

CERTIFICATE OF RESOLUTION  
OF  
BEAUFORT COUNTY COUNCIL

*Upper Cane Island PUD Master Plan*

I, Suzanne M. Rainey, Clerk to the Beaufort County Council, do certify that the following documents are taken from the official proceedings of both the Beaufort County Council and the Planning and Development Standards Committee.

BY: Suzanne M. Rainey  
Suzanne M. Rainey  
Clerk to Council

July 10, 1997  
Beaufort, South Carolina

PLANNED UNIT DEVELOPMENT  
BY REZONING ACTION

This masterplan represents the preliminary plan for development approved by action of the Beaufort County Council as of 12/9/96, as the result of a request for rezoning to PUD status. Any further development action must be consistent with this approved plan.

*Donald Hatch  
Zoning & Development Admin.*

# COUNTY COUNCIL OF BEAUFORT COUNTY

## ADMINISTRATION BUILDING

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CHARLES R. (RON) ATKINSON  
VICE CHAIRMAN

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COUNTY ATTORNEY

SUZANNE M. RAINES  
CLERK TO COUNCIL

July 10, 1997

Mr. Fred G. Trask  
P.O. Box 1256  
Beaufort, SC 29901

RE: Upper Cane Island

Dear Mr. Trask:

At its meeting Monday, December 9, 1996, Beaufort County Council approved your request for zoning change:

Lady's Island, Upper Cane Island, District 200, Maps 18 & 21, Parcel 76, located near the confluence of the Beaufort River and Port Royal Sound, from Development District to Planned Unit Development.

If Council or Staff may be of further assistance, please let us know.

Sincerely,



H. Emmett McCracken, Jr.  
Chairman

HEMjr:smr

Attachment: Ordinance 96/29

cc: Planning Director  
Zoning and Development Administrator

AN ORDINANCE OF THE COUNTY OF BEAUFORT, SOUTH CAROLINA, AMENDING THE EXISTING OFFICIAL LAND USE ZONING MAPS, DATED APRIL 9, 1990, WHICH ARE PART AND PARCEL OF THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE (90/3).

A. **Official Land Use Zoning Map 200-7**

Lady's Island, Upper Cane Island, District 200, Maps 18 & 21, Parcel 76, located near the confluence of the Beaufort River and Port Royal Sound, from Development District to Planned Unit Development (Fred G. Trask for Flora G. Trask)

Dated this 9th day of December, 1996.

COUNTY COUNCIL OF BEAUFORT COUNTY

By:



Thomas C. Taylor

Chairman

ATTEST:



Debbie D. Reeves  
Clerk to Council

REVIEWED BY:

  
Ladson Howell, County Attorney

First Reading: November 11, 1996  
Second Reading: November 25, 1996  
Public Hearing: December 9, 1996  
Third and Final Reading: December 9, 1996

Amending 90/3

**OFFICIAL PROCEEDINGS  
BEAUFORT COUNTY COUNCIL**

**Planning and Development Standards Committee**

**Request for Zoning Change - Joseph Holmes**

It was moved by Mrs. Mullen, as Planning and Development Standards Committee Chairman (no second required), that Council deny a request for zoning change in northern Beaufort County, District 700, Map 21, Parcel 31, located in the Jenkins Community off of Highway 17, from Residential Agricultural District to General Commercial District. The vote was: FOR - Mr. Atkinson, Mr. Covington, Mr. Glaze, Mrs. Gnann, Mr. Kline, Mr. McBride, Mr. McCracken, Mrs. Mullen, Mr. Taylor and Mr. Tinnan. ABSENT - Mrs. Grace. The motion passed.

**Request for Zoning Change - Fred G. Trask**

It was moved by Mrs. Mullen, as Planning and Development Standards Committee Chairman (no second required), that Council approve on first reading a request for zoning change on Lady's Island, Upper Cane Island, District 200, Maps 18 & 21, Parcel 76, located near the confluence of the Beaufort River and Port Royal Sound, from Development District to Planned Unit Development

Mrs. Mullen circulated a petition containing signatures of 26 residents of Cat Island opposing the proposed Planned Unit Development for Upper Cane Island.

Mrs. Mullen noted that staff was asked to research the issues of traffic flow and the number and type of private docks to be constructed within Planned Unit Development. These two items will be discussed at the November 19, 1996, meeting of the Planning and Development Standards Committee.

The County Administrator noted that this PUD is going to be subject to the same third-party review by the outstanding consultant to the same standards the County is using for best management practices which are the same standards being used for Indian Hill, Habersham and Okatie Community Planned Unit Developments.

The vote was: FOR - Mr. Atkinson, Mr. Covington, Mr. Glaze, Mr. Kline, Mr. McBride, Mr. McCracken, Mrs. Mullen, Mr. Taylor and Mr. Tinnan. ABSTAINED - Mrs. Gnann. ABSENT - Mrs. Grace. The motion passed.

**EXECUTIVE SESSION**

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November 25, 1996  
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→ **Fred G. Trask For Flora G. Trask**

It was moved by Mrs. Mullen, as Planning and Development Standards Committee Chairman (no second required), that Council approve on second reading a request for zoning change on Lady's Island, Upper Cane Island, District 200, Maps 18 & 21, Parcel 76, located near the confluence of the Beaufort River and Port Royal Sound, from Development District to Planned Unit Development.

At the Planning and Development Standards Committee meeting held November 19, 1996, Mrs. Mullen explained the applicant agreed to the following: ① Docks - The total number of docks on Upper Cane Island shall be limited to fifteen. No more than ten docks shall be private docks; the remainder shall be community docks. Roof structures shall be allowed on community docks only, ② Highway 129 - No building on Upper Cane Island shall be constructed closer than 75 feet to the current centerline of Highway 129 (Islands Causeway). A ten-foot bike path easement approximately paralleling the centerline shall be reserved within the current boundaries of Upper Cane Island for future dedication to the County. The owner of Lower Cane Island shall reserve a ten-foot bike path easement within the current boundaries of Lower Cane Island, approximately paralleling the centerline of Highway 129, for the purpose of future dedication to the County. The owners of Lower Cane Island and Upper Cane Island will underbrush the curves bordering Highway 129, where it passes through Upper and Lower Cane Islands.

The vote was: FOR - Mr. Atkinson, Mr. Covington, Mr. Glaze, Mrs. Gnann, Mrs. Grace, Mr. Kline, Mr. McBride, Mr. McCracken, Mrs. Mullen, Mr. Taylor and Mr. Tinnan. The motion passed.

The Chairman announced a public hearing Monday, December 9, 1996, beginning at 6:00 p.m. in Council Chambers of the Administration Building.

The Chairman passed the gavel to the Vice Chairman in order to receive Committee Reports.

**COMMITTEE REPORTS**

**Planning and Development Standards Committee**

**Request for Zoning Change - Benjamin Dupree**

It was moved by Mrs. Mullen, as Planning and Development Standards Committee Chairman (no second required), that Council deny a request for zoning change in District 100, Map 29, Parcel 102, from Development District to General Commercial District.

Mr. Atkinson inquired of the reason the Committee is recommending denial. Mrs. Mullen explained the surrounding properties are zoned Residential Agricultural District. Even though the properties

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December 9, 1996

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Mr. Greg Smith, a Bluffton resident who lives along the Colleton River, implored Council to plan with vision, not with resignation. We must not resign ourselves in the face of threats by taking what appears to be the easier route. County staff, Beaufort County citizens, and outside experts have all identified this land as critical growth to the health of Okatie/Colleton river system and to avoid any gridlock and carnage on S.C. Highway 170. During the comprehensive planning process, the citizens of Beaufort County have agreed that environmental quality and traffic safety are paramount concerns for our community. At some point we must stand up for what we know is right. After all, what is the threat that would prompt Council to abandon the principles that we have agreed on. The landowner says he will take his marbles to Jasper County yet there is no guarantee the voters of Jasper County will want the potential liabilities that intensive development of this land would present. Yes, it would raise their tax base. But studies have shown that residential development often costs more to provide services than it pays in increased tax revenues. Environmentalists' challenges and negative publicity could hound a financially strapped community trying to take advantage of new opportunities. If Council approves this rezoning tonight, we, in Beaufort County could end up bearing similar burdens. But most important, this development and the threats that surround it are distractions from what Council should focus on. That is, getting a grip on our future by promptly completing, approving and implementing a well-conceived Comprehensive Plan.

Mr. Andrew Lebor, a resident of the Callawassie Island and a member of the Okatie/Colleton Association, supports the position of Okatie River Coalition and the positions that have been taken by Mrs. Susan Dulany, Mrs. Isabel Reeves, and Mrs. Sue Olsen.

Mr. Lewis Hammet, legal counsel for the developer, Consolidated Resort Services, Inc., stated there has been much talk about the annexation. He reminded Council it asked the developer to work with a list of concerns brought forward approximately six months ago and to work toward goals to solve those concerns. The developer has worked very hard at solving those concerns from environmental quality to reduced density. The developer is asking for approval of the Planned Unit Development under current Beaufort County law. The developer is cutting present densities both commercial and residential by about 85% to 90%. In the area closest to the Okatie River within approximately one mile of the river, itself, where the density is one unit per five acres, the developer has gone way beyond that. As to the annexation issue, Council has heard, as raised by Mr. Cotton Harness, it applies to whether a present petition for annexation is valid. The developer is here to try to work in good faith with the County.

After calling twice more for public comment and receiving none, the Chairman declared the hearing closed at 7:07 p.m.

→ **Request for Zoning Change**

**Fred F. Trask for Flora G. Trask**

The Chairman opened a public hearing at 7:08 p.m. for the purpose of receiving information from

the public on a request for zoning change on Lady's Island, Upper Cane Island, District 200, Maps 18 & 21, Parcel 76, located near the confluence of the Beaufort River and Port Royal Sound, from Development District to Planned Unit Development. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 7:09 p.m.

**Request for Zoning Change**

**Howell Dennis Goethe and Kay Wight**

The Chairman opened a public hearing at 7:08 p.m. for the purpose of receiving information from the public on a request for zoning change in Southern Beaufort County, District 600, Map 31, Parcels 32-J and 32-L, located along Goethe Road, off S. C. Highway 46 in Bluffton, from Neighborhood Preservation District-1 to Neighborhood Preservation District-4. After calling three times for public comment and receiving none, the Chairman declared the hearing closed at 7:09 p.m.

**REQUEST FOR ZONING CHANGE**

**Fred G. Trask for Flora G. Trask**

It was moved by Mr. McCracken, as a member of the Planning and Development Standards Committee, (no second required), that Council approve on third and final reading a request for zoning change on Lady's Island, Upper Cane Island, District 200, Maps 18 & 21, Parcel 76, located near the confluence of the Beaufort River and Port Royal Sound, from Development District to Planned Unit Development. The vote was: FOR - Mr. Atkinson, Mr. Covington, Mr. Glaze, Mrs. Gnann, Mrs. Grace, Mr. Kline, Mr. McBride, Mr. McCracken, Mr. Taylor and Mr. Tinnan. The motion passed. Mrs. Mullen resigned as a member of Council effective December 2, 1996.

**REQUEST FOR ZONING CHANGE**

**Howell Dennis Goethe and Kay Wight**

It was moved by Mr. McCracken, as a member of the Planning and Development Standards Committee, (no second required), that Council approve on third and final reading a request for zoning change on Southern Beaufort County, District 600, Map 31, Parcels 32-J and 32-L, located along Goethe Road, off S. C. Highway 46 in Bluffton, from Neighborhood Preservation District-1 to Neighborhood Preservation District-4. The vote was: FOR - Mr. Atkinson, Mr. Covington, Mr. Glaze, Mrs. Gnann, Mrs. Grace, Mr. Kline, Mr. McBride, Mr. McCracken, Mr. Taylor and Mr. Tinnan. The motion passed. Mrs. Mullen resigned as a member of Council effective December 2, 1996.

**REQUEST FOR ZONING CHANGE**

**Okatie Community**

It was moved by Mr. McCracken, seconded by Mr. Tinnan, that Council approve on third and final reading a request for zoning change in southern Beaufort County, District 600, Map 8, Parcels 2, 5,

**OFFICIAL PROCEEDINGS**

**PLANNING AND DEVELOPMENT STANDARDS COMMITTEE**

**(A standing committee of Beaufort County Council)**

a use property values to decrease in the surrounding communities and creates a danger to the environment.

#### Public Comment

◆ Ms. Joyce Dillard, a next door neighbor of Mr. Holmes, stated that she has had to call the police and fire departments to stop him from operating right outside of her house. The fumes are very offensive and the fire department finally made Mr. Holmes remove the crushing machine away from her house.

◆ Mr. Ricky Green, an area resident, stated his opposition to both this rezoning request and the salvage yard operations of Mr. Holmes.

**Recommendation:** Council deny a rezoning request in District 700, Map 21, Parcel 31, from Residential Agricultural District to General Commercial District.

#### 2. Request for Zoning Change

**Lady's Island, Upper Cane Island, District 200, Maps 18 & 21, Parcel 76, located near the confluence of the Beaufort River and Port Royal Sound, from Development District to Planned Unit Development (Fred G. Trask)**

**Discussion:** This parcel is an island of approximately 218 acres which has been used for agricultural purposes for more than 100 years. Upper Cane Island is bounded by approximately 2 miles of salt marsh of the Beaufort River and Chowan Creek and 3/4 of a mile of deep water on Chowan Creek. The island's nearest neighbors are Gibbs and Cat Islands (designed as residential and golf course developments) and Lower Cane Island (a residential and limited commercial development). The proposed PUD is divided into four general land uses: Neighborhood Center, Neighborhood General, Neighborhood Edge and Open Space. The proposed PUD would include:

- ◆ 361 Single Family Units and 134 Multifamily Units
- ◆ Civic and Commercial Use - 285,000 square feet
- ◆ Neighborhood Center - 19.17 acres (approximately 8.8% of total)
- ◆ Neighborhood General - 45.12 acres (20.7% of total)
- ◆ Neighborhood Edge - 62.8 acres (28.8% of total)
- ◆ Rights-of-way - 51.6 acres (23.6% of total)
- ◆ Open Space - 39.31 acres (18% of total)

Gross density of the PUD design is approximately 2.27 dwelling units per acre, and net density is approximately 2.97 dwelling units per acre. Allowable density in DD is 4 units per acre; and 8 units per acre with water and sewer.

◆ Mr. Trask gave a brief presentation and stated that there would be three residential areas, a 50-unit hotel/inn complex with shops and situated near the waterfront, space for some type of school or residential, and no golf course. This development has been designed to accommodate families. The effluent from this development will flow to the Frogmore treatment plant.

#### Committee Comments/Questions

◆ Concern was expressed that the traffic from these islands funnels onto a two-lane road (SC 802) and that there are no plans to widen the road in the near future. A new school is planned for the area and this will produce additional traffic on SC 802.

◆ It was noted that if the development proposes to have a community dock, this should discourage private docks. How many potential private docks does the applicant plan to allow?

◆ Concern was expressed as to whether a 50-foot right-of-way would be sufficient to expand the road. Any single family home dock should not have a roof and this provision should be included in the local covenant.

