



TOWN OF BLUFFTON
PLANNING COMMISSION MEETING AGENDA
ELECTRONIC MEETING
Wednesday, October 28, 2020, 6:00 PM

This meeting can be viewed on the Town of Bluffton's Facebook page
(<https://www.facebook.com/TownBlufftonSC/>)

NOTE: THERE ARE TWO COMMENT SESSIONS DURING THIS MEETING

****PUBLIC HEARING - CONTACT THE GROWTH MANAGEMENT
COORDINATOR AT 843.706.4500 OR VIA EMAIL AT
DMCLAIN@TOWNOBLUFFTON.COM TO RECEIVE DIAL IN INSTRUCTIONS.**

***PUBLIC COMMENT - [SUBMIT FORM ELECTRONICALLY](#)**

**PUBLIC COMMENTS WILL BE READ ALOUD BY THE GROWTH MANAGEMENT
COORDINATOR FOR THE RECORD.**

**ALL REQUESTS FOR PUBLIC HEARING OR PUBLIC COMMENT WILL BE
ACCEPTED UP TO TWO (2) HOURS PRIOR TO THE SCHEDULED MEETING
START TIME.**

- I. CALL TO ORDER
- II. ROLL CALL
- III. NOTICE REGARDING ADJOURNMENT

The Planning Commission will not hear new items after 9:30 P.M. unless authorized by a majority vote of the Commission Members present. Items which have not been heard before 9:30 P.M. may be continued to the next regular meeting or an additional meeting date as determined by the Commission Members.
- IV. NOTICE REGARDING PUBLIC COMMENTS*
- V. ADOPTION OF THE AGENDA
- VI. ADOPTION OF MINUTES – September 23, 2020
- VII. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA*
- VIII. OLD BUSINESS
 1. FOR ACTION

- A. **Old Town Marketplace (Preliminary Development Plan):** Consideration to rescind the September 23, 2020 vote approving, with conditions, the Preliminary Development Plan (DP-07-20-14412) for the commercial development located at 2 Parkside Drive and referred to as "Old Town Marketplace", consisting of approximately 42,200 SF of shared restaurant, retail and office space with an outdoor pavilion, parking and infrastructure. (Staff-Will Howard)

- B. **Old Town Marketplace (Preliminary Development Plan):** A request by Kelly Moore of Loftin-Moore, LLC on behalf of Parcel C5 LLC, for approval of a Preliminary Development Plan. The project consists of the construction of a restaurant and retail space with an outdoor pavilion and amphitheater with associated parking and infrastructure. The property is zoned Buckwalter Planned Unit Development and consists of approximately 12.9 acres identified by tax map number R610 000 000 0000 0000 located at 2 Parkside Drive. (DP 07-20-14412) (Staff-Will Howard)

IX. NEW BUSINESS

1. FOR ACTION - PUBLIC HEARING

Saint Gregory the Great Public Hearings (A-F) are Combined into One Staff Report

- A. **Saint Gregory the Great Town of Bluffton Comprehensive Plan Amendment (PUBLIC HEARING)**:** A request submitted by Walter Nester of Burr, Forman, McNair on behalf of the Bishop of Charleston and Beaufort Jasper Water and Sewer Authority for Planning Commission Public Hearing, Consideration, and Recommendation to Town Council for an Ordinance to amend the Town of Bluffton Comprehensive Plan to extend the boundary shown on Map 8.1, Future Annexation Area to include the Saint Gregory the Great property consisting of approximately 61.093 Acres of land located at 323 Fording Island Road and identified as Beaufort County Tax Map No. R600 022 000 0125 0000 & R600 022 000 1120 0000, as well as change the subject properties future land use designation from Civic/Institutional to an appropriate category which supports residential and commercial uses (COMP-07-19-13329) (Staff – Kevin Icard)

- B. **Saint Gregory the Great Buckwalter Planned Unit Development Text Amendment (PUBLIC HEARING)**:** A request submitted by

"FOIA Compliance – Public notification of this meeting has been published and posted in compliance with the Freedom of Information Act and the Town of Bluffton policies."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Bluffton will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. The Town of Bluffton Council Chambers are ADA compatible. Any person requiring further accommodation should contact the Town of Bluffton ADA Coordinator at 843.706.4500 or adacoordinator@townofbluffton.com as soon as possible but no later than 48 hours before the scheduled event.

*Please note that each member of the public may speak at one public comment session and a form must be filled out and given to the Chairperson of the Commission. Public comment must not exceed three (3) minutes.

Walter Nester of Burr, Forman, McNair on behalf of the Bishop of Charleston and Beaufort Jasper Water and Sewer Authority for Planning Commission Public Hearing, Consideration, and Recommendation to Town Council for consideration of an Ordinance Approving an Amendment to the Buckwalter Planned Unit Development Text to incorporate provisions for a New Land Use Tract to be Known as the Saint Gregory the Great Tract (ZONE-07-19-13331) (Staff – Kevin Icard)

- C. **Saint Gregory the Great Annexation (PUBLIC HEARING)**:** A request submitted by Walter Nester of Burr, Forman, McNair on behalf of the Bishop of Charleston and Beaufort Jasper Water and Sewer Authority for Planning Commission Public Hearing, Consideration, and Recommendation to Town Council for consideration of an Ordinance Approving the annexation of approximately 61.093 acres located at 323 Fording Island Road and identified by Beaufort County Tax Map Nos. R600 022 000 0125 0000 and R600 022 000 1120 0000, into the Town of Bluffton's corporate limits (ANNX-07-19-13330) (Staff – Kevin Icard)

- D. **Saint Gregory the Great Zoning Map Amendment (PUBLIC HEARING)**:** A Request by Walter Nester of Burr, Forman, McNair on behalf of the Bishop of Charleston and Beaufort Jasper Water and Sewer Authority for Planning Commission Public Hearing, Consideration, and Recommendation to Town Council for consideration of an Ordinance Approving a Zoning Map Amendment for approximately 61.093 acres located at 323 Fording Island Road and identified by Beaufort County Tax Map Nos. R600 022 000 0125 0000 and R600 022 000 1120 0000 to designate the subject property as Buckwalter Planned Unit Development subject to a new Saint Gregory the Great Land Use Tract to be established through a Buckwalter Planned Unit Development Text Amendment (ZONE-07-19-13331) (Staff – Kevin Icard)

- E. **Saint Gregory the Great Buckwalter Development Agreement Amendment (PUBLIC HEARING)**:** A request submitted by Walter Nester of Burr, Forman, McNair on behalf of the Bishop of Charleston and Beaufort Jasper Water and Sewer Authority for Planning Commission Public Hearing, Consideration, and Recommendation to Town Council for consideration of an Ordinance approving an amendment to the Buckwalter Development Agreement to add approximately 61.093 Acres of land located at

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323 Fording Island Road, Beaufort County Tax Map No. R600 022 000 0125 0000 and R600 022 000 1120 0000 and increase the total allowed Development Rights by 10.03 Acres of General Commercial and 160 Residential Dwelling Units (DAA-02-20-14041) (Staff – Kevin Icard)

F. Saint Gregory the Great Buckwalter Concept Plan Amendment (PUBLIC HEARING):** A request submitted by Walter Nester of Burr, Forman, McNair on behalf of the Bishop of Charleston and Beaufort Jasper Water and Sewer Authority for Planning Commission Public Hearing, Consideration, and Recommendation to Town Council for consideration of an Ordinance approving an amendment to the Buckwalter Planned Unit Development Concept Plan to incorporate approximately 61.093 Acres of land located at 323 Fording Island Road, Beaufort County Tax Map No. R600 022 000 0125 0000 and R600 022 000 1120 0000 subject to a new Saint Gregory the Great Land Use Tract to be established through a Buckwalter Planned Unit Development Text Amendment (CPA-02-20-14047) (Staff – Kevin Icard)

G. Unified Development Ordinance Amendment (PUBLIC HEARING): Consideration and Recommendation of Amendments to the Town of Bluffton Code of Ordinances, Chapter 23 – Unified Development Ordinance, Article 3 – Application Process, Article 5 – Design Standards, Sec. 5.10 Stormwater Management, and Article 9 – Definitions and Interpretations, to adopt the Southern Lowcountry Post Construction Stormwater Ordinance and Stormwater Design Manual (Staff – Bryan McIlwee, Director of Engineering)

X. DISCUSSION

1. Comprehensive Plan - Update

XI. ADJOURNMENT

NEXT MEETING DATE: Wednesday, November 18, 2020

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*Please note that each member of the public may speak at one public comment session and a form must be filled out and given to the Chairperson of the Commission. Public comment must not exceed three (3) minutes.

TOWN OF BLUFFTON PLANNING COMMISSION
Electronic Meeting

Wednesday, September 23, 2020, Minutes

Present: Chairman, Josh Tiller; Dan Keefer; Charlie Wetmore; Amanda Jackson; Ronald Williams; Vice Chairman, Terry Hannock (6:04pm);

Absent: Trey Griffin

Staff: Kevin Icard, Planning & Community Development Manager; Darby McLain, Growth Management Coordinator; Will Howard, Principal Planner; Katie Peterson, Senior Planner; Alan Seifert, Senior Planner; Charlotte Moore, Principal Planner; Chris Forester, Director of Finance;

I. CALL TO ORDER

Chairman Tiller called the meeting to order at 6:02 p.m.

II. ROLL CALL

III. NOTICE REGARDING ADJOURNMENT

The Planning Commission will not hear new items after 9:30 P.M. unless authorized by a majority vote of the Commission Members present. Items which have not been heard before 9:30 P.M. may be continued to the next regular meeting or an additional meeting date as determined by the Commission Members.

IV. NOTICE REGARDING PUBLIC COMMENTS

Every member of the public who is recognized to speak shall address the Chairman and in speaking, avoid disrespect to the Commission, Town Staff, and other members of the meeting. State your name and address when speaking for the record. **UNLESS OTHERWISE AMENDED BY THE PLANNING COMMISSION, COMMENTS ARE LIMITED TO THREE (3) MINUTES.**

V. ADOPTION OF THE AGENDA

Commissioner Jackson-Denmark made a motion to adopt the Wednesday, September 23, 2020 Planning Commission Meeting Agenda. Commissioner Keefer seconded the motion, all were in favor and the motion passed.

VI. ADOPTION OF MINUTES – AUGUST 26, 2020

Commissioner Williams made a motion to approve the adoption of the August 26, 2020 minutes, Commissioner Jackson-Denmark second the motion. Vice Chairman Hannock abstained due to his absence from the last meeting. All were in favor & the motion passed.

VII. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

No Public Comments

VIII. OLD BUSINESS

No old business.

