



JOINT REVIEW COMMITTEE  
for the Draft Community Development Code  
Wednesday, February 5, 2014  
2:00 – 5:00 p.m.

Executive Conference Room, County Administration Building  
100 Ribaut Road, Beaufort, South Carolina 29902  
Phone: (843) 255-2140

Committee Members:

County Council:

Cynthia Bensch  
Gerald Dawson  
Brian Flewelling, Committee Chairman  
William McBride

Planning Commission:

Diane Chmelik  
Mary LeGree  
W. Edward Riley  
Randolph Stewart

Staff:

Anthony Criscitiello,  
Planning Director

1. CALL TO ORDER – 2:00 P.M.
2. REVIEW DRAFT COMMUNITY DEVELOPMENT CODE:
  - A. Discussion of Article 10. Definitions ([backup](#))
  - B. Summary of Requested Changes from January 22, 2014, meeting ([backup](#))
  - C. Discussion of previous items that the Committee requested to address at a later date ([backup](#))
3. OTHER BUSINESS
  - A. Next Meeting: Wednesday, February 19, 2014, at 2:00 P.M. in Executive Conference Room, County Administration Building, 100 Ribaut Road, Beaufort, SC 29902
4. ADJOURNMENT

**Notes:**

- The January 22, 2014, Joint Review Committee meeting video can be viewed at [http://beaufort.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=1350](http://beaufort.granicus.com/MediaPlayer.php?view_id=2&clip_id=1350)
- The Draft Community Development Code can be viewed on the County website at <http://www.bcgov.net/departments/Planning-and-Development/planning/cdc/>
- If you have any questions, please contact the County Planning Office at (843) 255-2140 or you may leave a comment using at the above link.

## Article 10: Definitions

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<b>Division 10.1: Definitions</b>		<b>10.1-1</b>
10.1.10	A Definitions	10.1-1
10.1.20	B Definitions	10.1-2
10.1.30	C Definitions	10.1-4
10.1.40	D Definitions	10.1-5
10.1.50	E Definitions	10.1-6
10.1.60	F Definitions	10.1-6
10.1.70	G Definitions	10.1-8
10.1.80	H Definitions	10.1-9
10.1.90	I Definitions	10.1-9
10.1.100	J Definitions	10.1-10
10.1.110	K Definitions	10.1-10
10.1.120	L Definitions	10.1-10
10.1.130	M Definitions	10.1-10
10.1.140	N Definitions	10.1-11
10.1.150	O Definitions	10.1-11
10.1.160	P Definitions	10.1-12
10.1.170	Q Definitions	10.1-12
10.1.180	R Definitions	10.1-13
10.1.190	S Definitions	10.1-13
10.1.200	T Definitions	10.1-15
10.1.210	U Definitions	10.1-16
10.1.220	V Definitions	10.1-16
10.1.230	W Definitions	10.1-16
10.1.240	X Definitions	10.1-17
10.1.250	Y Definitions	10.1-17
10.1.260	Z Definitions	10.1-17

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## Division 10.1: Definitions

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### Sections:

10.1.10	A Definitions
10.1.20	B Definitions
10.1.30	C Definitions
10.1.40	D Definitions
10.1.50	E Definitions
10.1.60	F Definitions
10.1.70	G Definitions
10.1.80	H Definitions
10.1.90	I Definitions
10.1.100	J Definitions
10.1.110	K Definitions
10.1.120	L Definitions
10.1.130	M Definitions
10.1.140	N Definitions
10.1.150	O Definitions
10.1.160	P Definitions
10.1.170	Q Definitions
10.1.180	R Definitions
10.1.190	S Definitions
10.1.200	T Definitions
10.1.210	U Definitions
10.1.220	V Definitions
10.1.230	W Definitions
10.1.240	X Definitions
10.1.250	Y Definitions
10.1.260	Z Definitions

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### 10.1.10 A Definitions

**Access.** An area designated as a way for vehicles and pedestrians to enter or leave a property to a public or private street or alley.

**Access Easement.** A portion of a property used for access to another property and shown on a plat by a recorded easement declaration. In no case shall a road right-of-way be construed to mean an easement.

**Accessory Structure.** A structure physically detached from, secondary and incidental to, and commonly associated with a primary structure and/or use on the same site.

**Accessory Use.** A subordinate use of a building, structure or lot that is customarily incidental to a principal use located on the same lot.

**Addition (to an existing building).** Any walled and/or roofed expansion to the perimeter of a building connected by a common load-bearing wall other than a firewall. Any addition that is connected by a firewall or is separated by an independent load-bearing wall shall be considered new construction.

**ACI (Aggregate Caliper Inch).** A measure of the total combined number of inches of existing and proposed trees used to meet landscaping requirements. Caliper inch sizes for individual proposed trees are measured as indicated in the American Standard for Nursery Stock (ANSI 260.1-2004). Caliper inch sizes for existing trees are measured in diameter at breast height (DBH).

**AICUZ (Air Installations Compatible Use Zone).** The area surrounding MCAS–Beaufort as identified on the Zoning Map (Airport Overlay District/MCAS–Beaufort).

**AICUZ Buffer.** The quarter-mile area surrounding the AICUZ for MCAS–Beaufort.

**Ancillary Structure/Ancillary Building.** See *Accessory Structure*.

**Apartment House.** See Section 5.1.120 (Building Type Standards).

**Aquiculture.** The cultivation of aquatic animals and plants, especially fish, shellfish, and seaweed, in natural or controlled marine or freshwater environments; underwater agriculture.

**Archaeological Resources.** As defined in the Archaeological Resources Protection Act of 1979 (16 USC 470aa–470mm) Section (1): The term “archaeological resource” means any material remains of past human life that are of archaeological interest. Such determination shall include, but not be limited to: pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, graves, human skeletal materials, or any portion or piece of the foregoing items. Nonfossilized and fossilized paleontological specimens, or any portion or piece thereof, shall not be considered archaeological resources, under this definition, unless found in an archaeological context. No item shall be treated as an archaeological resource under this definition unless such item is at least 100 years of age.

**Archaeological Site.** The area of the development identified as being listed in or having the potential for listing in the National Register of Historic Places. Effect and adverse effect mean as follows:

1. Effect means an undertaking has an effect on a historic resource when the undertaking may alter the characteristics of the resource that may qualify the resource for inclusion in the National Register of Historic Places.
2. Adverse effect means an undertaking in which the effect on a historic resource may diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association.