#### Public Comments

◆ Mr. Dan Umberger, a Cat Island resident, expressed concern about the additional density this development would create and the dangerous traffic conditions that would exist because the road is currently inadequate and will become totally inadequate if this island is developed.

◆ Ms. Robbie DeLoach, a Cat Island resident, stated that the existing roadway is treacherous due to animals crossing the road, a vast amount of curves, one way on and one way off. The road cannot support the additional development.

◆ Mr. Dick Waters, a Cat Island resident, stated that the design is marvelous but referred to some growth statistics on Lady's Island which he calculated himself.

**Recommendation:** Council approve on first reading a rezoning in District 200, Maps 18 and 21, Parcel 76, from Development District to Planned Unit Development.

**Recommendation:** Council approve on first reading the rezoning requests of Shell Point Floor Covering (GR-4), Atlantic Asphalt (NPD-2), Global Van Lines (NPD-2), Smitty's Auto Trim/Trailer Park (GR-4) and Pender Brothers (NPD-2) to General Commercial.

#### 4. Agenda Items for Resolution

**Discussion:** There are several items left outstanding for resolution by this Committee. The items basically fall into two categories: requests for rezoning and suggested changes or amendments to the Zoning and Development Standards Ordinance (see attached memo).

**Recommendation:** When zoning requests have been tabled for more than a year, it will be the policy of the Planning and Development Standards Committee to require that the applicant either revisit the planning process with updates or be notified that the zoning request will be withdrawn.

#### INFORMATION ITEM

##### 5. Request for Zoning Change

**Lady's Island, Upper Cane Island, District 200, Maps 18 & 21, Parcel 76, located near the confluence of the Beaufort River and Port Royal Sound, from Development District to Planned Unit Development (Fred G. Trask)**

**Discussion:** Ms. Carol Tank, Planner, explained that staff was asked to research the two specific issues of traffic flow on the Islands Causeway (SC 129) and the number and type of private docks to be constructed in the PUD. The total number of trips that could be expected to be generated by the Upper Cane Island PUD is 1,309 (maximum number anticipated during peak weekday evening hours). This assumption includes 361 single-family units, 134 multi-family units, and 100,000 square feet of commercial space. The current cumulative trip generation from other PUDs along the Islands Causeway is estimated at 52 trips during peak weekday evening hours and at buildout could reach 3,019. The traffic generated from golf courses is not available at this time, however, staff is making every effort to find an appropriate multiplier.

♦ The applicant has agreed to maintain a clear zone of 75 feet from the current centerline of the causeway; and additionally, a 10-foot easement will also be held to accommodate bicycle and pedestrian traffic (this easement will also be held on Lower Cane Island). Mr. Trask is also undergoing a project to remove undergrowth in certain

Minutes - Planning and Development Committee

November 19, 1996

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areas to improve visibility on the causeway.

- ◆ In response to public concern about the dangerous nature of the Islands Causeway, it is important to note that these curves begin at the lower end of Upper Cane Island beyond the proposed PUD entrance--any additional traffic resulting from this PUD would not travel these curves.
- ◆ In response to a request to limit the number and type of docks, Mr. Trask has submitted a letter indicating that the total number of docks (community and private) will be limited to 15, and community docks shall be allowed to have roof structures on the pierhead but private docks shall not.

**APPLICATION  
TO  
BEAUFORT COUNTY COUNCIL  
TO  
REZONE  
UPPER CANE ISLAND,  
A PORTION OF CANE ISLAND  
BEAUFORT COUNTY,  
SOUTH CAROLINA.**

**application date: July 31, 1996  
approved by County Council: Dec. 9, 1996**

**APPLICATION  
TO  
BEAUFORT COUNTY COUNCIL  
TO  
REZONE  
UPPER CANE ISLAND,  
A PORTION OF CANE ISLAND  
BEAUFORT COUNTY,  
SOUTH CAROLINA.**

**application date: July 31, 1996  
approved by County Council: Dec. 9, 1996**

AN ORDINANCE OF THE COUNTY OF BEAUFORT, SOUTH CAROLINA, AMENDING THE EXISTING OFFICIAL LAND USE ZONING MAPS, DATED APRIL 9, 1990, WHICH ARE PART AND PARCEL OF THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE (90/3).

**A. Official Land Use Zoning Map 200-7**

Lady's Island, Upper Cane Island, District 200, Maps 18 & 21, Parcel 76, located near the confluence of the Beaufort River and Port Royal Sound, from Development District to Planned Unit Development (Fred G. Trask for Flora G. Trask)

Dated this 9th day of December, 1996.

COUNTY COUNCIL OF BEAUFORT COUNTY

By:

  
Thomas C. Taylor  
Chairman

ATTEST:

  
Diane A. Powers  
Clerk to Council

REVIEWED BY:

  
Ladson Howell, County Attorney

First Reading: November 11, 1996  
Second Reading: November 25, 1996  
Public Hearing: December 9, 1996  
Third and Final Reading: December 9, 1996

Amending 90/3

COUNTY OF BEAUFORT, SOUTH CAROLINA  
 ZONING & DEVELOPMENT STANDARDS ORDINANCE  
 --PLANNED UNIT DEVELOPMENT--

ACCEPTED	RECEIVED BY	FILING FEE	RECEIPT #	ZONE:
				OVERLAY:
PROJECT NAME: <b>UPPER CANE ISLAND</b>			PROJECT TYPE: <b>TRADITIONAL NEIGHBORHOOD VILLAGE</b>	
APPLICANT (DEVELOPER) NAME, ADDRESS <b>Fred G. Trask</b>		AGENT FOR OWNER	PROPERTY OWNER, NAME, ADDRESS, PHONE # <b>Flora G. Trask</b>	
PROJECT LOCATION <b>ISLANDS CAUSEWAY</b>	DISTRICT # <b>200</b>	MAP# <b>18/21</b>	LAND AREA (TOTAL) <b>218 ac.</b>	LAND AREA (COMM) <b>19.17</b>
	PARCEL # <b>76</b>	LAND AREA (RPS) <b>107.92</b>	LAND AREA (OTHER) <b>90.91</b>	M/F LOTS <b>106</b>
--PRELIMINARY APPLICATION INFORMATION REQUIRED--				
<input type="checkbox"/> SIX BLACK OR BLUE LINE PRINTS OF THE DEVELOPMENT MASTER PLAN(S)		<input type="checkbox"/> PROPOSED OWNERSHIP, MAINTENANCE OF ROADS, DRAINAGE SYSTEM, WATER/SEWER, OPEN SPACE, AMENITIES		
<input type="checkbox"/> VICINITY MAP SHOWING PROJECT LOCATION		<input type="checkbox"/> PROPOSED ACCESS TO EXISTING ROADS		
<input type="checkbox"/> DEVELOPMENT PROPERTY BOUNDARY LINES AND DIMENSIONS		<input type="checkbox"/> PROPOSED SETBACKS, BUFFERS, OPEN SPACE AND LANDSCAPED AREAS		
<input type="checkbox"/> EXISTING ROADS, STREETS, HIGHWAYS (NAME, NUMBER, RIGHT-OF-WAY WIDTH) ON OR ADJACENT TO DEVELOPMENT PROPERTY		<input type="checkbox"/> SPECIAL DISTRICT BOUNDARY LINES (FLOOD HAZARD DISTRICT, AND CONSERVATION DISTRICT)		
<input type="checkbox"/> EXISTING DRAINAGE FACILITIES, CANALS, DITCHES & WATER COURSES ON AND ADJACENT TO PROPERTY		<input type="checkbox"/> TOPOGRAPHIC SURVEY		
<input type="checkbox"/> EXISTING RIVERS, CREEKS, MARSHES & WETLANDS ON AND ADJACENT TO PROPERTY		<input type="checkbox"/> PRELIMINARY STORMWATER DRAINAGE PLAN		
<input type="checkbox"/> ADJACENT PROPERTY OWNERS NAME AND EXISTING LAND USE (RESIDENTIAL, UNDEVELOPED, OR COMMERCIAL, ETC.)		<input type="checkbox"/> PRELIMINARY WATER SUPPLY, AND SEWAGE DISPOSAL PLAN		
<input type="checkbox"/> EXISTING EASEMENTS (TYPE, WIDTH, AND DIRECTION) ON & ADJACENT TO PROPERTY		<input type="checkbox"/> PROPOSED PHASING		
<input type="checkbox"/> EXISTING BUILDINGS, STRUCTURES AND FACILITIES ON DEVELOPMENT PROPERTY		<input type="checkbox"/> N/A BEACH DUNE, DUNE VEGETATION PRESERVATION PLAN (BDD)		
<input type="checkbox"/> SEAL OF REGISTERED ENGINEER		<input type="checkbox"/> PROPOSED ARRANGEMENT OF LAND USES, ACREAGE OF EACH USE AREA, TYPE OF USE & DENSITY (RESIDENTIAL) EACH AREA		
<input type="checkbox"/> MUNICIPAL OR COUNTY BOUNDARY LINES WITHIN OR CONTIGUOUS TO DEVELOPMENT PROPERTY		<input type="checkbox"/> PRELIMINARY LETTERS OF CAPABILITY AND INTENT TO SERVE WATER, SEWER FROM AFFECTED AGENCY		
<input type="checkbox"/> OTHER AGENCY PRELIMINARY COMMENTS OR APPROVAL ON ELEMENTS OF THE PROPOSED DEVELOPMENT OVER WHICH SUCH AGENCIES HAVE PERMITTING AUTHORITY (US ARMY CORPS OF ENGINEERS, SC OCEAN & COASTAL RESOURCE MANAGEMENT, FIRE DISTRICT, & BOARD OF ADJUSTMENTS)		<input type="checkbox"/> HEALTH DEPT PRELIMINARY COMMENTS OR APPROVAL OF PROPOSED WATER SUPPLY, SEWAGE DISPOSAL METHODS		
<input type="checkbox"/> COUNTY ENGINEER APPROVAL OF PRELIMINARY DRAINAGE PLAN		<input type="checkbox"/> NARRATIVE DESCRIBING THE INTENT & SCOPE OF THE PROJECT		
<input type="checkbox"/> COUNTY COUNCIL ACTION:		APPROVED DATE		
		DISAPPROVED DATE		
APPLICANT'S SIGNATURE <b>Fred G. Trask</b>		DATE: <b>July 31, 1996</b>		
LANDOWNER'S SIGNATURE <b>Flora G. Trask</b>		DATE: <b>July 31, 1996</b>		

Z/D FILE NO. \_\_\_\_\_

BEAUFORT COUNTY, SOUTH CAROLINA  
PROPOSED ZONING/DEVELOPMENT AMENDMENT

To: The Chairman and Members, Beaufort County Council

The undersigned hereby respectfully requests that the Beaufort County Zoning and Development Standards Ordinance be amended as described below:

1. This is a request for a change in the: (Check as appropriate)

Zoning Map Designation  Zoning/Development Text

2. Give exact information to locate the property for which you propose a change:

District No. 200 Map No. 18/21 Parcel No. 76  
Square feet or acres of subject property 218 acres

3. How is this property presently zoned? (Check one)  OCD

CPD  RDD  DD  GR-4  GR-8

GR-12  GR-16  GR-20  NPD-1  NPD-2

NPD-2  NPD-3  NPD-4  NC  GCD

RAD  RCD  ID  PUD  LID

4. What new zoning do you propose for this property? PUD

(Under item 8 explain why this area should be rezoned as you propose.)

5. Do you own all of the property proposed for the zoning change?

Yes  No

If NO, give location of the property involved which applicant does not own and name and address of the/those owner(s):  
\_\_\_\_\_  
\_\_\_\_\_

6. If this request also involves a proposed change in the Zoning & Development Standards Ordinance Text, which section(s) will be affected?

Section \_\_\_\_\_

1a

7. Explain proposed text change and reasons therefore in item 8.

8. Explanation: The developer is requesting a zoning map modification in order to allow flexibility to create a mixed use development.

(Continue on separate sheet, as necessary)

9. Is this property subject to an Overlay District? Check those which may apply:

BDOD ( ) FHOD ( ) AOD ( ) HPOD ( ) HCOD ( ) 278 COD ( )  
170/278 COD ( ) BCRPOD ( )

It is understood by the undersigned that while this application will be carefully reviewed and considered, the burden of proof for the proposed amendment rests with the applicant.

Fred G. Trask

Signature of Applicant

July 31, 1996

Date

Printed Name FRED G. TRASK

Address P. O. Box 1046 BEAUFORT, S.C. 29901

Telephone Number 525-0566

BDOD - Beach Development Overlay District

FHOD - Flood Hazard Overlay District

AOD - Airport Overlay District

HPOD - Historic Preservation Overlay District

HCOD - Highway Corridor Overlay District

US Hwy. 278/278 Extension Corridor Overlay District

SC Hwy 170/US Hwy 278 Corridor Overlay District

BCRPOD - Beaufort County River protection Overlay District

For amendment requests which affect district zoning, a posting notice must be placed on the affected property at least fifteen (15) days prior to scheduled review by the Planning Board. The notice will be provided by the zoning/development office but you are responsible for its placement on the property.