IX. NEW BUSINESS

1. FOR ACTION

- A. Old Town Marketplace (Preliminary Development Plan):** A request by Kelly Moore of Loftin-Moore, LLC on behalf of Parcel C5 LLC, for approval of a Preliminary Development Plan. The project consists of the construction of a restaurant and retail space with an outdoor pavilion and amphitheater with associated parking and infrastructure. The property is zoned Buckwalter Planned Unit Development and consists of approximately 12.9 acres identified by tax map number R610 000 000 0000 0000 located at 2 Parkside Drive. (DP 07-20-14412) (Staff-Will Howard)

Staff member Will Howard presented.

Commissioner Wetmore asked if the 10:00p.m. noise ordinance applies to the Buckwalter area or just Old Town properties. Staff member Howard responded saying that there is a noise ordinance for The Town of Bluffton, but he is not entirely familiar with it. Commissioner Wetmore then stated that The Planning Commission should look into a restriction for this property regarding the noise ordinance in the same way that it applies to Calhoun Street. Staff member Howard stated that he is not sure that restriction would be within The Planning Commission's purview to impose and that the town's attorney would need to be contacted. Commissioner Wetmore then stated he would like to delay this decision until some answers can be found to these questions.

Vice Chairman Hannock asked the applicant if they have met with The Woodbridge Communities HOA regarding this project. The applicant stated that they have met with David Smith, the president of The Homeowners Association. Mr. Smith & his immediate team are aware of the project and are very supportive. The applicant also stated that they did not voice any concern for the project at the time of their meeting.

Staff member Kevin Icard stated that the noise ordinance is a town-wide ordinance. He also stated that this application must go through storm water approval and then Staff can present the final development plan to the Planning Commission prior to final approval by the UDO Administrator.

Vice Chairman Hannock made a motion to approve the application with the following conditions:

1. At the time of Final Development Plan, update the plans to include bicycle parking.
2. At the time of Final Development Plan, consider re-locating the outdoor pavilion away from the residential development to the east and provide detail on the construction of the pavilion, specifically as to the measures included to provide noise abatement to the residential development.

3. Consider re-naming the development to avoid confusion, as the project is not located within what is commonly referred to as the "Old Town Historic District" of Bluffton.
4. The Final Development Plan is required to be presented to the Planning Commission. The Planning Commission will make a recommendation to the UDO Administrator to (1) Approve; (2) Approve with Conditions or (3) Deny the Final Development Plan.

Commissioner Williams seconded the motion with an amendment:

1. At the time of Final Development Plan, re-locate the stormwater retention, currently proposed to encroach into the 50-foot buffer from Buckwalter Parkway on the south side of the Buckwalter Parkway access, to the interior of the development.

Vice Chairman Hannock seconded the amended motion. Chairman Tiller, Vice Chairman Hannock, Commissioner Keefer, Commissioner Jackson-Denmark, and Commissioner Williams were in favor. Commissioner Wetmore was opposed to the amendment.

Tiller, Hannock, Keefer, Jackson-Denmark, Williams were in favor of the original motion. Wetmore was opposed. Commissioner Wetmore then stated that he is not opposed to the project as a whole but he does not think we are there yet.

- B. New Riverside Village Phase 1 (Preliminary Development Plan):** A request by Tex Small of AVTEX Commercial Properties, Inc. on behalf of MFH LAND, INC, and the Town of Bluffton for approval of a Preliminary Development Plan. The project consists of the construction of single-family homes, a community park, and all necessary infrastructure to support future development of a commercial village and outparcels. The property is zoned New Riverside Planned Unit Development and consists of approximately 36 acres identified by tax map numbers R610 036 000 1258 0000 and R610 036 000 3214 0000 located southeast of the intersection of SC HWY 46 and New Riverside Road. (DP 05-20-14246) (Staff-Will Howard)

Staff member Kevin Icard presented.

The applicant stated that SCDOT is conducting traffic counts this week and they are moving forward with the traffic study. Commissioner Wetmore asked what the rationale was for not connecting the roads to 46 while the new roads are being constructed. Staff member Icard stated the applicant is still working on their encroachment permit with SCDOT. The applicant stated the intent is to have two intersections; one on New Riverside and the other on 46 upon traffic study completion.

Chairman Tiller asked what the timing on the residential portion is. The applicant stated that the infrastructure will be going in immediately and as part of that the residential will be going in as well within the first phase.

Commissioner Jackson-Denmark asked why the parking was being limited. The applicant responded saying he believes he could meet a better streetscape appeal and parking lot appeal without it as recommended by staff.

Vice Chairman Hannock asked if the workforce housing will be integrated. The applicant responded it will immediately be integrated or will be on the opposite roadway diagonal from the park.

Commissioner Denmark made a motion to approve the application with the following conditions:

1. An updated Traffic Impact Analysis must be submitted at the time of Final Development Plan application for review and approval.
2. Ten homes constructed in Phase 1 must meet the Town of Bluffton Affordable Housing definition as specified in the UDO. Specifically, five affordable housing units at 60% Area Median Income (AMI) and five affordable housing units at 80% AMI are required based on the most recent Beaufort County AMI.
3. Prior to Final Development Plan submittal, the Applicant will remove the eight-parking space lot at entrance along New Riverside Road.
4. Prior to Final Development Plan submittal, the Applicant will include additional parallel parking spaces along main road and redesign the parking spaces around the proposed square that will prevent parking conflicts.
5. Prior to Final Development Plan submittal, the Applicant will decrease turning radius for the street corners.

Commissioner Wetmore seconded the motion. All were in favor and the motion passed.

- C. New Riverside Village Phase 1 (Certificate of Appropriateness – Highway Corridor Overlay District):** A request by Thomas and Hutton on behalf the owners, Town of Bluffton and MFH Land, LLC for approval of a Certificate of Appropriateness -HCOD. The project consists of the infrastructure, landscaping, and lighting for future development. The property is zoned New Riverside Planned Unit Development and consists of approximately 35.4 acres identified by tax map numbers R610 036 000 1258 0000 and R610 036 000 3214 0000, commonly known as Parcel 4B-2 and 4B-3 located at the southeast corner of the SC Highway 46 and SC Highway 170 intersection. (COFA-08-20-014496) (Staff – Katie Peterson)

Staff member Katie Peterson presented.

Chairman Tiller questioned whether the lighting fixtures proposed were “cut off fixtures”. He stated if not, it should be required that it be cover acorn lantern. The applicant stated if cut off fixtures are required; they are happy to modify accordingly. Chairman Tiller then asked if there was any concern for damage to the landscape during construction and if the installation would be phased over time as the buildings come online. The applicant replied saying the intent is to do temporary sod until the pavement gets put in.

Commissioner Williams made a motion to approve the application with the following staff recommendations.

- a. All comments from DRC must be addressed and a Final Development Plan (DP 05-20-14246) approved prior to final approval of this Certificate of Appropriateness.

- b. Signage Permits must be submitted to the Town of Bluffton for review and approval for the signage proposed at each site in the proposed development.
- c. Approval from the New Riverside Village Master Plan Declarant responsible for the covenants and restrictions for the community.

Commissioner Wetmore seconded the motion. All were in favor and the motion passed.

D. May River Crossing Buildings B and D (Certificate of Appropriateness – Highway Corridor Overlay District) A request by Thomas and Hutton on behalf the owner, HEPBLUFF, LLC for approval of a Certificate of Appropriateness -HCOD. The project consists of Building B, a commercial structure of approximately 2,965 SF and Building D, an unenclosed pavilion of approximately 385 SF within the May River Crossing Master Plan. The property is zoned Jones Estate Planned Unit Development and consists of approximately 17.7 acres identified by tax map numbers R610 036 000 0386 0000, R610 036 000 3209 0000, R610 036 000 3210 0000, R610 036 000 3211 0000, R610 036 000 3212 0000, and R610 036 000 3213 0000, located at the northeast corner of the SC Highway 46 and SC Highway 170 intersection. (COFA-09-20-014549) (Staff- Katie Peterson)

Commissioner Jackson-Denmark asked why the front and the rear of the buildings did not mimic each other. The applicant responded with saying he believes it is consistent with the other buildings. Commissioner Keefer said that he agreed with Jackson-Denmark's point with the façade facing 170 noting that the building has a drive through. The applicant also stated the building will contain a pedestrian walk up window.

Commissioner Keefer made a motion to approve the application with the following conditions.

1. Revise the primary structure to reflect the character of the Lowcountry region by incorporating traditional materials, roof shapes and detailing to be in compliance with Section 5.15.9.C.a.
2. Revise the roofline of the primary mass of Building D to incorporate pitched roofs and roof overhangs to be in compliance with Section 5.15.9.D.(2&3)
3. As the façade fronting SC Highway 170, the "Rear Elevation" must be revised to break up the large, unarticulated areas of blank wall per Section 5.15.9.D.3. and include a pitched roof, identical to that proposed on the elevation labeled Front on the documents submitted during the Planning Commission Meeting on September 23, 2020, on the elevation fronting SC HWY 170.
4. The material list must be revised to remove items 11.1 and 11.2 (listed as prefinished aluminum Bahama shutters and prefinished aluminum shutters respectively), or revised renderings showing the placement of the shutters submitted to the Town of Bluffton for review.

Landscape.

5. As no Landscaping was submitted in association with this application, the landscape plan in place for the entire development (COFA-05-19-

013198 and DP-07-18-012213) shall be installed prior to final inspection.

6. With the addition of a drive-thru, additional plan material to act as buffering, must be added to the existing medians on the north and south side of the building to buffer the cars in the drive-through.
7. The two plants labeled ROSM-1 on the on the Landscape Plan submitted for Development Plan Amendment must be revised to be flowering understory trees to soften the building's appearance.

Lighting.

8. As no changes have been submitted to the site lighting, all lighting installed must be reflective of the illumination levels in the approved COFA 05-19-013198 and DP-07-18-012213. Should any additional exterior lighting be proposed, a lighting plan will need to be provided for review with Section 5.15.11.

Additional Requirements.

9. As no changes have been proposed to the Landscape Plan associated with this application, all landscaping associated with COFA-05-19-013198, the Certificate of Appropriateness for the whole site, must be installed prior to Final Inspection.
10. All comments provided by the DRC for the Development Plan Amendment must be addressed to be compliant with this COA-HCOD approval.
11. Provide a letter of approval from the May River Crossing Master Plan Declarant responsible for the covenants and restrictions for the community.
12. Per the Applications Manual, a Town of Bluffton Sign Permit must be submitted to for review and approval.
13. While signs are reviewed through the Sign Permit Application process, if a menu board will be proposed for the site, additional information on the placement, size, and configuration shall be provided as it will affect the appearance of the architecture.

Vice Chairman Hannock seconded the motion. All were in favor and the motion passed.

- E. Unified Development Ordinance Amendment:** Consideration and Recommendation of Amendments to the Town of Bluffton Code of Ordinances, Chapter 23 – Unified Development Ordinance, Article 4 – Zoning Districts, Article 9 – Definitions and Interpretations to Add Short Term Rental Units and Bed and Breakfast Homestays and to Establish a Certification Process for Short Term Rental Units. (Staff – Charlotte Moore)

Staff member Charlotte Moore presented.

