera fragrantissima
Loropetalum	Loropetalum chinense
Juliana Barberry	Berberis julianae
Hedge Bamboo	Bambusa multiplex
Bay Laurel	Laurus nobilis
Banana Shrub	Michelia figo
Sweet Myrtle	Myrtus communis
*Starred trees are recommended for street tree plantings	

5.1.5 Specific Best Practices

~~When pruning trees less than six 6-inches in caliper, the operator shall retain a 60% or greater live crown ratio (LCR). For example, a 10-foot-tall tree shall have a minimum of 6-six feet of total crown foliage after pruning and 4-four feet of exposed trunk from the ground to the lowest branch. There shall never be more than 7-seven feet of exposed trunk from the ground to the lowest branch. Pruning Trees less than 6" caliper shall not be limbed up from the ground more than 7 feet to the lowest branches.~~

For trees ~~6" six inches in~~ caliper and larger, the live crown ratio ~~— the~~ ratio of tree canopy height to trunk height shall be no less than 2:1 (Example: A 30' tall tree should have a canopy no less than 20' tall and an exposed trunk no greater than 10' tall.)

5.1.6 Sample Tree Mitigation Schedule

Tree Mitigation Chart Example

SCHEDULE OF TREES TO BE REMOVED

Project Name: Retail Shop Zoning District: TS-UC

TREE TYPE	8"	10"	11"	12"	13"	14"	15"	16"	17"	18"	19"	20"	21"	22"	23"	24"	26"	27"	28"	32"	33"	38"	42"	TOTALS [TYPE]
LIVE OAK	1		1				1							1		1								5
LAUREL OAK	1	1	2	1	2	8	1	6	1	1	1	2				1		3		2	1	1	2	30
WATER OAK	1	2											1											2
CHERRY	1	2				1	1				1	1				1								8
SWEETGUM	1																							1
PINE (not Longleaf)	1			1			2	2				2	3	2	1	2	1		1					18
TOTALS (SIZE)	4	5	2	2	3	6	3	4	2	2	3	6	3	1	4	1	3	1	2	1	1	1	2	63

SCHEDULE OF TREES TO BE SAVED

TREE TYPE	8"	15"	18"	22"	25"	29"	36"	45"	TOTALS (TYPE)
LIVE OAK	2	3		1		1	1	1	4
LAUREL OAK	2		1	1	1				5
PECAN			1						1
TOTALS (SIZE)	2	3	1	1	1	1	1	1	10

Mitigation required

inches	12"	13"	10"
Fee	\$2,400	\$3,500	50
Permit fee is not applicable			

Color Key

Landmark Trees - A or B	highlighted in yellow
Specimen Trees - A or B	highlighted in orange
Other 6" DBH or + - A or B	highlighted in blue
Any tree C or D	unhighlighted

A,B,C,D rating refers to the Category in the Certified Arborist Report - See Appendix A

Mitigation Calculation Summary

50% or less	50% or less	25% or no additional
>100 (calculus)	>100 (calculus)	Tree if mitigation is not possible
inches	Specimen #	inches
Landmark #	Specimen #	8" or + # of inches
inches	inches	inches
24	49	10
0	0	0
0	21	0
0	0	31
0	0	0
0	0	0
24	70	41

This is for illustrative purposes only and may be changed from time to time. An excel template for this planting schedule, along with typical tree planting details, can be found on the Planning Department's website.

5.2: APPLICABILITY AND ADMINISTRATION

5.2.1 APPLICABILITY

A. General

- (1) **Tree Preservation**. Consistent with the purpose of this section, priority shall be placed on retention of existing trees. ~~All persons shall make a~~ All reasonable efforts shall be made to preserve and retain any existing Specimen and Landmark trees and established stands or groves of trees.
- (2) **Permit required for removal**. Except as exempted in 5.2.1.B. below, a Tree Permit shall be required to remove or relocate any tree of eight inches DBH or more, or a Specimen or Landmark tree, in the City. See Section 5.2.2.A for specific requirements.
~~(a)~~ For single family and 2- and 3-family buildings on existing lots of record, a permit is only required for the removal of Specimen or Landmark trees.
- (3) **Permit required for pruning**. A Tree Permit is required to prune any ~~landmark~~ Landmark tree as described in Table 5.3.1.A. Pruning must be done by, or under the guidance of, a certified arborist and shall meet ANSI A300 Standards for pruning.
- (4) **Trees Designated** ~~designated~~ for ~~Retention~~ retention. A Tree Permit shall be required for the removal or relocation of any tree previously designated to be retained on an approved development plan.
- (5) **Enforcement**. Failure to comply with the standards of this section shall be a violation of this ordinance and subject to the remedies and penalties specified in Section 12 of the Beaufort Code.

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B. Exemptions

- (1) The following activities are exempt from the standards in this [ordinance chapter](#) and the requirements for a Tree Permit:
 - a. Removal of severely damaged trees that have an imminent likelihood of failure or pose an immediate risk to person or property following a natural disaster such as a hurricane, tornado, ice or windstorm, flood, wildfire, or any other such act of nature.
 - b. Tree removal associated with forestry activities shielded from local development regulation in accordance with S.C. Code Ann. [§ 48-23-205](#), subject to the limitations on subsequent development in Section 5.2.2.C. below. Forestry activities shall be regulated by a Forestry Management Plan approved by a certified South Carolina Forester.
 - c. Removal of plant species designated as invasive by the South Carolina Forestry Commission, including, but not limited to the following:
[Chinese Tallow \(*Triadica sebifera*\)](#), [Chinaberry Tree \(*Melia azedarach*\)](#), [Callery Pear \(*Pyrus calleryana*\)](#), [Camphor Tree \(*Cinnamomum camphora*\)](#), [and Princesstree \(*Paulownia tomentosa*\)](#).
- (2) No Tree Permit is required where the proposed tree removal or alteration is reviewed and authorized in accordance with an approved Site Development Permit or Building Permit, though compliance with the standards in this section is required.
- (3) Residential Lots of Record, as defined in Sec. 5.1.2, are exempt from the replacement planting and mitigation requirements of Section 5.5.2.C. Replacement planting and mitigation for tree removals in conjunction with development of these properties shall be regulated by Section 5.5.2.F. below. All other requirements of this ordinance shall apply to such uses.

5.2.2 ADMINISTRATION

Application Procedure. No Project Permit shall be issued, nor [shall](#) any development be commenced, for any site subject to the requirements of this article without an approved plan for all site elements including landscaping, lighting, and parking, as part of a greater development design review process as outlined in Article 9 (Development Review Procedures).

A. Tree Protection Information in Applications

(1) New Development

- (a) Applications for a Major Subdivision, Site Plan, Zoning & Building Permit, or Certificate of Occupancy shall include at least the following information:
 - (i) A Tree Survey verified by a certified arborist, as described in subsection 5.2.2.A.3. below;
 - (ii) A brief written narrative of proposed plans for tree protection and justification for proposed removals and replacements, verified by a certified arborist;
 - (iii) A complete tree tally sheet listing exact species and diameter of trees on site;
 - (iv) For a Major Subdivision/Site Plan, a site plan showing utility lines, grading activities as well as building and pavement footprints (pervious and impervious surfaces) in relation to existing trees and denoting trees to be removed with an "X"; and
 - (v) A replacement tree replanting schedule, if required by Sections 5.3.2.G and 5.5.2 below.
- (b) Applications for a Residential Building (Project) Permit shall include at least the following:

- (i) A Tree Survey;
- (ii) A certified arborist report including all Specimen and Landmark trees; and
- (iii) A site plan showing utility lines as well as building and pavement footprints (pervious and impervious surfaces) in relation to existing trees and denoting trees to be removed with an "X."

(2) Existing Development. Applications for pruning or removal of trees on individual developed lots shall include a tree survey and a report from a certified arborist. An exception is granted on developed single-, two-, and three-family lots wherein a scope of work from a certified arborist is only required for removal of a Specimen or Landmark tree and pruning of a landmark tree. A tree survey shall never be required on developed single-, two-, and three-family lots.

(3) Tree Survey. The tree survey shall be in the form of a map or site plan, prepared and sealed by a registered land surveyor within two years of the date of application. The tree survey shall be at the same scale as the required site development plan and shall include the species and DBH of all trees 8" DBH or greater.

~~(4)~~ All palmetto trees over eight (8) feet tall shall be measured in height, from the ground to the base of the frond initiation point.

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B. Authorization for Tree Removal.

(1) Permit Required. No person shall cause, suffer, permit or allow the following:

- (a) The removal of a tree 8" DBH or greater or Specimen or Landmark Tree without first obtaining written authorization, to include all necessary permit(s), from the City to conduct the removal.
- (b) Any encroachments, excavations, or change of the natural grade within the critical root zone (CRZ) of a protected tree, unless approved by the Codes Administrator, prior to the commencement of said activity, that the activity will not negatively impact the tree. The critical root zone area shall be defined as the greater of either:
 - (i) The area extending from the trunk of the tree to the outer-most point of the canopy or drip line; or,
 - (ii) All of the area starting at the trunk and extending to a distance of one (1) foot for each inch in diameter the trunk measures at four and one-half (4 1/2) feet above ground level.

(2) Criteria. No authorization for the removal of any tree 8" DBH or greater or any Specimen or Landmark Tree shall be granted unless the applicant for removal of the tree demonstrates one or more of the following conditions in writing:

- (a) **Health.** ~~Whether or not the~~ The tree is dead, dying, or diseased according to a certified arborist report and verified by the City Official or designee.
- (b) **Elevated Risk.** ~~Whether or not the~~ The tree presents hazards that cannot be mitigated by any arboricultural procedures due to its deteriorated or damaged state.
- (c) **Developability.** ~~Whether or not the~~ The tree constrains reasonable development of the specific site, considering lot size, applicable setbacks, context, building type and use, stormwater requirements, and other relevant site development considerations.

(3) Permit Decision. Upon review of a completed application, the Codes Administrator shall approve, approve with conditions, or deny the permit.

- (a) The applicant shall be notified of approval or denial, and if denied, informed of the reasons for denial.

(b) Permits may be issued conditionally, provided that the conditions are stated in writing and are appropriately referenced on the permit. Among such conditions may be stipulations that the developer of a site provide legal mechanisms which ensure the protection of Specimen and Landmark Trees after construction has occurred on the development. ~~such~~ Such mechanisms may include, but not be limited to, conservation easements, common open space requirements, vegetation or tree protection easements or buffers, deed restrictions, and restrictions in homeowners' or condominium association documents.

(c) In the event questions or disputes arise concerning tree conditions, the City may call upon and consult with a certified arborist or other qualified professional to reach a decision. All appeals of staff decisions, and other form of administrative relief sought as a result of the application of these standards, shall be the purview of the Zoning Board of Appeals.

(4) Timing. The official shall be notified within five (5) business days prior to tree removal approved as part of a Site Plan.

(5) Permit posting. A copy of the approved tree permit shall be clearly posted on the job site during all phases of clearing and construction activities.

C. Pre-Development Standards. Trees shall be marked with color ribbons, using blue ribbons to mark trees to be preserved, red ribbons for trees to be removed, and orange ribbons for elevated risk trees that are proposed to be removed (elevated risk trees will not count towards the overall required tree replacement). In heavily wooded areas, the official may allow large groups of trees to be preserved or removed to be marked with the appropriately colored ribbon extending around the perimeter of the group of trees.

D. ~~Tree removal without permit~~ Prior to Development. Nothing in this section shall be construed as to prevent the practice of forestry, as exempted from local development regulation by S.C. Code Ann. § 48-23-205. Forestry practiced in the City shall be accompanied by a Forestry Management Plan that has been approved by a certified South Carolina Forester.

~~(a) In addition to other provisions in accordance with Section 12 of this Code, no application for subdivision plan (meaning sketch or preliminary plat), site plan, certificate of appropriateness or conditional use permit shall be accepted if, within twenty-four (24) months prior to said application, any trees on any property the subject of such application have been removed without legal authorization under this Code, whether by the present owner of the subject property or by a party who previously owned the subject property.~~

~~This twenty-four (24) month period shall be extended to sixty (60) months if said property is part of a development site on which more than 10% of the total trees have been cut.~~

~~(b) In addition, no such tree removal shall occur in the time between acceptance of such application and final approval without such application being subject to denial or revocation and the same penalties as above.~~

~~(c) An affidavit signed by the owner of the property at the time of application submittal shall be submitted with all such applications testifying to the fact that no trees have been removed without legal authorization under this Code during these specified periods of time.~~

~~(1) Two-Year Deferral. Prior to approval, if the developer removes any portion of the trees that would have been protected by this section pursuant to a development application, the application shall be deferred for a period of two (2) years after completion of the removal, and the mitigation and replanting requirements of this ordinance shall apply.~~

~~(2) **Five Year Deferral.** If the landowner, developer, and/or operator does not have a Forestry Management Plan, the work was not completed according to the Plan, or transfer of property occurs following the completion of the work, it shall be considered a willful violation of City ordinances and an application for a development permit on any portion of the property will be deferred for five (5) years, and the mitigation and replanting requirements of this ordinance shall apply.~~

E. Tree Protection and Restoration Plan (TPRP).

(1) A TPRP shall be submitted along with all other materials required at the time of application for Preliminary Plat review of a Major Subdivision, Site Plan, or when submitting for a Zoning & Building Permit or Certificate of Occupancy. The TPRP shall comply with the requirements of Section 5.3-2 and include the following:

(a) A **tree survey**, performed by an engineer, certified arborist, or registered landscape architect, licensed by the State of South Carolina, identifying both the existing areas of canopy coverage, and all mature canopy trees located on the proposed development site prior to any disturbance;

(b) A **graphic representation** of the location of all mature canopy trees (noting the type and size) within fifty (50) feet of any area to be disturbed, indicating whether each is to be preserved or removed, and showing all protective measures such as fencing;

(c) **Notes** specifying that: 1) no disturbance is to occur within fifty (50) feet of mature canopy trees until all required protective measures are installed, inspected and approved; and, 2) all landscaping work occurring in the critical root zone area subsequent to the removal of protective measures is restricted to hand tools and machinery appropriately configured to limit negative impacts on existing root systems; and,

(d) **Mitigation/replanting.** A description of the efforts proposed to be taken to offset or mitigate any impacts to the canopy, such as transplanting or planting replacement trees.

(e) **Maintenance plan.** All Specimen and Landmark Trees shall be maintained in conformance with the following:

- (i) Required maintenance activities shall, for no less than a five (5) year period after completion of development, be set out in a plan approved by the City.
- (ii) During the required maintenance period, the City Codes Administrator, or designee, shall have the right to conduct periodic inspections to ensure continuing compliance with the maintenance plan, and to confirm the health and viability of all required trees and plant material. In the event an inspection reveals a Specimen or Landmark tree to be missing, dead, or otherwise unhealthy and/or a threat to safety, notice of the situation, along with recommended actions for mitigation, shall be provided to the property owner, who shall either comply with the recommended actions, or, if appropriate, plant an approved replacement tree, within thirty (30) days.

(2) All trees and features required by an approved TPRP shall be installed prior to the issuance of a Certificate of Occupancy. The Code Administrator may approve a reasonable delay in installation, provided the developer provides a bond of an amount sufficient to provide for the installation of all required items.

F. Landscaping Installation and ~~Guarantee~~Maintenance:

(1) Time for Installation of Required Landscaping

~~(a) **Time Limit.** All required landscaping shall be installed in accordance with the required planting standards set forth in this Section before issuance of a Certificate of Occupancy unless~~

the Code Administrator ~~Director~~ grants an extension to this time limit in accordance with Subsection 2, below.

(2) Extension.

(a) The Code Administrator ~~Director~~ may, for good cause shown, grant an extension to the above time limit, allowing a developer/owner to delay the installation of required landscaping. Circumstances that may warrant an extension include, but are not limited to, the following:

- (i) Unusual environmental conditions, such as drought, cold weather, hurricanes, or over-saturated soil (deep mud);
- (ii) The inappropriateness of the current season for planting the approved plant species;
- (iii) Evidence that the approved plant species or required plant sizes are not commercially available and cannot be substituted within a reasonable time despite an applicant's diligent effort to secure the required materials; or
- (iv) Completion of utility work occurring in a proposed landscaped area that is incomplete or delayed.

(3) Maintenance of Landscaping Materials. The owner shall be responsible for the maintenance of all landscape areas not in the public right-of-way. Such areas shall be maintained in accordance with the approved landscape plan or alternative landscape plan and shall present a healthy and orderly appearance free from refuse and debris. All plant life shown on an approved landscape plan or alternative landscape plan shall be replaced if it dies, is seriously damaged, or is removed.

(a) Damage Due to Natural Occurrence. If any vegetation or physical element functioning to meet the standards of this Section is severely damaged due to an unusual weather occurrence, natural catastrophe, or other natural occurrence such as damage by wild or domestic animals, the owner or developer may be required to replant or replace the vegetation or element if the landscaping standards are not being met. The owner shall have one growing season to replace or replant. In determining the extent of replanting or replacement required, the Code Administrator ~~Director~~ shall consider the type and location of the landscape buffer or required vegetation area as well as the propensity for natural re-vegetation.

(b) Protection during Operations. The owner or developer shall take actions to protect trees and landscaping from unnecessary damage during all facility and site maintenance operations. Plants shall be maintained in a way that does not obstruct sight distances at roadway and driveway intersections, obstruct traffic signs or devices, or interfere with the use of bikeways, sidewalks, or pedestrian trails.

(c) Natural Death. The natural death of existing vegetation within any required landscape area does not necessarily constitute a violation and does not require re-vegetation to replace the plant material unless the required landscape area no longer complies with the required standards of this Section. In no instance shall this provision be construed to prevent re-planting if, in the opinion of the Code Administrator ~~Director~~, the required performance standard of the landscaping is not being met.

(d) Irrigation. Temporary spray irrigation systems may be used to establish seeded and/or planted areas.

(4) Monitoring of Compliance with Landscaping Standards.

(a) Inspections before Certificate of Occupancy. The Code Administrator ~~Director~~ shall inspect a development site before issuance of a Certificate of Occupancy for the development and such

certificate shall not be issued if the landscaping required under this Section is not living or healthy or is not installed in accordance with the approved landscape plan.

(b) **Additional Inspections.** The ~~Code Administrator~~ Director or the Code Administrator's designee may inspect a development site during the second growing season following the installation of required landscaping to ensure compliance with the approved landscape plan or alternative landscape plan, and to ensure that the landscaping is properly maintained. Failure to maintain required landscaping (trees and shrubs) in accordance with the standards of this Section shall constitute a violation of this Development Code.

- ~~(1) No certificate of occupancy for any development on a site subject to the requirements of this article shall be issued until all landscaping materials are in place according to the approved plan, or a cash performance guarantee is posted with the administrator for 125% of the cost of the uncompleted landscaping, including labor, as determined by the administrator. The cost estimate shall be prepared by a qualified landscape contractor using prevailing material and labor costs.~~
- ~~(2) The life of the guarantee shall not exceed 24 months. If the approved landscaping, including ground cover if applicable, is not properly installed within 12 months of the certificate of occupancy, the guarantee shall be forfeited to and used by the city to complete the approved landscaping, with any remaining funds returned to the person who posted the guarantee.~~
- ~~(3) A maintenance guarantee (for permitted types of guarantees, see Section 7.1.5) equal to 20% of the cost of all required landscaping, including labor, as determined by the administrator based on a cost estimate prepared by a licensed landscape contractor using prevailing labor and costs, shall be held for a period of two (2) years following completion of landscape installation.~~
- ~~(4) The maintenance guarantee shall be returned only where the landscaping has been surveyed by the city and determined to be in good health. Where any portion of the required landscaping is dead, dying, or significantly declining, the landowner shall be responsible for its replacement prior to release of the guarantee. Where replacement landscaping is required, and such landscaping exceeds 25% of the required project landscaping, the maintenance bond shall be held one additional year to ensure successful installation of the replacement landscaping.~~

G. **Enforcement.** Enforcement of this Section shall ~~follow the requirements~~ be pursuant to the provisions of Article Chapter 12 of this Code.

5.3: TREE PLANTING AND PROTECTION

5.3.1 SPECIMEN AND LANDMARK TREES

- A. **Preservation of Specimen and Landmark Trees.** Priority shall be placed on tree preservation and all persons shall make all reasonable efforts to preserve and retain existing ~~Specimen and Landmark~~ trees.
- B. **Designation of Specimen and Landmark Trees:** Certain trees, because of their species and size, are an asset to both the City and individual property owners and are hereby designated as "~~specimen~~Specimen" and "~~landmark~~Landmark" trees. Such trees shall be defined as those trees with a DBH equal to or greater than that indicated in the following table:

SPECIES	COMMON NAME	SPECIMEN TREE (MIN. DBH)* ^{L22}	LANDMARK TREE (MIN. DBH) ^{L23}
Cornus florida	Flowering Dogwood	4-8 inches	18 inches
Cercis canadensis	Redbud	4-8 inches	18 inches
Magnolia grandiflora	Southern Magnolia	4-8 inches	14-24 inches
Ilex opaca	American Holly	4-8 inches	14 inches
Pinus Glabra	Spruce Pine	8 inches	14 inches
Juniperus virginiana	Eastern Red Cedar	12 inches	24 inches
Quercus virginiana	Live Oak	12 inches	24 inches
Sabal palmetto	Cabbage Palm	18 feet tall	36 feet tall
Taxodium distichum	Bald Cypress	16 inches	24 inches
Quercus velutina	Eastern Black Oak	16 inches	24 inches
Nyssa sylvatica	Tupelo/Black Gum	16 inches	24 inches
Quercus alba	White Oak	16 inches	24 inches
Quercus falcata	Southern Red Oak	16 inches	24 inches
Acer rubrum	Red Maple	16 inches	24 inches
Ulmus americana	American Elm	16 inches	24 inches
Pinus palustris	Longleaf Pine	16 inches	24 inches
Fagus grandifolia	American Beech	16 inches	24 inches
Quercus stellata	Post Oak	24-16 inches	-24 inches
Carya illinoensis	Pecan	24 inches	-
Carya ovata	Hickory	24 inches	-
Liquidambar styraciflua	Sweet Gum	24 inches	-
Quercus laurifolia	Laurel Oak	24 inches	-
Acer-Plantus pseudoplatanus occidentalis	Sycamore	24 inches	-
Allud-piniPinus species	All other pines	24 inches	-
* DBH = diameter at breast height (or about 4.5 feet above grade)			
** not applicable, if specific trees are deemed "senescent/overmature" by a certified arborist			

5.3.2 TREE COVERAGE REQUIREMENTS

- A. **Applicability and Canopy Standards:** In addition to the standards laid out in ~~this section and~~ Section 7.2.5 (Street Tree Planting Requirements), land or property subject to be developed, shall maintain a minimum baseline canopy coverage area as detailed in this Section--.

Canopy Standards

~~All development proposed subsequent to the adoption of this section to require canopy coverage, with the exception of those activities specifically listed herein, shall be subject to the following standards:-- In the event any proposed development is subject to zoning district requirement(s) that conflicts with one or more standards contained in this section, the zoning requirement shall govern.~~

~~Exemptions: The following development and activities shall be exempt from the requirements of this section:--~~

Field Code Changed

~~(a) Removal and/or pruning of any tree not identified by these standards as a Landmark or Specimen Tree located on any residential lots of record by the owner.~~

Field Code Changed

~~(a) Mitigation efforts associated with clean up activities following a natural disaster or other significant Acts of God; typically, the City will issue a period of waiver of the strict application of these standards for a specified period of time.~~

Field Code Changed

Field Code Changed

~~(a) Licensed plant and tree nurseries, and other duly permitted commercial tree growers, provided trees are planted or growing on the premises for sale to the general public in the ordinary course of business.~~

Field Code Changed

~~(a) Tree pruning and removal by duly constituted communication, water, sewer, electrical or other utility companies; or federal, state, or local government agencies; or engineers or surveyors working under a contract with said utility companies or agencies, provided removal is limited to those areas necessary for maintenance of existing lines or facilities, or for construction of new lines or facilities in furtherance of providing utility service to its customers. Additionally, all such activity must be conducted so as to avoid any unnecessary removal and, in the case of aerial electrical utility lines, shall not be greater than that specified by the National Electrical Code, or other appropriate adopted industry standard, for safe electrical clearances.~~

1. **Required Canopy Coverage for new development:** All proposed non-residential, multi-family residential, and mixed-use development, ~~units~~ anticipated to have a land disturbance area greater than five thousand (5,000) square feet, ~~or to have shared parking and~~, shall be subject to the minimum canopy coverage area requirements listed in the Minimum Canopy Coverage Requirements table below. Any single-family residential development consisting of two or less lots (existing single-family lots of record are exempt), or existing single family or duplex lots of record, are exempt from the required canopy coverage for development requirements.
 2. **Encroachments:** The appropriate approval body may authorize encroachments into any setback for the protection of any Specimen or Landmark tree, or the tree protection zone of any such tree.
 3. **Parking Reduction:** The appropriate approval body may authorize up to a 10% total parking reduction for development for the protection of any land landmark or specimen tree, or the tree protection zone of any such tree. Should the development protect over 30% of the existing tree canopy, a parking reduction of 20% on all standards may be authorized by the appropriate approval body. The appropriate approval body may reduce the required parking landscaping requirements of 5.7.8., including reduction or removal of parking lot islands, should they conflict with the preservation or protection of a Specimen or Landmark tree.
- **Fenestration/Transparency:** Should the development protect over 30% of the existing tree canopy, the appropriate approval body may authorize up to a 20% reduction of required fenestration on any building except for properties within the T5-UC district.
~~*Move to fenestration code section~~

	Minimum Canopy Percentage
Residential Developments (except for residential lots of record and Minor Subdivisions)	<u>25%</u>
Commercial Developments	<u>30%</u>

T5-UC (Transect only)	15%
Encroachments	<u>The appropriate approval body may authorize encroachments into any setback for the protection of any Specimen or Landmark tree, or the tree protection zone of any such tree.</u>
Parking Reduction	<u>The appropriate approval body may authorize up to a 10% total parking reduction for development for the protection of any land landmark or specimen tree, or the tree protection zone of any such tree. Should the development protect over 30% of the existing tree canopy, a parking reduction of 20% on all standards may be authorized by the appropriate approval body. The appropriate approval body may reduce the required parking landscaping requirements of 5.7.8 b, including reduction or removal of parking lot islands, should they conflict with the preservation or protection of a Specimen or Landmark tree.</u>
Fenestration/Transparency	<u>Should the development protect over 30% of the existing tree canopy, the appropriate approval body may authorize up to a 20% reduction of required fenestration on any building except for properties within the T 5 UC district.</u>

4. Canopy Coverage for Development Calculation: For the purposes of this section, the canopy coverage area of a tree shall be defined as the area contained within the boundary established by a vertical projection along the outermost limit of the tree's crown at maturity. The canopy area cannot include any wetland or required drainage area within its calculation. The canopy coverage area of a parcel or development site shall be defined as the total of all non-conifer tree canopy areas, retained and/or planted, proposed to exist post--development. The following methods may be used to determine the tree canopy area:

(a) To Establish Existing Tree Canopy Area

For each mature tree proposed to be retained post – development, the radius (r) of the canopy area shall equal the distance from the center of the trunk to the outermost point of the tree's crown. Calculate the total canopy area (CA) with the following formula: $CA = \pi r^2$. In the event existing site conditions are accurately reflected on aerial photography, the radius (r) may be determined through scaled measurements.

(b) To Establish Tree Canopy Area for Trees Proposed to be Planted

To determine the canopy area proposed to be planted, the radius (r) of each species of tree to be utilized, at twenty (20) years maturity, shall be determined based on accepted industry standards, and the total canopy area (CA) calculated ($CA = \pi r^2$).

(c) Alternative Methods

The Codes Administrator may approve other methods of calculation or sources of information, provided such alternatives are based on accepted industry practices, and utilize the best available information.

Exemptions: The following development and activities shall be exempt from the requirements of this section:

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Field Code Changed

(a) Removal and/or pruning of any tree not identified by these standards as a Landmark or Specimen Tree located on any residential lots of record by the owner.

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(b) Mitigation efforts associated with clean-up activities following a natural disaster or other significant Acts of God; typically, the City will issue a period of waiver of the strict application of these standards for a specified period of time.

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(c) Licensed plant and tree nurseries, and other duly permitted commercial tree growers, provided trees are planted or growing on the premises for sale to the general public in the ordinary course of business.

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(d) Tree pruning and removal by duly constituted communication, water, sewer, electrical or other utility companies; or federal, state, or local government agencies; or engineers or surveyors working under a contract with said utility companies or agencies, provided removal is limited to those areas necessary for maintenance of existing lines or facilities, or for construction of new lines or facilities in furtherance of providing utility service to its customers. Additionally, all such activity must be conducted so as to avoid any unnecessary removal and, in the case of aerial electrical utility lines, shall not be greater than that specified by the National Electrical Code, or other appropriate adopted industry standard, for safe electrical clearances.

~~4. Priority shall be placed on the retention of existing specimen and landmark trees.~~

~~5. **Authorization for Tree Removal.** No authorization for the removal of a specimen or landmark Tree shall be granted unless the applicant for removal of the tree demonstrates one or more of the following conditions:~~

~~i. **Health.** Whether or not the tree is dead, dying, or diseased according to a certified arborist report and/or staff evaluation.~~

~~ii. **Elevated Risk.** Whether or not the tree presents hazards that cannot be mitigated by any arboricultural procedures due to its deteriorated or damaged state.~~

~~iii. **Developability.** Whether or not the tree constrains reasonable development of the specific site, considering lot size, applicable setbacks, context, building type and use, stormwater requirements, and other relevant site development considerations.~~

~~6. **Timing.** The official shall be notified 48 hours prior to tree removal approved under a Site Development P~~

B. Tree Protection in conjunction With Development: Developers shall avoid any activity during all phases of construction that may result in:

- (1) Mechanical injuries to roots, trunk, and branches.
- (2) Injuries by chemical poisoning.
- (3) Injuries by grade changes.
- (4) Injuries by excavations.
- (5) Injuries by paving.

~~(6) Any willful action determined to be inconsistent with this standard, and which results in the injury of a specimen Specimen or landmark Landmark tree, shall constitute a violation of these regulations.~~

~~(7) Upon completion of construction, or as otherwise approved, the fencingfencing and other measures may be removed to allow for landscaping and final site work, provided all work is either~~

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conducted with hand tools, or with machinery utilized in a manner appropriate to protect against soil compaction and other damage to root systems.

C. A Tree Protection and Restoration Plan (TPRP) shall be submitted along with all other materials required at the time of application for preliminary plat review of a Major Subdivision, Planned Development, Tract Home Development, Multi-Family Development, Townhome Development, or Duplex Development. The TPRP shall include the following:

1. All trees and features required by an approved TPRP shall be installed prior to the issuance of a Certificate of Occupancy. The Code Administrator may approve a reasonable delay in installation, provided the developer provides a bond of an amount sufficient to provide for the installation of all required items.

A tree survey, performed by an engineer, certified arborist, or registered landscape architect, licensed by the State of South Carolina, identifying both the existing areas of canopy coverage, and all mature canopy trees located on the proposed development site prior to any disturbance; A graphic representation of the location of all mature canopy trees (noting the type and size) within fifty (50) feet of any area to be disturbed, indicating whether each is to be preserved or removed, and showing all protective measures such as fencing; Notes specifying that: 1) no disturbance is to occur within fifty (50) feet of mature canopy trees until all required protective measures are installed, inspected and approved; and, 2) all landscaping work occurring in the critical root zone area subsequent to the removal of protective measures is restricted to hand tools and machinery appropriately configured to limit negative impacts on existing root systems; and, A description of the efforts proposed to be taken to offset or mitigate any impacts to the canopy, such as transplanting or planting replacement trees.

C. Protective Fencing: The owner shall be responsible for the erection of required protection fencing, and any other specified measures necessary to protect any existing or installed vegetation prior to the commencement of disturbance activity. At a minimum, all trees proposed to be preserved during development shall be protected with a sturdy and visible fence before clearing and grading begins. The following standards shall apply:

1. The location of tree protection fencing and method of construction shall be noted on the landscape plan.
2. Tree protection fencing shall be installed and remain in place and in good condition until all development activities are completed.
3. The tree protection fence shall be located one (1) foot from the tree trunk for each one (1) inch in Tree Diameter at Breast Height (DBH) with a minimum distance of ten (10) feet required from the edge of the trunk
4. Tree protection fencing shall be constructed from any material substantial enough to prohibit and keep out vehicles, people, and all other activities associated with the development process.
5. No soil disturbance or compaction, stock piling of soil or other construction materials, vehicular traffic, or storage of heavy equipment is allowed in the tree and root protection area(s) of trees to be retained.

D. Tree Replacement: The following standards shall apply to all required tree replacements:

- a. Replacement species shall be the same species as each tree removed, provided the removed tree was a native species; all other replacement trees must be listed on the City's approved tree list.
- b. Replacement formula: one (1) square foot of replacement canopy (measured at maturity) for one (1) square foot of canopy removed.

- c. Single trees may be replaced with two (2) or more trees provided the caliper inch requirements measured at DBH are met.
- d. Replacement trees shall be planted within any part of the development site or on City property with staff consultation and approval.
- e. If it is determined that a site cannot sustainably support all or a portion of the required tree replacement pursuant to Section 5.5.2.B, then a fee based on the mitigation schedules in Sections 5.5.2.B. or 5.5.2.C shall be paid to the City for the purposes of tree planting and maintenance.

E. ~~Tree Maintenance Plan:~~ All Specimen and Landmark Trees shall be maintained in conformance with the following:

- a. ~~Required maintenance activities shall, for no less than a five (5) year period after completion of development, be set out in a plan approved by the City.~~
- b. ~~During the required maintenance period, the City Codes Administrator, or designee, shall have the right to conduct periodic inspections to ensure continuing compliance with the maintenance plan, and to confirm the health and viability of all required trees and plant material. In the event an inspection reveals a specimen or landmark tree to be missing, dead, or otherwise unhealthy and/or a threat to safety, notice of the situation, along with recommended actions for mitigation, shall be provided to the property owner, who shall either comply with the recommended actions, or, if appropriate, plant an approved replacement tree, within thirty (30) days.~~

~~I.G.E. Infrastructure Utilities & Agencies:~~ Utility companies ~~and~~, governmental agencies, and city agencies departments, in the course of constructing or maintaining easements or rights-of-way for water, sewage, electricity, gas, drainage, telephone, ~~internet~~, or television, ~~if the applicable company or agency, within twelve (12) months after the date of adoption of this Code, has shall executed an agreement with the city that:~~

- 1. ~~Recognizes the need to m~~Minimize trimming of hardwood overstory trees that do not significantly interfere with the intended purpose of construction or maintenance.
- 2. ~~Establishes, to the extent practicable,~~ design guidelines for construction and maintenance that identify the saving of hardwood overstory trees as a factor to be considered in the design process.
- 3. Establishes guidelines to avoid limbing, topping, or severe pruning of trees whenever reasonably practicable, and where it is unavoidable, according to ANSI A300 Standards, which may include tree removal.
- 4. Provides for a consultation process with the city prior to the commencement of major construction or maintenance or the removal of any ~~specimen-Specimen or landmark-Landmark~~ tree.

~~I.H.F. Waiver for Emergency:~~ In the event that a tree poses a threat to public safety due to death, disease, or damage resulting from events including, but not limited to fires, floods, hurricanes, other natural disasters, intentional harm, or negligence, the ~~Codes a~~Administrator may waive the requirements of Section 5.4.1. As soon as it is feasible after the waiver, the administrator shall issue written findings outlining the threat to public safety that prompted the waiver. The administrator may require that the owner of the site replace the tree when the findings conclude that the removal was necessitated by intentional harm or negligence.

~~I.G. Normal Tree Maintenance:~~ Nothing in this Code shall restrict normal tree maintenance by a property owner (including removal of dead wood and branches or limbs that endanger life or property) for any tree except ~~for H~~landmark trees upon which any pruning must be done according to Section 5.4.1-4 A.2-

L-Canopy Standards

All development proposed subsequent to the adoption of section, with the exception of those activities specifically listed herein, shall be subject to the following standards. In the event any proposed development is subject to a zoning district requirement(s) that conflicts with one or more standards contained in this section, the zoning requirement shall govern.

1. **Exemptions:** The following development and activities shall be exempt from the requirements of this section:
 - a. Removal and/or trimming of any tree not identified by these standards as a Landmark or Specimen Tree located on single-family dwelling lots or parcels by the owner.
 - b. Mitigation efforts associated with clean-up activities following a natural disaster or other significant Acts of God; typically, the City will issue a period of waiver of the strict application of these standards for a specified period of time.
 - c. Licensed plant and tree nurseries, and other duly permitted commercial tree growers, provided trees are planted or growing on the premises for sale to the general public in the ordinary course of business.
 - d. Tree pruning and removal by duly constituted communication, water, sewer, electrical or other utility companies; or federal, state, or local government agencies; or engineers or surveyors working under a contract with said utility companies or agencies, provided removal is limited to those areas necessary for maintenance of existing lines or facilities, or for construction of new lines or facilities in furtherance of providing utility service to its customers. Additionally, all such activity must be conducted so as to avoid any unnecessary removal and, in the case of aerial electrical utility lines, shall not be greater than that specified by the National Electrical Code, or other appropriate adopted industry standard, for safe electrical clearances.
2. **Required Canopy Coverage for Development:** All proposed non-residential, multi-family residential, and mixed-use development, units anticipated to have a land disturbance area greater than five thousand (5,000) square feet, or to have shared parking and, shall be subject to the minimum canopy coverage area requirements listed in the Minimum Canopy Coverage Requirements table below. Any single-family residential development consisting of two or less lots (existing single family lots of record are exempt), or existing single family or duplex lots of record, are exempt from the required canopy coverage for development requirements.

Minimum Canopy Coverage requirements	Existing Canopy Percentage
*Residential Developments (Excepting Simple Lot and Minor Subdivisions)	25%
Commercial Developments	30%
T-5 UC Transect only	15%
Encroachments	The appropriate approval body may authorize encroachments into any setback for the protection of any landmark or specimen tree, or the tree protection zone of any such tree.

Parking Reduction	The appropriate approval body may authorize up to a 10% total parking reduction for development for the protection of any land landmark or specimen tree, or the tree protection zone of any such tree. Should the development protect over 30% of the existing tree canopy, a parking reduction of 20% on all standards may be authorized by the appropriate approval body. The appropriate approval body may reduce the required parking landscaping requirements of 5.7.8.b, including reduction or removal of parking lot islands, should they conflict with the preservation or protection of a specimen or landmark tree.
Fenestration/Transparency	Should the development protect over 30% of the existing tree canopy, the appropriate approval body may authorize up to a 20% reduction of required fenestration on any building except for properties within the T-5 UC district.

~~3. **Canopy Coverage For Development Calculation:** For the purposes of this section, the canopy coverage area of a tree shall be defined as the area contained within the boundary established by a vertical projection along the outermost limit of the tree's crown at maturity. The canopy area cannot include any wetland or required drainage area within its calculation. The canopy coverage area of a parcel or development site shall be defined as the total of all non-conifer tree canopy areas, retained and/or planted, proposed to exist post-development. The following methods may be used to determine the tree canopy area:~~

~~a. **To Establish Existing Tree Canopy Area**~~

~~For each mature tree proposed to be retained post-development, the radius (r) of the canopy area shall equal the distance from the center of the trunk to the outermost point of the tree's crown. Calculate the total canopy area (CA) with the following formula: $CA = \pi r^2$. In the event existing site conditions are accurately reflected on aerial photography, the radius (r) may be determined through scaled measurements.~~

~~b. **To Establish Tree Canopy Area for Trees Proposed to be Planted**~~

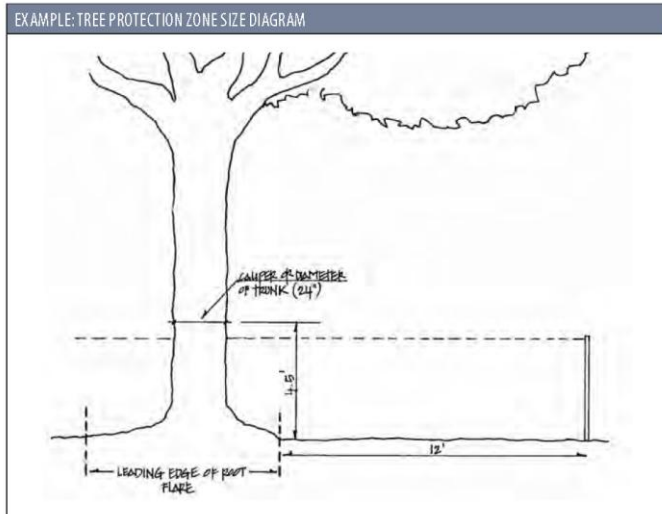
~~To determine the canopy area proposed to be planted, the radius (r) of each species of tree to be utilized, at twenty (20) years maturity, shall be determined based on accepted industry standards, and the total canopy area (CA) calculated ($CA = \pi r^2$).~~

~~c. **Alternative Methods**~~

~~The Codes Administrator may approve other methods of calculation or sources of information, provided such alternatives are based on accepted industry practices, and utilize the best available information.~~

5.3.3 TREE ROOT PROTECTION ZONE (TPZ) REQUIREMENTS

- A. **Applicability:** A permanent "tree protection zone" (TPZ) surrounding preserved trees shall be established to protect the underground root system. This area shall not be disturbed at any time before, during, or after construction.
- B. **Size and Shape:** The minimum TPZ shall be as follows:
 1. A circle with a radius of ½ foot per 1 inch of DBH, ideally measured from the leading edge of the root flare.



2. The TPZ shall be indicated on both site and landscape plans for all trees shown to remain.

C. Adjustments and Exceptions:

1. The size and shape of the TPZ may be adjusted where any of the following occur: root pruning, root invigoration, restoring the natural grade of the soil, [water air nutrient exchange \("W.A.N.E."\)](#) feeder, porous paving materials, and/or a tree well.
2. The size and shape of the TPZ may be adjusted as needed to accommodate construction practices. The reduction of minimum radius of TPZ may require additional remediation measures as recommended and performed by a certified arborist prior to site disturbance.

- D. Tree Wells:** In general, tree wells are discouraged, [unless approved by the Codes Administrator following consultation with a certified city arborist](#). ~~but if~~ If they are used, a [tree](#) well shall encompass at least half the area beneath the canopy of the tree and extend in every direction, no less than halfway from the trunk to the tree's dripline. ~~A~~ [Tree](#) root aeration system shall be installed that shall extend from 2 feet inside the tree well wall to the dripline of the canopy.

- E. Pre-Construction Treatment:** Based on the certified arborist report, the following may be required to retain trees and facilitate their health during and after the construction process: root pruning, fertilization, and root invigoration. These practices, as applicable, shall be ~~performed~~ [performed for](#) a minimum of 3 months prior to site disturbance.

F. Prohibited Activities: The following are prohibited within all TPZs:

1. Placement of building materials, dirt, debris, oils, paints, or any other materials, equipment, or vehicles.
2. Irrigation pipe installation.
3. Grading, with the exception of a 2-inch cut or 2-inch fill of topsoil, sod, or mulch.
4. Paving for roadways, driveways, or sidewalks.
5. Cutting of roots for installation of utilities or ~~drain pipe~~ [drain pipe](#) of any kind.

~~6.~~ **Exception:** If excavation work for water line installation within a TPZ is deemed necessary during construction operations, such excavation shall be accomplished utilizing hand excavation methods that remove soil around tree roots without severing them.

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- H. **Damages and Reparations:** When encroachment or construction activity within a TPZ has damaged or destroyed a tree or tree growing site, the city, at the discretion of the Codes Administrator, may seek mitigation for the value of any damaged trees within a TPZ, per the Mitigation Schedule in Section ~~5.6.3~~5.5.2, and/or may require treatments or additional plantings. Such mitigation shall occur prior to the issuance of a Certificate of Occupancy.

5.3.4 STREET TREE PLANTING REQUIREMENTS

Street tree planting requirements are established in Section 7.2.5.

5.4: PERIMETER BUFFERS, LANDSCAPING, AND SCREENING

Perimeter buffers are intended to provide spatial separation between uses of differing intensities. Buffers that are required for protection of ~~environmentally sensitive~~environmentally sensitive areas are prescribed by Section ~~8.1~~ (Environmental and Resource Protection Standards).

5.4.1 BUFFER REQUIREMENTS

~~Landscaped perimeter buffers shall be preserved or established along the front of the sites located within Conventional Districts, and along the side and rear boundary lines along all districts as indicated in the following chart. The buffers are based upon the parcel's zoning district and the District the parcel abuts. Where the buffer requirements in this table are in conflict with the corridor buffer requirements in Section 5.4.1 B., the greater buffer width and/or plantings shall apply.~~

<u>REQUIRED BUFFER WIDTH AND PLANTING</u>		
District of Proposed Development	± Abutting Use or District Minimum Width for Side and Rear Buffers	Front Buffer Planting Requirements Side and Rear Buffer Planting Requirements
<u>LI (Industrial)</u>	All Districts (except LI) <u>25 ft min.</u>	None, except along the corridors listed in Section 5.4.1 B. <u>See Section 5.4.1 A. Buffer Type: E</u>
<u>RMX (Regional Mixed Use)</u>	All Transect-Based Districts, any county residential district <u>425 ft min.</u>	<u>Type E</u>
<u>All Other Conventional Districts IC, MH, MR.</u>	All Transect-Based Districts, any county residential district <u>25 ft min.</u>	<u>Type D</u>

T-3 T4-N & T5-UC	T4, T5 UC 25 feet, T3, T4 HN, any county residential district 5 ft min	None—street trees may be required depending on street section designation in Appendix C. Same requirements as Section 5.6.8 A, Type C
T4-N, T4 T4-NA	T3, T4 HN, any county residential district 25 ft min T3, any county residential zoning district Use dependant—See Section 3.9	None Same requirements as Section 5.6.8 A, Type A if fronting Arterial only
T4-NA	T3, any county residential zoning district Use dependant—See Section 3.9	Type B
T-5 UC	T3, any county residential zoning district, any conventional district 25 feet	Type A if fronting Arterial only
* If the parcel is abutting another district other than the district listed in the chart, no buffers are required.		

5.4.21 BUFFER TYPES

~~Table 16-5-103. Below table~~ The table below describes five (5) different Buffer Types, describes the five different buffer types in terms of their function, opacity, width, and planting requirements. The planting requirements should be used as a guide to achieve an aesthetically pleasing, landscaped buffer, and only apply if the existing buffer does not meet the intent of the prescribed buffer. Either of the options under a specific buffer type may be used at the option discretion of the developer/applicant. If the square footage of an existing building on a site is being increased by more than fifty percent (50%) then the buffers must be brought into compliance with the standards in this table.

The following provisions shall be applied, if necessary:

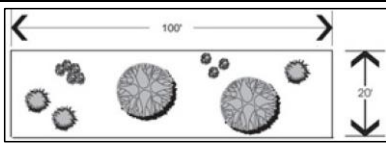
1. Required **overstory trees** shall be distributed and spaced to maximize their future health and effectiveness as buffers. Other required vegetation shall be distributed within the buffer as appropriate to the function of the buffer.
2. Where an **adjacent use** is designed for solar access, **understory trees** may be substituted for **overstory trees**.
3. Fences or walls within an adjacent street or use buffer shall comply with the standards of Sec. 5.8.
4. A berm may be provided in conjunction with the provision of a hedge, fence, or wall to achieve **height requirements**, provided its side slopes do not exceed a ratio of three horizontal feet to one vertical foot and the width of its top is at least one-half its **height**.
5. If a buffer length is greater or less than 100 linear feet, the planting requirements shall be applied on a proportional basis, rounding up for a requirement that is 0.5 or greater, and down for a requirement that is less than 0.5. (For example, if the buffer length is 150 linear feet, and there is a requirement that 5 **overstory trees** be planted every 100 linear feet, 8 **overstory trees** are required to be planted in the buffer (1.5 x 5 = 7.5, rounded up to 8)).

MINIMUM BUFFER WIDTH AND SCREENING REQUIREMENTS

TYPE A BUFFER

This buffer includes low-**density** screening designed to partially block visual contact and create spatial separation between **adjacent uses** or between **development** and **adjacent streets** with low traffic volumes.

Option 1



- **Width**Depth: 20 feet
- **Overstory trees**: 2 every 100 linear feet
- **Understory trees**: 3 every 100 linear feet
- **Evergreen shrubs**: 8 every 100 linear feet

Option 2

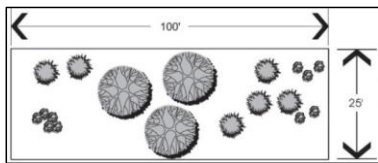


- **Depth**Width: 10 feet
- **Overstory trees**: 2 every 100 linear feet
- **Understory trees**: 4 every 100 linear feet
- **Evergreen shrubs**: 10 every 100 linear feet

TYPE B BUFFER

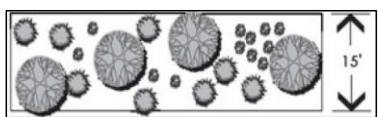
This buffer includes low- to medium-**density** screening designed to create the impression of spatial separation without significantly interfering with visual contact between **adjacent uses** or between **development** and **adjacent** minor **roadways**arterials.

Option 1

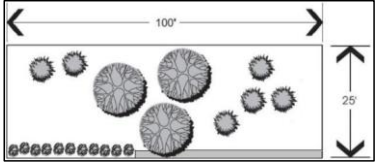
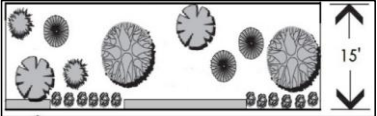
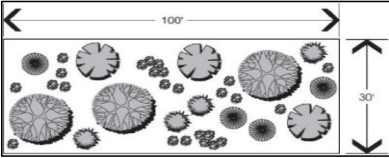
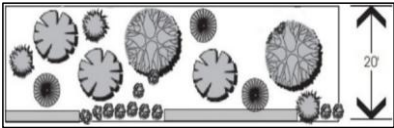


- **Depth**Width: 25 feet
- **Overstory trees**: 3 every 100 linear feet
- **Understory trees**: 6 every 100 linear feet
- **Evergreen shrubs**: 10 every 100 linear feet

Option 2



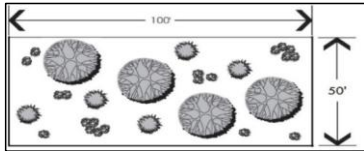
- **Depth**Width: 15 feet
- **Overstory trees**: 4 every 100 linear feet
- **Understory trees**: 8 every 100 linear feet
- **Evergreen shrubs**: 12 every 100 linear feet

TYPE C BUFFER		
This buffer includes medium- density screening designed to eliminate visual contact at lower levels and create spatial separation between adjacent uses .		
Option 1		• Depth/Width: 25 feet • Overstory trees: 3 every 100 linear feet • Understory trees: 5 every 100 linear feet • A solid wall or fence at least 3 feet high or a solid evergreen hedge at least 3 feet high and 3 feet wide
Option 2		• Depth/Width: 15 feet • Overstory trees: 4 every 100 linear feet • Understory trees: 6 every 100 linear feet • A solid wall or fence at least 3 feet high or a solid evergreen hedge at least 3 feet high and 3 feet wide • At least 50% of all trees must be evergreen
TYPE D BUFFER		
The buffer includes high-density screening designed to eliminate visual contact up to a height of six (6) feet and create a strong spatial separation between adjacent uses . A Type-D buffer is required adjacent to all loading areas per Section 16-5-107.H.8.d, Buffering of Loading Areas.		
Option 1		• Depth/Width: 30 feet • Overstory trees: 5 every 100 linear feet • Understory trees: 6 every 100 linear feet • Evergreen shrubs: 3525 every 100 linear feet and at least 6 feet high at maturity • At least 50% of all trees must be evergreen
Option 2		• Depth/Width: 20 feet • Overstory trees: 6 every 100 linear feet • Understory trees: 8 every 100 linear ft • A solid wall or fence at least 6 feet high or • a solid evergreen hedge at least 46 feet high and 3 feet wide • A solid wall or fence at least 4 feet high or • a solid evergreen hedge at least 4 feet high and 3 feet wide. • At least 50% of all trees must be evergreen

TYPE E BUFFER

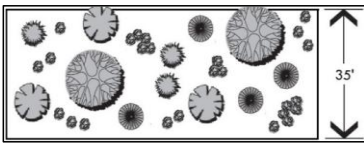
This buffer provides greater spacing and ~~high~~**medium-density** screening designed to define "green" corridors along major ~~roadways~~**arterials**.

Option 1



- ~~Depth~~**Width**: 50 feet
- **Overstory trees**: 4 every 100 linear feet
- **Understory trees**: 5 every 100 linear feet
- Evergreen shrubs: ~~30~~**20** every 100 linear feet and at least ~~6~~**3** feet high at maturity

Option 2



- ~~Depth~~**Width**: 35 feet
- **Overstory trees**: 5 every 100 linear feet
- **Understory trees**: 7 every 100 linear feet
- Evergreen shrubs: ~~35~~**25** every 100 linear feet and at least ~~6~~**3** feet high at maturity
- At least 50% of all **trees** must be evergreen

NOTES:

1. Required **overstory trees** shall be distributed and spaced to maximize their future health and effectiveness as buffers. Other required vegetation shall be distributed within the buffer as appropriate to the function of the buffer.
2. Where an **adjacent use** is designed for solar access, **understory trees** may be substituted for **overstory trees**.
3. Fences or walls within an adjacent street or use buffer shall comply with the standards of Sec. 16-5-113, Fence and Wall Standards.
4. A berm may be provided in conjunction with the provision of a hedge, fence, or wall to achieve **height** requirements, provided its side slopes do not exceed a ratio of three horizontal feet to one vertical foot and the width of its top is at least one-half its **height**.
5. If a buffer length is greater or less than 100 linear feet, the planting requirements shall be applied on a proportional basis, rounding up for a requirement that is 0.5 or greater, and down for a requirement that is less than 0.5. (For example, if the buffer length is 150 linear feet, and there is a requirement that 5 **overstory trees** be planted every 100 linear feet, 8 **overstory trees** are required to be planted in the buffer ($1.5 \times 5 = 7.5$, rounded up to 8)).

5.4.3

A. ~~Adjacent Use or District Buffer Requirements~~ **Side and Rear Buffer Planting Requirements**: At least 3 broad-leaved overstory tree shall be preserved or planted in, or in close proximity to, each side and rear buffer for every 100 linear feet of buffer or portion thereof.

1. ~~Exceptions~~:

- a. ~~If site conditions are inappropriate for an overstory tree, see Section 5.6.1 K.~~
- b. ~~Three existing Cone Bearing overstory trees (see Appendix A) may be counted to meet the requirements for one broad-leaved overstory tree.~~
- c. **Specific to Fuel Sales/Car Wash Facilities**: On any property line where fuel pumps are not screened by a building, 3 additional broad-leaved overstory trees, or 6 understory trees, shall be required for every 100 linear feet of frontage or portion thereof. See Section 4.5.12 for additional design standards for these building types.

d. ~~If a rear alley or connection to an adjacent parcel is provided, the administrator may reduce or waive buffer requirements to accommodate adequate connections.~~

e.

5.4.2 FRONT BUFFER REQUIREMENTS ALONG MAJOR CORRIDORS

THOROUGHFARES/ARTERIALS

Corridor Buffers: In addition to the ~~Conventional District~~ buffer requirements of 5.4.1 above, buffers shall be provided along all parcel boundaries that abut these ~~roads~~ major thoroughfares, as established in the following table.

Location	CORRIDOR FRONT BUFFER REQUIREMENTS <u>ALONG MAJOR CORRIDORS – FRONT BUFFER WIDTH AND PLANTING*</u>				
	Required Buffer Width	Buffer Type	Number of Trees/Shrubs Required per 100 ft of Frontage		% of Buffer Area Shrubs
			Broad-Leaved Overstory Trees	Understory Trees	
Robert Smalls Parkway (SC 170) from Parris Island Gateway to Broad River Bridge	50 ft min.	Type E	3	8	25% coverage
Sea Island Parkway (US 21 S) from Airport Junction Intersection going South		Type E			
Trask Parkway (US 21 N) from the intersection of Laurel Bay Rd./Geiger Intersection Blvd. to the intersection of Clarendon Rd./Bruce K Smalls Dr. Intersection		Type E			
Lady's Island Drive (US 21)		Type D			
Parris Island Gateway (US 21)	20 50 ft min.	Type D	3	6	25% coverage
Robert Smalls Parkway (SC 170) from Parris Island Gateway to Boundary Street Redevelopment District	50 20 ft min.	Type D	3	6	25% coverage
Sams Point Road (SC 802)	20 5 ft min.	Type CD D	3	6	25% coverage
Salem Road, Old Salem Road, Broad River Boulevard, County Shed Road, Old Jericho Road (North of Robert Smalls		Type D			

<u>Pkwy.}, Castle Rock Road, Goethe Hill Road, Grober Hill Road, Meridian Road</u>					
Trask Parkway (US 21 N) <u>northwest from the intersection of Parris Island Gateway to Laurel Bay Rd./Geiger Blvd. Intersection}</u>	<u>1505 ft. min.</u>	<u>Type C</u>	<u>3</u>	<u>6</u>	<u>25% coverage</u>
Sea Island Parkway (U.S. 21 S) From Woods Swing Bridge to Airport Junction	<u>20 ft. min</u>	<u>Type B</u>			
<u>Ribaut Road (SC 281)</u>	<u>15 ft. min</u>	<u>Type A</u>			
<u>Southside Boulevard, Mossy Oaks Road</u>	<u>20 ft. min</u>	<u>Type A</u>			

~~The administrator may waive or alter these r~~*Requirements based on the design of the building and how it addresses the street ~~may be waived or altered by the applicable approval body.~~

~~CBA~~. Maintenance of Required Plantings: Trees and shrubs shall not be pruned in any manner that would significantly diminish the desired softening character of the front buffer, except in accordance with standard horticultural practice, or as required at driveway sight triangles. See ~~Appendix A~~Section 5.1.5 for more information on best practices for pruning. ~~See Section 5.4.1 A.2. for pruning permit requirements.~~

~~CBD~~. —Existing Vegetation

1. ~~___~~ If a buffer area has existing trees, they shall be preserved and be used as part of the buffer to comply with the buffer standards of this Ordinance. Where groupings of native shrubs are present, their preservation with minimum disturbance is required. Any clearing or other work in buffers must have the prior approval of the Code~~s~~ Administrator.
2. In order to preserve existing vegetation and to restrict activities within a buffer, protective fencing shall be installed ~~in accordance with Section 5.2 A.7.~~ during development activity.
3. Existing vegetation that is preserved shall not be limbed up from the ground more than five feet to the lowest branches, except as follows:
 - a. Vegetation at intersections may be limbed up to a greater height to ensure compliance with Sight-sight Triangle~~triangles~~; and
 - b. If understory planting is proposed, the Code Administrator~~Official~~ may allow existing vegetation to be limbed up to a height that will provide adequate sunlight to plants.
4. The removal of invasive species shall be allowed with an approved replanting plan, if needed.