Date Notice Provided \_\_\_\_\_ Date Received \_\_\_\_\_

Date Forwarded \_\_\_\_\_ Date of Planning Board Review \_\_\_\_\_

Date of County Council Action \_\_\_\_\_ Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Modified \_\_\_\_\_

Please submit original form and two (2) copies

(4/90, modified 1/91)

1.6

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## **I. DOCUMENT CLARIFICATION**

**It is understood by both the applicant and Beaufort County that this PUD rezoning application may need to undergo minor alterations in design before construction is begun, as follows:**

**a) road, lot, and/or tract reconfigurations may be necessary, arising from the possible existence of significant specimen trees located in road rights-of-way designated on the Master Plan;**

**b) county, state, or federal regulations may be applicable to the project, involving such issues as: safety considerations related to Fire Department and EMS protection; tree protection standards; DHEC/OCRM storm water retention design standards; fee adjustments (related to building permits) and impact fees (such as educational impact fees) that are attributable to the issuance of building permits countywide; and archaeological concerns as stated by the South Carolina State Historic Preservation Office or the Beaufort County Planning Director;**

**c) reevaluations in design may become necessary to reflect development constraints; to incorporate superior design ideas conceived subsequent to initial design; or to respond to natural or man-made disasters.**

**It is further understood that in the application of the aforementioned regulations every reasonable consideration shall be given by the County to allow for the proposed nature and character of the neighborhood(s) to remain as planned. Site standards noted herein -- including those related to road standards, density, building height, land uses, building uses, lot sizes, setbacks, and buffers -- are recognized as part of the specific standards of the PUD. Any standard not specifically mentioned in the PUD Master Plan shall be subject to change with the implementation of future ordinance changes.**

**This document is based on and shall be governed by the Beaufort County Zoning and Design Standards Ordinance, DSO # 90/3, last amended June 26, 1995. [Each reference to the abbreviation, DSO, within this document is a reference to said Beaufort County Zoning and Design Standards Ordinance.]**

## II. DEVELOPMENT TEAM

<b>Land Planning:</b>	<b>Mr. Thomas Low Duany/Plater-Zyberk Architects and Planners, Charlotte</b>
<b>Development Consultant:</b>	<b>Mr. Don Guscio, R.L.S.A.</b>
<b>Preliminary Engineering:</b>	<b>Steven Mitchell, P. E.</b>
<b>Stormwater Management Consultant:</b>	<b>Davis and Floyd, Engineers</b>
<b>Environmental Consultant:</b>	<b>Mr. Lafayette Lyle Soil and Wetland Consulting, Inc.</b>
<b>Soil Consultants:</b>	<b>Mr. Lafayette Lyle Mr. Warren Stuck</b>
<b>Archeological Consultants:</b>	<b>Brockington and Associates, Inc.</b>
<b>Forestry Consultants:</b>	<b>Folk Land Management—Mr. Robert Folk</b>
<b>Surveyor:</b>	<b>Gasque and Associates</b>
<b>Wildlife Consultant:</b>	<b>South Carolina Wildlife Department</b>
<b>Legal Consultant:</b>	<b>Harvey, Battey Law Firm</b>
<b>Applicant:</b>	<b>Fred G. Trask (agent)</b>

### **III. PROJECT INTRODUCTION**

**Upper Cane Island is one of a small cluster of alluvial “sea” islands known collectively as Cane Island, Lady’s Island District, Beaufort County, South Carolina. Comprising approximately 217 acres, Upper Cane Island is located four miles southeast of the city of Beaufort, near the confluence of the Beaufort River and Port Royal Sound.**

**The history of Upper Cane Island has been one of human involvement for many centuries. The island served as a hunting ground for native Indians until the colonial era, when its forests were cleared for the production of sugar cane, indigo, and long staple cotton. For most of the present century the island was employed in the raising of truck crops, primarily tomatoes, cucumbers, and lettuce. In 1970, approximately 40 acres of the island were planted in King Alfred daffodils, while in 1992 the remainder of the arable fields were planted in loblolly pines and assorted hardwoods as part of an ongoing forestry program.**

**Today Upper Cane Island continues to serve as a daffodil farm and pine tree plantation while it is being planned as a private development of mixed-use neighborhoods, all unified by a shared appreciation of the natural environment and by a renewed sense of the benefits of traditional community. The development shall be called Cane Island.**

#### **IV. DEVELOPMENT PHILOSOPHY**

**The developers maintain a unique perspective in relation to stewardship of the island's aesthetic and natural resources, having owned and operated Upper Cane Island as a farm since 1945. They are well-versed in the challenges inherent in developing a fragile area and are dedicated to insuring the preservation of the native character of the island while implementing a development plan which will provide varied experiences in both naturally-occurring and built environments.**

**The developers believe that approval of this rezoning request will make the coordination of central planning strategies possible and will facilitate attainment of the following goals:**

- **the creation of neighborhood style development**
- **distinctiveness and excellence in planning and landscaping**
- **design and siting of aesthetically pleasing streets and roads**
- **preservation of unique and important natural features**
- **creative development of recreational areas**
- **clustering of buildings**
- **use of greenways linking various areas**
- **use of footpaths and pedestrian circulation networks**
- **employment of traffic mitigation measures**
- **use of rear alleys for service purposes**
- **placing of structures on the most suitable sites in respect to soils, topography, vegetation, slopes, views, and exposures.**

## V. THE UPPER CANE ISLAND PUD MASTER PLAN

The Upper Cane Island Planned Unit Development Master Plan will result in the creation of a village standing free in the landscape on Upper Cane Island. The village will be accessible either by boat from Chowan Creek on the southeast, or by car from the northwest, over State Highway 129 (Islands Causeway). The majority of the village will be situated between those two main access points and will lie within the general area of the island now used as agricultural fields.

The existing hedgerows bordering the island's dirt roads and ditchbanks have been incorporated into the village's network of streets and parks. Many streets will extend to the island edge where mature vegetation has created a natural windbreak and wildlife habitat and vistas afford panoramic views of the creeks and marshes. A nearly continuous park extending around the island edge will penetrate the village center, in the form of paths and parked avenues.

The Master Plan (Exhibit A) provides ceremonial sites for civic buildings that often terminate street vistas. Public facilities envisioned in the plan may include:

- 1) a Market Square located at the northwestern village edge (along Islands Causeway), modeled after Lake Forest, Illinois
- 2) a central Square located at the physical center of the village, modeled after the squares of Savannah, with its enframing rowhouses and trust lots
- 3) a "Landing" located along the southeastern island edge and modeled after a small section of Beaufort's Bay Street, including an inn, a pavilion, a community boat dock complex, and retail shops
- 4) a "Demonstration Farm" in conjunction with the tomato packing shed and adjacent daffodil fields
- 5) a number of sites within the village and on the island edge to serve various civic uses.

The Master Plan incorporates elements from the neighboring Sea Islands, including historic plans of Old Beaufort, Isle of Hope, Rockville, Savannah, and Charleston. Small scale interconnecting streets respect the existing conditions of the site and provide a variety of pedestrian routes for residents and visitors. The streets and lanes are detailed for pedestrian comfort and vehicular convenience. Rear lanes are used for servicing and accessing many of the homes and neighborhood businesses. The village structure of blocks, layout of lots, and architectural design provides a flexible yet predictable framework for mixing building types, from shopfronts to single family houses. The character of the village varies from more urban at the village center, to neighborhood scale houses within the general village, to more rural at the village edge. The range from center to edge includes shopfronts, rowhouses, Lowcountry cottages, single houses, and Sea Island style villas and mansions. (EXHIBIT T)

## VI. THE NEIGHBORHOOD DEVELOPMENT ORDINANCE (NDO)

The growth and development of Upper Cane Island will be implemented and guaranteed by a series of specialized, inter-related documents to be known as the Cane Island Farm Neighborhood Development Ordinance (NDO). These documents will enable the development of compact, integrated-use neighborhoods coming together to form a village. Included in the NDO are the following:

1. Regulating Plan. The Regulating Plan and the PUD Master Plan are one and the same. The Regulating Plan is keyed to the three urban conditions of Neighborhood Center, Neighborhood General, and Neighborhood Edge. These three conditions describe the range of building and thoroughfare typologies which are coded by the plan ranging from more urban to more rural. This plan is a graphic document showing the urbanized areas. It is highly detailed, but may be modified by the developer with the consent of the Development and Zoning Administrator to reflect development constraints or opportunities, as well as to incorporate superior design ideas that may be conceived subsequent to initial design. However, the principles of a mixed-used, pedestrian-friendly village will be maintained inviolate. (EXHIBIT A)

2. **Urban Regulations.** These regulations provide a graphic code describing the building types with their required location on lots, their massing, and their detailed urban behavior, including parking. (EXHIBIT B).

In addition to the definitions listed in EXHIBIT B, the following shall apply:

- **Build to line:** a line drawn on the regulating plan or stated as a distance from the frontage line along which a facade must be placed a designated percentage of the lot width.
- **Single family dwelling:** A detached residential structure located on a lot of record.
- **Duplex:** an attached single family structure containing 2 dwelling units located on a singly deeded lot.
- **Multi family dwelling:** three or more attached single family structures located on a lot of record.
- **Mixed use:** a single structure containing commercial and residential uses.
- **Accessory Structure:** a structure subordinate to the principal structure in square footage on a lot of record. Accessory structures to single family dwellings shall include the following uses: parking, gazebo, poolhouse, storage, studio, suana, workshop, rental cottage, conservatory. Accessory units with kitchens will be permitted on 25% of all single family lots. Each accessory unit with a kitchen shall count as 0.2 multi-family units, counting toward the total allowable 134 multi-family units.
- **Floor:** habitable level within a structure.
- **Arcade:** structural extension of upper floor over public right-of-way, creating a covered pedestrian sidewalk.
- **Home occupational use:** any use conducted for gain entirely within a dwelling, clearly incidental to the primary residence, as per the restrictions and allowances of the DSO. Home occupations are not allowed in accessory structures.

3. **Architectural Guidelines.** These guidelines will serve as a written code which restricts the construction materials, the architectural configuration, and construction techniques which will result in the visible expression of the buildings. The guidelines will assure that all architecture is consistent with the overall vision for the village. Guidelines will favor those with sound long-range aging and ecological properties.
4. **Street Sections.** These graphics will describe the spatial definition of public space by buildings and trees, as well as the layout of traffic lanes, parking, and sidewalks which will be built within the rights of way shown on the Master Plan. (See EXHIBIT C)

These four documents will guide the implementation of the village on Upper Cane Island. They will be administered by the current developers and their successors.

## VII. LAND USE CLARIFICATION

The Regulating Plan is keyed to the three urban conditions of Neighborhood Center, Neighborhood General, and Neighborhood Edge. Permitted use within each Neighborhood shall be as follows:

1.

A. Neighborhood Center: This designation consists of three categories, as follows:

- i. *Mixed Use*: accommodates residential, civic, and commercial uses within the same structure, often combining upper floor residential with lower floor commercial. Example: live-work units. Allowed commercial uses shall be as listed in Sections 4.10.1 and 4.10.2 (Neighborhood Commercial District) of the DSO, except for the following: radio/TV stations, auto accessory stores, auto service stations, telecommunications towers, and golf courses.
- ii. *Commercial*: All permitted uses and conditional uses as designated in the Neighborhood Commercial District, Sections 4.10.1 and 4.10.2, and Office Commercial District, Section 3.1.17, of the DSO, except for the following: radio/TV stations, auto accessory stores, auto service stations, telecommunications towers, and golf courses.
- iii. *Residential*: Single family and multi-family uses.

B. Neighborhood General: accommodates single family uses, attached or detached. Non-residential uses include home occupations.

C. Neighborhood Edge: accommodates single family uses, detached. Non-residential uses include home occupations and special recreational or civic uses relating to adjacent forests or waterfront.

2.

A. All Neighborhoods within Upper Cane Island will be permitted the following uses:

- i. *Community recreational uses* including, but not limited to: tennis courts, swimming pools, playing fields, lawn bowling, croquet, horse stables, riding trails, canoeing and fishing facilities, gardening plots; docks, recreational support facilities (such as maintenance sheds and shade structures), recreational vehicle parking, boats and trailer parking; pedestrian paths, wildlife observation platforms, security and maintenance facilities associated with common areas, areas for outdoor recreation and scenic and natural preservation; and other active and passive recreation uses compatible with the designated areas.
- ii. *Civic and institutional uses* including, but not limited to: indoor recreational buildings, community offices, maintenance for recreational buildings and facilities; public or private emergency facilities such as fire stations and ambulance stations, rest stations, day care centers, recycling centers, hospital facilities; shops for maintenance and related services of the community; church, daycare, school, library, post office, and cemetery uses; gazebos, statuary; docks, landings; and other uses related to the needs and welfare of the community.
- iii. *Agricultural uses* as listed in (RAD) Residential Agricultural District, Section 3.1.14 of the DSO.

- iv. *Open Space uses* including, but not limited to: all community recreational and agricultural uses listed in VII. 2. A. i. and iii. (above), excepting community storage uses; conservation; activities and facilities in all areas permitted by the U.S. Army Corps of Engineers and SCDHEC/OCRM; disposal of reclaimed water as permitted by SCDHEC; outdoor recreation and scenic and natural preservation; parks, playgrounds, trails, community-owned facilities, bridges, footbridges, pedestrian paths, boardwalks, wildlife observation platforms, private docks, bulkheads, erosion control structures; lagoons, ditches, retention/detention areas for drainage systems; stormwater control; easements, other than utility or road easements.
- v. *Rights-of-way uses* including the following: accessways such as roads, streets, lanes, and alleys; utilities and related facilities including, but not limited to, power, telephone, water, sewer, telecommunications; landscaping, signage, irrigation, bike trails, paths.

Land use within the Upper Cane Island PUD boundaries will be governed by the developer and the community association.

## VIII. EXISTING CONDITIONS

### A. *Physical description:*

Upper Cane Island is an approximately 217.90 acre island Beaufort, South Carolina. The island is one of an "archipelago" of islands including Gibbs Island (zoned PUD), Lower Cane Island (zoned PUD), and Cat Island (zoned PUD). The several islands are linked by South Carolina Highway 129, also known as Islands Causeway. Upper Cane Island is bounded by approximately 2 miles of salt marsh (of the Beaufort River and Chowan Creek) and one mile of deep water (on Chowan Creek).

### B. *Plat:*

The subject property is shown on a plat (EXHIBIT D), which contains the following information:

- a) location map
- b) boundary and dimensions
- c) streets and highways
- d) freshwater wetlands (U. S. Army Corps of Engineers)
- e) saltwater critical line (SCDHEC/OCRM)
- f) existing structures
- g) adjacent marshes and rivers

### C. *Tree Cover:*

The island's perimeter is covered with a mature hardwood forest typical of the South Carolina lowcountry and sea islands, with native overstory specimens (such as live oak, water oak, and hickory) and understory specimens (such as yaupon holly, wax myrtle, and cherry laurel) being well represented.

The interior of the island is employed in agriculture. Forty acres in the west central area have been the site of a daffodil farm since 1970. The remainder of the acreage was planted in 1992 for the purposes of silviculture. Tree coverage in the silviculture areas is loblolly pine and assorted hardwoods currently approaching four feet tall. The pines were planted systematically, approximately five feet apart. (EXHIBIT D)

**D. Soils:**

**Soils on Upper Cane Island include the following types: Williman, Bertie, Seabrook, Murad, Coosaw, and Deloss.**

**E. Topography:**

**The land is virtually flat. The average elevation is approximately 10 feet above mean sea level. Elevations vary from over 15 feet above sea level to less than 5 feet.**

**F. Existing development, infrastructure, and structures:**

**There are four structures on the island. The principle structure is an approximately 10,000 square foot packing shed (marked "Q" on the Master Plan). Nearby is a 50x120 foot utility shed (marked "R"), part of which houses a horse stable. A caretaker's residence (i. e., a single-wide mobile home) is situated 150 feet from the packing shed. Currently under construction on the southeastern edge of the island (marked "P" on the Master Plan) is a small "oyster-shucking" cabin planned for private recreational use by the landowner. Underground water and overhead electricity are available to all structures.**

**G. Freshwater wetlands:**

**Freshwater wetlands comprising 7.42 acres on the subject property were delineated by Soil and Wetland Consulting, Inc., in February, 1996. These have been represented on a plat (EXHIBIT D) prepared by David Gasque and Associates, dated October 23, 1995 (revised November 8, 1995, November 10, 1995, January 18, 1996, and February 13, 1996) and entitled "Plat Showing Location of DHEC-OCRM Critical Line and Wetlands Locations, Prepared for Flora G. Trask, Upper Cane Island, Beaufort, South Carolina." The U.S. Army Corps of Engineers verified the wetland determination for this property on March 19, 1996. (EXHIBIT E).**

**H. *Critical line:***

The critical line regarding the perimeter of Upper Cane Island has been delineated, surveyed, and approved by the SCDHEC/OCRM. This delineation has been represented on a plat (EXHIBIT D) prepared by David Gasque and Associates, dated October 23, 1995 (revised November 8, 1995, November 10, 1995, January 18, 1996, and February 13, 1996) and entitled "Plat Showing Location of DHEC-OCRM Critical Line and Wetlands Locations, Prepared for Flora G. Trask, Upper Cane Island, Beaufort, South Carolina."