Commissioner Jackson-Denmark made a motion to recommend approval of the Unified Development Ordinance edits. Commissioner Wetmore seconded the motion. All were in favor and the motion passed.

I. DISCUSSION

Recognition – October is National Planning Month

II. ADJOURNMENT

Commissioner Williams made a motion to adjourn the September 23, 2020 Planning Commission meeting, the motion was second by Commissioner Wetmore. The meeting was adjourned at 8:50p.m.

DRAFT

PLANNING COMMISSION



STAFF REPORT

Department of Growth Management

MEETING DATE:	October 28, 2020
PROJECT:	Consideration to rescind the September 23, 2020 vote approving, with conditions, the Preliminary Development Plan (DP-07-20-14412) for the commercial development located at 2 Parkside Drive and referred to as "Old Town Marketplace", consisting of approximately 42,200 SF of shared restaurant, retail and office space with an outdoor pavilion, parking and infrastructure.
PROJECT MANAGER:	Will Howard, Principal Planner

BACKGROUND: On September 23, 2020, the Town of Bluffton Planning Commission approved, with conditions, the Preliminary Development Plan (DP-07-20-14412) for the commercial development located at 2 Parkside Drive and referred to as "Old Town Marketplace", consisting of approximately 42,200 SF of shared restaurant, retail and office space with an outdoor pavilion, parking and infrastructure. The conditions of approval are as follows:

1. At the time of Final Development Plan, re-locate the stormwater retention, currently proposed to encroach into the 50-foot buffer from Buckwalter Parkway on the south side of the Buckwalter Parkway access, to the interior of the development.
2. At the time of Final Development Plan, update the plans to include bicycle parking.
3. At the time of Final Development Plan, consider re-locating the outdoor pavilion away from the residential development to the east and provide detail on the construction of the pavilion, specifically as to the measures included to provide noise abatement to the residential development.
4. Consider re-naming the development to avoid confusion, as the project is not located within what is commonly referred to as the "Old Town Historic District" of Bluffton.
5. The Final Development Plan is required to be presented to the Planning Commission. The Planning Commission will make a recommendation to the UDO Administrator to Approve; Approve with Conditions, or Deny the Final Development Plan.

The Town of Bluffton Unified Development Ordinance (UDO) Article 3.2.4. Public Notice for All Applications requires notice via certified mail to all owners of property, including any Property Owners Association (POA) abutting, adjacent or contiguous to any property within the Town of Bluffton that is the subject to an application for development.

As this requirement was not satisfied prior to the September 23, 2020 meeting of the Planning Commission, the Preliminary Development Plan application was incomplete and therefore not eligible for review and approval by the Planning Commission.

REQUEST: As the Applicant had not satisfied the requirement for the notification of adjacent property owners as outlined in UDO Article 3.2.4. prior to the September 23, 2020 meeting of the Planning Commission, staff is requesting that the Planning Commission rescind the vote to approve with conditions the Preliminary Development Plan for the Old Town Marketplace.

Per Section 7.A of the Planning Commission Rules of Procedure adopted on March 27, 2013, the current edition of Robert's Rules of Order shall govern the conduct of meetings except as otherwise provided for in the adopted Rules. As such, action to rescind a vote is permissible as follows:

1. No intervening right will be prejudiced;
2. Action to rescind a vote takes place at the next scheduled meeting;
3. Consideration of action to rescind a vote is noticed by placement on the next scheduled meeting's agenda;
4. The motion to rescind is made by a member who voted with the majority.
5. After a motion to rescind is acted upon, no other similar motion to rescind may be made on that matter.

In this case, Commissioners Tiller, Jackson, Williams and Hannock voted in favor of the motion to Approve the Preliminary Development Plan with conditions and any one of them may propose a motion to rescind.

If the Planning Commission passes a motion to rescind the request, it is agreeing to open the application as though it had not been decided at the previous meeting. A new motion and vote would then occur on the application.

At this time the Planning Commission could rescind the request based on the interpretation that not having satisfied the requirement for notification of adjacent property owners as outlined on UDO Article 3.4.2, the Preliminary Development Plan application was incomplete and therefore ineligible for review and consideration at the September 23 meeting of the Planning Commission. The Applicant has sent out the proper notification and staff has received confirmation that the certified mailings have been sent to the adjacent property owners and the Woodbridge Property Owners Association.

ATTACHMENT:

1. Proposed Recommended Motion for Request

Attachment 1

Proposed Recommended Motion

Motion 1:

Consideration to rescind the September 23, 2020 vote approving, with conditions, the Preliminary Development Plan (DP-07-20-14412) for the commercial development located at 2 Parkside Drive and referred to as "Old Town Marketplace", consisting of approximately 42,200 SF of shared restaurant, retail and office space with an outdoor pavilion, parking and infrastructure.

"I move to rescind the September 23, 2020 vote approving with conditions the Preliminary Development Plan for Old Town Marketplace as part of the Buckwalter Commons Phase 1 Master Plan and within the Buckwalter Planned Unit Development based on the Applicant not fulfilling Section 3.2.4 Public Notice for All Applications and would consider the approval with conditions of the original application as not being acted upon and request to open the application as though it had not been decided at the previous meeting. I originally voted for the application."

PLANNING COMMISSION



STAFF REPORT Department of Growth Management

MEETING DATE:	October 28, 2020
PROJECT:	Old Town Marketplace Preliminary Development Plan
APPLICANT:	Kelly Little
PROJECT NUMBER:	DP-07-20-014412
PROJECT MANAGER:	Will Howard Principal Planner – Land Development

REQUEST: The Applicant, Kelly Little of Loftin-Moore, LLC, on behalf of the owner, Tom Zinn of Parcel C5 LLC, is requesting approval of a Preliminary Development Plan.

INTRODUCTION: The applicant is proposing to construct a 42,000-sf shared restaurant, retail, and office space with an outdoor pavilion and amphitheater. The plan includes 6,000 SF of additional office space that is available for future expansion. Proposed drives, parking, landscaping, utilities and other infrastructure will be constructed in support of the development (See Attachment 1).

The property is zoned Buckwalter Planned Unit Development "PUD" and consists of approximately 12.9 acres, identified by tax map numbers R610 022 000 1073 0000, R610 022 000 1084 0000, R610 022 000 1082 0000, R610 022 000 1081 0000, R610 022 000 1073 0000, and R610 022 000 1083 0000 located within the Buckwalter Commons-Phase 1 Master Plan (See Attachment 2).

BACKGROUND: This application is for a Preliminary Development Plan located within the Buckwalter PUD and is subject to the standards set forth in the Buckwalter PUD Concept Plan, Development Agreement and the Buckwalter Commons-Phase 1 Master Plan (See Attachment 3).

The Buckwalter PUD is divided into eight integrated planning areas that are used to identify allowable land uses and density within each tract. The subject parcel lies within the Buckwalter Commons Planning Area, with General Commercial and Neighborhood Commercial use specified among the list of allowed land uses. Per the Definitions of Land Use in the Buckwalter PUD Concept Plan, the uses of Office; Retail (including Supermarket); Restaurant; Multi-family Residential; Single-family Residential and Hotel are all allowed in either the General Commercial or Neighborhood Commercial designation. The applicant has provided photos of the property (See Attachment 4).

Staff comments on the Preliminary Development Plan were reviewed at the August 26, 2020 meeting of the Development Review Committee "DRC" (See Attachment 5). The Applicant has provided a response to staff comments provided at the DRC (See Attachments 6).

REVIEW CRITERIA & ANALYSIS: The Planning Commission shall consider the criteria set forth in Section 3.10.3.A of the Unified Development Ordinance in assessing an application for a Preliminary Development Plan. The applicable criteria are provided below followed by Staff Finding(s) based upon review of the application submittals to date.

1. Section 3.10.3.A.1. Conformance with the applicable provisions provided in Article 5, Design Standards.

Finding. As the site is located within the Buckwalter PUD it is not subject to the Design Standards set forth in Article 5 of the Unified Development Ordinance, except for Section 5.10 Stormwater. A Stormwater Permit will be required prior to final Development Plan approval (UDO Section 5.10 Stormwater).

2. Section 3.10.3.A.2. The proposed development shall be in conformance with any approved Development Agreement, PUD Concept Plan, PUD Master Plan, Subdivision Plan, or any other agreements or plans that are applicable.

Finding. Town Staff finds that the preliminary site plan is not in conformance with the Buckwalter PUD Development Agreement and Concept Plan and the Buckwalter Commons-Phase 1 Master Plan.

Finding. Vehicular access from Buckwalter Parkway conforms with the Buckwalter Parkway Access Management Plan "Access Plan" (See Attachment 7). However, per the Access Plan the southern entrance has been planned for a future traffic signal. Staff is currently working with Beaufort County Traffic Engineering to determine the location and process for approval for a traffic signal for either the southern entrance or the intersection of Parkside Drive and Buckwalter Parkway.

Finding. Town Staff finds that in the Development Plan's current configuration the potential noise from the proposed outdoor pavilion could be in conflict with the development standards outlined in Beaufort County DSO 90/3 Section 5.2.8.(A) Pollution, Nuisance and Hazard, which states:

"No developments shall directly contribute to pollution of the land, air, or water constitute a nuisance or pose a hazard to life or property. Conformance with all existing local, state and federal statutes shall be construed as conformance with this provision."

To mitigate noise from the pavilion and minimize the impact to neighboring residential properties, Staff is recommending the pavilion be relocated to the interior of the property to provide as much separation from the adjacent residential property as possible. Additionally, the applicant should consider noise abatement measures during design and construction of the pavilion and provide the details of noise abatement measures for consideration and review.

3. Section 3.10.3.A.3. If the proposed development is associated with a previously approved Master Plan, then the traffic and access plans shall adhere to the

previously approved traffic impact analysis or assessment, where applicable. If an application is not associated with a previously approved PUD Master Plan, then a traffic impact analysis shall be required at development plan submittal.

Finding. The project is located within the Buckwalter Commons-Phase 1 Master Plan. A Traffic Impact Analysis was approved in conjunction with the Buckwalter Commons-Phase 1 Master Plan. The traffic and access plans for the project adhere to the approved Traffic Impact Analysis.

As part of the full-access entrance off Buckwalter Parkway, a signal warrant study will be required before implementation of a traffic signal. Typically, development will need to be complete before the study can be conducted. Staff is currently working with Beaufort County Traffic Engineering to determine the location and process for approval for a traffic signal for either the southern entrance or the intersection of Parkside Drive and Buckwalter Parkway as outlined in the Access Plan.

Finding. Written approval from the Beaufort County traffic engineering department will be required for both the configuration of the southern entrance and access from Buckwalter Parkway, in addition to the timing of the signal warrant study to determine the need for the installation of a traffic signal at Parkside Drive.