**Architectural Features.** Exterior building elements intended to provide ornamentation to the building massing, including, but not limited to: eaves, cornices, bay windows, window and door surrounds, light fixtures, canopies, and balconies.

**Awning Sign.** See Section 5.6.80 (Sign Standards).

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## 10.1.20 B Definitions

**Base Site Area.** An area of land calculated by subtracting various land areas from the gross site area of a lot. See Section 6.1.40.F (General Review Standards).

**Baseline Density.** The maximum density allowed on a receiving area property under baseline zoning and applicable overlay districts without participation in the TDR program.

**Baseline Zoning.** The zoning in effect on a receiving area property as of June 13, 2011.

**Division 10.1: Definitions**

**Berm.** An elongated earthen mound typically designed or constructed on a site to separate, screen, or buffer adjacent uses.

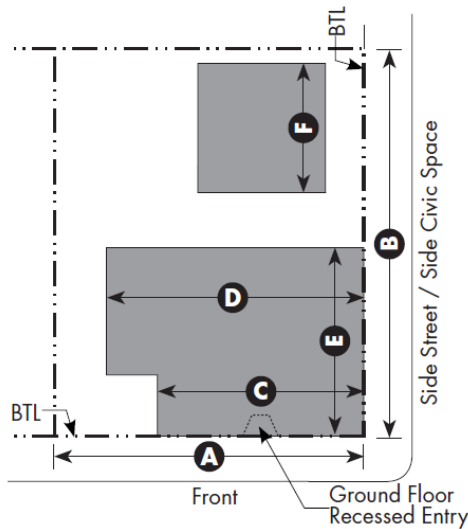
**Buffer, Perimeter.** An area of land along the perimeter of a development site that contains any combination of vegetative materials, berms, fences, and walls, and provides separation and screening to minimize potential adverse impacts between the development and dissimilar development on abutting property.

**Buffer, River.** See *River Buffer*.

**Building Envelope.** The area on a lot on which a structure can be erected as permitted by the front, side yard, and rear yard setbacks of the applicable zoning district.

**Building Type.** A structure defined by its combination of configuration, disposition and function.

**Build-to Line (BTL).** A line parallel to a property line or right-of-way where a building facade must be placed. The BTL may appear graphically on the regulating plan or be stated as a dimension from the property line or right-of-way. Figures 10.A and 10.B depict how to calculate the % of BTL Defined by a Building and % of Building at the BTL as may be required in the Building Form Standards. Minor deviations from the BTL are allowed for architectural features, recessed entries, and recessed balconies and do not count against the calculations of % of BTL Defined by a building or Building at the BTL.



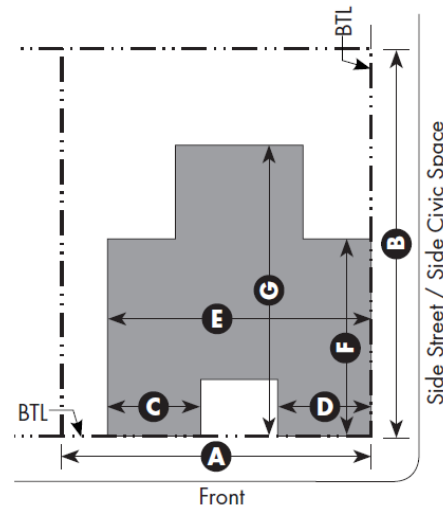
**Figure 10.A:**

% of BTL Defined by a Building:

Front =  $C / A$       Side Street =  $E / B$

% of Building at the BTL:

Front =  $C / D$       Side Street =  $E / (E + F)$



**Figure 10.B**

% of BTL Defined by a Building:

Front =  $(C + D) / A$   
Side Street =  $F / B$

% of Building at the BTL:

Front =  $(C + D) / E$   
Side Street =  $F / G$

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**10.1.30 C Definitions**

**Caliper.** Caliper – Diameter of the trunk measured six inches above the ground for trees up to and including four-inch diameter, and measured 12 inches above the ground for larger trees. This measurement is used for nursery-grown trees.

**Canopy Tree.** A tree that has an expected height at maturity greater than 30 feet and produces significant shade because it has a crown that is oval, round, vase-shaped, or umbrella-shaped.

**Carriage House.** This Building Type is a secondary accessory structure typically located at the rear of a lot. This structure typically provides either a small residential unit, home office space, or other small commercial or service use that may be above a garage or at ground level. This Building Type is important for providing affordable housing opportunities and incubating small businesses within walkable neighborhoods. Multiple Carriage Houses can be utilized to organize Family Compounds and Farmsteads.” (See Section 5.1.40).

**Cash in-lieu.** The fee rate established by Beaufort County that can be paid for increased density on a receiving area property above baseline zoning.

**Ceiling Height, Ground Floor.** Height from finished floor to finished ceiling of primary rooms on the ground floor, not including secondary rooms such as bathrooms, closets, utility rooms and storage spaces.

**Ceiling Height, Upper Floor(s).** Height from finished floor to finished ceiling of primary rooms on the floor(s) above the ground floor, not including secondary rooms such as bathrooms, closets, utility rooms and storage spaces.

**Charrette.** A multiple-day collaborative design and planning workshop held on-site and inclusive of all affected stakeholders.

**Chicanes.** A means of slowing traffic through street design where alternating curb extensions create an S shaped curve in the street. They are categorized as horizontal deflectors – as opposed to vertical deflectors like speed bumps.

**Civic.** A term defining not-for-profit organizations that are dedicated to arts, culture, education, religious activities, recreation, government, transit, and public parking facilities.

**Civic Building.** A structure operated by governmental or not-for-profit organizations and limited to civic and related uses.

**Civic Space.** An outdoor area dedicated for civic activities.

**Commercial.** A term defining workplace, office and retail uses collectively.

**Common Yard.** A private frontage type where the main facade of the building has a large planted setback from the frontage line providing a buffer from the higher-speed thoroughfares. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape and working in conjunction with the other private frontages (See Section 5.2.40).

**Common Courtyard.** An entry court, forecourt or courtyard shared by multiple residential units or commercial spaces.

**Community Garden.** A civic/open space designed as a grouping of garden plots that are available to nearby residents for small-scale cultivation (see Division 2.8).

**Community Park.** A moderate sized civic/open space available for unstructured recreation and a limited amount of structured recreation (see Division 2.8).

**Conditional Use.** A use that is permitted in a zone subject to the standards specified for that use being met, as determined by the director.