**I. *Archeological Survey:***

An extensive examination of existing documentation was conducted by the Beaufort County Planning Department and the South Carolina State Historic Preservation Office as part of an archeological review of Upper Cane Island. It was determined that proposed development on Upper Cane Island will have no effect on any archeological resources listed in, or eligible for listing in, the National Register of Historic Places. A Permit of Approval has been issued by the Beaufort County Planning Department certifying that finding. (EXHIBIT F)

**J. *Easements:***

A 50 foot right-of-way transects the western edge of the island. It contains S. C. Highway 129 and water, sewer, telephone, and electricity easements. No other easements currently exist on Upper Cane Island. A ten foot (10') bike path easement approximately paralleling the current boundaries of Upper Cane Island shall be reserved for future dedication to the County.

**K. *Adjacent properties and their use:***

Upper Cane Island is bordered by the marshes and creeks of the Beaufort River and Chowan Creek. The island is one of an "archipelago" of islands including Gibbs Island (zoned PUD -- use: golf course and residential), Lower Cane Island (zoned PUD-- use: residential with limited commercial uses), and Cat Island (zoned PUD -- use: golf course and residential).

## IX. LAND USE SUMMARY CHART

For purposes of designating specific areas of land use, Upper Cane Island has been divided into five land use areas: Neighborhood Center, Neighborhood General, Neighborhood Edge, Open Space, and Rights-of-Way. The areas are shown on the Land Use Summary Chart below and on the PUD Master Plan (EXHIBIT A).

LAND USE SUMMARY CHART						
USE		DENSITY	ACREAGE	DWELLING UNITS	% OF TOTAL ACREAGE	CIVC/COMMERCIAL (SQUARE FOOTAGE)
NEIGHBORHOOD CENTER	COMM./CIVC		19.17		8.6 %	100,000/comm. 145,000/civic
	MULTI FAM.	6.7		134		
NEIGHBORHOOD GENERAL		5.6	45.12	255	21.0 %	
NEIGHBORHOOD EDGE		1.66	62.8	106	29.2 %	
OPEN SPACE			39.31		18.0 %	
R.O.W.			51.6		23.2 %	
TOTAL	GROSS	2.27	218.0	495	100 %	245,000
	NET	2.97	166.4			

The figures presented in the above table represent acreages and maximum dwelling units for the Upper Cane Island project according to current planning, as well as maximum square footage computations for civic and commercial space. The property has 218 acres and 495 dwelling units. The number of dwelling units in the development as described herein will not exceed 495. The square footage of civic and commercial building space shall not exceed 245,000 square feet.

## X. DEVELOPMENT STANDARDS

The following internal development standards shall apply to the development.

1. Lot specifications : See Urban Regulations (EXHIBIT B)
2. Building height
  - Building height for residential, commercial, and civic structures, excluding architectural features such as chimneys, observation towers, and steeples, will be measured from finished grade to the fascia board of the eave.
  - The maximum building height of all single family and multi family occupancies shall not exceed 35 feet.
  - Structures such as observation towers and bell towers shall have a height limitation of 60 feet, as measured from finished grade, provided that: 1) the structure has a footprint of less than 250 square feet 2) the structure contains no living quarters 3) the structure is not constructed on a residential lot 4) conditions for construction as stated by the Beaufort County Building Official and Fire District Fire Chief are strictly followed.
  - Church steeples may not exceed 100 feet from finished grade.

No civic or commercial building shall exceed 35 feet in height, with the exception of the combined inn/restaurant/retail structure in the "Landing" area (shown conceptually as Buildings L and M on the Master Plan), which shall not contain more than four stories or exceed fifty feet in height. The owner of the combined inn/restaurant/retail structure, if it exceeds 35 feet from finished elevation to eave, and the owner of any civic or commercial occupancy which exceeds a total fire flow demand of 3,500 gallons per minute (GPM) as referenced in the Insurance Service Organization (ISO) requirements for specialized equipment, must be approved by the Fire District Fire Chief and the County Building Official, and, as necessary, must reach financial arrangements acceptable to the Fire District and the County Council to provide assistance in purchasing the appropriate fire-fighting apparatus or equipment.

### 3. Open space

**Open space will be calculated within the overall boundary of the PUD and not specifically for each phase of development. The PUD Master Plan includes 39.31 acres of open space, which is 18.0 % of the total acreage of the island, and more open space than is required by the DSO. Seventy five per cent (75%) of the salt marsh located between the critical line and high water mark is eligible for open space calculations, but has not been included in these calculations.**

### 4. Buffers

**The DSO defines “buffer” as: *a piece of land of specific width, free from man-made structures (including driveways and parking areas), permanently set aside by the owner and his assigns and planted in trees and/or shrubs of density sufficient to provide contiguous properties with a measure of privacy.***

**In concert with the above definition, planning at Upper Cane Island has taken into account the existence of natural elements on the island such as hedgerows, marsh areas, ponds, freshwater wetlands, and waterways. These natural elements will be employed to soften the impact of adjoining land use areas.**

**In addition, buffers will be employed on state roads as follows: A minimum twenty (20) foot buffer will be maintained along both sides of the perimeter of the PUD adjacent to the right-of-way of Highway 129, where it crosses Upper Cane Island, transecting the subject property.**

**Additional highland buffers bordering marsh and waterways shall not be required, as Upper Cane Island is buffered by wide expanses of State-owned saltwater wetlands. Buffers shall not be required bordering freshwater wetlands. No buffer shall be required between adjoining tracts of different use.**

## **5. Setbacks**

**Building setbacks shall be in accordance with the Urban Regulations (EXHIBIT B).**

**Setbacks from freshwater wetlands shall be 20 feet.**

**Setbacks from the OCRM critical line shall be 50 feet, except in the case of Commercial/Civic building "O", which shall be set back 25 feet.**

**Multi-family units shall be set back 30 feet from freshwater wetlands.**

**Commercial activities shall be set back 50 feet from freshwater wetlands.**

**Setbacks for buildings bordering Islands Causeway (Highway 129) shall be 75 feet from the existing highway centerline.**

## **6. Acreage Calculations**

**The acreages depicted on the PUD Master Plan are planimetered and therefore approximate.**

## **7. Covenants and restrictions**

**The developers of Upper Cane Island will record in the Beaufort County RMC covenants and restrictions which will address all applicable restriction issues, establish an architectural review committee, and provide for longterm ownership of common facilities by a community association.**

**Covenants and restrictions will be recorded for each phase of the development. They will function as the basic rules of the neighborhoods as they relate to the continuity of community interaction. They will be tailored to respond to the different needs and special characteristics of the various tracts or neighborhoods. Of foremost concern in all sets of covenants and restrictions will be a general regard for the natural and built environment and quality of life on the island.**

## **8. Site Parameters for Civic and Commercial Uses**

The location of civic and commercial uses at Upper Cane Island is indicated on the PUD Master Plan. The ultimate number of residents and their guests will be the final determining factor in the actual size and type of civic and commercial buildings and businesses. The total maximum allowable square footage for all civic and commercial uses shall be 245,000 square feet, as follows: a) 145,000 square feet for civic uses b) 100,000 square feet for commercial uses.

## **9. Street and Thoroughfare Standards**

The Upper Cane Island street system will be private and maintained by a community association.

### **(A) Private Roads, Rights-of-Way, and Pavement Widths**

All streets will be engineered to meet the paving, safety, and drainage goals set by the County. They shall have an all-weather surface designed for the soil conditions. Low speed limits and traffic mitigation devices may be employed.

There may be several types of streets, including but not limited to, the following:

<u>Type</u>	<u>Pavement Width</u>	<u>Right-of-way width</u>
Boulevard	40 feet	80 feet
Avenue	28 feet	60 feet
Main Street	34 feet	50 feet
Street	18 feet	50 feet
Drive	18 feet	50 feet
Small Road	18 feet	40 feet
Small Drive	18 feet	40 feet
Alley	24 feet	24 feet
Wide Lane	16 feet	24 feet
Lane	10 feet	24 feet
Pedestrian Path	5 feet	15 feet

**(B) Street Sections (EXHIBIT C.)**

The street section will include the following types:

- a) curb and gutter (rolled over type or header type)
- b) roadside swales
- c) inverted crowns
- d) cross slopes

The actual design will be based on use and site specific conditions.

**(C) Access to Major Thoroughfares**

Access to major thoroughfares will be according to the approved Upper Cane Island PUD Master Plan. (EXHIBIT A)

**10. Protection of Natural Resources**

**(A) Allowed Pine Crop Area Harvesting**

The majority of the developable acreage of Upper Cane Island was planted in loblolly pines in 1992 for the purpose of timber harvesting.

The developer proposes to harvest the pine tree timber as it matures. Folk Land Management, Inc. has been retained to develop a Forestry Management Plan, which will be coordinated with the PUD Master Plan and with individual development phase planning. Under the Forest Management Plan, harvesting of pine trees shall be allowed in the pine crop areas (EXHIBIT D), road rights-of-way, recreational areas, planned retention/detention areas, and other areas where existing pine trees would be rendered unsafe due to thinning. The Forest Management Plan may be amended over the course of development to reflect any changes to the development plan or other conditions which may affect the ability to harvest or preserve pine crops.

**(B) Development Exempt from Permit**

The owner or operator of harvesting equipment for the cutting of timber in tree farms, designated timber areas, and forest management areas shall be exempt from a Development Permit, providing that the owner/operator shall notify, in writing, the County Zoning and Development Administrator no less than five (5) days prior to the cutting of timber with a statement indicating the site location, estimated number of acres to be harvested, and dates the cutting will occur. It is understood that the cutting will be done in compliance with South Carolina's Best Management Practices and the Forest Management Plan prepared by Folk Land Management, Inc..

**(C) Preservation of Existing Trees**

Enforcement of covenants and restrictions in regard to the removal, protection, and preservation of trees will be a high priority. The pertinent covenants and restrictions will meet or exceed the provisions of the DSO, Section 5.2.7.

**(D) Erosion Control**

Development shall be undertaken under the authority of permits according to the South Carolina Stormwater and Sediment Reduction Act. The applicant will take the necessary steps to minimize and control erosion. Sites will be stabilized at completion of construction by a method approved by SCDHEC/OCRM.

**(E) Freshwater Wetlands**

Freshwater wetlands on the property have been delineated, surveyed, and confirmed by the U. S. Army Corps of Engineers. Freshwater wetlands on the site may be impacted, restored, and preserved in accordance with permits issued by the U. S/ Army Corps of Engineers and certified by SCDHEC/OCRM.

(F) **Saltwater Wetlands**

**Saltwater wetlands have been delineated, surveyed, and confirmed by the SCDHEC/OCRM. Saltwater wetlands may be impacted, restored and preserved in accordance with permits issued by the U. S. Army Corps of Engineers and/or SCDHEC/OCRM.**

**11. Phasing**

**Upper Cane Island shall be a phased development. The developer proposes to phase-in infrastructure and community facilities in an orderly progression over a period of approximately fifteen years, or as growth patterns and economic activity will allow. Flexibility is an essential element in the issue of phasing; therefore, the order and configuration of the various phases is subject to change at the discretion of the developer.**

**Phase I is currently planned to include the implementation of a portion of the central spine road (the boulevard) running east and west from Highway 129 toward Chowan Creek, with attendant infrastructure.**

**Subsequent phases are planned for development in logical increments, as follows: Phase II -- north of the central spine road; Phase III -- south of the central spine road; Phase IV -- west of Highway 129.**

A phase may consist of any tract, any part of a tract, or any combination of tracts, as shown on the PUD Master Plan. [“Tract” is defined as any parcel(s) of land shown on the PUD Master Plan bearing a unique numerical designation and/or identically coded graphic designation.] Any phase may represent a separate neighborhood or part thereof possessing its own sense of identity as dictated by architectural themes, community needs, and the natural features of the island. The types of neighborhoods currently envisioned for Upper Cane Island include, but are not limited to, the following:

- a) a traditional residential neighborhood with varying sized lots bordering streets laid out in a grid pattern;
- b) a commercial village neighborhood;
- c) a neighborhood of clustered mixed-use units;
- d) a conventional style neighborhood with curvilinear streets and cul-de-sacs;
- e) any type of neighborhood compatible with the intent of this document.

## 12. Density

A. The developer seeks approval to develop a maximum of 495 residential units on Upper Cane Island, plus commercial and civic building space.

The overall density proposed is approximately 2.27 Dwelling Units per gross acre.

The net density proposed is approximately 2.97 units per net acre. [A Net Acre is defined in Section 10.2.87 of the DSO as “that acre which remains after the deduction of easements for existing utilities, roads, and ditches, excluding wetlands and marshes.” All remaining uplands, wetlands, and marshes, and open space, are included in the net acreage for density calculations.]

B. The density requested is substantially less than the current zoning (DD) for Upper Cane Island would allow. DD zoning currently allows the following:

- Four (4) Dwelling Units per acre, with septic tanks.
- Eight (8) Dwelling Units per acre, with sewer.

[Note: The island will be served by sewer.]

### **13 . Amenities**

**The types of amenities considered appropriate and which may be developed on Upper Cane Island include, but are not limited to, the following:**

**civic buildings and structures, tennis courts, swimming pools, playing fields, lawn croquet, horse stables, riding trails, pedestrian paths, wildlife observation platforms, boat landings, canoeing and fishing facilities, community docks, gardening plots, meeting facilities, banquet facilities, fitness facilities, hobby facilities, recreational support facilities such as maintenance sheds and shade structures, areas for outdoor recreation and scenic and natural preservation, and all other areas of active and passive recreation compatible with uses in the development.**

**[Please Note: Amenities to serve community residents will be developed as the growth of the community allows and dictates. The developer makes no commitment to provide any amenity. The developer, however, reserves the right to provide amenities and to convey them to the community association, which shall become responsible for the upkeep and maintenance of the conveyed amenities. The developer may choose to absorb the full cost of a given amenity or to share the cost with the community association. Also, the developer may elect to donate land to the community association for an amenity site, which the community association may then develop and maintain.]**

#### **14. Stormwater Management Standards**

Prior to the issuance of a development permit by Beaufort County, a preliminary stormwater management plan for Upper Cane Island shall be submitted to the County by the developer for review by an independent, third-party engineering firm approved by the County. This review shall establish reasonable and effective standards and methodologies based on Best Management Practices (BMPs) appropriate for accommodating stormwater runoff on Upper Cane Island. The cost of this review shall be borne by the developer. The timing of the review shall be at the discretion of the developer.

#### **15. Docks and Bulkheads**

The total number of docks on Upper Cane Island shall be limited to fifteen. No more than ten docks shall be private docks; the remainder shall be community docks. Roof structures shall be allowed on community docks only. Docks shown on the Upper Cane Island Village Concept Plan (EXHIBIT S) are conceptual and schematic only. Docks, bulkheads, and other structures and uses requiring a permit from the U. S. Army Corps of Engineers and/or SCDHEC/OCRM shall be located and configured as prescribed by those agencies. A Dock Corridor Master Plan will be filed with SCDHEC/OCRM.