~~EDC~~. Buffer Materials: ~~-~~At the time of planting, overstory and understory trees included as part of required buffers shall be no less than 2.5 caliper inches; evergreen shrubs shall be at least three feet in height above ground level. All buffer plantings must be native species of plants~~7.~~

~~ED~~. Development Within Required Buffers: ~~-~~Development is prohibited within required buffers except in accordance with this subsection. The following activities may occur in required buffers, unless expressly prohibited elsewhere in this Ordinance~~chapter~~, or by the Planning Commission as part of an approved Site Plan:

- a. Street or driveway access, provided it runs approximately perpendicular to/from the adjacent street right-of-way or common property line.
- b. Walkways, pathways, trails, benches, bike racks, and other elements associated with passive recreation or the provision of continuous pedestrian and bicycle connections between adjoining properties, provided all landscaping as required by this Section is provided and the Codes Administrator determines that installation or maintenance of such elements will minimize impacts on to required vegetation to the maximum extent.
- c. Lighting fixtures.
- d. Stormwater Management: Stormwater and drainage facilities that permit vegetation may encroach into the buffers if the planting requirements are fulfilled.
- e. Signage, lighting fixtures, and street furniture.
- f. Fountains, plazas, sculptures, and similar features that are part of publicly owned facilities, where approved by the Codes Administrator.
- g. Service and utility lines and minor facilities (e.g. water, sanitary sewer, electrical, telephone, natural gas, cable, storm drainage lines, utility boxes and pedestals), subject to the following standards:
 - i. Such lines generally shall run approximately perpendicular to/from the adjacent street right-of-way or common property line. If they must be installed approximately parallel to the street right-of-way or property line, the easement for the lines may be included as part of a required buffer if the easement allows the vegetation or structures necessary to meet buffer screening requirements and provides the requisite visual separation in a manner that is aesthetically acceptable; otherwise, additional buffer width shall be required to provide the space needed for the required buffer screening.
 - ii. Permission for easement and right-of-way disturbance and clearings for such utility and service lines and facilities shall be more favorably considered when such activity is consolidated with vehicular access routes.~~2.~~

5.4.3 SIDE ~~&~~ AND REAR BUFFER REQUIREMENTS

~~Landscaped perimeter buffers shall be preserved or established along the front of the sites located within Conventional Districts, and along the side and rear boundary lines along all districts. as indicated in the following chart. The buffers are based upon a specific parcel's underlying zoning designation and that of the of the parcel it abuts. Where the buffer requirements in this table of this section are in conflict with the corridor buffer requirements, the greater buffer width and/or plantings shall apply.~~

~~All residential developments shall have a Type D rear and side yard buffer where an adjoining use is other than that same residential type, unless a different buffer requirement is imposed by the Planning Commission.~~

~~All non-residential or mixed-use developments adjoining a residential use shall have a Type D rear and side yard buffer, unless a different buffer requirement is imposed by the Planning Commission.~~

REQUIRED SIDE & REAR BUFFER DEPTH AND APPLICABLE BUFFER TYPES		
District of Proposed Development	Adjacent Use or District	Buffer Type

<u>LI (Industrial)</u>	<u>All Districts (except LI)</u>	<u>Type D</u>
<u>RMX (Regional Mixed-Use)</u>	<u>All Transect Based Districts, any county residential district</u>	<u>Type C</u>
<u>Conventional Districts: IC, MH, MR</u>	<u>All Transect Based Districts, any county residential district</u>	<u>Type D</u>
<u>T3</u>	<u>T4 N, T5 UC</u>	<u>Type D</u>
<u>T4 N</u>	<u>T4 HN, any county residential district</u>	<u>Type A</u>
<u>T4 NA</u>	<u>T3, any county residential zoning district; Use-dependant</u>	<u>Type A</u>
<u>T5 UC</u>	<u>T3, any county residential zoning district, any conventional district</u>	<u>Type D</u>

5.4.25.4.4 BUILDING PERIMETER LANDSCAPING (FOUNDATION BEDS) PARKING LOT

SCREENING AND LANDSCAPING

- A. **Screening:** All parking areas shall be screened from the public right-of-way or primary vehicular access point(s) — if the parking area does not front a public right-of-way — with evergreen shrubs, walls, fences, or some combination thereof. Screening is not required at areas designated for signage, or pedestrian or vehicle access points. Screening devices shall be installed at the height and opacity specified in the table below:

<u>LOCATION</u>	<u>MINIMUM REQUIRED OPACITY AT PLANTING¹</u>	<u>SHRUBS</u>		<u>WALL/FENCE</u>
		<u>Installation Height²</u>	<u>Projected Height within 4 Years</u>	<u>Installation Height²</u>
<u>Beaufort Historic District Overlay</u>	<u>90%</u>	<u>3 ft</u>	<u>54 ft</u>	<u>4 ft</u>
<u>All Other Areas</u>	<u>50%</u>	<u>2 ft</u>	<u>54 ft</u>	<u>4 ft</u>

¹ The area bounded by the shrub at its projected size in 4 years shall be deemed to be practically 100% opaque.

² Height is measured from adjacent sidewalk, street or curb grade, whichever is higher.

B. **Landscaping:**

1. **Applicability:** ~~Unless an exception is granted by the Planning Commission, this applies in all Conventional Districts. The Planning Commission may grant a reduction of up to 30% of these requirements, except LI, and all T4 and T5 districts where the parcel is greater than two (2) acres. In T4 and T5 districts where the parcel is less than two (2) acres, all parking requirements listed below are applied as "should" rather than "shall."~~

2. **Priority:** In parking lot design, priority should be given to working around existing trees, and then secondarily creating areas where new plantings would be required.

3. **Landscaped Peninsulas and Medians Shall be Established as Follows:**

- a. **Size:** Landscaped peninsulas with a plantable area of at least 12 feet wide by 18 feet long shall be established parallel to parking spaces and at the end of the parking aisle in order to separate the last space from any adjacent driveways.
- b. **Planting:** At least **one (1)** broad-leaved overstory tree shall be provided within each landscaped peninsula. All landscaped peninsulas and medians shall be landscaped with mulch, sod, shrubs, or ground cover vegetation. See **Appendix A Section 5.1.4** for recommended plantings list.
- c. **Specific to Transect Zones:** No more than 12 continuous parking spaces shall be permitted in a row without an interrupting landscaped peninsula, except in the following circumstances:
 - i. The parking lot is gravel, or covered with other soft pervious pavement materials, and spaces are not striped, or
 - ii. There is a landscaped median meeting the requirements in 5.7.8.B.3.d.iii and iv.
- d. **Specific to Conventional Zones:**
 - i. No more than 10 continuous parking spaces shall be permitted in a row without an interrupting landscaped peninsula.
 - ii. On the interior of parking lots, landscaped medians between all head-to-head" rows of parking are required.
 - iii. Where wheel stops are to be used for the protection of landscaped medians, the minimum median width shall be 6 feet. Plantings in such medians shall be limited to a combination of turfgrass or groundcover, palms, and shrubs that have a mature height and spread of 4 feet or less.
 - iv. Where wheel stops are not used for the protection of landscaped medians the minimum median width shall be 9 feet. Plantings in such medians shall be limited to a combination of turfgrass or groundcover, palms, understory trees and/or shrubs which have a mature height and spread of 5 feet or less.
 - v. Shrub coverage in the medians and peninsulas shall be at least 50%.

5.4.2 BUILDING PERIMETER LANDSCAPING (FOUNDATION BEDS)

A. **Applicability:** The following provisions for building perimeter landscaping (i.e., foundation beds) shall apply to all buildings in the RMX and IC Districts, except single-family and two-family dwellings.

B. **Requirements:**

FOUNDATION-BED REQUIREMENTS BY BUILDING HEIGHT					
Building Height	Minimum Width	Minimum Length (as percentage of building)		Vegetation Coverage ¹ (as percentage of foundation bed)	
		Front	Side/Rear	Front	Side/Rear
1-Story	5-ft	67%	50%	67%	50%
≥ 2-Stories	8-ft	67%	50%	67%	50%

~~[‡] Trees, shrubs, flowers, or other plant materials may be used to satisfy vegetation coverage requirements. % of coverage is at maturity — see Section 5.5.1 D.3.~~

- ~~1. **Edges:** All building perimeter landscape areas shall be protected from overhanging vehicles by curbs or wheel stops.~~
- ~~2. **Sidewalks and Handicap Ramps:** Depending on the building design and orientation, sidewalks and handicap ramps may be placed within the designated building perimeter landscape area. In these instances, the administrator may require that some or all of the required foundation planting are mitigated elsewhere on the site.~~
- ~~3. **Pedestrian Coverings:** If awnings, colonnades, arcades or galleries are incorporated into the building design, landscaping may be reduced or eliminated.~~

5.5: LANDSCAPE INSTALLATION AND MAINTENANCE

5.5.1 GENERAL REQUIREMENTS

- A. Trees planted shall be botanically compatible with local conditions, healthy, and disease-and pest-free. Plant materials shall conform to the standards established by the American Association of Nurserymen in the "American Standard for Nursery Stock" (ASNS).
- B. Irrigation shall be required in all new developments unless the [Code](#) Administrator specifically waives this requirement, based on the unique character of the development and/or the nature of the proposed plant material.
 - ~~1. **Exception:** New construction in T3 zones, and single-family residential construction in T4 zones on new or existing lots, is not required to have irrigation.~~
- C. Landscaping shall be maintained in good condition and shall be kept free from refuse and debris.
- D. Installed trees must adhere to the grades and standards outlined in the ASNS. The minimum size at installation of all trees and shrubs planted pursuant to the requirements of this Code is as follows:
 1. **Overstory trees:** 2.5 caliper inches (measured at 6 inches above grade).
 2. **Understory trees:** 8 feet high.
 3. **Shrubs:** Shrubs must be reasonably projected to grow to maturity (i.e., to meet specific size or coverage requirements) within 3 years, unless otherwise specified herein.
- E. Existing healthy shrubs and trees may be used to satisfy any requirements of this Code, provided they meet the minimum size requirements outlined in Section 5.5.1 D.
- F. Use of existing vegetation, native plants, drought-tolerant plants, and water conserving irrigation techniques, such as use of a rain sensor, and re-use of rain water, is encouraged. Preservation of groupings of trees (e.g., ~~tree save~~[tree-saving](#) areas) is encouraged and generally favored over preservation of scattered individual trees.
- G. Where understory trees are specified, preserved, or planted, broad-leaved overstory trees may be substituted on a one-to-one basis to satisfy the requirement.
- H. In conjunction with any development, grass or ground cover shall be planted, or mulch installed to a depth of 3 inches, on all portions of exposed bare ground not otherwise developed or landscaped. This

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shall include planting strips and other areas within rights-of-way that are contiguous to the development site. Grass and/or ground covers shall provide 75% coverage within 1 calendar year from the time of planting. Gravel or crushed shell may be approved as an acceptable ground cover if it is coordinated with the overall site and landscape design; ~~however~~ however, they shall not be used as a substitute for organic mulch in plant beds. The use of dyed hardwood or synthetic material is prohibited.

- I. All earthen drainage structures with a maximum gradient of 3:1 may be hydroseeded or sodded. Ditch and pond banks with slopes greater than 3:1 shall be treated with erosion control fabric or matting and/or receive erosion resistant landscaping materials such as ground covers or wetland plant species.
- J. Landscaping shall not obstruct the view of motorists using any road or driveway.
- K. Where site conditions are inappropriate for an overstory tree, due to existing utilities, building design, or other conflicts either above or below ground, up to 2 understory trees may be substituted for 1 overstory tree.
- L. Severe trimming, pruning, or other maintenance that results in significant alteration of the natural shape of a tree or modification of the central leader (including "lollipopping," "heading," or similar techniques) is prohibited, except in conjunction with public utility maintenance.

5.5.2 REPLACEMENT PLANTING AND MITIGATION

- A. **Applicability:**
 - 1. Where the ~~Codes~~ ~~a~~Administrator approves removal of trees for new development.
 - 2. Where any vegetation, existing or proposed, used to comply with the requirements of this section, does not survive in a healthy condition.
 - 3. When a tree protected under this ordinance is removed from a property without permission from the ~~Codes~~ ~~a~~Administrator, is significantly damaged during construction, or significantly declines and is recommended for removal by a certified arborist at the end of the two-year maintenance guarantee period.
- B. **Replacement Planting and Mitigation:** The tree mitigation fee is established to allow tree planting elsewhere in the City in cases where the requirements for retention of existing trees cannot be achieved. Where a certified arborist determines that a site cannot sustainably support all, or a portion of, the required replacement, due to the size and shape and/or structures and/or viable site constraints, a fee based on the mitigation schedules in subsections 5.5.2.C. or 5.5.2.F. below shall be paid to the City for the purposes of tree planting and maintenance.
- C. **Replacement and Mitigation Schedule:** With the exception of Residential Lots of Record, replacement plantings ~~&-and~~ mitigation shall be according to the following chart:

REPLACEMENT AND MITIGATION SCHEDULE				
Tree Type	Transect Zones		Conventional Zones	
	Replacement: % Caliper Inches	Mitigation: Cost/Caliper Inch	Replacement: % Caliper Inches	Mitigation: Cost/Caliper Inch
Landmark Tree*	100%*	\$500 200350	100%	\$500 250350
Specimen Tree*	100%*	\$250 100250	100%*	\$250 125250
All other trees 8-inch caliper or greater	25%	none	33%	none
* Any tree that is removed without approval shall require the replacement of caliper inches and <u>or</u> the mitigation cost per caliper inch to be doubled, <u>in addition to any city costs, including but not limited to, tree surveys and arborist fees.</u> <u>Examples:</u> Approved Specimen Removal: a 12-inch Live Oak is approved for removal. The applicant must plant back 12 caliper inches of Live Oak or pay a mitigation fee of \$3,000 (12 inches x \$250/inch) if the site cannot support the replacement. Approved Landmark Removal: a 30-inch Live Oak is approved for removal. The applicant must plant back 30 caliper inches of Live Oak or pay a mitigation fee of \$15,000 (30 inches x \$500/inch) if the site cannot support the replacement.				

~~1.)~~ **Timing of Fee Payment.** All required tree mitigation fees shall be paid prior to the issuance of a Site Development Permit or Building Permit.

~~2.)~~ **Tree Replacement Fund.** The City shall establish and maintain a separate accounting fund for the deposit of tree mitigation fees paid in lieu of providing required replacement trees. Such funds need not be segregated from other City monies for banking purposes. Any yield on such accounting fund shall accrue to that fund and shall only be spent on trees on publicly owned and maintained property. Qualifying debits include the cost of trees, installation of trees, and maintenance of trees.

D. The provisions of this section shall apply to all projects, regardless of the date the Site Development Permit or development approval was issued.

E. **Exemption.** Any ~~specimen~~ Specimen or ~~landmark~~ Landmark tree that fails due to a natural catastrophe shall be exempt from the requirements of this section.

F. ~~Replacement and Mitigation Schedule for Residential Lots of Record. Replacement plantings and mitigation on Residential Lots of Record shall be according to the following chart:~~

REPLACEMENT AND MITIGATION SCHEDULE				
Tree Type	Transect Zones		Conventional Zones	
	Replacement: % Caliper Inches	Mitigation: Cost/Caliper Inch	Replacement: % Caliper Inches	Mitigation: Cost/Caliper Inch
Landmark Tree*	100%*	\$100	100%	\$100

Specimen Tree*	100%*	\$50	100%*	\$50
All other trees 8-inch caliper or greater	25%	none	33%	none
* Any tree that is removed without approval shall require the replacement of caliper inches and the mitigation cost per caliper inch to be doubled.				
Examples Approved Specimen Removal: a 12-inch Live Oak is approved for removal. The applicant must plant back 12 caliper inches of Live Oak or pay a mitigation fee of \$600 (12 inches x \$50/inch) if the site cannot support the replacement. Approved Landmark Removal: a 30-inch Live Oak is approved for removal. The applicant must plant back 30 caliper inches of Live Oak or pay a mitigation fee of \$3,000 (30 inches x \$100/inch) if the site cannot support the replacement.				

5.6: PARKING

5.6.1 PURPOSE

The purpose of this section is to regulate and ensure the provision of adequate parking and access for bicycles and motor vehicles. The section also provides options for adjusting parking requirements and providing parking alternatives. These standards ensure that the parking needs of new land uses and development are met, while being designed and located in a manner consistent with the desired character and development patterns of the community.

5.6.2 APPLICABILITY

The parking standards of this section shall apply to new developments and when a structural alteration in an existing building produces an increase in dwelling units, guest rooms, floor area, seating or bed capacity.

5.6.3 BICYCLE PARKING

- A. **Applicability:** Bicycle parking is required everywhere except in the T3 zoning district, in T4 districts in detached single-family residential developments, and in the LI district. In the T5 district, the [Codes Administrator](#) has the authority to waive the bicycle parking requirement if it is not appropriate or feasible.
- B. **Location and Configuration:** Bicycle parking shall be placed in a usable and accessible location. The rack(s) shall be placed so that neither the rack nor the bike within it blocks pedestrian or vehicular access ways and shall be maintained and kept clean and in proper working order at all times.
- C. **Size:** Developments shall provide either racks for 5% of the number of required off-street vehicular parking spaces or 2 bicycle parking spaces, whichever is greater. Spaces shall be a minimum of 2 feet by 6 feet.

5.6.4 PARKING SPACE REQUIREMENTS

- A. **Minimum Number of Parking Spaces:** The number of motor vehicle parking spaces required shall be determined by the table below. Uses not listed in the following chart shall use the parking requirement for the most similar use, as determined by the ~~Codes Administrator~~. The Planning Commission may, in its discretion, grant exemptions from the requirements of this subsection when the applicant shows, by a parking study or otherwise, that a departure from the standards is necessary.

1. Except at the discretion of the Planning Commission, when shown by the applicant that a departure from the standards is necessary, such as through a parking study.

USE	MINIMUM NUMBER OF MOTOR VEHICLE PARKING SPACES REQUIRED [*]	
	CONVENTIONAL DISTRICTS	TRANSECT-BASED DISTRICTS
RESIDENTIAL		
Single-Family, and Short-Term Rental	2 per unit	
2- and 3-Family, Multi-Family and Accessory Units		
Studio	1 per unit	
1 Bedroom	1 per unit	
2 Bedrooms	1.75 per unit	
3+ Bedrooms	2 per unit	
Dwelling units located within mixed-use buildings	No spaces required	
Group Homes	1 per 3 bedrooms	
RETAIL		
Gas Stations/Fuel Sales	1 per 3400 gross square feet per employee, plus requirements for retail and/or service bays	1 per 3400 gross square feet
Grocery Stores	1 per 200 gross square feet	1 per 200 gross square feet
Restaurant, Cafe, Coffee Shop, Bar, Tavern and Nightclub	1 per 3400 gross square feet per 4 seats,* plus 1 per every 2 employees (at max. shift, typical) *Only interior seats are counted unless the business only has exterior seating.	1 per 3400 gross square feet
Drive-Through Facilities	1 per 3400 gross square feet per 4 seats* plus 1 per every 2 employees *Only interior seats are	1 per 3400 gross square feet

	counted unless the business only has exterior seating.	
All Other Retail Uses	1 per 300 gross square feet	1 per 3400 gross square feet
RECREATION, EDUCATION, PUBLIC ASSEMBLY		
Colleges and Universities	1 per 4 students at capacity class attendance	
Community/Public Safety Facilities	1 per 300 gross square feet	1 per 400 gross square feet
Schools, Public or Private		
Grades K-8	2 per classroom	1 per 400 gross square feet
Grades 9-12 or Trade	1 per 4 students and employees	1 per 400 gross square feet
Theaters	1 per 4 seats, plus 1 per 2 employees	1 per 400 gross square feet
All Other Assembly Uses		
With Fixed Seats	1 per 5 seats	1 per 400 gross square feet
Without Fixed Seats	1 per 300 gross square feet	1 per 400 gross square feet
SERVICES		
Day Care (Child or Adult) - 5 or greater	1 per 10 persons cared for (child or adult)	1 per 400 gross square feet
Lodging	1 per room, plus spaces required for on-site accessory uses	1 per 2 rooms
Medical		
Doctor's Offices	1 per 300 gross square feet	1 per 400 gross square feet
Other	1 per 2 beds, plus 1 per staff, plus 1 per 4 employees	1 per 400 gross square feet
All Other Service Uses	1 per 300 gross square feet	1 per 400 gross square feet
INDUSTRIAL		
No minimum number of spaces		
<u>Buildings under 20,000 square feet</u>	<u>1 per 1,000 square feet of gross floor area</u>	
<u>Buildings over 20,000 square feet</u>	<u>0.5 per 1,000 square feet of gross floor area</u>	
<u>*</u>	<u>Except at the discretion of the Planning Commission, when shown by the applicant that a departure from the standards is necessary, such as through a parking study.</u>	

B. Credits for On-Street Parking:

1. On-street parking spaces along the lot frontage may count toward the minimum number of required parking spaces if needed.

2. For multi-family dwellings over 3 units, and for commercial buildings over 4,000 square feet, adjacent existing on-street parking within 400 feet from the property line may be used to count toward the on-site parking requirement if needed.
3. Where on-street parking does not exist, additional on-street parking spaces meeting City standards (see Appendix C) may be constructed to fulfill all or part of the on-site parking requirement. This must be approved by the Technical Review Committee and any outside agencies, as appropriate.
4. On a block face where formalized on-street parking is available, single-family and 2-family dwellings, and nonresidential uses with less than 4,000 square feet of space, and any structure listed as "Contributing" on the "1997 Beaufort County Above Ground Historic Resources Survey," or most recent historic survey, shall be exempt from these off-street parking requirements.

C. **Maximum Number of Parking Spaces:** The maximum number of off-street parking spaces shall be as follows:

1. For buildings with a footprint less than or equal to 60,000 gross square feet, no more than 140% of the required minimum number of parking spaces are permitted, except at the discretion of the Planning Commission, shown by the applicant that a departure from the standards is necessary, such as through a parking study-
2. For buildings with a footprint greater than 60,000 gross square feet, no more than 125% of the required minimum number of parking spaces are permitted, except at the discretion of the Planning Commission, shown by the applicant that a departure from the standards is necessary, such as through a parking study.

3. **Exceptions:**

- a. ~~Parcels in the LI district are exempt from these requirements.~~
- b. ~~Parcels in the Boundary Street Redevelopment District are exempt from these requirements. See Section 2.7.3 E. for requirements in this overlay district.~~
- ~~c.~~ Group Housing or Multi-Family buildings built specifically to accommodate student housing are permitted a maximum of 1 parking space per bedroom, plus an additional 125% for guest parking.
- ~~d.~~ b. —Uses within the IC district.
- c. When an exception is granted by the Planning Commission following the Planning Commission's finding, in its discretion, that an applicant has shown, by a parking study or otherwise, that a departure from these requirements is necessary.

D. **Off Site Parking:** Required parking may be provided off site if the following standards are met:

1. Required parking may be provided in off-street parking facilities on another property within 250 feet of the site proposed for development, as measured along street rights-of-way. Parking further than 400 feet may be approved by the Codes Administrator if it is in conjunction with a plan to provide access to the lot (e.g., shuttle service).
2. In any transect-based district, required parking may not be located along a major thoroughfare without being screened from the street by buildings.
3. Unless an exception is granted by the Planning Commission, Pedestrian access between the use or the site and the off-premise parking area shall be via a continuous sidewalk or walkway, not separated by a street.

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4. The owner shall provide a written parking agreement reflecting the arrangement with the other site.

5.6.5 PARKING EXCEPTIONS

- A. In the T5-DC District, all nonresidential uses, except for motels/hotels/extended stay guest accommodations, shall be exempt from the off-street parking requirements of this section. Where such uses elect to provide off-street parking, it shall meet the design requirements of this section.
- B. Any structure being reoccupied that is listed on the city's "Vacant and Abandoned Structures" list shall be exempt from these off-street parking requirements if on-site parking cannot be accommodated.
- C. In the Boundary Street Redevelopment District, see Section 2.7.3 E. for parking requirements.

5.6.6 SHARED PARKING AND PARKING REDUCTIONS

- A. **Shared Parking—Two Uses:** When 2-two use types share common parking facilities, the minimum amount of required parking may be reduced. The minimum amount of required parking shall be calculated as the sum of the required parking for the 2-two uses separately, divided by the factor listed in the table below.

SHARED PARKING FACTOR FOR TWO USES				
	Residential	Lodging	Office	Retail/Restaurant
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office	1.4	1.7	1.0	1.2
Retail/Restaurant	1.2	1.3	1.2	1.0

EXAMPLE: A mixed-use building that typically requires 10 residential spots and 20 retail spots may be reduced as follows: $(10+20) / 1.2 = 25$ spots. This is a 5-spot reduction due to the shared parking factor.

- B. **Shared Parking—Three or More Uses:** When 3-three or more use types share common parking facilities, or if a use type is not listed in Table 5.76.4.A, the amount of required parking may be reduced as appropriate in accordance with Section 5.76.6 C. below.
- C. **Parking Reductions:**
 1. The Codes Administrator may grant a reduction in the parking requirements set forth in this section in the following cases:
 - a. Where uses in the same or adjoining development, having different peak hour demand, seek to share parking, the applicant must submit to the Codes Administrator an analysis and substantiated projections of peak parking demand — based on historic data from other locations or a similar use — for the entire development to justify the shared use of parking spaces for separate uses.
 - b. Where the special nature of a certain development (e.g., special types of housing projects inhabited by persons with low or no automobile ownership) does not require the amount of parking listed in Section 5.6.4.
 - c. Where fewer parking spaces are needed due to location and use — e.g., if there is a high concentration of residential units adjacent to a neighborhood-serving use, a parking reduction may be warranted.

2. The Codes Administrator shall consider the following in determining whether a reduction is warranted:
 - a. The likelihood that the reduced number of parking spaces can satisfy demand.
 - b. The amount of time during the year when the number of spaces provided may be insufficient and the amount of resulting parking overflow.
 - c. The impact of periodic overflows upon the public streets and other parking facilities.
 - d. The nature of surrounding land uses, character of surrounding road system, and nearby circulation pattern.
3. In all cases, the burden to demonstrate that a reduction in parking requirements is warranted shall rest with the applicant.

5.6.7 PARKING LOT DESIGN

A. General Design Standards:

1. **Design:** Parking stalls shall be located in areas that will not require backing into access driveways or streets, except where allowed for residences, or when no other practical alternative exists, as determined by the Codes Administrator.
 - a. **Parking Stall Dimensions:** Unless an exception is granted by the Planning Commission, Off-street parking spaces shall be at least 9 feet wide by 18 feet long, exclusive of access or maneuvering spaces. Up to 20% of compact car spaces, a minimum of 8 feet wide by 15 feet deep, are permitted.
 - b. **Travel Lane Dimensions:** Travel lanes shall not exceed 24 feet wide for 2-way traffic, except in specific areas that may require additional room for truck access. A minimum of 20 feet clear between parking spaces shall be provided for 2-way traffic. One-way traffic may be permitted to have travel lanes width reduced to 16 feet if approved by the fire marshal.
2. **No Storage:** Minimum parking areas shall be kept free of material storage, including portable containers, and outdoor display/sales, except on a temporary basis as part of an approved Temporary Use (see Section 3.13).
3. **Maintenance:** Parking areas shall be maintained to provide for vehicle access and shall be kept free of litter, debris, and potholes.
4. **Identified as to Purpose and Location:** Off-street parking areas with 4 or more spaces, and off-street loading areas, shall include painted lines, wheel stops, or other methods of identifying individual parking spaces and loading areas and distinguishing such spaces from aisle and other circulation features.
5. **Parking Space Marking:** The individual parking spaces in a lot shall be delineated in all parking lots except those utilizing road bond, gravel, grass, or other vegetative surfacing. Such parking lots shall delineate parking spaces with a wheel stop or vegetative buffer.
6. **Front Yard Parking:** Where Section 7.2.3 (Lot Access Standards) permits driveways, they may be used for front yard parking areas, but the width of such front yard parking areas shall be limited to the driveway width specified in that section.
- ~~7. **Shopping Cart Storage:** Up to 4 spaces for shopping cart storage may be provided. Any additional spaces shall count towards the maximum number of parking spaces, if applicable.~~

B. **Pedestrian Corridors in Parking Lots:** Parking lots with 40 spaces or greater shall be designed to separate pedestrian travel from vehicles. They shall include designated pedestrian walkways to provide safe access to building entries for pedestrians.

1. Perimeter sidewalks — typically located on public rights-of-way— and/or interior parking lot pedestrian corridors may be utilized to provide the required pedestrian access.
2. Pedestrian pathways (if provided) shall be a minimum 5 feet in width.
3. Where parking is located between a public entrance and the fronting sidewalk, a pedestrian pathway shall be provided, following the shortest practical route across the parking lot between at least 1 such entrance on each side of the building facing a public street.
4. Pedestrian pathways shall be clearly delineated with striping. This may also be accomplished with the use of paving materials that differ from that of vehicular areas, striping or other similar methods.

C. **Connectivity:**

1. Wherever feasible, adjoining parking lots (except those serving residential buildings of less than 4 units) shall be interconnected, or designed to interconnect in the future.
2. Where a parking lot connection is provided, an easement for ingress and egress to adjacent lots shall be recorded by the property owner with the Beaufort County Register of Deeds.
3. When parking lots are connected, one or more of the following incentives may be utilized, at the discretion of the applicant:
 - a. The side or rear setback adjacent to the connection may be reduced to 5 feet.
 - b. An additional 10% of parking spaces over-exceeding the 140% maximum may be provided.
 - c. Impervious surface may be increased by 5%.

D. **Materials:**

1. Parking spaces and driveways shall be paved with a material that supports the anticipated load and context. Pervious or semi-pervious paving materials are encouraged. Where possible, such materials shall be used in combination with on-site stormwater control devices.
2. Parking provided above the minimum required parking spaces shall be with a pervious material.

E. **Accessible Parking:** All parking facilities that require accessible parking spaces shall ensure that a portion of the total number of required parking spaces shall be specifically designated, located, and reserved for use by persons with physical disabilities, in accordance with the standards in the federal American with Disabilities Act (ADA).

F. **Tandem Parking and Residential Driveways:** See Section 7.2.3 D.2.b.

5.6.8 PARKING LOT SCREENING AND LANDSCAPING

~~A. **Screening:** All parking areas shall be screened from the public right of way or primary vehicular access point(s) if the parking area does not front a public right of way with evergreen shrubs, walls, fences, or some combination thereof. Screening is not required at areas designated for signage, or pedestrian or vehicle access points. Screening devices shall be installed at the height and opacity specified in the table below.~~

LOCATION	MINIMUM REQUIRED OPACITY AT PLANTING ¹	SHRUBS		WALL/FENCE
		Installation Height ²	Projected Height within 4 Years	Installation Height ²
Beaufort Historic District Overlay	90%	3 ft	4 ft	4 ft
All Other Areas	50%	2 ft	4 ft	4 ft
¹ —The area bounded by the shrub at its projected size in 3 years shall be deemed to be practically 100% opaque.				
² —Height is measured from adjacent sidewalk, street or curb grade, whichever is higher.				

~~2. Landscaping:~~

- ~~1. **Applicability:** This applies in all Conventional Districts except L1, and all T4 and T5 districts where the parcel is greater than 2 acres. In T4 and T5 districts where the parcel is less than 2 acres, all parking requirements listed below are applied as “should” rather than “shall.”~~
- ~~2. **Priority:** In parking lot design, priority should be given to working around existing trees, and then secondarily creating areas where new plantings would be required.~~
- ~~3. **Landscaped Peninsulas and Medians Shall be Established as Follows:**~~
 - ~~a. **Size:** Landscaped peninsulas with a plantable area of at least 12 feet wide by 18 feet long area shall be established parallel to parking spaces and at the end of the parking aisle in order to separate the last space from any adjacent driveways.~~
 - ~~b. **Planting:** At least 1 broad-leaved overstory tree shall be provided within each landscaped peninsula. All landscaped peninsulas and medians shall be landscaped with mulch, sod, shrubs, or ground cover vegetation. See Appendix A for recommended plantings list.~~
 - ~~c. **Specific to Transect Zones:** No more than 12 continuous parking spaces shall be permitted in a row without an interrupting landscaped peninsula, except in the following circumstances:~~
 - ~~i. The parking lot is gravel, or covered with other soft pervious pavement materials, and spaces are not striped, or~~
 - ~~ii. There is a landscaped median meeting the requirements in 5.7.9.D.3.d.iii and iv.~~
 - ~~d. **Specific to Conventional Zones:**~~
 - ~~i. No more than 10 continuous parking spaces shall be permitted in a row without an interrupting landscaped peninsula.~~
 - ~~ii. On the interior of parking lots, landscaped medians between all head-to-head rows of parking are required.~~
 - ~~iii. Where wheel stops are to be used for the protection of landscaped medians, the minimum median width shall be 6 feet. Plantings in such medians shall be limited to a combination of turfgrass or groundcover, palms, and shrubs that have a mature height and spread of 4 feet or less.~~

- ~~iv. Where wheel stops are not used for the protection of landscaped medians the minimum median width shall be 9 feet. Plantings in such medians shall be limited to a combination of turfgrass or groundcover, palms, understory trees and/or shrubs which have a mature height and spread of 5 feet or less.~~
- ~~v. Shrub coverage in the medians and peninsulas shall be at least 50%.~~

5.6.9-8 STRUCTURED PARKING

See Section 4.5.11.

5.6.10-9 PARKING OF SPECIFIC VEHICLES

- A. **Parking, Storage or Use of Campers or Other Major Recreation Equipment:**
 - 1. No major recreational equipment shall be parked or stored in any T3 or T4 district in a manner which poses a nuisance, or constitutes a hazard. When parked in a permanent location, such equipment shall observe all setbacks, yard, and other requirements set forth within the districts in which they are located.
 - 2. Parking or storage of recreational equipment shall not be permitted in any district between the street and the building face. No such equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored in any location not approved for such uses.
- B. **Vehicles Without License Plates:** Any vehicle or trailer of any kind requiring licenses, but without current plates, shall not be parked other than in completely enclosed buildings.
- C. **Commercial Vehicles:**
 - 1. Trucks, tractors, or tractor-trailers having a capacity of more than a 8,000 pound load, front- and rear-end loaders, or any kind of commercial, industrial, agricultural and transportation vehicles/equipment used primarily for business purposes, shall not be parked or stored on or adjacent to any parcel in a T3 or T4-HN district for purposes other than unloading, loading, or delivery services.
 - 2. Automobiles, small trucks, vans, vehicle trailers permitted in conjunction with an approved home occupation (1 per home occupation), and recreational vehicles, utilized for personal or business use, are excluded from the provisions of this section.

5.7: LIGHTING

5.7.1 PURPOSE

The standards set forth in this section are designed to:

- A. Ensure that all site lighting is designed and installed to maintain adequate lighting levels on-site;
- B. Prevent excessive light spillage and glare directed at adjacent properties, neighboring areas, and motorists; and
- C. Provide security for people and land.

5.7.2 APPLICABILITY

The provisions of this article shall apply to all development with the following exemptions:

- A. All temporary emergency lighting needed by the police or fire departments or other emergency services, as well as all vehicular luminaires, shall be exempt from the requirements of this Code.
- B. All hazard warning luminaires required by federal regulatory agencies are exempt from the requirements of this article, except that all luminaires used must be red and must be shown to be as close as possible to the federally required minimum lumen output requirement for the specific task.
- C. Individual residential lighting that is not part of a site plan, street section, or outdoor lighting plan for any other common or public area, provided that it does not extend past the boundaries of that property. Security lighting on residential property must comply with Section 5.7.9.6.
- D. Lighting associated with landscape/holiday/festive/temporary uses.
- E. Lighting of public art that has been permitted or otherwise approved by the city.
- F. Other Municipal or State lighting installed for the benefit of public health, safety, and welfare.
- G. All fixtures installed or temporarily used by public agencies, their agents, or contractors for the purpose of illuminating public streets.
- H. Lighting of U.S. Flags, provided the flag standard does not exceed the maximum permitted building height for that district.

5.7.3 GENERAL STANDARDS FOR EXTERIOR LIGHTING

- A. **Hours of Illumination:** Public and institutional uses, commercial uses, and industrial uses (heavy and light) that are adjacent to existing residential development or vacant land in the RMX, T1, ~~T3-E~~, T3-S, and T3-N Districts shall turn off all exterior lighting by 10:00 p.m. or within ~~4-one~~ hour of closing, whichever occurs first, with the following exception:
 - ~~1.~~ —Lighting that is necessary for security or emergency purposes – meaning the minimum amount of exterior lighting necessary to illuminate possible points of entry or exit into a structure, to illuminate exterior walkways, or to illuminate outdoor storage areas—may be turned on at all times. Additional standards for security lighting are in Section 5.8.7.6-5 (Security Lighting).
- B. **Illumination Direction:** In all districts, lighting shall be directed downward. In addition, upwardly directed lighting shall not be used to illuminate structures, except for low-wattage architectural lighting.

5.7.4 DESIGN STANDARDS FOR EXTERIOR LIGHTING

- A. **Maximum Lighting Height:** For purposes of these regulations, the mounting height of a lighting fixture shall be defined as the vertical distance from the grade elevation of the surface being illuminated to the top of the light post, not including the fixture.
 - 1. In pedestrian oriented areas, the height of the light post shall not exceed ~~45-20~~ feet above grade.
 - 2. In auto-centric areas, such as parking lots which support shopping centers, large retailers, or manufacturing sites, etc., the height of the light post shall not exceed 30 feet above grade.
 - 3. Wherever possible, outdoor seating areas, building entrances, and walkways shall be illuminated using ground mounted fixtures not more than ~~4-four~~ feet tall.

4. In historic districts, light poles exceeding 15 feet above grade must be approved by the Historic Review Board.
- B. **Shielding:** Light fixtures in excess of 1,800 lumens shall use full cut-off lenses or hoods to prevent glare or spillover from the project site onto adjacent lands and streets.
- C. **Maximum Illuminance Levels:** Requirements in the following table shall apply only to light trespass into parcels in T3 and T4 zoning districts at the property line.

TYPE OF USE	MAXIMUM ILLUMINANCE AT PROPERTY LINE
Agricultural, Residential, Day Care-Child or Adult, Community Oriented Civic Facilities, School-Public or Private, Colleges and Universities, and Water-Oriented Facilities	0.5 foot-candles
Retail, Recreation, Education, Public Assembly (except Community-Oriented Civic Facilities, School-Public or Private, Colleges and Universities, and Water-Oriented Facilities), and Services (except Day Care-Child or Adult)	2.5 foot-candles
Industrial and Transportation, Communications, Infrastructure	2.5 foot-candles
Vehicular Use Areas (Note: Minimum illuminance level at the edge of the vehicle use area shall be 0.2 foot-candles.)	2.5 foot-candles

5.7.5 RESERVED

5.7.6-5 SECURITY LIGHTING

- A. Motion-activated security lights, unshielded flood and spotlights with 45 watts or less, installed for security and activated by motion sensor, are permitted. These unshielded lights must be mounted and aimed in a manner that minimizes up-lighting and light trespass.
- B. All floodlights shall be installed such that the fixture shall be aimed down at least 45 degrees from vertical. Flood lights shall be positioned such that any such fixture located within 50 feet of a public street right-of-way is mounted and aimed perpendicular to the right-of-way.
- C. All flood or spot lamps emitting 1,000 or more lumens shall be aimed at least 60 degrees down from horizontal, or shielded such that the main beam from the light source is not visible from adjacent properties or the public street right-of-way.
- D. Landscape and decorative lighting using incandescent lighting of 40 watts or less is permitted, provided that the light is installed and aimed to prevent lighting build-up and light trespass and is shielded to prevent view from the public right-of-way.
- E. Area "dusk to dawn" open-bottom lights, with photosensors that automatically turn the light on and off at certain levels of ambient illumination, are permitted. These lights must be full cutoff.

5.7.7-6 ILLUMINATION OF OUTDOOR SPORTS FIELDS AND PERFORMANCE AREAS

Lighting of outdoor sports fields and performance areas shall comply with the following standards:

- A. **Glare Control Package:** All lighting fixtures shall be equipped with a glare control package (e.g., louvers, shields, or similar devices) and aimed so that their beams are directed and fall within the primary playing or performance area.
- B. **Hours of Illumination:** The hours of operation for the lighting system for any game or event shall not continue more than 1 hour after the end of the game or event.

5.7.8-7 PROHIBITED LIGHTING TYPES

- A. **Laser Source Light:** The use of laser source light or any similar high intensity light for outdoor advertising or entertainment is prohibited.
- B. **Searchlights:** The operation of searchlights for advertising purposes is prohibited.
- C. **Flashing Lights:** With the exception of motion-activated security lighting, lights that flash, move, revolve, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsation are prohibited.
- D. **Awning and Canopy Back-Lighting:** Awnings and canopies used for building accents over doors, windows, etc. shall not be uplit. Lighting that illuminates the sidewalk, or downlights onto the architectural features of a building, may be installed under canopies.

5.8 Fencing

The purpose and intent of this section is to establish minimum standards to regulate the location, **height**, and appearance of fences and walls to maintain visual harmony within **neighborhoods** and zoning districts throughout the City, protect **adjacent** properties from the indiscriminate placement and unsightliness of fences and walls, and ensure the safety, security, and privacy of properties.

A. **Applicability**

This section applies to the **construction**, substantial reconstruction, or replacement of fences or walls not required for support of a principal or **accessory structure**, and to any other linear barrier intended to delineate different portions of a **lot**, within the City. Temporary fences for **construction sites**, sand fencing in beachfront areas, and **tree** protection fencing are exempt from the standards and requirements of this section.

B. **Height**

Fences and walls shall be subject to the following **height** limits:

1. **Front or Street Side Setback:** Four feet in height, with the following exceptions:
 - a. On T3 lots that front Ribaut Road, fences may be permitted to be 7 feet in height on the condition that such fences are set back from the front property line 1 foot for every 1 foot increase in height above 4 feet.
 - b. In the LI District, parcels fronting Primary Streets may have fences or walls up to 6 feet in height. Parcels fronting all other streets may be up to 10 feet in height.

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c. ~~All above ground electric fences are not permitted, except in the LI District, to encroach into any front or street side setbacks.~~

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2. Interior Side or Rear Setback (if side yard is not facing a street or a double frontage lot)

a. Transect-Based District: 6 feet in height if not facing a street.

b. Interior Side or Rear Setback of a Conventional District: 8 feet in height.

~~a-c. Interior Side or Rear Setback of LI District: 10 feet in height.~~

~~a. Transect-Based District: 6 feet in height if not facing a street,~~

~~b. Interior Side or Rear Setback of a Conventional District: 8 feet in height.~~

~~Interior Side or Rear Setback of LI District: 10 feet in height.~~

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~~2-3. Historic District: All fences shall be 4 feet in height or less along all setbacks. Exceptions may be approved by the Historic District Review Board (HDRB).~~

C. **Materials:**

1. The support structures for fences, such as posts, shall be located on the inside of the fence.

2. The **gates**, posts, columns, and associated details of entry **gates** are allowed within the required setbacks along **streets** if they do not exceed six feet in **height** and are approved by the Codes Administrator in accordance with the requirements of this **Ordinance**.

3. All fences in the historic district shall be picket, cast iron, or wire fencing with vegetation.

~~4. Chain-link fencing is not permitted outside the LI district.~~

~~5. All above ground electric fences are not permitted, except in the LI District.~~

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D. **Appearance:**

Fences and walls visible from a **street right-of-way** shall be composed of a design, materials, and colors that are compatible with those of **buildings** and other elements of **development** on the site.

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City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 07/10/2025
From: John Sauve, Deputy City Manager
Item Name: Ordinance to rename Southside Loop in Southside Park as Clayton Cooler Loop - Second Reading
Meeting Date: August 19, 2025
Department: City Managers Office

Background Information:

Introduction:

This memorandum provides background and staff recommendations regarding two proposed ordinances for road naming and renaming within the City of Beaufort:

1. Naming the newly constructed Airport Road Project as **Donnie Beer Drive**.
2. Renaming **Southside Loop** within Southside Park as **Clayton Cooler Loop**.

Background:

1. Airport Road Project Naming

The newly constructed connector road near the Beaufort Executive Airport, referred to during development as “Airport Frontage Road” and “Airport Junction Road,” was completed as Phase 1 of the Lady’s Island Corridor infrastructure improvements funded through the 2018 Beaufort County Transportation Sales Tax Referendum. This project connects Lost Island Road to U.S. Highway 21.

- **January 14, 2025 Council Worksession:** Councilman Neil Lipsitz recommended naming the corridor “Robert Smalls Parkway Extension.”

- **March 8, 2025 Council Worksession:** Council discussed alternative naming options, including recommendations from Councilman Josh Scallate to name the road for Connie Hipp and from Councilman Lipsitz to name it for either former Councilmember Donnie Beer or former Police Chief Matt Clancy.
- **May 27, 2025 City Council CIP Worksession:** Council expressed general preference for a name honoring Donnie Beer or Matt Clancy, noting informal traditions of naming roads after individuals who have passed.

At the **June 16, 2025 Planning Commission meeting**, the Commission considered the matter. Their recommendation indicated **concern that the small roadway may not sufficiently honor the memory of either Donnie Beer or Matt Clancy**, but they stated that if Council wished to move forward with naming the roadway, they supported naming it for either individual as proposed.

Following further internal review, staff noted that the City Police Department building is already named in honor of former Chief Matt Clancy, whereas there is no public facility currently named for former Councilmember Donnie Beer. Therefore, the **draft ordinance presented for first reading proposes naming the roadway “Donnie Beer Drive”**. Should Council wish to amend the ordinance to reflect a different designation, such amendment would be appropriate after the public hearing and at first reading.

2. Southside Loop Renaming

Southside Loop is an existing roadway within Southside Park. The proposed renaming seeks to honor longtime City of Beaufort Public Works Director **Clayton Cooler**, who served the City faithfully for 45 years, including stewardship of parks and infrastructure.

- **January 14, 2025 Regular Meeting:** Councilman Lipsitz proposed renaming Southside Loop to “Clayton Cooler Loop.” The motion received community support, and Council directed staff to initiate the formal process.
- **June 16, 2025 Planning Commission meeting:** The Commission unanimously recommended renaming Southside Loop as **Clayton Cooler Loop** without reservation.

Legal Authority:

- **SC Code § 5-7-30** grants municipalities the authority to regulate public roads and

naming.

- **SC Code § 6-29-1200** requires Planning Commission review for changes to officially mapped streets.
- Both proposed actions have completed Planning Commission review in accordance with statutory requirements.

Staff Recommendation:

Staff recommends that City Council:

1. **Proceed with First Reading** of the attached ordinance naming the newly constructed connector road as **Donnie Beer Drive**, recognizing former Councilmember Beer's distinguished service to the City of Beaufort.
2. **Proceed with First Reading** of the attached ordinance renaming Southside Loop as **Clayton Cooler Loop**, recognizing Mr. Cooler's dedication and service to the community.

Staff further notes that if Council desires to amend the proposed Donnie Beer Drive ordinance to reflect an alternative designation, such amendment would be appropriate after the public hearing and at first reading.

Placed on Agenda For:

Attachments:

1. Southside Loop Renaming Ordinance
2. June 16 Road Naming Memo for the Planning Commission

ORDINANCE 2025/20

An Ordinance to Rename Southside Loop in Southside Park as Clayton Cooler Loop

WHEREAS, Section 5-7-30 of the South Carolina Code of Laws grants municipal councils the authority to enact ordinances, including those necessary to regulate public roads and naming within the municipality; and

WHEREAS, Section 6-29-1200 of the South Carolina Code of Laws requires Planning Commission review for proposed changes to officially mapped streets prior to Council action; and

WHEREAS, Southside Loop is an existing road segment within Southside Park in the City of Beaufort; and

WHEREAS, City Council desires to honor longtime City of Beaufort Public Works Director Clayton Cooler for his distinguished service of forty-five years to the City and community by renaming Southside Loop as **Clayton Cooler Loop**; and

WHEREAS, this renaming has been reviewed and recommended by City staff, the Planning Commission, and relevant external agencies, with no conflicts identified by Beaufort County Emergency Management/911, USPS, or SCDOT.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority thereof, that:

Renaming. Southside Loop, located within Southside Park, is hereby renamed **Clayton Cooler Loop** in honor of Mr. Clayton Cooler's dedicated service to the City of Beaufort.

Implementation. The City Manager, City Attorney, and City Clerk are authorized and directed to coordinate with Beaufort County Emergency Management/911, USPS, SCDOT, and other relevant agencies to update all records, signage, maps, and databases to reflect this designation.

Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Effective Date. This ordinance shall become effective immediately upon adoption by City Council.

DONE, RATIFIED AND ENACTED this ____ day of _____, 2025.

Philip E. Cromer, Mayor
City of Beaufort, South Carolina

Attest:

Traci Guldner, City Clerk
City of Beaufort, South Carolina

First Reading: _____

Second Reading: _____

Reviewed as to form by Benjamin T. Coppage, City Attorney, on July 01, 2025.

Scott Marshall
CITY MANAGER
843-525-7070

John Sauvé
DEPUTY CITY MANAGER
843-379-7525



CITY OF BEAUFORT
1911 Boundary Street
BEAUFORT, SOUTH CAROLINA 29902

COUNCIL MEMBERS:
Philip E. Cromer, Mayor
Mike McFee, Mayor Pro Tem
Neil Lipsitz
Mitch Mitchell
Josh Scallate

June 9, 2025

MEMORANDUM

TO: Planning Commission

FROM: John Sauve, Deputy City Manager

RE: Road Naming/Re-Naming Updated Memorandum for June 16, 2025

I. Introduction and Recommendation

The City of Beaufort requests the Planning Commission's review and recommendation regarding two naming matters requiring formal action:

1. Naming of the newly completed road and junction near the Beaufort Executive Airport; and
2. Renaming of "Southside Loop" within Southside Park.

These matters have been reviewed in multiple public Council meetings and work sessions, and staff now seeks Planning Commission input prior to Council adoption of an ordinance pursuant to South Carolina Code § 6-29-1200.

II. Background

1. Airport Road Junction (AKA Airport Frontage Road):

This newly constructed connector, completed as Phase 1 of a long-planned infrastructure initiative from the 2017 Lady's Island Corridor Study, links Little Creek Road and Lost Island Road to Sea Island Parkway (US 21). The project was funded through the 2018 Beaufort County Transportation Sales Tax Referendum and included both local impact fees and state support. The corridor has been referred to during development as "Airport Frontage Road" and "Airport Junction Road."

During the January 14, 2025 City Council Worksession, Councilman Neil Lipsitz recommended renaming the corridor "Robert Smalls Parkway Extension" to honor Beaufort native and American hero Robert Smalls, while maintaining continuity with

existing regional roadways. The recommendation aligns with Council's strategic goal of promoting historically significant place naming, and with the City's broader commitment to equity and local heritage. There were no public comments on this item.

The March 8, 2025 Council Worksession included further discussion of the road naming process and potential designations, and the County Engineering Program Manager confirmed that Beaufort County does not object to any name selected by the City. The County encouraged consistency with prior project documentation and maintenance records, recommending that the chosen name be traceable to "Airport Frontage Road" or "Airport Junction Road" for continuity in long-term regional planning references, but was open to any naming convention chosen by the City.

After the March 8, 2025 Council Worksession, Councilman Scallate emailed staff recommending that the Airport Frontage/Junction Road be named in honor of Connie Hipp, for her services with the Leadership Beaufort Program. There were no public comments on this item at the March 8, 2025 Council Worksession

At the May 19, 2025 Planning Commission meeting this matter was discussed and scheduled for the June 16, 2025 Planning Commission meeting with anticipation that a Public Hearing and First Reading for a road naming ordinance will be scheduled for the July 8, 2025 City Council Meeting.

At the May 27, 2025 City Council CIP Worksession, this matter was discussed again, and Council expressed its preference that this road does not include "airport" in the name, and made the following recommendations:

Councilman Josh Scallate recommended the road be named for Connie Hipp

Councilman Neal Lipsitz recommended the road be named for former Councilmember Donnie Beer or former Police Chief Matt Clancy.

After some discussion, the general consensus of Council appeared to be a preference for one of Councilman Neal Lipsitz' recommendations, due to informal traditions of roads being named for persons who have passed. There was no public comments on this item during the May 27, 2025 Council Worksession. Minutes from this meeting have not been formally adopted as of the writing of this memorandum, but the video recording of the meeting is available online.

Both the name "Donnie Beer Drive" and "Matt Clancy Drive" do not appear that have any conflicts from Beaufort County Emergency Management/911, USPS, and SCDOT initial assessments. Should the Planning Commission make a formal recommendation for naming using one or both of these recommended names, staff will finalize all confirmations with Beaufort County Emergency Management and 911, USPS, and SCDOT prior to proceeding with public hearing before City Council. The Planning Commission may make a recommendation for either naming option or for both, leaving the final decision to City

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CITY OF BEAUFORT
1911 Boundary Street
BEAUFORT, SOUTH CAROLINA 29902

COUNCIL MEMBERS:
Philip E. Cromer, Mayor
Mike McFee, Mayor Pro Tem
Neil Lipsitz
Mitch Mitchell
Josh Scallate

Council. If the option recommendation the outcome, staff would prepare ordinances and background material for each alternative to be presented to City Council.

2. Southside Loop Renaming:

At the January 14, 2025, Regular Meeting, Councilman Lipsitz proposed renaming Southside Loop in Southside Park to “Clayton Cooler Loop” in honor of longtime City of Beaufort Public Works Director Clayton Cooler. Mr. Cooler served the City faithfully for 45 years, and the proposed renaming seeks to recognize his legacy, particularly his role in the maintenance and stewardship of City parks and infrastructure. The motion received community support, and Council directed staff to draft a resolution and initiate the formal renaming process. The name “Clayton cooler Loop” does not appear to have any conflicts from Beaufort County Emergency Management/911, USPS, and SCDOT initial assessments.

At the May 19, 2025 Planning Commission meeting this matter was also discussed and scheduled for the June 16, 2025 Planning Commission meeting with anticipation that a Public Hearing and First Reading for a road naming ordinance will be scheduled for the July 8, 2025 City Council Meeting. Should the Planning Commission make a formal recommendation for renaming Southside Loop to “Clayton Cooler Loop” staff will finalize all confirmations with Beaufort County Emergency Management and 911, USPS, and SCDOT prior to proceeding with public hearing before City Council.

III. Legal Authority

The City's authority to name or rename public roads is based on the following:

- **SC Code § 5-7-30:** Grants municipalities the authority to regulate public roads, infrastructure, and naming.
- **SC Code § 6-29-1200:** Requires Planning Commission review for proposed changes to officially mapped streets prior to Council action.
- **Municipal Association of SC Planning Guidance:** Encourages coordination with emergency services and consideration of public engagement in naming decisions.

Both road segments appear on official City maps and therefore fall within the statutory review responsibilities of the Planning Commission. Upon your recommendation, the City will proceed with the required public hearing and ordinance adoption process.

IV. Recommendation

Staff recommends the Planning Commission take the following actions:

1. Endorse the proposed name “Donnie Beer Drive and/or Matt Clancy Drive” for the new road segment from Lost Island Road to US 21 near the Beaufort Executive Airport in recognition of Councilmember Beer and Chief Clancy’s distinguished services to the City of Beaufort;
2. Support the renaming of “Southside Loop” to “Clayton Cooler Loop” in recognition of Mr. Cooler’s distinguished service to the community;
3. Issue formal recommendations to City Council to proceed with a public hearing and the adoption of a ordinances implementing these changes.

V. Attachments

1. Original May 19, 2025, Memorandum to the Planning Commission



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 07/10/2025
From: John Sauve, Deputy City Manager
Item Name: Ordinance to name the newly constructed Airport Road Project as Donnie Beer Drive - Second Reading
Meeting Date: August 19, 2025
Department: City Managers Office

Background Information:
Introduction:

Background:

Legal Authority:

Staff Recommendation:

Placed on Agenda For:
Action

Attachments:

1. Airport Road Project Naming Ordinance

ORDINANCE 2025/21

An Ordinance to Name the Newly Constructed Airport Road Project as Donnie Beer Drive

WHEREAS, Section 5-7-30 of the South Carolina Code of Laws grants municipal councils the authority to enact ordinances, including those necessary to regulate public roads and naming within the municipality; and

WHEREAS, Section 6-29-1200 of the South Carolina Code of Laws requires Planning Commission review for proposed changes to officially mapped streets prior to Council action; and

WHEREAS, the newly constructed connector road near the Beaufort Executive Airport, connecting Lost Island Road to U.S. Highway 21, was completed as part of the City's infrastructure improvements funded through the 2018 Beaufort County Transportation Sales Tax Referendum; and

WHEREAS, City Council desires to honor former Councilmember Donnie Beer for her distinguished service to the City of Beaufort by naming the new road "Donnie Beer Drive"; and

WHEREAS, this naming has been reviewed and recommended by City staff, the Planning Commission, and relevant external agencies, with no conflicts identified by Beaufort County Emergency Management/911, USPS, or SCDOT.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority thereof, that:

Naming. The newly constructed connector road connecting Lost Island Road to U.S. Highway 21 near the Beaufort Executive Airport is hereby named **Donnie Beer Drive**.

Implementation. The City Manager, City Attorney, and City Clerk are authorized and directed to coordinate with Beaufort County Emergency Management/911, USPS, SCDOT, and other relevant agencies to update all records, signage, maps, and databases to reflect this designation.

Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Effective Date. This ordinance shall become effective immediately upon adoption by City Council.

DONE, RATIFIED AND ENACTED this ____ day of _____, 2025.

Philip E. Cromer, Mayor
City of Beaufort, South Carolina

Attest:

Traci Guldner, City Clerk
City of Beaufort, South Carolina

First Reading: _____

Second Reading: _____

Reviewed as to form by Benjamin T. Coppage, City Attorney, on July 01, 2025.



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 07/10/2025
From: John Sauve, Deputy City Manager
Item Name: Ordinance to adopt a Nuisance Abatement Ordinance for the City of Beaufort
- Second Reading
Meeting Date: August 19, 2025
Department: City Managers Office

Background Information:

Introduction:

This memorandum presents a proposed a Public Nuisance Ordinance for City Council consideration. The ordinance is intended to provide a clear and enforceable framework for identifying, abating, and preventing public nuisances within the City of Beaufort. Adoption of the ordinance will enhance the City’s ability to proactively address health, safety, and quality-of-life issues where chronic crime and property conditions have impacted livability.

Background:

The City of Beaufort currently lacks a unified ordinance defining and addressing public nuisances in a comprehensive manner. Over the past year, City staff have received repeated concerns from residents in several neighborhoods regarding persistent criminal issues, property maintenance issues, abandoned structures and vehicles, and activities detrimental to community health and safety.

After reviewing ordinances from peer jurisdictions including Columbia, Rock Hill, North Charleston, Richland County, and Horry County, staff have drafted a first draft ordinance tailored to Beaufort’s needs. The proposed ordinance establishes a formal definition of public nuisance, identifies specific examples of prohibited conditions and behaviors, outlines due process for enforcement, and includes penalties and appeal provisions.

The goal is to support property upkeep, protect neighborhood integrity, and provide the City with an enforceable legal framework to intervene when necessary—while also affording due process protections and appeal opportunities for property owners.

This ordinance was discussed in the June 10, 2025 City Council Worksession and has been

reviewed by the City Attorney.

Legal Authority:

The City's authority to regulate nuisances derives from multiple sources:

- **South Carolina Constitution, Article VIII, §14** authorizes municipalities to enact ordinances for the purpose of preserving public health and safety.
- **South Carolina Code of Laws § 5-7-30** grants municipalities broad police powers to enact ordinances necessary for the welfare of the community.
- Beaufort's **Code of Ordinances, Chapter 1, Article III**, authorizes Council to adopt, by ordinance, provisions with general application to protect public interests.

Further, municipal case law in South Carolina affirms a city's authority to abate nuisances and to impose reasonable penalties for violations, provided notice and opportunity to cure are afforded

Staff Recommendation:

Staff recommends that City Council approve the proposed Public Nuisance Ordinance. The ordinance aligns with best practices statewide, is legally sound, and will provide a much-needed enforcement tool to address ongoing concerns in Garden Oaks and other residential areas.

Proposed Timeline for Consideration and Adoption:

- June 10, 2025 – Council Worksession: Presentation and discussion of the draft ordinance-COMplete
- July 8, 2025 – City Council Meeting: First Reading of the Public Nuisance Ordinance

August 19, 2025 – City Council Meeting: Second Reading and final adoption

Placed on Agenda For:

Action

Attachments:

1. Ordinance Adopting Nuisance Abatement Ordinance
2. 1412.0157 Nuisance Ordinance Draft

ORDINANCE 2025/19

An Ordinance to Adopt a Nuisance Abatement Ordinance for the City of Beaufort

WHEREAS, Section 5-7-30 of the South Carolina Code of Laws grants municipal councils the authority to enact ordinances, including those necessary to protect the health, safety, and welfare of the municipality; and

WHEREAS, City Council recognizes that the existence of public nuisances pose a threat to the health, safety, welfare, and comfort of the residents, visitors, and businesses within the City of Beaufort (hereinafter “City”); and

WHEREAS, City Council desires to adopt a comprehensive Nuisance Abatement Ordinance to define, prohibit, and provide for the abatement of public nuisances within the City; and

WHEREAS, the proposed Nuisance Abatement Ordinance has been reviewed and recommended by City staff and the City Attorney;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority thereof, that:

1. **Adoption.** The Nuisance Abatement Ordinance attached hereto as Exhibit A is hereby adopted and incorporated into the Code of Ordinances for the City of Beaufort.
2. **Codification.** The City Manager, City Attorney, and City Clerk are authorized and directed to codify the Nuisance Abatement Ordinance as appropriate within the City Code.
3. **Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.
4. **Effective Date.** This ordinance shall become effective immediately upon adoption by City Council.

Exhibit A:

- Nuisance Abatement Ordinance

DONE, RATIFIED AND ENACTED this ____ day of _____, 2025.

Philip E. Cromer, Mayor
City of Beaufort, South Carolina

Attest:

Traci Guldner, City Clerk
City of Beaufort, South Carolina

First Reading: _____

Second Reading: _____

Reviewed as to form by Benjamin T. Coppage, City Attorney, on July 01, 2025.

CHAPTER 8. NUISANCES

Sec. 6-8001. Definitions.

As used in this chapter, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

- (a) *Abate* means repair, replace, remove, destroy or otherwise remedy the condition in question by such means, in such time, in such a manner and to such an extent as the enforcement officer or hearing committee shall determine to be in the best interest of the public, taking into account all facts and circumstances.
- (b) *Business days* means Monday through Friday.
- (c) *Enforcement officer* means a law enforcement officer, code enforcement official, or other city employee or official as may be designated in writing by the city manager or chief of police to enforce the provisions of this division.
- (d) *Graffiti* means any unauthorized inscription, word, figure, painting or other defacement that is written, marked etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any surface of public or private property by any graffiti implement, to the extent that the graffiti was not authorized in advance by the owner or occupant of the property, or, despite advance authorization.
- (e) *Hearing board: Three persons* means the city manager or deputy city manager and two designees of the city manager.
- (f) *Industrial waste* means all liquid and water-borne solid, liquid or gaseous waste resulting from industrial manufacturing, food processing operation, processing any natural resource or mixture of such wastes with water or domestic sewage.
- (g) *Person* means any landlord, property owner, manager, lessee, tenant, or individual, group, association, corporation, partnership, trust, estate or receiver having the capacity to sue or be sued.
- (h) *Premises* means any building, lot, parcel, real estate, or land or portion of land whether improved or unimproved, occupied or unoccupied, including adjacent parking.
- (i) *Public nuisance* means an unreasonable interference with rights of the public in general, which act or omission does any one or more of the following:
 - (1) Annoys, injures, subverts or endangers the public's order, economy, resources, safety, health, welfare, comfort, repose or offends public decency;
 - (2) Unlawfully interferes with, obstructs or tends to obstruct, or renders dangerous for passage any waters, public places, or ways.
- (j) *Structure* means anything constructed, built or planted upon, any edifice or building of any kind, whether commercial, residential, or otherwise, or any piece of work artificially built up or composed of parts joined together in some definite manner, which structure requires location on the ground or is attached to something having a location on the ground.