**Cottage House.** This Building Type is a small detached structure on a small lot that incorporates one unit. It is typically located within a primarily single-family neighborhood in a walkable urban setting, potentially near a neighborhood main street (see Section 5.1.70).

**Critical Line.** A line that is delineated by the South Carolina Office of Ocean and Coastal Resource Management (OCRM) that separates upland areas from coastal waters, tidelands and marshes.

**Critical Root Zone (CRZ).** An area surrounding a tree, both above and below ground, with a radius of 1.5 feet for every inch in trunk DBH.

**Critical Root Zone, Structural (SCRZ).** Similar to a *Critical Root Zone*, but with a smaller radius (see Section 5.11.90). Significant risk of catastrophic tree failure exists if roots within this area are damaged or destroyed.

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**10.1.40 D Definitions**

**DBH (Diameter at Breast Height).** The diameter (in inches) of the trunk of a tree (or, for multiple trunk trees, the aggregate diameters of the multiple trunks) measured 4 ½ feet from the existing grade at the base of the tree. This measurement is used for existing trees.

**Day-Night Average Noise Level (Ldn).** A measure for quantifying noise exposure based on the weighted sound level average over a 24-hour time period, with a ten decibel penalty applied to nighttime (10:00 p.m. to 7:00 a.m.) sound levels.

**Decibel (dB).** A unit of measure describing the loudness of sound.

**Density, Gross.** A measurement of intensity defined as the total number of dwelling units on a property divided by the *Base Site Area*, expressed as units per acre.

**Depth, Ground-Floor Commercial Space.** The distance from the street-facing facade to the rear interior wall of the ground-floor space available to a commercial tenant.

**Development.** This term includes the following:

1. All construction, modification, or use of any lot, parcel, building or structure.
2. All disturbances of land surfaces of 10,000 square feet or greater, including removal of vegetation, excavation, filling, and grading.
3. Any subdivision of a parcel or tract of land into two or more lots, parcels, or pieces for the purpose, whether immediate or future, of sale or transfer of title.

**Directional Sign.** Secondary signage that provides guidance to entrances and parking locations (see Section 5.6.90).

**Director.** The Community Development Director or his or her duly appointed designee (see Section 7.5.60 for specific duties and responsibilities).



**Diseased Trees.** Those trees that may constitute a hazard to life and property or harbor insects or disease which represent a potential threat to other trees.

**Dooryard.** A private frontage type where the frontage line is defined by a low wall or hedge and the main facade of the building is set back a small distance creating a small dooryard. The dooryard may be raised, sunken, or at grade and is intended for ground floor residential in flex zones, live/ work, and small commercial uses (see Section 5.2.90).

**Duplex.** This Building Type is a small to medium-sized structure that consists of two side-by-side or two stacked dwelling units, both facing the street. This Type has the appearance of a medium to large single-family home and is appropriately scaled to fit within primarily single-family neighborhoods or medium-density neighborhoods (see Section 5.1.90).

**Dwelling.** A building, or portion thereof, used as a place of residence, containing living, sleeping, cooking, and sanitary facilities, excluding commercial lodging facilities.

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**10.1.50 E Definitions**

**Easement.** A portion of a property subject to an agreement between the property owner and another party that grants the other party the right to make limited use of that portion of the property for a specified purpose.

**Encroachment.** Any architectural feature, structure or structural element, such as a gallery, fence, garden wall, porch, stoop, balcony, bay window, terrace or deck, that breaks the plane of a vertical or horizontal regulatory limit extending into a setback, beyond the build-to-line, into the public frontage, or above a height limit.

**Entablature.** The assemblage of horizontal moldings and bands supported by and located immediately above the columns of Classical buildings or similar structural supports in non-Classical buildings.

**Estate House.** This Building Type is a large detached structure on a large lot that incorporates one unit. It is typically located within a primarily single-family residential neighborhood in a more rural setting (see Section 5.1.50).

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**10.1.60 F Definitions**

**Facade.** The vertical surface of a building.

**Facade Zone.** The area between the minimum and maximum setback lines.

**Family.** Any number of individuals legally related through blood, marriage, adoption or guardianship, including individuals placed for foster care by an authorized agency, or up to four unrelated individuals living and cooking together and functioning as a single housekeeping unit.

**Family Compound.** A form of traditional rural development that allows additional family dwelling units on, and/or subdivisions of, a single parcel of land owned by the same family for at least 50 years.

**Finish Level, Ground Floor.** Height difference between the ground floor finished floor of residential or commercial space, excluding lobbies and common-use areas, and the adjacent public walk. In the case of a loading dock frontage that serves as the public right-of-way, the floor finish level is the height of the walk above the adjacent street.

**Flex Space.** A room or group of internally connected rooms designed to accommodate an evolution of use over time in response to an evolving market demand. Typically designed to accommodate future commercial uses, while accommodating less intense short-term uses, such as residential or live/work, until the full commercial demand has been established.

**Flood Hazard Area.** The area designated by the Federal Flood Insurance Administration on official flood hazard area maps that is subject to a one percent or greater chance of flooding in any given year.

**Floor Area, Gross.** See *Gross Floor Area*.

**Floor Area Ratio (FAR).** A measure of the allowable size of building area on a lot compared to the size of the lot. The FAR is calculated by dividing the *Gross Floor Area* by the *Base Site Area*.

**Forecourt.** A private frontage type where the main facade of the building is at or near the frontage line and a small percentage is set back, creating a small court space (see Section 5.2.80).

**Forest, Maritime.** This forest type is characterized by a canopy dominated by live oak, swamp laurel oak, southern magnolia, and cabbage palm.

**Forest, Mixed Upland.** This forest type is characterized as being southern mixed hardwood, beach-magnolia hammock, or mesic oak-hickory communities.

**Formally Disposed.** Composed in a formal arrangement, in a regular, classical, and typically symmetrical manner.

**Free Standing Signs:** Free standing signs encompass a variety of signs that are not attached to a building and have an integral support structure. Three varieties include: Freestanding, Monument and Pole (see Section 5.6.120).