## **XI. DEPARTURES FROM BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE**

Certain specific departures from the site development standards of the Beaufort County DSO are requested and shall apply to all development within the PUD. In general, the departures will increase opportunities for the following:

- 1) the preservation of valued trees
- 2) the construction of aesthetically pleasing roads
- 3) creation of traditional neighborhood style development
- 4) clustering of buildings
- 5) better use of footpaths and pedestrian circulation networks
- 6) employment of traffic mitigation measures
- 7) use of rear alleys for service purposes
- 8) placing of structures on the most suitable sites in respect to soils, topography, vegetation, slopes, views, and exposures.

The departures requested would permit the following specific flexibility:

- 1) Parking
  - A. Size (dimensional) reduction to 9x19 off street, 8x19 on street.
  - B. Ability to count onstreet parking spaces toward parking requirements.
- 2) Streets
  - A. Ability to accommodate a 40 foot R.O.W.
  - B. Ability to accommodate 24 foot alleys and lanes
  - C. Paved widths of 11 feet minimum one way, and 18 feet two way
  - D. Curb radii of 8 feet
  - E. Capability to have intersections meet at less than 60 degrees
  - F. Ability to have street intersections with more than two streets
  - G. Ability to run utilities under streets

**3) Subdivision Layout**

- A. Lots with 24 feet of road frontage**
- B. Apartment lots which exceed 50% coverage**

**4) Design**

- A. Exceed building height of 35 feet to accommodate four story civic and commercial buildings**
- B. Yard and street setbacks ranging from 0 to 40 feet**
- C. A minimum lot size of 1720 square feet**

**5) Use**

- A. Ability to accommodate single structure mixed use**
- B. Ability to disperse civic sites throughout the site**
- C. Ability to accommodate accessory structures to homes as residential units.**

## **XII. ACCESS, STREETS, AND DRAINAGE**

**The PUD Master Plan (Roadway Plan) (EXHIBIT G) has been reviewed and approved by the South Carolina Department of Transportation, SCDOT (EXHIBIT G1).**

### **A. Access:**

- 1. The project is accessed from South Carolina Highway 129 (Islands Causeway), which crosses the southwest corner of Upper Cane Island before terminating on Cat Island. The main entrance and secondary entrances shall be as shown on the PUD Master Plan.**

### **B. Streets:**

- 1. The internal street system will be private and maintained by a property owner's association.**

**[ Note: Proposed thoroughfares displayed on the PUD Master Plan are schematic and conceptual and may require field adjustment.]**

### **C. Drainage: [Note: See Stormwater Management Standards -- above]**

- 1. The drainage system will be constructed to meet current local, state, and federal standards. A 24-hour, eight inch rainfall storm event will be used to design the system. The system will consist of inlets, pipes, and ditches to convey the post development runoff to a retention/detention pond system. The retention/detention pond system will attenuate the runoff to predevelopment rates before being released off site. Pipes in the drainage system will be made of concrete, aluminum, or polyethylene as determined appropriate by the design engineer and approved by the County.**
- 2. The Conceptual Drainage Plan is shown in EXHIBIT H. The plan shows the following:**
  - a) existing drainage patterns**
  - b) proposed lagoons/lakes**
  - c) existing ponds and proposed retention/detention areas**
  - d) outfalls into critical areas with 20 foot minimum grassed swales.**

3. The Conceptual Drainage Plan is subject to modifications as approved by SCDHEC/OCRM and Beaufort County as the development progresses. Exact locations of retention/detention areas will be determined at the time construction plans are developed.

4. The Conceptual Drainage Plan has been reviewed by the Beaufort County Engineer (EXHIBIT I) and DHEC/OCRM (EXHIBIT J).

5. A community association will own and maintain the drainage system.

### **XIII. FLOOD HAZARD ZONES**

The flood hazard zones for the property are shown on FEMA Flood Insurance Rate Maps for Beaufort County, FIRM COMMUNITY—PANEL NUMBER 450025 0095 (9/29/86). The island is in Flood Zone A9 , (Elev. 13').

### **XIV. WATER, WASTEWATER, AND FIRE PROTECTION**

The project is located in the unincorporated areas of Beaufort County. Beaufort-Jasper Water and Sewer Authority (BJWSA) is the service agent for potable water and wastewater service. BJWSA intends to serve the project for water (EXHIBIT K) and sewer (EXHIBIT L).

Potable water is currently available to Upper Cane Island by BJWSA. The developer will construct a potable water distribution system for the project area as development warrants. BJWSA will operate and maintain the system. A preliminary master plan of the water system is shown in EXHIBIT M.

The system will be capable of providing fire flow. The PUD Master Plan has been reviewed by the Lady's Island Fire District (EXHIBIT N).

Wastewater treatment will be provided by BJWSA. Wastewater will be collected on site by a system constructed by the developer and operated by BJWSA. Effluent will be disposed of off-island by land application (EXHIBIT O).

## **XV. UTILITY SERVICE**

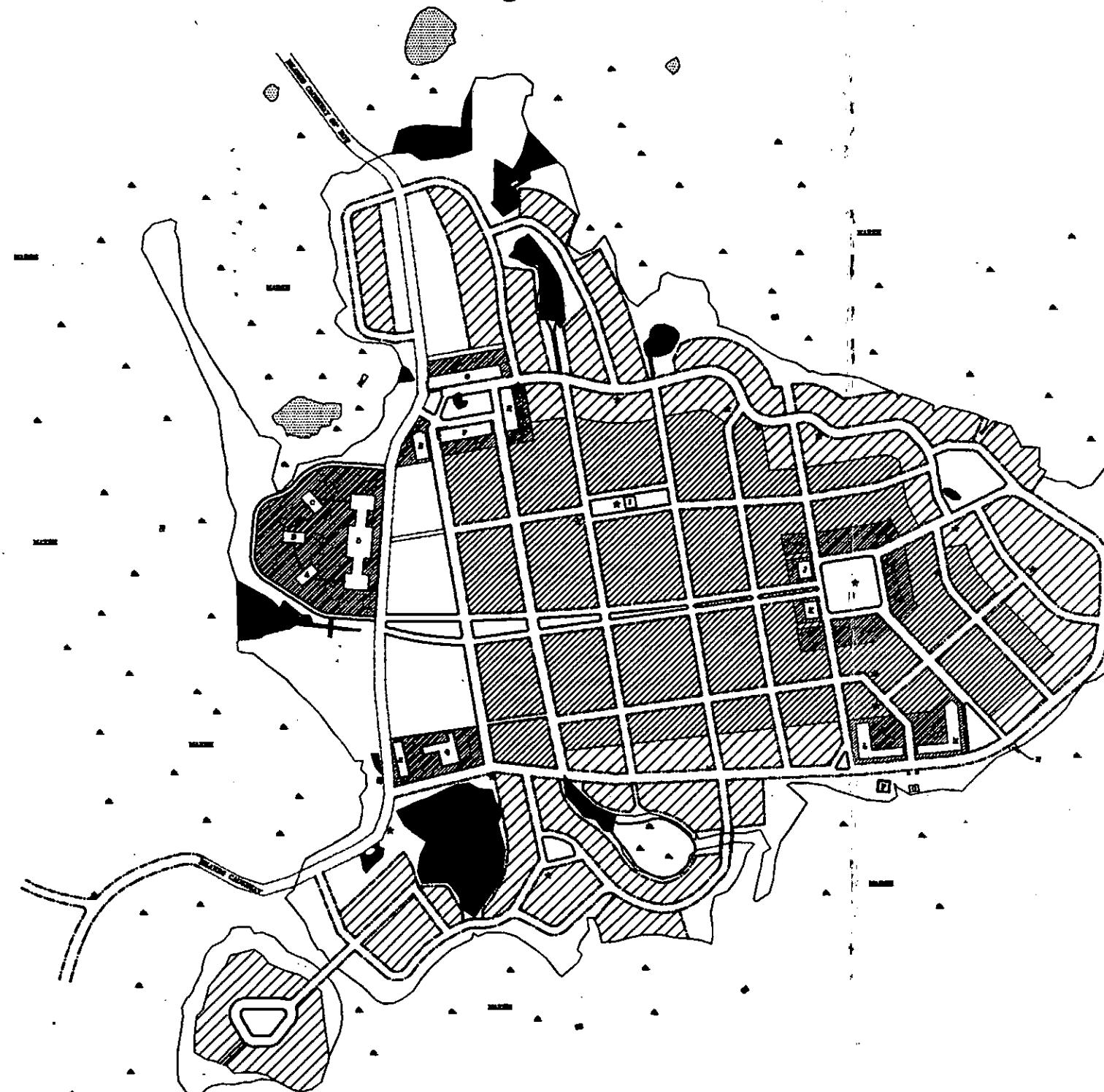
**The developer has coordinated with the providers of electrical power, telephone service, and solid waste disposal services:**

- A. Electrical power will be provided by South Carolina Electric and Gas Company (EXHIBIT P).**
- B. Telephone service will be provided by the United Telephone Company (EXHIBIT Q).**
- C. Solid waste disposal services will be provided by Eco Services of South Carolina (EXHIBIT R ).**

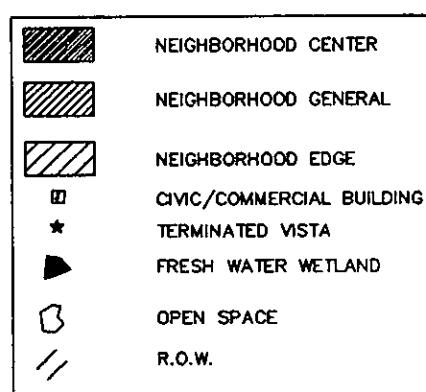
## **XVI. EXHIBITS**

- A. Upper Cane Island PUD Master Plan**
- B. Urban Regulations**
- C. Street Sections**
- D. DHEC/OCRM Critical Line**
- E. Corps of Engineers Freshwater Wetlands Verification Letter**
- F. Beaufort County Archaeological Permit of Approval**
- G. Roadway Plan**
- G1. SCDDOT review of Roadway Plan**
- H. Conceptual Drainage Plan**
- I. County Engineer's Review of Conceptual Drainage Plan**
- J. OCRM Review of Conceptual Drainage Plan**
- K. BJWSA Verification letter regarding Water availability**
- L. BJWSA Verification letter regarding Sewer availability**
- M. Potable Water Distribution Plan**
- N. Lady's Island Fire District Verification letter**
- O. Sanitary Sewer Plan**
- P. SCE&G Verification letter**
- Q. United Telephone System Verification letter**
- R. EcoServices (waste management) Verification letter**
- S. Village Concept Plan**
- T. Aerial View**

**EXHIBIT A**



LAND USE SUMMARY CHART						
USE	DENSITY	ACREAGE	DWELLING UNITS	% OF TOTAL ACREAGE	commercial/civic (square footage)	
NEIGHBORHOOD CENTER	COMM./CIVIC	19.17	134	8.6 %	100,000/comm.	
	MULTI FAM.				145,000/civic	
NEIGHBORHOOD GENERAL		5.6	255	21.0 %		
NEIGHBORHOOD EDGE		1.66	106	29.2 %		
OPEN SPACE		39.31		18.0 %		
R.O.W.		51.6		23.2 %		
TOTAL	GROSS	2.27	218.0	495	100 %	245,000
	NET	2.97	168.4			



THIS PLAN IS PREPARED FOR ZONING PURPOSES ONLY AS REQUIRED BY SECTION 4.13 OF THE BEAUFORT COUNTY ZONING AND DEVELOPMENT STANDARDS ORDINANCE (DSO), NO. 90V3 (LAST AMENDED JUNE 28, 1995). THIS PLAN IS SUBJECT TO CHANGE. FOOTPRINTS OF CIVIL AND COMMERCIAL BUILDINGS ARE ILLUSTRATIVE AND SCHEMATIC ONLY. PARCEL LINES, TRACT DIMENSIONS, AREA COMPUTATIONS, AND RIGHT-OF-WAY LOCATIONS ARE APPROXIMATE AND SUBJECT TO ADJUSTMENTS FOR FINAL RECORDABLE PLATS. FOR EXACT SPECIFICATIONS, PLEASE REFER TO RECORDED PLATS AND COVENANTS AND RESTRICTIONS IN THE BEAUFORT COUNTY R.M.C.

COPYRIGHT 1998 ANDRES DUANY AND ELIZABETH PLATER-ZYBERK  
ARCHITECTS AND TOWN PLANNERS  
DATE : JULY 19, 1998

## URBAN REGULATIONS

**ABOUT THIS DOCUMENT**  
This code was written with the objective of preserving the culture, value, and traditions exemplified in coastal communities such as Charleston, Beaufort, and Savannah. To these ends the provisions of this document create a pedestrian friendly atmosphere of memorable streets and public spaces; distinctive house types allowing personalized private gardens and interior spaces; and a coherent neighborhood vision, to secure the marketability and value of each home throughout the course of development.

### DEFINITIONS

All underlined words within the text of this document are defined as follows:

Comer side: a facade abutting a thoroughfare, on a building having frontage on two thoroughfares, that is not the main entrance to the building.

Frontage: portion of building abutting a public right-of-way.

Building facade: exterior walls of a building.

Vista termination: view at the end of an axis centered on a manmade or natural object.

Lot coverage: percentage of a lot permitted to be covered by impervious surfaces.

Open yard: a building typology which accommodates open yard along an entire building perimeter.

Rear yard: a building typology which accommodates open yard to the rear of a building only.

Side yard: a building typology which accommodates open yard to one side of a building only.

Avenue: A thoroughfare that is terminated at both ends by civic buildings or sites.

Street: A thoroughfare with curb and sidewalk which accommodates on street parking.

Park: An open space bordered by buildings and/or rights-of-way on all sides. Parks may be used for active and/or passive recreation.

Square: An open space bordered by buildings and/or rights-of-way on all sides. Squares serve as gathering places. The perimeter of squares are planted with trees parallel to the right-of-way.

Play-ground: An open space within a neighborhood for the active recreation of children. Playgrounds are fenced and should be located within a 5 minute walk of all residences.

Parkways: Linear open spaces connecting central areas of a town or neighborhood with forested areas outside the town or neighborhood. Parkways are always fronted by thoroughfares or

rights-of-way. Parkways may include within them areas for active or passive recreation.

Esplanades: A formal pedestrian walk along a natural feature.

### GENERAL INSTRUCTIONS

All building and landscape designs shall be submitted to the supervising architect for conformance to the code.

Deviations may be granted to the urban, architectural, and landscape standards on the basis of architectural merit, site conditions, or unusual circumstances, provided such deviations are consistent with the design objectives and intent of the code.

### URBAN CONDITIONS

The Regulating Plan is keyed to the 3 urban conditions of Neighborhood Center, Neighborhood General, and Neighborhood Edge. These 3 conditions describe the range of building and thoroughfare typologies which are coded by the plan ranging from more urban to more rural.

### MORE URBAN

Neighborhood Center  
This is a social, mixed use hub within walking distance of surrounding neighborhoods.

- Housing is in more dense rearyard and sideway buildings, often combining upper floor residential with ground floor commercial.

- Housing is typically in rearyard, sideway, and all yard buildings, with outbuildings at the rear.