4. **Section 3.10.3.A.4. The proposed development must be able to be served by adequate public services, including, but not limited to, water, sanitary sewer, roads, police, fire, and school services. For developments that have the potential for significant impact on infrastructure and services, the applicant shall be required to provide an analysis and mitigation of the impact on transportation, utilities, and community services.**

Finding. The Old Town Marketplace Development Plan will ensure adequate water, sanitary sewer and stormwater services in support of the project. Letters from the agencies providing public services will be required at time of Final Development Plan submittal per the Applications Manual.

5. **Section 3.10.3.A.5. The phasing plan, if applicable, is logical and is designed in a manner that allows each phase to fully function independently regarding services, utilities, circulation, facilities, and open space, irrespective of the completion of other proposed phases.**

Finding. The Development Plan proposes the construction of 42,000 sf of restaurant, retail, and office space with an outdoor pavilion and amphitheater in a single phase. An additional 6,000 sf of office space has been designed to be accommodated by the existing development in the future. Upon developing the future expansion of office space, the site will not require additional parking or stormwater permit.

6. **Section 3.10.3.A.6. The application must comply with applicable requirements in the Applications Manual.**

Finding. The application has been reviewed by Town Staff and has been determined to be complete. Section 3.2.4 Public Notice for All Applications of the UDO was properly filed. Staff has receipt of proper notification of the adjacent property owners and the adjacent Property Owners Association.

RECOMMENDATION: The Planning Commission has the authority to take the following actions with respect to the application:

1. Approve the Application as submitted;
2. Approve the Application with conditions;
3. Table the Application for additional information; or
4. Deny the Application as submitted.

STAFF RECOMMENDATION: At this time Staff would recommend that the Planning Commission table the request in order for the Applicant to make the necessary changes to meet the various comments from the Planning Commission, Town Staff and the concerns of the neighboring community. It is anticipated that the Applicant will hold a meeting with members of the Woodbridge community on October 27, 2020. Additional comments and concerns may arise from that meeting. Below are some of the previous concerns that staff would like to see addressed, this list is not all inclusive.

1. Relocate the outdoor pavilion away from the residential development to the east and provide detail on the construction of the pavilion, specifically as to the measures included to provide noise abatement to the residential development.
2. Relocate the stormwater retention, currently proposed to encroach into the 50-foot buffer from Buckwalter Parkway on the south side of the Buckwalter Parkway access, to the interior of the development.
3. Renaming the development to avoid confusion, as the project is not located within what is commonly referred to as the "Old Town Historic District" of Bluffton.
4. Reduce the amount of parking on the site.
5. Conform to the Buckwalter Parkway Access Management Plan

ATTACHMENTS:

1. Application and Narrative
2. Vicinity Maps
3. Revised Site/Landscape Plan, Elevations, & Traffic Circulation Plan
4. Photos of Development Site
5. DRC Staff Comments
6. Applicant's response to DRC Comments
7. Buckwalter Parkway Access Management Plan



TOWN OF BLUFFTON DEVELOPMENT PLAN APPLICATION

Growth Management Customer Service Center
20 Bridge Street
Bluffton, SC 29910
(843)706-4522
www.townofbluffton.sc.gov
applicationfeedback@townofbluffton.com

Applicant		Property Owner	
Name: Loftin-Moore, LLC (Kelly Little)		Name: Parcel C5 LLC	
Phone: (704) 236-0513		Phone: (843) 705-9400	
Mailing Address: 198 Okatie Village Drive, Suite 103 #352, Bluffton, SC 29909		Mailing Address: PO Box 1726 Bluffton, SC 29910-1726	
E-mail: KJLittle.loftinmoore@gmail.com		E-mail: TZinn@zamsco.com	
Town Business License # (if applicable):			
Project Information			
Project Name: Old Town Marketplace		<input checked="" type="checkbox"/> Preliminary	<input type="checkbox"/> Final
Project Location: 2 Parkside Drive		<input checked="" type="checkbox"/> New	<input type="checkbox"/> Amendment
Zoning District: Buckwalter PUD		Acreage: 12.9	
Tax Map Number(s): R610 022 000 1073 0000, R610 022 000 1081 0000, R610 022 000 1082 0000, R610 022 000 1083 0000, & R610 022 000 1084 0000			
Project Description: The project proposes to construct a restaurant and retail space with an outdoor pavilion and amphitheater with associated infrastructure.			
Minimum Requirements for Submittal			
<input checked="" type="checkbox"/> 1. Two (2) full sized copies and digital files of the Preliminary or Final Development Plans. <input checked="" type="checkbox"/> 2. Project Narrative and digital file describing reason for application and compliance with the criteria in Article 3 of the UDO. <input checked="" type="checkbox"/> 3. All information required on the attached Application Checklist. <input checked="" type="checkbox"/> 4. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.			
Note: A Pre-Application Meeting is required prior to Application submittal.			
Disclaimer: The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.			
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.			
Property Owner Signature: <i>Parcel C5 LLC BY: ZINN INVESTMENTS III, LLC BY: TRAJILLO ITS member</i>		Date: 7/16/2020	
Applicant Signature: <i>Kelly J Little</i>		Date: 7/20/2020	
For Office Use			
Application Number: DP-07-20-014412		Date Received: 7/21/2020	
Received By: <i>Lizeth Trajillo</i>		Date Approved:	

PROJECT NARRATIVE

Project: **Old Town Marketplace**
Applicant: Loftin-Moore, LLC (Kelly Little)
Engineer: Paul Moore, PE, Ward Edwards, Inc.
Date: July 16, 2020

Project Description

The proposed development is located at 2 Parkside Drive and identified as tax Map Numbers R610 022 000 1073 0000, R610 022 000 1081 0000, R610 022 000 1082 0000, R610 022 000 1083 0000, R610 022 000 1084 0000. The site is relatively flat with elevations running from 22 to 20 and is currently undeveloped, but mostly cleared. The combined property area is approximately 12.9 acres.

The applicant is proposing to construct a 42,000 sf shared restaurant, retail, and office space with an outdoor pavilion and amphitheater. 6,000 SF of additional office space is available for future expansion. Proposed drives, parking, landscaping, utilities and other infrastructure will also be constructed in support of the development.

Existing Conditions

The existing site is undeveloped, mostly cleared, and relatively flat with the majority of elevations running from 22' to 20'. Stormwater runoff naturally drains towards existing onsite ditches which directs runoff to the existing wetlands along the southern portion of the site.

Architectural Narrative

Old Town Marketplace is an exciting new hub for retail, restaurant and event activities in Bluffton, South Carolina. The design for the facility includes a 2-story building of roughly 45,400 SF along with an outdoor event lawn and amphitheater. The exterior is comprised of corrugated metal panel above a brick water table, accented by weathered steel at the entrances and eroded corners. A roof monitor runs the entire length and provides ample daylighting to the 2-story volume at the building center. The main roof ridge tops off at 35', while the roof monitor's ridge is at 42'. Outdoor seating is also provided around the building.

Tree Removal

To support proposed development, some minor tree removal will be necessary. The plans show each tree to be removed and the landscape plan will elaborate on all proposed plantings and /or mitigation. The final landscape plan will show open space area being planted in accordance with the UDO along with the required street trees and landscape island plantings

Zoning District

Buckwalter PUD

Wetlands

Approximately 3.77 acres of jurisdictional wetlands are located onsite in which the project proposes to impact up to 0.66 acres. A wetland jurisdictional determination and wetland impact approval has already been obtained. The wetland area along the south eastern edge of the property will maintain a 35' wetland buffer.

Vehicle Access

Vehicular access can be made from Parkside Drive and Buckwalter Parkway. These surrounding roads will also serve for fire protection and emergency vehicle access. The existing pedestrian sidewalk along Buckwalter Parkway is anticipated being utilized to formalize pedestrian access to the new development.

Water & Wastewater

An existing water main, owned and operated by Beaufort-Jasper Water and Sewer Authority (BJWSA), is available for this property and is located along Parkside Drive.

An existing 8” gravity sewer main, owned and operated by BJWSA, is available for this property and is located along Parkside Drive.

Solid Waste

Solid waste removal will be the responsibility of the owner/management. An onsite dumpster enclosure location is proposed as part of this development.

Parking

The applicant proposes to construct 298 total onsite parking spaces in support of the proposed project. A summary of parking requirements per the UDO are summarized below:

<u>Building Use</u>	<u>Anticipated Building Footprint</u>	<u>Minimum Parking</u>	<u>Required Parking</u>
Restaurant	10,896	12 spaces/1,000 SF	131
Retail	30,638	5 spaces/1,000 SF	153
Office	946	3.5 spaces/1,000 SF	3
Future Office*	6,000	3.5 spaces/1,000 SF	11
			Total =298

*Shared Parking is ± 10 spaces

Stormwater Drainage

Currently, stormwater generated from the undeveloped site is directed into the existing wetlands in the southern portion of the property, which ultimately outfalls into the Colleton River. Stormwater generated from the proposed development will be collected into storm inlets and routed to onsite infiltration areas prior to discharging into the existing wetlands in the southern portion of the property. The site proposes to direct post-development runoff to the same outfall location at a rate less than that of existing conditions. The stormwater will be analyzed such that the Town of Bluffton and SCDHEC-OCRM water quality and quantity requirements are met.

Site Maintenance

The site will be operated and maintained by the owner.

Erosion Control

Silt Fence, inlet protection, temporary/permanent seeding, dust control, a concrete washout, and a construction entrance will be used to help control erosion on the site.