Sec. 6-8002. Public Nuisances.

This section provides a non-exhaustive list of acts or omissions that constitute public nuisances. In addition to the acts or omissions listed, any act or omission which meets the definition of Public Nuisance as stated in Sec. 6-8001(i) shall be considered a public nuisance for purposes of this Chapter.

EXHIBIT A

(a) *Nuisances affecting public health.* The following are declared to be nuisances affecting public health:

- (1) All decayed or unwholesome food products or food waste not properly contained either inside or outside for more than 24 hours before pick up;
- (2) Litter, debris, trash or refuse which is not placed within the appropriate container; or containers for waste which are not properly placed upon their pads;
- (3) All pools of stagnant water or vessels holding stagnant water in which mosquitoes can breed, excluding required retention ponds;
- (4) Swimming pools which either (A) are empty, excluding such pools that are completely and effectively covered, or (B) contain liquids and/or debris which are not bacteriologically, chemically, or physically safe for swimming or other intended uses;
- (5) One or more animal carcasses not buried or disposed of in a lawful and sanitary manner within 24 hours after their death;
- (6) Leaking septic tanks or sewer lines or other sewage existing in an unsanitary manner;
- (7) Damaged or diseased limbs of trees or any tree or trees which pose potential injury to the public at large due to there being a high likelihood that such tree or trees, or any part thereof, may fall and cause personal injury or property damage;
- (8) Deliberate placement or discharge into any part of a storm water drainage system of: untreated sewage, sewage solids, process wastewater, refuse, explosive or combustible liquid, solid or gas, oils, greases, industrial water or other polluted water except where a federal, state or local permit for connections, discharge or disposal has been obtained prior to the event; or waters or wastes containing toxic or poisonous wastes to constitute a hazard to humans, plants or animals or to cause corrosion, discoloration or deposition on real or personal property; or any solid or viscous substances in such quantities or of such size capable of causing obstruction to the flow in the storm water drainage system or other interference with the proper operation of the drainage system of the city.
- (9) Continual, reoccurring, or constant violations of Chapters 1 through 6 of Part 6 of this Code.

(b) *Nuisances offending public decency, peace, and order.* The following are declared to be public nuisances affecting public decency, peace, and order, when such violations are of a continual, reoccurring, or constant nature:

- (1) Any structure where gambling devices, slot machines, punch boards, and other such contrivances of similar character involving any elements of chance as a consideration, or any type of gambling, bookmaking, wagering or betting is carried on, and all gambling equipment, except where such specific form of gambling is permitted by applicable law;
- (2) Any structure used and maintained for the commercial or criminal purposes of unlawful sexual activity in violation of federal, state, or local law;
- (3) Any structure where intoxicating liquors are manufactured, sold, bartered, or given away in violation of federal, state, or local law, or where intoxicating liquors kept for sale, barter, or distribution in violation of federal, state or local law, and all liquors, bottles, kegs, pumps, bars, and other property kept at and used for maintaining such a place;
- (4) Any structure where acts of sale, possession, or distribution of controlled substances occur in violation of federal, state, or local law;

- (5) Any structure, private property, or commercial operation where breaches of the peace, disorderly conduct, or offenses against the person occur with such disproportionate frequency when compared to the frequency of law enforcement action required at other similarly situated structures, or where the intensity of law enforcement response, when required, is disproportionate to the intensity of response required at other similarly situated structures. It is the intent of this subsection that the owners, operators, or managers of commercial operations or multi-family residential developments shall be held responsible for the acts or commission which generate, enable or contribute to the requirement of frequent or intensive law enforcement action due to a management policy or practice, personal conduct, lack of control or supervision, absence or ineffectiveness of security, or other factors.
 - (6) Any overgrown, uninhabited, undeveloped or vacant land, lot, or property not licensed or zoned for camping that has been identified by law enforcement as an area used by persons other than the owner as an area used to inhabit or camp, or any overgrown, uninhabited, undeveloped, or vacant land, lot or property used by persons as an area to flee or evade police upon approach, or used to avoid detection or investigation by law enforcement without regard to the time of day or night regarding such conduct, as identified by a citizen or police reported incident level of more than two times in a 60-day period.
- (c) *Nuisances affecting public welfare and safety.* The following are declared to be public nuisances affecting public welfare and safety:
- (1) All trees, hedges, signs or other obstructions, or any portion of the same, located on private property which prevent persons driving vehicles approaching an intersection of streets from having a clear and safe view of traffic approaching such intersection;
 - (2) All trees, hedges, signs or other obstructions, or any portion of the same located on private property which prevents the clear and unobstructed view of a fire hydrant, fire department connection, or other fire protection device, or directional or identification signage pertaining to the above, from a public way;
 - (3) Any obstruction, erosion, or depression which poses a potential hazard to vehicles or pedestrians using a right-of-way on private property where the public is invited or permitted to traverse for commercial purposes;
 - (4) All wires, strings, ropes, or lighting contrivances over streets, alley, or public grounds which are not authorized or permitted by the city or which are strung so that the lowest portion is less than 13 1/2 feet above the surface of the ground;
 - (5) All explosives, flammable liquids, and other dangerous substances stored in any manner, in any amount other than that manner or amount permitted by law;
 - (6) All hanging signs, awnings, canopies, and other similar structures over the streets or sidewalks so situated or constructed as to endanger public safety or to be in violation of this Code;
 - (7) Any motor vehicle that is unregistered, inoperable, derelict, or abandoned on any highway or right-of-way, or other public or private property, unless such vehicle is stored inside of a building or protected from the elements by way of a complete covering;
 - (8) Any abandoned or discarded icebox, refrigerator, ice chest, or other type of air-tight container whose door, lid or other closing device has not been removed.
- (d) *Nuisances affecting public economy.* The following are hereby declared to be public nuisances affecting the public economy:

- (1) All structures bearing graffiti;
- (2) All structures in violation of the International Property Maintenance Code, as adopted, and all structures which, for a period of one month or longer, remain unoccupied and boarded up, have an exterior finish of which is destroyed, decayed, dilapidated, or deteriorated in violation of the International Property Maintenance Code, provided however, unoccupied structures shall not be considered a public nuisance if the building exterior is weather tight and maintained for purposes of appearance and security according to the International Property Maintenance Code, and the material which secures the building is compatible with the exterior in appearance, color, texture, and design, and the premises are kept in compliance with all applicable building, property maintenance, zoning, and land use laws;
- (3) All premises continually not in compliance with applicable licensing, zoning, and land use laws;
- (4) All business with an outstanding arrearage of applicable city liens, taxes, fees, charges, or assessments;
- (5) All premises which originate false fire or burglar alarms, as defined by applicable law.

Sec. 6-8003. Other nuisances.

The enumeration of specific nuisances in this chapter shall not be deemed to make lawful any other act or condition declared to be a nuisance by any other city ordinance, state law, federal law, or court decision.

Sec. 6-8004. Reporting emergencies and emergency action.

Any person who directly observes a nuisance posing an emergency threat to the public health or safety or to the environment shall immediately report the incident to the Beaufort Police Department and shall provide any information requested by the law enforcement officer needed to investigate or abate the potential emergency. If any nuisance exists in such a condition that is so menacing to the public health, peace, or safety that it is necessary that it be summarily abated, the city enforcement officer, after consultation with and concurrence from the city manager may proceed to abate the nuisance without a hearing.

Sec. 6-8005. Nuisances prohibited and unlawful.

No person shall create any public nuisance in the city, and no person shall by inaction permit a public nuisance to occur or continue on any real property under such person's control, whether by recorded or unrecorded instrument or permission. Nor shall any person permit a public nuisance to occur involving any personal property under such person's control.

Sec. 6-8006. Institution of criminal process and penalty.

The determination of the existence of a public nuisance must be made by an enforcement officer or other appropriate governmental official. Enforcement of this chapter's provisions may be accomplished upon the institution of criminal process by way of uniform traffic ticket, municipal ordinance summons, or warrant made only by a law enforcement officer or appropriate government official. Each day a violation continues constitutes a separate offense under this Chapter, subject to a fine in an amount not

to exceed \$500.00 and/or up to 30 days imprisonment for each offense. In its discretion, the city may elect to use other applicable Code sections or state or federal laws pertaining to remediation, abatement, or offenses.

Sec. 6-8007. Public abatement; notice, service.

- (a) If a person violates Sec. 6-8005, the city may, in addition to the initiation of criminal process and imposition of a penalty, serve an administrative notice to abate a public nuisance upon the owner or occupant and demand that compliance be achieved within the time specified in the notice.
- (b) The city shall determine the individual, firm, corporation, or lien holder who, from the records in the county tax assessor's office, appears to be the titled owner or lien holder of the property and cause a written notice of public nuisance to be served on such individual, firm, corporation, or lien holder by:
 - (1) Personal service as attested to by affidavit of service; or
 - (2) Copy mailed to such owner or lien holder at such place or address by United States certified mail return receipt requested; or
 - (3) Causing a copy of the aforesaid notice to be posted at such structure, location, or premises, which shall serve as notice to the public.
- (c) The notice to abate the nuisance shall inform the person of the specific nuisance with citation to this section; provide names, numbers, and addresses for contact with the city; inform the violating party of rights to appeal; and that, upon the day after the time specified in the notice, the city may abate the condition and assess an administrative fee and all public costs, including attorneys fees and costs, as a lien against the property.
- (d) Nothing in this chapter precludes the city from availing itself of any other claim or remedy available to it at law or equity for the abatement of the nuisance, to include without limitation the claims and remedies which may be asserted and sought pursuant to S.C. Code § 15-43-10, *et seq.*

Sec. 6-8008. Hearing on nuisance determination.

- (a) *Hearing on finding of nuisance:* The responsible person, owner or occupant, or the lien holder of the property, may make a written demand to the city manager for a hearing on the question of whether a public nuisance exists. This demand for hearing shall stay the public abatement until such time as the matter is heard and decided by the hearing board. The demand must be received by the manager before the time specified in the notice. The appeal may be mailed or emailed to the city manager. The written demand shall include a contact number, either phone or email address, in order for the person to be informed of the hearing location, date, and time. It shall not be a defense to the determination that a public nuisance exists that the property is boarded up or otherwise enclosed. The hearing board may amend or modify the notice to abate the public nuisance, or when appropriate under the facts presented, extend the time for compliance by the owner to such date as the majority of the hearing board may determine. The decisions of the hearing board are final and shall be delivered orally to the appellant on the date of the hearing, and then, if requested, written and mailed to the address provided.
- (b) *Failure to demand hearing on finding of nuisance:* Failure to timely demand a hearing constitutes a waiver of the right to be heard with regard to the existence of a public nuisance.

- (c) *Hearing on assessment:* Further, in those instances where the nuisance has been abated by the city after the required notice of Sec. 6-8007(b), the owner or occupant of the property who has been served with a notice of assessment pursuant to section 6-8009 of this Chapter may make a written demand to the city manager for a hearing to review the cost of the abatement. This demand for hearing stays the attachment of the lien until such time as the matter is heard and decided by the hearing board. The demand for hearing on the assessment must be received by the manager within five business days of the violating party's receipt of the notice of assessment. The written demand shall include a contact number, either phone or email, in order for the person to be informed of the hearing location, date, and time. In a hearing on the assessment of costs, no testimony shall be permitted on the issue of the existence of the public nuisance. The decisions of the hearing board are final, and shall be delivered orally to the appellant on the date of the hearing, and then, if requested, written and mailed to the address provided.
- (d) *Failure to demand hearing on assessment:* Failure to timely demand a hearing constitutes a waiver of the right to be heard with regard to the assessment of costs.
- (e) *Notice of the hearing:* By way of the contact numbers provided in the written demand, the city manager shall orally advise the owner of the location, date, and time of the hearing. Notice of the hearing must be provided at least two business days prior to the hearing, excluding city recognized holidays and weekends.
- (f) *Time and manner of hearings:* The hearings as allowed under this section shall be held as soon as practical but in any event no later than ten business days after receipt of the demand for hearing, excluding city recognized holidays and weekends. The hearing shall not be conducted under the strict rules of evidence. The hearing shall be informally conducted by the city manager or deputy city manager, and two designees of the city manager. The enforcement officer shall present the facts and circumstances that resulted in the existence of the public nuisance. The owner, occupant or lien holder, or their agents, representatives, or attorneys shall be given the opportunity to present evidence to the hearing board in the course of the hearing, and shall have the right to cross examine the enforcement officer. When the nuisance has been abated by the city and the person has demanded a hearing to challenge the assessment of the administrative fee and costs, the hearing board shall have discretion to waive the administrative fee or the public cost of abating a nuisance, in whole or in part, if, in the course of the hearing reviewing the decision, the hearing board finds that justice and equity require such waiver or that any of the following did not conform to the provisions of this chapter:
 - (1) The notice to remove the nuisance;
 - (2) The work performed in abating the nuisance; or
 - (3) The computation of charges.

Sec. 6-8009. Liability for costs.

In the event of a person's refusal or neglect to cause a nuisance to be abated in the manner and within the time provided herein, the same shall be reported to the city manager. The city manager may, in a reasonable and prudent manner, direct the expenditure of public resources to abate the nuisance condition. The cost of abatement shall include an administrative assessment of \$500.00 and the actual cost of expended in public abatement, to include without limitation, labor, materials, and attorney's fees and costs. The person shall be served with a notice of assessment within seven days of the completion of the abatement. The notice of assessment shall include the administrative fee and a statement of

EXHIBIT A

public cost, attested to by affidavit, and shall be issued and served, as provided for in Sec. 6-8007(b), upon the person responsible for payment who shall make payment within 30 days of the date of service. Upon the expiration of the 30-day period, if the amount has not been paid in full or contested before the city manager, the city manager may cause a lien in that amount to be filed with the county clerk of court and with the finance director of the city. The lien shall be of record in the county courthouse and the office of the finance director in the book of liens, until paid or recovered, or otherwise released. Collection of the lien by way of recovery or foreclosure may be instituted by the city attorney on behalf of the city.



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 08/07/2025
From: Jennifer Pointer, Administrative Assistant
Item Name: Request from Historic Beaufort Foundation to host the 2025 Fall Festival of Houses & Gardens on October 18 & 19, 2025, requesting street closure, signage, and use of golf carts in the historic district to provide transportation to and from designated parking areas
Meeting Date: August 19, 2025
Department: Downtown Operations

Background Information:

Introduction:

Request for Historic Beaufort Foundations to host the 2025 Fall Festival of Houses & Gardens on October 18 & 19, 2025. Requesting street closure, signage, and use of golf carts in the historic district to provide transportation to and from designated parking areas.

Background:

1. Walking Tour Houses & Gardens – Saturday, October 18 from 10:00 am to 4:00 pm.
2. Requesting road closure of Bay Street from Ribaut Rd. to Hamar St. from SCDOT to ensure the safety of attendees walking or in golf carts to homes on the tour.
3. Sunday in The Beaufort Style Brunch – Sunday, October 19 from 9:30 am to 2:00 pm.
4. Signage to be used in the yards of the toured properties to be placed the morning of the tour and removed the same evening – HBF will apply for a temporary sign permit.
5. Golf Carts will be used to transport guests from designated parking areas to the tour location during event hours.

Legal Authority:

[City Code of Ordinances – Part 7, Chapter 6 – Parades, Picket Lines, Group Demonstrations.](#)
[Development Code - 6.8.1 - Types of Temporary Signs.](#)

Staff Recommendation:

Staff Recommends Approval

Placed on Agenda For:
Action

Attachments:

1. Request - Fall Festival of Houses Gardens - HBF6212025 v3 with map



June 21, 2025

Mrs. Linda Roper, Director
Downtown Operations & Community Services
City of Beaufort
500 Carteret Street
Beaufort, SC 29902

Dear Linda,

On behalf of the Historic Beaufort Foundation, we are seeking approval for the 2025 Fall Festival of Houses & Gardens.

HBF is proud to continue the Fall Festival of Houses & Gardens. Celebrating 51 years, this event has become one of Beaufort's most talked about events attracting residents, day-trippers and visitors from across the country and Canada. This year's event is a three-day event and is scheduled for October 17-19.

An Evening with Architect & Author Jane Frederick

Friday, October 17, 5:30PM to 7:30PM

A new event kicks off the 51st Annual Fall Festival of Houses & Gardens as Lowcountry Architect and Author Jane Frederick presents and discusses her new book – Contemporary Southern Vernacular. This event will be held at the historic Flora and John Trask, Sr. House, on Bay Street, overlooking the Bluff. Attendance will be limited and hors d'oeuvres and wine/beer will be served.

Walking Tour Houses & Gardens.

Saturday, October 18, 10AM to 4PM.

The Walking Tour consists of visitors touring select homes and gardens at their leisure from 10AM to 4PM on Saturday. Tour sites are located along the Bluff and North Street this year.

Hardhat Tour of 1001 Greene Street

Saturday, October 18, 4PM to 6PM.

As an added activity on Saturday, a hard-hat pre-renovation tour of 1001 Greene Street will be offered. HBF purchased this property in June through our Revolving Fund. Attendance will be limited and the event will include light hors d'oeuvres and wine/beer. A tent permit will be acquired.

Sunday in The Beaufort Style – Lowcountry Brunch & Tour.

Sunday, October 19, 9:30 AM to 2:00 PM

This special activity will be held at the historic Robert Means-Gage House on Bay Street overlooking the Bluff and will include a tour, Lowcountry brunch and libations. Attendance will be limited. A tent permit will be acquired.

Road Closure Request. HBF is working with Downtown Operations and the Beaufort Police Department to coordinate access to tour properties at Bay and Ribaut. Golf carts are allowed to drive on Bay Street, but for utmost

Preserving Beaufort's Past for its Future

208 Scott Street, Beaufort, South Carolina 29902 843.379.3331

safety we are most concerned with cars turning on to Bay Street from Ribaut. Two plans have been discussed. Plan A is a request to seek closure of Bay Street from Ribaut to Hamar on Saturday, October 18th and re-routing of traffic to North Street for the tour that day. And, to station two officers at Bay and Ribaut and Ribaut and North. Plan B is to keep Bay Street open and to station officers at Ribaut and Bay Street. HBF would contract with the Police Department for the officers.

Ticket/Itinerary Pick-up. As with past tours, patrons will retrieve and/or purchase **ALL** tickets (wristbands) on Saturday, October 18 in The Arsenal Courtyard. Online ticket sales will run through Thursday, October 16th.

Parking. HBF will provide parking direction to all attendees per Park Beaufort information. Parking has been secured at the lots owned by St. Helena's Anglican Church at Church and King, and at North and Charles. We have also submitted requests to park at County lot across from Pat Conroy Center; City lot at 500 Carteret Street; and the lot owned by First Presbyterian on North and Church. Additionally, parking will be available along Charles Street and Bay Street (on the Bluff).

Signage. As in the past, HBF would like to place corrugated sign boards with posts at the yards of each of the tour properties. HBF will apply for a temporary signage permit to place the signs. The signs will be placed the morning of the tour and removed that same evening.

Notification. HBF will coordinate through the historic district neighborhood associations to notify residents of the Tour activities.

Transportation. HBF will engage golf carts to bring those that need the service from the designated parking area(s) to the tour locations. We will abide by all golf cart requirements in the city/historic district.

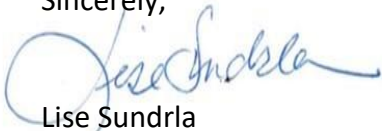
Alcohol. HBF will apply for a SC ABL License to serve libations at the noted events on October 17, 18 & 19th. Each event serving libations is a limited attendance, ticketed event held at a private home.

The Fall Festival of Houses & Gardens has historically attracted hundreds of visitors to Beaufort from across the country to stay, tour, dine, shop and immerse themselves in the history and unique offerings of Beaufort and the Lowcountry as gracious residents open their private homes and gardens to offer this unique experience.

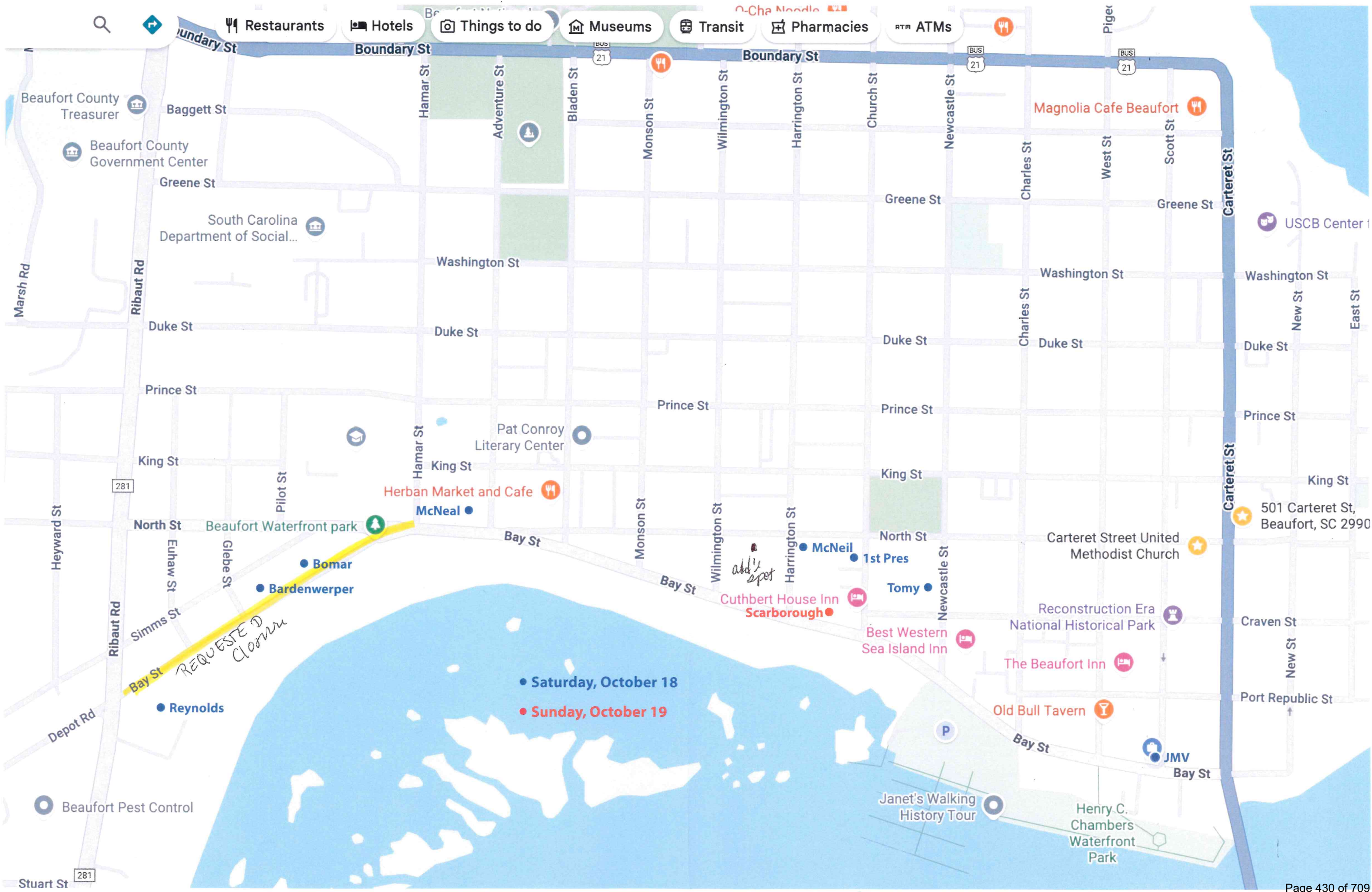
We look forward to working with the City of Beaufort, our many partners, gracious homeowners and the community to continue this special tradition.

We appreciate your consideration and look forward to continuing this popular event for Beaufort and the Lowcountry.

Sincerely,



Lise Sundrla
Executive Director
cc: Scott Marshall





City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 08/12/2025
From: Jennifer Pointer, Administrative Assistant
Item Name: Request from NAMI (National Alliance on Mental Illness) for 5K Walk, Bridge/Road Closures on Saturday, May 16, 2026, between 7:00 am and 10:00 am
Meeting Date: August 19, 2025
Department: Downtown Operations

Background Information:

Introduction:

Request from NAMI (National Alliance on Mental Illness) for 5K Walk Road Closures Saturday, May 16, 2026, between 7:00am and 10:00 am.

Background:

1. Request road closure on approved 5K route

Legal Authority:

[City Code of Ordinances – Part 7, Chapter 6 – Parades, Picket Lines, Group Demonstrations](#)

Staff Recommendation:

Approval

Placed on Agenda For:

Action

Attachments:

1. 2026-05-16 NAMI 5K
2. 2026-05-16 NAMI Strides 5K.docx



5K RUN/WALK APPLICATION

City of Beaufort-Downtown Operations & Community Services

Attn: Jennifer Pointer - Events & Tour Coordinator

500 Carteret Street, Suite B2 Beaufort, SC 29902

Phone: (843) 379-7519 / Email: events@cityofbeaufort.org | www.cityofbeaufort.org

To be filed NOT LESS than 150 days before event

- **Fee:** \$25.00 non-refundable application fee is payable when the application is submitted
- **Run/Walk Route:** City of Beaufort has a standard route in place that everyone must follow

Name of Applicant: NAMI Lowcountry

Address: 5 Promenade St. 1321 Bluffton, SC 29910 Phone # 843-636-3100

Email: shammond@namilowcountry.org

Name of Sponsoring Organization: NAMI Lowcountry

Address: SAA

Date of 5K Run/Walk: 5/16/2026

Time of 5K Run/Walk will Begin: 7 AM 5K Run/Walk will Terminate: 10:00

Time 5K Run/Walk Line-Up Begins: 8 AM Location(s) of Line-Up Area(s): _____

Approximate Number of Persons, Animals in the 5K Run/Walk: 300

5K Run/Walk will occupy all the width of the streets to be traversed: yes

5K Run/Walk will occupy only a portion of the width of the streets to be traversed: yes

OFFICE USE ONLY: Application received by: _____ Date Received: _____

Receipt #: _____ Approved By: _____

NOTE: IF THE 5K RUN/WALK IS DESIGNED TO BE HELD BY AND ON BEHALF OF OR FOR ANY PERSON OTHER THAN THE APPLICANT, THE APPLICANT FOR SUCH PERMIT SHALL FILE A LETTER FROM THAT PERSON WITH THE CITY MANAGER AUTHORIZING THE APPLICANT TO APPLY FOR THE PERMIT ON HIS BEHALF.

Signature of Applicant: Shelley Hammond Date: 08/07/2025

August 12, 2025

NAMI Lowcountry

Board of Directors

PRESIDENT

Dr. Brooke Dean

VICE PRESIDENT

Jason Wilson

SECRETARY

Susan Horn

TREASURER

Peter Gaw

MEMBERS

Thomas Appelt

*Wendall Churchill, liaison
to Peer Recovery Council*

Heather Galvin

Joshua Josey

Christine Rieck

EXECUTIVE DIRECTOR

Shelley Hammond

Dear Jennifer,

On behalf of NAMI Lowcountry, I am writing to formally request road closures for our upcoming **NAMI Lowcountry Strides for Mental Health Awareness**, scheduled for May 16, 2026.

Who We Are: NAMI Lowcountry is the local affiliate of the National Alliance on Mental Illness, the nation's largest grassroots mental health organization. We provide free support groups, education programs, and community outreach to individuals and families affected by mental illness across Beaufort, Jasper, Hampton, and Colleton counties.

What We Do & Why: Our mission is to build better lives for those impacted by mental health conditions. We do this by offering peer-led programs, reducing stigma, and fostering connection. Mental illness affects 1 in 5 adults annually, yet many suffer in silence. NAMI Lowcountry exists to change that—through compassion, education, and advocacy.

About the Walk: The NAMI Lowcountry Walk is a community event designed to raise awareness, celebrate recovery, and promote mental wellness. It is not a timed race, but a symbolic walk/ run of solidarity and hope.

- **Estimated Participants:** 150–200
- **Walk Start Time:** 7:00 AM
- **Walk End Time:** 10:00 AM
- **Set-Up Begins:** 5:00 AM
- **Breakdown Completed:** By 11 AM
- **No Award Ceremony:** A brief recognition ceremony will be held at 10:00 AM near the finish line

We respectfully request road closures along the designated route from **7 AM to 10 AM** to ensure the safety of our participants and volunteers.

Thank you for your consideration and support in helping us create a safe, inclusive, and impactful event. Please feel free to contact me directly with any questions or further requirements.

Sincerely,

Shelley Hammond
Executive Director
NAMI Lowcountry



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 08/12/2025
From: Linda Roper, Downtown Operations Director
Item Name: Ordinance for the lease of commercial space that is part of the real property owned by the City of Beaufort, South Carolina located at 500 Carteret Street to Sea Island Insurance Group, LLC - First Reading
Meeting Date: August 19, 2025
Department: Downtown Operations

Background Information:

Introduction:

Sea Island Insurance Group, LLC wishes to renew their lease for an office suite at 500 Carteret Street which is owned by the City of Beaufort.

Background:

An ordinance is required to establish the lease agreement with Sea Island Insurance Group, LLC

Legal Authority:

Contracting (Real & Private Property) S.C. Code Ann. § 5-7-40

Staff Recommendation:

Placed on Agenda For:

Action

Attachments:

1. ORDINANCE for Sea Island Insurance Group LLC
2. Sea Island Insurance Group August 2025 Lease Agreement

ORDINANCE 2025/23

AN ORDINANCE FOR THE LEASE OF COMMERCIAL SPACE THAT IS A PART OF REAL PROPERTY OWNED BY THE CITY OF BEAUFORT, SOUTH CAROLINA LOCATED AT 500 CARTERET STREET TO SEA ISLAND INSURANCE GROUP, LLC.

WHEREAS, the City of Beaufort South Carolina (hereinafter "City") owns real property located at 500 Carteret Street which real property includes an office building and a parking lot adjacent to the office building;

WHEREAS, the City wishes to lease commercial space in the office building particularly described as the area designated as "Proposed Lease Space – Suite C" on Exhibit A hereto along with one parking space in the parking lot (hereinafter "Property to Sea Island Insurance Group, LLC to the term of the document entitled "Commercial Lease which is included herewith as Exhibit B;

WHEREAS, S.C. Code Ann § 5 -7-40 provides that any lease of real property owned by a municipality must be effected by ordinance:

WHEREAS, City Council believes it in the best interest of the City and its citizens to effect the lease of the Property to Sea Island Insurance Group, LLC pursuant to the terms and provisions of the Commercial Lease.

NOW, THEREFORE, BE ORDERED AND ORDAINED BY THE CITY COUNCIL in accordance with the foregoing that the City shall lease the Property to Sea Island Insurance Group, LLC pursuant to the provision of the attached Commercial Lease and the City Manager shall execute such documents and instruments as are necessary to effect the lease.

DONE, RATIFIED AND ENACTED this _____ day of _____ 2025.

Philip E. Cromer
Mayor

Traci Guldner
City Clerk

First Reading: _____

Second Reading: _____

Reviewed as to form by Benjamin T. Coppage, City Attorney on _____, 2025

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT) COMMERCIAL LEASE

This Commercial Lease (the "Lease") is executed as of _____, 2025, by and between the City of Beaufort (City or "Landlord"), and Sea Island Insurance Group, LLC ("Tenant").

WHEREAS, City is the owner of the building located at 500 Carteret Street, Beaufort, SC (the Property); and,

WHEREAS, City is the owner of the parking area surrounding the Property; and,

WHEREAS, Tenant desires to lease from City, and City desires to lease to Tenant, that certain commercial space and the associated grounds (collectively, the "Premises") more particularly described on Exhibit "A" hereto;

NOW, THEREFORE, City agrees to lease to Tenant the Premises, as particularly set forth herein.

ARTICLE I INTRODUCTION

1.1. The City does hereby lease unto the Tenant **644.11** square feet of space in the property. City also agrees to provide a maximum of **one (1)** parking space by the issuance of a hang tag to be used in the parking lots adjacent to the building. The Tenant shall have access to the area designated as "Common Space" on Exhibit A, hereto, for the purpose of ingress and egress to and from the Premises. The monthly rental shall be **\$788.22**, to include **\$568.96** in base rent plus **\$219.26** to be applied towards the end-of-year assessment fee for insurance, taxes and maintenance. Tenant acknowledges that other tenants may be permitted to use the Carteret Street front door for ingress and egress for personnel and clients and it is stipulated that Tenant shall cooperate with the others in use and locking of doors after hours. Tenant shall also have access to and use of bathrooms and kitchen/waiting area with this office suite.

ARTICLE II TERM

2.1 Term. The term of this Lease shall be for two years commencing on September 1, 2025 (the "Commencement Date") and expiring on August 31, 2027 (the "Term").

2.2 Renewals. The Lease may be renewed for an additional two-year term (the "First Renewal Term") if the Tenant provides written notice of its intention to renew to the City prior to thirty (30) days before the end of the initial Term. If the Tenant fails to provide such notice of intention to renew, the Lease shall terminate on the last day of the initial Term.

In the event the Tenant provides the necessary notice to exercise the right to renew, the First Renewal Term shall commence on September 1, 2027, and expire on August 31, 2029. The Lease may be renewed for an additional term following the First Renewal Term (the "Second Renewal Term") if the Tenant provides written notice of its intention to renew to the City prior to a date thirty days before the termination of the First Renewal Term.

Upon the expiration of the Second Renewal Term, the Tenant shall have no unilateral right to renew and any further lease of the Premises from the City to the Tenant shall be made pursuant only to the written agreement of the parties.

ARTICLE III RENT

3.1 The monthly rent shall be **\$788.22**, to include **\$568.96** in base rent plus **\$219.26** to be applied towards the end-of-year assessment fee for insurance, taxes and maintenance, and shall be due and payable to the City in equal monthly installments commencing on the 1st day of the first month of the Lease, and shall continue on said day for the rental term ("Initial Rent").

3.2 Late Payment of Rent. If any monthly rental payment is paid more than ten (10) days after the date the same was due, there shall be a late payment fee of One Hundred and 00/100 (\$100.00) Dollars. If rent remains delinquent for more than thirty (30) days, then an additional late fee will be assessed, equal to Twenty and 00/100 (\$25.00) Dollars per day.

3.3 Rent Increase. Rent shall increase at a rate of Three (3%) Percent per annum. The increase in rent shall be based on the previous year's rental amounts.

3.4 Security Deposit. Within Five (5) business days of the execution of this Lease by both parties, Tenant shall pay Landlord a security deposit, equal to one month's rent, as security for the full and complete discharge of Tenant's obligations set forth herein.

3.5 Taxes, Insurance and Utilities. In addition to the rent specified herein, Tenant shall be responsible for the payment of the tenant's pro-rata share of all annual property taxes and insurance based on the Tenant's leased square footage when compared to the total square footage of the rental space in the building (18,000). The utilities pro-rata share will be based on the Tenant's leased square footage within the suite the utilities are metered. Tenant shall pay City said pro-rata share of taxes and insurance, based upon the prior year's taxes, on a monthly basis as additional lease payment. Any difference in the total annual monthly payments and the actual property taxes for the current year shall be reconciled between Tenant and City by year end. Additionally, Tenant shall be responsible for all other taxes and fees associated with Tenant's business.

ARTICLE IV INSURANCE

4.1 Insurance. Prior to lease commencing, Tenant shall procure and maintain throughout the Term, at its own expense, comprehensive liability insurance and workmen's compensation insurance. Tenant shall name the City with their respective officers, agents and employees, as an additional insureds on the Tenant's comprehensive liability policy which must be primary and noncontributory with respect to the additional insureds, providing protection against all claims and demands for any injury to person or property which may be claimed to have occurred on the Premises, in amounts which shall be at least equal to the following limits: Bodily Injury/property damage - \$1,000,000 each occurrence limit and \$2,000,000 aggregate; Umbrella Liability Insurance - \$1,000,000; and Bodily and Property Damage Combined Single Limit - \$1,000,000. All insurers shall have at least an A- (excellent) rating by A.M. Best and be qualified to do business in the jurisdiction where the risk is located. Tenant shall furnish the City Building Partnership proof of insurance in the form of certificate of insurance when requested by landlord.

4.2 Tenant shall not without the City's prior written consent do anything in or about the premises which will in any way tend to increase insurance rates on such premises or the building in which the same are located. If City shall consent to such use, Tenant agrees to pay as additional rental any increase in premiums for insurance against loss by fire or extended coverage risk resulting from the business carried on in the leased premises by Tenant. If Tenant installs any electrical equipment that overloads the power lines to the building in which the premises are located, Tenant shall at its own expense make whatever changes, alterations or repairs as necessary to comply with the requirements of insurance underwriters and insurance rating bureaus and governmental authorities having jurisdiction. Furthermore, Tenant agrees not to install, or permit to be installed, in the leased premises, any equipment, supplies or other items which could reasonably be expected to substantially increase the risk of fire damage to the premises, without City's written consent being first obtained.

ARTICLE V USE OF PREMISES

5.1 Use. Tenant shall use the Premises for the following purposes: Insurance Sales Office. Tenant shall comply with any and all applicable local, state and federal ordinances and regulations, including, without limitation, OSHA requirements and rules imposed by permit issuers charged with the regulation of Tenant's activities.

ARTICLE VI UTILITIES

6.1 Tenant shall pay monthly an amount estimated by the City to be the pro-rata share of the utilities, as stated above.

ARTICLE VII
IMPROVEMENTS, ALTERATIONS AND MAINTENANCE

7.1 Improvements. Tenant may develop, construct and operate upon the Premises, at its sole cost and expense, any additional improvements (the "Tenant's Improvements") necessary for Tenant to conduct its business, provided it first receives written permission from City. Tenant's Improvements shall remain the property of Tenant and Tenant shall have the right to remove the Tenant's Improvements at the expiration of the Term; provided, however, that Tenant restores the Premises to its original condition, normal wear and tear excepted. Before making any improvements that would become a fixture to the property or which could cause harm to the property, Tenant shall receive written permission from the City, and said permission shall not be unreasonably withheld. It is Tenant's sole responsibility to make any repairs or improvements to bring the Premises into compliance with any regulations that arise out of the nature of Tenant's business. Tenant shall obtain a City building permit for any improvements which require such a permit.

7.2 Maintenance. Tenant agrees, except for normal wear and use, to keep and maintain the interior and exterior of the Premises, including doors, windows and walls clean, in good condition and repair. Tenant shall keep the premises free of trash, and Tenant shall dispose of trash in the proper receptacle. If necessary, and upon written request by the City, Tenant shall at its own expense secure a janitorial service. The Landlord shall keep the foundation, sub-floor, exterior walls (except glass or other breakable materials used in the structural portions), utility and plumbing systems up to the tenant's premises, and roof of the building in which the leased premises is located, in good repair, except that Landlord shall not be required to make any such repairs which become necessary or desirable by reason of any negligent act of Tenant, its agents, servants, employees, guests, licensees, or invitees.

ARTICLE VIII
INDEMNITY

8.1 Tenant agrees and does hereby indemnify and hold harmless City, its member, officials, employees, agents, successors and assigns, from any and all costs, expenses, losses, liabilities or other obligations in any way connected or associated with its occupation of the Premises pursuant to this Lease, and in the event any claim or demand is made on City, for any such obligation, Tenants shall promptly defend, remove, bond or otherwise dispose of such claim or demand and save and hold City harmless against all expenses, costs and attorney's fees which may arise from any action taken by it in response to said claim or demand.

ARTICLE IX
DEFAULTS

9.1 Default by Tenant. The following shall constitute an “Event of Default” under this Lease:

(a) Failure of the Tenant to make, within ten (10) days after the date when due any payment of rent payable by the Tenant hereunder or to timely discharge any other monetary obligation;

(b) The Tenant’s failure to perform any other of the terms, conditions or covenants of this Lease to be observed or performed by the Tenant; and

(c) If an Event of Default, the City may elect to re-enter the Premises, as herein provided or take possession pursuant to legal proceedings or pursuant to any notice provided for herein and terminate this Lease and all rights of the Tenant under this Lease shall cease. Any reletting shall be done in a commercially reasonable manner. Any election under this paragraph shall not limit Landlord’s ability to seek any relief available to it at law or in equity.

9.2 Default by Landlord. The following shall constitute an “Event of Default” under this Lease:

(a) Failure of the City to pay any obligation pursuant to this Lease or affecting the Premises on or before the due date thereof;

(b) The City’s failure to perform any other of the terms, conditions or covenants of this Lease to be observed or performed by the City; and

(c) If the City fails to make any obligated payment or to perform any other of the terms, conditions or covenants under the Lease, Tenant shall send written notice of the City’s breach and City shall have (15) days after written notice to cure the alleged default.

(d) If an Event of Default occurs and after the expiration of City’s right to cure with fifteen (15) days written notice, the Tenant may elect to terminate this Lease.

9.3 Legal Expenses. If suit shall be brought or claim shall be made for any alleged breach by either party and the breach shall be established, the non-prevailing party shall pay to the prevailing party, in addition to all other sums and relief available to the prevailing party, all expenses incurred therefore, including reasonable attorney’s fees to the extent permitted by law.

ARTICLE X
NOTICE

10.1 Any notice to be given by either party to the other pursuant to the provisions of this Lease shall be given by personal delivery or by regular United States mail addressed to the party for whom it is intended at the best available address.

As to the Tenant: Thomas Robert Wynne, III
 Sea Island Insurance Group, LLC.
 PO Box 596
 Beaufort, SC 29901

As to the City: The City of Beaufort
 c/o Scott Marshall, City Manager
 1911 Boundary Street
 Beaufort, South Carolina 29902

With a copy to: Coppage Law Firm
 c/o Benjamin Coppage, City Attorney
 Post Office Box 2473
 Beaufort, SC 29901

ARTICLE XI
SUCCESSORS AND ASSIGNS

11.1 The covenants, conditions and agreements contained in this Lease shall bind and inure to the benefit of the Landlord and Tenant and their respective successors and assigns.

Unless repugnant to the context, the words "Landlord" and "Tenant" appearing in this Lease shall be construed to mean those named above and their respective heirs, administrators, successors and assigns, and those claiming through or under them respectively.

ARTICLE XII
MISCELLANEOUS

12.1 Quiet Enjoyment. City agrees that upon Tenant's payment of the rent and performing and observing the terms, covenants, conditions and provisions on its part to be performed and observed, Tenant shall and may peaceably and quietly have, hold and enjoy the Premises during the Term without any manner of hindrance, interruption or molestation from City or anyone claiming under City, subject, however, to the terms of this Lease and such regulatory powers as may be required.

12.2 Binding effect. The obligations of this Lease shall run with the land, and this Lease shall be binding upon the inure to the benefit of the parties hereto and their respective successors and assigns.

12.3 Construction. If any term this Lease shall be declared invalid or unenforceable, the remaining terms of this Lease shall not be affected thereby and shall continue to be enforced and recognized as valid agreements of the parties.

12.4 Entire Agreement. This agreement represents the entire understanding of the parties with reference to the subject matter hereof and shall be construed and enforced in accordance with the laws of South Carolina.

[SIGNATURES TO FOLLOW ON NEXT PAGE]

WITNESS OUR HANDS AND SIGNS as of the date first above written.

WITNESSES:

The City of Beaufort

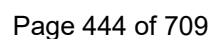
By: _____
Its: City Manager

TENANT:

Sea Island Insurance Group

By: _____
Its:

Prepared for
Parker Barnes
500 Carteret Street
Beaufort, SC, 29902
843-522-2600





City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 08/12/2025
From: Scott Marshall, City Manager
Item Name: An ordinance approving the sale of real property owned by the City of Beaufort, South Carolina located at 1101 Coleman Lane, Beaufort, South Carolina - First Reading
Meeting Date: August 19, 2025
Department: City Managers Office

Background Information:

Introduction:

City Council is asked to consider an ordinance approving the sale of real property to Randy Martin. This is first reading. A public hearing is scheduled in conjunction with a second reading on September 9, 2025.

Background:

Randy Martin, owner of 2610 Mossy Oaks Road (located at the corner of Mossy Oaks Road and Coleman Lane), has requested to purchase a small City-owned parcel situated between the rear of his property and Coleman Lane. His intent is to relocate his driveway from the front of his property, which faces Mossy Oaks Road, to the rear, providing access from Coleman Lane.

The parcel in question is approximately 0.10 acres, is not buildable, and is believed to have minimal market value. It currently does not have a Property Identification Number; the City Attorney is aware and is taking steps to address this. The property has been maintained by Mr. Martin over the years, and its location and configuration render it of little practical use to the City.

There is no identified civic purpose or public utility in the City retaining ownership of this land. Approval of the proposed ordinance would authorize the sale of the parcel to Mr. Martin, enabling him to proceed with his planned driveway relocation.

Legal Authority:

South Carolina Code of Laws §5-7-40 - Ownership and Disposition of Municipal Property

Staff Recommendation:

Approve the ordinance authorizing the sale of the approximately 0.10-acre City-owned parcel located between 2610 Mossy Oaks Road and Coleman Lane to Randy Martin. This action will allow the property to be put to beneficial use by the adjoining owner, eliminate an unused and low-value City asset, and support the property owner's plan to relocate his driveway access to Coleman Lane.

Placed on Agenda For:

Action

Attachments:

1. 1101 Coleman Lane Selling of Property to the Martins 8-19-25
2. 1412.0163 Contract
3. 1412.0163 Deed

ORDINANCE 2025/22

AN ORDINANCE APPROVING THE SALE OF REAL PROPERTY OWNED BY THE CITY OF BEAUFORT, SOUTH CAROLINA LOCATED AT 1101 COLEMAN LANE, BEAUFORT, SOUTH CAROLINA.

WHEREAS, the City of Beaufort, South Carolina (hereinafter “City”) owns all that certain piece, parcel or lot of land, being approximately one tenth (.10) of an acre, located at 1101 Coleman Lane in the City of Beaufort, County of Beaufort, State of South Carolina, and being further bounded and described as the parcel labeled “0.10 acres” on that Plat of Coleman Lane Right-of-Way prepared by Randall N. Reed, P.L.S. dated August 26, 1997 and recorded in the Office of the Beaufort County Register of Deeds in Deed Book 1050 at Page 310 (hereinafter the “Property”);

WHEREAS, the City’s continued ownership of the Property provides no benefit to the City or its citizens and the City will continue to incur costs and expenses associated with its ownership and maintenance of the Property;

WHEREAS, the owners of the real property which abuts the Property, Randolph G. Martin and Monica M. Martin, have expressed interest in ownership of the Property;

WHEREAS, due to the size and location of the Property, the Property would have little, if any, value if listed for sale;

WHEREAS, City Council believes it is in the best interest of the City and its citizens to dispose of and relinquish ownership of the Property;

WHEREAS, the sale of the property to Randolph G. Martin and Monica M. Martin in exchange for payment in the amount of five hundred dollars (\$500.00) is fair, reasonable, and appropriate;

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE CITY COUNCIL, in accordance with the foregoing, that the City Manager is authorized to execute the Contract for Purchase and Sale of Real Property, included herewith as Exhibit A, execute the Quit Claim Deed, included herewith as Exhibit B, and execute such other documents and take such other action as is necessary to effectuate the sale of the Property to Randolph G. Martin and Monica M. Martin in exchange for payment in the amount of five hundred dollars (\$500.00)

DONE, RATIFIED AND ENACTED this ____ day of _____, 2025.

Philip E. Cromer, Mayor
City of Beaufort, South Carolina

Traci Guldner
City Clerk, City of Beaufort, South Carolina

First Reading: _____

Second Reading: _____

Reviewed as to form by Benjamin T. Coppage, City Attorney

CONTRACT FOR PURCHASE AND SALE OF REAL PROPERTY

THIS CONTRACT FOR PURCHASE AND SALE OF REAL PROPERTY (the "Contract") is made and entered into by and between the City of Beaufort, South Carolina (the "Seller"), and Randolph G. Martin and Monica M. Martin (the "Buyers"). The effective date of this Contract shall be the latest date of a party's execution of this Contract ("Effective Date").

STATEMENT OF PURPOSE

Seller proposes to convey by quitclaim deed that certain tract of land and related improvements located in Beaufort County, South Carolina, as more particularly described below. Buyer desires to acquire from Seller the Property, as hereafter defined, upon the terms and conditions contained in this Contract. Seller is willing to sell and convey the Property, as hereafter defined, pursuant to the terms and conditions of this Contract.

NOW, THEREFORE, subject to the terms and conditions of this Contract, and in consideration of the premises and the respective agreements hereinafter set forth, Seller and Buyer agree as follows:

1. Description of Property. The property now owned by the Seller which is the subject of this Contract is as follows:

All that certain piece, parcel or lot of land, being approximately one tenth (.10) of an acre, located at 1101 Coleman Lane in the City of Beaufort, County of Beaufort, State of South Carolina, and being further bounded and described as the parcel labeled "0.10 acres" on that Plat of Coleman Lane Right-of-Way prepared by Randall N. Reed, P.L.S. dated August 26, 1997 and recorded in the Office of the Beaufort County Register of Deeds in Deed Book 1050 at Page 310.

The real property described hereinabove includes all improvements and fixtures placed, constructed or installed on the Land ("Improvements"), and the real property and Improvements shall collectively be called the "Property".

2. Purchase Price. The purchase price (the "Purchase Price") to be paid by Buyer for the Property shall be five hundred dollars (\$500.00). The Purchase Price shall be payable in certified U.S. funds on the Effective Date.

3. Title to the Property. At the Closing, Seller shall deliver to Buyer a quitclaim deed conveying to Buyer its interest in the Property, and subject to all rights-of-way, easements, restrictions of record and all other matters affecting title whether of record or not, and to any and all governmental laws and ordinances applicable to the Property. The Seller makes no warrant as to the title of the Property and the Property is being sold in "as-is" condition.

4. Closing Costs. Seller shall pay for the preparation of the Deed. Buyer shall be responsible for all closing costs, transfer taxes associated with the transaction, deed stamps, recording and documentary fees, and any instruments to be recorded under the terms of this Contract with respect to the Property, as well as any title examination fees and the title insurance

premiums. Except as otherwise provided herein, each party shall bear its own expense or expenses, including its own attorneys' fees.

5. Closing Documents.

- a. At Closing, the Seller shall deliver to Buyer (or Closing Attorney, if any):
 - i. A duly executed and acknowledged quitclaim deed in recordable form conveying the Property satisfactory to Buyer; and
 - ii. Such other documents and papers which may be necessary to the consummation of the transaction described in this Contract as may be reasonably requested by Buyer or Buyer's counsel.
- b. At Closing, Buyer shall deliver to Seller:
 - i. Payment of Purchase Price as determined pursuant to Section 2 above; and
 - ii. Such other documents and papers which may be necessary to the consummation of the transaction described in this Contract or as may be reasonably requested by Seller or Seller's counsel.

6. Assignment. This Contract shall not be assigned by Seller. This Contract shall be freely assignable to an affiliate of Buyer without the consent of Seller. Any other assignment of this Contract by Buyer shall be subject to the consent of the Seller.

7. Default and Remedies.

a. In the event Seller defaults or fails to perform any of the conditions or obligations of Seller under this Contract or in the event any of the representations contained herein are not true and correct as of the date hereof and as of the Closing Date, Buyer, as its sole remedy, shall have the right to terminate this Contract by giving written notice to Seller.

b. In the event of a default or breach thereof by Buyer of any of the covenants or conditions or obligations of Buyer under this Contract, Seller's remedy shall be to give written notice thereof to Buyer and terminate this Contract. Notwithstanding the foregoing or anything herein to the contrary, Seller retains the right to enforce this Contract according to law.

8. Entry. Buyer shall have the right to enter upon the Property at reasonable times without Seller's prior consent after the Effective Date of this Contract for any purpose including but not limited to site planning, surveying and environmental inspections. Buyer shall indemnify and hold the Seller harmless from any damage to the extent caused by the Buyer, its agents, contractors or invitees. Buyer will repair any damages caused by it or its agents, contractors or invitees to said Property.

9. Miscellaneous.

a. Notices. Any notice required or permitted to be given under this Contract shall be in writing and shall be deemed to have been given when (i) deposited in Federal Express (or any other national “next day” delivery service); (ii) deposited in the United States mail via registered or certified mail, postage prepaid, return receipt requested; or (iii) sent via electronic mail to the party’s address specified in this Contract if sent during normal business hours on a Business Day (or on the next Business Day if sent via electronic mail after the close of normal business hours or on a non-Business Day). When a party sends notice via electronic mail they shall promptly thereafter send a hard copy via either option (i) or (ii) as provided herein and addressed as follows:

SELLER: City of Beaufort
1911 Boundary Street
Beaufort, SC 29902
Attention: Scott Marshall, City Manager
Email: smarshall@cityofbeaufort.org

BUYER: _____

Email: _____

Either party may, from time to time, by notice as herein provided, designate a different address to which notice to it shall be sent.

b. Applicable Law. This Contract shall be governed by and construed in accordance with the laws of the State of South Carolina.

c. Entire Agreement. This Contract and the Exhibit(s) hereto contain the entire understanding and agreement by and between the parties and all prior or contemporaneous oral or written agreements or instruments are merged herein, and no amendment to this Contract shall be effective unless the same is in writing and signed by the parties hereto.

d. Binding Effect. This Contract shall be binding upon and shall inure to the benefit of the parties hereto and their respective permitted successors and assigns.

e. Saturdays, Sundays, Holidays. If any date called for under this Contract falls on a Saturday, Sunday or legal holiday observed by either the State of South Carolina or national banks in Columbia, South Carolina (“non-Business Day”), such date shall be extended to the next day not falling on a Saturday, Sunday or legal holiday observed by either the State of South Carolina or national banks in Beaufort, South Carolina (“Business Day”).

f. Captions and Headings. The captions and headings throughout this Contract are for convenience and reference only, and the words contained therein shall in no way

be held to define or add to the interpretation, construction or meaning of any provision of this Contract.

g. No Offer. The parties agree that the submission of this Contract for review or execution by one party to the other does not constitute an offer to sell or purchase the Property, and that this Contract shall not be valid, binding or enforceable until duly and fully executed by all parties hereto.

h. Authority. All signatories to this Contract have the full power and authority to enter into this Contract.

i. The execution, delivery and performance of this Contract will not result in the breach of or constitute a default under the provisions of any agreement to which the Buyer or Seller is a party, or by which it or its property is bound or affected.

j. Any prior agreement between the parties or that their respective affiliates with respect subject to the subject matter hereof shall be of no further force and effect, and to the extent of any such prior agreements this Contract shall be deemed a novation, good and sufficient consideration of which is acknowledged by all respected affiliates.

k. This Contract may be executed in counterparts, all of which together shall comprise one and the same instrument.

l. This Contract cannot be altered, amended, changed or modified in any respect or particular unless each such alteration, amendment, change or modification shall have been agreed to by each of the parties hereto and reduced to writing in its entirety and signed and delivered by each party.

m. Time is of the essence in all provisions of this Contract.

n. The parties acknowledge and agree that notwithstanding any law or presumption to the contrary, an electronic or telefaxed signature (hereinafter, an "Electronic Signature") of any party or approver on this Contract shall be deemed valid and binding and admissible by any party against any other party as if same were an original ink signature. The parties further acknowledge and agree that they (a) intend to be bound by any Electronic Signatures affixed to this Contract, (b) are aware that the other party or parties will rely on any such Electronic Signatures, (c) such an electronically signed Contract may not be denied legal effect or enforceability solely because it is in electronic form or signed with an Electronic Signature, and (d) the foregoing provisions regarding Electronic Signature apply solely to the execution of this Contract, and shall in no event be deemed to amend any other written obligations of any party (including, but not limited to, any notice provisions) set forth in this Contract.

10. Closing Attorney. Seller is not required to provide an attorney to Buyer for this transaction. However, in the event Buyer chooses to retain a closing attorney, ("Closing Attorney") Buyer will identify the Closing Attorney to Seller in writing at least ten (10) days prior to the Closing. The Buyer and Seller acknowledge that there may exist a potential conflict of interest in the representation of both Buyer and Seller by the Closing Attorney, in closing this transaction if the Seller is not represented by independent counsel. In such event, both Buyer and Seller agree to sign a Conflict of Interest Disclosure to allow the Closing Attorney to close the within transaction.

IN WITNESS WHEREOF, the undersigned has duly executed this Contract this ____ day of _____, 20__.

WITNESSESS:

BUYERS:

(Witness 1 signature)

Randolph G. Martin

(Witness 2 signature)

(Witness 1 signature)

Monica M. Martin

(Witness 2 signature)

IN WITNESS WHEREOF, the undersigned has duly executed this Contract this ____ day
of _____, 20__.

WITNESSES:

SELLER:

City of Beaufort, South Carolina

(Witness 1 signature)

By: _____
Name: Scott M. Marshall
Title: City Manager

(Witness 2 signature)

Return to:
Coppage Law Firm, LLC
Post Office Box 2473
Beaufort, SC 29901

STATE OF SOUTH CAROLINA	)	
	)	QUIT CLAIM DEED
COUNTY OF BEAUFORT	)	

KNOW ALL MEN BY THESE PRESENTS, that the City of Beaufort, South Carolina (hereinafter “Grantor”), for and in consideration of five hundred dollars (\$500.00) paid to it by Randolph G. Martin and Monica M. Martin (hereinafter “Grantees”), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold, and quit claimed unto the said Grantees, their heirs and assigns, all Grantors’ right, title, and interest in and to the real estate described on Attachment A hereto (hereinafter the “Premises”).

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the Grantors’ interest in the real property belonging, or in any wise incident or appertaining.

TO HAVE AND TO HOLD all and singular, the said Premises unto the Grantees, their heirs and assigns, forever, and the appurtenances thereto belonging or in anywise appertaining, and all the estate, title, and interest of the Grantor.

The remainder of this page is intentionally left blank

WITNESS my Hand and Seal on _____, 2025.

_____	)	
Witness 1 - Signature	)	
_____	)	CITY OF BEAUFORT, SOUTH CAROLINA
Witness 1 - Printed Name	)	
_____	)	
	)	_____
Witness 2 – Signature	)	Scott M. Marshall, City Manager
_____	)	
Witness 2 - Printed Name	)	

STATE OF SOUTH CAROLINA	)	
	)	ACKNOWLEDGEMENT
COUNTY OF BEAUFORT	)	

I, _____, a Notary Public for the State of South Carolina, do hereby certify that Scott M. Marshall, City Manager of the City of Beaufort, South Carolina, appeared before me this day and acknowledged that he executed the foregoing Title to Real Estate.

WITNESS my Hand and Official Seal on _____, 2025.

_____ (SEAL)

Notary Public for South Carolina
My Commission Expires: _____

This deed was prepared without opinion of title by Benjamin T. Coppage,
Coppage Law Firm, LLC, Post Office Box 2473, Beaufort, South Carolina 29901

Address of Grantees: 2610 Mossy Oaks Road
Beaufort, South Carolina 29902

ATTACHMENT A

All that certain piece, parcel or lot of land, being approximately one tenth (.10) of an acre, located at 1101 Coleman Lane in the City of Beaufort, County of Beaufort, State of South Carolina, and being further bounded and described as the parcel labeled "0.10 acres" on that Plat of Coleman Lane Right-of-Way prepared by Randall N. Reed, P.L.S. dated August 26, 1997 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Deed Book 1050 at Page 310.

This being the same real property conveyed to the Grantor by Title to Real Estate of Barbara Ann Shipman dated November 21, 1997 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Deed Book 1050 at Page 307.

Tax Map Reference:



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 08/12/2025
From: Alan Eisenman, Finance Director
Item Name: An ordinance to amend City of Beaufort Ordinance 2024/11 regarding the fiscal year 2024-2025 City of Beaufort Budget to provide for the revenues and expenditures of General Fund, Parks and Tourism Fund, State Accommodations Tax Fund, American Rescue Plan Act Fund, Fire Impact Fee Fund, TIF II Fund, Stormwater Fund and Capital Projects - First Reading
Meeting Date: August 19, 2025
Department: Finance Department

Background Information:

Introduction:

This budget amendment for fiscal year 2025 addresses a few projects that were budgeted, but not completed and therefore will be de-obligated in fiscal year 2025 and re-obligated in fiscal year 2026. It also includes budget adjustments for year-end actual amounts.

Background:

The City received \$1,500,000 in State Appropriation in fiscal year 2025 to be used for a Cybersecurity Education Facility located at 1100 Boundary Street. Since the City did not spend these funds, the revenues will be deferred to fiscal year 2026.

The City budgeted \$150,000 for an emergency public safety traffic signal replacement at Fire Station Headquarters in fiscal year 2025. The engineering site plans were performed, but the City was not able to go out for bid on this project in fiscal year 2025. The remaining project balance of \$137,900 is requested to be de-obligated in fiscal year 2025 and re-obligation in fiscal year 2026 in the General Fund.