- Commercial uses are in rearyard storefront buildings.

- Thoroughfares are streets or roads with curbs, and parallel parking.

- Open space is organized into parks and play-grounds.

### Neighborhood General

This is the most widespread urban fabric, with a mixture of housing type and limited non-residential uses.

- Housing is typically in rearyard, sideway, and all yard buildings, with outbuildings at the rear.

- The thoroughfares are streets or roads with curbs, and parallel parking.

- Open space is organized into parks and play-grounds.

### MORE RURAL

#### Neighborhood Edge

This is a rural residential fabric.

- Housing is exclusively in all yard or sideway buildings.

- Non-residential uses are limited to special recreational or civic uses, relating to adjacent forests or waterfront.

- The thoroughfares are roads with soft edges and no curbs. Periodic parking is accommodated on the roadside.

- The open space is organized into parkways and esplanades.

## EXHIBIT B

BUILDING TYPE	LOT PLAN	TYPE I: Shopfront	TYPE II: A & B Rowhouse	TYPE III: A&B Cottage / Ramble	TYPE IV: A&B Single House	TYPE V: House	TYPE VI: Mansion / Villa
SPECIFICATIONS		A	B	A	B	A	B
Lot width	72	36	24	24	48	36	54
Lot depth	100	100		100	100	60	100
Front setback	0	0	3,6,8	15	3,6,8	25	25
Side setback	0	0		8	8-18	18	18
Rear setback	30	30		30	30	30	30
Outbuilding Setback	-	30	0	0	30	3	5
Building Frontage	100%	100%		60%	50%	60%	-
Lot coverage	50%	75%		50%	50%	40%	30%
Porch Width / (Arcade)	(100%)	-	-	100%	50%	100%	50%
Porch Depth / (Arcade)	(10)	-	-	8	8	8-14	8-14
Fence/Wall Frontage	35	35	1	35	1	100%	35
Height	0	0	1	0	0	0	0
MINIMUM Height at entry floor	35	35	1	35	1	35	35
Ground floor use	Commercial	Commercial	Residential	Residential	Residential	Residential	Residential
Upper floor use	Commercial / Residential	Residential	Residential	Residential	Residential	Residential	Residential

THOROUGHFARE STANDARDS

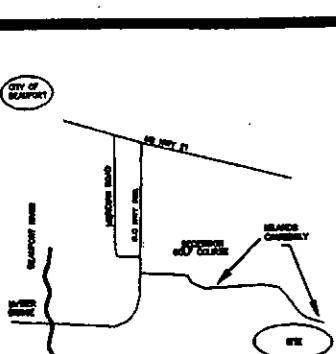
EXHIBIT C

	RESIDENTIAL BOULEVARD (B-40/80)	AVENUE (A-28/60)	MAIN STREET (S-34/50)	STREET (S-18/50)	DRIVE (D-18/50)																																																																																																																							
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NOTE: THIS ALSO APPLIES TO PAVEMENT FLARE WHERE NO CURB

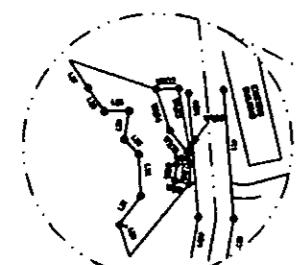
## EXHIBIT D



LOCATION MAP (N.T.S.)

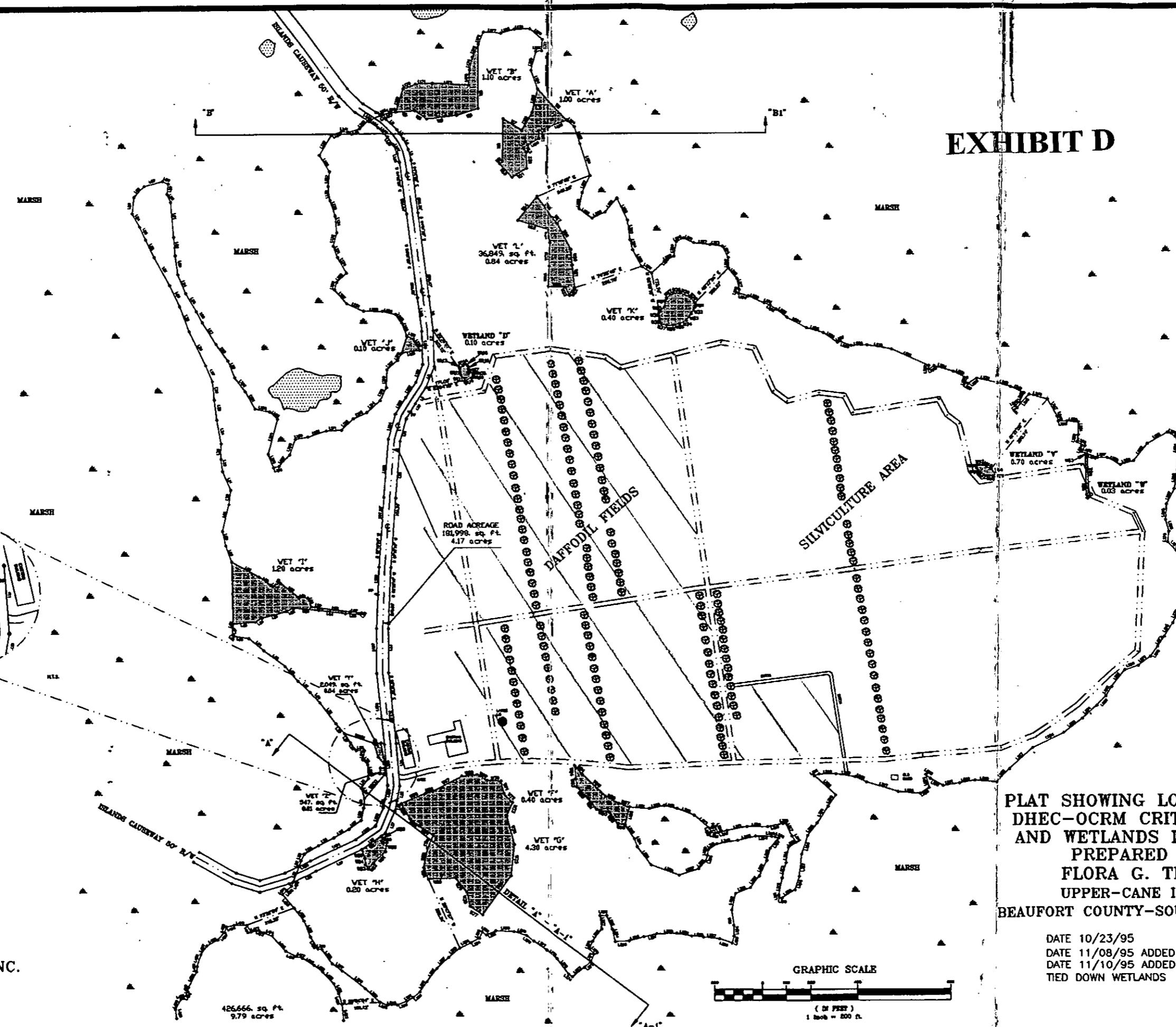
WETLAND ACREAGES	
WETLAND "H"	0.80 ACRES
WETLAND "G"	4.80 ACRES
WETLAND "F"	0.04 ACRES
WETLAND "E"	0.01 ACRES
WETLAND "D"	0.40 ACRES
WETLAND "C"	0.03 ACRES
WETLAND "B"	0.70 ACRES
WETLAND "A"	0.04 ACRES
WETLAND "I"	1.00 ACRES
WETLAND "J"	1.10 ACRES
WETLAND "K"	0.10 ACRES
WETLAND "L"	0.10 ACRES
WETLAND "M"	1.20 ACRES
TOTAL ACREAGE	= 217.90 ACRES
TOTAL HIGHLAND ACREAGE	= 210.45 ACRES
TOTAL LOWLAND ACREAGE	= 7.45 ACRES

TOTAL ACREAGE = 217.90 ACRES  
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 TOTAL LOWLAND ACREAGE = 7.45 ACRES



NOTES:  
 1.) THE GEARINGS SHOWN HEREON ARE MAGNETIC  
 AND AS SUCH ARE SUBJECT TO LOCAL ATTRACTION.  
 THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS  
 OF ENGINEERS JURISDICTIONAL WETLANDS IS  
 UNDETERMINED AS OF THE DATE OF THIS SURVEY.

GASQUE & ASSOCIATES INC.  
 LAND SURVEYORS PLANNERS  
 701 BLADEN STREET, SUITE 207, BEAUFORT, S.C.  
 P.O. BOX 1383, BEAUFORT, S.C.  
 (803) 522-1796



PLAT SHOWING LOCATION OF  
 DHEC-OCRM CRITICAL LINE  
 AND WETLANDS LOCATIONS  
 PREPARED FOR  
 FLORA G. TRASK  
 UPPER-CANE ISLAND  
 BEAUFORT COUNTY-SOUTH CAROLINA

DATE 10/23/95 SCALE 1"=200'  
 DATE 11/08/95 ADDED ISLANDS  
 DATE 11/10/95 ADDED EXTRA WETLANDS  
 TIED DOWN WETLANDS DATE 01/18/96



DEPARTMENT OF THE ARMY  
CHARLESTON DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 919  
CHARLESTON, S.C. 29402-0919

REPLY TO  
ATTENTION OF

March 19, 1996

Regulatory Branch

## EXHIBIT E

Mr. Lafayette Lyle  
Soil and Wetland Consulting  
Route 4, Box 663  
Walterboro, South Carolina 29488

Re: SAC 81-96-0163(J)  
Beaufort County

Dear Mr. Lyle:

This is in response to your letters dated February 6, 1996, and March 1, 1996, requesting a wetland determination on behalf of Mrs. Flora G. Trask, on property located off of S.C. Highway 802 adjacent to Islands Causeway, and adjacent to Distant Creek on Cane Island, Beaufort County, South Carolina. The project area is depicted on the revised survey plat you submitted. The revised survey plat was prepared by Gasque and Associates Inc. dated October 23, 1995, and revised November 8, 1995, November 10, 1995, January 18, 1996, and February 13, 1996, and entitled "PLAT SHOWING LOCATION OF DHEC-OCRM CRITICAL LINE AND WETLANDS LOCATIONS, PREPARED FOR FLORA G. TRASK, UPPER-CANE ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA."

This plat depicts wetland boundaries as established by our office. You have requested that this office verify the accuracy of this wetland mapping as a true representation of wetlands within the regulatory authority of this office. The property in question is a 217.90 acre tract owned by Flora G. Trask and contains 7.42 acres of freshwater wetlands.

Based on an on-site inspection and a review of aerial photography and soil survey information, it has been determined that the surveyed wetland boundaries are an accurate representation of wetlands within our regulatory authority. This office should be contacted prior to performing any work in these areas.

If a permit application is forthcoming as a result of this delineation, a copy of this letter, as well as the verified survey plat, should be submitted as part of the application. Otherwise, a delay could occur in confirming that a wetland delineation was performed for the permit project area.

Please be advised that this wetland determination is valid for five (5) years from the date of this letter unless new information warrants revision of the delineation before the expiration date. All actions concerning this determination must be complete within this time frame, or an additional wetland delineation must be conducted.

In future correspondence concerning this matter, please refer to SAC 81-96-0163(J). You may still need State or local assent. Prior to performing any work, you should contact the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management (OCRM). A copy of this letter is being forwarded to them for their information.

If you have any questions concerning this matter, please contact me at either 800-208-2054 or A/C 803-727-4330.

Respectfully,

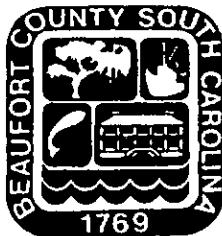


Jake Duncan  
Biologist

Copy Furnished:

S.C. Department of Health and  
Environmental Control  
Office of Ocean and Resource  
Management  
4130 Faber Place, Suite 300  
Charleston, South Carolina 29405

EXHIBIT E



COUNTY COUNCIL OF BEAUFORT COUNTY  
BEAUFORT COUNTY JOINT PLANNING BOARD  
Multi Government Center • Post Office Drawer 1228  
Beaufort, South Carolina 29901-1228  
Phone: (803) 525-7138 Fax: (803) 525-7181

April 10, 1996

**EXHIBIT F**

Mr. Fred Trask  
Post Office Box 1256  
Beaufort, S.C. 29901

Dear Mr. Trask:

I am writing in response to your request for an archaeology review, as required in Section 6.5.1(I) of the Beaufort County Development Standards Ordinance, for two tracts of land that you propose for future development. The two tracts are Upper Cane Island and the Gleason Tract located on Middle Road, Lady's Island.

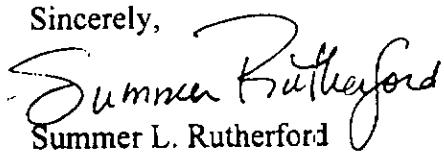
An extensive examination of existing documentation has been conducted. The documents examined include the *Cartographic Survey of Historic Sites in Beaufort County, South Carolina*; *A Comprehensive Bibliography of South Carolina Archaeology*; copies on file with Beaufort County of the topographic maps located at the South Carolina Institute of Archaeology and Anthropology that identify all recorded archaeological sites in Beaufort County; copies of the records of all archaeological properties listed in the National Register of Historic Places in Beaufort County; and, all other documentation maintained by the Beaufort County Planning Department regarding archaeological and historic resources. In addition, we have consulted with Mr. Lee Tippett, South Carolina State Historic Preservation Office Compliance Archaeologist.

It is the opinion of the Planning Director that any proposed development will have no effect on any archaeological resources listed in, or eligible for listing in, the National Register of Historic Places. Therefore I am authorized to issue to you a Permit of Approval certifying that no archaeological resources will be affected by the Upper Cane Island and Gleason Place developments.

We request, however, that you cease work and notify this office immediately if archaeological or paleontological materials are encountered prior to or during construction. Archaeological remains consist of any materials one hundred years or older made, or altered, by man which remain from past historic or prehistoric times. Examples include pottery fragments, metal, wood, arrowheads, stone implements or tools, human burials, historic docks, structures, or non-recent vessel remains. Paleontological remains consist of prehistoric animal remains, original or fossilized, such as teeth, tusks, bone, or entire skeletons.

If I can be of further assistance please call me at 803/525-7143

Sincerely,



Summer L. Rutherford

Summer L. Rutherford  
Director of Planning

## EXHIBIT F



South Carolina  
Department of Transportation  
District Six Engineering  
6355 Fain Boulevard  
North Charleston, S.C. 29406-4989  
(803) 740-1665 • FAX (803) 740-1663

Beaufort County  
Berkeley County  
Charleston County  
Colleton County  
Dorchester County  
Jasper County

July 25, 1996

Mr. Steve Mitchell, P.E.  
Mitchell Engineering  
P. O. box 1364  
Beaufort, SC 29901

## EXHIBIT G1

SUBJECT: UPPER CANE ISLAND PUD - TRASK PROPERTY

Dear Mr. Mitchell:

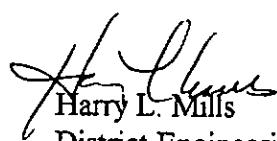
We have reviewed the sketch plan for the subject location on Ladies Island in Beaufort County. We understand that the Department's concurrence is required for Mr. Trask to proceed with the County's review of his proposed development. In general, we concur with the design as shown in the undated drawing provided by you on July 24.