PROPOSED SITE



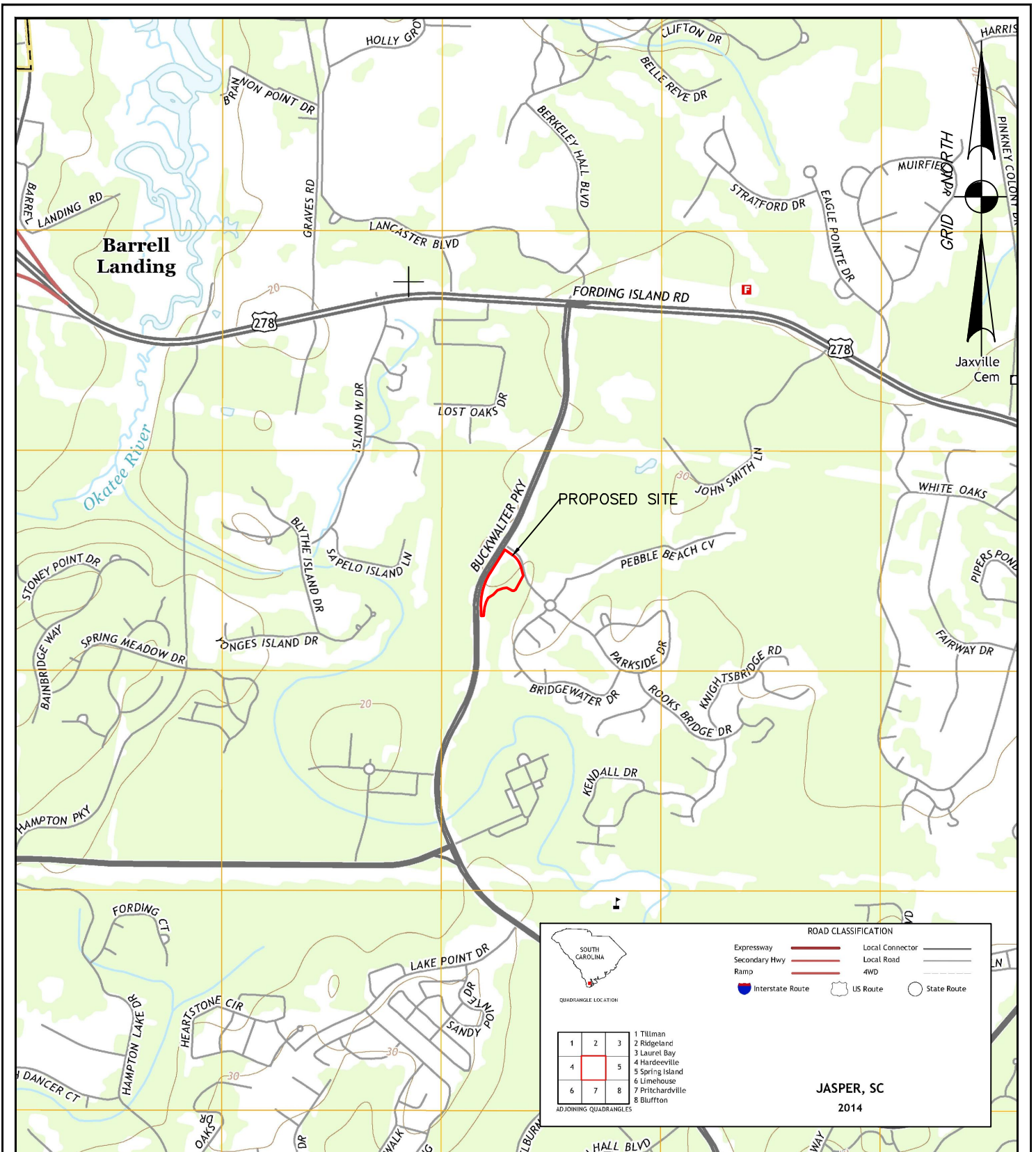
P.O. BOX 381, BLUFFTON, SOUTH CAROLINA 29910
 PH (843) 837-5250 / FAX (843) 837-2558
 WWW.WARDEDWARDS.COM

VICINITY MAP

OLD TOWN MARKETPLACE AT BUCKWALTER

LOCATION: BLUFFTON, SC
 DATE: 06/26/2020
 PROJECT #: 190266

SCALE: 1"=500'



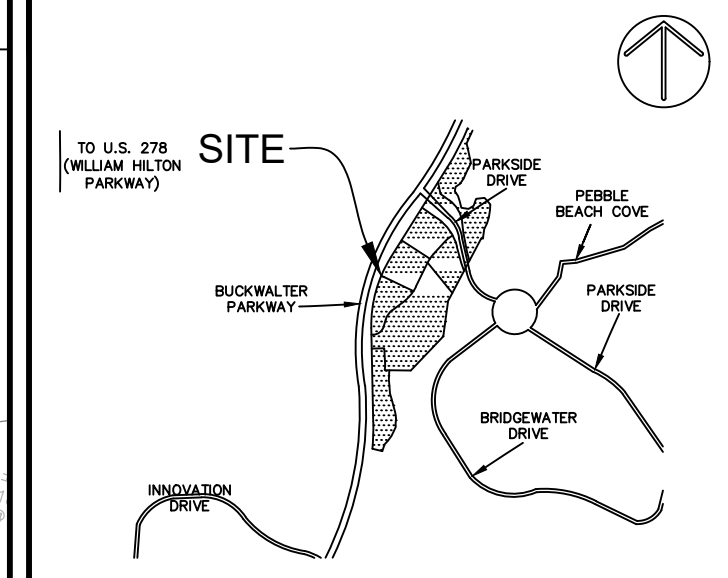
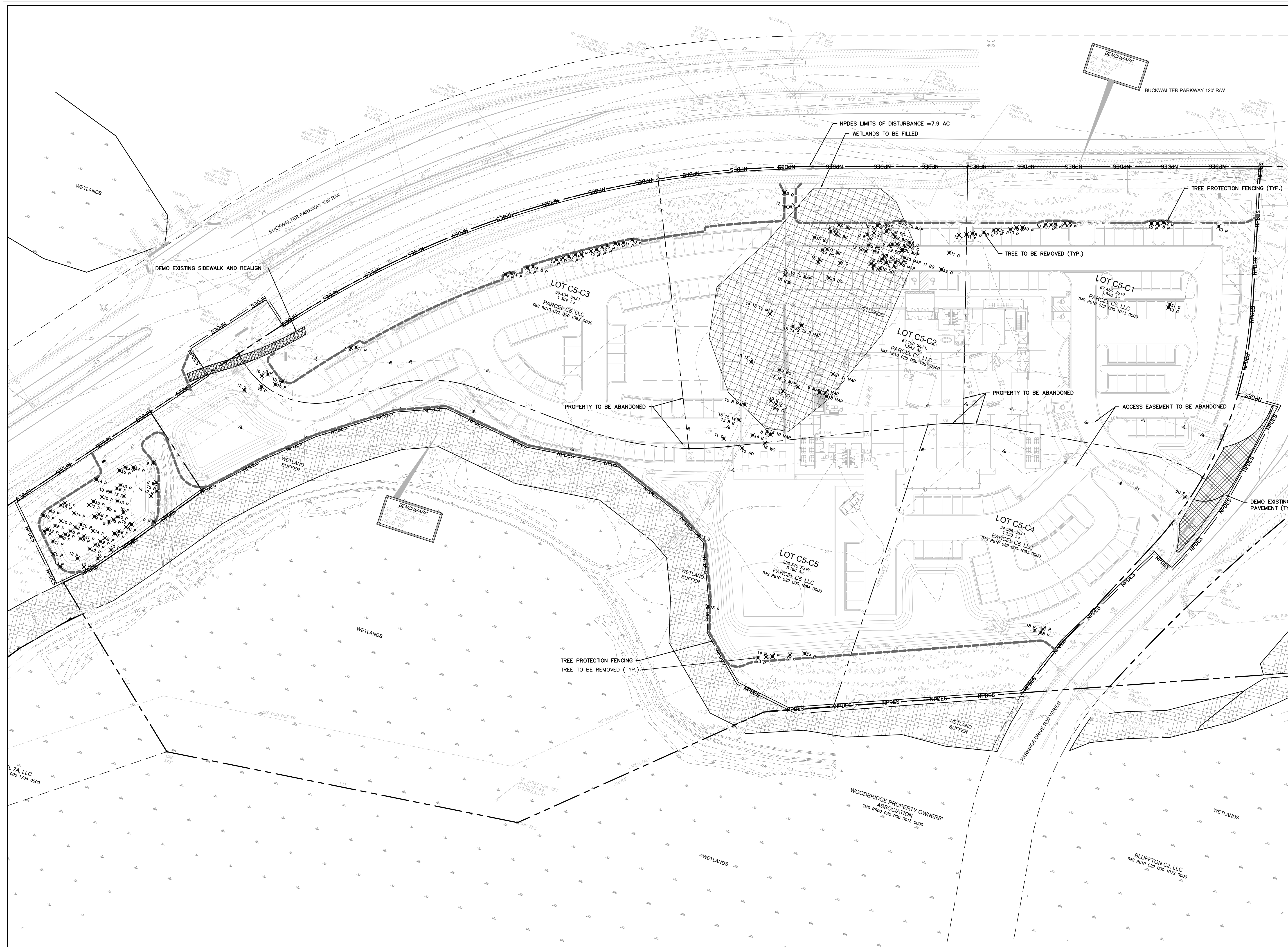
P.O. BOX 381, BLUFFTON, SOUTH CAROLINA 29910
 PH (843) 837-5250 / FAX (843) 837-2558
 WWW.WARDEDWARDS.COM

QUAD MAP

OLD TOWN MARKETPLACE AT BUCKWALTER

LOCATION: BLUFFTON, SC
 DATE: 06/26/2020
 PROJECT #: 190266

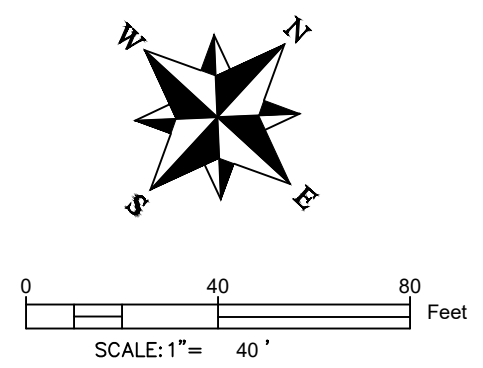
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VICINITY MAP
Not To Scale