The City budgeted \$255,645 for utility relocation for Allison Road project in the General Fund. This budgeted amount was not needed for the project and will be unallocated.

The City budgeted \$100,000 for engineering on South Carolina 1st Volunteers Park Project using TIF II Funds. The engineering contract was not awarded in fiscal year 2025 and request it to appropriate these funds in fiscal year 2026.

The City was made aware in April 2025 by South Carolina Emergency Management Division (SCEMD) that the funding for Pigeon Point Drainage Study was removed due to the Federal Administration cuts on Building Resilient Infrastructure and Communities (BRIC) federal grant. The City was recently informed by SCEMD that our BRIC grant is still active as the funds had already been obligated to the State. This budget amendment de-obligates \$216,000 in fiscal year 2025, but request to consider reallocating in fiscal year 2026.

The City experienced business and residential/commercial development growth which resulted in revenue from business licenses and building permits that exceeded expectations by \$895,000 and property tax revenues greater than budget by \$405,000.

The City received an additional \$170,000 in franchise fees and \$48,000 in traffic signal maintenance revenue from the State over the budgeted amount.

The City's General Fund interest revenue was \$240,000 greater than the budget amount as a result of interest rates remaining stable during the fiscal year.

The Fire Department received higher than anticipated grant revenues in the amount \$131,000 from the Assistance to Firefighters (AFG) Grant.

The Fire Department expenditures were \$176,000 more than budgeted resulting from additional personnel costs of \$103,640 relating to AFG grant activity and \$27,360 increase in operating costs from associated professional training for the AFG grant and \$45,000 increase in operating costs from vehicle maintenance.

The City Council spent an additional \$63,000 in legal fees than was originally budgeted.

The Police Department received a \$70,518 South Carolina Department of Public Safety grant for in-car video cameras and spent \$52,151 on new in-car video cameras and \$18,367 on camera-related maintenance and storage.

The State Accommodations Tax fund spent \$95,975 less for Downtown Twilight Initiative than was originally budgeted.

The City recognized \$2,500,000 in American Rescue Plan Act federal grant revenue during the fiscal year.

The City received an additional \$199,000 in fire impact fees over the expected amount.

The City's restaurant industry growth through hospitality revenue collections exceeded expectations by \$120,000.

The City's Parks and Tourism Fund interest revenue increased by \$126,000 over budget as a result of a rising interest rates remaining stable during the fiscal year.

The City received \$197,000 in excess of the budgeted amount from insurance proceeds for insurance claims on City property from Tropical Storm Debby and Hurricane Helene and spent \$131,000 on storm-related repairs for the Downtown Marina.

Legal Authority:

S.C. Code Ann. § 5-7-260; Title 5, Chapter 7

Staff Recommendation:

Staff recommends for Council's consideration approval of first reading of the budget amendment. The second reading will take place on September 9, 2025.

Placed on Agenda For:

Action

Attachments:

1. Budget Ordinance Amendment FY25

ORDINANCE

AN ORDINANCE TO AMEND CITY OF BEAUFORT ORDINANCE 2024/11 REGARDING THE FISCAL YEAR 2024-2025 CITY OF BEAUFORT BUDGET TO PROVIDE FOR THE REVENUES AND EXPENDITURES OF GENERAL FUND, PARKS AND TOURISM FUND, STATE ACCOMMODATION TAX FUND, AMERICAN RESCUE PLAN ACT FUND, FIRE IMPACT FEE FUND, TIF II FUND, STORMWATER FUND, AND CAPITAL PROJECTS FUND.

WHEREAS, Section 5-7-260 of the South Carolina Code of Laws requires that a municipal council act by ordinance to adopt a budget and levy taxes, pursuant to public notice; and

WHEREAS, on June 11, 2024, the City of Beaufort (hereinafter “City”) adopted Ordinance No. 2024/11 which set the City’s FY 2024- 2025 budget and associated expenditures; and

WHEREAS, the State of South Carolina General Assembly, through FY2025 General Appropriations Act Bill H. 5100, allocated \$1,500,000 to the City to be directly appropriated to a non-profit organization to be used for a Cyber Security Education Facility; and

WHEREAS, the City received \$1,500,000 appropriation from the State and did not spend the funds in fiscal year 2025, therefore the revenue will be requested to be budgeted in fiscal year 2026; and

WHEREAS, it is necessary for the City to deallocate \$137,900 in fiscal year 2025 for an emergency public safety traffic signal replacement at Fire Station Headquarters from the General Fund and requested to be reallocated in fiscal year 2026; and

WHEREAS, it is necessary for the City to deobligate \$255,645 for utility relocation for Allison Road project from General Fund; and

WHEREAS, it is necessary for the City to unappropriate \$100,000 for engineering on South Carolina 1st Volunteers Park project from TIF II Fund and considered to appropriate these funds in fiscal year 2026; and

WHEREAS, it is necessary for the City to deobligate \$216,000 for Pigeon Point Drainage Study project with \$54,000 from Stormwater Fund and \$162,000 from Building Resilient Infrastructure and Communities (BRIC) federal grant and considered reallocating these funds in fiscal year 2026; and

WHEREAS, the City experienced business and residential/commercial development growth which resulted in revenue from business licenses and building permits that exceeded expectations by \$895,000 and property tax revenues greater than budget by \$405,000; and

WHEREAS, the City received an additional \$170,000 in franchise fees and \$48,000 in traffic signal maintenance revenue from the State over the budgeted amount; and

WHEREAS, the City’s General Fund interest revenue was \$240,000 greater than the budget amount as a

result of interest rates remaining stable during the fiscal year; and

WHEREAS, the Fire Department received higher than anticipated grant revenues in the amount \$131,000 from the Assistance to Firefighters (AFG) Grant; and

WHEREAS, the Fire Department expenditures were \$176,000 more than budgeted resulting from additional personnel costs of \$103,640 relating to AFG grant activity and \$27,360 increase in operating costs from associated professional training for the AFG grant and \$45,000 increase in operating costs from vehicle maintenance; and

WHEREAS, the City Council spent an additional \$63,000 in legal fees than was originally budgeted; and

WHEREAS, the Police Department received a \$70,518 South Carolina Department of Public Safety grant for in-car video cameras and spent \$52,151 on new in-car video cameras and \$18,367 on camera related maintenance and storage; and

WHEREAS, the State Accommodations Tax fund spent \$95,975 less for Downtown Twilight Initiative than was originally budgeted; and

WHEREAS, the City recognized \$2,500,000 in American Rescue Plan Act federal grant revenue during the fiscal year; and

WHEREAS, the City received an additional \$199,000 in fire impact fees over the expected amount; and

WHEREAS, the City's restaurant industry growth through hospitality revenue collections exceeded expectations by \$120,000; and

WHEREAS, the City's Parks and Tourism Fund interest revenue increased by \$126,000 over budget as a result of a rising interest rates remaining stable during the fiscal year; and

WHEREAS, the City received \$197,000 in excess of the budgeted amount from insurance proceeds for insurance claims on City property from Tropical Storm Debby and Hurricane Helene and spent \$131,000 on storm-related repairs for the Downtown Marina; and

WHEREAS, it is necessary and proper to appropriate, obligate, and budget funds for the above-referenced items; and

WHEREAS, in compliance with South Carolina law and in the interest of maintaining good accounting practices and transparency in the budget process, it is beneficial and necessary to amend the budget to reflect this additional appropriation of funds.

NOW, THEREFORE, BE IT ORDAINED by the City of Beaufort Council that the FY 2024-2025 City of Beaufort Ordinance 2024/11 is hereby amended by the addition of the following, such that the General Fund FY25 Budget and the Consolidated FY25 Revised Budget are as shown on Exhibits A and B, hereto

SECTION 1. AMENDMENT

General Fund

Revenues

Intergovernmental	\$ (1,250,482)
Property Taxes	405,000
Franchise Fees	170,000
Licenses and Permits	895,000
Interest	240,000
Use of General Fund Fund Balance for Vehicle and Equipment Replacement- Fire Station Traffic Signal Replacement	(137,900)
Total Revenues	<u><u>321,618</u></u>

Expenditures

Public Works- Streets & Traffic- Capital	(137,900)
City Council- Operating- Legal	63,000
Police Department- Operating- Contractual Services	18,367
Police Department- Capital	52,151
Fire Department- Personnel- Overtime	103,640
Fire Department- Operating- Professional Education	27,360
Fire Department- Operating- Maintenance Vehicles	45,000
Transfers Out- Release of Restricted General Fund Balance for Utility Non-Standard Service Fee- Allison Road Project	(255,645)
Total Expenditures	<u><u>(84,027)</u></u>

Parks and Tourism Fund

Revenues

Other Taxes- Hospitality Fee	\$ 120,000
Interest	126,000
Miscellaneous-Insurance	197,000
Total Revenues	<u><u>443,000</u></u>

Expenditures

Operating- Marina- Contractual Services	131,000
Total Expenditures	<u><u>\$ 131,000</u></u>

State Accommodations Tax Fund**Expenditures**

Operating- Main Street- Downtown Twilight Initiative

(95,975)

Total Expenditures

\$ (95,975)

American Rescue Plan Act Fund**Revenues**

Intergovernmental

2,500,000

Total Revenues

\$ 2,500,000

Fire Impact Fee Fund**Revenues**

Licenses and Permits

199,000

Total Revenues

\$ 199,000

TIF II Fund**Expenditures**

Transfers Out- SC 1st Volunteers Park Project- Engineering

(100,000)

Total Expenditures

\$ (100,000)

Stormwater Fund**Expenditures**

Transfers Out- Pigeon Point Drainage Study- Engineering

(54,000)

Total Expenditures

\$ (54,000)

Capital Projects Fund**Revenues**

Transfers In- Allison Road Project

(255,645)

Transfers In- SC 1st Volunteers Park Project- Engineering

(100,000)

Federal Grants- Pigeon Point Drainage Study- BRIC Grant

(162,000)

Transfers In- Pigeon Point Drainage Study- Engineering

(54,000)

Total Revenues

\$ (571,645)

Expenditures

Capital- SC 1st Volunteers Park Project- Engineering

(100,000)

Capital- Allison Road Project

(255,645)

Capital- Pigeon Point Drainage Study- Engineering

(216,000)

Total Expenditures

\$ (571,645)

SECTION 2. EFFECTIVE DATE

This Ordinance shall be effective upon its enactment by the City Council for the City of Beaufort.

PHILIP E. CROMER, MAYOR

ATTEST:

TRACI GULDNER, CITY CLERK

1ST Reading August 19, 2025

2nd Reading & Adoption _____

Attachments:

- A. General Fund FY25 Budget
- B. Consolidated FY25 Revised Budget

EXHIBIT A**General Fund FY25 Budget**

	Adopted FY25 Budget	Budget Amendment #2	Budget Amendment #6	Budget Amendment #7	Revised FY25 Budget
Revenues					
Property Taxes	\$ 9,598,632	\$ -	\$ -	\$ 405,000	\$ 10,003,632
Licenses & Permits	6,870,000	-	-	895,000	7,765,000
Intergovernmental	3,854,181	46,208	1,500,000	(1,250,482)	4,149,907
Franchise Fees	2,258,000	-	-	170,000	2,428,000
Charges for Services	2,056,665	-	-	-	2,056,665
Fines & Forfeitures	64,000	-	-	-	64,000
Miscellaneous	110,000	-	-	-	110,000
Interest	550,000	-	-	240,000	790,000
Transfers In	70,416	-	-	-	70,416
Release of Committed/Assigned Fund Balance	213,293	405,645	-	(393,545)	225,393
Total General Fund Revenues	\$ 25,645,187	\$ 451,853	\$ 1,500,000	\$ 65,973	\$ 27,663,013
Appropriations					
Non-Departmental	\$ 822,823	\$ -	\$ -	\$ -	\$ 822,823
City Council	345,321	-	-	63,000	408,321
City Manager	952,161	-	-	-	952,161
Finance	1,000,850	-	-	-	1,000,850
Human Resources	554,368	-	-	-	554,368
Information Technology	1,025,621	46,208	-	-	1,071,829
Municipal Court	637,050	-	-	-	637,050
Community & Economic Development	1,455,846	-	-	-	1,455,846
Police Operations	5,703,134	-	-	70,518	5,773,652
School Resource Officer	624,561	-	-	-	624,561
School Crossing Guard	23,470	-	-	-	23,470
Victims Rights	113,246	-	-	-	113,246
Fire	6,773,028	-	-	176,000	6,949,028
Public Works	503,580	-	-	(137,900)	365,680
Streets & Traffic	1,035,281	150,000	-	-	1,185,281
Facilities Maintenance	828,479	-	-	-	828,479
Solid Waste	1,401,015	-	-	-	1,401,015
Debt Service	1,845,353	-	-	-	1,845,353
Transfers Out	-	255,645	-	(255,645)	-
Total General Fund Appropriations	\$ 25,645,187	\$ 451,853	\$ -	\$ (84,027)	\$ 26,013,013

EXHIBIT B

Consolidated FY25 Revised Budget

					State				
	General Fund	ARPA Fund	Parks & Tourism Fund	Stormwater Fund	Accommodations Fund	Fire Impact Fund	TIF II Fund	Capital Project Fund	Total
Revenues									
Revenues	\$ 27,367,204	\$ 2,802,306	\$ 5,923,500	\$ 1,368,717	\$ 969,333	\$ 304,000	\$ 180,000	\$ 10,744,687	\$ 49,659,747
Transfers In	70,416	-	-	-	-	-	-	11,548,130	11,618,546
Release of Committed Fund	225,393	-	-	-	-	-	-	-	225,393
Release of Fund Balance	-	2,056,634	5,715,349	1,310,480	30,000	-	29,000	813,201	9,954,664
Total Revenues	\$ 27,663,013	\$ 4,858,940	\$ 11,638,849	\$ 2,679,197	\$ 999,333	\$ 304,000	\$ 209,000	\$ 23,106,018	\$ 71,458,350
Expenditures									
Salaries	\$ 10,582,003	\$ 100,000	\$ 1,908,435	\$ 413,681	\$ 16,728	\$ -	\$ -	\$ -	\$ 13,020,847
Benefits	4,384,300	43,972	846,815	208,751	6,752	-	-	-	5,490,590
Operating	8,552,019	197,000	1,842,049	232,685	779,462	-	-	-	11,603,215
Capital	504,543	143,334	238,933	-	-	-	209,000	23,106,018	24,201,828
Debt	1,990,148	-	969,601	513,600	-	63,654	-	-	3,537,003
Transfers Out	-	4,374,634	5,833,016	1,310,480	100,416	-	-	-	11,618,546
Contribution to Fund Balance	1,650,000	-	-	-	95,975	240,346	-	-	1,986,321
Total Expenditures	\$ 27,663,013	\$ 4,858,940	\$ 11,638,849	\$ 2,679,197	\$ 999,333	\$ 304,000	\$ 209,000	\$ 23,106,018	\$ 71,458,350
Net (Deficit) Surplus	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 08/12/2025
From: Alan Eisenman, Finance Director
Item Name: An ordinance to amend City of Beaufort Ordinance 2025/13 regarding the fiscal year 2025-2026 City of Beaufort Budget to provide for the revenues and expenditures of General Fund, State Accommodations Tax Fund, TIF II Fund, Stormwater Fund, and Capital Projects Fund - First Reading
Meeting Date: August 19, 2025
Department: Finance Department

Background Information:

Introduction:

This budget amendment for fiscal year 2026 addresses projects that were budgeted in fiscal year 2025, but not completed and therefore reallocated in fiscal year 2026. The budget amendment also requests additional funding of \$100,000 for the Arsenal Windows Restoration project.

Background:

The City received \$1,500,000 in State Appropriation in fiscal year 2025 to be used for a Cybersecurity Education Facility located at 1100 Boundary Street. Since the City did not spend these funds, the revenues will be deferred to fiscal year 2026.

The City budgeted \$150,000 for an emergency public safety traffic signal replacement at Fire Station Headquarters in fiscal year 2025. The engineering site plans were performed, but the City was not able to go out for bid on this project in fiscal year 2025. The remaining project balance of \$137,900 is requested to be de-obligated in fiscal year 2025 and re-obligation in fiscal year 2026 in the General Fund.

The City budgeted \$100,000 for engineering on South Carolina 1st Volunteers Park Project using TIF II Funds. The engineering contract was not awarded in fiscal year 2025 and request it to appropriate these funds in fiscal year 2026.

The City was made aware in April 2025 by South Carolina Emergency Management Division (SCEMD) that the funding for Pigeon Point Drainage Study was removed due to the Federal Administration cuts on Building Resilient Infrastructure and Communities (BRIC) federal grant.

The City was recently informed by SCEMD that our BRIC grant is still active as the funds had already been obligated to the State. This budget amendment de-obligates \$216,000 in fiscal year 2025, but requests to consider reallocating in fiscal year 2026.

The City budgeted \$100,000 for Arsenal windows repair project in fiscal year 2026. Due to a recent assessment on the condition of the windows and project consulting services, it is necessary for the City to appropriate an additional \$100,000 from State Accommodations Tax Fund to fund this project.

Legal Authority:

S.C. Code Ann. § 5-7-260; Title 5, Chapter 7.

Staff Recommendation:

Staff recommends for Council's consideration approval of first reading of budget amendment. The second reading will take place on September 9, 2025.

Placed on Agenda For:

Action

Attachments:

1. Budget Ordinance Amendment FY26

ORDINANCE

AN ORDINANCE TO AMEND CITY OF BEAUFORT ORDINANCE 2025/13 REGARDING THE FISCAL YEAR 2025-2026 CITY OF BEAUFORT BUDGET TO PROVIDE FOR THE REVENUES AND EXPENDITURES OF GENERAL FUND, STATE ACCOMMODATION TAX FUND, TIF II FUND, STORMWATER FUND, AND CAPITAL PROJECTS FUND.

WHEREAS, Section 5-7-260 of the South Carolina Code of Laws requires that a municipal council act by ordinance to adopt a budget and levy taxes, pursuant to public notice; and

WHEREAS, on June 10, 2025, the City of Beaufort (hereinafter “City”) adopted Ordinance No. 2025/13 which set the City’s FY 2025- 2026 budget and associated expenditures; and

WHEREAS, the State of South Carolina General Assembly, through FY2025 General Appropriations Act Bill H. 5100, allocated \$1,500,000 to the City to be directly appropriated to a non-profit organization to be used for a Cyber Security Education Facility; and

WHEREAS, the City received \$1,500,000 appropriation from the State and did not spend the funds in fiscal year 2025, therefore the revenue will be requested to be budgeted in fiscal year 2026; and

WHEREAS, it is necessary for the City to deallocate \$137,900 in fiscal year 2025 for an emergency public safety traffic signal replacement at Fire Station Headquarters from the General Fund and requested to be reallocated in fiscal year 2026; and

WHEREAS, it is necessary for the City to unappropriate \$100,000 for engineering on South Carolina 1st Volunteers Park project from TIF II Fund in fiscal year 2025 and considered to appropriate these funds in fiscal year 2026; and

WHEREAS, it is necessary for the City to deobligate \$216,000 for Pigeon Point Drainage Study project with \$54,000 from Stormwater Fund and \$162,000 from Building Resilient Infrastructure and Communities (BRIC) federal grant in fiscal year 2025 and considered reallocating these funds in fiscal year 2026; and

WHEREAS, the City budgeted \$100,000 for Arsenal windows repair project in fiscal year 2026. Due to a recent assessment on the condition of the windows and project consulting services, it is necessary for the City to appropriate an additional \$100,000 from State Accommodations Tax Fund to fund this project; and

WHEREAS, it is necessary and proper to appropriate, obligate, and budget funds for the above-referenced items; and

WHEREAS, in compliance with South Carolina law and in the interest of maintaining good accounting practices and transparency in the budget process, it is beneficial and necessary to amend the budget to reflect this additional appropriation of funds.

NOW, THEREFORE, BE IT ORDAINED by the City of Beaufort Council that the FY 2025-2026 City of Beaufort Ordinance 2025/13 is hereby amended by the addition of the following, such that the General Fund FY26 Budget and the Consolidated FY26 Revised Budget are as shown on Exhibits A and B, hereto

SECTION 1. AMENDMENT

General Fund

Revenues

Intergovernmental	\$ 1,500,000
Use of General Fund Fund Balance for Vehicle and Equipment Replacement- Fire Station Traffic Signal Replacement	137,900
Total Revenues	<u>1,637,900</u>

Expenditures

Public Works- Streets & Traffic- Capital	137,900
Total Expenditures	<u>137,900</u>

State A-Tax Fund

Expenditures

Transfers Out- Arsenal Windows Project	100,000
Total Expenditures	<u>\$ 100,000</u>

TIF II Fund

Expenditures

Transfers Out- SC 1st Volunteers Park Project- Engineering	100,000
Total Expenditures	<u>\$ 100,000</u>

Stormwater Fund

Expenditures

Transfers Out- Pigeon Point Drainage Study- Engineering	54,000
Total Expenditures	<u>\$ 54,000</u>

Capital Projects Fund

Revenues

Transfers In- SC 1st Volunteers Park Project- Engineering	100,000
Transfers In- Arsenal Windows Project	100,000
Federal Grants- Pigeon Point Drainage Study- BRIC Grant	162,000
Transfers In- Pigeon Point Drainage Study- Engineering	54,000
Total Revenues	<u>\$ 416,000</u>

Expenditures

Capital- SC 1st Volunteers Park Project- Engineering	100,000
Capital- Arsenal Windows Project	100,000
Capital- Pigeon Point Drainage Study- Engineering	216,000
Total Expenditures	<u>\$ 416,000</u>

SECTION 2. EFFECTIVE DATE

This Ordinance shall be effective upon its enactment by the City Council for the City of Beaufort.

PHILIP E. CROMER, MAYOR

ATTEST:

TRACI GULDNER, CITY CLERK

1ST Reading August 19, 2025

2nd Reading & Adoption _____

Attachments:

- A. General Fund FY26 Budget
- B. Consolidated FY26 Revised Budget

EXHIBIT A**General Fund FY26 Budget**

	Adopted FY26 Budget	Budget Amendment #1	Revised FY26 Budget
<u>Revenues</u>			
Property Taxes	\$ 9,969,172	\$ -	\$ 9,969,172
Licenses & Permits	7,817,000	-	7,817,000
Intergovernmental	4,230,180	1,500,000	5,730,180
Franchise Fees	2,384,440	-	2,384,440
Charges for Services	1,720,245	-	1,720,245
Fines & Forfeitures	67,000	-	67,000
Miscellaneous	60,000	-	60,000
Interest	600,000	-	600,000
Transfers In	69,584	-	69,584
Issuance of Capital Lease	833,472	-	833,472
Release of Committed/Assigned Fund Balance	1,024,878	137,900	1,162,778
Total General Fund Revenues	\$ 28,775,971	\$ 1,637,900	\$ 30,413,871
<u>Appropriations</u>			
Non-Departmental	\$ 815,171	\$ -	\$ 815,171
City Council	318,249	-	318,249
City Manager	1,006,844	-	1,006,844
Finance	1,103,555	-	1,103,555
Human Resources	514,604	-	514,604
Information Technology	939,137	-	939,137
Municipal Court	690,911	-	690,911
Community & Economic Development	1,356,171	-	1,356,171
Police Operations	6,272,804	-	6,272,804
School Resource Officer	734,983	-	734,983
School Crossing Guard	24,945	-	24,945
Victims Rights	123,030	-	123,030
Fire	8,696,627	-	8,696,627
Public Works	545,431	-	545,431
Streets & Traffic	1,216,546	137,900	1,354,446
Facilities Maintenance	718,115	-	718,115
Solid Waste	1,476,050	-	1,476,050
Debt Service	1,847,798	-	1,847,798
Transfers Out	375,000	-	375,000
Total General Fund Appropriations	\$ 28,775,971	\$ 137,900	\$ 28,913,871

EXHIBIT B

Consolidated FY26 Revised Budget

			Parks &	Stormwater	State			Capital Project	
Revenues	General Fund	ARPA Fund	Tourism Fund	Fund	Accommodations	Fire Impact Fund	TIF II Fund	Fund	Total
Revenues	\$ 28,348,037	\$ 133,871	\$ 5,512,500	\$ 1,403,346	\$ 946,667	\$ 205,000	\$ 120,000	\$ 21,755,759	\$ 58,425,180
Transfers In	69,584	-	-	-	-	-	-	6,409,712	6,479,296
Issuance of Capital Lease	833,472								833,472
Release of Committed Fund	1,057,227	1,352,827	2,561,185	398,061	468,639	-	1,100,000	-	6,937,939
Release of Fund Balance	105,551	100,000	860,136	-	224,363	-	620,000	700,000	2,610,050
Total Revenues	\$ 30,413,871	\$ 1,586,698	\$ 8,933,821	\$ 1,801,407	\$ 1,639,669	\$ 205,000	\$ 1,840,000	\$ 28,865,471	\$ 75,285,937
Expenditures									
Salaries	\$ 11,232,171	\$ 94,500	\$ 2,082,991	\$ 466,620	\$ 18,366	\$ -	\$ -	\$ -	\$ 13,894,648
Benefits	4,660,301	39,371	922,817	200,336	7,363	-	-	-	5,830,188
Operating	8,859,089	100,000	2,052,032	217,490	1,044,150	-	-	-	12,272,761
Capital	1,731,062	-	345,300	-	31,567	-	740,000	28,865,471	31,713,400
Debt	2,056,248	-	969,496	518,900	-	-	-	-	3,544,644
Transfers Out	375,000	1,352,827	2,561,185	452,061	538,223	-	1,200,000	-	6,479,296
Contribution to Fund Balance	-	-	-	-	-	205,000	-	-	205,000
Total Expenditures	\$ 28,913,871	\$ 1,586,698	\$ 8,933,821	\$ 1,855,407	\$ 1,639,669	\$ 205,000	\$ 1,940,000	\$ 28,865,471	\$ 73,939,937
Net (Deficit) Surplus	\$ 1,500,000	\$ -	\$ -	\$ (54,000)	\$ -	\$ -	\$ (100,000)	\$ -	\$ 1,346,000



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 08/12/2025
From: Alan Eisenman, Finance Director
Item Name: Authorization to allow the City Manager to enter into a Contractual Agreement for Landscaping and Maintenance of the Core Commercial District
Meeting Date: August 19, 2025
Department: Finance Department

Background Information:

Introduction:

The City solicited request for proposals on RFP 2025-117 Landscaping Services- Core Commercial District.

Background:

The city received four bids by the submittal deadline of May 1st, at 3:30 PM. The bids were opened during a public meeting at that time. The 2026 fiscal year budget for these services is \$432,000. The four bids were the following:

Vendor	Year 1 Fee	Special Projects, Material Cost
Hilton Head Landscapes	\$1,164,742	\$45/hour, invoice plus 30%
Landscape Workshop	\$ 689,748	No response
The Greenery, Inc.	\$ 409,992	\$45/hour, invoice plus 30%
Tidewater Landscape Management	\$ 725,100	\$65/hour, invoice plus 20%

The selection committee completed independent proposal evaluations and rated The Greenery Inc., Landscape Workshop and Hilton Head Landscapes, as the top three most responsive proposals. The Greenery, Inc., is the incumbent contractor for these services. They have a good working relationship with the City providing these services including bathroom facilities services, special events in the Downtown Waterfront Park and additional services such as storm-related cleanup and repair.

The selection committee is unanimous in recommending The Greenery, Inc. as the lowest, most responsive bidder for these services.

Legal Authority:

City Code of Ordinances- Part 1, Chapter 4, Article A, Section 1-4004, Paragraph 9.

Staff Recommendation:

Staff recommends Council granting City Manager authorization to enter into a contract with The Greenery, Inc. for Landscape and Maintenance Core Commercial District.

Placed on Agenda For:

Action

Attachments:

1. RECOMMENDATION MEMO RFP 2025-117
2. CONTRACT RFP 2025-117
3. THE GREENERY RFP 2025-117- Removed Confidential Information

CITY OF BEAUFORT - INTERNAL MEMORANDUM

TO: SCOTT MARSHALL
FROM: JAY PHILLIPS
SUBJECT: RECOMMENDATION MEMO FOR RFP 2025-117 LANDSCAPING SERVICES – CORE COMMERCIAL DISTRICT
DATE: 8/11/25
CC: LINDA ROPER, NATHAN FARROW, BRYAN DURRANCE, ADAM WELLINS, ALAN EISENMAN

On April 3, the City solicited a request for proposals, RFP 20245-117 Landscaping Services – Core Commercial District. A public notice and RFP documents were posted on the City’s website, , the State of South Carolina Business Opportunities (SCBO) website and was advertised in the Island News. A mandatory pre-bid meeting was held on April 11. Questions were received by the April 16th deadline and answers were posted on April 23rd^h. The city received four bids by the submittal deadline of May 1st, at 3:30 PM. The bids were opened during a public meeting at that time. The 2026 fiscal year budget for these services is \$432,000.

	Year 1 Fee	Special Projects, Materials Cost
Hilton Head Landscapes	\$1,164,742	\$45/hour, invoice plus 30%
Landscape Workshop	\$ 689,748	\$/hour, invoice plus X%
The Greenery, Inc.	\$ 409,992	\$45/hour, invoice plus 30%
Tidewater Landscape Management	\$ 725,100	\$65/hour, invoice plus 20%

The selection committee completed independent proposal evaluations and rated The Greenery Inc., Landscape Workshop and Hilton Head Landscapes, as the top three most responsive proposals. The Greenery, Inc., is the incumbent contractor for these services. They have a good working relationship with the City providing these services including bathroom facilities services, special events in the Downtown Waterfront Park and additional services such as storm-related cleanup and repair.

The selection committee is unanimous in recommending The Greenery, Inc. as the lowest, most responsive bidder for these services. Upon your approval, a Notice of Intent to Award and a contract will be sent to The Greenery, Inc. and submitted for approval by City Council at the August 19th regular meeting.



CITY MANAGER
Scott Marshall
843-525-7070

COUNCIL MEMBERS:
Philip Cromer, Mayor
Mike McFee, Mayor Pro Tem
Neil Lipsitz
Mitch Mitchell
Josh Scallate

CITY OF BEAUFORT
1911 Boundary Street
BEAUFORT, SOUTH CAROLINA 29902

*Standard Agreement Between
City of Beaufort and The Greenery, Inc.*

where the basis of payment is a STIPULATED SUM

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AGREEMENT made as of the _____ day of August in the year 2025.

BETWEEN the Owner:

**CITY OF BEAUFORT
1911 BOUNDARY STREET
BEAUFORT, SOUTH CAROLINA 29902**

and the Contractor:

**THE GREENERY, INC.
97 ARROW ROAD
PO BOX 6569
HILTON HEAD, SC 29928**

The Project is:

RFP 2025-117 LANDSCAPING & MAINTENANCE CORE COMMERCIAL DISTRICT

The Owner and Contractor agree as follows:

ARTICLE 1 - THE DOCUMENTS

The Contract Documents consist of this Agreement (hereinafter "Agreement"; Conditions of the Contract (General, Supplementary, and other Conditions); the Request for Proposals No. 2025-117 (hereinafter "RFP"); the Proposal submitted in response to the RFP (hereinafter "Proposal"); any drawings, specifications, or addenda issued prior to execution of this Agreement; other documents listed in this Agreement; and Modifications issued after execution of this Agreement. These form the Contract and are as fully a part of the Contract as if attached to this Agreement or repeated herein. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations, or agreements, either written or oral. An enumeration of the Contract Documents, other than Modifications appears in Article 8.



CITY MANAGER
Scott Marshall
843-525-7070

COUNCIL MEMBERS:
Philip Cromer, Mayor
Mike McFee, Mayor Pro Tem
Neil Lipsitz
Mitch Mitchell
Josh Scallate

CITY OF BEAUFORT

1911 Boundary Street
BEAUFORT, SOUTH CAROLINA 29902

ARTICLE 2 - THE WORK OF THIS AGREEMENT-

The Greenery, Inc. shall provide all services necessary to fully execute the work described in and reasonably inferable from the Contract Documents, except to the extent specifically indicated in the Agreement to be the responsibility of others.

ARTICLE 3 - TERM

3.1 This Agreement shall become effective and the services to be provided by the Contractor shall commence on September 1, 2025. The Term of this agreement shall be for three (3) years, through August 31, 2028, with two (2) one-year optional terms. A Notice to Proceed will be issued within one (1) day of the signed agreement.

ARTICLE 4 - CONTRACT SUM

4.1 The Owner shall pay the Contractor four hundred nine thousand, nine hundred ninety-two dollars, (\$409,992) annually, for the first two years of services and four hundred forty two thousand, two hundred ninety-two dollars (\$442,292) for the third year, as described in the Proposal.

ARTICLE 5 - PAYMENTS

5.1 Payments shall be remitted monthly after an invoice for said service has been submitted to and received by the Owner.

ARTICLE 6 - TERMINATION OR SUSPENSION

6.1 The Owner may, by written notice to the Contractor, terminate the Agreement completely or partially if the Contractor is in default regarding any provision of the Contract. If the agreement is terminated by the Owner due to the Contractor's default, the Owner is not liable to the Contractor for any payment to the Contractor for any incomplete or undelivered work.

ARTICLE 7 - NOTICE

The parties' representatives for any notice required to be given herein are as follows:

7.1 The Owner's representative is:

**LINDA ROPER
500 CARTERET STREET
SUITE B2
BEAUFORT, SOUTH CAROLINA 29906**

CITY MANAGER
Scott Marshall
843-525-7070



COUNCIL MEMBERS:
Philip Cromer, Mayor
Mike McFee, Mayor Pro Tem
Neil Lipsitz
Mitch Mitchell
Josh Scallate

CITY OF BEAUFORT
1911 Boundary Street
BEAUFORT, SOUTH CAROLINA 29902

7.2 The Contractor's representative is:

**MELISSA BROCK
97 ARROWHEAD ROAD
PO BOX 6569
HILTON HEAD, SC 29928**

7.3 Neither the Owner's nor the Contractor's representative shall be changed without ten days' written notice to the other party.

ARTICLE 8 - ENUMERATION OF CONTRACT DOCUMENTS

8.1 The Contract Documents, except for Modifications issued after execution of this Agreement, are enumerated as follows:

8.1.1 The Agreement ;

8.1.2 The General Conditions, which are the City of Beaufort General Terms and Conditions as published on the Owner's website;

8.1.3 The Specifications, which are those stated in the RFP, including all addenda;

8.1.4 The Proposal;

8.1.5 Contractor's Certificates of Liability and Workers Compensation Insurance;

8.1.6 Contractor's City of Beaufort Business License; and

8.1.7 Performance and payment bonds equal to the annual contract amount.



CITY MANAGER
Scott Marshall
843-525-7070

COUNCIL MEMBERS:
Philip Cromer, Mayor
Mike McFee, Mayor Pro Tem
Neil Lipsitz
Mitch Mitchell
Josh Scallate

CITY OF BEAUFORT
1911 Boundary Street
BEAUFORT, SOUTH CAROLINA 29902

This Agreement is entered into as of the day and year first written above. Copies will be delivered to the Owner's Director of Public Works, to the Contractor for use in the administration of the Agreement, and to the Owner.

WITNESS
(Signature)

(Printed Name)

WITNESS
(Signature)

(Printed Name)

CITY OF BEAUFORT
(Signature)

CITY MANAGER

THE GREENERY, INC.
(Signature)

(Printed Name)

RFP 2025-117

**CITY OF BEAUFORT LANDSCAPING AND MAINTENANCE SERVICES
CORE COMMERCIAL AND DOWNTOWN OPERATIONS DISTRICT**



FULL-SERVICE LANDSCAPE MAINTENANCE PROPOSAL



ENHANCING PEOPLES LIVES THROUGH BEAUTIFUL LANDSCAPING

TRANSMITTAL TABLE OF CONTENTS

The Greenery Inc.
177 Bay Pines Rd
Beaufort, SC, 29906
843-785-3848
www.thegreeneryinc.com

TRANSMITTAL LETTER

- Understanding and Commitment to Perform Work
- Authorized Representatives

ACKNOWLEDGEMENTS

The Greenery Inc. proposal and proposed cost is valid and binding for ninety (90) days Following the proposal due date and will become part of the contract negotiated with the City of Beaufort.

The Greenery Inc. does not have any failed projects, suspensions, debarments or significant litigation.



UNDERSTANDING AND COMMITMENT TO PERFORM WORK

Understanding and Commitment to Perform Work

The City of Beaufort is one of, if not, the most beautiful places in Beaufort County for visitors and citizens. The natural foliage, moss draped live oak trees, rich history and peaceful waterways makes Beaufort a destination for visitors and a place citizens call home. The natural beauty of Beaufort is one of its greatest features. The landscape is an important aspect of maintaining the old-world charm of Beaufort and is reflective of the Low Country's natural environment that will continue to grow with grace and beauty over time further enhancing the lasting impressions of the city.

The Greenery understands the services that are being requested and is committed to providing services within the Contract "scope of work". The Greenery performance will be based on maintaining and using sound horticultural standards in accordance with the landscape and maintenance specifications while meeting or exceeding the City of Beaufort's requirements.

The Greenery, Inc., with its full range of landscape professionals will provide maintenance services for the contract to meet the required specifications and scope of work. The Greenery, Inc. shall provide the necessary insurance and bonding for this project.

Respectfully,

MC Brock

Melissa Brock, Director of Business Development

April 28, 2025

(Date)



COMPANY SUMMARY

CAPABILITIES STATEMENT

The Greenery Inc. is a regional company, operating exclusively in the Florida, Georgia and South Carolina markets. With over 650 employees, we are staffed to handle any size landscape contract, to react to an emergency event such as a hurricane, and to provide technical and horticultural support to any situation that may arise with your landscaping.

We fully understand the importance of image for your property .Our services are a reflection of you, and we are fully committed to your needs and expectations. We understand the nature and scope of work and we will exceed your expectations. As your valued service partner, we will strive to continually improve the aesthetics of your property.

The Greenery is committed to providing employees with a safe and healthy workplace. We believe that our employees are our greatest asset - therefore safety is our highest priority. We promote safety in the workplace because it is the right thing to do. We want to ensure that our workers remain healthy, happy and able to perform their jobs with no obstacles. The benefit shows when happy, engaged employees become more efficient at understanding your needs.

The Greenery has the ability, capacity and skill to perform this contract as detailed in the scope of work and demonstrated by our long-standing maintenance relationship both here, and in other parts of our community. We can perform the requirements of this contract within the required time parameters, without delay or issue. With the depth of our expertise, we also outperform the competitors in the markets we serve.

The Greenery is fully compliant with all laws and ordinances at the federal, state and local levels. We maintain all OSHA records as required, maintain business licenses in the areas we work and maintain all licensing requirements for the industries we serve.

The Greenery, Inc. is ranked #29 in the nation by the Lawn and Landscape industry. As an employee-owned company, our financial statements are audited annually by an independent firm. Our strong financial strength gives us the ability to continue to grow and remain profitable as demonstrated.

We are committed to operating as your service partner to maintain and enhance the beauty of your property. We feel that maintaining good communication with our clients is very important to the success of your landscape.



**ENHANCING
PEOPLES LIVES
THROUGH
BEAUTIFUL
LANDSCAPING**



AUTHORIZED REPRESENTATIVES

Bid Representatives

Dee Froehlich
Senior Business Developer
*4 Years in
Landscape Industry*
(843) 816-8369
deefroehlich@
thegreeneryinc.com

Melissa Brock
Director of Business Development
*13 Years in
Landscape Industry*
(843) 247-6026
melissabrock@
thegreeneryinc.com

Project Representatives

Brandon Duitsman
Branch Manager
Years in Landscape Industry
(843) 247-9359
brandondutisman@
thegreeneryinc.com

Miles Graves
Regional Vice President
20 Years in Landscape Industry
(843) 247-1094
miesgraves@
thegreeneryinc.com



HOW WE CAN HELP City of Beaufort



YOUR PRO-ACTIVE LANDSCAPING PARTNER

We understand the frustration of dealing with a reactive landscaper – leaving you to feel as if they are always “playing catch up” at your property. The Greenery prides itself on being a **PRO-ACTIVE PARTNER** to you and your municipality. We will look out for you! If we find areas of improvement or concern, we will come to you with our recommendation or plan. We believe it is our job to care for your landscaping, as if it's our own!

COMMUNICATION IS KEY

The Greenery will partner with you to determine the best communication practices to keep you and your municipality happy. The flow of communication should be easy and should include a checks-and-balances system, so you know your request has been handled. We will provide you with a communication plan that best suits your municipality!



NEVER MISS THE DETAILS

The top headache we hear from prospective clients is that the current landscaper simply does not have an eye for detail. This often means things are getting missed or overlooked during services. Our team ensures they spend the time it takes to touch on those details such as weeds, proper pruning and debris clean up – to make your property sparkle!



EXPERIENCE & QUALIFICATION

About The Greenery | Company Profile Capabilities Statement Org Charts |
Resumes | Communication | Reporting | E-Verify | Drug-Free Workplace |
Training Programs | Safety



FULL-SERVICE LANDSCAPE PROPOSAL



LANDSCAPING MAINTENANCE | IRRIGATION | FERTILIZATION | SEASONAL
COLOR | MULCH/PINESTRAW | PALM TREE PRUNING

PROPOSALS PRINCIPAL STRENGTHS

KEY STRENGTHS



PRICE

Our pricing includes the full scope of services along with the buying power of a Top 100 company (#29 in the country on the Lawn & Landscape Top 100). The relationships with vendors and buying capabilities enable competitive pricing to clients.

AVAILABILITY

The Greenery Inc. employs over 650 employees in the markets we serve. With plentiful resources and a robust workforce, The Greenery can provide quality service in a timely manner.

PERFORMANCE / REPUTATION

The Greenery has 52 years of experience and has demonstrated consistently high standards of performance. We are also able to attract and retain the most educated and professional staff in the industry. We also consistently outperform the competition in terms of employee retention and satisfaction.

FINANCIAL CAPABILITY

The financial strength of The Greenery is excellent. We continually re-invest in our people, equipment, technology and future. The Greenery has many satisfied customers as references for our current maintenance operations.

TECHNICAL APPROACH

We utilize the latest technology available in the landscaping industry. This allows us to maintain a comprehensive quality control process which ensures safety and curb appeal for our clients. These systems allow for regular inspections to be performed in order to identify areas of improvement or adjustments to ongoing maintenance routines. These advances equate to higher efficiencies and great savings for our clients.



SAFETY IS OUR HIGHEST PRIORITY

A daily inspection is conducted of all our equipment and vehicles. We employ an in-house staff of mechanics who are certified technicians. These team members follow a "Preventative Maintenance Schedule System" to keep assets in top condition for optimum performance. All drivers have their driving records reviewed and are part of our weekly Safety Training Program.

COMPANY PROFILE



FOUNDED	1973 100% Employee Owned Since 2003
SENIOR MANAGEMENT	W. Lee Edwards President & CEO Ben Campsey, CPA Chief Operations Officer
RANKED	#29 the Country by Lawn & Landscape Magazine
REVENUE	\$60M+ per year
EMPLOYEES	650+

STAFF SUMMARY

Horticulturists	36	Crew Foremen	167
FL Certified Applicator		Certified Landscape Technicians	26
License Holder	1	Seasonal Color Technicians	16
SC Certified Applicators	36	Certified Irrigation Technicians	23
GA Certified Applicators	9	Mechanics	18
Area Supervisors	51		

EQUIPMENT

Vehicles	350+	Sports Turf Mowers	18
Tractor/Bobcats		Mini-Loaders	11
27		2 Cycle Equipment	1,000+
Production Mowers	250		
Wide Area Mowers	10		

COMPANY DATA

Corporate Mailing Address: PO Box 6569, Hilton Head, SC 29938
Business Entity Name: The Greenery Inc..
Website: www.thegreeneryinc.com
FEI/EIN Number: 56-1027469
Incorporation Date: 1973
NAICS Code: 54-541
SIC Code: 87-871

Bluffton – Hardeeville Office
2724 Medical Center Dr.
Hardeeville, SC 29927

Beaufort Office
177 Bay Pines Road
Beaufort, SC 29906

Charleston Office
5080 Coosaw Creek Dr.
North Charleston, SC 29420

Construction Office
2724 Medical Center Dr.
Hardeeville, SC 29927

Daytona Beach Office
140 S. Beach Street, Ste 310
Daytona Beach, FL 32114

Greenville – Spartanburg Office
1003 Woods Chapel Road
Greer, SC 29334

Hilton Head Island – Daufuskie Island
97 Arrow Road
Hilton Head, SC 29928

Amelia Island Office
1417 Avery Road
Amelia Island, FL 32034

Jacksonville Office
10418 New Berlin Rd
Jacksonville, FL 32226

St. Augustine Office
Opening 2024

Hilton Head Island – Corporate Office
93 Arrow Road
Hilton Head, SC 29928

Hilton Head Island – Garden Center & Nursery
960 William Hilton Pkwy.
Hilton Head, SC 29928

Palmetto Bluff Office
71 Ormsdale
Bluffton, SC 29910

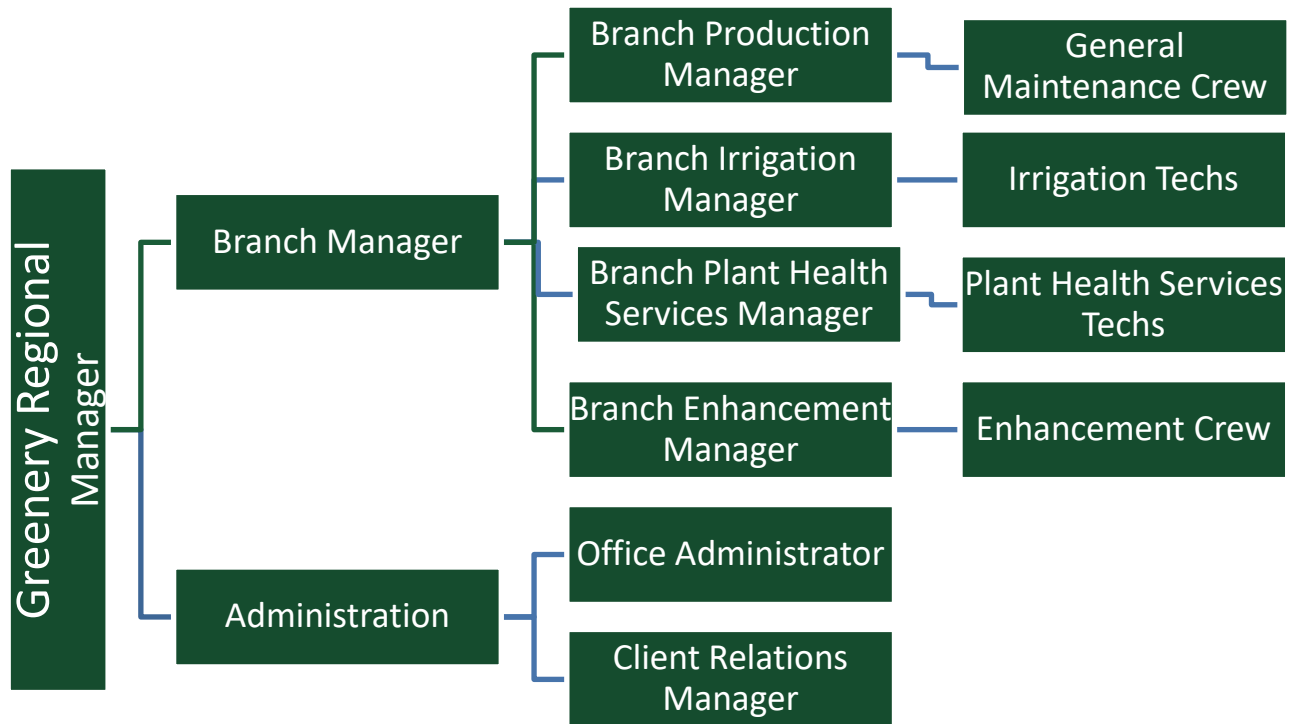
Savannah Office
2400 Tremont Road
Savannah, GA 31405

Sun City Office
12 Okatie Maintenance Rd.
Okatie, SC 29909



STAFFING LEVELS

ORGANIZATIONAL CHART



NALP CERTIFICATES



WORK HISTORY & REFERENCES

Local Client References & Letters



FULL-SERVICE LANDSCAPE PROPOSAL



LANDSCAPING MAINTENANCE | IRRIGATION | FERTILIZATION | SEASONAL
COLOR | MULCH/PINESTRAW | PALM TREE PRUNING

WORK HISTORY

Describe in detail your contracting experience in providing landscaping and maintenance services including information referencing the actual services performed and length of tenure.

The Greenery has been in a great partnership with the City of Beaufort for the Waterfront Park since 2011, and with the Public Works Right of Way contract since 2020. Down at the Waterfront Park, The Greenery has worked hand in hand with the downtown operations team to keep the Waterfront Park which is the Crown Jewel of Beaufort welcoming for all visitors and locals alike. Our onsite and direct reporting maintenance team and managers have teamed up with local vendors and City of Beaufort Management to provide high end and quality services for all the festivals, events and gatherings that take place at the Waterfront Park. We help vendors with load in of trailers, supplies and set up for their events. We then help break down for the event, and ensure all trash and debris is picked up and hauled off. Our goal is bringing back the look of the park to how it was before the start of the event. Our team is directly responsible for the appearance of the Core District, marina and the WFP itself. We perform morning inspection of the entire park looking for safety concerns around the walking paths, brick areas, and around the playground. We ensure bathrooms are stocked full of materials and are always clean. Our team opens the restrooms before the day gets started and then cleans and closes them at the end of the day as well. We lock all bathrooms to prevent vandalism and loitering around the premises. Our team also provides all the horticultural services that take place as well. This includes but is not limited to the following, mowing of turf, blowing, trimming, pruning, chemical application, floral installation, and maintenance. We take great pride in the overall appearance of the park. We understand the importance of this area to the community and all that is involved to make sure that the Waterfront Park continues to shine.

The Greenery has teamed up with the Public Works Department with the City of Beaufort to perform routine maintenance for the Right of ways around the City of Beaufort. This includes the Spanish Moss trail from Parris Island Gateway down to Westvine Drive. Our team police's this trail every 2 weeks to ensure that all grass is cut, weeds are trimmed, sprayed and leaves and debris are blown clear of the trail. We work hand in hand with the public works team to ensure that the trail is safe and open to all visitors and locals alike. Boundary Street, Hwy 170 and Ribaut road are the 3 busiest and most traveled roadways in Beaufort. Our team works safely along these roadways to ensure that all grass is cut, weeds are sprayed, trees and bushes pruned for line-of-sight visibility and overall safety to the public. Our team is equipped with safety signs, high visibility safety vests and safety cones to ensure that our employees come home safely each afternoon.



WORK SCHEDULE

OPERATIONAL PERFORMANCE MAPS | CLIENT PROVIDED RFP



FULL-SERVICE LANDSCAPE PROPOSAL



LANDSCAPING MAINTENANCE | IRRIGATION | FERTILIZATION | SEASONAL
COLOR | MULCH/PINESTRAW | PALM TREE PRUNING

NARRATIVE DESCRIPTION

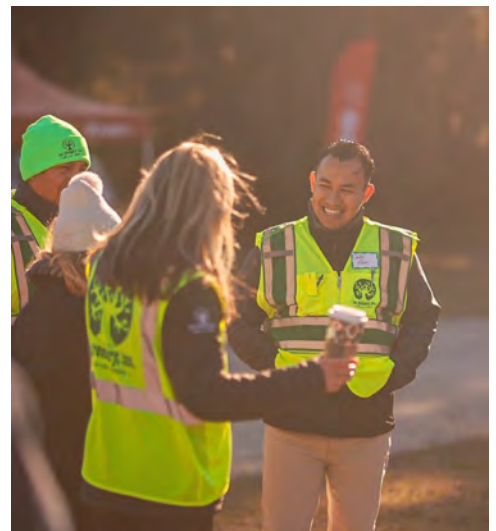
FOR THE GREENERY'S APPROACH

TO PROVIDE SERVICES AT CITY OF BEAUFORT

This is the true crown jewel of the City of Beaufort. If you ask anybody about the city, odds are they will mention the Waterfront Park. After working down here since 2011 we get the importance of a true partnership with the city. We can't do it without the communication and support that the downtown operations staff gives us. We enjoy working side by side with them during preparation for the festivals, getting ready for 1st Friday's, and exhaling after another successful Waterfest, Taste, or shrimp festival!

Our team has grown accustomed to the difference in schedules and the importance of making sure the restrooms are open early, closed late and clean and ready for all the visitors the city will be receiving on that day. Also our switch to battery powered equipment has helped with the noise pollution in the park on a daily basis. Nobody enjoys the constant drone of hearing backpack blowers clean up debris all day long. With our commitment to investing in battery powered equipment people can now sit and walk around the area and communicate and enjoy themselves instead of shouting or trying to talk over the loud noises. It helps create a much more inviting and welcome place and gives a new perspective on getting to sit and relax along the sea wall enjoying the boats and views. Helping vendors prepare for the craft market, serving food or drinks to the guests and just showing a new visitor to the park where certain stores or restrooms are located at. Anybody can come in and mow the grass, spray the weeds, and blow off some sidewalks, but I feel very few can present the dedication, commitment, and passion that our team has for working down at the park.

Somebody once told me that we're a customer service company that happens to cut grass. We want to ensure that when anybody visits the core district or park, they leave with a memorable experience that wants them to return because of the cleanliness, politeness and over all appearance of the area. We have appreciated partnering with the City of Beaufort for the past 10+ years, and we look forward to continuing this journey together.

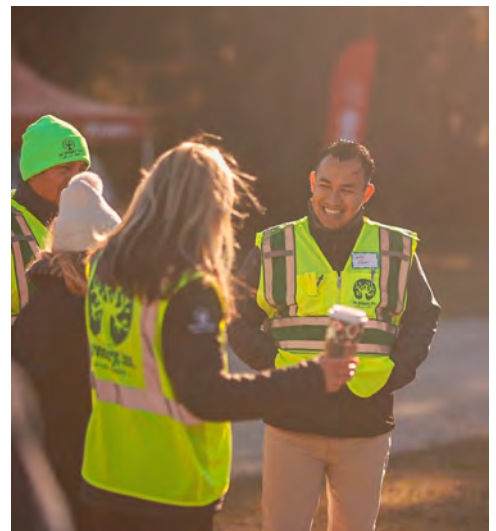


NARRATIVE DESCRIPTION

FOR THE GREENERY'S APPROACH

TO PROVIDE SERVICES AT CITY OF BEAUFORT

- The Greenery understands the Scope of Services as laid out in the Request for Proposal for City of Beaufort.
- The Greenery will provide the correct number of qualified staff members to complete the full scope of work, as required in the RFP.
- Our teams will follow set production maps to ensure efficiency and completeness of contract during each visit.
- We will create the required reporting for City of Beaufort and supply all reporting by deadline each month – including plant health inspections and reporting, as required in the Scope of Services.
- We will follow the set calendar of days of service – we promise to be there when we say we will.
- We will ensure the right number of team / crew members are on site during each service.
- Issues, questions and weather adjustments that may be required to be reported or noted during the contract period will be done so in a timely manner.
- All required meetings with management and staff at City of Beaufort will be attended by The Greenery personnel – specifically your assigned Client Relationship Manager, and other managers and team members will join, as required (i.e., Irrigation Manager, Plant Health Services Manager, Branch Manager, Production Manager, etc.).

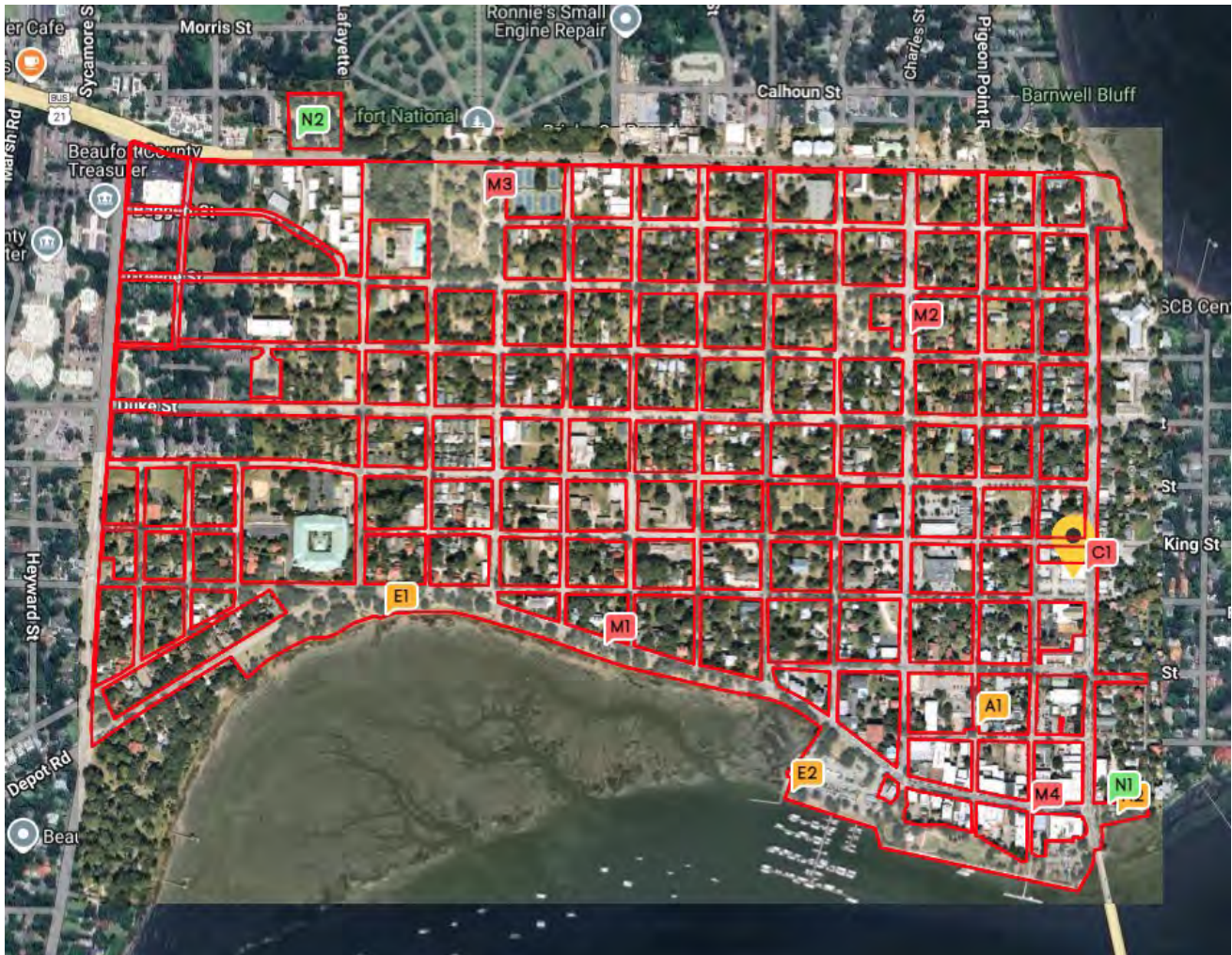


the greenery, inc.®
— EMPLOYEE OWNED —

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OPERATIONAL PERFORMANCE

CITY OF BEAUFORT LANDSCAPE MAINTENANCE MAP:



Service Areas are Highlighted as Shown

LANDSCAPING & FINANCIAL PROPOSAL

FEE SCHEDULE | BUSINESS & PESTICIDE LISENCE



FULL-SERVICE LANDSCAPE PROPOSAL



LANDSCAPING MAINTENANCE | IRRIGATION | FERTILIZATION | SEASONAL
COLOR | MULCH/PINESTRAW | PALM TREE PRUNING

CITY OF BEAUFORT
RFP SIGNATURE PAGE
LANDSCAPING AND MAINTENANCE SERVICES
CITY CORE COMMERCIAL & DOWNTOWN OPERATIONS LOCATIONS
RFP 2025-117

SUBMITTER OF PROPOSAL'S NAME: Melissa Brock on behalf of The Greenery Inc

The undersigned, having become familiar with the existing conditions and the Proposal Scope of Services hereby proposed, agrees to complete the work as described in accordance with the Request for PROPOSAL and Contract Documents.

Submitters warrants that no gratuities, in the form of gifts, entertainment, or otherwise, were offered or given by the Submitter of PROPOSAL, to any officer or employee of the City with a view toward securing the contract or securing favorable treatment with respect to any determination concerning the performance of the contract.

This offer is genuine and not made in interest of or on behalf of any undisclosed person, vendor or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Submitters has not directly induced or solicited any other Submitters to submit false or sham bid; Submitters has not solicited or sought by collusion to obtain for itself any advantage over any other Submitters or other Owner.

The words "Bidder", "Offeror", "Submitter of PROPOSAL", "Vendor", and "Company" are used interchangeably throughout this solicitation, and are used in place of the person, vendor, or corporation submitting a solicitation.

Submitters has examined copies of all documents and of the following addenda (if applicable):

Addendum No.	Date
<u>1</u>	<u>4/28/2025</u>
<u>2</u>	<u>4/28/2025</u>
_____	_____

Address: Post Office Box: P.O. Box 6569, Hilton Head, SC Zip: 29938
 Street: 97 Arrow Rd Zip: 29928
 City: Hilton Head State: _____
 Telephone: 843-785-3848
 Email: melissabrock@thegreeneryinc.com

*Signature: MCBrock Title: Director of Business Development

Proposal will not be accepted unless signed in ink (not typed) in the appropriate space by an authorized officer or employee of the bidder.