**Front.** The primary frontage(s) of a lot, determined as follows:

1. For lots with frontages along multiple thoroughfares, the frontage along the thoroughfare that is part of the lot's address will always be the Front. All other frontages may be considered to be side street frontages.
2. For lots with frontages along a thoroughfare and a civic space, the Front may be the frontage along either the thoroughfare or the civic space, or both frontages may be treated as Fronts, with the following exception: the frontage along certain Civic Spaces may be required to be a Front, as per the standards in Division 2.7 (Civic and Open Space Types).
3. For lots with a single frontage along a thoroughfare or a Civic Space, but not both, that frontage is the Front.
4. Frontages along alleys, service drives, and parking drives may never be a front.

**Frontage.** A strip or extent of land abutting a thoroughfare, civic space or other public right-of-way.

1. **Private Frontage.** The area between the curb of the public right-of-way and the front or side façade (see Division 5.2).
2. **Public Frontage.** The area between the curb of the vehicular lanes and the frontage line (see Section 2.9.70).

**Frontage Line.** The property line(s) of a lot fronting a thoroughfare or other public way, or a civic space.

**Frontage Type.** The way in which a building engages the public realm. See Division 5.2 (Frontage Type Standards).

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**10.1.70 G Definitions**

**Gallery.** A private frontage type where the main facade of the building is at the frontage line and the gallery element overlaps the sidewalk. This Type is intended for buildings with ground-floor commercial uses and may be one or two stories (see Section 5.2.120).

**Garage.** A structure, or part thereof, used or intended to be used for the parking and storage of motor vehicles.

**Grand Tree.** An existing, exceptionally large tree as follows:

1. Live Oak (*Quercus Virginiana*), Black Walnut (*Juglans Nigra*), or Longleaf Pine (*Pinus Palustris*) equal to or greater than a diameter of 24 inches DBH;
2. Loblolly Pine (*Pinus Taeda*), Slash Pine (*Pinus Ellitoi*), and Shortleaf Pine (*Pinus Echinata*) equal to or greater than a diameter of 36 inches DBH;
3. All other species of trees, not defined above, equal to or greater than a diameter of 30 inches DBH.

**Green.** A small civic/open space usually found in a residential area that is available for unstructured and limited amounts of structured recreation (see Division 2.8).

**Greenway.** A linear open space that may follow natural corridors providing unstructured and limited amounts of structured recreation (see Division 2.8).

**Ground Cover.** Low-growing plants that grow in a spreading fashion to form a more or less solid mat of vegetation, generally planted to provide decorative landscaping or permeable cover for bare earth that prevents soil erosion.

**Gross Floor Area (GFA).** The sum of the total horizontal areas of a building. The measurement of gross floor area is computed by applying the following criteria:

1. The horizontal square footage is measured from the outside face of all exterior walls.
2. Cellars, basements, attics, covered or uncovered porches, balconies and decks, enclosed storage or mechanical areas, mezzanines and similar structures shall be included as GFA wherever at least seven feet are provided between the finished floor and the ceiling.
3. No deduction shall apply for horizontal areas void of actual floor space; for example, elevator shafts and stairwells. The protected upper floors of open atriums and foyers shall not be included.

**Gross Site Area.** All land and water area contained within the surveyed boundaries of a lot or parcel.

**Guest House.** Living quarters within a detached accessory building located on the same premises with the main building, for use by guests of the occupants of the premises, such quarters having no kitchen or cooking facilities and not rented or otherwise used as a separate dwelling.

**10.1.80 H Definitions**

**Hedge.** A group of shrubs planted in line or in groups that forms a compact, dense, living barrier that demarcates an area from on-site or off-site views.

**Height.**

1. **Overall.** Overall building height shall be measured vertically from the natural grade or finished grade adjacent to the building exterior to the average height of the highest roof surface.
2. **Eave/Parapet.** Building height to eave/parapet shall be measured from the eave or top of parapet to natural grade or finished grade at the lowest point adjacent to the building exterior, whichever yields the greatest height.

**Historic Resources.** According to the National Historic Preservation Act of 1966, as amended through 1992 (16 USC 470 et seq.) Section 101(a)(1)(A): The Secretary of the Interior is authorized to expand and maintain a National Register of Historic Places composed of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering, and culture. Criteria set forth by the Secretary of the Interior states that any district, site, building, structure, or object that is at least 50 years of age and is significant in American history, architecture, archaeology, engineering, and culture may be considered for inclusion on the National Register of Historic Places.

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**10.1.90 I Definitions**

**Impervious Surface.** A surface that has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes, but is not limited to, surfaces such as compacted clay, as well as most conventionally surfaced streets, roofs, sidewalks, parking lots, patios, swimming pool decks, and other similar structures.

**Incidental Sales.** Sales that are ancillary to the owner's primary business activity.

**Industrial/Agricultural Building.** This Building Type is a medium to large structure that accommodates retail, light industrial, agricultural and mixed uses that are too large to be appropriately housed in a residential building type. This Building Type is typically located on the edge of the commercial core within a rural crossroads or hamlet place type. The design and massing of this Building Type find their precedent in the vernacular packing sheds, barns, and warehouses of the Lowcountry. (see Section 5.1.140).

**Infill.** Development or redevelopment of land that has been bypassed, remained vacant, or is underused in an otherwise developed area.

**Intensive Level Archaeological Survey.** A survey that will be based on a systematic approach to the entire tract, usually at 100-foot intervals, that are differentiated between having high or low potential for containing archaeological and historic resources. Topography and soil types are also taken into consideration to help determine the areas of high and low potential. In addition, subsurface activities such as shovel tests are done, unless surface exposure is evident, and the materials are sifted. All of the findings, as well as a determination of eligible sites, are compiled into a final report.

**Invasive Species.** An introduced species (also called "non-indigenous" or "non-native") that adversely affects the natural habitat it invades by dominating and choking out indigenous species.

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**10.1.100 J Definitions**

No specialized terms beginning with the letter J are defined at this time.

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**10.1.110 K Definitions**

No specialized terms beginning with the letter K are defined at this time.

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**10.1.120 L Definitions**

**Landscape Strip, Perimeter.** Vegetative material associated with the perimeter landscaping required for a parking lot area.

**Landscape Wall Sign.** Landscape wall signs are attached to freestanding walls and are often used to mark a place of significance or the entrance to a location (see Section 5.6.100).

**Ldn.** See *Day-Night Average Noise Level*.

**Liner Building.** An occupiable structure specifically designed to mask a parking lot or a parking structure from a frontage.

**Live/Work Unit.** An integrated housing unit and working space in a structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity with a substantial commercial component that may accommodate employees and walk-in trade.

**Lot.** An area designated as a separate and distinct parcel of land on a subdivision plat or deed as recorded with the Beaufort County Register of Deeds office.