As discussed by District Traffic Engineer Clark, during final design please pay close attention to the maintenance of proper sight distance requirements at all intersections as specified in the Department's Access Management guidelines. Our other comments include: all parcels must be accessed from the internal road system only; proper signing will be required, in particular at one way streets; and roadway improvements may be required on S-129.

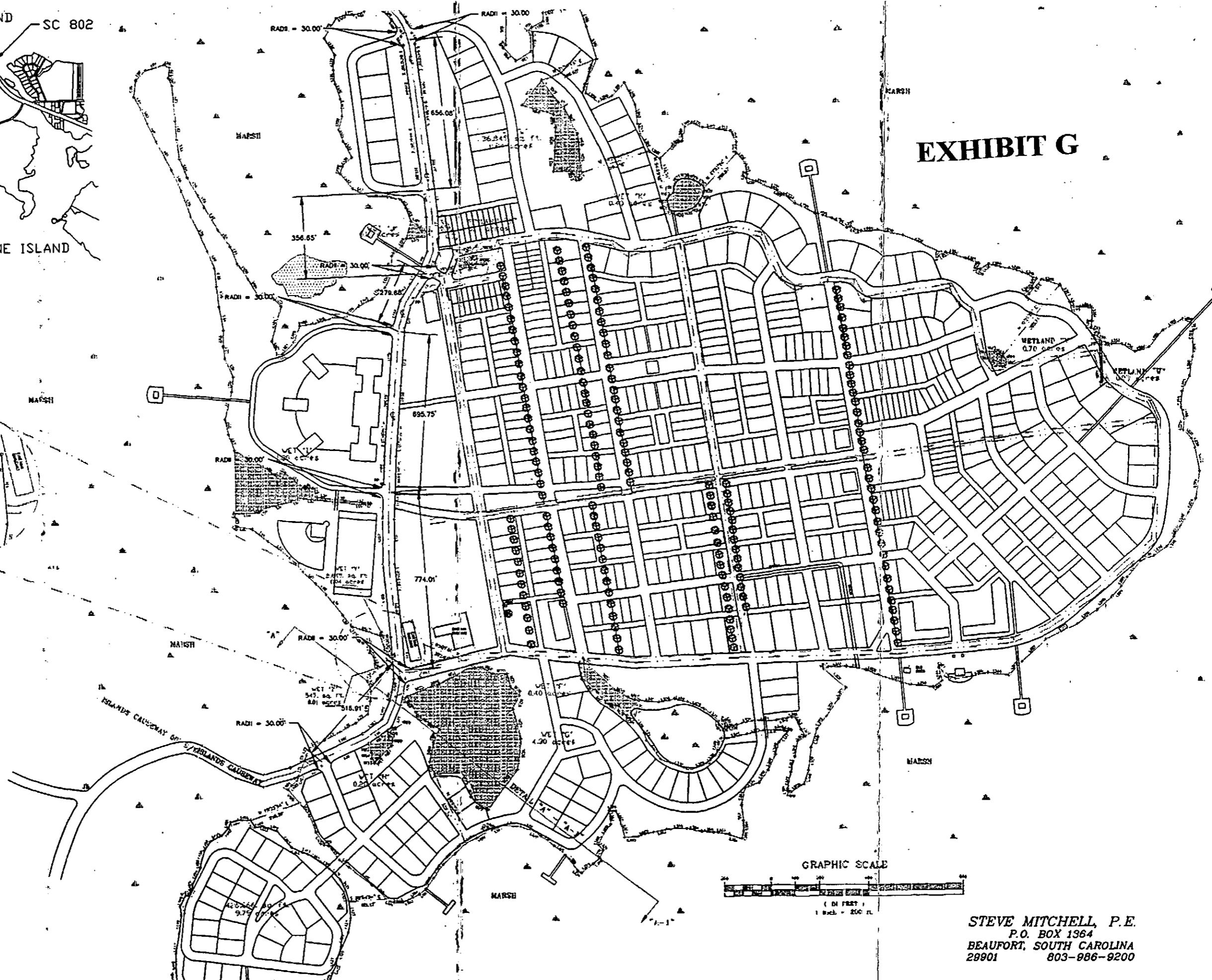
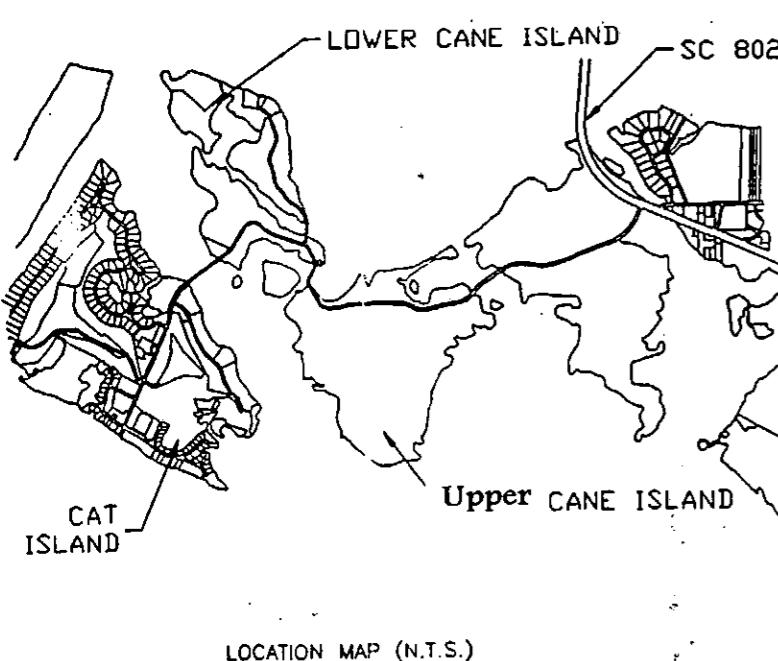
This letter does not constitute an encroachment permit but is an indication of our concurrence with the design as shown on the plan sheet. When the development is ready to commence, please provide an encroachment permit application along with all required supporting material to our Beaufort County Maintenance Office for review. The detailed design must be in accordance with our access management standards and policies.

Thank you for the opportunity to review this conceptual plan at this time.

Sincerely,

  
Harry L. Mills  
District Engineering Administrator

cc: Resident Maintenance Engineer McFee



REVISIONS		THIS PLAN IS NOT APPROVED FOR CONSTRUCTION UNLESS IT HAS AN ORIGINAL ENGINEER'S SEAL AND SIGNATURE.		
DATE	BY	NAME	DATE	REVISION
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		CHECKED BY SEM		

SHEET 1 - 1

1" = 200'

96110

PUD ROADWAY PLAN

060



## **EXHIBIT I**

### **County Engineer's Review of Conceptual Drainage Plan:**

**The County Engineer shall review the preliminary stormwater management plan submitted by the developer in accordance with Section X. 14. (page 27) of this document, which states:**

**Prior to the issuance of a development permit by Beaufort County, a preliminary stormwater management plan for Upper Cane Island shall be submitted to the County by the developer for review by an independent, third-party engineering firm approved by the County. This review shall establish reasonable and effective standards and methodologies based on Best Management Practices (BMPs) appropriate for accommodating stormwater runoff at Upper Cane Island. The cost of this review shall be borne by the developer. The timing of the review shall be at the discretion of the developer.**



Department of Health and Environmental Control

P.O. Box 587, Beaufort, SC 29901

Commissioner: Douglas E. Bryant

Board: John H. Burriss, Chairman  
William M. Hull, Jr., MD, Vice Chairman  
Roger Leaks, Jr., Secretary

Richard E. Jabbour, DDS  
Cyndi C. Mosteller  
Brian K. Smith  
Rodney L. Grandy

Promoting Health, Protecting the Environment

**Office of Ocean and Coastal Resource Management**  
H. Wayne Beam, Ph. D., Deputy Commissioner

Christopher L. Brooks, Assistant Deputy Commissioner

(803) 524-6885

(803) 524-4839 (fax)

May 30, 1996

Mr. Steve Mitchell, PE  
P.O. Box 1364  
Beaufort, South Carolina 29901

## EXHIBIT J

Re: Upper Cane Island  
Conceptual Master Plan  
Dated May 21, 1996  
Beaufort County

Dear Mr. Mitchell:

The staff of SCDHEC-OCRM has reviewed the conceptual master plan for the above referenced project on Islands Causeway. The project does meet our initial planning requirements provided that the number of stormwater outfalls are kept to a minimum number in order to lessen the impact to the critical area. The certification staff at OCRM does not object to Beaufort County proceeding with PUD status review for this project; however, before any individual planning for phase development or before any construction may occur the office of OCRM will require that a land disturbance permit be obtained for each individual phase of development. Also, a wetland master plan must be submitted. If you have any questions or comments please do not hesitate to call the OCRM Beaufort office.

Sincerely,

Tom Bolin  
Environmental Engineer III

cc: Mr. H. Stephen Snyder  
Mr. Joseph Fersner, PE  
U. S. Army Corps of Engineers

063



POST OFFICE BOX 2149 / BEAUFORT, SOUTH CAROLINA 29901-2149  
803/521/9200 803/521/2008 Engineering & Operations FAX 803/521/9203

DEAN MOSS, General Manager

July 31, 1996

## EXHIBIT K/L

Mr. Steve Mitchell, P.E.  
Post Office Box 1364  
Beaufort, South Carolina 29901

Re: Upper Cane Island - PUD Plan

Dear Steve:

Please be advised that water and sewer service is available to the above referenced project. The Authority has reviewed and approved the preliminary water and wastewater plan associated with the Upper Cane Island PUD.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ed Saxon'.

Ed Saxon, P.E.  
Chief Engineer

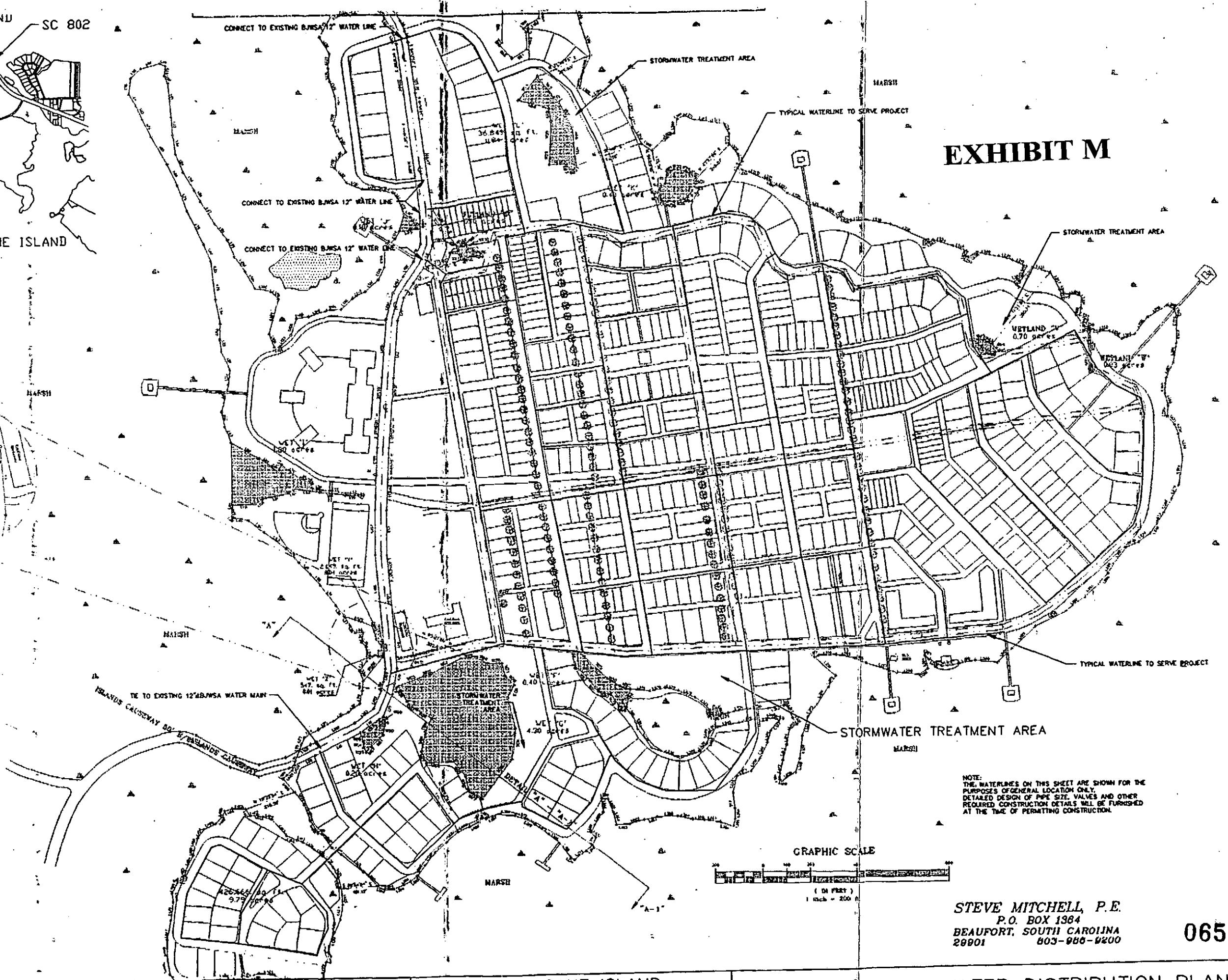
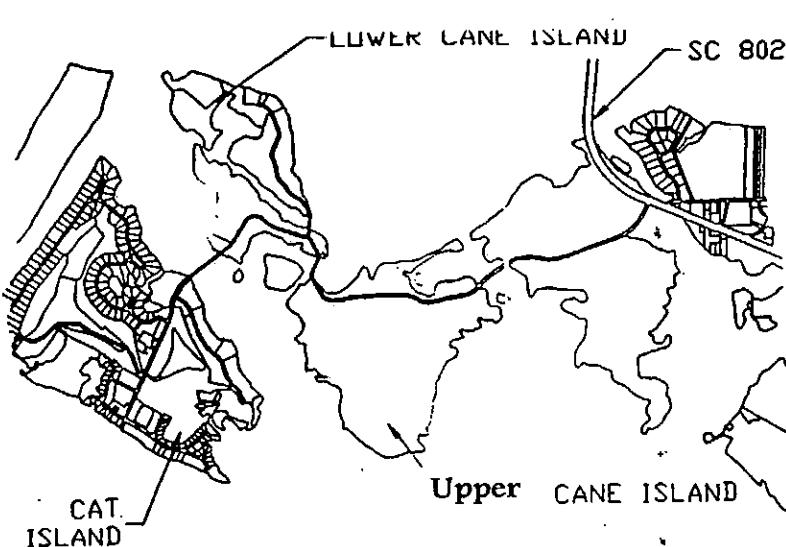
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JAMES A. CARLEN, III MICHAEL L. BELL JOHN L. BALLANTYNE, P.E.  
CHAIRMAN VICE CHAIRMAN SECRETARY/TREASURER

THOMAS C. DAVIS THADDEOUS Z. COLEMAN CHARLENE COOLER  
C. SCOTT GRABER, ESQ. JOHN T. GRAVES JOHN D. ROGERS

064

TOTAL P.01



REVISIONS	DATE BY	DESCRIPTION

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MITCHELL ENGINEERING UNLESS THE DRAWING COPYRIGHT 1984

NAME: SEM DATE: SHEET 1 of 1  
DRAWN BY: SEM  
CHECKED BY: SEM

SC 802  
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96110

UPPER CANE ISLAND  
BEAUFORT COUNTY

PUD POTABLE WATER DISTRIBUTION PLAN

LADY'S ISLAND - ST. HELENA FIRE DISTRICT  
237 Sea Island Parkway  
Beaufort, South Carolina 29902

26 July, 1996

Mr. Fred Trask  
P.O. Box 1256  
Beaufort, SC 29901

**EXHIBIT N**

SUBJ: Upper Cane Island  
Parcel 200-18-76

Dear Mr. Trask,

It is my pleasure to confirm to you that the Lady's Island - St. Helena Fire District will provide fire protection for the proposed development of upper Cane Island, located on Islands Causeway between Gibbs Island and Cat Island, on Lady's Island. This development will include residential and limited commercial activity. The development must, of course, satisfy all applicable National, State and Local laws, codes, ordinances, etc., and the developer, Mr. Fred Trask, is responsible for the installation, operation and maintenance costs of any required additional fire hydrants and other external and internal means of water distribution which may be necessary for adequate fire protection. In addition, if the development should create a unique requirement for special fire fighting or life saving equipment which we do not now have or need, such equipment will also have to be procured at the expense of the developer. Periodic inspections and pressure checks of fire hydrants will serve our mutual interest and will be made without cost by the Fire District. The Fire District will also make safety inspections of any structure on request.