Printed Name: Melissa Brock Date: 4/28/25

LANDSCAPING AND MAINTENANCE FINANCIAL PROPOSAL

Year 1

SCOPE TOTAL PRICE PER YEAR

Mowing
Line Trimming
Edging
Turf Management
Ornamental and Bed Maintenance
Tree Maintenance
Irrigation Maintenance
Waterfront Park Playground
Janitorial Services to Public Facilities
Sidewalks, Parking lot, Street, and Curb Sweeping
Miscellaneous Services

TOTAL ANNUAL COST: \$409,992.00

TOTAL MONTHLY FEE: \$34,166.00

ADDITIONAL WORK PRICING

For special projects that are outside of the scope of the main contract, charges would be calculated as follows:

1. Labor would be charged for actual time spent performing the work at \$ 45.00 /man hour.
2. Materials would be charged at our invoice cost plus 30 %.

Acknowledgement of Addendum: [Signature] (#1 & #2)

Submitted by: [Signature]

Company Name: The Greenery Inc

By: Deirdre Froehlich

Title: Senior Business Developer

Signature of Authorized Company Official: MC Brock Date: 4/20/25

CERTIFICATION

The undersigned Bidder, having carefully examined the RFP and all subsequent Addenda, hereby agrees to furnish all labor and services, according to the requirements of the RFP and all subsequent Addenda for the amount(s) provided above. The undersigned Bidder agrees to execute a contract for this Work in the above amount(s) and to furnish a surety bond as specified within 10 days after a written Notice of Award. Each component will be evaluated separately and awarded in whole or in part.

Signature: MC Brock Date: 4/20/25

Printed Name: Melissa Brock Title: Director of Business Development

LANDSCAPING AND MAINTENANCE FINANCIAL PROPOSAL

Year 2

SCOPE TOTAL PRICE PER YEAR

Mowing
Line Trimming
Edging
Turf Management
Ornamental and Bed Maintenance
Tree Maintenance
Irrigation Maintenance
Waterfront Park Playground
Janitorial Services to Public Facilities
Sidewalks, Parking lot, Street, and Curb Sweeping
Miscellaneous Services

TOTAL ANNUAL COST: \$409,992.00

TOTAL MONTHLY FEE: \$34,166.00

ADDITIONAL WORK PRICING

For special projects that are outside of the scope of the main contract, charges would be calculated as follows:

1. Labor would be charged for actual time spent performing the work at \$ 45.00 /man hour.
2. Materials would be charged at our invoice cost plus 30 %.

Acknowledgement of Addendum: _____ (#1 & #2)

Submitted by: _____

Company Name: The Greenery Inc

By: Deirdre Froehlich

Title: Senior Business Developer

Signature of Authorized Company Official: MCBrock Date: 4/28/25

CERTIFICATION

The undersigned Bidder, having carefully examined the RFP and all subsequent Addenda, hereby agrees to furnish all labor and services, according to the requirements of the RFP and all subsequent Addenda for the amount(s) provided above. The undersigned Bidder agrees to execute a contract for this Work in the above amount(s) and to furnish a surety bond as specified within 10 days after a written Notice of Award. Each component will be evaluated separately and awarded in whole or in part.

Signature: MCBrock Date: 4/28/25

Printed Name: Melissa Brock Title: Director of Business Development

LANDSCAPING AND MAINTENANCE FINANCIAL PROPOSAL

Year 3

SCOPE TOTAL PRICE PER YEAR

Mowing
Line Trimming
Edging
Turf Management
Ornamental and Bed Maintenance
Tree Maintenance
Irrigation Maintenance
Waterfront Park Playground
Janitorial Services to Public Facilities
Sidewalks, Parking lot, Street, and Curb Sweeping
Miscellaneous Services

TOTAL ANNUAL COST: \$422,292.00

TOTAL MONTHLY FEE: \$35,191.00

ADDITIONAL WORK PRICING

For special projects that are outside of the scope of the main contract, charges would be calculated as follows:

1. Labor would be charged for actual time spent performing the work at \$ 45.00 /man hour.
2. Materials would be charged at our invoice cost plus 30 %.

Acknowledgement of Addendum: _____ (#1 & #2)

Submitted by: _____

Company Name: The Greenery Inc

By: Deirdre Froehlich

Title: Senior Business Developer

Signature of Authorized Company Official: MC Brock Date: 4/28/25

CERTIFICATION

The undersigned Bidder, having carefully examined the RFP and all subsequent Addenda, hereby agrees to furnish all labor and services, according to the requirements of the RFP and all subsequent Addenda for the amount(s) provided above. The undersigned Bidder agrees to execute a contract for this Work in the above amount(s) and to furnish a surety bond as specified within 10 days after a written Notice of Award. Each component will be evaluated separately and awarded in whole or in part.

Signature: MC Brock Date: 4/28/25

Printed Name: Melissa Brock Title: Director of Business Development

WORK HISTORY

- ii. A description of how services will be billed.

All maintenance invoices are sent out on the 1st business day of the month. Pinestraw, floral and palm trees will be included in your fixed monthly cost. There will be no other surprise or extra invoices regarding maintenance related items. All included in 1 fixed even cost over the course of the 12 months of the year.

- iii. A description of additional charges, out-of-pocket expenses for travel, subsistence, etc.

Everything other than proposed enhancement work is covered inside of the contract.

LICENSES & CERTIFICATIONS

POST IN A
CONSPICUOUS
PLACE

City of Beaufort Business License

License Number



1758
2025

THE GREENERY, INC.
LEE EDWARDS
PO BOX 6569
HILTON HEAD ISL, SC 29938

This License Expires:
04/30/2026

Account Number: 1003

This License May be Revoked at
Any time by the City Council

Business Name: THE GREENERY, INC.

Date Issued:

Business Location: 167 BAY PINE RD
BEAUFORT, SC 29906

Classification: ADMIN RATE CLASS 3

A handwritten signature in black ink, appearing to read "A. R. Eason".

Authorizing Official

Department of Pesticide Regulation 511 Westinghouse Road Pendleton, South Carolina 29670 Email: dprca@clemson.edu	SOUTH CAROLINA COMMERCIAL CERTIFIED PESTICIDE APPLICATOR LICENSE	THIS CERTIFICATE EXPIRES: December 31, 2025
CERTIFIED IN CATEGORIES: 	The Great Seal of the State of South Carolina, featuring a palmetto tree and a figure holding a sword, surrounded by the words "SOUTH CAROLINA" and "DUM SPIRO Spero".	License Number: C0015722 A standard 1D barcode representing the license number C0015722.
THIS CERTIFIES THAT: MILES GRAVES PO BOX 6569 HILTON HEAD ISLAND, SC 29938	A handwritten signature in black ink, appearing to read "Sgt. E. E. E.". _____ DIRECTOR, REGULATORY AND PUBLIC SERVICE PROGRAMS	A handwritten signature in black ink, appearing to read "G. J. J.". _____ DEPUTY DIRECTOR, REGULATORY AND PUBLIC SERVICE PROGRAMS
IS QUALIFIED AS A CERTIFIED PESTICIDE APPLICATOR AS SPECIFIED IN THE SOUTH CAROLINA PESTICIDE CONTROL ACT		



OTHER INFORMATION

LAWSUITS/ARBITRATION | ADDENDUM ACKNOWLEDGEMENT | BID
BOND & SURETY LETTER | FINANCIALS



FULL-SERVICE LANDSCAPE PROPOSAL



LANDSCAPING MAINTENANCE | IRRIGATION | FERTILIZATION | SEASONAL
COLOR | MULCH/PINESTRAW | PALM TREE PRUNING

LITIGATION/ARBITRATION

The Greenery, Inc. has never received any federal, state or local government regulatory investigations, findings, debarments, actions or complaints.

The Greenery, Inc. has not had any lawsuits filed by current or former clients or customers.

There is no present civil litigation for malfeasance or nonfeasance against the Greenery, Inc.

The Greenery filed suit against a vendor for product failure in 2010. The suit was settled favorably for the Greenery for an undisclosed amount in 2012.

The Greenery has filed multiple small claims suits against clients for nonpayment of services rendered.

ADDENDUM ACKNOWLEDGEMENTS

Addendum # 1 dated 04/28/2025

Addendum # 2 dated 04/28/2025





ATLANTIC SPECIALTY INSURANCE COMPANY

605 Highway 169 North, Suite 800
Plymouth, Minnesota 55441

Bid Bond

CONTRACTOR:

(Name, legal status and address)

The Greenery, Inc

P.O. Box 6569

Hilton Head Island, SC 29938

OWNER:

(Name, legal status and address)

City of Beaufort

1911 Boundary Street

Beaufort, SC 29902

BOND AMOUNT: 5% of the Bid Amount

PROJECT:

(Name, location or address and Project number, if any)

Landscaping and Maintenance Services

Core Commercial and Downtown Operations

District Locations RFP No.2025-117

SURETY:

(Name, legal status and principal place of business)

Atlantic Specialty Insurance Company

605 Highway 169 North, Suite 800

Plymouth, Minnesota 55441

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 1st day of May, 2025

(Witness)

The Greenery, Inc

Principal (Seal)
Director of Business Development
(Title)

Jasmin Summers

(Witness)

Atlantic Specialty Insurance Company

(Surety)
Brooks K. Moody, Attorney-In-Fact
(Title), (Seal)

The language in this document conforms exactly to the language used in AIA Document A310 – Bid Bond 2010 edition.



Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: **Brooks K. Moody, Derrick L. Wrigley, Kenneth A. Finch**, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: **unlimited** and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this first day of January, 2023.

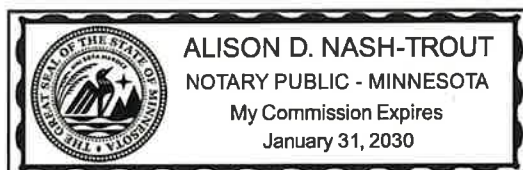
STATE OF MINNESOTA
HENNEPIN COUNTY



By

Sarah A. Kolar, Vice President and General Counsel

On this first day of January, 2023, before me personally came Sarah A. Kolar, Vice President and General Counsel of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and she acknowledged the execution of the same, and being by me duly sworn, that she is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.



Notary Public

I, the undersigned, Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated 1st day of May, 2025



Kara L.B. Barrow, Secretary

This Power of Attorney expires
January 31, 2030

REQUIRED FORMS

COI | ETHICS IN PUBLIC CONTRACTING | NON COLLUSION | MWBE FORMS |
NON RESIDENTIAL TAXPAYER AFFIDVIT | RFP SIGNATURE PAGE | PRICE
SUMMARY



FULL-SERVICE LANDSCAPE PROPOSAL



LANDSCAPING MAINTENANCE | IRRIGATION | FERTILIZATION | SEASONAL
COLOR | MULCH/PINESTRAW | PALM TREE PRUNING

CERTIFICATE OF INSURANCE



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/28/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Scott Insurance - Charlotte 521 E. Morehead Street Suite 300 Charlotte NC 28202		CONTACT NAME: Amy Conner PHONE (A/C, No, Ext): 704-556-1341 E-MAIL ADDRESS: aconner@scottins.com FAX (A/C, No): 704-556-7681	
INSURED The Greenery, Inc. P.O. Box 6569 Hilton Head Island SC 29938		INSURER(S) AFFORDING COVERAGE INSURER A: Zurich American Insurance Company (A+) NAIC # 16535 INSURER B: Travelers Property Casualty Company of America (A+) 25674 INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER: 285141359

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WYD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☐ LOC. ☐ OTHER		GLO 3433379	10/1/2024	10/1/2025	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY		BAP 3433380	10/1/2024	10/1/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☒ RETENTION \$ 10,000		CUP-7S07789A	10/1/2024	10/1/2025	EACH OCCURRENCE \$ 9,000,000 AGGREGATE \$ 9,000,000 \$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below.	Y/N ☐ N/A	WC 3433378	10/1/2024	10/1/2025	☒ PER STATUTE ☐ OTH-ER E L EACH ACCIDENT \$ 1,000,000 E L DISEASE - EA EMPLOYEE \$ 1,000,000 E L DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 The City of Beaufort, its officers, officials, employees and agents are an additional insured as respects General Liability and Auto Liability on a primary, non-contributory basis, if required by written contract. A waiver of subrogation as respects Workers Compensation applies in favor of the certificate holder if required by written contract.

CERTIFICATE HOLDER

City of Beaufort
 1911 Boundary St.
 Beaufort SC 29902

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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ACORD 25 (2016/03)

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ETHICS IN PUBLIC CONTRACTING AFFIDAVIT

STATE OF South Carolina)

COUNTY OF Beaufort)

Deirdre Froehlich, being first duly sworn, deposes and says that:

1. He/She is Senior Business Developer (title) for/of The Greenery Inc (company/business), the Proposer that has submitted the attached Statement of Proposals;
2. He/She is legally qualified and capable of signing this affidavit and is authorized to do so by Proposer;
3. He/She is fully informed regarding the preparation and contents of the attached Statement of Proposal and of all pertinent circumstances respecting such Proposal;
4. Such Proposal is genuine and is made without fraud;
5. Neither the said Proposer, nor any of its officers, partners, owners, agents, representatives, employees, or parties in interest has offered or received any kickbacks or inducements from any offeror, suppliers, manufacturer, or subCompany in connection with the offer, and they have not conferred on any public employee, public member, or public official having official responsibility for this procurement or transaction, any payment, loan, subscription, advance, deposit of money, services, or anything of value as defined in Section 8-13-100 of the South Carolina Code of Laws; and
6. Furthermore, neither the Proposer, nor any of its officers, partners, owners, agents, representatives, employees or parties in interest has any relationship with the City, another person, or organization that interferes with fair competition or that constitutes a conflict of interest with respect to a contract with the City.

April 28, 2025

DATE

The Greenery Inc

COMPANY/BUSINESS

BY: [Signature]

SIGNATURE

Dee Froehlich

PRINTED NAME

ITS: Senior Business Developer

TITLE

SWORN to before me this 28th
day of April, 2025

Notary Public for South Carolina (state)

My commission expires: May 11, 2032

By: [Signature]
(signature)

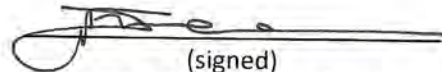
NONCOLLUSION AFFIDAVIT OF PRIME PROPOSER

STATE OF South Carolina)

COUNTY OF Beaufort)

Dee Froehlich, being first duly sworn, deposes and says that:

1. He/She is Senior Business developer of The Greenery Inc, the Proposer that has submitted the attached proposal;
2. He/She is fully informed respecting the preparation and contents of the attached proposal and of all pertinent circumstances respecting such proposal;
3. Such Proposal is genuine and is not a collusive or sham proposal;
4. Neither the said Proposer nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived, or agreed, directly or indirectly with any other Proposer, company or person to submit a collusive or sham Proposal in connection with the Contract for which the attached Proposal has been submitted or to refrain from proposing in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other proposer, company or person to fix the price or prices in the attached Proposal or of any other proposer, or to secure through any other proposal, or to fix any overhead, profit or cost element of the bid price or the bid price of any other proposer, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Beaufort, SC or any person interested in the proposed contract.



(signed)

Senior Business Developer

(title)

SWORN to before me this 28th
day of April, 2025

Notary Public for South Carolina (state)

My commission expires: May 11, 2032

By: McBrock
(signature)

SMALL/WOMAN-OWNED/MINORITY BUSINESS ENTERPRISE FORM	
YOUR COMPANY'S CURRENT STATUS	SUPPLIER BUSINESS CLASSIFICATIONS
Is this a small business? Yes ☒ No	A small business is a business which is independently owned and operated, not dominant in its field of operation, and can qualify under criteria concerning number of employees, average annual receipts, or other criteria as outlined by the Small Business Administration. (See CFR Title 13, Part 121, as amended)
Is this a woman-owned business? Yes ☒ No	A woman-owned business is a business which is at least 51% owned by a woman or women who also control and operate the business.
Is this a minority-owned business? Yes ☒ No If Yes, please indicate minority group: ___ Asian American ___ Black American ___ Hispanic American ___ Native American	A minority-owned business is a business which is at least 51% owned, controlled and operated by socially and economically disadvantaged individuals. The following groups are among those presumed to be socially and economically disadvantaged: Asian Americans, Black Americans, Hispanic Americans, and Native Americans.
Is this a disabled-owned business? Yes ☒ No	A disabled-owned business is a business which is at least 51% owned, controlled and operated by an individual or individuals who are disabled.
Is this a veteran-owned business? Yes ☒ No	A veteran-owned business a business which is at least 51% owned, controlled and operated by an individual or individuals who are U.S. veterans.
Is this a disabled veteran-owned business? Yes ☒ No	A disabled veteran-owned business is a business which is at least 51% owned, controlled and operated by an individual or individuals who are U.S. veterans and disabled.
Are the individuals who own, control and operate this business U.S. citizens? ☒ Yes No	
Is this business a non-profit organization? Yes ☒ No	
Is this business incorporated? ☒ Yes No	

1350



STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE

**NONRESIDENT TAXPAYER REGISTRATION
AFFIDAVIT INCOME TAX WITHHOLDING**

I-312
(Rev. 4/18/24)
3323

dor.sc.gov

Mail to: The company or individual you are contracting with.

The undersigned nonresident taxpayer hereby certifies as follows:

Legal business name: _____ FEIN: _____

Trade name if applicable (doing business as): _____

Mailing address: _____

City: _____ State: _____ ZIP: _____

Check and complete one:

☐ Hiring or contracting with:

Name: _____

Mailing address: _____

City: _____ State: _____ ZIP: _____

☐ Receiving rentals or royalties from:

Name: _____

Mailing address: _____

City: _____ State: _____ ZIP: _____

I hereby certify that the above named nonresident taxpayer is currently registered with (check the appropriate box):

☐ The South Carolina Secretary of State (SOS) or

☐ The South Carolina Department of Revenue (SCDOR):

Date of registration: _____

I understand that by this registration, the above named nonresident taxpayer has agreed to be subject to the jurisdiction of the SCDOR and the courts of South Carolina to determine its South Carolina tax liability, including estimated taxes, together with any related interest and penalties.

I understand the SCDOR may revoke the withholding exemption granted under SC Code Section 12-8-550 (temporarily doing business or professional services in South Carolina) or SC Code Section 12-8-540 (rentals) at any time it determines that the above named nonresident taxpayer is not cooperating with the SCDOR in the determination of its correct South Carolina tax liability.

I hereby certify that I have examined this affidavit and to the best of my knowledge and belief, it is true, correct, and complete. I understand that under SC Code Section 12-54-44 (B)(6)(a), I can be fined and/or imprisoned for furnishing a false statement.

Signature of nonresident taxpayer (owner/partner/corporate officer when relevant)

Date

Print name

If corporate officer, state title

33231044

ADDITIONAL INFORMATION

TIMELINES COMMUNICATION & REPORTING | E-VERIFY & DRUG FREE
WORKPLACE | TRAINING PROGRAMS | TRAINING PROGRAMS | SAFETY |
EQUIPMENT & TECHNOLOGY | SUSTAINABILITY | STORM READINESS



FULL-SERVICE LANDSCAPE PROPOSAL



LANDSCAPING MAINTENANCE | IRRIGATION | FERTILIZATION | SEASONAL
COLOR | MULCH/PINESTRAW | PALM TREE PRUNING

OUR COMMITMENT TO EXCELLENT COMMUNICATION

YOUR CLIENT RELATIONSHIP MANAGER

AT THE GREENERY, WE ARE BUILT DIFFERENT



We want to make your job easier! Here is how we make that happen:

- You will be assigned a **DEDICATED** Client Relationship Manager (CRM)
- They will be your **SINGLE-POINT-OF-CONTACT** for all of your needs. You will never need to guess who you should reach out to in order to get anything accomplished regarding your landscaping.
- The Greenery created this position **SPECIFICALLY** to be the liaison between you and what is happening on your property.
- If any issues arise, they are just a call, text or email away.

WE PLEDGE TO RESPOND



- As your trusted advisor, your CRM will work with you to enhance the beauty and vitality of your property
- At the beginning of the partnership, your CRM will work with you to determine the exact reporting you would find most beneficial, and ensure it is completed on time, every time – and can provide weekly and/or monthly reporting for things such as plant health, recommendations to improve the property or any other items that you find valuable to track.
- They will work continuously with you to complete all required reporting for the property.
- They will attend all required meetings with you on-site and for all required board meetings.
- Your CRM will work with you on special projects, such as event prep, plantings, clean-ups, playground / dog park mulch, etc.
- They will work with you to ensure completion of all punch list items that need to be addressed.

THEIR JOB IS SPECIFICALLY TO COMMUNICATE WITH YOU!

RESPONSIVENESS THROUGH PROPER COMMUNICATION

City of Beaufort

COMMUNICATION VIA REPORTING

REPORTING

Monthly Reporting: On a monthly basis, The Greenery's management team will hold an on-site safety/quality assurance meeting with City of Beaufort team. This meeting will also include the Contractor's on-site staff that routinely work on the property. During this meeting City of Beaufort and the Contractor's management team will discuss the quality of the landscape/irrigation, safety, lessons learned, upcoming chances of severe weather, district concerns, etc. This meeting will be documented by The Greenery with detailed meeting minutes and provided to City of Beaufort Facility Manager within 5 business days after completing each meeting.

Monthly Property Inspection: Once per month a senior representative from The Greenery will accompany the Facility Manager or designee for a windshield inspection of the property. The schedule for these inspections will be agreed to by both parties via email and text. Upon completion of the inspection The Greenery will provide a write-up of the inspection and provide details of any deficiencies noted with a timeline to remedy all repairs or issues with 72 hours, along with the punch list.

Irrigation Reporting: A once per month, inspection of the irrigation system will be complete, and The Greenery will provide a detailed report of any issues noted and a list of all repairs made during the inspection. This report outlining all zone inspections shall be provided via email to the Facility Manager or designee upon completion for review. The Greenery will provide a list of recommendations to the district for improving the irrigation system to conserve water for consideration, as those are found.

Weekly Landscape Checklist: Upon successful completion of each week's landscaping/irrigation activities The Greenery will notify the Facility Manager, who will then inspect the property and complete the required "weekly landscape checklist" to ensure the terms and conditions of this contract are being fulfilled.

RESPONSIVENESS THROUGH PROPER COMMUNICATION

City of Beaufort

COMMUNICATION CONTINUED

ATTENDANCE AT MEETINGS

Board Meeting Attendance:

- If requested, The Greenery, Inc. will attend any regularly scheduled board meetings, during which we will provide a general status update of the properties condition. If needed, we will also provide a detailed presentation to address any issues as directed by the Facility Manager or designee, before the board and residents.

General Meeting Attendance:

- Team members from The Greenery, Inc. are always available to attend regularly scheduled meetings.

LICENSURE

- The Greenery, Inc. will continue to maintain the appropriate licensure for business operation within the State of South Carolina.
- This includes pest control licensure, applicable business licenses, etc.

**The Greenery understands the full scope of work,
along with the importance of reporting,
communication & safety at City of Beaufort!**



SAFETY = OUR # 1 PRIORITY

SAFETY
FIRST



the greenery, inc.®

— EMPLOYEE OWNED —

Top Ten Safety Rules:

- 1 ALWAYS MAKE SAFETY FIRST
- 2 ALWAYS WEAR PROPER PPE
- 3 ALWAYS HANDLE CHEMICALS PROPERLY
- 4 ALWAYS USE PROPER LIFTING TECHNIQUES
- 5 ALWAYS USE PROPER VEHICLE AND TRAILER OPERATIONS
- 6 ALWAYS NOTIFY A SUPERVISOR OF ANY INJURY, NO MATTER HOW MINOR
- 7 ALWAYS USE PROPER EQUIPMENT AND MACHINERY OPERATIONS
- 8 ALWAYS USE THE TWO MAN LADDER RULE
- 9 ALWAYS STAY PROPERLY HYDRATED
- 10 ALWAYS BE AWARE AND ALERT OF YOUR SURROUNDINGS

Safety Pledge:

***"I promise to myself, and to my team,
TO WORK SAFE TODAY,
because my family deserves to see me again."***

SAFETY PRACTICES

SAFETY = OUR # 1 PRIORITY

THE GREENERY TEAMS COMMITMENT & INVOLVEMENT SAFETY & TRAINING POLICY



We are committed to providing employees with a safe and healthy workplace. We believe that our employees are our greatest asset; therefore, your safety and the safety of your fellow workers is of the highest priority. It is our policy that employees report unsafe conditions and do not perform work tasks if the work is considered unsafe. Employees must report all accidents/injuries (no matter how slight) and unsafe conditions to their supervisor. No such report will result in retaliation, penalty, or other disincentive.

Safety training is mandatory and performed 52 weeks per year. The Safety Committee develops safety topics for each week and assists with monitoring workplace safety education and training to ensure that it is in place, effective and documented. All field employees are provided PPE (Personal Protection Equipment) and are trained on its proper usage. Employees are also in uniform with a safety vest for a neat, clean safe appearance. All employees that work with hazardous materials are trained on the safe mixing, handling and disposal of these materials. MSDS sheets are reviewed and posted along with Pesticide labels. We keep current our pesticide licenses for FL, GA and SC.

Employee recommendations to improve safety and health conditions will be given thorough consideration by our Safety Committee. We will give top priority to and provide the financial resources for the correction of unsafe conditions. Similarly, disciplinary action will be taken against an employee who willfully or repeatedly violates workplace safety. This action may include verbal or written reprimands and may ultimately result in termination of employment.

We are a certified Drug Free workplace. We drug screen all employees upon hire and randomly thereafter. All company drivers have their drivers' licenses verified and attend a Safe / Defensive Driving Class each year. We require that all employees and sub-contractors abide by all Federal, State and local laws and regulations as well as all company policies. Accident prevention is good business. It minimizes human suffering, promotes better working conditions for everyone, holds us higher regard with customers, and increases productivity. The type of work that our company does can present certain hazards, but if you adhere to our safety guidelines and always keep safety in mind, accidents can be avoided.

As we follow the OSHA standards, we maintain a strict policy on the storage and distribution of hazardous materials, such as the fertilizer and chemical products used as part of our IPM (Integrated Pest Management) program. All employees that work with hazardous materials are trained on the safe mixing, handling and disposal of these materials.



SAFETY PRACTICES CONTINUED

SAFETY = OUR # 1 PRIORITY



SAFETY & TRAINING POLICY CONTINUED

We recognize that this contract involves working in an area that requires extra care for the safety. We will work closely with the property manager to understand the schedules and ensure the safety of all on the property.

We promote safety in the workplace because it is the right thing to do: our workers are healthy, happy and able to perform their jobs. The benefit is that employees are more productive and efficient, and our insurance premiums are lower. All of these things allow us to be more competitive and provide our clients with the best service possible.

This policy statement serves to express The Greenery team's commitment to and involvement in providing our employees a safe and healthy workplace. This workplace safety program will be incorporated as the standard of practice for this organization. Compliance with the safety rules will be required of all employees as a condition of employment.

Safety Committee

The Safety Committee has representatives from all divisions of the company and is responsible for assisting us with the communication procedures for evaluating the effectiveness of control measures used to protect employees from safety and health hazards in the workplace. The Safety Committee is responsible for assisting with updates to the workplace safety program by evaluating employee injury and accident records, identifying trends and patterns, and formulating corrective measures to prevent recurrence.

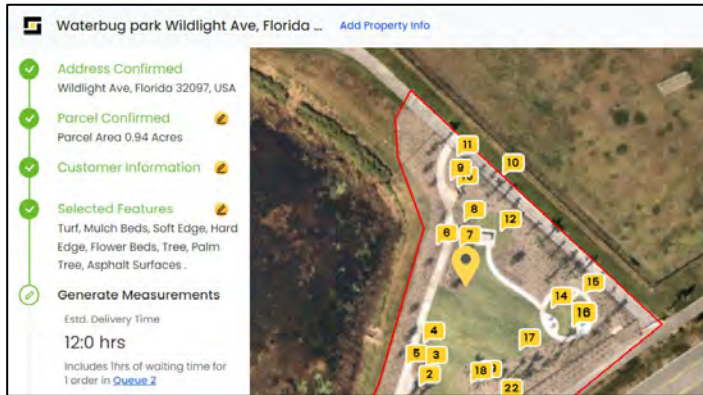
The Safety Committee is responsible for assisting us to evaluate employee accident and illness prevention programs and promote safety and health awareness and co-worker participation through continuous improvements to the workplace safety program.

The Safety Committee members participate in regularly scheduled safety training, developing safety topics and assisting in monitoring workplace safety education and training to ensure that it is in place, effective and documented.

The Safety Committee meets regularly each month at a scheduled meeting. The meeting is documented, and the minutes will be made available to any employee upon request. All Safety Committee records are maintained for not less than three calendar years.



TECHNOLOGY

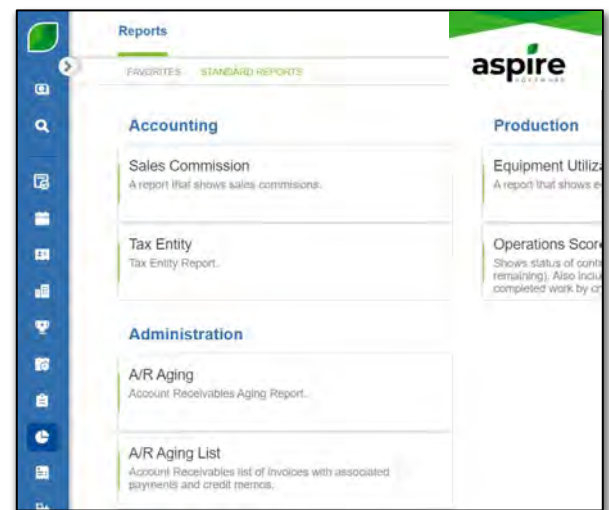


MAPPING

We use state-of-the-art landscaping mapping technology which allows us to properly measure and constantly find the most efficient ways to maintain your property.

SOFTWARE

The Greenery stays on the cutting-edge of the newest software platforms created to help landscaping companies operate efficiently and effectively. We utilize the full build-out of the industry leading Aspire technology platform. This system allows us to do everything from quoting client proposals, to tracking time and efficiencies on property, as well as utilize work order ticket tracking for maintenance requests.



HARDWARE

Our teams are equipped with the latest smartphones and tablets to remain connected at all times. This allows for real-time interactions with crews while on your site, as well as operational efficiencies, such as time-tracking which ensures you are being provided the right number of team members for the right amount of time on your property each week.

AND BEYOND!

The Greenery is an industry leader in adopting and adapting to changes in landscaping equipment and technology. We utilize electric powered equipment and have autonomous landscaping equipment on many of our properties. These help reduce noise pollution, save time and help save precious fossil fuels.



WHY CHOOSE THE GREENERY?

... Because what matters to you,
is everything to us.

100% EMPLOYEE OWNED

results in great service to our customers

HIGH RANKING SAFETY STANDARDS

BEAUTIFUL, QUALITY LANDSCAPE SERVICES

COMPETITIVE PRICING

CUSTOMIZED COMMUNICATIONS

on-site meetings, emails, phone calls, texts

— **WHATEVER IT TAKES**

CUSTOMER SATISFACTION

having YOU as a highly satisfied customer

— striving to **EXCEED YOUR EXPECTATIONS**

ENHANCING PEOPLES LIVES THROUGH BEAUTIFUL LANDSCAPING





City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 08/12/2025
From: Alan Eisenman, Finance Director
Item Name: Authorization to allow the City Manager to enter into a Contractual Agreement for Landscape and Maintenance Right of Ways
Meeting Date: August 19, 2025
Department: Finance Department

Background Information:

Introduction:

The City solicited a request for proposal, RFP 2025-116 Landscaping Services- City Right of Ways locations.

Background:

The City received five bids by the submittal deadline of May 1st.

<u>Vendor</u>	<u>Year 1 Fee</u>	<u>Special Projects, Materials</u>
<u>Cost</u>		
Hilton Head Landscapes	\$305,125	\$45/hour, invoice plus 30%
Southern Palmetto Landscapes	\$357,052	\$75/hour, invoice plus 0%
The Greenery, Inc.	\$191,400	\$45/hour, invoice plus 30%
Tidewater Landscape Management	\$299,100	\$65/hour, invoice plus 20%
Tri-Scapes, LLC	\$205,835	\$50/hour, invoice plus 10%

The 2026 fiscal year budget for these services is \$191,268, but cost savings within the line item will keep it within budget.

The selection committee completed independent proposal evaluations and rated Southern Palmetto Landscapes, The Greenery, Inc. and Tri-Scapes, LLC as the top three most responsive proposals. On July 14th, the selection committee conducted interview meetings with these contractors. The committee was most impressed with Tri-Scapes, LLC. Their home office is located in Garden City, GA. They have been in business for over thirty years, have over two hundred employees and opened their Savannah location with the capacity to provide services to the City of Beaufort in 2024. They provide similar right of way landscaping services to other

municipalities such as the City of Dunwoody, Canton and Milton, GA and Georgia Power, and residential services to Latitude Margaritaville. Tri-Scapes has a safety and training program, routinely responds to Emergency Calls and offers complimentary services, such as construction, irrigation, and arborist consultation.

The selection committee is unanimous in recommending Tri-Scapes, LLC, as the lowest, most responsive bidder for these services.

Legal Authority:

City Code of Ordinances-Part 1, Chapter 4, Article A, Section 1-4004, Paragraph 9.

Staff Recommendation:

Staff recommends that Council authorize the City Manager to enter into a contract with Tri-Scapes, LLC for landscaping and right of ways maintenance.

Placed on Agenda For:

Action

Attachments:

1. RECOMMENDATION MEMO RFP 2025-116
2. CONTRACT RFP 2025-116
3. Redacted Proposal RFP 2025-116- Tri Scapes

CITY OF BEAUFORT - INTERNAL MEMORANDUM

TO: SCOTT MARSHALL
FROM: JAY PHILLIPS
SUBJECT: RECOMMENDATION MEMO FOR RFP 2025-116 LANDSCAPING SERVICES – CITY RIGHT OF WAYS LOCATIONS
DATE: 8/11/25
CC: NATHAN FARROW, BRYAN DURRANCE, ADAM WELLINS, LINDA ROPER, ALAN EISENMAN

On April 3, the City solicited a request for proposals, RFP 20245-116 Landscaping Services – City Right of Ways Locations. The public notice and RFP documents were posted on the City’s website, the State of South Carolina Business Opportunities website and was advertised in the Island News. A mandatory pre-bid meeting was held on April 11. Questions were received by the April 16th deadline and answers were posted on April 23rd^h. The city received five bids by the submittal deadline of May 1st, at 3:30 PM. The bids were opened during a public meeting at that time. The 2026 fiscal year budget for these services is \$191,268, but cost savings within the line item will keep it within budget.

	Year 1 Fee	Special Projects, Materials Cost
Hilton Head Landscapes	\$305,125	\$45/hour, invoice plus 30%
Southern Palmetto Landscapes	\$357,052	\$75/hour, invoice plus 0%
The Greenery, Inc.	\$191,400	\$45/hour, invoice plus 30%
Tidewater Landscape Management	\$299,100	\$65/hour, invoice plus 20%
Tri-Scapes, LLC	\$205,835	\$50/hour, invoice plus 10%

The selection committee completed independent proposal evaluations and rated Southern Palmetto Landscapes, The Greenery, Inc. and Tri-Scapes, LLC as the top three most responsive proposals. On July 14th, the selection committee conducted interview meetings with these contractors. The committee was most impressed with Tri-Scapes, LLC. Their home office is located in Garden City, GA. They have been in business for over thirty years, have over two hundred employees and opened their Savannah location with the capacity to provide services to the City of Beaufort in 2024. They provide similar right of way landscaping services to other municipalities such as the City of Dunwoody, Canton and Milton, GA and Georgia Power, and residential services to Latitude Margaritaville. Tri-Scapes has a safety and training program, routinely responds to Emergency Calls and offers complimentary services, such as construction, irrigation, and arborist consultation.

The selection committee is unanimous in recommending Tri-Scapes, LLC, as the lowest, most responsive bidder for these services. Upon your approval, a Notice of Intent to Award and a contract will be sent to Tri-Scapes, LLC and submitted for approval by City Council at the August 19th regular meeting.



CITY MANAGER
Scott Marshall
843-525-7070

COUNCIL MEMBERS:
Philip Cromer, Mayor
Mike McFee, Mayor Pro Tem
Neil Lipsitz
Mitch Mitchell
Josh Scallate

CITY OF BEAUFORT
1911 Boundary Street
BEAUFORT, SOUTH CAROLINA 29902

*Standard Agreement Between
City of Beaufort and Tri-Scapes, LLC*

where the basis of payment is a STIPULATED SUM

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AGREEMENT made as of the _____ day of August in the year 2025.

BETWEEN the Owner:

**CITY OF BEAUFORT
1911 BOUNDARY STREET
BEAUFORT, SOUTH CAROLINA 29902**

and the Contractor:

**TRI-SCAPES, LLC
3235 NOTH STATE STREET
PO BOX 849
BUNNELL, FL 32110**

The Project is:

RFP 2025-116 LANDSCAPING & MAINTENANCE CITY RIGHT OF WAYS

The Owner and Contractor agree as follows:

ARTICLE 1 - THE DOCUMENTS

The Contract Documents consist of this Agreement (hereinafter "Agreement"; Conditions of the Contract (General, Supplementary and other Conditions); the Request for Proposals No. 2025-116 (hereinafter "RFP"); the Proposal submitted in response to the RFP (hereinafter "Proposal"); any drawings, specifications, or addenda issued prior to execution of this Agreement; other documents listed in this Agreement; and Modifications issued after execution of this Agreement. These form the Contract and are as fully a part of the Contract as if attached to this Agreement or repeated herein. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations, or agreements, either written or oral. An enumeration of the Contract Document, other than Modifications appears in Article 8.

CITY MANAGER
Scott Marshall
843-525-7070



COUNCIL MEMBERS:
Philip Cromer, Mayor
Mike McFee, Mayor Pro Tem
Neil Lipsitz
Mitch Mitchell
Josh Scallate

CITY OF BEAUFORT
1911 Boundary Street
BEAUFORT, SOUTH CAROLINA 29902

ARTICLE 2 - THE WORK OF THIS AGREEMENT-

Tri-Scapes, LLC shall provide all services necessary to fully execute the work described in and reasonably inferable from the Contract Documents, except to the extent specifically indicated in the Agreement to be the responsibility of others.

ARTICLE 3 - DATE OF COMMENCEMENT AND TERM

3.1 This Agreement shall become effective and the services to be provided by the Contractor shall commence on September 1, 2025. The Term of this agreement shall be for three (3) years, through August 31, 2028, with two (2) one-year optional terms. A Notice to Proceed will be issued within one (1) day of the signed agreement.

ARTICLE 4 - CONTRACT SUM

4.1 The Owner shall pay the Contractor two hundred five thousand, eight hundred thirty-six dollars, (\$205,836) per year for the services described in the Proposal.

ARTICLE 5 - PAYMENTS

r5.1 Payments shall be remitted monthly after and an invoice for said service has been submitted to and received by the Owner.

ARTICLE 6 - TERMINATION OR SUSPENSION

6.1 The Owner may, by written notice to the Contractor, terminate the Agreement completely or partially if the Contractor is in default regarding any provision of the Contract. If the agreement is terminated by the Owner due to the Contractor's default, the Owner is not liable to the Contractor for any payment to the Contractor for any incomplete or undelivered work.

ARTICLE 7 - NOTICE

The parties' representatives for any notice required to be given herein are as follows:

7.1 The Owner's representative is:

**NATHAN FARROW
CITY OF BEAUFORT
16 BURTON HILL ROAD**

CITY MANAGER
Scott Marshall
843-525-7070



COUNCIL MEMBERS:
Philip Cromer, Mayor
Mike McFee, Mayor Pro Tem
Neil Lipsitz
Mitch Mitchell
Josh Scallate

CITY OF BEAUFORT
1911 Boundary Street
BEAUFORT, SOUTH CAROLINA 29902

BEAUFORT, SOUTH CAROLINA 29906

7.2 The Contractor's representative is:

**BRADEN RAGSDALE
TRI-SCAPES, LLC
1595 PEACHTREE PARKWAY
SUITE 204-396
CUMMINGS, GA 30041**

7.3 Neither the Owner's nor the Contractor's representative shall be changed without ten days' written notice to the other party.

ARTICLE 8 - ENUMERATION OF CONTRACT DOCUMENTS

8.1 The Contract Documents, except for Modifications issued after execution of this Agreement, are enumerated as follows:

8.1.1 The Agreement;

8.1.2 The General Conditions, which the City of Beaufort General Terms and Conditions as published on the Owner's website;

8.1.3 The Specifications, which are those stated in the RFP 2025-116 including all addenda;

8.1.4 The Proposal;

8.1.5 Contractor's Certificates of Liability and Workers Compensation Insurance;

8.1.6 Contractor's City of Beaufort Business License; and

8.1.7 Performance and payment bonds equal to the annual contract amount.



CITY MANAGER
Scott Marshall
843-525-7070

COUNCIL MEMBERS:
Philip Cromer, Mayor
Mike McFee, Mayor Pro Tem
Neil Lipsitz
Mitch Mitchell
Josh Scallate

CITY OF BEAUFORT
1911 Boundary Street
BEAUFORT, SOUTH CAROLINA 29902

This Agreement is entered into as of the day and year first written above. Copies will be delivered to the Owner's Director of Public Works, to the Contractor for use in the administration of the Agreement, and to the Owner.

WITNESS

(Signature)

(Printed Name)

WITNESS

(Signature)

(Printed Name)

CITY OF BEAUFORT

(Signature)

CITY MANAGER

TRI-SCAPES, LLC

(Signature)

(Printed Name)

PRESENTED BY



**THE EXPERTS IN
COMMERCIAL LANDSCAPE**

City of Beaufort South Carolina

LANDSCAPING AND MAINTENANCE SERVICES CITY RIGHT OF WAYS LOCATIONS

RFP NO. 2025-116

MAY 8, 2025



**1224 Dean Forrest Rd
Garden City GA 31405
770-752-4698**

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Transmittal Letter

May 5, 2025

The City of Beaufort
1911 Boundary Street
Beaufort, SC 29902

RE: RFP No. 2025-116 Landscaping and Maintenance Services Right of Way Mowing

Thank you for the opportunity to submit this bid package to the The City of Beaufort Right of Way Mowing . We appreciate your consideration of Tri Scapes, LLC ("TSI") to provide maintenance services for this project. We seek projects that best fit our capabilities, and we know this opportunity fits our strengths. The Atlanta Business Chronicle has certified us as the 3rd largest landscape maintenance company in Georgia, as of 2024.

Contact information:

Tri Scapes, LLC
1595 Peachtree Parkway
Suite 204-396
Cumming, GA 30041

- Director of Maintenance - Lindy Blount - [REDACTED]
- Operations Manager - Dewayne Nowell - [REDACTED]
- Business Development - Braden Ragsdale - [REDACTED]
- Foreman - Basil Griffin - basil@triscapes.com - [REDACTED]

Tri Scapes, LLC looks forward to doing business with the City of Beaufort and have read and agree to the General Terms and Conditions as defined in RFP No. 2025-116.

Once you have had a chance to review our proposal, please let us know if you have any questions or need clarification. We are grateful for the opportunity to grow our partnership with The City of Beaufort!

Thank you,

Braden Ragsdale

Braden Ragsdale, Business Development
braden@triscapes.com
1595 Peachtree Parkway, Suite 204-396
Cumming, Georgia 30041
PH: 770 752 4698





Summary of proposal

May 5, 2025

The City of Beaufort
1911 Boundary Street
Beaufort, SC 29902

RE: RFP No. 2025-116 Landscaping and Maintenance Services Right of Way Mowing

Dear Evaluation Committee,

Thank you for the opportunity to submit this bid package to the City of Beaufort. We appreciate your consideration of Tri Scapes, Inc. ("TSI") to continue providing service for this project. We seek projects that best fit our capabilities, and we know this opportunity fits our strengths. The Atlanta Business Chronicle has certified us as the 3rd largest landscape maintenance company in Georgia, as of 2022.

We are pursuing the scope of work that is presented in the RFP. Our response demonstrates that we:

- Have been providing Parks and Right-of-way service for the City of Dunwoody since 2020, City of Canton, City of Milton and Georgia Power.
- Possess the broad range of capabilities required to meet ALL the needs identified in this RFP.
- Partnered with the City of Dunwoody to become GRPA District 7 **Agency of the Year** in 2021-202, Partnered with the City of Milton and won the **same award** in 2021. And **also** with the City of Alpharetta in 2024.

We opened our Savannah location in Fall of 2024 and have staffed for growth. We have the capacity to partner with the City of Beaufort.

Please see page **29 to show the financial strength and business expertise of Tri Scapes LLC.**

Our workload out of the Atlanta Branch are summarized in the reference section of this proposal (135 crew members execute [REDACTED] in Maintenance each year). We are bringing the same culture and enthusiasm to our Savannah Branch, currently executing landscape maintenance for Georgia Power and Buc-EE's in the costal region. We are also beginning a large construction job in Brunswick (estimated at [REDACTED]).

Tri Scapes routinely provides the services outlined in this scope of work to other municipalities, has a mature safety and training program, routinely responds to Emergency Calls and offers multiple complimentary services (construction, irrigation, forestry, arboriculture consultation).

We have reached this position through the successful integration of people, innovative technology and a 30+ year history of industry excellence and customer satisfaction. You will not find a more capable, prepared, and enthusiastic Municipal Maintenance Partner.



Tri Scares, LLC
1595 Peachtree Parkway Suite 204-396
Cumming, GA 30041
info@triscapes.com
770-752-4698

Date: May 5, 2025

To Whom It May Concern:

Subject: Tri Scares Billing Process

Tri Scares bills clients per the processes listed in the contract. If billing processes are not listed, Tri Scares will submit an electronic invoice to the email address provided by the client. The electronic invoices are typically submitted at the end of the month.

All costs are included on Exhibit "B" of the bid document. There will not be additional fees for out of pocket expenses, travel, substance, etc.

Sincerely,

Quinn Martin
CEO
Tri Scares LLC
Triscapes.com

What's a big deal to us at Tri Scares



The Tri Scares Difference

- 30+ Years in Business
- Construction, Maintenance, Forestry
- Licensed General Contractor
- Landscape, Hardscapes, Irrigation
- Site Work
- Exceptional Support from Precon to Closeout
- Substantial Bonding Capacity
- Financial Stability
- 200+ Employees
- Tree Farm



OUR MISSION

To Cultivate the Best in Others



Faith &
Family



Strong Work
Ethic



Build
Relationships



Respect for
Others



Honesty &
Integrity

Company Profile



Company Capabilities

- Landscape and Hardscape Design, Construction and Maintenance
- Irrigation System Design, Construction and Maintenance
- Sports Field Installation and Maintenance
- Artificial Field Turf Maintenance
- Retention and Detention Pond Construction and Maintenance
- Tree and Stump Removal
- Storm Water System Construction and Maintenance
- Trail Construction and Maintenance
- Porter and Janitorial Services
- Chemical Application Services
- Sidewalk and Pedestrian Improvement
- Bio-Retention Cell Construction and Maintenance



Company Highlights

- General Contractor License # GCCO003381
- Georgia DOT Qualified Contractor up to [REDACTED]
- Annual Revenue: [REDACTED]
- Line of Credit available: [REDACTED]
- Certified Drug-Free Workplace
- 200+ Clients over the last 3 years
- Currently serving 127 Clients (76 in the public sector)

Grounds Maintenance Services



- ✓ Weekly Grounds Maintenance (Mowing, Edging, Trimming, Blowing)
- ✓ Customized Chemical Turf Care Program
- ✓ Aeration and Overseeding
- ✓ Seasonal Color Rotations
- ✓ Mulch Applications
- ✓ Tree and Shrub Maintenance
- ✓ Integrated Pest Management
- ✓ Disease and Insect Monitoring and Treatment
- ✓ Site Inspections and Quality Control
- ✓ Debris and Litter Removal
- ✓ Weed Free Bed Maintenance
- ✓ Irrigation Start Up, Shut Down, and Usage Monitoring
- ✓ Leaf Removal
- ✓ Detention Pond Mowing

Quality Control Inspection



- Monthly Site Inspections
- 20 Checkpoints
- Pictures and Follow Up Tasks Sent to Customer
- Performed by Company Inspectors



Inspect trees and shrubs. Are beds free of weeds and debris?

Meets expectations

Project: 20 West Intermodel
Date: 2/11/25 2:51 PM

Inspect trees and shrubs. Are beds free of weeds and debris?

Meets expectations

Project: 20 West Intermodel
Date: 2/11/25 2:51 PM

Additional Capabilities Tri Sapes



FORESTRY DIVISION



STREET SWEEPING



IRRIGATION DIVISION



CONSTRUCTION DIVISION

Additional Capabilities



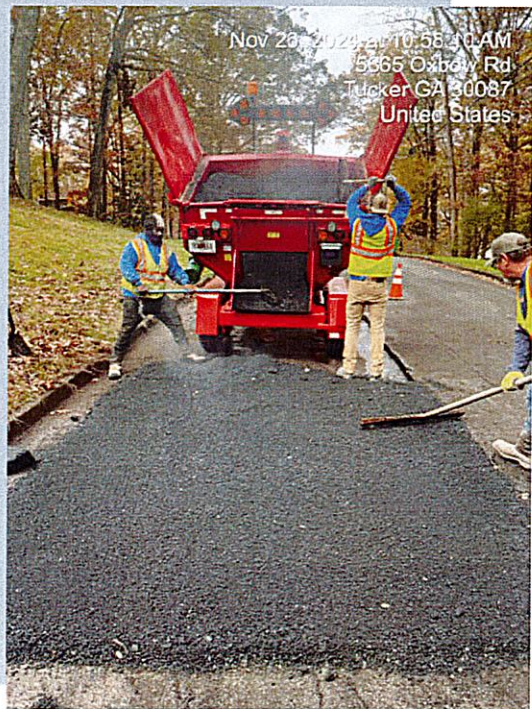
STORMWATER REPAIRS



PRESSURE WASHING



RETAINING WALLS



HOT MIX ASPHALT PATCHING

Emergency Response Capabilities



Hurricane Helene Response

Georgia Power, Colliers International, City of Dunwoody, City of Tucker, City of Brookhaven, and City of Milton all were impacted by Hurricane Helene. Tri Scapes ran concurrent operations across the state, deploying over 50 crewmembers to respond to downed trees throughout Atlanta, Augusta, and southern Georgia.



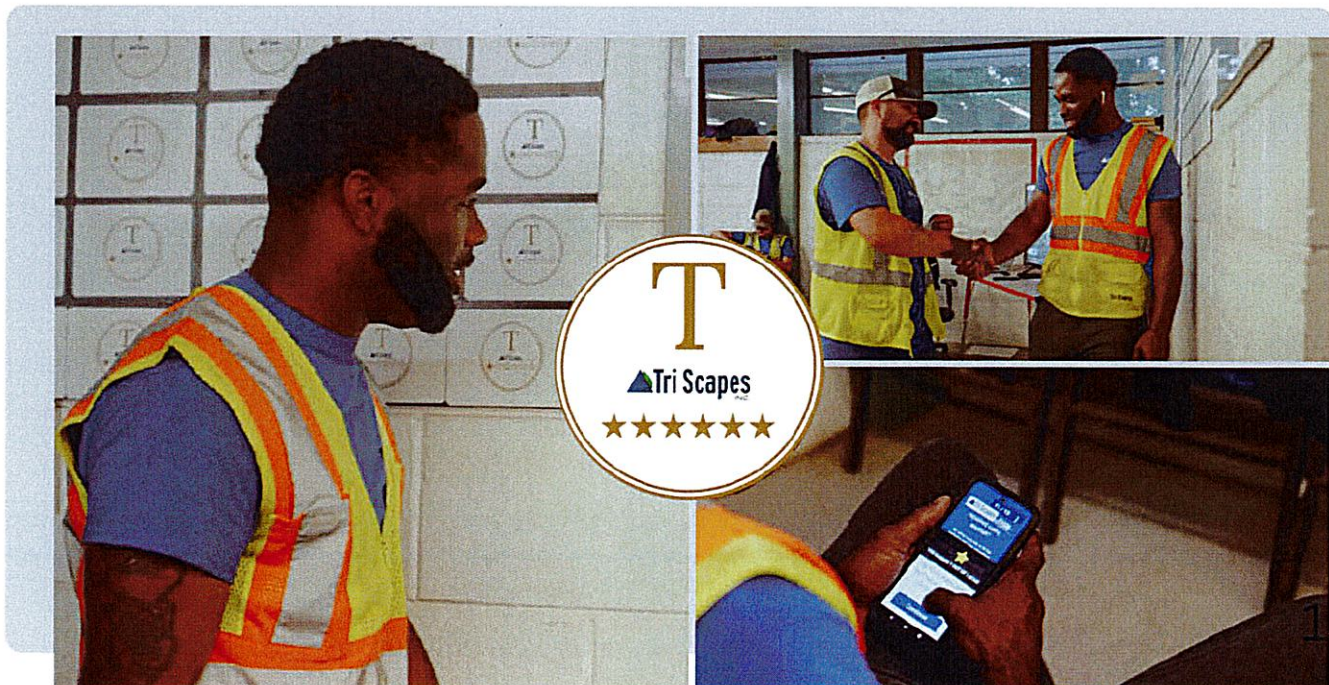
Tri Scapes Academy: Safety and Training



Our Tri Scapes Academy utilizes daily online classes, hands-on training, and practical assessments to train and assess our associates and ensure our work's safety, quality, and sustainability.



- Safety
- Athletics Field Maintenance and Management
- Equipment Operation and Maintenance
- Sustainable Landscape Management
- Sustainable Turf Management
- Integrated Pest Management
- Irrigation Management
- Landscape Installation
- Hardscape Construction
- Public Works
- Green Infrastructure
- Leadership and Management



Scheduling Attachment "A"



Sales Force Field Service Software is used to schedule and manage the scope of work. Tri Scapes will design an unique setting for the City of Beaufort - ROW Mowing according to the requirements defined in Attachment "A" of the RFQ.

Attachment A

TURF MAINTENANCE	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
Mow Bermuda Turf Area (1" min. to 1.75" max)	2	4	4	4	4	4	4	4	4	4	2	2	42
Mow Non-Bermuda Turf Areas (2.5" to 3" max)	2	4	4	4	4	4	4	4	4	4	2	2	42
Line Tran Mowing Obstacles	2	2	3	4	4	4	4	4	4	3	2	2	38
Mechanical Edging of Curbs and Walks	2	2	3	4	4	4	4	4	4	3	2	2	38
Soil Testing	A	S			N	E	E	D	E	D			
Fertilizer				1		1			1				3
Pre-emergent Weed Control		1								1			2
Disease Control	A	S			N	E	E	D	E	D			
Insect Control	A	S			N	E	E	D	E	D			
Fire Ant Monitoring and Spot Treatment				1									1
Top Dressing			1										1
Aeration			1										1

ORNAMENTAL AND BED MAINTENANCE	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
Prune Ornamental Planting	1	1	1	2	2	2	2	2	2	1	1	1	18
Weed Ornamental Beds	C	O	N	T	I	N	U	O	U	S			
Edge Ornamental Beds	2	2	2	2	2	2	2	2	2	2	2	2	24
Fertilize Shrubs and Ornamentals		1		1			1						3
Disease Control	A	S		N	E	E	D	E	D				
Insect Control	A	S		N	E	E	D	E	D				
Pine straw and Mulch Installments (3" all beds)	C	O	N	T	I	N	U	O	U	S			18

TREE MAINTENANCE	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
Trimming Tree (or as needed, excluding Palmetto trees)	1												1
Trimming Palmetto Tree								1					1
Fertilize Tree and Plants (Deep Root Injections)		1											1
Insect Control up to 20' in height (or as needed)					1								1

IRRIGATION SYSTEM	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
Check and Adjust	OFF	OFF	2	3	3	3	3	4	4	2	1	OFF	26
Spring Start-Up			1										1
Winterization											1		1

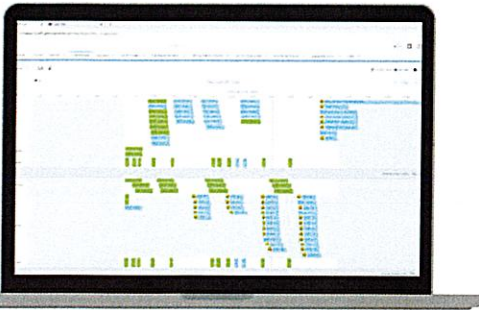
MISCELLANEOUS SERVICE	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	TOTAL
Policing Grounds for Trash/Litter (1 per week)	2	4	4	4	4	4	4	4	4	4	2	2	42
Leaf Management Service	2	2	4	4						1	2	2	17
Vacuum/Sweep/Blow Parking Lot (1x per week)	2	4	4	4	4	4	4	4	4	4	2	2	42





Workflow Management: Partnership with Salesforce

- Captures and Documents the Contract's Entire Scope of Work
- Provides Real-time Status Reports
- Provides Quality Control Reports
- Tracks inventory and equipment
- Creates The Link between the Customer, Project Manager, and Field Technicians

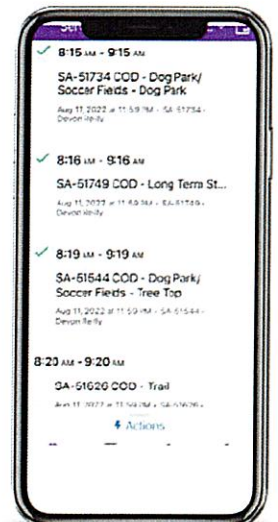


Step 1:

Project Manager distributes routine assignments, which auto-populate daily for field workers.

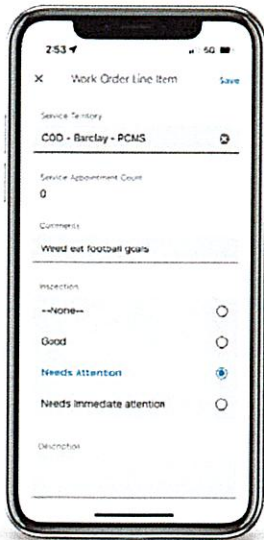
Step 2:

Field Teams receive and execute tasks on a smart phone app, which captures work and GPS location.



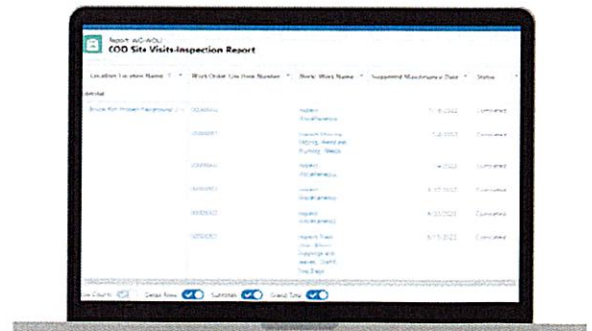
Step 3:

Quality Control Inspector evaluates completed work.



Step 4

Project Manager reviews tasks status, the Inspector's comments, then redistributes work as necessary.



- ✓ Pesticide Licensces: Categories 24, 26, and 27
- ✓ General Contractor License
- ✓ Forsyth County Business License
- ✓ ICPI
- ✓ GCLP: Georgia Certified Landscape Professional
- ✓ CPSI: Certified Playground and Safety Inspector
- ✓ Certified Turf Grass Professional
- ✓ Red Card: Erosion Control
- ✓ Certified Turf Grass Proffesional
- ✓ Aquatic Facility Operator
- ✓ ISA: Certified Arborist
- ✓ ISA: Utility Arborist
- ✓ ISA: Tree Risk Assessment Qualification (TRAQ)
- ✓ Wildfire Risk Reduction Qualification

South Carolina License



WARNING - THIS DOCUMENT CONTAINS SECURITY FEATURES LISTED ON REVERSE SIDE

SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION
CONTRACTOR'S LICENSING BOARD
LICENSE#: CLG.126731
TRI SCAPES LLC
DBA: TRI SCAPES SOUTH CAROLINA
1596 PEACHTREE PKWY SUITE 204-396
CUMMING GA 30041

Has been qualified by the laws of the State of South Carolina and is duly entitled to practice as a:

GENERAL CONTRACTOR

for each Classification and Group Limitation listed below:
(If this license has a "Limited Building-LB" classification, work is limited to 3 stories in height)

Building-BD4

LICENSE NUMBER: CLG.126731
Initial License Date: 04/09/2025
EXPIRATION DATE: 10/31/2026

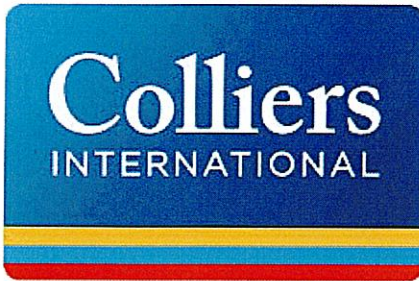
Qualifying Party(s): RYAN EUGENE HOGAN

It is at the discretion of this licensee to designate any employee of their company to pull permits/conduct business.