**Lot Coverage.** The portion of a lot, expressed as a percentage, that is covered by any and all buildings including accessory buildings, excepting paved areas, uncovered parking areas, single level unenclosed covered parking areas (unless the roof space is used for any use or activity), unenclosed covered walkways, driveways, walks, porches, terraces, swimming pools, and landscape areas.

**Lot of Record.** A lot that existed prior to the date of adoption of this Development Code.

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**10.1.130 M Definitions**

**Main Street Mixed-Use Building.** A Building Type which consists of a small- to medium-sized structure, typically attached, intended to provide a vertical mix of uses with ground-floor commercial, service, or retail uses and upper-floor commercial, service, or residential uses. Smaller versions of this Type include live/work units (see Section 5.1.130).

**Mansion Apartment.** A Building Type which consists of a medium-sized structure with three to six side-by-side and/or stacked dwelling units, typically with one shared entry or individual entries along the front. This Type has the appearance of a medium-sized family home and is appropriately scaled to fit in sparingly within primarily single-family neighborhoods or into medium-density neighborhoods (see Section 5.1.110).

## Division 10.1: Definitions

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**Manufactured Home.** A single family dwelling unit fabricated in an off-site manufacturing facility for installation at the building site, bearing a seal certifying that it was built in compliance with the Federal Manufactured Home Construction and Safety Standards Act of 1974, as amended.

**Mariculture.** Cultivation of marine organisms in their natural habitats, usually for commercial purposes.

**Maritime Forest.** See *Forest, Maritime*.

**Marquee Sign.** Marquee signs are vertical signs that are located either along the face where they project perpendicular to the facade; or at the corner of the building where they project at 45 degree angles (see Section 5.6.110).

**Memorandum of Agreement.** An agreement between the County and the applicant to avoid, reduce, or mitigate adverse effects on archaeological and historic properties, or to accept each effect in the public interest.

**Mitigation.** Measures taken to lessen the adverse impacts of a proposed land use or land disturbance activity.

**Mixed Upland Forest.** See *Forest, Mixed Upland*.

**Mixed-Use.** Multiple functions within the same building or the same general area through superimposition or within the same area through adjacency.

**Mixed-Use Project.** A development that combines both commercial and residential uses on the same site, typically with the commercial uses occupying the ground floor street frontage and the residential uses above.

**Mobile Home.** See *Manufactured Home*.

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### 10.1.140 N Definitions

**National Register of Historic Places.** The list of districts, sites, buildings, structures and objects significant in American history, architecture, archaeology, engineering, and culture, maintained by the Secretary of the Interior under authority of the National Historic Preservation Act.

**Naturally Disposed.** A preservation of the existing natural condition or a composition of elements arranged as they would appear in nature, with irregular shapes and asymmetry.

**Neckdowns.** Curb extensions at street intersections that reduce the roadway width from curb to curb. Neckdowns shorten crossing distances for pedestrians and tighten the curb radii at the corners therefore reducing the speeds of turning vehicles.

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### 10.1.150 O Definitions

**OCRM Critical Line.** See *Critical Line*.

**Open Space.** Land not covered by lots, buildings, accessory structures, driveways, or parking areas. It does not include utility or access easements, street rights-of-way, drainage ditches, and other similar areas.

**Overstory Tree.** See *Canopy Tree*.

**10.1.160 P Definitions**

**Parcel.** See *Lot*.

**Passive Recreation.** Recreation requiring little or no physical exertion focusing on the enjoyment of one's natural surroundings.

**Peak Hour.** A one-hour period of time, usually occurring during the morning or evening commute periods, when traffic volume is at its highest.

**Pedestrian Shed.** An area centered on a major destination. Its size is limited by an average distance that may be traversed at an easy walking pace in a given amount of time from its center to its edge. Pedestrian sheds are useful for planning walkable areas. See Section 2.3.50 (Pedestrian Sheds).

**Permitted Use.** A use that is allowed in a zone without the need for special administrative review and approval upon satisfaction of the standards and requirements of this Development Code.

**Planting Strip.** Areas intended for the placement of vegetation within the interior of parking lot areas or along street right-of-way edges, typically between the back of the curb and the inside edge of the sidewalk.

**Plaza.** A civic/open space designed for civic purposes and commercial activities in the more urban Transect Zones, generally paved and spatially defined by building frontages (see Division 2.8).

**Playground.** An open space designed and equipped for the recreation of children. A Playground may include an open shelter. Playgrounds may be included within other civic spaces (see Division 2.8).

**Pocket Park.** A small open space available for informal activities in close proximity to neighborhood residences (see Division 2.8).

**Pocket Plaza.** A small formal open space available for civic purposes and commercial activities. Pocket Plazas are typically hardscaped (see Division 2.8).

**Porch.** See Division 5.2 (Private Frontage Standards).

1. **Projecting Porch.** A porch which is open on three sides and all habitable space is located behind the setback line (see Section 5.2.50).
2. **Engaged Porch.** A porch which has two adjacent sides of the porch that are engaged to the building while the other two sides are open (see Section 5.2.60).

**Primary Dune.** The major front dune immediately behind the beach.

**Principal Use.** The primary purpose for which a lot is occupied and/or used.

**Projecting Sign.** Projecting signs mount perpendicular to a building's facade. These signs are small, pedestrian scaled, and easily read from both sides (see Section 5.6.130).

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**10.1.170 Q Definitions**

**Qualified Personnel.** Professional consultants meeting the criteria set forth by the Secretary of the Interior, as well as the state historic preservation office and published in their Guidelines and Standards for Archaeological Investigation.

**10.1.180 R Definitions**

**Regional Park.** For the purposes of this Code, an open space of at least 75 acres available for structured and unstructured recreation (see Division 2.8).

**Residential.** Premises used primarily for human habitation.

**Right-of-way.** An area of land not part of a lot that is dedicated for public or private use to accommodate a transportation system and necessary public utility infrastructure, including but not limited to water lines, sewer lines, power lines and gas lines. In no case shall a right-of-way be construed to mean an easement.

**River Buffer.** An area of land along tidal waters or tidal wetlands extending inland 50 feet from the OCRM critical line. See also *Critical Line*.

**Rookery.** A vegetated area used by a colony of birds for nesting and rearing their young.

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**10.1.190 S Definitions**

**Security Quarter.** A dwelling unit associated with a nonresidential use in a nonresidential zone which is occupied by one or more employees who reside on site and oversee or manage the operation or provide care, protection, or security for the property.