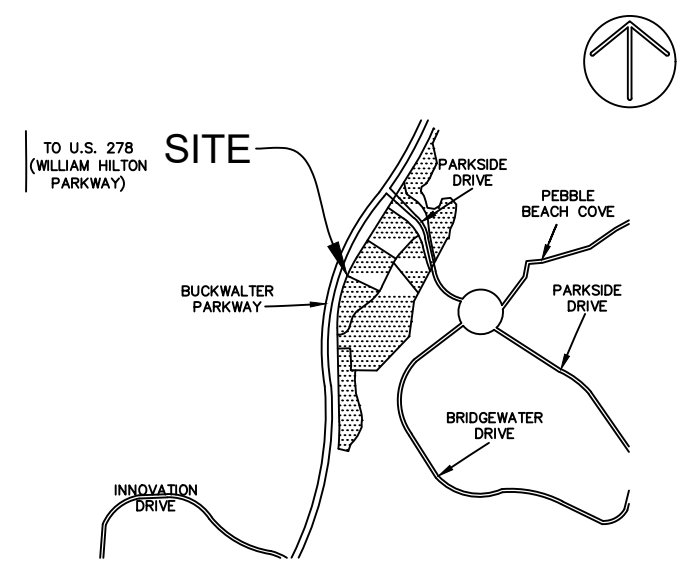
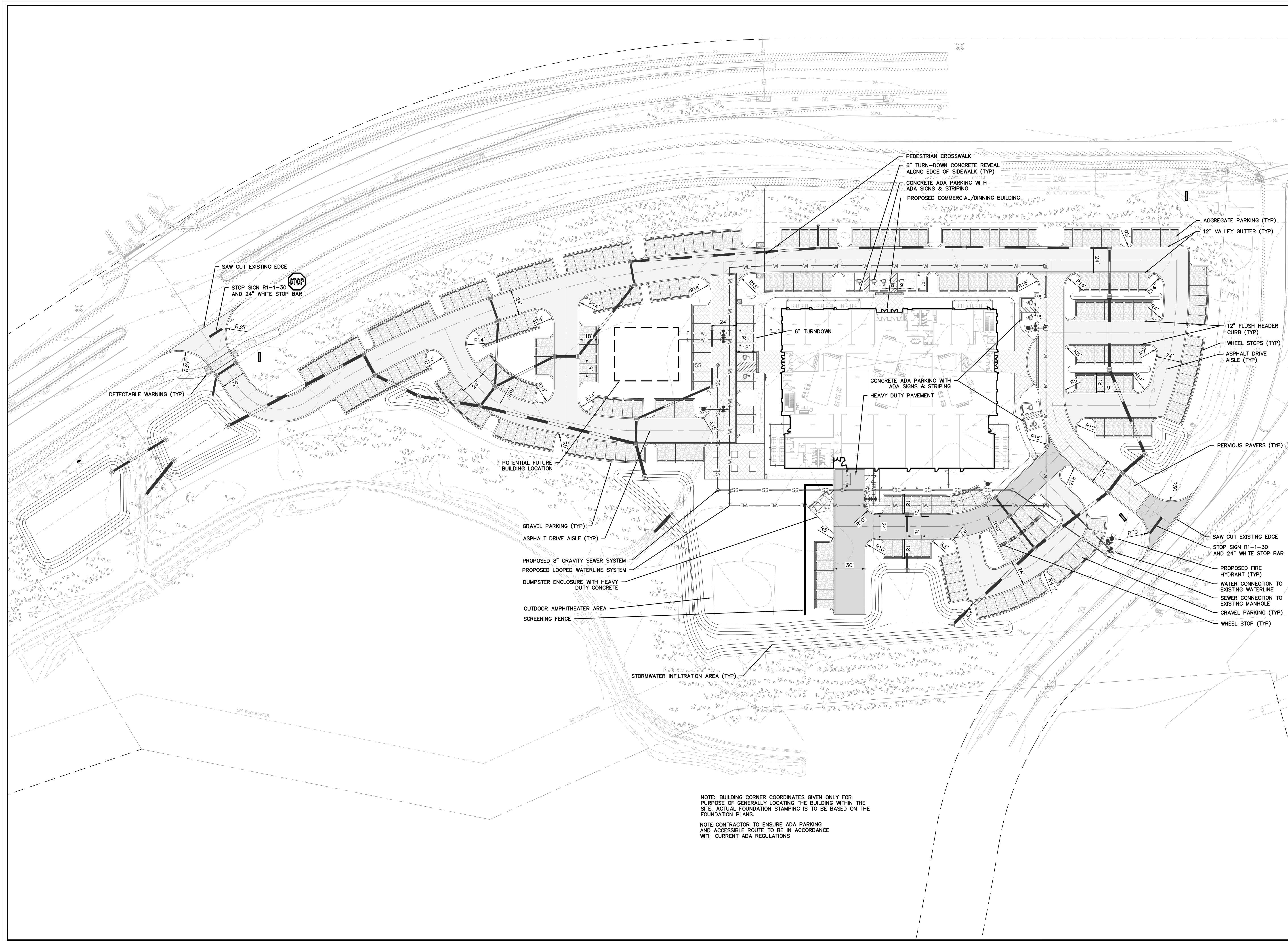
DRC CLEARING & DEMO EXHIBIT
OLD TOWN MARKETPLACE
 BLUFFTON, SC
 PREPARED FOR:
LOFTIN-MOORE, LLC

DOCUMENT IS CONCEPTUAL AND SUBJECT TO CHANGE. WARD EDWARDS INC. ASSUMES NO LIABILITY FOR ACCURACY OR DECISIONS MADE BY THE USER BASED UPON INFORMATION CONTAINED HEREIN.



Ward Edwards
ENGINEERING
 P.O. BOX 381, BLUFFTON, SOUTH CAROLINA 29910
 PH (843) 837-5250 / FAX (843) 837-2558
 WWW.WARDEDWARDS.COM

PROJECT #:	190266
DATE:	07/16/2020
PREPARED BY:	AEP
SHEET NUMBER:	1 OF 1



VICINITY MAP
Not To Scale

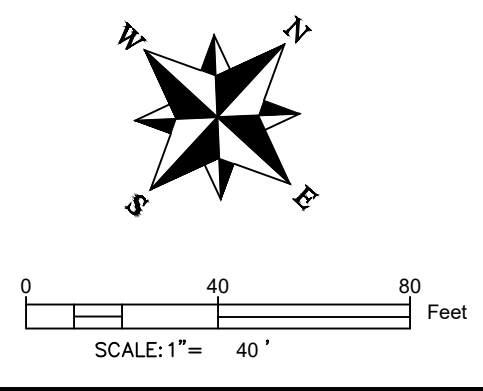
**DRC PRELIMINARY
CIVIL EXHIBIT**

**OLD TOWN
MARKETPLACE**

BLUFFTON, SC

PREPARED FOR:
LOFTIN-MOORE, LLC

DOCUMENT IS CONCEPTUAL AND SUBJECT TO CHANGE.
WARD EDWARDS INC. ASSUMES NO LIABILITY FOR
ACCURACY OR DECISIONS MADE BY THE USER BASED UPON
INFORMATION CONTAINED HEREIN.



NOTE: BUILDING CORNER COORDINATES GIVEN ONLY FOR PURPOSE OF GENERALLY LOCATING THE BUILDING WITHIN THE SITE. ACTUAL FOUNDATION STAMPING IS TO BE BASED ON THE FOUNDATION PLANS.

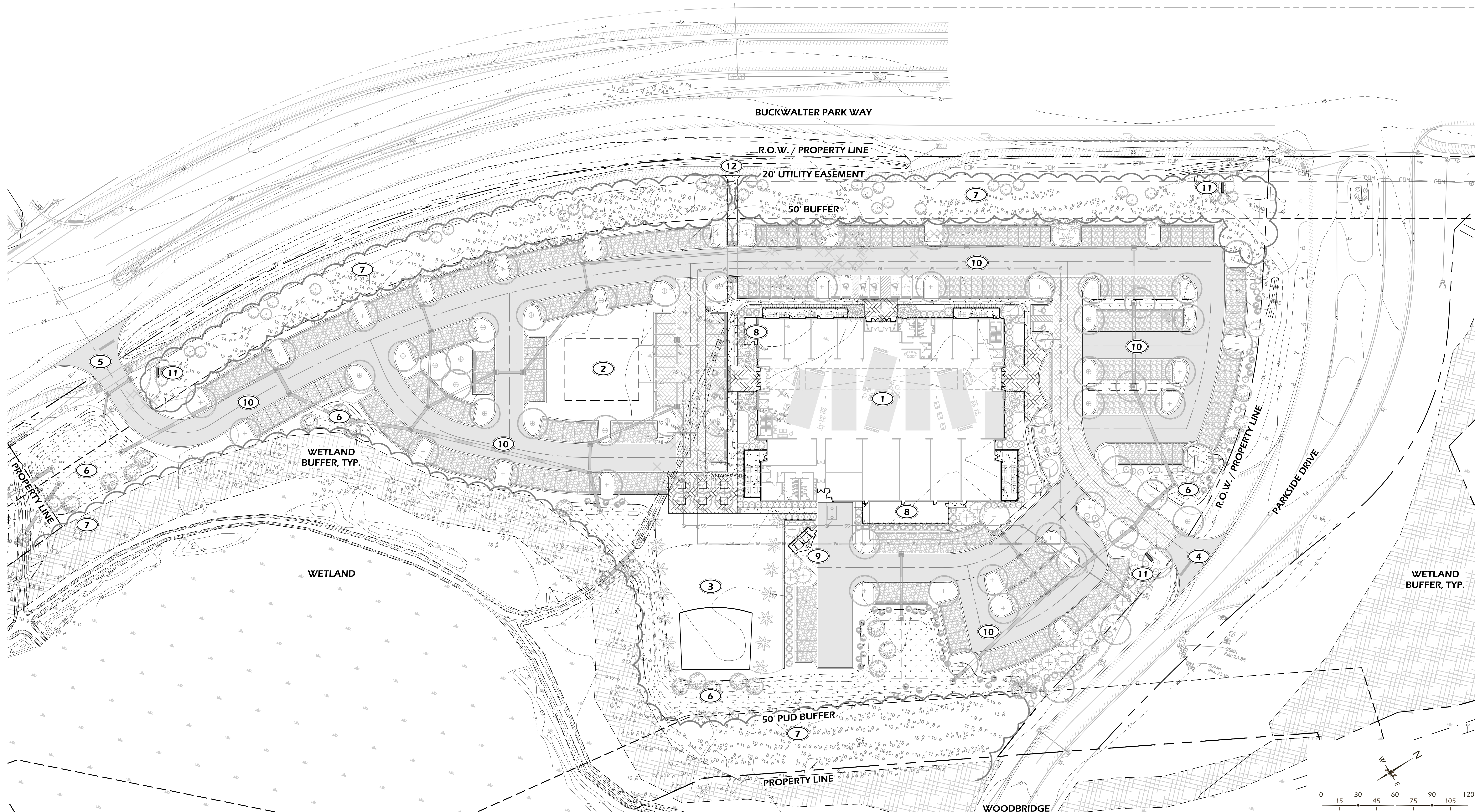
NOTE: CONTRACTOR TO ENSURE ADA PARKING AND ACCESSIBLE ROUTE TO BE IN ACCORDANCE WITH CURRENT ADA REGULATIONS

**Ward
Edwards**
ENGINEERING

P.O. BOX 381, BLUFFTON, SOUTH CAROLINA 29910
PH (843) 837-5250 / FAX (843) 837-2558
WWW.WARDEDWARDS.COM

PROJECT #:	190266
DATE:	07/16/2020
PREPARED BY:	AEP
SHEET NUMBER:	1 OF 1

PRELIMINARY SITE PLAN



LEGEND:

- ① OLD TOWN MARKET PLACE (±150' X ±200')
- ② FUTURE OFFICE (±6,000 SF, 2 STORY)
- ③ OUTDOOR GATHERING / PAVILION
- ④ MAIN ENTRY
- ⑤ SECONDARY ENTRY
- ⑥ DETENTION / RAIN GARDEN, TYP.
- ⑦ EXISTING TREES TO REMAIN, TYP.
- ⑧ SERVICE AREA
- ⑨ DUMPSTERS
- ⑩ PARKING, TYP.
- ⑪ SIGNAGE
- ⑫ CONNECTION TO BUCKWALTER TRAIL

PRELIMINARY MATERIALS:

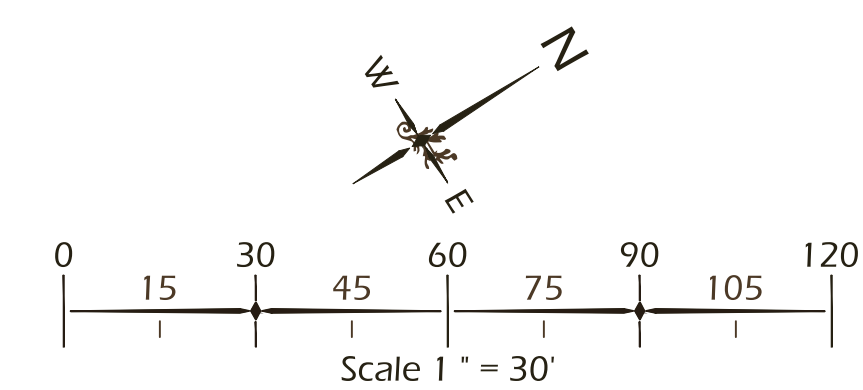
- WALKWAYS:
 - TABBED CONCRETE
 - ROCK SALT FINISH CONCRETE
- SPECIALTY PAVING:
 - PAVERS
 - COLORED CONCRETE
- SPECIALTY PAVING IN DRIVE AISLES:
 - PAVERS
- PARKING SPOTS:
 - GRAVEL FINES
 - PAVERS
- DRIVE AISLES:
 - ASPHALT

REQUIRED PARKING			
DESCRIPTION	S.F.	REQUIREMENTS	PARKING SPACES
RESTAURANT	10,896 S.F.	12 SPACES/1,000 S.F.	131
RETAIL	30,638 S.F.	5 SPACES/1,000 S.F.	153
OFFICE	946 S.F.	3.5 SPACES/1,000 S.F.	3
FUTURE OFFICE	6,000 S.F.	*3.5 SPACES/1,000 S.F.	11
TOTAL REQUIRED SPACES			298

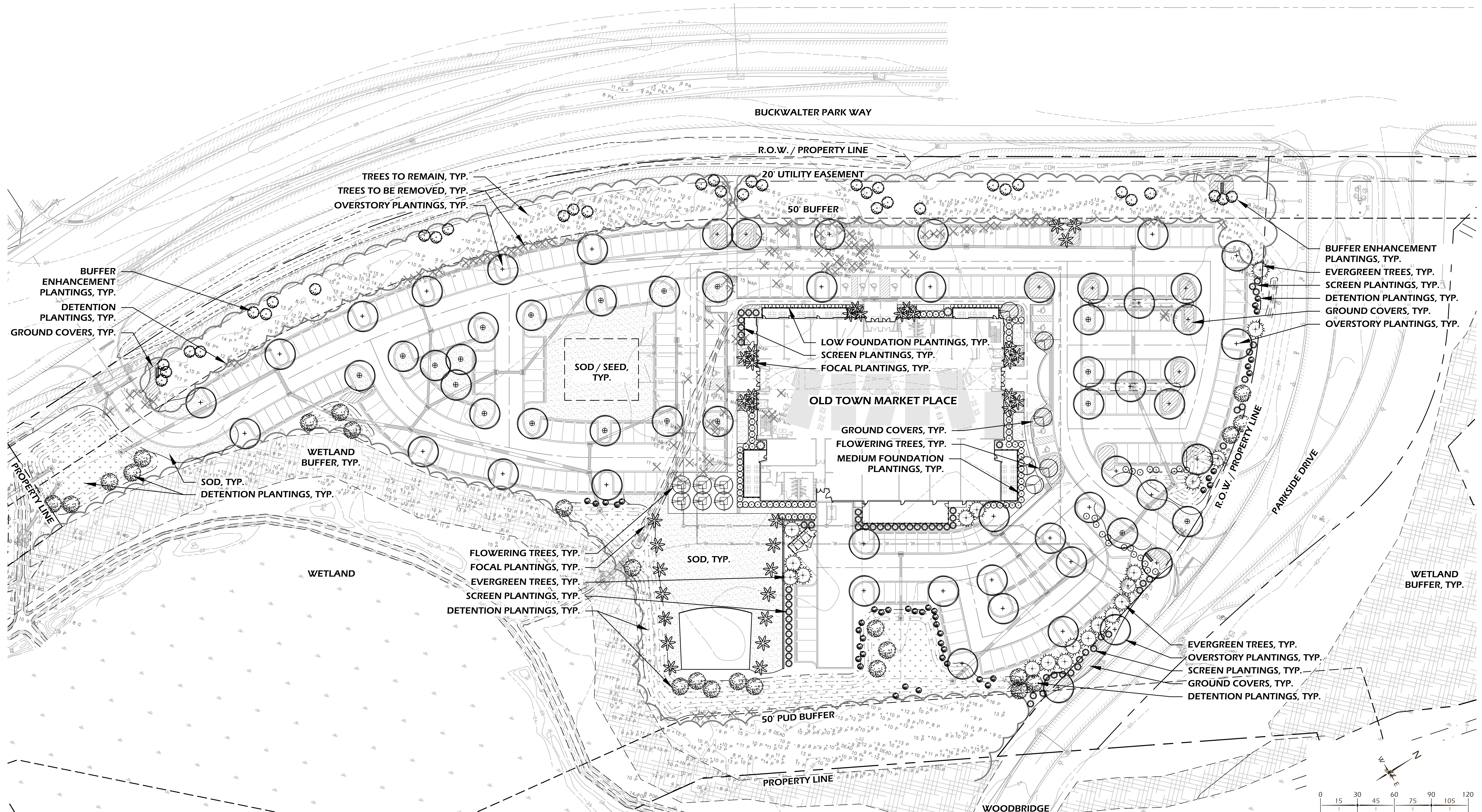
*SHARED PARKING ±10 SPACES
 **CONCEPTUAL, SUBJECT TO CHANGE

PARKING SUMMARY	
DESCRIPTION	PARKING SPACES
CAR	291
ACCESSIBLE CAR / VAN	8
TOTAL PARKING SPACES	299

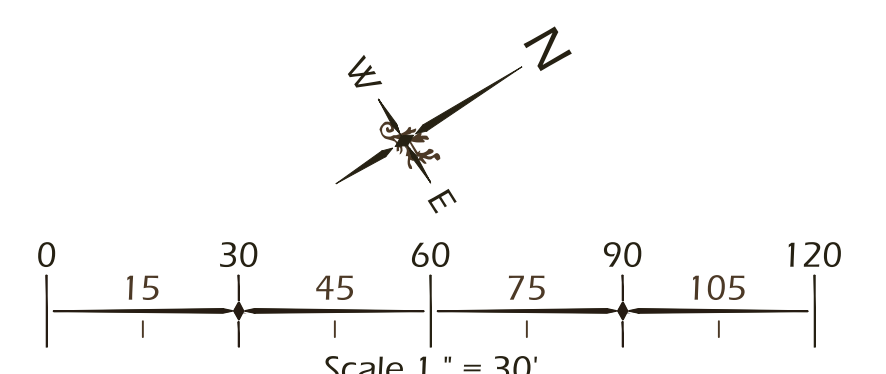
*CONCEPTUAL, SUBJECT TO CHANGE



PRELIMINARY PLANTING PLAN



- | | | | | | | | | | |
|---|--|---|---|---|--|---|--|--|---|
| OVERSTORY PLANTINGS | EVERGREEN TREES | FOCAL PLANTINGS | FLOWERING TREES | SCREEN PLANTINGS | MEDIUM FOUNDATION PLANTINGS | LOW FOUNDATION PLANTINGS | GROUND COVERS | DETENTION PLANTINGS | BUFFER ENHANCEMENT PLANTINGS |
| <ul style="list-style-type: none"> • LIVE OAK • SHUMARD OAK • BLACK GUM • ELM • CHINESE PISTACHE | <ul style="list-style-type: none"> • MAGNOLIA • PINE • EASTERN RED CEDAR • LARGE HOLLY | <ul style="list-style-type: none"> • PALMS • CRAPE MYRTLE • MAGNOLIA • LOQUAT | <ul style="list-style-type: none"> • CRAPE MYRTLE • FRINGE TREE • REDBUD | <ul style="list-style-type: none"> • WAX MYRTLE • HOLLY • VIBURNUM • PODOCARPUS • FRAGRANT TEA OLIVE | <ul style="list-style-type: none"> • LOROPETALUM • VIBURNUM • ANISE | <ul style="list-style-type: none"> • DWARF YAUPON HOLLY • DWARF PODOCARPUS • DISTYLUM • BOXWOOD | <ul style="list-style-type: none"> • MUHLY GRASS • DWARF MISCANTHUS • FERNS • VARIEGATED FLAX LILY • AFRICAN IRIS • LANTANA • LIRIOPE • MEXICAN SAGE • ASIATIC JASMINE • CONFEDERATE JASMINE | <ul style="list-style-type: none"> • BALD CYPRESS • DAHOON HOLLY • WAX MYRTLE • CORD GRASS • WETLAND SEED MIX • NATIVE GRASSES | <ul style="list-style-type: none"> • LIVE OAK • TULIP POPLAR • MAGNOLIA • FRINGE TREE • REDBUD • AZALEA • VIBURNUM • ANISE • MUHLY GRASS • CORD GRASS |





LS3P



Project: Old Town Marketplace
Property Photos

Location: 2 Parkside Drive, Bluffton, SC 29910
Tax Map Numbers: R610 022 000 1073 0000, R610 022 000 1081 0000, R610 022 000 1082 0000, R610 022 000 1083 0000, & R610 022 000 1084 0000.