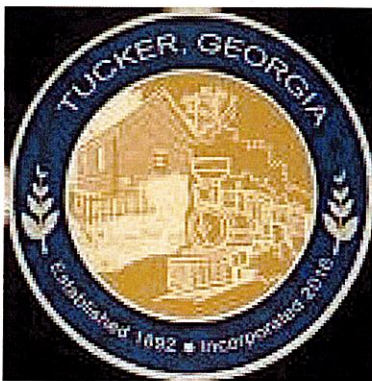
References



David Alexander, Parks Manager
Email: david.alexander@dunwoodyga.gov
PH: 470.306.1213
Address: 4800 Ashford Dunwoody Rd NE,
Dunwoody, GA 30338



Hunter Smith, Senior Facilities Manager
Email: x2htsmit@southernco.com
PH: 404.670.2224
Address: 1230 Peachtree Street NE,
Promenade, Suite 800 Atlanta, GA 30309-
3574



Ishri Sankar, Director of Public Works
Email: isankar@tuckerga.gov
PH: 470.240.6053
Address: 1975 Lakeside Parkway,
Suite 350, Tucker, GA 30084



Reference Survey Form

Client: City of Brookhaven

Approximate Property Size (acres): City

K-12/Government Acct. (Y/N): Y

Services provided included: City Maint., R.O.W Maint. and Stormwater

Please rate the Offer's performance from 1-5 on the following issues by circling the appropriate number where 1 indicates that you least agree with the statement and 5 indicates that you most agree with the statement.

	Disagree				Agree	
Completed work on time as scheduled:	1	2	3	4	(5)	NA
Appropriate equipment for the required work:	1	2	3	4	(5)	NA
Communicated well with Owner:	1	2	3	4	(5)	NA
Contractors were always observed using appropriate PPE:	1	2	3	4	(5)	NA
Provided quality service, workmanship, etc.:	1	2	3	4	(5)	NA
Would use firm again:	1	2	3	4	(5)	NA

Completed by: Name: Nick Cobb
Entity: Public Works
Address: 2665 Buford Hwy
Brookhaven GA 30324
Telephone: 404-637-0566

NOTES:

Signature: [Signature]

Date: 5/6/25

Thank you for your assistance.

Reference Survey Form

Client: City of Tucker, Georgia

Approximate Property Size (acres): _____ K-12/Government Acct. (Y/N) N

Services provided included: Right of Way Maintenance/Repairs (Vegetation, Road, Drainage)

Please rate the Offer's performance from 1-5 on the following issues by circling the appropriate number where 1 indicates that you least agree with the statement and 5 indicates that you most agree with the statement.

	Disagree				Agree	
Completed work on time as scheduled:	1	2	3	4	(5)	NA
Appropriate equipment for the required work:	1	2	3	4	(5)	NA
Communicated well with Owner:	1	2	3	4	(5)	NA
Contractor was always observed using appropriate PPE:	1	2	3	4	(5)	NA
Provided quality service, workmanship, etc:	1	2	3	4	(5)	NA
Would use firm again:	1	2	3	4	(5)	NA

Completed by: Name: Ishri Sankar, PE
Entity: City of Tucker Public Works
Address: 1975 Lakeside Parkway St 350
Tucker, GA 30084
Telephone: 470-515-1501

NOTES:

Signature: 

Date: 04/01/2025

Thank you for your assistance.

Reference Survey Form

Client: David Alexander, City of Dunwoody GA

Approximate Property Size (acres): 500 K-12/Government Acct. (Y/N): Y

Services provided included: Parks and Right of Way Maintenance

Please rate the Offer's performance from 1-5 on the following issues by circling the appropriate number where 1 indicates that you least agree with the statement and 5 indicates that you most agree with the statement.

	<u>Disagree</u>				<u>Agree</u>	
Completed work on time as scheduled:	1	2	3	4	5 <u>X</u>	NA
Appropriate equipment for the required work:	1	2	3	4	5 <u>X</u>	NA
Communicated well with Owner:	1	2	3	4	5 <u>X</u>	NA
Contractor was always observed using appropriate PPE:	1	2	3	4	5 <u>X</u>	NA
Provided quality service, workmanship, etc:	1	2	3	4	5 <u>X</u>	NA
Would use firm again:	1	2	3	4	5 <u>X</u>	NA

Completed by: Name: David Alexander

Entity: City of Dunwoody GA

Address: 4800 Ashford Dunwoody Road

Dunwoody GA 30338

Telephone: 470 306 1213

NOTES:

TSI Has held the parks and the right of way maintenance contract since January 2020 and recently was awarded the contract again in 2024. They are capable and dependable and the communication with all members and levels of the organization is always smooth and productive. They consistently provide outstanding customer service and enhance every part of our organization they are part of.

Signature: David Alexander Date: _____

Thank you for your assistance.

Letter of Recommendation for TriScapes Inc.

Daniel Adcock

Georgia Power Corp HQ · 678-476-5037 · dadcock@southernco.com

To whom it may concern,

It is with great enthusiasm that I am writing to recommend the services of TriScapes Inc. for services related to property management.

I have been working with TriScapes for three years as a primary property management contractor at several of the state's largest generation facilities. TriScapes employs a diverse workforce with the capabilities to manage unique projects. They do an excellent job of staffing projects with knowledgeable personnel, are always punctual, and have an engaged management team.

I routinely ask them to manage complex projects outside of their normal scope of work which requires mental agility and precise timing. They have been very successful with their core operations, as well as the work projects outside of their standard scope. I am confident that TriScapes project managers will effectively communicate and always complete projects to standard.

The management team and Roni Johnston have been flawless in logistics, scheduling, and accurate invoicing of projects. They have demonstrated the ability to quickly expand services to new areas, without losing performance on current projects. This speaks to their industry knowledge and company culture. Roni Johnson has been exceptional at navigating the Georgia Power invoicing and documentation requirements. She has the talent to keep accurate accounting and scheduling cycles on various projects with ease.

I'm happy to recommend the services of TriScapes Inc. If you have any questions, please feel free to contact me.

Sincerely,

Daniel C. Adcock

Generation Arborist

GPC Forestry and Right of Way



UNCOMMONLY INDEPENDENT

09/05/2024

RE: Tri Scapes, LLC - Bonding Capability Letter
To Whom it May Concern

Lockton Companies has the continued privilege of providing surety bonds for

Tri Scapes, LLC. Tri Scapes, LLC has a bonding capacity for individual projects of Fifteen Million and a total program capacity of Fifty Million Dollars (\$50,000,000.00), with consideration for larger single project sizes in line with historical surety support.

Tri Scapes, LLC is bonded by Amynta Surety Solutions (through their writing paper of United States Fire Insurance Company). The surety holds an A.M. Best Rating of A, Financial Class of XV and are duly authorized to do business in all 50 states.

In our opinion, Tri Scapes, LLC is one of the finest, best managed landscape firms in the country. They have handled projects in a professional manner and completed all satisfactorily.

We hope the above demonstrates our utmost confidence in Tri Scapes, LLC. Naturally United States Fire Insurance Company reserves the right to underwrite each surety obligation individually at the time bid or final bonds are required. We also expect that the execution of any final bonds would be subject to review of the final contract terms, conditions and financing by our client and ourselves.

Should you have any questions, please feel free to call at any time.

Sincerely,

Brad Mapes
Surety - Sr. Account Manager
Lockton Companies, LLC- Southeast Series

Document A310™ – 2010

Conforms with The American Institute of Architects AIA Document 310

Bid Bond

CONTRACTOR:

(Name, legal status and address)

Tri Scapes, LLC
1200 Bluegrass Lakes Parkway
Alpharetta, GA 30004

SURETY:

(Name, legal status and principal place of business)

United States Fire Insurance Company
305 Madison Avenue
Morristown, NJ 07960

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

OWNER:

(Name, legal status and address)

City of Beaufort
1911 Boundary Street
Beaufort, SC 29902

BOND AMOUNT: \$ 5%

Five Percent of Amount Bid

PROJECT:

(Name, location or address, and Project number, if any)

Landscaping and Maintenance Services City Right of Ways Locations ; RFP 2025-116

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond sixty (60) days.

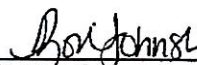
If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions governing such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

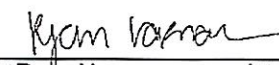
Signed and sealed this 7th day of May, 2025


(Witness)

Tri Scapes, LLC
(Principal)

By: 
(Title) VICE PRESIDENT

United States Fire Insurance Company
(Surety) (Seal)

By: 
(Title) Ryan Norman Attorney-in-Fact



**POWER OF ATTORNEY
UNITED STATES FIRE INSURANCE COMPANY
PRINCIPAL OFFICE - MORRISTOWN, NEW JERSEY**

KNOW ALL MEN BY THESE PRESENTS: That United States Fire Insurance Company, a corporation duly organized and existing under the laws of the state of Delaware, has made, constituted and appointed, and does hereby make, constitute and appoint: **Ryan Norman**

each, its true and lawful Attorney(s)-In-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver: Any and all bonds and undertakings of surety and other documents that the ordinary course of surety business may require, and to bind United States Fire Insurance Company thereby as fully and to the same extent as if such bonds or undertakings had been duly executed and acknowledged by the regularly elected officers of United States Fire Insurance Company at its principal office.

This Power of Attorney limits the act of those named therein to the bonds and undertakings specifically named therein, and they have no authority to bind United States Fire Insurance Company except in the manner and to the extent therein stated.

Surety Bond No.: Bid Bond

Principal: Tri Scapes, LLC

Obligee: City of Beaufort

This Power of Attorney is granted pursuant to Article IV of the By-Laws of United States Fire Insurance Company as now in full force and effect, and consistent with Article III thereof, which Articles provide, in pertinent part:

Article IV, Execution of Instruments - Except as the Board of Directors may authorize by resolution, the Chairman of the Board, President, any Vice-President, any Assistant Vice President, the Secretary, or any Assistant Secretary shall have power on behalf of the Corporation:

(a) to execute, affix the corporate seal manually or by facsimile to, acknowledge, verify and deliver any contracts, obligations, instruments and documents whatsoever in connection with its business including, without limiting the foregoing, any bonds, guarantees, undertakings, recognizances, powers of attorney or revocations of any powers of attorney, stipulations, policies of insurance, deeds, leases, mortgages, releases, satisfactions and agency agreements;

(b) to appoint, in writing, one or more persons for any or all of the purposes mentioned in the preceding paragraph (a), including affixing the seal of the Corporation.

Article III, Officers, Section 3.11, Facsimile Signatures. The signature of any officer authorized by the Corporation to sign any bonds, guarantees, undertakings, recognizances, stipulations, powers of attorney or revocations of any powers of attorney and policies of insurance issued by the Corporation may be printed, facsimile, lithographed or otherwise produced. In addition, if and as authorized by the Board of Directors, dividend warrants or checks, or other numerous instruments similar to one another in form, may be signed by the facsimile signature or signatures, lithographed or otherwise produced, of such officer or officers of the Corporation as from time to time may be authorized to sign such instruments on behalf of the Corporation. The Corporation may continue to use for the purposes herein stated the facsimile signature of any person or persons who shall have been such officer or officers of the Corporation, notwithstanding the fact that he may have ceased to be such at the time when such instruments shall be issued.

IN WITNESS WHEREOF, United States Fire Insurance Company has caused these presents to be signed and attested by its appropriate officer and its corporate seal hereunto affixed this 28th day of September, 2021.

UNITED STATES FIRE INSURANCE COMPANY



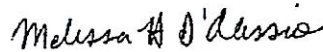
Matthew E. Lubin, President



State of New Jersey }
County of Morris }

On this 28th day of September, 2021, before me, a Notary public of the State of New Jersey, came the above named officer of United States Fire Insurance Company, to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seal of United States Fire Insurance Company thereto by the authority of his office.

MELISSA H. D'ALESSIO
NOTARY PUBLIC OF NEW JERSEY
Commission # 80125833
My Commission Expires 4/7/2025



Melissa H. D'Alessio (Notary Public)

I, the undersigned officer of United States Fire Insurance Company, a Delaware corporation, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy is still in force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of United States Fire Insurance Company on the 7th day of May 2025

UNITED STATES FIRE INSURANCE COMPANY



Michael C. Fay, Senior Vice President





Tri Scapes, LLC
1595 Peachtree Parkway Suite 204-396
Cumming, GA 30041
info@triscapes.com
770-752-4698

Date: April 30, 2025

To Whom It May Concern:

Subject: Statement of No Litigation in the Past Five Years

This letter is to confirm that we, Tri Scapes LLC, have not been involved in any litigation, lawsuits, or legal proceedings, either as a plaintiff or defendant, during the past five (5) years.

This statement is provided in good faith and to the best of my knowledge, for the purpose of proposal submissions and contract agreements.

Should you require any additional information or clarification, please do not hesitate to contact me.

Sincerely,

Quinn Martin
CEO
Tri Scapes LLC
Triscapes.com



Tri Scapes, LLC
1595 Peachtree Parkway Suite 204-396
Cumming, GA 30041
info@triscapes.com
770-752-4698

Date: April 30, 2025

To Whom It May Concern:

Subject: Statement of No Contract Termination due to Default

This letter is to confirm that we, Tri Scapes LLC, have not experienced any contract terminations due to non-performance, poor performance or litigation in the past five (5) years.

This statement is provided in good faith and to the best of my knowledge, for the purpose of proposal submissions and contract agreements.

Should you require any additional information or clarification, please do not hesitate to contact me.

Sincerely,

Quinn Martin
CEO
Tri Scapes LLC
Triscapes.com



January 23, 2025

Tri Scapes, LLC
220 Curie Dr
Alpharetta, GA 30022

RE: Tri Scapes, LLC

To Whom It May Concern,

This will confirm that our organization, First Citizens Bank currently provides services to Tri Scapes, LLC. The company has maintained a good relationship with First Citizens Bank. Tri Scapes, LLC currently does not have an outstanding Line of credit with First Citizens Bank.

The client has three term loan with an outstanding balance of [REDACTED]. The company has handled all banking activity as previously agreed. The credit facility will mature on March 20, 2025, and March 28, 2026.

If you require any additional information regarding Tri Scapes, LLC, please contact me at the email/phone provided below.

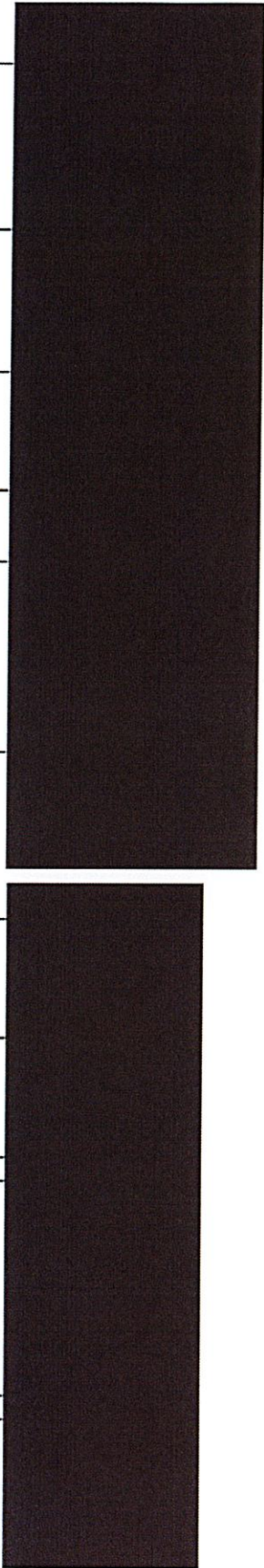
Sincerely,

Farrukh Sayani | Vice President | Financial Sales Manager
First Citizens Bank
8479 Holcomb Bridge Rd | Alpharetta, GA 30022
770.645.5479 phone
984.867.3442 fax
678.662.5041 mobile

Tri Scapes, Inc.
Tri Scapes, Inc.
Income Statement
From Feb 2023 to Dec 2023

Financial Row	Amount
Ordinary Income/Expense	
Income	
Sales Income	
Total - Income	
Cost Of Sales	
Direct Cost	
Burden	
Payroll Taxes	
Payroll Taxes	
FICA FUTA	
SUTA	
Total - Payroll Taxes	
Total - Burden	
Hard Materials	
Labor COGS	
Other Job Costs	
Other Job Costs	
Freight & Delivery	
Job Per Diem	
Job Supplies	
Job Travel Costs	
Pass Thru	
Rent	
Total - Other Job Costs	
Plant Materials	
Subcontractors	
Total - Direct Cost	
Vendor Discount	
Total - Cost Of Sales	
Gross Profit	
Expense	
Advertising	
Marketing	
Total - Advertising	
Automobile Expense	
Auto Allowance	
Mileage Reimbursements	
Total - Auto Allowance	
Auto Registrations	
Total - Automobile Expense	
Banking & Credit Charges	
Banking & Credit Charges	
Finance Charges	
Total - Banking & Credit Charges	
Business Development	
Business Development	
Customer Relation Mgmt Software	
Total - Business Development	
Charitable Contributions	
Client Gifts	
Computer Expense	
Computer Expense	

Accounting Software
Egnyte Content Cloud Storage
Total - Computer Expense
Depreciation Expense
Dues & Subscriptions
Auto / Equipment Tracking
Fees
Memberships
Permits and Licenses
Total - Dues & Subscriptions
Dumpster & Debris Non-job
Employee Benefits
Employee Benefits
30 Year Event
Employee Gifts
Total - Employee Benefits
Employee Training
Employee Training
Certifications
Training Seminars, Certification
Total - Employee Training
Equipment
Small Equipment less than \$2500
Total - Equipment
Expenses
Fuel
Fuel
Fuel - Admin
Fuel - DEF
Fuel - Equipment
Fuel - Vehicle
Total - Fuel
Insurance
Company Insurance
Auto Insurance
Employer Practice Liability
General Liability
General Liability
Total - General Liability
Pollution Terrorism
Property Insurance
Property Insurance
Property Damage
Total - Property Insurance
Umbrella
Worker's Compensation
Worker's Compensation
Total - Worker's Compensation
Total - Company Insurance
Employee Personal Insurance
Employee Personal Insurance
Accident
Dental / Vision Insurance
Disability
Health Insurance
Life / AD&D - TSI Cvr'd
Life Insurance
Total - Employee Personal Insurance
Total - Insurance
Interest Expense
Interest Expense
Loan Interest



Total - Interest Expense
Office Expense
Cleaning
Repairs Office Eqt & Computers
Total - Office Expense
Payroll Expense
Payroll Expense
401k Plan
Admin Contract Labor
Bonuses
Payroll Fees
Payroll Processing Fees
Wages & Salaries
Wages & Salaries
Admin Wages
Driver Wages
Management Wages
Mechanic Wages
PTO Wages
Training Wages
Total - Wages & Salaries
Total - Payroll Expense
Professional Fees
Accounting
Computer Services
Consulting
H2B - H2A
H2B - H2A
H2B Living Expenses
Total - H2B - H2A
Legal Fees
Total - Professional Fees
Rent Expense
Alpharett a
Curie Drive
Elberton Farm
Total - Rent Expense
Repairs
Repairs
Auto Maintenance & Repairs
Auto Maintenance & Repairs
Accident costs
Total - Auto Maintenance & Repairs
Building Repairs
Equipment Maintenance & Repairs
Office & Building Improvements
Total - Repairs
Supplies
Crew Supplies & Small Tools
Mechanic Supplies
Office Supplies
Office Supplies
Postage and Delivery
Printing & Reproduction
Printing & Reproduction
Plans for Bids
Total - Printing & Reproduction
Total - Office Supplies
Total - Supplies
Taxes and Licenses
Business Licenses
Federal
Local

Total - Taxes and Licenses
Telecommunications
Internet
Mobile
Telephone
Total - Telecommunications
Travel & Entertainment
Entertainment
Lodging
Meals
Parking
Toll Fees
Transportation
Travel
Total - Travel & Entertainment
Uncategorized Expense
Uniforms
Utilities
Gas & Electric
Pest Control
Security
Water
Total - Utilities
Total - Expense
Net Ordinary Income
Other Income and Expenses
Other Income
Employee Penalty Fees Collected
Gain on Sale of Asset
Other Income
Rebates
Total - Other Income
Other Expense
Bad Debt Expense Write Off
State Income Tax Expense
Total - Other Expense
Net Other Income
Net Income

Tri Scapes
Tri Scapes
Income Statement
From Jan 2024 to Dec 2024

Financial Row	Amount
Ordinary Income/Expense	
Income	
Sales	
Sales Income	
Sales Income	
POC Revenue	
Total - Sales Income	
Total - Income	
Cost Of Sales	
Direct Cost	
Direct Cost	
Burden	
Hard Materials	
Labor COGS	
Other Job Costs	
Plant Materials	
Subcontractors	
Total - Direct Cost	
Vendor Discount	
Total - Cost Of Sales	
Gross Profit	
Expense	
Advertising	
Amortization Expense	
Automobile Expense	
Banking & Credit Charges	
Business Development	
Charitable Contributions	
Client Gifts	
Computer Expense Dues & Subscriptions	
Dumpster & Debris Non-job	
Employee Benefits	
Employee Training	
Equipment Expenses	
Fuel Insurance Interest	
Expense Office Expense	
Payroll Expense	
Professional Fees Rent	
Expense Repairs Supplies	
Taxes and Licenses	
Telecommunications Travel & Entertainment	
Uniforms	
Utilities	
Total - Expense	
Net Ordinary Income	
Other Income and Expenses	
Other Income	
Employee Penalty Fees Collected	
Gain on Sale of Asset	

Other Income	
Total - Other Income	
Other Expense	
Add Backs	
State Income Tax Expense	
Total - Other Expense	
Net Other Income	
Net Income	

Contractor Affidavit under O.C.G.A. § 13-10-91(b)(1)

The undersigned contractor ("Contractor") executes this Affidavit to comply with O.C.G.A. § 13-10-91 related to any contract to which Contractor is a party that is subject to O.C.G.A. § 13-10-91 and hereby verifies its compliance with O.C.G.A. § 13-10-91, attesting as follows:

- a) The Contractor has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program;
- b) The Contractor will continue to use the federal work authorization program throughout the contract period, including any renewal or extension thereof;
- c) The Contractor will notify the public employer in the event the Contractor ceases to utilize the federal work authorization program during the contract period, including renewals or extensions thereof;
- d) The Contractor understands that ceasing to utilize the federal work authorization program constitutes a material breach of Contract;
- e) The Contractor will contract for the performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the Contractor with the information required by O.C.G.A. § 13-10-91(a), (b), and (c);
- f) The Contractor acknowledges and agrees that this Affidavit shall be incorporated into any contract(s) subject to the provisions of O.C.G.A. § 13-10-91 for the project listed below to which Contractor is a party after the date hereof without further action or consent by Contractor; and
- g) Contractor acknowledges its responsibility to submit copies of any affidavits, drivers' licenses, and identification cards required pursuant to O.C.G.A. § 13-10-91 to the public employer within five business days of receipt.

[REDACTED]
Federal Work Authorization User Identification Number

06/02/2008

Date of Authorization

Tri Scapes, LLC
Name of Contractor

The City of Beaufort - Landscaping and Maintenance
Services City Facilities 2025
Name of Project

THE CITY OF BEAUFORT
Name of Public Employer

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on May, 08, 2025 in Alpharetta (city), GA (state).

Roni Johnston
Signature of Authorized Officer or Agent

Roni Johnston, Vice President
Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME
ON THIS THE 8th DAY OF May

Margarette T. [Signature]
NOTARY PUBLIC
My Commission Expires: 08/28/2028



**Request for Taxpayer
Identification Number and Certification**

Go to www.irs.gov/FormW9 for instructions and the latest information.

Give form to the
requester. Do not
send to the IRS.

Before you begin. For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type.
See Specific Instructions on page 3.

1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.) Tri Scapes, LLC	
2 Business name/disregarded entity name, if different from above.	
3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor ☐ C corporation ☐ S corporation ☐ Partnership ☐ Trust/estate ☒ LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) P Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner. ☐ Other (see instructions)	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) _____ (Applies to accounts maintained outside the United States.)
3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions ☐	
5 Address (number, street, and apt. or suite no.). See instructions. 1595 Peachtree Parkway, Suite 204-396	
6 City, state, and ZIP code Cumming, Georgia 30041	
7 List account number(s) here (optional)	
Requestor's name and address (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number	
or	
Employer identification number	

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person	Date
		01/09/2025

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
01/07/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER PointeNorth Insurance Group, LLC PO Box 724728 Atlanta GA 31139		CONTACT NAME: Debbie Daniel PHONE (A/C, No, Ext): (770) 858-7540 FAX (A/C, No): (770) 858-7545 E-MAIL ADDRESS: Debbie.Daniel@pninsurance.com	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Grange Insurance Company	
		INSURER B: Accident Fund National Ins. Co	
		INSURER C: Homeland Insurance Company of New York	
		INSURER D:	
		INSURER E:	
		INSURER F:	

INSURED Tri Scapes LLC 1595 Peachtree Pkwy Ste 204396 Suite 204-396 Cumming GA 30041-9584		NAIC # 14060 10166	
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COVERAGES **CERTIFICATE NUMBER:** Revised24/25 inc 24/25 WC **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDLSUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR Deductible: \$0 GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☒ LOC ☐ OTHER:	Y Y	CPP2771706	12/01/2024	12/01/2025	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJ GENERAL AGGREGATE PRODUCTS - COMPO
A	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS NON-OWNED AUTOS ONLY ☒ HIRED AUTOS ONLY ☒	Y Y	CA 2771709	12/01/2024	12/01/2025	COMBINED SINGLE LI (Ea accident) BODILY INJURY (Per p BODILY INJURY (Per a PROPERTY DAMAGE (Per accident)
A	☒ UMBRELLA LIAB ☒ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 0	Y Y	CUP2771712	12/01/2024	12/01/2025	EACH OCCURRENCE AGGREGATE
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A Y	100116821	07/12/2024	07/12/2025	☒ PER STATUTE E.L. EACH ACCIDENT E.L. DISEASE - EA EM E.L. DISEASE - POLICY
C	Pollution Liability		793012294	12/01/2024	12/01/2025	Per Occurrence Aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

For Bid Purposes Only

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Wilhelm H. Skarls

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AGENCY CUSTOMER ID: 00040249

LOC #: _____



ADDITIONAL REMARKS SCHEDULE

Page ____ of ____

AGENCY PointeNorth Insurance Group, LLC		NAMED INSURED Tri Scapes LLC
POLICY NUMBER		
CARRIER	NAIC CODE	EFFECTIVE DATE:

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: 25 FORM TITLE: Certificate of Liability Insurance: Notes

Professional Liability
Insurer: C
Policy Period: 12/01/2024 - 12/01/2025
Policy Number: 793012294
Limits [REDACTED]

Additional Named Insureds

Other Named Insureds

Hh-Triscapes Acquisition Inc	Limited Liability Company, Additional Insured
Hh-Triscapes Intermediate Inc	Limited Liability Company, Additional Insured
M&m Investments LLC	Limited Liability Company, Additional Insured
Qr Martin	Limited Liability Company, Additional Insured

CITY OF BEAUFORT
SOUTH CAROLINA
RFP SIGNATURE PAGE
LANDSCAPING AND MAINTENANCE SERVICES FOR City Right of Ways
RFP 2025-116

SUBMITTER OF PROPOSAL'S NAME: Tri Scapes, LLC

The undersigned, having become familiar with the existing conditions and the Proposal Scope of Services hereby proposed, agrees to complete the work as described in accordance with the Request for PROPOSAL and Contract Documents.

Submitters warrants that no gratuities, in the form of gifts, entertainment, or otherwise, were offered or given by the **Submitter of PROPOSAL**, to any officer or employee of the City with a view toward securing the contract or securing favorable treatment with respect to any determination concerning the performance of the contract.

This offer is genuine and not made in interest of or on behalf of any undisclosed person, vendor or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; **Submitters** has not directly induced or solicited any other **Submitters** to submit false or sham bid; **Submitters** has not solicited or sought by collusion to obtain for itself any advantage over any other **Submitters** or other **Owner**.

The words "Bidder", "Offeror", "Submitter of PROPOSAL", "Vendor", and "Company" are used interchangeably throughout this solicitation, and are used in place of the person, vendor, or corporation submitting a solicitation.

Submitters has examined copies of all documents and of the following addenda (if applicable):

Addendum No.	Date
<u>1</u>	<u>04/28/2025</u>
<u>2</u>	<u>04/28/2025</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

Address: Post Office Box: _____ Zip: _____
Street: 1595 Peachtree Parkway Ste 204-396 Zip: 30041
City: Cumming State: GA
Telephone: 770-752-4698
Email: paige@triscapes.com

*Signature:  Title: Vice President

Proposal will not be accepted unless signed in ink (not typed) in the appropriate space by an authorized officer or employee of the bidder.

Printed Name: Roni Johnston Date: 05/07/2025

CITY OF BEAUFORT
SOUTH CAROLINA
RFP SIGNATURE PAGE
LANDSCAPING AND MAINTENANCE SERVICES FOR City Right of Ways
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Proposal will not be accepted unless signed in ink (not typed) in the appropriate space by an authorized officer or employee of the bidder.

Printed Name: Roni Johnston Date: 05/07/2025

Please do not hesitate to contact us with any questions or concerns.

Braden Ragsdale
Business Development
Tri Scares, LLC
770-752-4698
braden@triscapes.com

ATTACHMENT B
LANDSCAPING AND MAINTENANCE FINANCIAL PROPOSAL
Year 2025- 2026- 2027

SCOPE TOTAL PRICE PER YEAR [REDACTED]

Mowing

* There is no CPI for year 1, year 2 or year 3.

Line Trimming

Edging

The price includes an annual enhancement credit

Turf Management

Ornamental and Bed Maintenance

Tree Maintenance

Irrigation Maintenance

Waterfront Park Playground

Janitorial Services to Public Facilities

Sidewalks, Parking lot, Street, and Curb Sweeping

Miscellaneous Services

TOTAL ANNUAL COST: [REDACTED]

TOTAL MONTHLY FEE: [REDACTED]

ADDITIONAL WORK PRICING

For special projects that are outside of the scope of the main contract, charges would be calculated as follows:

1. Labor would be charged for actual time spent performing the work at \$ [REDACTED] /man hour.
2. Materials would be charged at our invoice cost plus [REDACTED] %.

Acknowledgement of Addendum: 1, 2

Submitted by:

Company Name: Tri Scapes, LLC

By: Roni Johnston

Title: Vice President

Signature of Authorized Company Official: Roni Johnston Date: 08/11/2025

CERTIFICATION

The undersigned Bidder, having carefully examined the RFP and all subsequent Addenda, hereby agrees to furnish all labor and services, according to the requirements of the RFP and all subsequent Addenda for the amount(s) provided above. The undersigned Bidder agrees to execute a contract for this Work in the above amount(s) and to furnish a surety bond as specified within 10 days after a written Notice of Award. Each component will be evaluated separately and awarded in whole or in part.

Signature: Roni Johnston Date: 08/11/2025

Printed Name: Roni Johnston Title: Vice President



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 08/12/2025
From: Alan Eisenman, Finance Director
Item Name: Authorization to allow the City Manager to enter into a Contractual Agreement for Parking Management and Enforcement Services
Meeting Date: August 19, 2025
Department: Finance Department

Background Information:

Introduction:

On April 11, 2025, the City solicited a request for proposals, RFP 2025-119 Parking Management & Enforcement Services.

Background:

The City received four bid proposals by the submittal deadline of May 9th.

The costs for these services are incurred as a reduction to gross parking and citation revenues. The FY2026 budgeted net revenues for these services is \$225,000.

Gross Revenues FY2024	642,373	642,373	642,373	642,373	642,373	
Annual Costs	Year 1	Year 2	Year 3	Year 4	Year 5	Tot
LAZ Parking	538,674	555,204	570,138	585,542	604,432	2,853,986
Metropolis (SP+)	345,661	356,643	379,710	391,821	391,821	1,865,636
Reimagined Parking	376,115	380,758	388,558	396,518	404,647	1,946,596
The Car Park	421,081	428,501	441,644	455,182	469,125	2,215,533
Net Revenues						
LAZ Parking	\$103,699	\$87,169	\$72,235	\$56,831	\$37,941	357,875
Metropolis (SP+)	\$296,712	\$285,730	\$262,663	\$250,552	\$250,552	1,346,209
Reimagined Parking	\$266,258	\$261,615	\$253,815	\$245,855	\$237,726	1,265,269
The Car Park	\$269,062	\$263,598	\$252,451	\$240,963	\$229,172	1,255,246

The selection committee completed independent evaluations and rated The Car Park, Metropolis and LAZ Parking as the top three responsive proposals. On June 11th, the committee conducted interview meetings with these contractors. All three companies offer similar services of parking enforcement, permit and citation management, collections and revenue control, and integrated technology systems. LAZ Parking annual costs are the highest. Metropolis (SP+) has managed the City's parking services for the past five years and their annual costs are the lowest. On July 22, the selection committee met again with Metropolis and The Car Park to discuss their proposals and complete their recommendation.

The selection committee considered costs and other factors in their decision to recommend Metropolis as the lowest, most responsive bidder for these services.

Legal Authority:

City Code of Ordinances- Part 1, Chapter 4, Article A, Section 1-4004, Paragraph 9.

Staff Recommendation:

Staff recommends that City Council authorizes City Manager to enter into a contract for Parking Management and Enforcement Services with Metropolis.

Placed on Agenda For:

Action

Attachments:

1. RECOMMENDATION MEMO RFP 2025-119
2. CONTRACT PARKING MANAGEMENT
3. METROPOLIS RFP 2025-119 PARKING MANAGEMENT ENFORCEMENT SERVICES redacted

CITY OF BEAUFORT - INTERNAL MEMORANDUM

TO: SCOTT MARSHALL
FROM: JAY PHILLIPS
SUBJECT: RECOMMENDATION MEMO FOR RFP 2025-119 PARKING MANAGEMENT & ENFORCEMENT SERVICES
DATE: 8/11/25
CC: LINDA ROPER, SANDRA RICE, JJ SUAVE, ALAN EISENMAN

On April 11, the City solicited a request for proposals, RFP 2025-119 Parking Management & Enforcement Services. A public notice was published on the State of South Carolina Business Opportunities (SCBO) website, in the Island News, and the RFP documents were posted on the city website. A pre-bid meeting was held on April 25th. Questions were received by the April 30th deadline and answers were posted on May 2nd. The City received four bid proposals by the submittal deadline of May 9th, at 2:00 PM. The proposals were opened during a public meeting at that time.

The costs for these services are incurred as a reduction to gross parking and citation revenues. The FY2026 budgeted net revenues for these services is \$225,000. Metropolis is the incumbent contractor for these services.

Gross Revenues FY2024	642,373	642,373	642,373	642,373	642,373	
Annual Costs	Year 1	Year 2	Year 3	Year 4	Year 5	Totals
LAZ Parking	538,674	555,204	570,138	585,542	604,432	2,853,990
Metropolis (SP+)	345,661	356,643	379,710	391,821	391,821	1,865,656
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The selection committee considered costs and other factors in their decision to recommend Metropolis as the lowest, most responsive bidder for these services. Upon your approval, a Notice of Intent to Award and a contract draft for three years, with two one-year extension options, will be sent to Metropolis and submitted for approval by City Council at the August 19th regular meeting.

MUNICIPAL PARKING MANAGEMENT AGREEMENT

This agreement for parking management (“Agreement”) is made and entered into this ____ day of August, 2025 between the City of Beaufort (“City”) and SP Plus, LLC, (“Operator”).

WITNESSETH

THAT, WHEREAS the City presently owns or controls a parking system with approximately 468 parking spaces (including on-street spaces and off-street parking lots) and twelve pay stations and has the authority to contract for the management of said parking system; and

WHEREAS, On April 11, 2025, the City issued RFP 2025-119, Parking Management and Enforcement Services (“RFP”); and

WHEREAS, Operator is an experienced operator and manager of municipal parking facilities and on-street parking meters; and

WHEREAS, on May 9, 2025, Operator submitted its proposal (“Proposal”) to the City in response to the RFP;

WHEREAS, the City and Operator desire to enter into an agreement whereby Operator will manage the City’s parking system upon the terms, covenants, and conditions herein set forth.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties hereto agree as follows:

1. **INCORPORATION BY REFERENCE.** The forgoing Recitals are incorporated herein by reference as fully as if set forth herein verbatim. Unless specifically modified by this Agreement, all terms and conditions of the RFP and the Proposal are incorporated herein by reference as fully as if set forth herein verbatim. Any inconsistency between the RFP, the Proposal, and this Agreement shall be resolved in favor of the Agreement first, followed by the RFP, and then the Proposal.

2. **PREMISES.** City hereby grants to Operator and Operator hereby accepts the exclusive right and obligation of administering, managing, and operating the City’s parking operations with respect to the parking facilities and metered spaces identified in Exhibit A attached hereto and incorporated herein by reference (“Premises”).

3. **TERM.** The initial term of this Agreement shall be for thirty-six (36) months commencing on September 1, 2025 (the “**Commencement Date**”) and continuing through and including August 31, 2028 (the “**Initial Term**”), unless terminated earlier as provided in this Agreement. The City reserves the option to extend the contract for two additional one-year terms. The term “**Year**” shall mean the twelve (12) consecutive months beginning with the Commencement Date and each twelve-month period thereafter.

4. **OPERATOR’S OBLIGATIONS AND SERVICES; OPERATING EXPENSES.** Operator hereby covenants and agrees that it will:

- (a) Supervise and direct parking operations at the Premises pursuant to the requirements of the RFP including but not limited to meter enforcement, citation management, parking permit management, and parking services, and render the usual and customary services incidental thereto. Such operations shall include management of parking lots and pay stations, meter collections, meter enforcement, parking lot enforcement.
- (b) Maintain the parking equipment in good operating condition and repair.
- (c) Employ sufficient experienced and qualified personnel to operate the Premises who will be courteous to the public and render the services required by this Agreement. Any employee of the Operator who may issue notices of violation pursuant to City ordinances must be appointed as a code enforcement officer by the Chief of Police prior to that employee's taking any action to administer the City's parking ordinances and programs.
- (d) Promote, advertise, and endeavor to increase the efficiency and quality of Operator's services rendered hereunder.
- (e) Annually during the term, on or before **April 30** of each year, Operator shall prepare and deliver to City a budget, for the City's reasonable approval, reflecting the Net Revenues and Operating Expenses (defined below) which Operator expects to receive and incur, respectively, during City's forthcoming fiscal year (the "**Budget**"), it being agreed that if the City for any reason does not respond to any proposed budget within 30 days after City's receipt thereof, said Budget shall be deemed approved. If at any time during the period covered by any approved Budget it appears to Operator that the actual total of all Operating Expenses likely to be incurred during said period will exceed the Budget's projected total by more than ten percent (10%) Operator shall so advise City, and City and Operator shall jointly discuss what actions, if any, could be taken to minimize the Operating Expenses without substantially impairing the operation of the Premises.

The City shall pay Operator for the expenses incurred by Operator in the performance of its duties, obligations, and services pursuant to this Agreement (collectively referred to as "**Operating Expenses**") not to exceed the annual amounts of the cost of services as follows: year one (1), three hundred forty five thousand, six hundred sixty-one dollars, (\$345,661); year two (2), three hundred fifty six thousand, six hundred forty three dollars (\$356,643); and year three (3), three hundred seventy nine thousand, seven hundred ten dollars, (\$379,710), as stated in the operator's proposal. Operating Expenses shall include, without limitation, all costs, charges and administrative expenses for; salaries and wages and associated payroll burden (including without limitation, payroll taxes and fringe benefits); licenses and permits; first month's change funds/petty cash advanced by Operator (where applicable); compliance with governmental laws, regulations and payment card industry standards; uniforms, supplies, tools and cleaning; maintenance and repair to be performed by Operator; any applicable sales, parking, use, excise, Net Revenues or other tax or charge due the taxing authorities (collectively "**Sales Tax**"); telephone; utilities (except to the extent paid directly by the City); bookkeeping and administrative services; automobile allowances; employee recruitment, training and ongoing employment relations; computerized accounts receivable service; banking and credit card system services; postage and freight; tickets, paper and reporting forms; accounts payable and insurance claims processing; health insurance, worker's compensations insurance, automobile

insurance (where applicable), general liability insurance and comprehensive crime insurance coverage at rates established by Operator (but in no event to exceed the rates contained in the approved budget); and deductibles established by Operator for insured losses attributable to the Premises (plus attorney's fees and court costs to defend City and/or Operator in actions brought to recover damages for such losses). Operating Expenses shall also include any expenses not listed above that are approved by City prior to expenditure.

Operating Expenses shall not include (i) the costs of maintenance and repair of the Premises required of City hereunder, or (ii) City's various costs associated with its ownership and/or occupancy of the Premises, including without limitation depreciation, building insurance, real estate taxes and assessments, taxes on City's personal property, debt retirement (including without limitation mortgage interest), rent and such costs and expenses as may be necessitated to comply with the Americans With Disabilities Act of 1990. Payment of such expenses and costs is the sole obligation of the City.

If City disputes any Operating Expense, City shall give Operator written notice specifying the item disputed and the reason therefor. The parties shall, in good faith, diligently pursue resolution of any disputed item within thirty (30) days of said notice.

5. PAYMENT PROCEDURES. All Net Revenues (defined below) shall be deposited in a federally insured bank account maintained by Operator. Each month, to the extent Net Revenues are sufficient, Operator will pay Operating Expenses incurred from the prior month out of Net Revenues. All Net Profit (defined below), less deductions for the Management Fee, (defined in section 6 below), shall then be paid to City concurrently with the delivery of the monthly statement required in section 10, below. If Net Revenues are not sufficient to cover some or all of the Operating Expenses or Management Fee, the procedures in Section 8 will prevail.

"Net Revenues" shall mean all cash earned and collected by Operator in the course of its carrying the obligations and its performance of services as required by this Agreement, less all refunds, discounts and allowances made by Operator to its customers.

Operator shall be responsible for payment directly to the tax collector of Sales Tax (if any) based on Net Revenues collected by Operator. City shall be responsible for payment directly to the tax collector of the Sales Tax (if any) on any cash collected by City or its agents. In addition, each party hereto agrees to defend, indemnify and hold harmless the other party hereto, with respect to any loss, costs (including attorney fees), penalties, and other liability whatsoever arising out of any breach of the respective Sales Tax payment obligations set forth herein.

"Net Profit" is the balance remaining after deducting all Operating Expenses from Net Revenues.

6. MANAGEMENT FEE. As compensation for Operator's services hereunder, City shall pay Operator a management fee in the amount of \$28,184 for the first year of the term, \$28,889 for the second year of the term, and \$28,884 for the third year of the term.

7. **CONDITION AND USE OF THE PREMISES AND EQUIPMENT.**

- (a) City warrants and represents that, as of the Commencement Date and throughout the term hereof, the Premises are and shall, at City's expense, be kept in good condition and repair for use as a parking facility and be constructed and fixtured to comply with all laws, regulations, ordinances, codes and industry standards now in effect or which become effective during the term hereof including, without limitation, the Americans With Disabilities Act of 1990 and similar laws.
- (b) City warrants and covenants that it has obtained or will obtain all licenses and permits (excepting Operator's governmental parking licenses and/or police permits) which are or may be a prerequisite to Operator's performance of its duties hereunder.
- (c) Operator warrants that it will maintain all parking equipment associated therewith in good operating condition and repair

8. **REIMBURSEMENT OF DEFICITS.** Operating Expenses will be reimbursed to Operator out of Net Revenues on a monthly basis, as stated in Section 5, above. In the event Net Revenues during any month are exceeded by the total of Operating Expenses and the Management Fee, resulting in a deficit, City agrees to pay Operator the deficit within ten (10) days after receipt of Operator's monthly statement required in Section 10, below. If payment is not made by City to Operator within said ten (10) day period, after giving the City written notice of such failure to pay and allowing the City five (5) days to cure such failure, Operator shall have the right to: (i) charge interest at the highest legal rate permitted by law on the unpaid balance from the date such payment became due and payable; (ii) offset the amount of the deficit (plus accrued interest) by deduction thereof from any Net Profit due or to become due to Owner; or (iii) at its option, terminate this Agreement upon written notice, without waiving or limiting any of its legal remedies (including the right recover attorney's fees and pay other expenses incurred) which Operator may pursue to collect the amount owed.

9. **OPERATOR'S INSURANCE COVERAGES.**

- (a) Operator shall carry and maintain, as an Operating Expense, the following insurance coverages:
 - (1) Workers' Compensation insurance in compliance with The South Carolina Workers' Compensation Law.
 - (2) Employer's liability insurance on all employees employed for the purpose of providing services as required by this Agreement not covered by the Worker's Compensation Act, for occupational accidents or disease, for limits of not less than \$1,000,000 for any one occurrence, or whatever is necessary to satisfy the requirements of the umbrella liability insurance specified in Subsection (a)(7) below.

- (3) Garage liability or commercial general liability insurance on an occurrence form basis with limits of not less than \$2,000,000 per occurrence with an annual aggregate limit of \$2,000,000 per location.
 - (4) Automobile liability insurance covering losses for owned, non-owned or hired vehicles including comprehensive and collision coverage with a limit of not less than \$2,000,000 per occurrence.
 - (5) Comprehensive crime insurance including employee theft, premise, transit and depositor's forgery coverage with limits as to any given occurrence of not less than \$1,000,000.
 - (6) Umbrella liability insurance with an aggregate limit of not less than \$10,000,000.
- (b) The liability policies affording the coverages described in Subsections (a)(3), (a)(4), and (a)(6) above shall be endorsed to cover City and its employees, agents, directors, and officers as additional insureds.
 - (c) Operator shall deliver certificates of insurance to City and renewal policies shall be obtained, and certificates delivered to City prior to expiration. Operator shall endeavor to mail Thirty (30) days' prior written notice to certificate holder should any of the policies be cancelled prior to expiration date. Notwithstanding anything in this Agreement to the contrary, Operator's right to collect its insurance charges for any given period is subject only to verification that the required insurance coverage was in effect for that period as evidenced by a duly issued certificate of insurance.

10. MONTHLY REPORTING. Within fifteen (15) days after the end of each month, Operator shall mail to City a statement showing all Net Revenues, Operating Expenses, the Management Fee, and the total amount of any deficit (if any) due and payable by City to Operator pursuant to Section 7 of this Agreement for the preceding month.

Operator shall keep complete and accurate reports and records (collectively, the "**Records**") of Net Revenues and Operating Expenses relating to the Premises. Such Records shall be kept in accordance with good accounting practices. Operator shall permit City to inspect Operator's records at Operator's offices during reasonable business hours and at City's expense. Expressly excluded from the Records available for inspection are any Records or portion thereof containing sensitive credit card data or proprietary or confidential information.

11. INTELLECTUAL PROPERTY. Operator hereby grants to City, during the term of this agreement only, a non-assignable, non-exclusive right and license to use Operator's intellectual property, including but not limited to trade names, trademarks and any and all on-site parking amenities programs (the "**Intellectual Property**"), to the extent related to Operator's administration, management and operation of the Premises. Upon termination of this Agreement for any reason, Operator shall have the right, at its sole cost and expense, to remove the Intellectual Property from the Premises, and City shall refrain from all further use of the Intellectual Property.

12. **CITY'S OBLIGATIONS.** City shall, at its expense, be responsible for performance of the following:

- (a) Except for equipment maintenance duties expressly delegated to Operator pursuant to Section 4 above, all repair and maintenance of the Premises as deemed necessary and prudent in the sole discretion of the City, including (as applicable): utility, plumbing, sewage, drainage, security and lighting systems; paving; painting; directional signs, fencing, parking booths; landscaping; driveways, sidewalks and curbs (including curb cuts); sealing and waterproofing; electrical or mechanical equipment, including traffic control devices used at or in the Premises; and all structural repairs. Operator acknowledges that, pursuant to section III.10 of the RFP, Operator is responsible for painting the numbers and striping every other year for the parking lots.
- (b) Alterations, improvements, and additions that City deems necessary and/or as may be required by the Americans With Disabilities Act of 1990, and payment of architectural, engineering or consulting fees with respect thereto.
- (c) All installation, removal, replacement, or modification of signage at the Premises as may be required by law or desired by City in order to adhere to the Manual on Uniform Traffic Control Devices (the “MUTCD”) or similar standards.
- (d) Safety and/or security personnel and equipment.

With respect to Subsection (d) above, City expressly acknowledges that Operator does not have knowledge or expertise as a guard or security service, and does not employ personnel for that purpose, nor do Operator's employees undertake the obligation to guard or protect customers against the intentional acts of a third party. City shall determine, at City's discretion, whether and to what extent any precautionary warnings, security devices, or security services may be required to protect patrons in and about the premises. City agrees that Operator shall not be liable for claims, demand suits, liabilities, or judgments arising from Operator's alleged failure to warn, to guard, or to protect persons in or about the Premises from and against intentional threats, harm, or injury, except for the negligent or intentionally committed acts of or by Operator or Operator's employees.

City agrees that any contract between City and a third party contractor for work on behalf of the City at the Premises shall require (i) the third party contractor to indemnify, save and hold City and Operator harmless from and against and free and clear of all claims, suits, actions, and damages which may arise, occur or result from work performed by said third party contractor, and (ii) to require the third party contractor to name City and Operator as additional insureds on the third party contractor's policy of insurance and furnish City and Operator with a certificate of insurance evidencing such coverage.

13. **INDEMNIFICATION.** Operator shall defend, indemnify and hold harmless City from and against any and all costs, expenses, losses, liability, claims, judgments and demands (collectively “Losses”) caused by Operator's breach of this Agreement or caused by the failure of the City to comply with its obligations hereunder or by reason of the negligence of the City, its agents, employees or third parties.

14. **CITY'S INSURANCE.** City shall, at its expense, provide and maintain fire and extended coverage, vandalism and malicious mischief, and all-risk insurance coverages for buildings, improvements and any other real or personal property of City located on the Premises in an amount equal to the full replacement cost thereof.

15. **RELEASE AND WAIVER OF SUBROGATION.** In the event all or part of the Premises (including any buildings, improvements, or other real or personal property thereon) are damaged or destroyed by fire or other casualty, the rights or claims of either party or its employees, agents, successors or assigns against the other with respect to liability for such loss, destruction or damage resulting therefrom, including loss, destruction or damage suffered as a result of negligence of either party or their employees or agents, are hereby released and discharged, and any and all subrogation rights or claims are hereby waived to the extent of the actual insurance coverage carried by the parties or which is commonly covered under an all-risk insurance policy, in either case irrespective of applicable deductibles. All such insurance policies shall contain a clause or endorsement providing that the insurance shall not be prejudiced if the insured has waived its rights of recovery (including subrogation rights) against any person or company prior to the date of loss, destruction or damage.

16. **LICENSES AND PERMITS.** Operator shall obtain and maintain all licenses and permits required by an operator of parking facilities by any governmental body or agency having jurisdiction over Operator's operations at the Premises and will abide by the terms of such licenses and permits. Any license or permit fees incurred by Operator shall be deemed an Operating Expense.

17. **LAWS AND ORDINANCES.** Operator shall not use all or any part of the Premises for any use or purpose which is (i) forbidden by or in violation of any law of the United States, any state law or ordinance, or (ii) may be dangerous to life, limb or property.

18. **LOSS OR DAMAGE TO PREMISES.** In case of any substantial loss of or damage to the Premises as the result of taking under power of eminent domain, or by fire, storm or other casualty, City may (i) repair or restore the Premises at City's expense, or (ii) abandon the operations and terminate this Agreement by giving at least ten (10) days prior written notice to Operator. If City so terminates, City shall not be liable to Operator for Management Fees arising after the date of taking or casualty; provided however, if any portion of the Premises remains suitable for parking and Operator, with City's prior written approval, continues its operations, Operator shall be entitled to receive its Management Fees for the period during which such operations are continued. If City repairs and restores the Premises, no Management Fees shall be due for the period the Premises are unsuitable for the ordinary conduct of parking business, and Operator shall not be required to provide services hereunder, but this Agreement shall continue in effect, and the term shall be extended for a period equal to the period needed for repair and restoration.

19. **RELATIONSHIP OF THE PARTIES.** No partnership or joint venture between the parties is created by this Agreement, it being agreed that the Operator is an independent contractor.

20. **FORCE MAJEURE.** Neither party shall be in violation of this Agreement for failure to perform any of its obligations by reason of strikes, boycotts, labor disputes, embargoes, shortages of materials, acts of God, acts of the public enemy, acts of public authority, weather conditions, riots,

rebellion, accidents, sabotage or any other circumstances for which it is not responsible and which are not within its control. No Management Fees shall be due to Operator if it suspends operations for any such cause or event for the period of such suspension.

21. **GOVERNING LAW.** This Agreement shall be governed by and construed in accordance with the laws of the State of South Carolina.
22. **APPROVALS.** Whenever the approval of either party is required herein, such approval shall not be unreasonably withheld or delayed.
23. **WAIVERS.** No waiver of default by either party of any term, covenant or condition hereof to be performed or observed by the other party shall be construed as, or operated as, a waiver of any subsequent default of the same or any other term, covenant or condition hereof.
24. **SEVERABILITY.** If any provision hereof is held to be invalid by a court of competent jurisdiction, such invalidity shall not affect any other provision thereof, provided such invalidity does not materially prejudice either party in its rights and obligations contained in the valid provisions of this Agreement. In the event a court of competent jurisdiction determines that material provisions of this Agreement are invalid, either party may terminate this Agreement upon ten (10) days' written notice to the other party.
25. **ASSIGNMENT.** Operator shall not assign or transfer the Agreement or its right, title or interest herein without the prior written consent of the City, which consent shall not be unreasonably withheld. Operator is hereby given the right to assign this Agreement to an affiliate or Operator or to a corporation substantially all of the stock of which is owned by Operator and/or present or future loans to Operator.
26. **NOTICES.** Any notice or communication required to be given to or served upon wither party hereto shall be given or served by personal service or by express delivery or by mailing the same, postage prepaid, by United States registered or certified mail, return receipt requested, to the following addresses:

TO CITY: **City of Beaufort**
 Attn: Linda Roper
 1911 Boundary Street
 Beaufort, SC 29902

TO OPERATOR: **SP Plus a Metropolis Corporation**
 Attn: Legal Department
 112 South Tryon Street #1470
 Charlotte, NC 28284

with copy to: **SP Plus a Metropolis Corporation**
 Attn: Jason Spoeth
 112 South Tryon Street #1470
 Charlotte, NC 28284

Either party may designate a substitute address at any time hereafter by written notice thereof to the other party.

27. **ENTIRE AGREEMENT.** This Agreement, together with all exhibits hereto, constitutes the entire agreement between the parties, and supersedes all representations, statements or prior agreements and understandings both written and oral with respect to the matters contained in this Agreement and exhibits hereto. No person has been authorized to give any information or make any representation not contained in the Agreement. This Agreement may be amended only by written agreement of the parties.

28. **PARTIES BOUND.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their heirs, successors, executors, administrators, legal representatives and permitted assigns.

29. **NEITHER PARTY DEEMED DRAFTER.** The parties to this Agreement have had sufficient time to consult legal counsel and negotiate changes regarding the terms hereof. Therefore, neither party shall be deemed the drafter of this Agreement and, as such, this Agreement shall not be construed against either party due to the drafting thereof.

30. **ATTORNEY FEES.** In the event that either party hereto should (i) retain legal counsel and/or institute any suit against the other for violation of this Agreement or to enforce any of the covenants or conditions herein, or (ii) intervene in any suit in which the other is a party to enforce or protect its interest or rights hereunder, the prevailing party in any such suit shall be entitled to all of its costs, expenses and reasonable attorney(s) fees of its attorney(s) in connection therewith. The rights and obligations of this section shall survive the termination or expiration of the Agreement.

31. **AUTHORITY.** The individual signing this agreement on behalf of City hereby represents that he or she has been empowered with full authority to act on behalf of City in connection with this agreement, and that execution of this agreement has been duly authorized by City. If this Agreement is signed by an agent of City, then the individual signing below on behalf of City's agent hereby represents that he or she has been empowered with full authority to act on behalf of said agent in connection with this Agreement, and that execution of this Agreement has been duly authorized by said agent and by City. The individual signing this Agreement on behalf of Operator hereby represents that he or she has been empowered with full authority to act on behalf of Operator in connection with this agreement and that execution of the Agreement has been duly authorized by Operator.

32. **COUNTERPARTS AND DELIVERY OF SIGNATURES.** This Agreement may be executed in any number of separate counterparts, each of which shall together be deemed an original, but the several counterparts shall together constitute but one and the same Agreement. A facsimile, portable document format (pdf) file or other reproduction of this Agreement (or the signature page of this Agreement) may be executed by one or more parties hereto, and an executed copy of this Agreement (or the signature page of this Agreement) may be delivered by one or both parties by facsimile or by electronic mail in a pdf file or by similar electronic transmission device pursuant to which the signature of or on behalf of such party can be seen, and such execution and delivery shall be considered valid, binding and effective for all purposes. At the written request of either party, the parties agree to execute an original of this Agreement with original signatures.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

CITY:

City of Beaufort, SC

By: _____

Name: Scott Marshall

Title: City Manager

OPERATOR:

SP Plus a Metropolis Corporation

By: _____

Name: _____

Title: _____

Exhibit A (Map of Beaufort Downtown Parking)



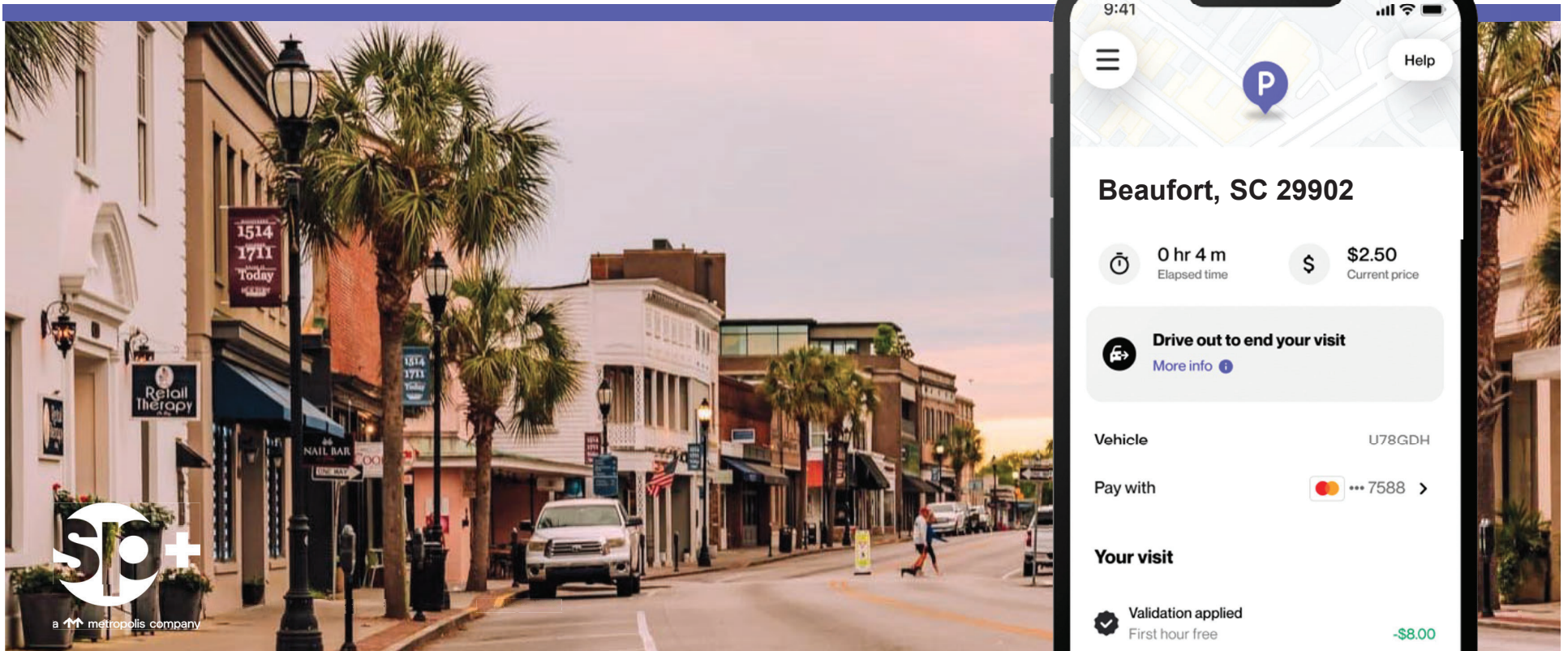
Exhibit A (List of On-Street Meters & Pay Stations)

STREET		IPS		POM		PAY STATIONS		SPACES
Bay		79		0				
WEST		17		0				
PORT REPUBLIC		7		0				
CRAVEN		16		21				
CHARLES		19		0				
NEW CASTLE		8		0				
SCOTT		10		0				
CARTERET		25		0				
SALTUS LOT		0		7				
MARINA		0		0				
SCOTT LOT						1		28
LIBRARY LOT						2		39
MARINA PLAYGROUND						1		13
MARINA						6		180
CARTERET LOT						2		67

RFP No. 2025-119 Parking Management & Enforcement Services

City of Beaufort, South Carolina

May 9th, 2025



May 9th, 2025

RFP No. 2025-119 Parking Management & Enforcement Services

City of Beaufort, South Carolina

Submitted to:

City of Beaufort, Finance Department
Procurement Administrator
1911 Boundary Street
Beaufort, SC 29902

procurement@cityofbeaufort.org



Submitted by:

Andrew May
Vice President, Operations

P: (404) 713-3725
E: amay@spplus.com

Alexander Ruth
Market Leader, Carolinas

P: (614) 946-9050
E: aruth@spplus.com



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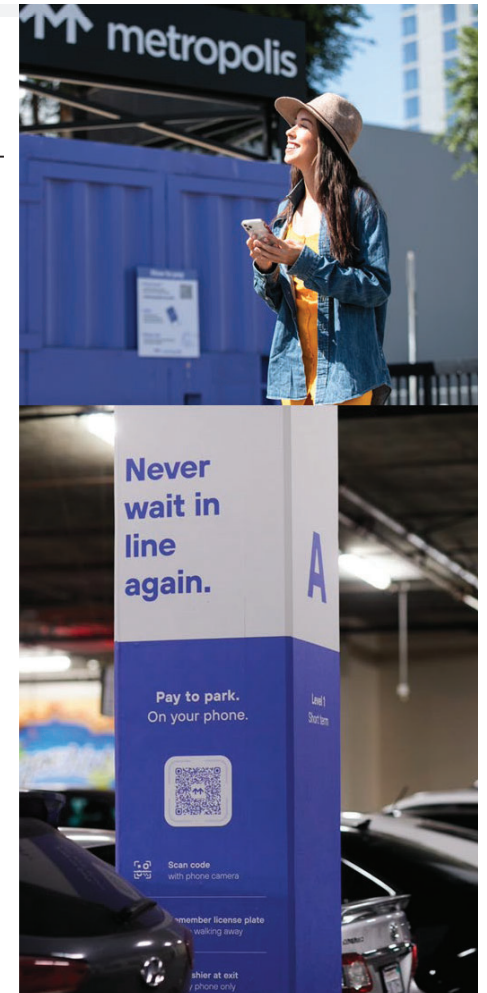


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Contents

- A Transmittal Letter
- B Experience and Qualifications
- C Proposer's Work History and References
- D Management and Personnel
- E Operations, Transition Plan, and Implementation Plan
- F Added Value and Best Practice Recommendations
- G Cost of Services Proposal
- H Incentive Proposal
- I Financial Data
- J Other Information to Provide
- K Required Forms
- L Legal / Risk Comments



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A.