My department and I look forward to working with you as your plans develop.

Sincerely,



Clayton R. Ellis, Chief

CC: Col. David Townsend, Chairman  
LSIH Fire Commission

CRE/mme

## EXHIBIT O

✓ LOWER CANE ISLAND ESC 800

LOCATION MAP (N.T.S.)

FUTURE FORCE MAIN: CONNECTING  
CAT ISLAND TO GIBBS ISLAND  
TO BE LOCATED WITHIN EXISTING  
ROADWAY - UPPER GANE ISLAND  
FORCE MAINS TO  
INTO THIS FUTURE LINE

## NOTES

1. THE BEARINGS SHOWN HEREON ARE MAGNETIC  
AND AS SUCH ARE SUBJECT TO LOCAL ATTRACTION.  
2. THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS  
OF ENGINEERS JURISDICTION, BECAUSES L.  
UNPUBLISHED AS OF THE DATE OF THIS SURVEY.

STEVE MITCHELL, P.E.  
P.O. BOX 1984  
BEAUFORT, SOUTH CAROLINA  
29901 803-986-9200

Plot date: 07/23/96 at 08:27  
File name: D:\PROJECTS\J85110\CO386110

**REVISIONS**

THIS PLAN IS NOT  
AN ORIGINAL DESIGN  
THIS PLAN IS THE  
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MUTCHILL DESIGN  
NO COPIING OR STYLING

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VOIDS THE DRAWING. COPY  
RIGHT OF THIS PLAN

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SEM	SEM
SEM	SEM

DATE  
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PER CANE ISLAN  
BEAUFORT COUNTY

PUD SANITARY SEWER LAYOUT 067



South Carolina Electric & Gas Company  
80 Robert Smalls Parkway  
Post Office Drawer 1168  
Beaufort, SC 29901-1168  
Fax (803) 525-7797  
(803) 525-7700

July 26, 1996

Mr. Fred Trask  
P.O. Box 1256  
Beaufort, SC 29901

## EXHIBIT P

*RE: Upper Cane Island  
Lady's Island*

*Dear Mr. Trask:*

*South Carolina Electric & Gas Company will be able to provide underground electric service to the above referenced project. Costs associated with providing underground service will be determined when a finalized plat is submitted to our office for engineering.*

*Please submit a finalized plat of this project with a detailed electric load analysis at least two months prior to the construction date so that all engineering requirements can be met.*

*Service will be installed on an "as needed" basis according to the existing sales policy at the time of construction.*

*I will be looking forward to working with you on this project. If I may be of any further assistance, please let me know.*

*Sincerely,*

Kerry A. Bunton  
Associate Engineer  
Customer Service Engineering

*KB/bd*

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## EXHIBIT Q

July 26, 1996

Mr. Fred Trask  
P.O. Box 1256  
Beaufort, South Carolina 29901

RE: TELEPHONE SERVICE UPPER CAIN ISLAND  
PARCEL 200-18-76, LADY'S ISLAND, BEAUFORT COUNTY

Dear Mr. Trask:

Sprint will provide telephone facilities to the proposed development in accordance with our standard practices and tariff on file with the South Carolina Public Service Commission.

Sprint will require a copy of your final plans, as approved by the Developer Review Committee, before telephone service can be provided. Please furnish this office with your final plans as soon as possible. This is very crucial for our 911 System. It is also requested this office be notified in writing thirty (30) days prior to start of construction so our engineering requirements can be met.

Sincerely,

SPRINT

*Michael C. West*

Michael C. West  
Senior Engineer

MCW:eh

069



**TOTAL WASTE MANAGEMENT SERVICES**  
P.O. BOX 4417, Burton, S.C. 29903  
524-1405 • 601-6330 • Fax 524-0061

## EXHIBIT R

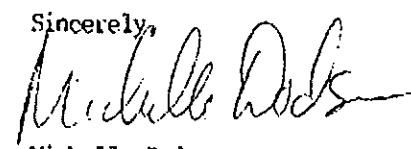
Memo to: Fred Trask  
From: Eco Services  
Re: Solid Waste Management Services to Upper Cane Island, a proposed PUD  
Date: July 26, 1986

Dear Mr. Trask:

After looking over your plat, Eco Services would be able and willing to provide waste service to the above referenced PUD.

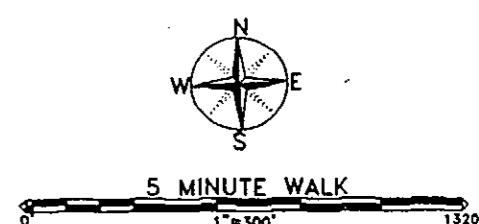
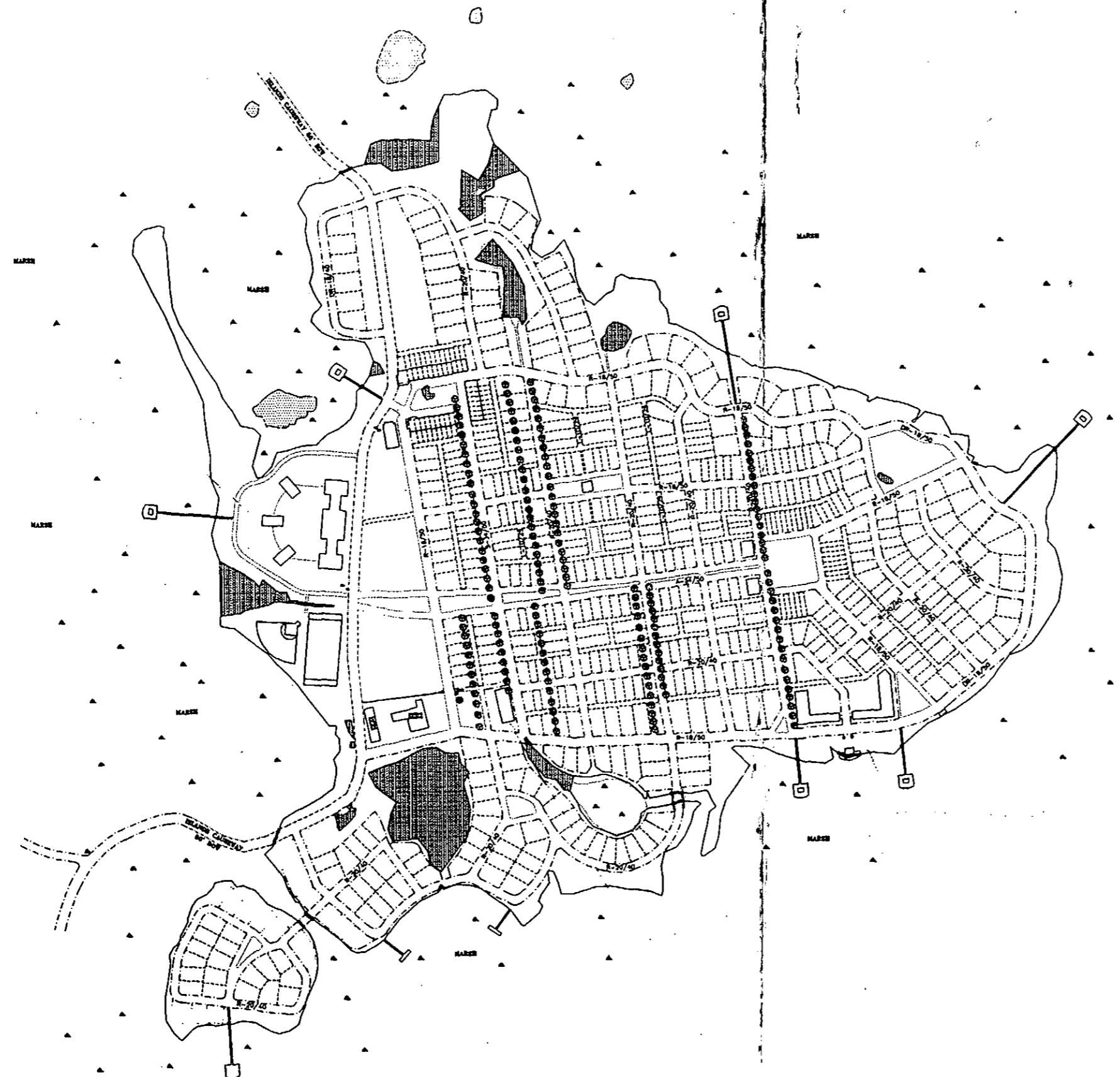
Thanks in advance for allowing Eco Services an opportunity to work with you on this project and if you need anything further, please do not hesitate to give us a call.

Sincerely,



Michelle Dodson  
Sales Representative

## EXHIBIT S



### KEY

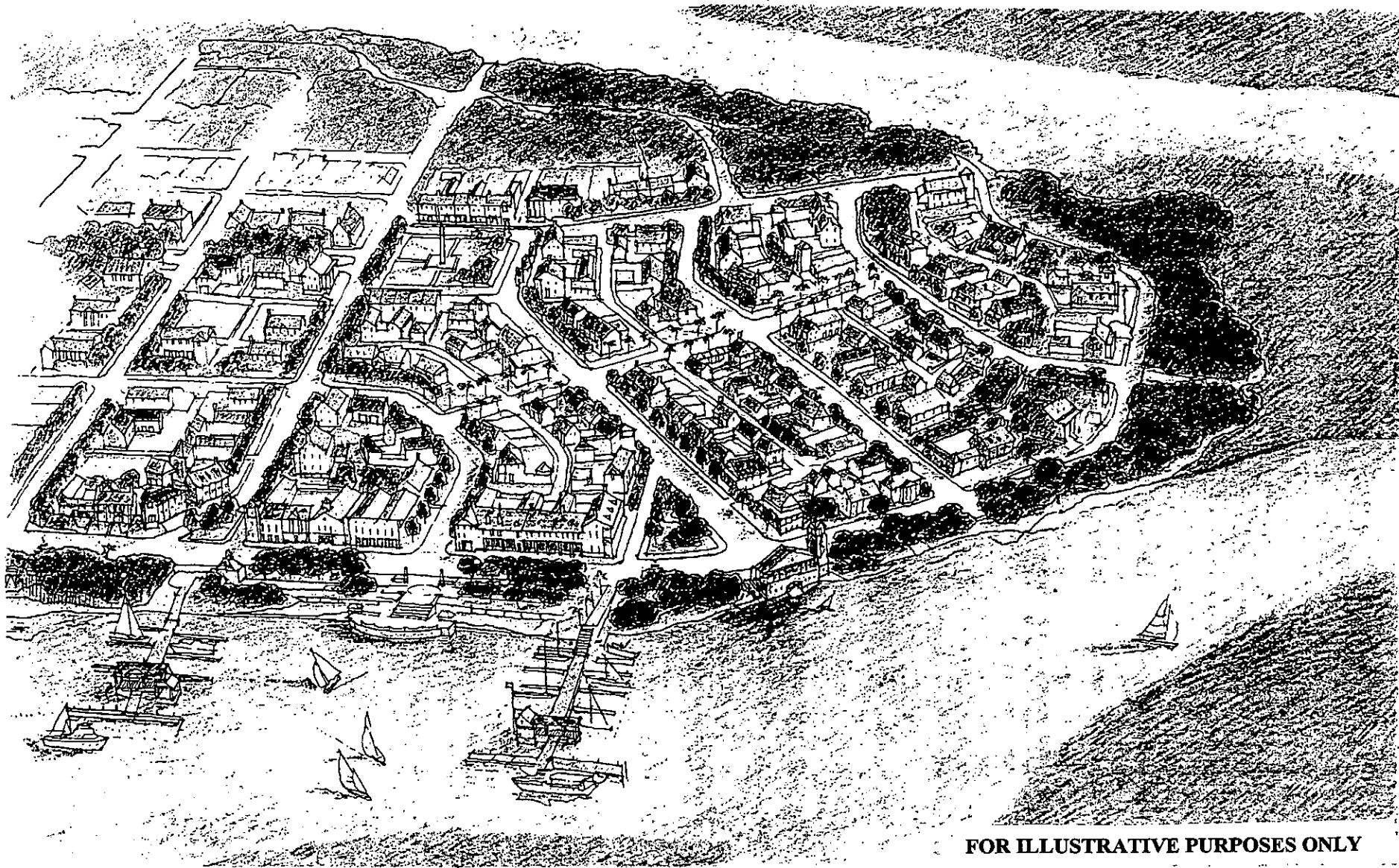
- Neighborhood Center  
24'-36' Lots
- Neighborhood General  
36'-60' Lots
- Neighborhood Edge  
54'-100' Lots
- Civic/Commercial Buildings
- ★ Terminated Vista
- Block/Tract Number  
B-27
- Fresh Water Wetlands

Note: This plan is an illustrative concept only. It is not intended as a statement of the developer's intent. It is indicative only of one of several development scenarios compatible with the PUD Master Plan. It is not intended to limit the implementation of other development scenarios. For exact parcel lines, tract dimensions, lot dimensions, acreage computations, right-of-way locations, and other specifications, please refer to recorded plats and covenants and restrictions in the Beaufort County R. M. C.

EXHIBIT T

UPPER-CANE ISLAND  
BEAUFORT COUNTY, SOUTH CAROLINA

AERIAL VIEW



FOR ILLUSTRATIVE PURPOSES ONLY