**Setback.** The mandatory clear distance between a property line and a structure.

**Shared Parking.** Any parking spaces assigned to more than one user, where different persons utilizing the spaces are unlikely to need the spaces at the same time of day.

**Shopfront.** A private frontage type where the main facade of the building is at or near the frontage line with an at-grade entrance along the public way (see Section 5.2.100).

**Shrub.** A woody plant, smaller than a tree, consisting of several small stems emerging from the ground, or small branches near the ground. Shrubs may be deciduous or evergreen.

**Sidewalk Sign.** A temporary, moveable sign type that may be used to announce daily specials, sales, or point to shops off the sidewalk (see Section 5.6.140).

**Significant Resources.** Historic resources listed in or eligible for listing in the National Register of Historic Places.

**Small Wind Energy System.** Equipment that converts and then stores or transfers energy from the wind into usable forms of energy that is used primarily to reduce on-site consumption of utility power. Equipment includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries or other component used in the system.

**Solar Energy Equipment.** Items including but not limited to solar panels lines pumps batteries mounting brackets framing around foundations used for or intended to be used for the collection of solar energy in connection with a building on residential municipal or commercial properties. Solar energy equipment and its use is accessory to the principal use of the property

**Special Use.** A use that may be permitted within a zone upon approval of a special use permit by the Zoning Board of Appeals (ZBOA). See Section 7.2.130 (Special Use Permits).



**Specified Anatomical Areas.** Those portions of the human body less than completely and opaquely covered including the human genitals and pubic region, buttocks, and female breasts below a point immediately above the top of the areola, and the human male genitals in a discernibly turgid state, even if completely and opaquely covered.

**Specified Sexual Activities.** Includes human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; fondling or other erotic touching of human genitals, public region, buttock, or female breast.

**Specimen Tree.**

1. Understory trees as follows: dogwood, redbud, and southern magnolia greater than four inches dbh.
2. Canopy trees as follows: American holly, bald cypress, beech, black oak, black tupelo, cedar, hickory, live oak, palmetto, pecan, southern red oak, sycamore, or walnut with a dbh of greater than 16 inches dbh.
3. All other trees with a dbh of 24 inches or greater.

**Sports Complex.** A regional scaled open space that consolidates heavily programmed athletic fields and associated facilities (see Division 2.8).

**Square.** An Open Space available for unstructured recreation and civic purposes. A Square is spatially defined by building Frontages. Its landscape shall consist of paths, lawns and trees, formally disposed (see Division 2.8).

**Storefront.** The portion of a frontage composed of the display window and/or entrance and its components, including windows, doors, transoms and sill pane, that is inserted into various frontage types, such as a shopfront or gallery, to accommodate retail uses.

**Stoop.** A private frontage type where the Facade is aligned close to the frontage line with the first story elevated from the sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing (see Section 5.2.70).

**Story.** An above-grade habitable floor level within a building.

1. **Half.** A conditioned space that rests primarily underneath the slope of the roof, usually having dormer windows.

**Street Tree.** A tree that is located within the public frontage.

**Structural Critical Root Zone (SCRZ).** See *Critical Root Zone, Structural*.

**Structure.** Anything constructed or erected, the use of which requires attachment to the ground, attachment to something located on the ground, or placement on the ground.

**Structure, Principal.** A structure in which is conducted the primary use of the lot on which the structure is situated.

**Stub-out.** A short road segment that is constructed to and terminates at a parcel line, and that is intended to serve current and future development by providing road connectivity between adjacent developments.

**Suspended Signs.** Suspended signs mount to the underside of beams or ceilings of a porch, gallery, arcade, breezeway or similar covered area. These signs are small, pedestrian scaled, and easily read from both sides (see Section 5.6.150).

**Subdivision.** The division of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land for the purpose, whether immediate or future, of lease, transfer of ownership, or building development.

**10.1.200 T Definitions**

**Tandem Parking.** A parking space deep enough to allow two cars to park, one behind the other.

**TDR.** Transfer of Development Rights.

1. **Bank.** An intermediary authorized by Beaufort County to act on its behalf in the TDR program.
2. **Certificate.** The official document issued by the county identifying the number of TDRs owned by the holder of the TDR certificate.
3. **Intermediary.** Any individual or group, other than a sending area landowner or receiving area developer, which buys and sells TDRs.
4. **Option.** The option of a receiving area property owner to increase density above baseline zoning through participation in the TDR program.
5. **Program.** The rules and requirements of this article for the transfer of development rights from sending areas to receiving areas.
6. **Receiving Area.** Properties on which upzonings trigger the establishment of the TDR overlay district.
7. **Sending Area.** Areas within unincorporated Beaufort County that are eligible to sell TDRs.

**Temporary Parking Lots.** Parking lots that are not permanent, are only intended to fulfill a short-term need, and ultimately will be replaced by a permanent building or structure. Temporary Parking lots are not subject to the parking location regulations and liner requirements for above grade parking in the building form standards, but must comply with all landscaping standards.

**Terrace.** A private frontage type where the main facade is at or near the frontage line with an elevated terrace providing public circulation along the facade. This Type can be used to provide at-grade access while accommodating a grade change (see Section 5.2.110).

**Townhouse.** A building type consisting of a small to medium-sized attached structure with three or more dwelling units placed side-by-side. This Type is typically located within medium-density neighborhoods or in a location that transitions from a primarily single-family neighborhood into a neighborhood main street (see Section 5.1.100).

**Transect.** A cross-section of the environment showing a range of different habitats. The rural-to-urban transect of the human environment is divided into multiple transect zones that describe the physical form and character of a place according to the intensity of its land use and urbanism.

**Transect Zone.** Transect Zones are zoning districts that primarily focus on mixed-use, walkable areas of the County and range in function and density from primarily residential areas with a mix of building types (e.g. T3 Hamlet Neighborhood), to medium density neighborhoods and other commercial and retail areas (e.g. T4-Hamlet Center).. See Division 3.2 (Transect Zones).

**Transit Station.** A lot or structure used for the purpose of parking, loading and unloading freight and passengers from train or bus transportation. May include parking facilities and other commercial amenities to service transit passengers.

**Transit Stop.** A location where buses stop to load and unload passengers. A transit stop may or may not include a shelter or a pullout.