Transmittal Letter



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SP+ Parking
112 S Tryon St #1470
Charlotte, NC 28284
(704) 375-5143

spplus.com | parking.com | bagsinc.com

May 9, 2025

Linda Roper
Director, Downtown Operations
City of Beaufort
1911 Boundary St
Beaufort, SC 29902

RE: RFP No. 2025-119 Parking Management & Enforcement Services

Dear Linda,

Metropolis Technologies is pleased to submit our proposal in response to RFP No. 2025-119 for Parking Management & Enforcement Services. We have valued our ten-year partnership with the City of Beaufort and are eager to continue providing excellent service.

Our team understands the unique needs of Beaufort's downtown area. We are confident that our experience, combined with our commitment to innovation, will ensure efficient and effective parking solutions for your community.

Jason Spoeth, Senior Vice President, is duly authorized to represent Metropolis Technologies and to make representations, commitments, and bind Metropolis Technologies to the terms and conditions outlined in this proposal.

We look forward to the possibility of extending our partnership and further contributing to the success of the City of Beaufort's parking management program.

Sincerely,

Alexander B. Ruth

Alex

Alexander Ruth
Market Leader
Carolinas

B.

Experience and Qualifications



a  metropolis company

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EXPERIENCE AND QUALIFICATIONS

One Metropolis parking system.

We build technology to identify vehicles, secure access to parking facilities, and process automatic payments.

We're also the parking operator, leveraging both the physical and digital world to create insightful data and deliver an unparalleled level of service to property managers, tenants, and guests.



TECHNOLOGY



POINT OF SALE



OPERATIONS



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EXPERIENCE AND QUALIFICATIONS

Everywhere.

All Metropolis locations are connected by the same platform — so members have easy access to every location within our network. Today, the platform is deployed across hundreds of locations throughout the country.

4500+

LOCATIONS

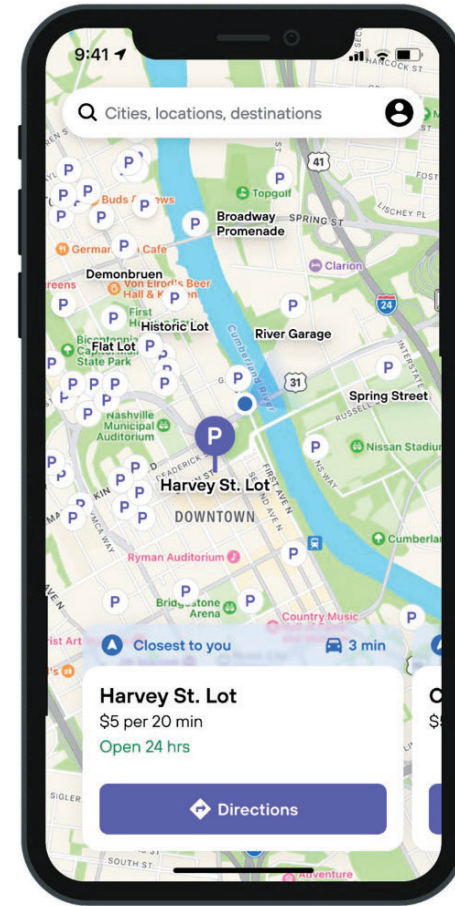
300+

MARKETS

12.7M+

MEMBERS*

**A Metropolis member has license plate, phone number, and payment method on file.*



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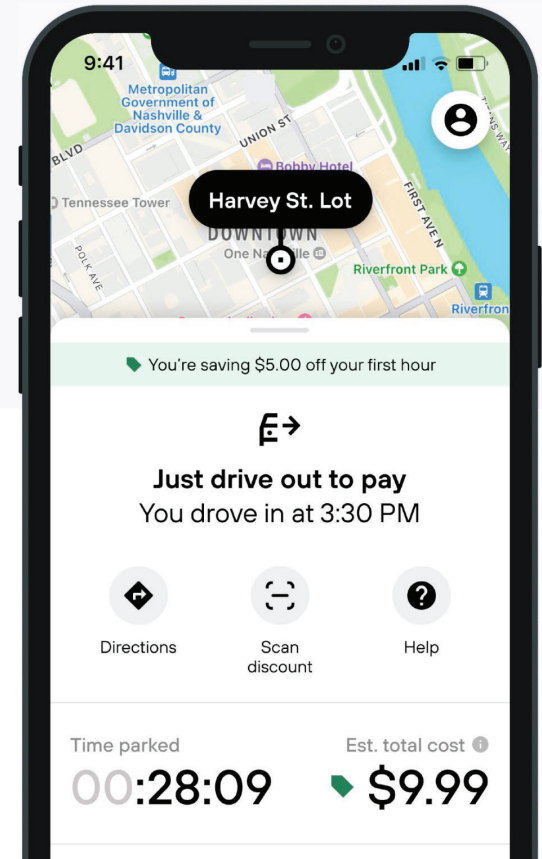
8

EXPERIENCE AND QUALIFICATIONS

Members drive out to pay.

Monthly, daily, and visiting drivers save contact, vehicle, and payment details to become *members* — a new concept for parking. This simple registration unlocks a powerful experience: you drive in, you drive out, and a receipt is waiting in your inbox before you're back on the road.

- 1 PAYMENT METHOD
- 2 PHONE NUMBER
- 3 VEHICLE
- ✓ ONBOARDED



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EXPERIENCE AND QUALIFICATIONS

The new standard in parking.

Our acquisition of SP+ is an exciting opportunity to bring together excellence in technology and operations.

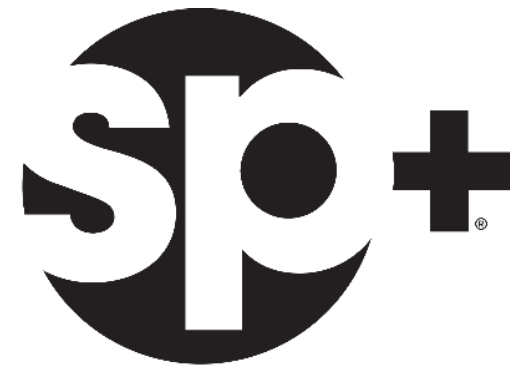
We're the new standard in parking, and we're scaling our platform to thousands of new locations and onboarding over 50M members.

360+

MARKETS BY 2026

50M+

MEMBERS BY 2026



a  metropolis company



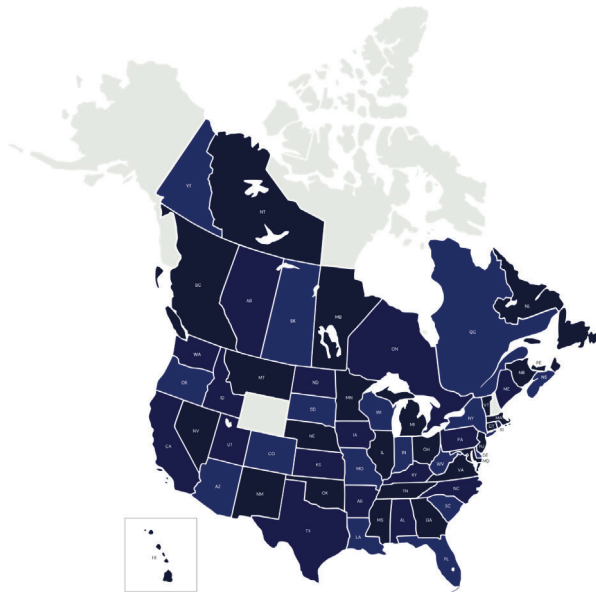
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EXPERIENCE AND QUALIFICATIONS

We are the **largest** parking network in America.



We're in 47 states, the District of Columbia, Puerto Rico, and four Canadian provinces.

12+ INDUSTRIES

- Airlines & Airports
- Events & Venues
- Healthcare
- Hospitality
- Municipal
- Office
- Residential
- Universities
- Casinos
- Cruise Ports
- Ski Resorts

10+ SOLUTIONS

- Technology Integration
- Event Logistics
- Facility Maintenance
- Parking Management
- Security Services
- Transportation Management
- Consulting
- Luggage Logistics & Mgmt
- Marketing Services
- Guest Services



370 CITIES
operating in



5 BILLION
In gross receipts annually



24,000 EMPLOYEES
globally



2.1+ MILLION
parking stalls managed



4,500+ FACILITIES
office, hotel, retail, aviation



1,600+ SHUTTLES
in operation



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EXPERIENCE AND QUALIFICATIONS

Together, SP+ and Metropolis bring unparalleled resources to our partners that drive net operating income and exceptional guest experiences.

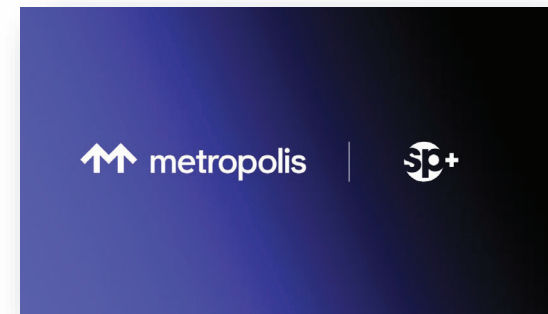
To drive even stronger financial outcomes and further enhance the guest experience, Metropolis maintains existing operational protocols and works with each property to phase new technology in over the term. Our partners see immediate impact from our investment in technical excellence, expanded team resources and prioritization of our partners – all purely additive values. By combining forces, SP+ and Metropolis are now the only integrated technology, payments, and operations company in the parking space. This unprecedented change allows us to:

- **Eliminate all the middleman and 3rd party vendors:** saving the client and customers valuable time and eliminating unnecessary stress
- **Elevated building amenity:** Over 14 million people – or 7% of licensed driver in the U.S. – love the ease of Metropolis' drive in, drive out experience
- **Prove cost savings:** as there are synergies we now have by being one integrated company
- **Realize operational efficiencies:** by eliminating redundancies and having only one vendor to perform multiple tasks
- **100% control and accountability** over reporting and revenue reconciliation



What Sets Us Apart

- **Over 4,500 locations** – Metropolis is now the largest parking network in the country.
- **Industry-leading institutional knowledge** – we've inherited the leading parking operator in the US, with 96 years of experience successfully operating parking operations in airports, hospitality, retail, residential, commercial, large events / venues, and class A office buildings.
- **Tracking to 50 million consumers** – Metropolis has built a transformative computer vision platform powered by AI that will grow its user base 7x in the next two years.
- **\$100M tech investment and growing** – we've invested more in our technology than any parking company and will double down on platform innovation in the coming years.
- **Tech expansion to events/venues** – we are explicitly focused on expanding our checkout-free experience to new use cases such as stadiums, large events, and airports.



Local Presence

SP+ has enjoyed working with the City of Beaufort since 2015.

Throughout the span of our agreement, we have enjoyed a positive relationship based on:

- Good Communication
- Responsiveness to routine and ad hoc requests
- Ensuring we consistently meet or exceed our service level agreement on meter uptime
- Provide routine and ad hoc reporting to the City
- Consistently adhere to our collection and maintenance schedules and are able to honor unexpected bagging or other unusual requests.
- Providing consultative support and advice beyond our scope, as stewards of Beaufort's parking system.

As national municipal parking experts, we can provide knowledge and share information from our operations across the country. As locals, we take pride in, and understand the nuances of the City of Beaufort. We take seriously our involvement in helping operate the parking program which improves mobility and commerce to residents and visitors alike. We look forward to the opportunity to continue to serve the City and work alongside you.



EXPERIENCE AND QUALIFICATIONS

Municipal Services Division

SP+ Municipal Services Division

The SP+ Municipal Services Division works closely with municipalities through the parking privatization process helping cities achieve their parking objectives without straining public resources or sacrificing customer service

We handle everything from parking facility planning to turn-key municipal parking operations utilizing the most experience team of municipal parking experts in the country. We specialize in providing a comprehensive set of on-site municipal parking management services that include staffing and training, revenue management, technology integration, and marketing programs – each of which are accompanied by stringent accounting and revenue control practices and procedures.

Our team of experts can provide operational guidance on parking layout recommendations that minimize traffic, reduce carbon emissions, and utilize energy-efficient technologies. For existing facilities, we can design and install graphics, lighting, and signage and assist with the procurement of automated traffic and revenue control equipment. We can also provide financing for equipment purchases.



Municipal Services Division

Municipal Services Division Overview

The City of Beaufort parking operations team will continue to receive the full support of the SP+ Municipal Services Division. The City can expect the highest level of responsiveness, guidance, and backing from the industry's most experienced and well-versed team of dedicated on-street parking professionals.

A partnership with SP+ means linking the City's parking operation to our 50+ municipal parking operations across 34 states. No other provider has a municipal parking-specific team working across regions to:

- Stay at the forefront of implanting new technology
- Ensure best practices and policies are in place location to location
- Share knowledge while developing future municipal parking leader
- Provide experience and guidance on new initiatives and projects
- Maintain accountability through teamwork



Municipal Services Division

A Partnership Approach

SP+ seeks to be more than a parking management services provider, we want to be your partner. We believe our experience and expertise set us apart from all other operators as our mission is to not be seen as traditional “Operators” but that of Innovators and a key resource for the ongoing management of your mobility plans. The SP+ team works to keep our clients informed of best practices, new innovations, and problem solving happening around the country. Public parking programs are becoming more and more sophisticated, which is why it is important for SP+ to share solutions that may be a fit for the municipality. As parking management plays a role in broader municipal transportation initiatives, our team of municipal experts are available to provide insight on traffic and curb space management in a way that will provide value above and beyond the daily management of the parking program. A partnership with SP+ guarantees transparency, accountability, and commitment to serve.

We are confident our team will strike the appropriate balance between public service and system performance. We take a collaborative, dynamic approach to serving our clients where the pursuit of excellence is always our priority. Our proven perspective to managing mobility asset operations is based on stakeholder’s desired outcomes. Our approach facilitates the process by working to develop consensus and manageable goals. A collaborative mobility provider partnership will result in a unique parking program that successfully serves the municipality as well as the community.



Municipal Services Division

Guided Operations Program – Potential Focus Areas

- Organization structure review
- Staffing approach (administrative, collections, and enforcement)
- Enforcement routing
- Right fit technology recommendation
- API integration management
- Program change implementation
- Stakeholder engagement
- CapEx and budget planning assistance
- ePermitting (residential and commercial)
- Standard Operating Procedure development
- Parking Operations Review development (auditing)
- Standardization of forms and record keeping
- Data consolidation and management practices
- Assisting with Drafting Municipal Code



EXPERIENCE AND QUALIFICATIONS

Municipal Services Division

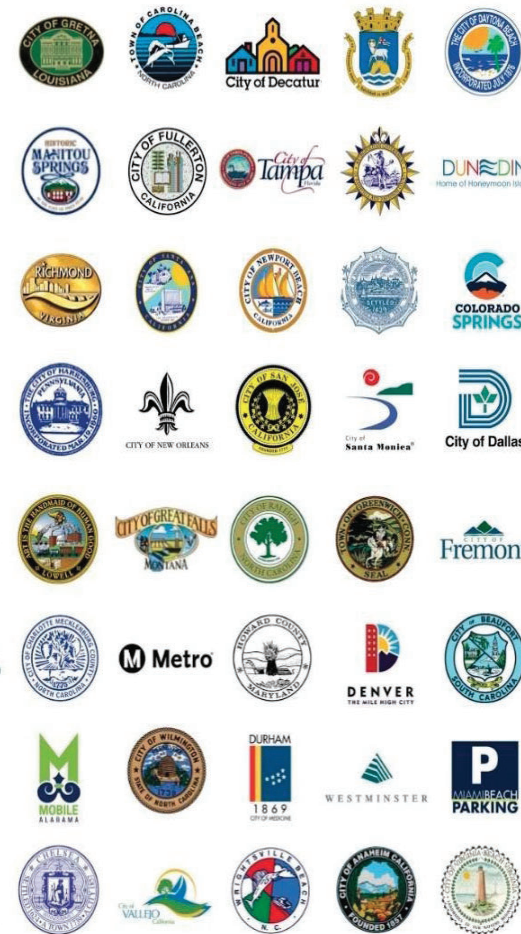
Metropolis Acquisition - The New Standard in Parking

Our acquisition of SP+ is an exciting opportunity to bring together excellence in technology and operations. We're the new standard in parking, and we're scaling our platform to thousands of new locations and onboarding over 9+M members.

List of Current SP+ Municipal Clients

SP+ has met all contractual obligations and compliance with all governing standards.

- City of Anaheim, CA
- City of Fullerton, CA
- City of Glendale, CA
- City of Los Angeles, CA (LADOT)
- City of Oakland, CA
- City of San Jose, CA
- City of San Mateo, CA
- City of Santa Monica, CA
- City of Vallejo, CA
- LA Metro – Los Angeles, CA
- VTA – Santa Clara, CA
- City & County of Denver, CO
- City of Daytona Beach, FL
- City of Jacksonville Beach, FL
- City of Saint Petersburg, FL
- City of Tampa, FL
- Broward County, FL
- Miami Parking Authority – Miami, FL
- Miami Parking Authority – Miami, FL
- City of Atlanta, GA
- City of Decatur, GA
- Chicago Transit Authority –Chicago, IL
- City of Gretna, LA
- City of New Orleans, LA
- City of Annapolis, MD
- Howard County, MD
- Parking Authority of Baltimore City, MD
- City of Attleboro, MA
- City of Chelsea, MA
- City of Rochester, MN
- City of Jackson, MS
- City of Great Falls, MT
- NJ Transit Authority, NJ
- City of Charlotte, NC
- City of Beaverton, OR
- City of Portland, OR
- City of Harrisburg, PA
- City of Beaufort, SC
- City of Nashville, TN
- City of Dallas, TX
- City of Fort Worth, TX
- City of Richmond, VA
- City of Roanoke, VA
- City of Charlottesville, VA
- City of Seattle, WA



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EXPERIENCE AND QUALIFICATIONS

Municipal Services Division

SP+ Managed Municipal Locations

SP+ manages 4,000 operations across our Municipal, Commercial and Airport Divisions. Below is a representative list of high-level relevant municipal operations for this section.

Municipal Partner	Contract Start Date	No. of Spaces	Municipal Partner	Contract Start Date	No. of Spaces
City of Great Falls, MT	1981	2,122	City of Annapolis, MD	2016	1,750
City of Tampa, FL	2010	2,000	City of Dallas, TX	2016	3,000
City of Richmond, VA	2012	7,600	City of Atlanta, GA	2017	2,750
City of Harrisburg, PA	2013	11,000	City of Decatur, GA	2018	350
City of New Orleans, LA	2014	4,300	LA Metro, CA	2018	27,000
City of Beaufort, SC	2014	398	City of Glendale, CA	2018	2,500
Howard County, MD	2015	500	City of Chelsea, MA	2019	2,500
LA DOT, CA	2015	40,000	City of Jackson, MS	2023	1,000



EXPERIENCE AND QUALIFICATIONS

Additional Municipal Clients

City of Richmond

900 E. Broad Street Room 1003
Richmond, VA 23219

Contact: Lynne Lancaster

Title: Deputy Director of Parking Mobility

Phone: (804) 646-6006

Email: lynne.lancaster@richmondgov.com

Dates of Operation: 2012 - Present

Scope of Services: SP+ Municipal Services provides parking management for 17 city-owned parking facilities totaling 6,004 parking spaces including facilities serving the 258,000 square foot Richmond Convention Center, the 13,500 seat Richmond Coliseum and the Landmark Theatre. We also perform parking meter collection and parking enforcement services.



City of Atlanta

55 Trinity Ave Suite 4900
Atlanta, GA 30303

Contact: Calvin Watts

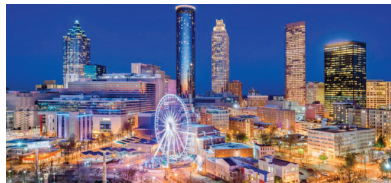
Title: Transportation Director

Phone: (404) 330-6216

Email: clwatts@atlanta.gov

Dates of Operation: 2017 - Present

Scope of Services: SP+ manages the City of Atlanta's on-street parking system consisting of over 2,700 paid spaces. In the first year of the new contract SP+ converted the existing program from pay-by-space to pay-by-plate with a system hardware deployment project.



City of Jackson

219 S. President Street
Jackson, MS 39201

Contact: Jhai Keeton

Title: Director of Planning

Phone: (228) 623-6837

Email: jkeeton@city.jackson.ms.us

Dates of Operation: Jan 2024 - Present

Scope of Services: SP+ Municipal Services manages the City of Jackson's approximately 1,000 spaces, including meter collections, maintenance, and enforcement. SP+ modernized paid parking by installing new Cale meters, mobile pay options, and introduced LPR enforcement.



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EXPERIENCE AND QUALIFICATIONS

Municipal Services Division

As the leading nationwide professional parking management company, SP+ can assure the City of Beaufort we will provide the highest level of service to you and your customers. Our local team will be supported by some of the most well-known and respected municipal parking experts in the industry. Furthermore, our team will highlight in this proposal a number of recommendations outside the scope of this RFP we feel will significantly enhance the City of Beaufort's brand and ultimately increase the overall profitability of the system.

In addition to the general scope and demonstration of understanding, the specific project understanding questions are highlighted by number below.

The scope of our management services typically also includes a number of functions that support the basic daily facility operations, such as:

- Preparation of annual portfolio operating budgets reflecting our estimates of the annual gross parking revenues the facility will generate from its parking customers, as well as the costs and expenses to be incurred in connection with the facility's operation.
- Evaluation and analysis of price structures that will optimize the City of Beaufort's revenue objectives.
- Consultation with our clients regarding which of our customer amenities are appropriate and/or desirable for implementation at the client's parking facility.
- Implementation of a wide range of operational and revenue control processes and procedures, including internal audit procedures, designed to maximize and protect the facility's parking revenues.
- Compliance with our mandated processes and procedures is supervised by dedicated internal audit and contract compliance groups.
- Monthly reporting to our clients regarding the on-street operating results.



EXPERIENCE AND QUALIFICATIONS

Municipal Services Division

The City of Beaufort can be assured employees associated with the contract will receive the necessary on-site support it needs to facilitate a well-managed parking program. Our administrative staff accountants will facilitate the efficient, accurate and timely production and delivery to our clients of our monthly reports. Our overall basic corporate functions in the areas of finance, human resources, risk management, legal, purchasing and procurement, general administration, strategy and information and technology are based in our Chicago corporate office.



EXPERIENCE AND QUALIFICATIONS

Parking Enforcement

SP+ performs parking enforcement activities including parking meter collections, parking ticket writing, mobile license plate recognition systems and vehicle immobilization. We have a tremendous amount of experience and expertise with LPR technology are adept at developing customized plans that can meet the needs of each hospital. Through years of experience and over numerous operations, we have developed an efficient and effective means of parking enforcement which ultimately results in a higher degree of voluntary compliance.

Please see Section J for additional information regarding Passport and our enforcement services



C.

Proposer's Work History and References



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PROPOSER'S WORK HISTORY AND REFERENCES

Operating and Maintaining On-Street Parking Meter Operations

SP+ has significant experience in on-street parking operations, managing such systems for over 100 major cities and supporting public agencies across the country. Our approach combines operational expertise with technology-driven solutions to enhance efficiency and user experience.

Comprehensive Management: SP+ manages all facets of on-street parking programs, including enforcement, meter maintenance, collection, and citation processing

Technology Integration: Heavily leverage technology to modernize on-street parking which includes

- Mobile Payment Options - implementing solutions like pay-by-text and mobile apps such as parking.com for convenient payment
- License Plate Recognition (LPR) – efficiently identify expired parking and time-limited violations
- Real-Time Data Analytics – provide cities with data on parking occupancy, revenue, and enforcement to inform decision making

Focus on User Experience: SP+ aims to create a streamlined and hassle free parking experience for users through various payment options, clear signage, and user-friendly technology

Financial Optimization: SP+ focuses on maximizing revenue for municipalities through efficient operations, appropriate pricing strategies, and technology to capture payments effectively.



PROPOSER'S WORK HISTORY AND REFERENCES

Structured and Surface Parking Facilities

Our expertise extends to the comprehensive management of both structured parking garages and surface parking lots across a wide array of service locations:

Downtown Business Districts: We manage high-volume parking facilities serving office buildings, commercial establishments, and entertainment venues. Our focus here is on efficient ingress and egress, optimized space utilization, and providing convenient payment options for daily commuters and visitors. We often implement technology for pre-booking, dynamic pricing, and wayfinding to enhance the parker experience.

Airports: We have extensive experience managing parking operations at major airports, understanding the critical need for seamless and efficient parking for travelers. This includes short-term, long-term, valet, and economy parking options, often integrated with shuttle services (managed under our ground transportation division), baggage handling (under our Bags brand), and online reservation systems.

Large Retail Malls: We manage parking for major shopping centers, focusing on providing ample and accessible parking for shoppers. Our strategies include managing peak traffic periods, implementing wayfinding signage, and potentially integrating parking with loyalty programs or mall directories.

Mixed-Use Developments: These environments present unique challenges with varying parking demands from residential, commercial, and retail components. Our approach involves tailored parking solutions that accommodate the diverse needs of each user group, often utilizing shared parking models and flexible pricing structures.



PROPOSER'S WORK HISTORY AND REFERENCES

Structured and Surface Parking Facilities

Transit Stations: We manage parking facilities that serve as crucial links in the public transportation network. Our focus is on providing convenient and affordable parking options for commuters, often integrated with transit schedules and payment systems.

Healthcare Facilities: We manage parking for hospitals and medical centers, recognizing the sensitive nature of these environments. Our priority is to provide accessible and easily navigable parking for patients, visitors, and staff, often including valet services and clear wayfinding.

Universities and Educational Institutions: We manage parking for students, faculty, and visitors, implementing permit systems, event parking management, and solutions that address the unique parking demands of an academic environment.

Large Venues: We provide comprehensive parking and traffic management solutions for stadiums, arenas, and event centers, handling large volumes of vehicles efficiently and ensuring smooth ingress and egress before, during, and after events.



PROPOSER'S WORK HISTORY AND REFERENCES

Automated Parking Revenue Control Systems

As one of the largest parking management firms in North America, SP+ has extensive experience operating and supporting virtually every brand current generation PARCS. In addition, we have a large footprint in the Carolinas and local experts who are familiar with most systems. Their experience and knowledge can be called upon when requested.

Not only do we have experience operating the equipment, we have experience in writing specifications, procurement, selection, financing, and installation of PARCS equipment.



D.

Management and Personnel



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Regional & Local Management Structure

Metropolis has an extensive local, technical, and operational presence in South Carolina.

We are ingrained in the South Carolina parking scene. We manage municipal, Class-A, larger mixed-use, residential, events and stadiums, airports, and hotel assets from self-parking to valet - providing a remarkable experience to thousands of visitors and locals of the city.

MUNICIPAL SUBJECT MATTER EXPERTS

Casey Robinson
Market Leader
New Orleans, LA

Danyell Little
Director, Municipal Client Success
Atlanta, GA

Jason Spoeth
Senior Vice President, Southeast Region

Andrew May
Regional Vice President

Alexander Ruth
Market Leader, Carolinas

Mark McMahan
Senior Manager

Kevin Warntz
Senior Manager

Daryl Myers
Facility Manager



Key Personnel



Jason Spoeth

Senior Vice President, Southeast Region

Jason currently serves as our SVP of Southeast Operations and is responsible for Business Development and Operations in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, Puerto Rico, and South Carolina. Jason has experience within a variety of parking niches such as Class A Office, Five Star Hotel, Healthcare, University, Municipal and large-scale Special Events.

- 28 years of parking management experience
- Bachelor's Degree from the University of Florida
- Certified Administrator of Public Parking (CAPP) through the international Parking Institute
- Member of the Parking Association of Georgia and the Mid-South Parking Association



Key Personnel



Andrew May
Regional Vice President

As Vice President, Andrew directs the senior operations team tasked with leading the day-to-day activities for all commercial, healthcare, and institutional locations in Georgia, South Carolina and North Carolina. Prior to joining SP+ in February 2017, Andrew previously worked in the hospitality industry as a hotel general manager primarily with franchised Hilton branded hotels for various locations in Atlanta for 11 years. His experience and tenure in the market will ensure an in-depth understanding of operations and marketing.

- 9+ years of Parking Management Experience
- Certified Hotel Administrator (CHA)
- Graduated from Georgia State University—Perimeter College
- Member of the Parking Association of Georgia and the Mid-South Parking Association (MSTPA)

Key Personnel



Alexander Ruth
Market Leader, Carolinas

As Market Leader for the Carolinas, Alex manages daily operations for all commercial locations. Responsibilities include business development, client profitability growth, and oversight of Charlotte's on-street parking. Previously, Alexander served as Senior Manager for Ohio and West Virginia markets. His experience spans airport, commercial, municipal, valet, healthcare, and event parking operations. Alex possesses over 10 years of comprehensive parking management expertise.

- 10+ years of parking management experience
- Bachelor's Degree from Full Sail University
- Member of the Carolinas Parking and Mobility Association (CPMA)



Key Personnel



Mark McMahan
Senior Manager

Mark is responsible for commercial, university, government, municipal, and healthcare facilities throughout the Carolinas. He has provided leadership for municipal locations like Carolina Beach, City of Charlotte, and Town of North Topsail Beach as part of his portfolio. Mark McMahan is the Facility Manager for the properties at 201 S. College Street and 227 W. Trade Street within the City of Charlotte. Mark has over 8 years of experience in the parking industry and over 28 years of management experience, providing management oversight to all operations of facilities, operations staff and clients. He has been employed with SP+ since 2011.

- 14+ years of parking management experience
- Member of The Carolinas Parking and Mobility Association (CPMA)

Key Personnel



Kevin Warntz
Senior Manager

Mr. Warntz oversees municipal markets in Annapolis, Maryland and Howard County, Maryland. Prior to joining SP+ he was the Director of Commercial Operations for a start-up parking management company in Portland, ME and a Senior Account Manager with Towne Park. He has overseen new site openings and equipment installs/upgrades in the Mid-Atlantic, Portland, ME and Kansas City, MO markets. Before transiting exclusively to municipal parking in 2018, Kevin simultaneously oversaw hotel, hospital valet services and commercial/municipal parking garages. He joined SP+ in 2018 as a Senior Facility Manager in the Annapolis Municipal Parking portfolio. Prior to his career in parking management, Kevin was an IT Recruiter.

- 15+ years of progressive parking management
- 9+ years of focus on municipal operations
- Creative approach to increasing and finding new revenue streams
- Proven project management and client relation skills
- Member of The Carolinas Parking and Mobility Association (CPMA)

MANAGEMENT AND PERSONNEL

Proposed Staffing

Park Beaufort OPS Schedule														
		Sunday		5/3/2025 - 5/16/2025							Saturday / Sunday			
		No Enforcement - Free Parking					PAY DAY				Administration Office Closed			
Date	5/3/2025	5/4/2025	5/5/2025	5/6/2025	5/7/2025	5/8/2025	5/9/2025	5/10/2025	5/11/2025	5/12/2025	5/13/2025	5/14/2025	5/15/2025	5/16/2025
Employee	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri
Daryl Myers	Off	Off	8am - 4pm	8am - 4pm	8am - 4pm	8am - 4pm	8am - 4pm	Off	Off	8am - 4pm	8am - 4pm	8am - 4pm	8am - 4pm	8am - 4pm
Jeff Noble	Off	Off	9am - 5pm	9am - 5pm	9am - 5pm	9am - 5pm	9am - 5pm	Off	Off	9am - 5pm	9am - 5pm	9am - 5pm	9am - 5pm	9am - 5pm
Mike Beason	Off	Off	11am - 7pm	11am - 7pm	Off	Off	11am - 7pm	11am - 7pm	Off	Off	Off	11am - 7pm	11am - 7pm	Off
Scott Maul	11am - 7pm	Off	Off	Off	11am - 7pm	11am - 7pm	Off	Off	Off	11am - 7pm	11am - 7pm	Off	Off	11am - 7pm
Chris Cady	As Needed	As Needed	As Needed	As Needed	As Needed	As Needed	As Needed	As Needed	As Needed	As Needed	As Needed	As Needed	As Needed	As Needed
Color Key PTO FMLA Sick Extended Leave Manager Assistant Manager Parking Enforcement / Maintenance Seasonal / As Needed														



Training Programs

Extensive Curriculum to Achieve Goals & Inspire Great Work

Our Learning and Development offers on-demand learning through The LearningHub and professional development facilitated by Regional Training Managers. Learning at Metropolis, challenges and teaches our employees how to run successful operations that are both profitable and focused on delivering service excellence. Employees benefit from knowledge and best practices from industry experts who work with a wide range of clients and business models.

From day one, we welcome aboard new employees with onboarding at their new location and becoming acquainted with peers and managers, as well as the culture and business of Metropolis. Every employee receives a personalized curriculum based upon role and location. Our goal is to craft an engaging learning experience that provides all employees with foundations required to meet company and client goals. The Metropolis Excellence and VISIT Behaviors and On-the-Job Training inform all employees and leaders of the high expectations for creating a safe and flawless customer experience.

Please see the following pages for a list of our programs.



Training Programs

Technology Training

- Company overview and background
- Web applications
 - Administrative App
 - Specialist App
 - Consumer App
- Scenario Analysis and Edge Case Training
- Staffed and Unstaffed Vision Garage
 - First time users
 - LPR recognition
 - QR Code functionality
 - Credit Card payment collection option via Metro “POS”
- “Scan to Pay” surface lot
 - QR Code functionality
 - Enforcement App
- Valet garage
 - Specialist App
 - Consumer App
 - Manual or Auto accept payment

Customer Onboarding Training (Applications)

- Consumer App
 - Editing vehicle / payment information
 - “Scan to pay”
 - Adding subscriptions
 - Adding validations
 - Requesting vehicles
- Admin App
 - Enterprise accounts
 - Enterprise subscriptions
 - Validation signage
 - Users for specialist/admin apps
 - Lot locations
- Specialist app
 - Verify entry & exit information
 - Certify payments
 - Enforcement app
 - Receive valet requests
 - Invite guests to become members

Employee Transition Process

- Interviewing with Metropolis
 - Preference given to experience attendants who understand the site
- Technology Training
- Customer Onboarding Training

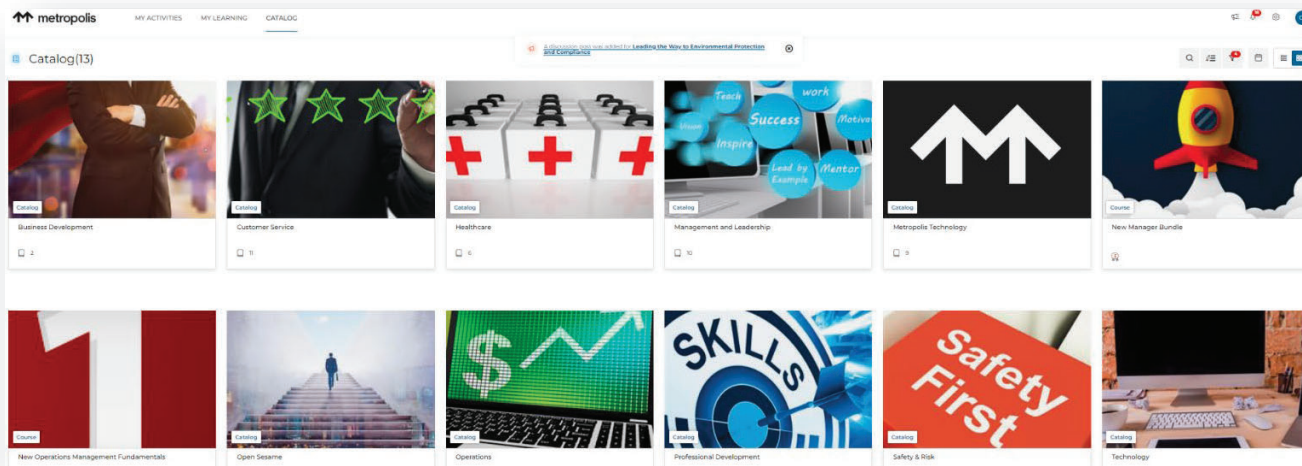


Training Programs

We encourage all learners to advance their skill set by browsing multiple catalogs, hundreds of courses, connecting with peers through discussion boards. Managers have access to create multi-faceted reports.

The Learning Hub offers:

- Hundreds of courses in our catalog, videos, job aids, performance, support tools
- E-learning, webinar, instructor-led classes, micro-learning
- Peer connectivity, leaderboards, enhanced reporting



Training Programs

Ongoing Support and Reinforcement

Training is one component to developing a successful workforce. With a de-centralized training team, we have the ability to provide on-site support and development for both managers and staff. Through our site visit assessments areas of opportunities are intensified, action plans established and development activities are provided to ensure all individuals are set up for success.



E.

Operations, Transition, and Implementation Plan



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Management of On-Street Parking

Bid to continue parking operations for the City of Beaufort, South Carolina.

We are pleased to submit this bid to continue managing the parking operations for the City of Beaufort. We have successfully provided parking enforcement and management services and are committed to continuing with the highest standards of service. Our standard operating procedures will remain consistent, ensuring a smooth transition and continuous operations.

Immediate Operational Continuity

Current operational procedures are effective and functional. Therefore, they will continue without alteration. The startup process will involve the following steps:

- **Documentation of Existing Processes:** Detailed documentation of current workflows, responsibilities, and procedures will be created.
- **Confirmation of Resources:** All existing resources, including personnel, equipment, and infrastructure, will be confirmed and documented.
- **Stakeholder Communication:** Internal stakeholders will be informed of the formalization of existing operations. External communication will remain business as usual.
- **Ongoing Monitoring:** Continuous monitoring of operations will be conducted to ensure stability and identify any potential issues.



Management of On-Street Parking

Bid to continue parking operations for the City of Beaufort, South Carolina.

Key Operational Areas

All current departments and services will continue their functions. This includes:

- Public Service
- Administrative Offices
- Code Enforcement Services
- Parking Management

Review and Optimization

While the immediate focus is on maintaining continuity, a review and optimization process will be scheduled for the near future. This will involve:

- Analyzing current processes for potential improvements
- Gathering feedback from stakeholders
- Implementing enhancements where appropriate

This plan ensures the city of Beaufort continues its operations without any disruption, maintaining all essential parking services for its residents.



Collection and Revenue Control

Cash Handling Procedures

Our revenue control and auditing procedures accurately identify actual daily transactions and sales while also protecting and safeguarding parking revenues. These procedures (which can vary slightly for any given location depending upon the facility's specific equipment and bookkeeper staffing) are summarized in the following paragraphs.

Reconciliation of Facility Revenue Data to Financial Statement Data

Each day's parking activity goes through a series of checks and balances designed to ensure the integrity of the revenue collection process. The key to our system is the independent review of paperwork to ensure the reported revenue and ticket quantities are accurate.

Using our advanced systems and procedures provides local management with the tools necessary to perform this checks and balances process faster and more accurately than ever before. These systems, uniform procedures, and our required documentation provide our corporate-based compliance department with the information necessary to perform detailed assessments of the entire process both on location and remotely.

Our revenue control, accounting, and cash management practices minimize the risk of fraud at all levels, provide a complete audit trail, and enable maximum control. With our revenue control system, top line revenue can be tracked from corporate reports to clients and all the way back to individual transactions at the location.



Collection and Revenue Control

Blackline Software

Our Daily Bank Deposit Reconciliation program, using the automated Blackline software, provides assurances against theft and embezzlement, and eliminates the need to wait for monthly bank statements to reconcile bank deposit and location deposit data. The system uncovers bank errors and detects missing and late deposits, shortages and overages, within 2-5 days rather than the 30 to 45 day cycle attributable to conventional manual deposit reconciliation methods. This increase in efficiency reduces back office costs and in turn, allows us to pass savings on to our clients.

The technology works by automatically matching revenue and bank deposits. Discrepancies are detected by our software and sent to a treasury analyst charged with resolving the issues. Accounts are reconciled within the first business week of each month for the previous month's business.

Financial Data

With all of our technological reconciliation programs in place, our clients can count on the integrity of our revenue collection process. In addition, our clients can easily access and download all of the detailed financial data through Client View®, our fully secured Internet-based system.

Credit Card Reconciliation

The reconciliation function verifies that funds for all authorized Visa, MasterCard, American Express, Discover, and Diners Club transactions are received in the designated bank account at the end of the settlement process. This function also streamlines the credit card payment process by eliminating the need to use a separate credit card system for processing this payment type. The posting process is automated, resulting in enhanced organizational efficiency, fewer bills to send, and a reduced need for back-end collection efforts.



Collection and Revenue Control

Bookkeeping

The cashier reports, revenue control system reports and exception tickets are reviewed by the bookkeeper for accuracy. The bookkeeper verifies that the amount deposited and credit card settlement totals matches the cash totals and credit card totals from the revenue control system. The bookkeeper also verifies tickets issued are accurately reported based on sequential ticket numbers or revenue control system reports. The revenue totals for each payment device (fee computers, pay stations and express park readers should match the sales recap total in the Daily Sales Report, and the total number of transactions on the revenue control system reports should equal the total number of transactions on the Daily Sales Report.

The sales, voids, and no-charge transactions processed through the payment devices are reported through the revenue control system. Daily totals are summarized by category and dollar / credit card sales. The Bookkeeper audits the Daily Sales Report using the data from the payment devices, bank deposit information and credit card settlement reports.

The physical inventory count taken each evening is used to perform an unaccounted ticket analysis. The Revenue Summary Report details by day the starting car count, total tickets issued, total tickets collected, closing car count and calculates unaccounted tickets. The tickets collected lists revenue tickets, non-revenue tickets and void tickets.

A reconciliation of the activity in each lane is completed to identify vehicles exiting the facility without having a ticket processed or an access card / AVI tag scanned. This reconciliation is also referred to as an ingress / egress report. (Not all locations are able to complete Ingress / Egress reports depending on the equipment at the location).

Some non-standard transactions are anticipated, such as parking by approved personnel while on specific business for the facility. These no-charge transactions are identified and verified from a pre-approved authorization list and verified as valid by the bookkeeper during the daily ticket audit and review. Should the bookkeeper be unable to identify or verify an exception transaction, the bookkeeper must procure an acceptable explanation from supervisory personnel. The bookkeeper will communicate any unexplained exceptions and suspicious exceptions to the senior manager for resolution.

If unexplained discrepancies of any kind are discovered, the Bookkeeper notifies the Facility Manager and the senior manager. These discrepancies will be investigated and management will take the necessary corrective actions (including employee disciplinary action, if warranted).



Collection and Revenue Control

Audit Procedures

We watch over client revenues and facilities more carefully than any other parking operator. Ensuring the integrity and objectivity of parking facility operations is critical to evaluating and improving the financial performance of client properties. We accomplish these objectives through multiple levels and types of audits, ranging from self-assessments by Facility Managers and independent operational assessments.

Self-Audit

We require all staffed locations to be self-audited once per year by the Facility Managers. An online assessment is completed by the Facility Manager, reviewed by the senior manager and retained for reference in the company's database. A subsequent formal independent assessment by our Operational Compliance Group includes a review of sampling of locations within an Operations Center, and as part of that assessment the Facility Manager's self-assessment is checked for completeness and consistency with current operations.

Operational Compliance Programs

Unlike many parking management companies, we maintain an independent Operational Compliance Department that reports directly to the company's Chief Financial Officer and the company's Audit Committee. This direct and independent reporting line ensures the integrity and objectivity of facility assessments by eliminating potential conflicts of interest inherent in assessments conducted within the operations departments themselves. All required internal audits are administered under the supervision of the Senior Vice President of Operations Support.



Collection and Revenue Control

Audit Procedures

Our Operational Compliance Department staff conducts regular assessments of our facilities. They may be performed either on a scheduled basis, unannounced basis or at the specific request of senior management. These assessments cover a broad spectrum of operations including revenue controls, payroll procedures, accounts receivable, cash security, public and employee safety, customer service, and facility appearance.

Completing parking compliance assessments puts the department in touch with every aspect of the business and helps us to assure our clients that their parking facilities are properly managed. Our staff members are familiar with industry parking technology and its impact on revenue collection. The conversion of manual cashier systems to pay-on-foot, pay-at-exit, pay-at-entry equipment, and prepaid daily parking passes as well as the associated increase in credit, debit and frequent parker programs, must be carefully monitored to reflect the complex mix of payment options.

Each facility assessment, which produces recommendations to improve operations where necessary, is retained in a database for further analysis. The database provides an objective evaluation of manager performance and assists senior management in identifying areas that need improvement and additional training resources.

Assessments are not considered final until all recommendations have been implemented successfully on the action plans. Open action plans items are communicated with all levels of management until the action items have been implemented and verified by the Operational Compliance staff.



Collection and Revenue Control

Audit Procedures

Internal Audit Department

The Internal Audit Department is also responsible for the company's internal controls certification process required by the Sarbanes-Oxley Act. This work includes the documentation of all business processes, control design analysis, key control identification, and ongoing testing of controls for operating effectiveness. The Internal Audit Department works closely with the Operational Compliance Department to ensure the quality of their work.

Compliance Audit Management System (CAMS)

Our Compliance Audit Management System (CAMS) is our comprehensive platform that tracks our Parking Compliance Assessments, Control Self-Assessment and Transportation Control Self-Assessment. CAMS provides a standardized approach for each type of assessment, improves the process through an efficient workflow, tracks the progress of assessment remediation and offers improved reporting for all stakeholders.

The Compliance Audit Management System moves our formerly unrelated audits to a trackable web-based system that allows our management staff to make sure audits are performed in a timely manner and easily review the results, as well as notifies our local operations staff when control self-assessments need to be performed in an easy to use, web-based platform.



**Compliance Audit
Management System**

With the Compliance Auditing Management System (CAMS), the Parking Operations Revenue (POR) is monitored and reviewed by the POR Compliance Group to provide Executive Management with valuable information regarding operational improvements needed for each region.



Collection and Revenue Control

Audit Procedures

CAMS Features

- Reduce time taking audits with 24/7 web enabled access
- Track action plans with ease
- Superior reporting capabilities to analyze trends
- Ability to modify reports
- Automated mail alerts to manage accountability
- One system for all company audits

Alerts

CAMS Compliance Audit Management System has smart alerts to help manage audit and action plan reports from scheduling, editing, critical question risks, in-progress status, and completion. Alert notifications are sent via email to assigned employee and management personnel.

Audit Listing								
Audit Date	Audit Description	Audit Number	Score	Location #	Location City/State	Location Name	Status	Completion Date
3/27/2015	Self Park Revenue Audit	50331-IMP10		50331	RICHMOND, VA	LADIFFERENCE LOT	Completed	3/27/2015
3/27/2015	Self Park Revenue Audit	50335-IMP12		50335	RICHMOND, VA	REYNOLDS LOT	Completed	3/27/2015
3/18/2015	Self Park Revenue Audit	50250-IMP6		50250	BALTIMORE, MD	MT. VERNON LOT	Completed	3/18/2015
3/18/2015	Self Park Revenue Audit	50274-IMP9		50274	BALTIMORE, MD	FREDERICK STREET GARAGE	Completed	3/18/2015
2/23/2015	Self Park Revenue Audit	51444-IMP5		51444	PHILADELPHIA, PA	CENTRAL AIRPARK	Completed	2/23/2015
2/10/2015	Self Park Revenue Audit	50289-IMP3		50289	ALEXANDRIA, VA	(T) 115 S. UNION	Completed	2/10/2015
2/4/2015	Self Park Revenue Audit	50385-IMP2		50385	WASHINGTON, DC	1101 4TH ST., SW	Completed	2/4/2015
2/2/2015	Self Park Revenue Audit	51449-IMP4		51449	PHILADELPHIA, PA	1616 SANSOM ST	Completed	2/2/2015
1/29/2015	Self Park Revenue Audit	50381-IMP1		50381	WASHINGTON, DC	501 3RD STREET	Completed	1/29/2015
1/21/2015	Self Park Revenue Audit	50391-IMP1		50391	WASHINGTON, DC	1800 MASSACHUSETTS AVENUE	Completed	1/21/2015
1/20/2015	Self Park Revenue Audit	50292-IMP20		50292	ALEXANDRIA, VA	TAVERN SQUARE	Completed	1/20/2015



Collection and Revenue Control

Audit Procedures

Quality & Internal Controls

We have many programs designed to ensure the timeliness and quality of the products we deliver to our clients.

Control Self Assessments

Operations managers participate in our Control Self-Assessment (CSA) Program. Each quarter, management selects facilities to participate in the CSA. Senior Managers must perform an extensive facility audit and enter their findings in a database. The CSA results are provided to senior management, along with action plans to resolve control deficiencies.

Internal Audit Department Audits

The Internal Audit Department conducts audits to ensure compliance with policies and procedures in revenue reporting, records and administration, and cash security and equipment.



Parking Advisory Services

Our unique knowledge and experience with both operations and consulting translates into optimal solutions for our clients. As part of a holistic approach, our design experts can provide valuable information and solutions to address common issues that typically affect a facility's performance, such as traffic flow, ingress/egress, parking layout, security, and lighting. We have full AutoCAD capability that allows us to interact directly with architects and engineers with designs and plans. Understanding of parking principles comes from hands-on experience with both operations and consulting. This unique knowledge and experience translates into optimal solutions for our Clients. Our Consulting Services are led by industry experts experienced in local operations in a variety of areas throughout North America. We consult on various types of multi-use developments applying multimodal solutions that merge operations and planning best practices.

The following is a list of services that our Consulting Service offers:

Parking

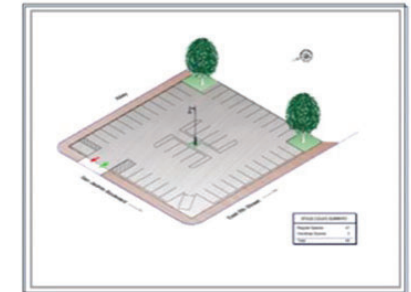
- Demand Study
- Financial Assessment and Review
- Operational Plan
- Signage Plan

Traffic

- Traffic Impact Study
- Traffic Plan Mobility Management
- Rideshare Operations Plan
- Queueing Study/Model
- Synchro Model Parking
- Demand Analysis

Technology

- Site Evaluation
- Payments
- Facility access
- Event Management
- Valet Solutions

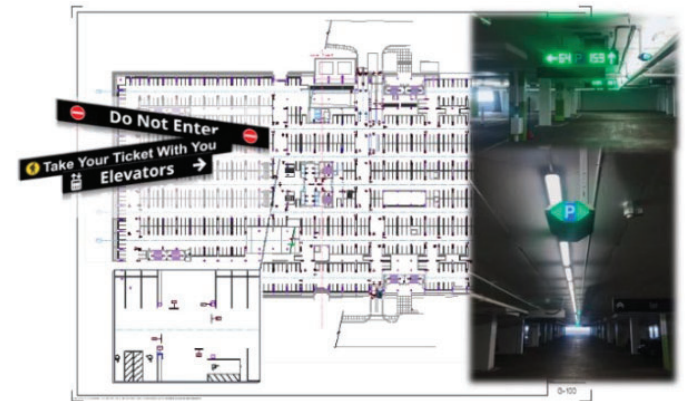


Parking Advisory Services

Wayfinding Recommendations

A comprehensive internal traffic flow study creates the Wayfinding Recommendation with signs strategically located for effective messaging.

- Customers must be able to easily find a parking space and then be directed on how to exit the facility.
- The dynamic wayfinding packages utilize technology and allow customers to find empty spaces as they become available in real time.
- For Automated, or Pay-on-Foot facilities, it is critical to the success of the operation that signage is provided to inform customers on how to pay for their parking.



Parksmart - Green Garage Certification

Sustainability is becoming increasingly incorporated into innovative design considerations for parking facilities.

Although parking facilities are not specifically eligible for LEED certification, they may earn Parksmart Certification (fka Green Garage Certification) offered by the Green Business Certification, Inc. SP+ participates in the Green Garage Certification program.



Parking Advisory Services

Demand Analysis / Feasibility

- Early in the development process, determining the number of spaces needed is essential. With the use of our proprietary demand model, an educated assessment of the parking needs can be provided. Although we begin with demand parameters developed by the Urban Land Institute, the market knowledge of our local team is unmatched.
- Develop an effective Revenue Pro Forma in order to calculate our management fee for the New Deal Model.
- Decision making data for Owner / Developer for tenant lease agreements.
- Peak hours of demand to determine the most effective method of operations.
- Accurate plan for allocation of parking spaces.
- Quantity and location of parking control equipment.

Parking Layout Optimization

- Parking layouts can be provided to suit the needs for the specific development.
- Illustration for a proposed location
- Determining the number of spaces to analyze revenue / feasibility
- Detailed parking layout to meet code requirements
- Provide dimensions for striping



24/7 Customer Support

The goal is to never have an issue, but we know they happen. Metropolis has developed a robust customer service US-based Metropolis 24/7/365 Call Center (Not outsourced) that will answer any questions and assist customers whenever needed. They can also remotely vend gates as needed. You can have peace of mind that our agents are specialists in our technology and systems, motivated to retain your revenues, and not a third-party working for numerous operators with significant delays.

Our 24/7 Support team provides world class service by:

- Acknowledging the receipt even if the email doesn't require a reply
- Being friendly, courteous, providing helpful and informative responses.
- Supported on all shifts by a Shift Supervisor
- Responding to emails within the same business day if possible but no later than 24 hours from the time of the email
- Customer Service Resolution occurs within 24 hours

Internal and External Escalations:

In the event the Account Coordinator / Customer Service Representative feels they are unable to resolve a customer's issue or concern, they will notify the customer that they will check in with their supervisor; technical issues causing delay and/or harm are always escalated to management for review.



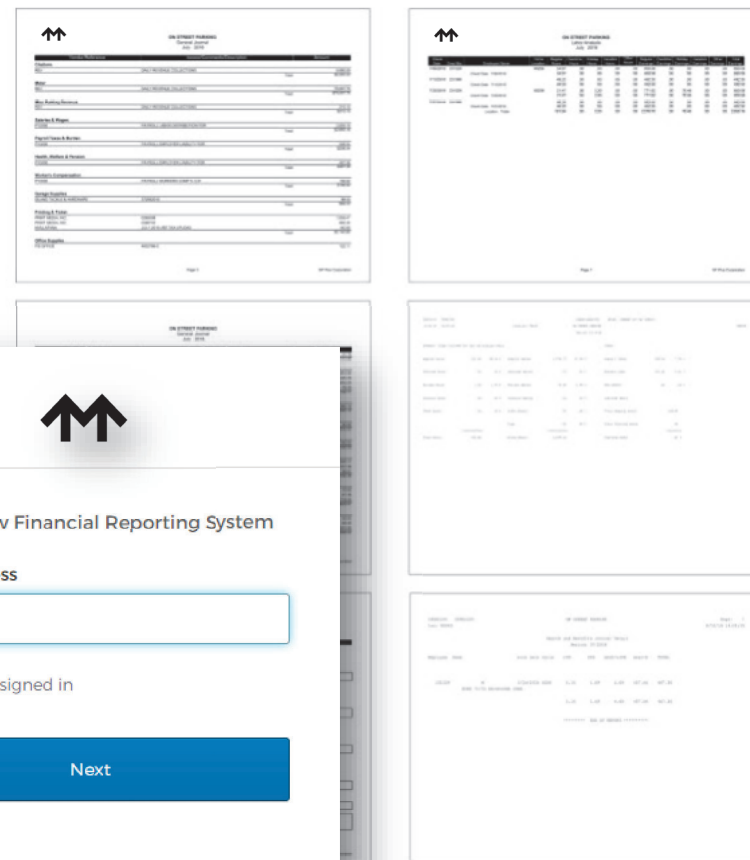
Metropolis.io

Sample Monthly Reports

Financial Reports

State-of-the-art information systems allow us to supply all the information you need to stay on top of facility performance. We can provide standard monthly reports covering:

- ✓ Budgets by month, quarter and year
- ✓ Monthly P&L reporting vs. budget by month, quarter and year
- ✓ Revenue detail reporting
- ✓ Payroll, overtime, benefit detail reporting
- ✓ Insurance claim analysis reporting
- ✓ Monthly ledger detail reporting
- ✓ Invoice copies
- ✓ Online inquiry between corporate and local offices



Collection and Revenue Control

Quality and Internal Controls

We have many programs designed to ensure timeliness and quality of the products we deliver to our clients:

Monthly P&L Reviews

We have a monthly P&L review process that requires each client statement to be reviewed by a staff accountant and Senior Manager. A higher level review also takes place with senior management that would reveal larger issues or irregularities.

Contract Compliance Audits

Contract compliance audits, performed annually by the Internal Audit Department, ensure that Staff Accountants are making the correct account entries, doing the necessary reconciliations and tying the statement back to the contract terms.

Control Self Assessments

Operations managers participate in our Control Self-Assessment (CSA) Program. Each quarter, management selects facilities that will participate in the CSA. Senior Managers are required to perform an extensive audit of the facility and enter their findings in a database. The results of the CSA are provided to senior management along with action plans to resolve any control deficiencies.



Collection and Revenue Control

Quality and Internal Controls

Internal Audit Department Audits

The Internal Audit Department has full-time auditors that review our locations for compliance with company policies and procedures. The audit program is well defined and communicated to all levels of management. There are three distinct areas of the audit program:

- ✓ Revenue reporting
- ✓ Records and administration
- ✓ Cash security and equipment

More than 100 controls are tested for compliance. The audit findings, recommendations and implementation results are captured in an extensive database. The data from the audit program is used by all levels of management and the Training Department to identify areas needing improvement. Each facility audit is scored, and these scores play a significant role in a manager's performance based compensation (bonus). Any controls found to be operating incorrectly that are not immediately remediated are captured in the audit database as a Critical Item. Critical Items cannot be removed from the audit report until an internal auditor has verified that the control is operating effectively. This ensures that no critical control issue goes unresolved.

Sample Monthly Reports

Please see our sample reports on the following pages.



Standard Operating Procedures

Parking Enforcement Policy

Our enforcement policy is designed to ensure the efficient and fair use of parking spaces within the City of Beaufort. We will continue to patrol and enforce all on-street metered parking spaces and city-owned parking lots within the downtown area, as indicated on the attached map. This includes monitoring and enforcing regulations for loading zones, handicap parking spaces, fire lanes, and no parking zones.

Operating Hours

- Monday through Saturday, 10 AM until 7 PM.
- Extended days and/or hours may be required during special events, as determined by the Facility Manager.

Enforcement Procedure

Our patrol will begin on foot, starting on Bay Street. The initial focus will be to ensure that all delivery vehicles have vacated the metered spaces by 10 AM. We will also verify that no vehicles are obstructing the roadway, parking in no parking zones, or blocking driveways. Enforcement will then prioritize the busiest areas of the day, moving towards less busy areas. This typically involves beginning at the Marina Parking Lot and working northwest towards the Carteret Parking Lot.

Enforcement staff will check in with the Assistant Facility Manager at the start of each day. This check-in is to determine the best enforcement route and to receive any specific details or event schedules for the day.



Standard Operating Procedures

Enforcement Process

Enforcement staff will follow these steps after clocking in:

- Check the enforcement calendar in the enforcement room.
- Check the ship and bus visitor schedule posted in the enforcement room.
- Inspect and sign out enforcement equipment (Phone, printer, meter keys, meter technician card, waist pack, reflective vest).
- Check in with the Assistant Facility Manager for specific events and/or tasks for the day.
- Patrol and enforce Bay Street.
- Patrol and enforce the route determined by the Assistant Facility Manager.

Task	Description
Daily Calendar Check	Review the enforcement calendar for any special events or updates.
Visitor Schedule Review	Check ship and bus visitor schedules for potential parking impacts.
Equipment Sign Out	Inspect and sign out all necessary enforcement equipment.
Manager Check-in	Receive specific instructions and event schedules from the Assistant Facility Manager.
Bay Street Patrol	Begin patrol and enforcement on Bay Street.
Route Patrol	Follow the enforcement route determined by the Assistant Facility Manager.



F.

Added Value and Best Practice Recommendations



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ADDED VALUE AND BEST PRACTICE RECOMMENDATIONS

SP+ Shuttle and Transit Services



Our service line SP+ Transportation offers sophisticated transit and shuttle bus services for airports, municipalities, government agencies, corporate campuses, office buildings, hotels, medical centers, and educational institutions. We manage and operate shuttle bus systems transporting over **61,000,000 passengers** annually in a fleet of over **1,600 vehicles**.

Our shuttle bus services are diverse in terms of size, character and complexity. We operate transportation services for a diverse range of clients including:

- Municipalities
- Colleges and Universities
- Medical Centers
- Consolidated Rental Car Shuttles
- Airline Employee Shuttles
- Inter-Terminal Shuttles
- Off Airport Remote Shuttles
- Corporation and Corporate Shuttles
- Public On-Airport Shuttles
- Hospital Programs



SP+ Shuttle and Transit Services

At SP Plus, we thrive on finding flexible solutions for our clients. There is no longer one singular way to approach transportation. We have taken what we believe are a few unique approaches to our solution for our operations planning that sets SP+ apart from every other provider. SP+ should be best described as a mobility technology provider backed by over 100 years of operational experience and expertise. With our history in operations, we are the best-suited provider to understand the challenges faced by cities on a day-to-day basis while routinely having a pulse on the market, trends, options, and experience in all facets of mobility.



SP+ prides itself on being one of the only companies in the US to embody mobility as a whole. Our teams manage transportation programs in assets from van to transit buses and motor coaches to more than 61 Million passengers last year. We provide technology and operational services to over 4,500 parking operations across North America. We provide logistics for some of the largest and most notable events on the planet including Super Bowls and Olympics. We successfully operate and deliver parking and valet excellence in more AAA Four and Five Diamond properties than any other parking management company. We are the key parking, traffic management, and transportation operator for more than 100 venues, from So-Fi to UBS Arena. We are the only operators on the planet outside of TSA to do curbside luggage management at airports across the country to help create seamless solutions for guests. Mobility is the heart and soul of our business and is supported by more than 24,000 employees nationwide.





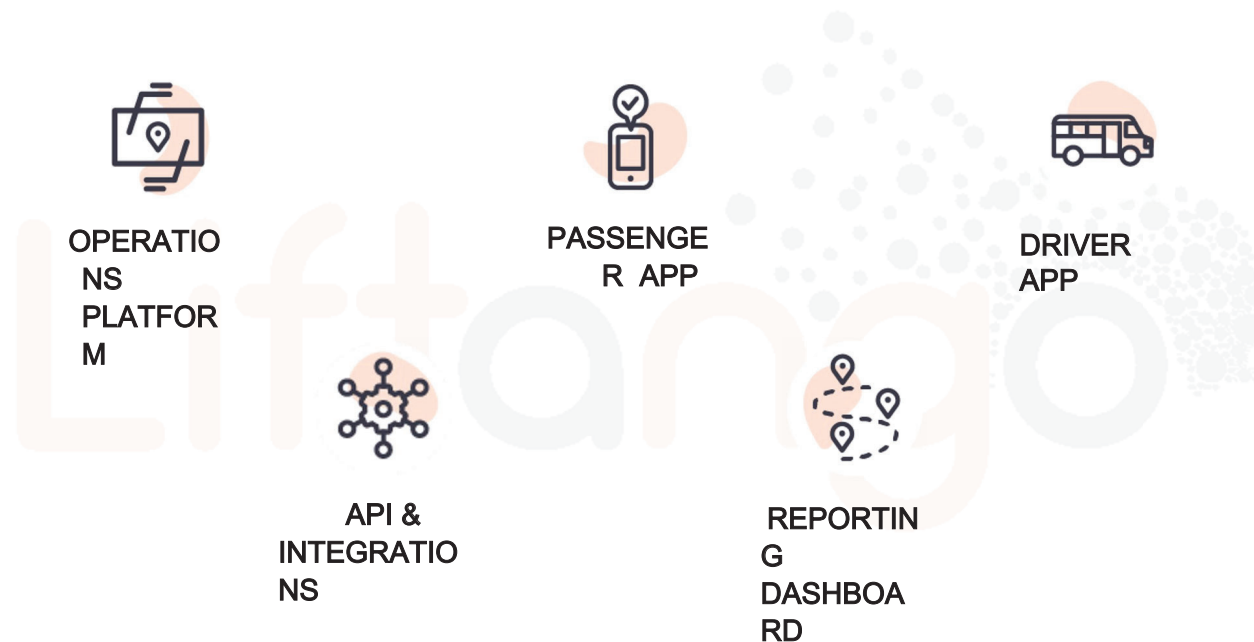
Fixed Route Shuttle
Technology



How does Fixed Route work?

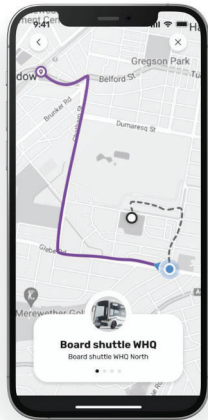
How does it work?

Liftango provides a turnkey fixed route shuttle technology platform ready for deployment.



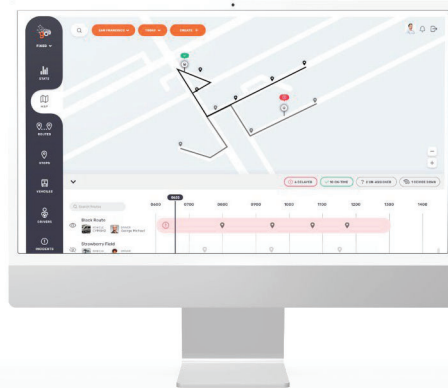
Liftango's Fixed Route Shuttle Solution

PASSENGER INTERFACE



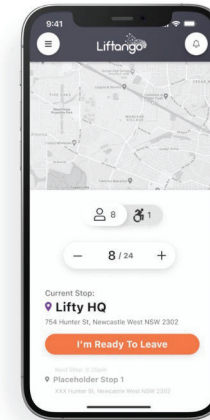
- Passenger mobile enabled web-app for journey planning, live bus tracking, live bus capacity visuals and in-trip directions

OPERATIONS PLATFORM



- Browser based platform
- Realtime view of the shuttle fleet
- Manage schedules, routes, vehicles
- Manage drivers, rosters and shifts

DRIVER PLATFORM



- Driver platform (phone or tablet) shows next pick-ups/drop offs
- Navigation directions through Google maps with real-time traffic



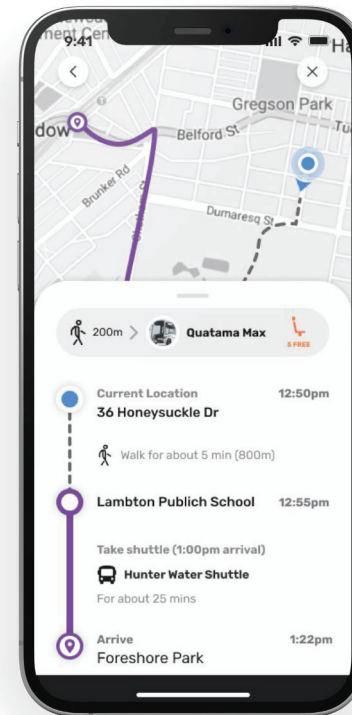
Confidential and Proprietary 2025

[Metropolis.io](https://metropolis.io)

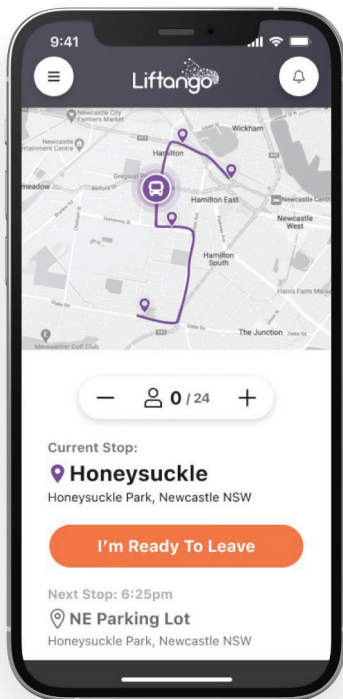
Passenger UX

A simple web -app interface for passengers.

- Simple, map-driven home page
- Journey planning, real-time bus location, seat availability
- Suited to transient passenger types (walk)
- Guided through end-to-end journeys



Driver UX



Simple intuitive Shuttle Driver Experience

- iOS or Android tablet / mobile application
- Route itinerary shown in real time
- Google maps integration for navigation
- Ability to track boarding / alighting passenger numbers

Vehicle Operator

- Screen view customisations
- Punctuality tracking indicator

Operations Platform

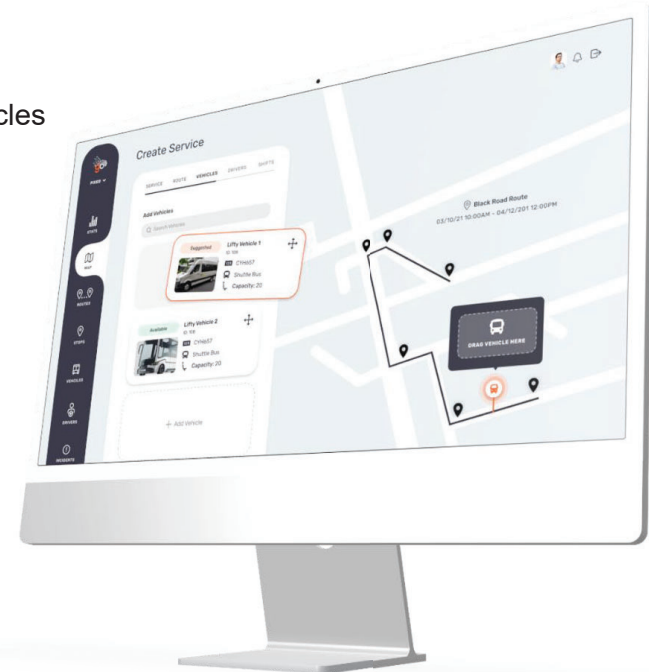
- Manage and monitor all shuttle operations in ~~real~~ time
- Live visualisation of data across multiple networks, services, routes and vehicles
- Web browser with security access control (no software)

Operational analytics

- Reporting platform collates data on all live assets
- Overview and detailed performance metrics for shuttle performance
- Punctuality metrics, patronage metrics, asset utilisation metrics

Customisation

- Customisable to integrate with transport operators systems (API plugins)
- Operations support channel (24/7 tech support)
- Build and modify new routes directly from the Operations Platform

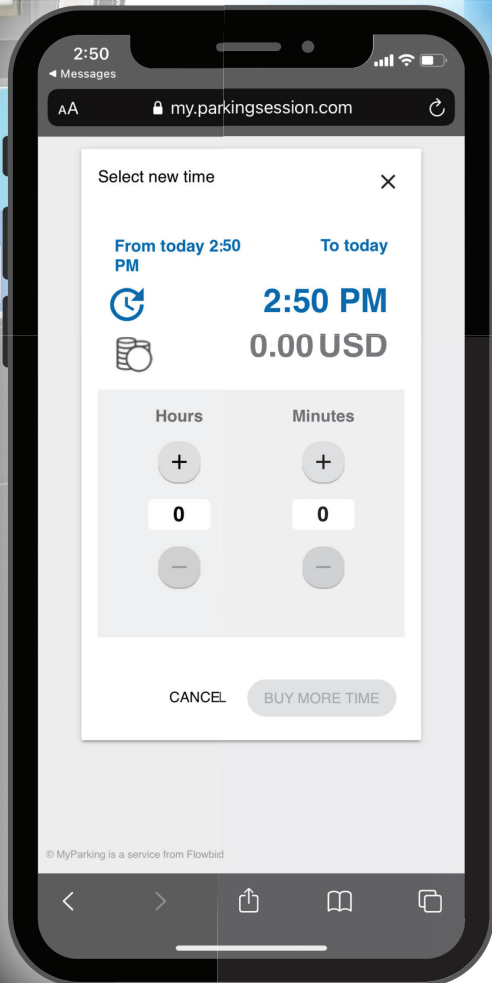


Reporting

- Simplified operational metrics on a single dashboard
- Realtime data visibility across fleets
- Interactive dashboards, data download and alerts
- Tableau Cloud, no software



Extend-by-Text



HELP YOUR CUSTOMERS STAY IN COMPLIANCE

- Users pay at the kiosk and extend from their phone
- No account or app set-up required
- Generates additional revenues for your operation
- Compatible with both Pay-by-Plate and Pay-by-Space

WHAT IS EXTEND-BY-TEXT?

Extend-by-text is a convenient way for your customers to extend their parking time without having to walk back to a pay station. No app required!

BENEFITS FOR PARKING OPERATORS

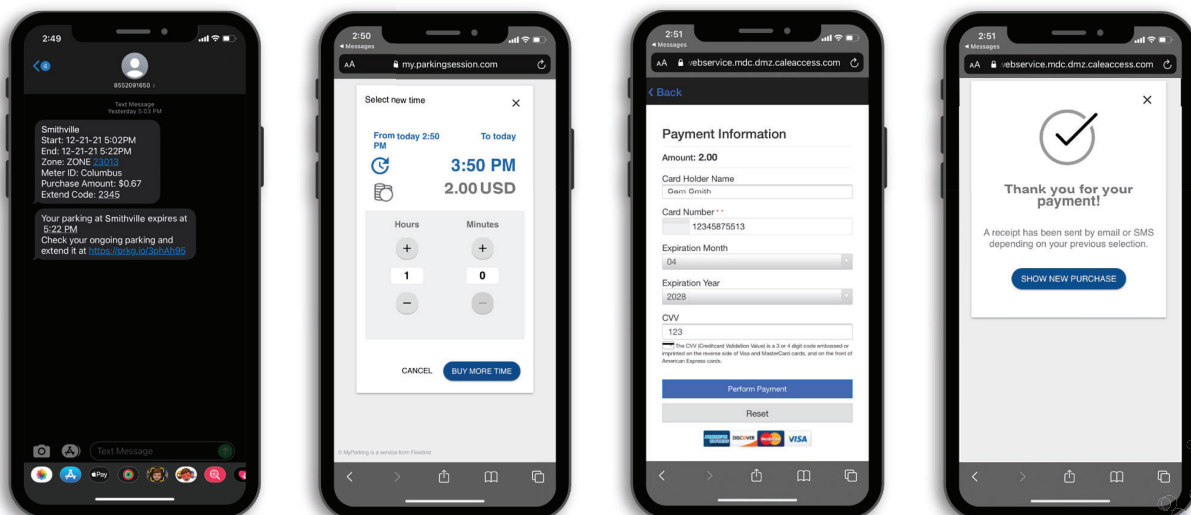
- Integrates with the same reporting system as your pay stations
- Encourages higher rates of compliance
- Increases customer satisfaction
- Generates additional revenues
- Secure payment following PCI standards

BENEFITS FOR END USERS

- Convenient text reminder prior to time running out
- Easy to extend time without downloading an app or creating an account
- No need to walk back to a pay station
- Lowers chance of receiving a parking citation

HOW DOES IT WORK?

1. Start by making your parking transaction at the pay station.
2. Enter your mobile phone number when prompted.
3. 15 minutes before your parking session is about to end, you will receive a text reminder that your time is about to expire.
4. Click on the link provided to enter additional parking time and make your payment.
5. Your parking session is now extended!



What the Samsara platform can do



SAFETY

Protect your team with coaching and AI-enabled cameras

AI Dash Cams
Driver Coaching
Safety Reports



TELEMATICS

Manage your fleet in real-time, from one dashboard

Real-Time GPS
Routing & Dispatch
OEM Telematics



EQUIPMENT MONITORING

Track and manage equipment, trailers, and other assets

Smart Trailers
Asset Tracking
Advanced Monitoring



SITE VISIBILITY

Manage facilities and remote sites with video security

Remote Visibility
Incident Investigation
Automated Alerts



WORKFLOWS

Automate key workflows across your operations

Driver Workflow
Custom Workflows
Digital Records



REPORTING

Turn real-time data into actionable insights and reports

Pre-Built Reports
Custom Reports
Benchmarking



DATA & INTEGRATIONS

Connect data across key apps and systems

Developer Overview
App Marketplace
Open API



SECURITY

Identify and act on important security risks

AI Security Cameras
Geofence Alerts
Driver Panic Button



EFFICIENCY

Reduce costs and boost productivity

Efficiency Reports
Live Link Sharing
Messaging



SUSTAINABILITY

Improve sustainability and reduce environmental impact

Fuel Management
Electric Vehicles
EV Suitability

MAINTENANCE

Maximize uptime and minimize maintenance costs

Preventative Maintenance
Engine Diagnostics
Custom DVIRs



COMPLIANCE

Simplify regulatory compliance and avoid violations

ELD Compliance
HOS & IFTA Reports
Intuitive Driver App

PRODUCTS

Vehicle Telematics

A complete fleet management solution with real-time visibility in the back office or on-the-go

Maximize uptime and productivity with real-time GPS tracking & high speed WiFi

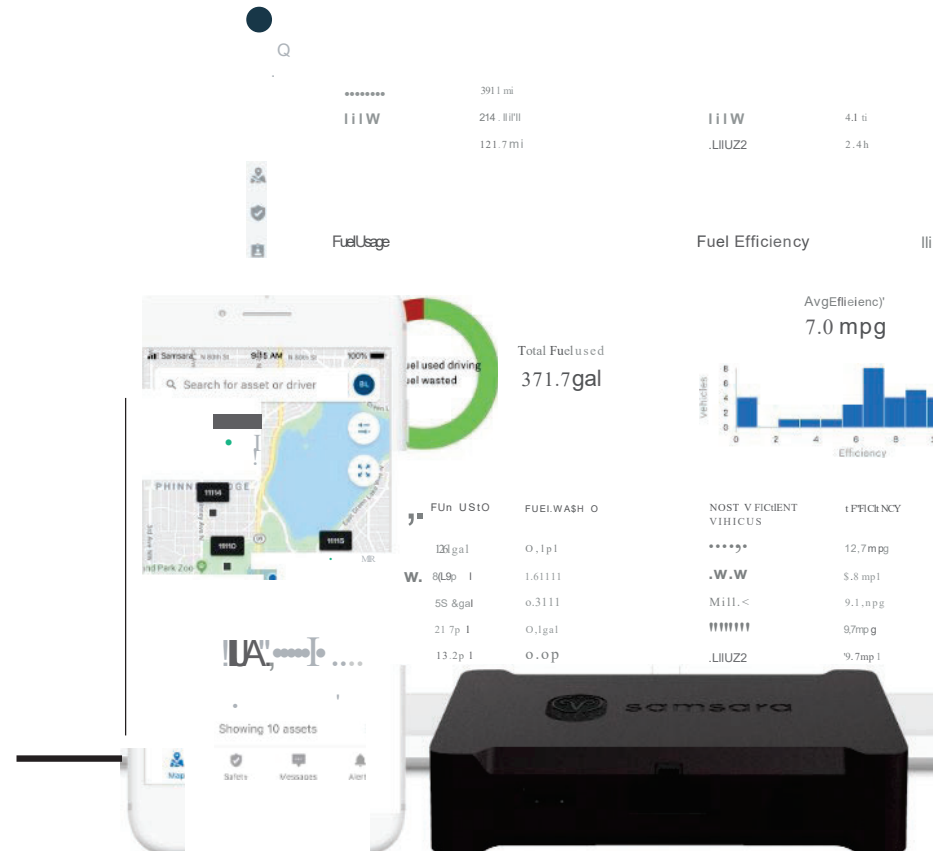
Optimize performance with deeper data on fuel usage, electrification, and utilization

Simplify compliance and surface inefficient activity with proactive alerts and reports

Consolidate your view of operations with pre-built OEM, TMS, and ERP integrations



Learn how [Dohrn Transfer Company](#) achieved a 40% quicker maintenance response time



PRODUCTS

Apps & Driver Workflows

Intuitive mobile apps that digitize paperwork, offer real-time updates, and boost productivity

Improve productivity and quality with apps that help employees complete the right tasks

Increase efficiency with two-way messaging and instant document capture

Lower costs by eliminating proprietary hardware and cellular plans

Tailor for your operations with configurable workflows and open API [_____](#)



Learn how [TCITransportation](#) tailored their driver experience

ELD Compliance

Electronic DVIRs



On Duty (00:02)



Routing & Dispatch



Documents



Messaging

FEATURES

Maintenance

Intuitive mobile apps that digitize paperwork, offer real-time updates, and boost productivity

Vehicle service logs keeps records of inspection, maintenance, and repair work done on vehicles

Fault code recording proactively spot issues such as failing batteries and engine fault codes through over-the-air diagnostics. Avoid road breakdowns and quickly identify vehicles in need of service to protect vehicle health and extent vehicle lifetime

Preventative maintenance schedule based on customizable intervals (odometer readings, operated engine hours or number of days)

Reduce costs with better fuel management with Samsara Fuel Reporting and idle time



[CLICK
HERE](#)

Maintenance Platform Video
[2 min]

FEATURES

Paperless DVIRs

Streamline maintenance workflows, perform pre and post-trip vehicle inspections

Automatic photo uploads

Walkarounds with two-way messaging and instant document capture

eSignatures of DVIRs with time stamps

Instantly respond to maintenance issues with customizable alerts ensuring mechanics are informed as soon as vehicle faults are detected or DVIRs are submitted.

9:41 AM

0 100%

Cancel

Create DVIR

Vehicle

Volvo #38

Inspection Type

@

0

Pre-Trip

Pos1-Trip

Walkaround



Front



Back



Driver Side



Passenger Side

Vehicle Defects

No Defects found

+

Add/Remove Vehicle Defects

Next

FEATURES

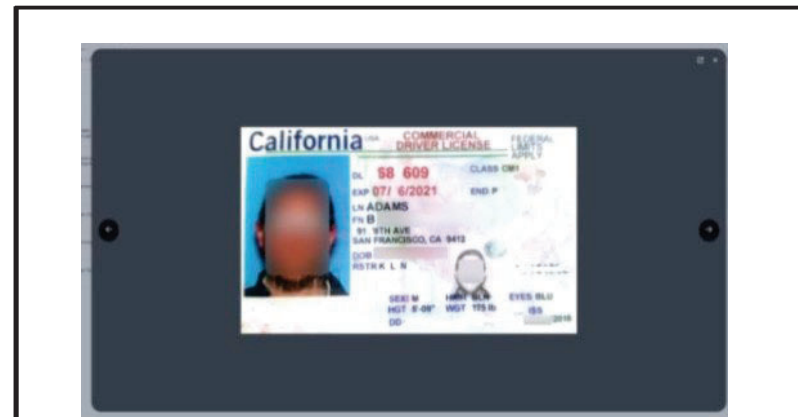
Driver Qualification

Driver Qualification enables you to easily

Easily upload images and files to track company policies and procedures, qualification documents and company trainings.

Ensure compliance with government and company policies

Schedule alert emails when driver qualification expires



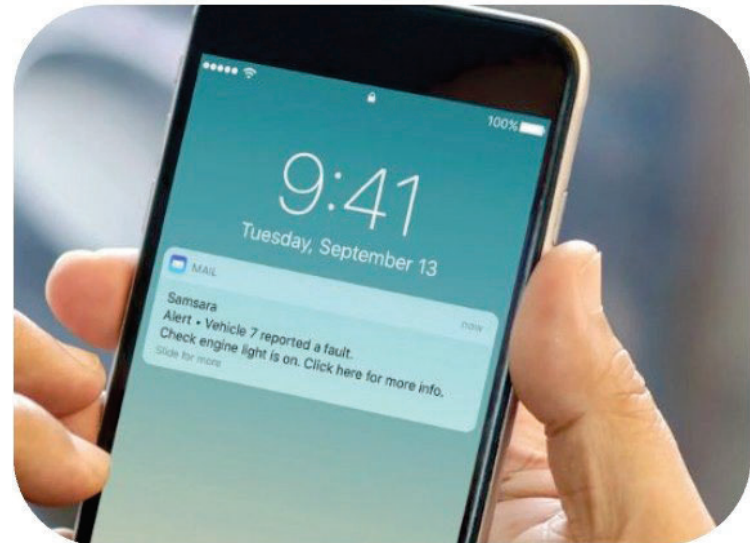
Alerts & Notifications

To stay informed on fleet activity, create alerts for the events that matter most to you and your admins.

Geofence add layer of customization to alerts

Email, SMS or push notifications based on personal preference

- [Safety Alerts](#)
- [Device Health Alerts](#)
- [Location & Movement Alerts](#)
- [Maintenance Alerts](#)
- [Driver Alerts](#)
- [Routing Alerts](#)
- [Security Alerts](#)



G.

Cost of Services Proposal



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Cost of Services Proposal

Our projected operating budgets for the next five years are included in the proceeding pages. Below are our footnotes for our annual budgets based on the descriptions supplied in the Cost Proposal Form.

Our base management fee will be a flat fee not tied to any parking revenue or citations issued.

Total Direct Labor Cost - Includes all local, state, and federal taxes in addition to employees' medical and dental insurance and workers' compensation, as well as the staff's wages as described in detail below:

Annual costs per employee description are not calculated on the cost proposal form due to the inclusion of taxes, workers' compensation, and employee benefits in our Total Direct Labor Cost.

Special Event staff is budgeted throughout the year for special events as needed, which will be fulfilled with our current labor pool.

Position	Annual Hours	Rate
Manager	2,080	\$60,000
Asst. Manager	2,080	\$40,000
Code Enforcement	2,080	\$17.00
Special Event	TBD	\$17.00



Cost of Services Proposal

Overhead and Profit – No additional overhead and profit is budgeted on this project other than our percentage management fee and incentive management fee.

Supplies Cost – Includes uniforms, printing, general expenses, and postage and one-time startup expenses. Office Rent, Utilities, Telephone, licenses/permits, processing fees, and banking fees.

Equipment Cost – Includes equipment repairs and maintenance, and spare parts and supplies.

Insurance Cost – Includes our general liability and auto liability insurance premiums (employee-related medical and dental insurance is charged to direct labor cost).

Vehicle Cost – Includes gas and vehicle repairs and maintenance.

- SP+ is providing a small truck to the operation at NO cost to the City.

Management Fee – Flat Fee with an increase of 2.5% annually.



2025/2026 EXHIBIT: 3 - Cost of Services Proposal Form			
	Rate/Hr.	Annual # of Hours	Annual Cost
Parking Attendants	17	2080	35,360
Meter Technicians/Collectors	N/A	N/A	N/A
Assistant Manager	19.23	2080	40000
Permit Clerk	N/A	N/A	N/A
Manager	28.85	2080	60000
Cashier / Summons Clerk	N/A	N/A	N/A
Maintenance Personnel	N/A	N/A	N/A
Total Direct Labor Cost			180,533*
Overhead and Profit			N/A**
Supplies Cost			77,681
Equipment Cost			75,926
Insurance Cost			12,836
Vehicle Cost			0
Management Fee			28184
Permit System and Software Costs			15,993
Other (Please explain in detail on separate page)			

year 1 jp

**TOTAL ANNUAL
COSTS**

345,661***

* Please attach corresponding staffing schedule and organizational chart.

*Total Direct Labor Cost includes Annual Labor Cost plus local, state, federal taxes in addition to employees medical and dental insurance and workers compensation

**Overhead and Profit included in Management Fee

***Excluding Credit Card Fees

2026/2027 EXHIBIT: 3 - Cost of Services Proposal Form			
	Rate/Hr.	Annual # of Hours	Annual Cost
Parking Attendants	17.51	2080	36,620.8
Meter Technicians/Collectors	N/A	N/A	N/A
Assistant Manager	20.60	2080	42848
Permit Clerk	N/A	N/A	N/A
Manager	29.71	2080	61800
Cashier / Summons Clerk	N/A	N/A	N/A
Maintenance Personnel	N/A	N/A	N/A
Total Direct Labor Cost			186,445
Overhead and Profit			N/A**
Supplies Cost			77,681
Equipment Cost			75,926
Insurance Cost			12,836
Vehicle Cost			
Management Fee			28,889
Permit System and Software Costs			15,993
Other (Please explain in detail on separate page)			

year 2 jp

**TOTAL ANNUAL
COSTS**

356,643***

* Please attach corresponding staffing schedule and organizational chart.

*Total Direct Labor Cost includes Annual Labor Cost plus local, state, federal taxes in addition to employees medical and dental insurance and workers compensation

**Overhead and Profit included in Management Fee

***Excluding Credit Card Fees

2027/2028 EXHIBIT: 3 - Cost of Services Proposal Form			
	Rate/Hr.	Annual # of Hours	Annual Cost
Parking Attendants	18.57	2080	38638.8
Meter Technicians/Collectors	N/A	N/A	N/A
Assistant Manager	21.85	2080	45457.4
Permit Clerk	N/A	N/A	N/A
Manager	31.52	2080	65,563.6
Cashier / Summons Clerk	N/A	N/A	N/A
Maintenance Personnel	N/A	N/A	N/A
Total Direct Labor Cost			198,883
Overhead and Profit			N/A**
Supplies Cost			77,681
Equipment Cost			75,926
Insurance Cost			12,836
Vehicle Cost			
Management Fee			28,889
Permit System and Software Costs			15,993
Other (Please explain in detail on separate page)			

year 3 JP

**TOTAL ANNUAL
COSTS**

379,710***

* Please attach corresponding staffing schedule and organizational chart.

*Total Direct Labor Cost includes Annual Labor Cost plus local, state, federal taxes in addition to employees medical and dental insurance and workers compensation

**Overhead and Profit included in Management Fee

***Excluding Credit Card Fees

2028/2029 EXHIBIT: 3 - Cost of Services Proposal Form			
	Rate/Hr.	Annual # of Hours	Annual Cost
Parking Attendants	19.13	2080	39,798
Meter Technicians/Collectors	N/A	N/A	N/A
Assistant Manager	22.51	2080	46,821
Permit Clerk	N/A	N/A	N/A
Manager	32.47	2080	67,530
Cashier / Summons Clerk	N/A	N/A	N/A
Maintenance Personnel	N/A	N/A	N/A
Total Direct Labor Cost			205,424
Overhead and Profit			N/A**
Supplies Cost			77,681
Equipment Cost			75,926
Insurance Cost			12,836
Vehicle Cost			
Management Fee			28,889
Permit System and Software Costs			15,993
Other (Please explain in detail on separate page)			

**TOTAL ANNUAL
COSTS**

391,821***

* Please attach corresponding staffing schedule and organizational chart.

*Total Direct Labor Cost includes Annual Labor Cost plus local, state, federal taxes in addition to employees medical and dental insurance and workers compensation

**Overhead and Profit included in Management Fee

***Excluding Credit Card Fees

2029/2030 EXHIBIT: 3 - Cost of Services Proposal Form			
	Rate/Hr.	Annual # of Hours	Annual Cost
Parking Attendants	19.13	2080	39,798
Meter Technicians/Collectors	N/A	N/A	N/A
Assistant Manager	22.51	2080	46,821
Permit Clerk	N/A	N/A	N/A
Manager	32.47	2080	67,530
Cashier / Summons Clerk	N/A	N/A	N/A
Maintenance Personnel	N/A	N/A	N/A
Total Direct Labor Cost			205,424
Overhead and Profit			N/A**
Supplies Cost			77,681
Equipment Cost			75,926
Insurance Cost			12,836
Vehicle Cost			
Management Fee			28,889
Permit System and Software Costs			15,993
Other (Please explain in detail on separate page)			

TOTAL ANNUAL COSTS	year 5, jp 391,821***
* Please attach corresponding staffing schedule and organizational chart.	

*Total Direct Labor Cost includes Annual Labor Cost plus local, state, federal taxes in addition to employees medical and dental insurance and workers compensation

**Overhead and Profit included in Management Fee

***Excluding Credit Card Fees

H.

Incentive Proposal



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Incentive Proposal

For the sake of clarity, we wish to explicitly state that our compensation structure does not include an incentive fee. Our commitment is to providing transparent and equitable parking management services, operating under a non-predatory framework that is not contingent on quotas or the generation of additional profit.



K.

Required Forms



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REQUIRED FORMS

Insurance Program

Our coverage provides exceptional protection for our clients:

Workers' Compensation Insurance. Our coverage maintains compliance with the state's Workers' Compensation Act.

Employer's Liability Insurance. Covers all employees for the premises not covered by the Workers' Compensation Act, for occupational accidents or disease, for limits of not less than \$1,000,000 for any one occurrence, or whatever is necessary to satisfy the requirements of the umbrella liability insurance specified below.

General/Garage Liability Insurance. We are insured on an occurrence form basis with limits of not less than \$9,000,000 per occurrence with an annual aggregate limit of \$15,000,000 per location.

Garage-Keeper's Legal Liability Insurance (if Applicable). Insures any and all automobiles that are parked at the premises by the operator's attendants or for which a bailment otherwise is created, with limits of liability not less than \$3,000,000 per occurrence.

Comprehensive Crime Insurance. Includes Employee Dishonesty, Forgery or Alteration, Inside and Outside the Premise, Computer Fraud, Money Orders and Counterfeit Paper Currency, Loss of Clients Property resulting from EE Dishonesty, and Funds Transfer Fraud with limits of \$5,000,000 per occurrence.

Umbrella Liability Insurance. In excess following form, with an annual aggregate limit of \$100,000,000.

Fidelity Insurance Coverage. Because no internal control system—no matter how well conceived and operated—can provide an absolute assurance that its objectives will be met (and because no evaluation of controls can guarantee detection of all control issues), we provide our clients with an additional layer of protection by maintaining \$5 million in fidelity insurance coverage. This coverage protects our clients against losses associated with employee dishonesty, theft, computer fraud and forgery.

All insurance premiums and deductibles are included in the base hourly manhour rate. A sample of our Certificate of Insurance is included on the next page.





CERTIFICATE OF LIABILITY INSURANCE

DATE(MD/YY)
12/28/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Aon Risk Services Central, Inc. Chicago IL office 200 East Randolph Chicago IL 60601 USA	CONTACT NAME PHONE (A/C No. Ext) (866) 283-7122 FAX (800) 363-0105 E-MAIL ADDRESS
INSURED Metropolis Technologies, Inc. 200 E Randolph Street, Suite 7700 Chicago IL 60601 USA	INSURER(S) AFFORDING COVERAGE INSURER A: XL Insurance America Inc 24554 INSURER B: Greenwich Insurance Company 22322 INSURER C: AIS Specialty Insurance Company 26883 INSURER D: Great American Spirit Ins Co 33723 INSURER E: Endurance American Specialty Ins Co 41718 INSURER F: Westchester Surplus Lines Ins Co 10172

COVERAGES CERTIFICATE NUMBER: 570110048349 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. Limits shown are as requested

LINE	TYPE OF INSURANCE	ADDITIONAL INSURED	POLICY NUMBER	POLICY EFF DATE (MM/DD/YYYY)	POLICY EXPI DATE (MM/DD/YYYY)	LIMITS
B	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ Contractual Liability Included GEN'L AGGREGATE LIMIT APPLIES PER: POLICY ☐ TPO ☒ LOC OTHER:		RGE300120908 SIR applies per policy terms & conditions	01/01/2025	01/01/2026	EACH OCCURRENCE \$9,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$2,000,000 MED EXP (Any one person) Excluded PERSONAL & ADV INJURY \$9,000,000 GENERAL AGGREGATE \$15,000,000 PRODUCTS - COMP/OP AGG \$9,000,000
B	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☒ UNINSURED AUTOS ONLY ☒ BUILT \$500,000 SET ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS ONLY		RAD945782008 ADS	01/01/2025	01/01/2026	COMBINED SINGLE LIMIT (Per accident) \$10,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) Garagekeepers Limit \$2,500,000
C	☒ UMBRELLA LIAB ☒ EXCESS LIAB ☐ RETENTION \$25,000 ☒ CLAIMS-MADE		BE017247695	01/01/2025	01/01/2026	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY FORTUITIOUS PARTNER / EXECUTIVE OFFICER MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N/A	RWD300121008 ADS RWR300121108 RETRO	01/01/2025	01/01/2026	X PER STATUTE E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE-EMPLOYEE \$1,000,000 E.L. DISEASE-POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Insurance charges will include all applicable premiums and costs, as well as retained exposure charges established by the Named Insured. 1/1/2025 - 1/1/2026 crime & excess crime pol #'s SAA50414480900 & XSC50414490900; \$5,000,000 OCCURRENCE, crime coverage provides first party coverage against business related crime such as robbery & burglary, employee dishonesty, forgery or alteration, computer fraud, guest property, money orders, and counterfeit currency. As respects ARGO-CAS-00C001999-1 excess policy \$5M po \$10M xs \$115M and CASP0000311A02025 - excess policy \$5M po \$10M xs \$115M, Aon Commercial Risk (U.S.) is generating and distributing this certificate in an administrative capacity. Aon Bermuda is the broker for the defined policies.

CERTIFICATE HOLDER Metropolis Technologies, Inc. 200 E. Randolph Street, Suite 7700 Chicago IL 60601 USA	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Aon Risk Services Central, Inc.</i>
---	---

Holder Identifier :

Certificate No : 570110048349



ADDITIONAL REMARKS SCHEDULE

AGENCY CUSTOMER ID: 570000025472

LOC #:

Page _ of _

AGENCY Aon Risk Services Central, Inc.	NAMED INSURED Metropolis Technologies, Inc.
POLICY NUMBER See Certificate Number: 570110048349	
CARRIER See Certificate Number: 570110048349	NAIC CODE EFFECTIVE DATE

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER G: Allied World Assurance Company (us) Inc		19489
INSURER H: MS First Capital Insurance Ltd		AA57600.
INSURER I: Homesite Insurance Company		17221
INSURER J: Navigators Specialty Insurance Company		36056

ADDITIONAL POLICIES If a policy below does not include limit information, refer to the corresponding policy on the ACORD certificate form for policy limits.

INSR LTR	TYPE OF INSURANCE	ADDITIONAL INSURED	SUBR VWD	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
	EXCESS LIABILITY						
J				CH25RXS203X3VIC 10M X 10M	01/01/2025	01/01/2026	Aggregate \$10,000,000
G				03126674 15M X 20M	01/01/2025	01/01/2026	Aggregate \$15,000,000
E				XS-C30000541307 10M po 20M x 35M	01/01/2025	01/01/2026	Aggregate \$10,000,000
H				TSUEEX000066000 10M po 20M x 35M	01/01/2025	01/01/2026	Aggregate \$10,000,000
L				EC02508933 10M X 55M	01/01/2025	01/01/2026	Aggregate \$10,000,000
I				CX501212002 10M X 65M	01/01/2025	01/01/2026	Aggregate \$10,000,000
D				EXC5773577 12.5M p/o 25Mx75M	01/01/2025	01/01/2026	Aggregate \$12,500,000
K				AXF565834105 12.5M p/o 25Mx75M	01/01/2025	01/01/2026	Aggregate \$12,500,000
F				647373955003 15Mx100M	01/01/2025	01/01/2026	Aggregate \$15,000,000
							Each Occurrence \$15,000,000

ACORD 101 (2000-01)

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Met

ACORD 25 (2016-03)

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REQUIRED FORMS

Workers Comp Modification Reports

SP+ A Metropolis Company's policy does not allow us to release our Worker's Comp Modification Reports.



ETHICS IN PUBLIC CONTRACTING AFFIDAVIT

STATE OF South Carolina)

COUNTY OF Beaufort)

Jason Spoeth, being first duly sworn, deposes and says that:

1. He/She is Senior Vice President (title) for/of SP+ A Metropolis Company (company/business), the Proposer that has submitted the attached Statement of Proposals;
2. He/She is legally qualified and capable of signing this affidavit and is authorized to do so by Proposer;
3. He/She is fully informed regarding the preparation and contents of the attached Statement of Proposal and of all pertinent circumstances respecting such Proposal;
4. Such Proposal is genuine and is made without fraud;
5. Neither the said Proposer, nor any of its officers, partners, owners, agents, representatives, employees, or parties in interest has offered or received any kickbacks or inducements from any offeror, suppliers, manufacturer, or subCompany in connection with the offer, and they have not conferred on any public employee, public member, or public official having official responsibility for this procurement or transaction, any payment, loan, subscription, advance, deposit of money, services, or anything of value as defined in Section 8-13-100 of the South Carolina Code of Laws; and
6. Furthermore, neither the Proposer, nor any of its officers, partners, owners, agents, representatives, employees or parties in interest has any relationship with the City, another person, or organization that interferes with fair competition or that constitutes a conflict of interest with respect to a contract with the City.

May 9, 2025

DATE

SP+ A Metropolis Company

COMPANY/BUSINESS

BY:

SIGNATURE

Jason Spoeth

PRINTED NAME

SWORN to before me this 7th
day of May, 2025

ITS: Senior Vice President
TITLE

Notary Public for Florida (state)

My commission expires: June 16, 2028

By: Linda Coto
(signature)



LINDA COTO
Commission # HH 493915
Expires June 16, 2028

NONCOLLUSION AFFIDAVIT OF PRIME PROPOSER

STATE OF South Carolina)

COUNTY OF Beaufort)

Jason Spoeth, being first duly sworn, deposes and says that:

1. He/She is Senior Vice President of SP+ A Metropolis Company, the Proposer that has submitted the attached proposal;
2. He/She is fully informed respecting the preparation and contents of the attached proposal and of all pertinent circumstances respecting such proposal;
3. Such Proposal is genuine and is not a collusive or sham proposal;
4. Neither the said Proposer nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, has in any way colluded, conspired, connived, or agreed, directly or indirectly with any other Proposer, company or person to submit a collusive or sham Proposal in connection with the Contract for which the attached Proposal has been submitted or to refrain from proposing in connection with such Contract, or has in any manner, directly or indirectly, sought by agreement or collusion or communication or conference with any other proposer, company or person to fix the price or prices in the attached Proposal or of any other proposer, or to secure through any other proposal, or to fix any overhead, profit or cost element of the bid price or the bid price of any other proposer, or to secure through any collusion, conspiracy, connivance or unlawful agreement any advantage against the City of Beaufort, SC or any person interested in the proposed contract.


(signed)
Senior Vice President
(title)

SWORN to before me this 7
day of May, 20 25

Notary Public for Florida (state)
My commission expires: June 16, 2028
By: Linda Coto
(signature)



LINDA COTO
Commission # HH 493915
Expires June 16, 2028

SMALL/WOMAN-OWNED/MINORITY BUSINESS ENTERPRISE FORM	
YOUR COMPANY'S CURRENT STATUS	SUPPLIER BUSINESS CLASSIFICATIONS
Is this a small business? Yes ☒ No	A small business is a business which is independently owned and operated, not dominant in its field of operation, and can qualify under criteria concerning number of employees, average annual receipts, or other criteria as outlined by the Small Business Administration. (See CFR Title 13, Part 121, as amended)
Is this a woman-owned business? Yes ☒ No	A woman-owned business is a business which is at least 51% owned by a woman or women who also control and operate the business.
Is this a minority-owned business? Yes ☒ If Yes, please indicate minority group: ___Asian American ___Black American ___Hispanic American ___Native American	A minority-owned business is a business which is at least 51% owned, controlled and operated by socially and economically disadvantaged individuals. The following groups are among those presumed to be socially and economically disadvantaged: Asian Americans, Black Americans, Hispanic Americans, and Native Americans.
Is this a disabled-owned business? Yes ☒ No	A disabled-owned business is a business which is at least 51% owned, controlled and operated by an individual or individuals who are disabled.
Is this a veteran-owned business? Yes ☒ No	A veteran-owned business a business which is at least 51% owned, controlled and operated by an individual or individuals who are U.S. veterans.
Is this a disabled veteran-owned business? Yes ☒ No	A disabled veteran-owned business is a business which is at least 51% owned, controlled and operated by an individual or individuals who are U.S. veterans and disabled.
Are the individuals who own, control and operate this business U.S. citizens? ☒ Yes No	
Is this business a non-profit organization? Yes ☒ No	
Is this business incorporated? ☒ Yes No	

1350

dor.sc.gov



STATE OF SOUTH CAROLINA
DEPARTMENT OF REVENUE

**NONRESIDENT TAXPAYER REGISTRATION
AFFIDAVIT INCOME TAX WITHHOLDING**

I-312
(Rev. 4/18/24)
3323

Mail to: The company or individual you are contracting with.

The undersigned nonresident taxpayer hereby certifies as follows:

Legal business name: SP+ A Metropolis Company FEIN: 31-1945521

Trade name if applicable (doing business as): N/A

Mailing address: 112 S Tyron Street #1470

City: Charlotte State: NC ZIP: 28284

Check and complete one:

☒ Hiring or contracting with:

Name: City of Beaufort

Mailing address: 1911 Boundary Street

City: Beaufort State: SC ZIP: 29902

☐ Receiving rentals or royalties from:

Name: _____

Mailing address: _____

City: _____ State: _____ ZIP: _____

I hereby certify that the above named nonresident taxpayer is currently registered with (check the appropriate box):

☒ The South Carolina Secretary of State (SCSOS) or

☐ The South Carolina Department of Revenue (SCDOR):

Date of registration: February 3, 1982

I understand that by this registration, the above named nonresident taxpayer has agreed to be subject to the jurisdiction of the SCDOR and the courts of South Carolina to determine its South Carolina tax liability, including estimated taxes, together with any related interest and penalties.

I understand the SCDOR may revoke the withholding exemption granted under SC Code Section 12-8-550 (temporarily doing business or professional services in South Carolina) or SC Code Section 12-8-540 (rentals) at any time it determines that the above named nonresident taxpayer is not cooperating with the SCDOR in the determination of its correct South Carolina tax liability.

I hereby certify that I have examined this affidavit and to the best of my knowledge and belief, it is true, correct, and complete. I understand that under SC Code Section 12-54-44 (B)(6)(a), I can be fined and/or imprisoned for furnishing a false statement.

Signature of nonresident taxpayer (owner/partner/corporate officer when relevant)

May 9, 2025

Date

Jason Spoeth

Print name

Senior Vice President

If corporate officer, state title

33231044

INSTRUCTIONS

Submit this form to the company or individual you are contracting with.

Do not submit this form to the SCDOR.

Purpose of Affidavit

A person is not required to withhold taxes for a nonresident taxpayer who submits an affidavit certifying that they are registered with either the SCSOS or the SCDOR.

Required Withholding Payments

SC Code Section 12-8-550 requires persons hiring or contracting with a nonresident taxpayer to withhold 2% of each payment made to the nonresident where the payments under the contract exceed \$10,000. However, this section does not apply to payments on purchase orders for tangible personal property when those payments are not accompanied by services to be performed in this state.

SC Code Section 12-8-540 requires persons making payment to a nonresident taxpayer, of rentals or royalties at a rate of \$1,200 or more a year for the use of or for the privilege of using property in South Carolina, to withhold taxes on the nonresident taxpayer at the following rates:

- If payments are made to a nonresident taxpayer who is not a corporation, the withholding is computed at South Carolina's top marginal Individual Income Tax rate for the tax year.
- If payments are made to a nonresident taxpayer who is a corporation, the withholding is computed at 5%.

SC Code sections are available at **dor.sc.gov/policy**.



M-56 SC Illegal Immigration Reform Act Certification

SCSHFDA, 300-C Outlet Pointe Blvd., Columbia, SC 29210, (803) 896-9001 www.schousing.com

HOME Recipient:

HOME Award #:

HOME Activity #:

Contractor Name:

Contractor Address:

of Employees:

Effective July 1, 2009, South Carolina businesses that employ 100 or more workers must verify the legal status of new employees and remove from their payrolls any worker who is not legally in the United States and authorized to work. Businesses that employ less than 100 workers will be subject to comply with the Act effective July 1, 2010.

In accordance with the requirements of the SC Illegal Immigration Reform Act, ("Contractor") hereby certifies that it is currently in compliance with the requirements of Title 8, Chapter 14 of the S.C. Code Annotated and will remain in compliance with such requirements through out the term of its contract with (name of NSP Recipient).

Contractor hereby acknowledges that in order to comply with requirements, it will:

☒ Register and participate in the federal work authorization program (E-Verify) to verify the employment authorization of all new employees; and require agreement from its subcontractors to register and participate in the federal verification the employment authorization of all new employees.

OR

- ☐ Employ only workers who:
- Posses a valid SC driver's license or identification card issued by the SC Department of Motor Vehicles; or
 - are eligible to obtain a SC driver's license or identification card in that they meet the requirements set forth in S.C. Code Annotated Sections 56-1-40 through 56-1-90; or
 - posses a valid driver's license or identification card from another state where the license requirements are at least as strict as those in SC, as determined by the SC Department of Motor Vehicles.

Contractor agrees to provide to HOME Recipient any documentation required to establish the applicability of the SC Illegal Immigration Reform Act to the Contractor and/or subcontractor(s). Contractor further agrees that it will provide the HOME Recipient with any documentation required to establish that the contractor and any subcontractors are in compliance with the requirements of Title 8, Chapter 14 of the S.C. Code Annotated.

Date:

Title:

By:

CITY OF BEAUFORT
SOUTH CAROLINA
RFP SIGNATURE PAGE
RFP NO. 2025-119

PROPOSER'S NAME: SP+ A Metropolis Company

The undersigned, having become familiar with the existing conditions and the Proposal Scope of Services hereby proposed, agrees to complete the work as described in accordance with the Request for Proposal and Contract Documents.

Proposer warrants that no gratuities, in the form of gifts, entertainment, or otherwise, were offered or given by the **Proposer**, to any officer or employee of the City with a view toward securing the contract or securing favorable treatment with respect to any determination concerning the performance of the contract.

This offer is genuine and not made in interest of or on behalf of any undisclosed person, vendor or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; **Proposer** has not directly induced or solicited any other **Proposer** to submit false or sham bid; **Proposer** has not solicited or sought by collusion to obtain for itself any advantage over any other **Proposer** or other **Owner**.

The words "Bidder", "Offeror", "Proposer", "Vendor", and "Company" are used interchangeably throughout this solicitation, and are used in place of the person, vendor, or corporation submitting a solicitation.

Proposer has examined copies of all documents and of the following addenda (if applicable):

Addendum No.	Date
<u>Addendum 1</u>	<u>May 5, 2025</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

Address: Post Office Box: _____ Zip: _____
Street: 112 S Tyron St #1470 Zip: 28284
City: Charlotte State: NC
Telephone: (704) 375-5143 Fax: _____
Email: jspoeth@metropolis.io

*Signature: _____ Title: Senior Vice President

Proposal will not be accepted unless signed in ink (not typed) in the appropriate space by an authorized officer or employee of the bidder.

Printed Name: Jason Spoeth Date: May 9, 2025

L.

Legal / Risk Comments



a  metropolis company

Confidential and Proprietary 2025

125

Exceptions

If awarded, the intention is to maintain the framework established within the existing agreement with the City of Beaufort SC. Any modifications to said agreement shall be subject to negotiation subsequent to the award.





Submitted by:

Andrew May
Vice President

P: (404) 713-3725
E: amay@spplus.com

Alexander Ruth
Market Leader, Carolinas

P: (614) 946-9050
E: aruth@spplus.com



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 08/13/2025
From: John Sauve, Deputy City Manager
Item Name: An ordinance to regulate the Operation of Golf Carts within the City of Beaufort Pursuant to § 56-2-90 of the South Carolina Code, for City Code of Ordinances, Part 8, Chapter 6, Section 8 - First Reading
Meeting Date: August 19, 2025
Department: City Managers Office

Background Information:

Introduction:

At the June 10, 2025 worksession, Council directed staff to draft an ordinance incorporating state law requirements for review at the July 8, 2025 worksession. The draft ordinance that was discussed on July 8, 2025 and is attached to this agenda incorporates:

- The state-required four-mile operational radius from the registered address;
- Driver's license, insurance, and registration requirements;
- Seatbelt usage requirements for all passengers
- Requirements for headlights and rear lighting

Background:

At the June 10, 2025, City Council Worksession, Councilman Scallate led a discussion regarding adoption of a golf cart ordinance and requesting that staff review and bring forward a proposed ordinance to regulate golf cart operation within the City of Beaufort following recent amendments to South Carolina state law (Act No. 64, effective May 22, 2025) granting expanded municipal authority.

At the July 8, 2025 City Council Worksession staff presented a proposed Golf Cart ordinance for review and discussion.

Legal Authority:

State Law Authority. South Carolina Code § 56-2-90, as amended by Act No. 64 (2025), authorizes municipalities to regulate golf carts on public highways with posted speed limits of 35

mph or less, including:

- Designating roads for golf cart operation
- Establishing hours and methods of operation
- Permitting night operation with appropriate lighting
- Authorizing separate golf cart paths.

Staff Recommendation:

Staff recommends Council consider adopting the ordinance as proposed.

Next Steps:

- **September 9, 2025:** Second reading and adoption.
-

Placed on Agenda For:

Action

Attachments:

1. Golf Cart Ordinance

Ordinance No. 2025-24

An Ordinance to Regulate the Operation of Golf Carts Within the City of Beaufort Pursuant to § 56-2-90 of the South Carolina Code, for City Code of Ordinances, Part 8, Chapter 6, Section 8

WHEREAS, SC Code § 56-2-90 empowers municipalities to regulate golf cart operation on public highways of 35 mph or less, designate hours, authorize night use with lighting, and create separated cart paths;

WHEREAS, the City Council finds that such regulation promotes safety and orderly traffic flow;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled and by authority thereof, that the following ordinance be adopted:

Part 8- Motor Vehicles and Traffic

Chapter 6- Golf Carts

Section 8-6001. Purpose

To regulate golf carts for safety, uniformity, and traffic management, consistent with state law.

Section 8-6002. Definitions

- **Golf Cart:** As defined in SC Code § 56-2-90.
- **Permittee:** Person holding a valid City-issued permit and SCDMV decal.
- **Designated Roadway:** City roads with posted speed limit of 35 mph or less.

Section 8-6003. Compliance with State and Local Requirements

All golf carts must:

1. Be registered with SCDMV, insured, and display the state-issued permit decal.
2. Be operated only by a person at least 16 years old with a valid driver's license and required documentation in possession.
3. Ensure all passengers are seat-belted.
4. Be equipped with headlights and rear lighting.
5. Comply with any other applicable provisions of SC Code § 56-2-90 as may be updated from time to time.

Section 8-6004. Municipal Regulation of Operations

Pursuant to SC Code § 56-2-90(C), the City enacts:

4.1 Hours, Methods, and Locations

- Golf carts may operate between sunrise and sunset on Designated Roadways.
- Carts may cross intersections with speed limits greater than 35 mph only at intersections with traffic control devices or at designated crossing points.
- Operation must remain within a four-mile radius of the registered address or gated community ingress/egress.

4.2 Night Operation

- Night operation permitted on Designated Roadways if carts are equipped with functioning headlights, taillights, and reflectors meeting City vehicle code.

4.3 Golf Cart Paths

- The City may authorize golf cart paths separated from vehicular lanes by a curb, parking strip, or at least a 4 ft buffer, subject to applicable approvals.

Section 8-6005. Permit and Registration

Applicants must:

- Submit a copy of SCDMV registration, proof of liability insurance, and \$5 permit fee to the City Clerk.
- Permit decals must match SCDMV decals and renew per state intervals.
- Changes in address require permit replacement.

Section 8-6006. Enforcement

- Violations are infractions, punishable by up to \$100 and/or 30 days in jail.
- Police shall first issue warnings for non-compliance, particularly seatbelt and lighting infractions.

Section 8-6007. Severability

Invalid provisions shall not affect the remainder of the ordinance.

This ordinance shall take effect upon adoption and publication.

DONE, RATIFIED AND ENACTED this ____ day of _____, 2025.

Philip E. Cromer, Mayor
City of Beaufort, South Carolina

Attest:

Traci Guldner, City Clerk
City of Beaufort, South Carolina

First Reading: _____

Second Reading: _____

Reviewed as to form by Benjamin T. Coppage, City Attorney.



City of Beaufort
Department Request for City Council Agenda Item

To: City Council **Date:** 08/13/2025
From: Scott Marshall, City Manager
Item Name: Resolution supporting the selection of the City of Beaufort as the location for the new Veterans Affairs Community-Based Outpatient Clinic
Meeting Date: August 19, 2025
Department: City Managers Office

Background Information:

Introduction:

City Council is asked to consider a Resolution supporting the location of a new Veterans Affairs outpatient clinic within the City of Beaufort.

Background:

The U.S. House Committee on Veterans' Affairs has authorized \$30.4 million for the development of a new state-of-the-art Veterans Affairs Community-Based Outpatient Clinic (CBOC) in Beaufort County. The facility will significantly expand access to primary care, mental health services, and other VA programs for the County's approximately 27,000 veterans, reducing the need for travel to Charleston or Savannah for treatment.

Locating the new clinic within the City of Beaufort offers strategic advantages, including central accessibility, existing infrastructure capacity, and proximity to military installations and veteran populations. There are several potential sites for the new clinic under consideration in the Town of Port Royal and the City of Beaufort. The proposed Resolution expresses the City Council's strong support for siting the clinic in the City of Beaufort and pledges cooperation with federal, state, and local partners to expedite planning, permitting, and construction.

Legal Authority:

South Carolina Code of Laws §5-7-160 - Powers of Council and §5-7-30 - Powers Conferred Upon Municipalities.

Staff Recommendation:

Staff recommends City Council adopt the attached Resolution supporting the location of the new

Veterans Affairs Community-Based Outpatient Clinic within the City of Beaufort and authorizing transmission of the Resolution to appropriate federal, state, and local stakeholders.

Placed on Agenda For:

Action

Attachments:

1. RESOLUTION SUPPORTING THE SELECTION OF THE CITY OF BEAUFORT AS THE LOCATION FOR THE NEW VETERANS AFFAIRS COMMUNITY-BASED OUTPATIENT CLINIC

RESOLUTION 2025/22

A RESOLUTION SUPPORTING THE SELECTION OF THE CITY OF BEAUFORT AS THE LOCATION FOR THE NEW VETERANS AFFAIRS COMMUNITY-BASED OUTPATIENT CLINIC

WHEREAS, the U.S. House Committee on Veterans' Affairs has authorized \$30.4 million for the development of a new VA Community-Based Outpatient Clinic (CBOC) in Beaufort County to dramatically improve access to primary care, mental health services, counseling, and other VA programs for the approximately 27,000 veterans residing in Beaufort County; and

WHEREAS, the purpose of this allocation is to ensure veterans receive timely and high-quality care close to home, reducing the burdensome travel distances—from nearly two hours to Charleston or Savannah—that many currently endure; and

WHEREAS, the proposed facility will replace the limited services currently housed within Beaufort's Naval Hospital, offering a modern, appropriately scaled, multi-story outpatient clinic, potentially between 48,000 to 70,000 square feet, with ample parking and the capacity to generate needed construction and healthcare jobs in the region; and

WHEREAS, Beaufort County leadership, including the Military Enhancement Committee, along with Congresswoman Nancy Mace, have worked diligently to prioritize this project for our region, recognizing the benefits it offers to both veterans and the broader Lowcountry economy; and

WHEREAS, siting the new VA CBOC in the City of Beaufort presents significant advantages, including central accessibility, existing infrastructure readiness, potential for economic stimulation, and alignment with veterans' preference to receive care near Parris Island and the broader City of Beaufort area;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEAUFORT, SOUTH CAROLINA, that:

1. Support for Site Selection

The City Council formally endorses the location of the new VA CBOC within the corporate limits of the City of Beaufort, recognizing the strategic, economic, and social benefits this will bring to our veteran community and the City at large.

2. Commitment to Collaboration

The City pledges to support the planning, permitting, and construction phases of the project, including expedited review of site plans, zoning compliance, infrastructure assessment, and coordination with local, state, and federal agencies to ensure the timely development of the facility.

3. Economic & Community Benefits

The Council acknowledges that this development will create construction and long-term healthcare jobs, support local businesses, strengthen the City's economy, and enhance service delivery to veterans and their families.

4. Veteran Access & Quality of Life

By advocating for the clinic to be located in the City of Beaufort, the City affirms its commitment to ensuring veterans receive convenient, high-quality care—improving access to essential health services, reducing travel burdens, and reinforcing our gratitude toward those who have served our country.

5. Notification and Advocacy

The City Clerk is directed to transmit a certified copy of this resolution to Congresswoman Nancy Mace, the U.S. House Committee on Veterans' Affairs, the U.S. Department of Veterans Affairs (Southeast Network/VISN 7), the Beaufort County Council, and other relevant stakeholders, conveying the City's strong support and readiness to assist with this project.

ADOPTED THIS 19th DAY OF AUGUST, 2025, by the City Council of the City of Beaufort, South Carolina, in regular session duly assembled.

SIGNED:

Philip E. Cromer, Mayor

ATTEST:

Traci Guldner, City Clerk