**Tree, Deciduous.** A tree that drops its foliage annually before becoming dormant.

**Tree, Evergreen.** A tree with foliage that is not dropped, or that remains green throughout the year.

**Tree, Shade.** See *Canopy Tree*.

**Tree, Street.** See *Street Tree*.

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### 10.1.210 U Definitions

**Understory Tree.** A tree that has an expected height at maturity of no greater than 30 feet.

**Utilities.** Installations or facilities or means for furnishing to the public, electricity, gas, steam, communications, water, drainage, sewage disposal, or flood control, irrespective of whether such facilities or means are underground or above ground; utilities may be owned and operated by any person, firm, corporation, municipal department or board, duly appointed by state or municipal regulations. Utility or utilities as used herein may also refer to such persons, firms, corporations, departments, or boards.

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### 10.1.220 V Definitions

**Vegetation, Native.** Any indigenous tree, shrub, ground cover or other plant adapted to the soil, climatic, and hydrographic conditions occurring on the site.

**Village House.** A building type consisting of a medium-sized detached structure on a medium-sized lot that incorporates one unit. It is typically located within a primarily single-family residential neighborhood in a walkable urban setting, potentially near a neighborhood main street (see Division 5.1.60).

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### 10.1.230 W Definitions

**Wall Sign.** A sign that is flat against the facade of a building consisting of individual cut letters applied directly to the building or painted directly on the surface of the building (see Section 5.6.160).

**Wall Mural Sign.** A sign that is flat against the building facade and is located on a secondary facade, typically along a side street, alley, or passageway. These signs are typically painted directly on the building and contain a combination of text and graphic elements (see Section 5.6.170).

**Window Sign.** Window signs are professionally painted consisting of individual letters and designs, gold leaf individual letters and designs, applied directly on the inside of a window (see Section 5.6.180).

## **Division 10.1: Definitions**

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### **10.1.240 X Definitions**

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No specialized terms beginning with the letter X are defined at this time.

### **10.1.250 Y Definitions**

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**Yard Sign.** Yard signs are signs mounted on a porch or in a yard between the public ROW and the building façade (see Section 5.6.190).

### **10.1.260 Z Definitions**

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No specialized terms beginning with the letter Z are defined at this time.

**COMMUNITY DEVELOPMENT CODE REVIEW TEAM**  
**Summary of Requested Changes – January 22, 2014**

**Article 7**

- 7.2.30.D4 – Reword to read: *“**Architecture:** That the modulation allows for innovative design that enhances and supports the ~~vernacular~~ range of Lowcountry architectural styles of Beaufort County.”*

**Article 8**

- 8.1.20.B – Reword to read: *“**Illegal Nonconformities.** Illegal nonconformities are those nonconformities that were ~~not~~ neither properly permitted nor legally established and that do not comply with the applicable provisions of this Development Code. Illegal nonconformities are subject to ~~termination~~ cessation by the County upon a determination of such illegality by the Director.”*
- 8.2.10 – Reword to read: *“Nonconforming uses are uses that are not permitted in the zone in which they are located. ~~They~~ Such uses are declared generally incompatible with the permitted uses in the zone in which they are located and with the provisions of this Development Code. Nonconforming uses shall be subject to the standards in this Section.”*
- 8.3.20 – Reword heading to read as follows *“Relationship ~~with~~ between Conforming and Nonconforming Uses”*
- 8.4.30 – Reword to read: *“New single-family development or meeting facilities/places of worship on lots legally created prior to <insert effective date of this Development Code> that cannot conform to the ~~shall~~ conform to the following alternate setbacks in those instances where the setbacks established in Article 3 (Specific to Zones) for the zone in which the lot of record is located cannot be met: may be modulated by the Director in accordance with Division 7.2.30 (Modulation Permit).*
  - A. ~~Single family development: front 25 ft; side 10 ft; rear 10 ft.~~
  - B. ~~Meeting facility/place of worship: front 50 ft (arterial or major collector), 1/2 of the ROW (all other roads); side and rear 20 ft. If buffers are required per Table 5.8.90.F (Perimeter Buffer Type Application), the required width shall be reduced to 10 feet.~~

**Article 9**

- 9.3.10 – Reword to read: *“Any person, or person acting as an agent to an entity, who violates this Development Code shall be subject to the remedies and penalties set forth in this Article.”* Check this proposed language with Josh Gruber.
- 9.4.10 – Have Josh Gruber determine whether it’s ok to state that the “Director or designee” responsible for enforcing the provisions of the code, or whether we should specifically state that the responsibility lies with the “Code Enforcement Department.”

- 9.4.20 – Reword to read: *“Whenever a violation of this Development Code occurs, or is alleged to have occurred, any person may file a complaint. Such complaint shall state fully the alleged violation and the basis for the alleged violation, and shall be filed with the Code Enforcement Department, who shall maintain a record of the complaint. The complaint shall be investigated promptly by the Code Enforcement Department as provided in Section 9.4.30 (Inspections to Ensure Compliance), and action taken to abate or correct the violation. All complaints are subject to the Freedom of Information Act (FOIA) except such information that is exempt under SC Code 30-4-40.”*
- 9.4.40 – Reword to read: *“When the Code Enforcement Department finds and determines a violation of this Development Code exists, the Code Enforcement Department shall notify, in writing, the person violating the Code. Such notification shall serve as a warning notice of a violation. It ~~shall be delivered~~ sent via U.S. Mail or hand delivered to the last, best known address of the owner and or any person occupying the land or structure where the violation occurs. The notice shall state the following:”*
- 9.4.40 – Delete items “B” and “C” and renumber “1, 2, 3, and 4” as “A, B, C, and D.” Ask Josh Gruber about constructive notice as means of notifying a property owner.
- 9.4.50.B – Reword to read: *“Under all other circumstances, if the person(s) to whom a warning notice has been given in accordance with Section 9.4.40 (Notice of Violation), fails to remove or abate the violation in the time specified in the notice, the Code Enforcement Department shall fill out and sign, as the complainant, a ~~complaint and information form and a Notice to Appear~~ Uniform Summons Ticket in the appropriate court of Beaufort County. The ~~Notice to Appear~~ Uniform Summons Ticket shall include the following:”*
- 9.4.50.C – Reword to read: *“The original copy of the ~~Notice to Appear~~ Uniform Summons Ticket shall be forwarded to the ~~Clerk of the Court~~ appropriate court of Beaufort County for inclusion on the court's docket for the date indicated on the notice.”*
- 9.4.50.D – Reword to read: *“The ~~Notice to Appear~~ Uniform Summons Ticket shall be provided to ~~all persons~~ the owner or any person occupying the land or structure in violation of this Development Code. The notice shall be ~~hand~~ delivered by certified mail to any occupants of the owner or any person occupying the land where the violation is occurring. In addition, the Code Enforcement Department shall fill out and sign the ~~Notice to Appear~~ Uniform Summons Ticket as the complainant and deliver the original plus one copy to the Clerk of the Court. The Clerk shall verify or insert the date the case is set for hearing before the court. The Clerk shall mail a copy of the ~~Notice to Appear~~ Uniform Summons Ticket, by certified mail, to all person(s) named in the ~~Notice to Appear~~ Uniform Summons Ticket, at their last known address.”*
- 9.4.70.B – Reword to read: *“Each day a violation continues after the expiration of the warning period to abate such violation ~~shall~~ may constitute a separate offense.”*
- 9.5.10 – Check with Josh Gruber to see if the maximum penalty of \$500 or 30 days imprisonment is required by state law.
- 9.5.20.A – Reword to read: *“**Stop Order.** ~~The Code Enforcement Department~~ County Administrator or designee or County Attorney may issue and serve upon a person violating this Development Code a stop order requiring that the person stop all actions in violation of this Development Code, including illegal occupation of a building or structure, illegal work being done, or any other action in violation of this Development Code.”*

- 9.5.40 – Reword to read: *“The remedies provided for violations of this Development Code, whether civil or criminal ~~shall~~ may be cumulative and in addition to any other remedy provided by law, and may be exercised in any order.”* Ask Josh Gruber if this revision is ok.



## Put a pin in it!

- Page 2.3-7 – In 2.3.80.B – Under Civic and Open Space Allocations – Have planning staff look at the civic and open space set aside requirement and assess whether we should exclude buffers and stormwater ponds, or make the set aside percentage higher to ensure that useable open space is provided within Traditional Community Plans.
- In 3.1.20.C – Reword to read: *“Where uncertainty exists as to the boundaries of any of the zones shown on the Zoning Map or maps, or an error is identified in the production of the maps, the Planning Commission, upon written application or upon its own motion, shall determine the location of such boundaries on said Zoning Map or maps. All dedicated public streets within the County shall be zoned.”* The Code Review Team requested that Planning staff ask the County Attorney to look at the legality of this recommended revision.
- In 3.1.40.H – consider adding “Manufacturing, Processing, and Packaging” as a special use in rural. Have staff draft special use standards and bring them to a later meeting for review. Some considerations to include in the special use standards include putting heavy emphasis on natural resource protection including a generous setback and buffer from tidal wetlands; and requiring an adequate transportation network.
- In 3.2.90.H – Look at the appropriateness of allowing “infrastructure and utilities: regional (major) utility” in residential districts such as T3 Edge, T3 Hamlet Neighborhood and T3 Neighborhood.
- In 3.2.100.E – Staff will clarify if the requirement that “all upper floors must have a primary entrance along the front” applies to residential development.
- 3.3.60 – Look at the Town of Bluffton’s new code to see if their industrial zoning district is consistent with our proposed Industrial (S1) Zone.
- 3.3.60.C – Check with the Fire Districts to see if our 50-foot maximum building height in Industrial can be accommodated with their apparatuses.
- 3.4.80 – Have the City of Beaufort and the Town of Port Royal weigh in on the Place Type Overlay District to ensure that it is consistent with the Northern Beaufort County Regional Plan and its accompanying Intergovernmental Agreement. Address the concept at the next Northern Implementation Committee Meeting. Also have Josh Gruber weigh in on the consistency of the Place Type Overlay District with the IGA.
- 4.1.30, 4.1.40, and 4.1.50 – Research state and federal standards on removal of waste in Animal Production operations, Kennels and Commercial Stables. Assess whether more stringent local standards are warranted or permitted by state statute.



- 4.1.100.D.1 – Work with the City of Beaufort and the Town of Port Royal to come up with better and more flexible guidelines regarding the location of parking and fuel pumps.
- 4.2.120 – Research state and federal standards on removal of waste in Private Stables. Assess whether more stringent local standards are warranted or permitted by state statute.
- 4.2.130.C.3 – Staff will research if building codes address how a satellite dish is mounted to be resistant to high winds.
- 4.2.150 – Revise Table 4.2.20.A to make Small Wind Energy Systems a special use in all but the T1 and T2 Districts.
- 4.2.150.K – Require a surety bond to guarantee the owner of a Small Wind Energy System will remove the tower, turbine, and blades when it becomes inoperable.
- 5.8.30.I – Explore the possibility of requiring rain gardens and bioswales to be used for a percentage of the site where the soil conditions are compatible.
- 5.11.40.F – Consult Josh Gruber as to whether Beaufort County can require the restoration of damaged natural resources such as wetlands if they were damaged by a previous owner.
- Table 5.11.60.A – Staff will look at incentivizing the use of stormwater best management practices to allow building and parking lot setbacks to be less than 50 feet and 100 feet respectively in the T3 Edge, T3, and T4 districts.
- 5.11.70.B – Staff will research whether it is necessary to require plans approved by both SCDNR and USFWS and that if requiring both approvals will add unnecessary time to the permitting process.
- 5.11.90.B4 – Check with Josh Gruber to make sure the Board is certified to do this.
- Table 5.12.30.C: Ask the Stormwater Manager if he thinks that a “tree box” bmp should be added to Table 5.12.30.C or if it is adequately addressed under “flow-through planters.”
- 6.2.50.D4 – Check with Building Codes and the Fire Districts to determine whether the height of buildings is measured to the eave or the ridge and revise language accordingly.
- 6.2.80 – Work with Josh Gruber to determine whether 10% is enough and 2 years is sufficient. Also address phasing and be more explicit that each phase is on its own.

- 6.3.50 – Staff will research and determine whether additional mitigation options such as roundabouts and turning lanes need to be specifically addressed in this section.
- 7.2.70.D4 – Reword to read: *“The division of land into parcels for conveyance to other persons through the provisions of a will or similar document, and in the settlement of an intestate's estate or as determined by an order of a court of competent jurisdiction.”* Consult with Josh Gruber on the proper language;
- 7.2.70.D7d – Have Josh Gruber make a determination on item “d”.
- 7.2.70.L – Have Josh Gruber take a look at the Plat Vacation standards.