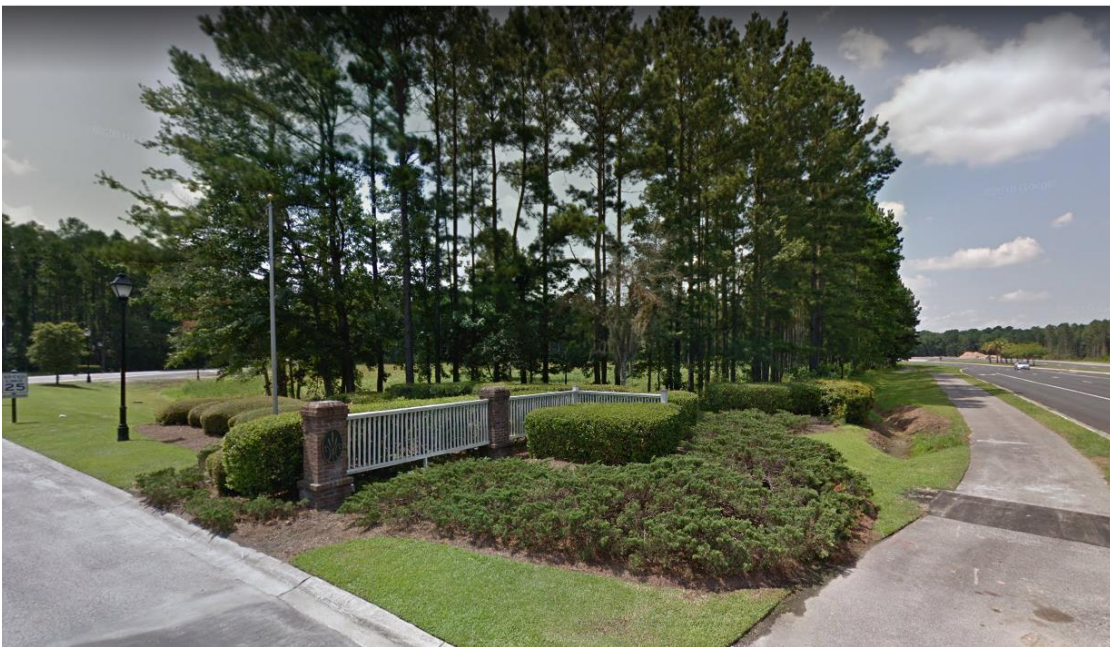
Zoning: Buckwalter PUD



Southwest property corner from Hwy 170, near proposed drive aisle



Center of property from Hwy 170



Northern property corner at Hwy 170 and Parkside Drive intersection



Northeast property edge along Parkside Drive at existing curb cut



Adjacent property across Parkside Drive



Adjacent property across Hwy 170 (Washington Square)



Adjacent entrance to The Reserve at Bridgewater along Parkside Drive



PLAN REVIEW COMMENTS FOR DP-07-20-014412

Town of Bluffton
Department of Growth Management
20 Bridge Street P.O. Box 386 Bluffton, South Carolina 29910
Telephone 843-706-4522

Plan Type: Preliminary Development Plan **Apply Date:** 07/21/2020
Plan Status: Active **Plan Address:** 2 Parkside Dr
 BLUFFTON, SC 29910
Case Manager: William Howard **Plan PIN #:**
Plan Description: The project proposes to construct a restaurant and retail space with an outdoor pavilion and amphitheater with associated infrastructure.

Technical Review

Submission #: 1 Recieved: 07/21/2020 Completed: 08/21/2020

<i>Reviewing Dept.</i>	<i>Complete Date</i>	<i>Reviewer</i>	<i>Status</i>
Transportation Department Review	08/21/2020	William Howard	Revisions Required

Comments:

1. Tree removal and land disturbance is discouraged within the 50 foot buffer of Buckwalter Parkway. Update the plans to re-locate the drainage and associated tree removal outside of the 50 foot buffer. Additionally, there is a line of trees being removed to construct parking - update the plans to re-locate parking to allow trees to remain.
2. The amount of parking provided seems excessive. Consider shared parking for retail and restaurant uses to reduce the overall parking count. RECOMMENDATION: When considering parking reductions, eliminate the spaces on the Buckwalter Parkway frontage
3. Confirm the configuration of the southern entrance from Buckwalter Parkway has been approved by Beaufort County. The Right-In/Right-Out configuration is inconsistent with the existing left turn lane on Buckwalter Parkway as well as the full access intersection into Washington Square that aligns with the entrance.
- 4.. Provide and exhibit for vehicular circulation, specifically to address entry and exit at Parkside drive as well as turning radius for delivery and emergency vehicles.
5. Update the landscape plan to provide additional screening of the project from Parkside Drive, with an emphasis on buffering and screening the service areas in the rear of the building.
6. Provide architectural elevations for the building proposed. While there is no formal review of architecture, the overall mass and scale of the building will be reviewed for suitability.
7. Removal of existing trees at the northern entrance seems unnecessary. Consider eliminating parking in that area and allowing the trees to remain.
8. Additional comments may be provided upon re-submittal of materials.

Fire Department Review	08/19/2020	Dan Wiltse	Approved with Conditions
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Comments:

1. Provide details on where proposed fire hydrants will go.
2. Provide construction type for the building in order to determine required fire flow.
3. Indicate on plans where the fire department connection, PIV and riser room will be located.

Planning Review - SR	08/21/2020	Alan Seifert	Approved with Conditions
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Watershed Management Review DRC	08/03/2020	William Baugher	Approved with Conditions
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Comments:

1. This project requires conditional Stormwater Permit approval prior to Final DRC. Provide a Stormwater Management Plan that meets all the requirements of the Unified Development Ordinance and Stormwater Design Manual (SWDM). (SWDM 1.1.1)
2. At the time of Stormwater Plan Review application, provide a site design and calculations showing compliance with the Water Quality Requirement of Section 5.10.3.C of the Unified Development Ordinance (UDO).
3. At the time of Stormwater Plan Review application, provide a site design containing at a minimum one vegetative BMP and one filter or infiltration-based BMP in series. Projects shall be designed to include a minimum of three BMPs in the overall site plan to meet the requirements set forth in Section 5.10 of the Unified Development Ordinance. (SWDM 7.0)
4. At the time of Stormwater Plan Review application, provide documentation that sets forth ownership and maintenance for infrastructure improvements, amenities, and open space. Notification for Stormwater Best Management Practices Annual Maintenance Inspection and Report per Town of Bluffton Unified Development Ordinance Article 5.10.4
5. For permit application documents and to schedule a Stormwater Permit Application Check-in Meeting contact Bill Baugher at wbaugher@townofbluffton.com or 843-706-7805.

Building Safety Review	07/21/2020	Richard Spruce	Approved with Conditions
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Comments:

1. Per the IBC, 2018 edition, section 1106.1 requires 7 ADA van accessible spaces be provided for the 301 spaces proposed. I see only 6 on the submitted plans. The south side parking area does not have any accessible spaces. I would require at least one on this side of the building.
2. Detectable warning devices are required wherever a walking path crosses vehicular traffic in accordance with the ICC/ANSI, A117.1, 2017 edition, sections 406.6 and 705.

Beaufort Jasper Water and Sewer Review	08/19/2020	James Clardy	Approved
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Comments:

1. Pending formal submittal/review/approval of water and sewer design.

Planning Commission Review	08/19/2020	William Howard	Approved
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Comments:

1. The Preliminary plan is required to be presented to the Planning Commission for approval.

Police Department Review	08/19/2020	Joseph Babkiewicz	Approved
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Planning Review - Address	07/21/2020	Nick Walton	Approved
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Comments:

1. Address 2# Parkside Drive is good to go for use of Old Town Market Place
2. New address will need to be created for FUTURE OFFICE, address can be off of either Buckwalter or Parkside DR
3. Is there an address needed for the Outdoor Pavilion?

Plan Review Case Notes:

September 3, 2020

Will Howard
Principal Planner
Town of Bluffton
20 Bridge Street
Bluffton, SC 29910

Subject: DRC Application Comments
Old Town Marketplace, DP-07-20-014412
Ward Edwards Project Number: 190266

Will:

Please find enclosed our response to comments issued August 21, 2020. The following applicable revised or additional documentation have been sent:

- Update Project Narrative
- Updated Preliminary Demo and Civil Plans
- Vehicle Turn Radius Exhibits
- Updated Preliminary Site and Landscape Plans
- Conceptual Architectural Elevation

Responses to your Transportation comments are below:

- Tree Removal and land disturbance is discouraged within the 50 foot buffer of Buckwalter Parkway. Update the plans to re-locate the drainage and associated tree removal outside of the 50 foot buffer. Additionally, there is a line of trees being removed to construct parking – update the plans to re-locate parking to allow trees to remain.
The plans have been updated to save additional trees and to remove the drainage swale within the 50 foot buffer. Some tree removal, in close proximity to the paving, is needed, but all existing trees adjacent to the parking within the buffer are to be preserved.
- The amount of parking provided seems excessive. Consider shared parking for retail and restaurant uses to reduce the overall parking count. Recommendation: When considering parking reductions, eliminate the spaces on the Buckwalter Parkway frontage.
A few parking spots have been removed in order to save additional trees and provide an additional ADA loading zone. Additional parking reductions would like to be avoided at this time as the building use breakdown is being refined, to accommodate the different uses having similar operating hours, and to accommodate potential parking associated with the outdoor amphitheater.
- Confirm the configuration of the southern entrance from Buckwalter Parkway has been approved by Beaufort County. The Right-in/Right-Out configuration is inconsistent with the existing left turn lane on Buckwalter Parkway as well as the full access intersection into Washington Square that aligns with the entrance.
The Southern entrance has been updated to be a full access intersection and will be coordinated with Beaufort County.

- Provide an exhibit for vehicular circulation, specifically to address entry and exit at Parkside drive as well as turning radius for delivery and emergency vehicles.
Vehicular circulation exhibits for delivery and emergency vehicles can be seen attached.
- Update the landscape plan to provide additional screening of the project from Parkside Drive, with an emphasis on buffering and screening the service areas in the rear of the building.
The landscape plan has been updated to provide additional buffering and screening along Parkside Drive and behind the building.
- Provide architectural elevation for the building proposed. While there is no formal review of architecture, the overall mass and scale of the building will be reviewed for suitability.
Conceptual architectural elevations for review of overall mass and scale can be seen attached in addition to an architectural narrative added to the attached project narrative. It should be noted that the elevations are conceptual in nature, in which the building design details are subject to change.
- Removal of existing trees at the northern entrance seems unnecessary. Consider eliminating parking in that area and allowing the trees to remain.
The parking has been revised in order to save trees in the mentioned area of concern.
- Additional comments may be provided upon re-submittal or materials.
Noted.

Responses to your Fire Department comments are below:

- Provide details on where proposed fire hydrants will go.
The location of fire hydrants has been updated on the civil plans.
- Provide construction type for the building in order to determine required fire flow.
Determination of building construction type will be provided once obtained.
- Indicate on plans where the fire department connection, PIV and riser room will be located.
FDC, PIV and riser room locations will be provided once determined.

Responses to your Watershed Management comments are below:

- This project requires conditional Stormwater Permit approval prior to Final DRC. Provide a Stormwater Management Plan that meets all the requirements of the Unified Development Ordinance and Stormwater Design Manual (SWDM).
Noted.
- At the time of Stormwater Plan Review application, provide a site design and calculations showing compliance with the Water Quality Requirement of Section 5.10.3.C of the unified Development Ordinance (UDO).
Noted.

- At the time of Stormwater Plan Review application, provide a site design containing at a minimum one vegetative BMP and one filter or infiltration-based BMP in series. Projects shall be designed to include a minimum of three BMPs in the overall site plan to meet the requirements set forth in Section 5.10 of the Unified Development Ordinance.
Noted
- At the time of Stormwater Plan Review application, provide documentation that sets forth ownership and maintenance for infrastructure improvements, amenities, and open space. Notification for Stormwater Best Management Practices Annual Maintenance Inspection and Report per Town of Bluffton Unified Development Ordinance Article 5.10.4.
Noted.
- For permit application documents and to schedule a Stormwater Permit Applications Check-in Meeting contact Bill Baugher at wbaugher@townofbluffton.com or 843-706-7805.
Noted.

Responses to your Building Safety comments are below:

- Per the IBC, 2018 edition, section 1006.1 requires 7 ADA van accessible spaces be provided for the 301 spaces proposed. I see only 6 on the submitted plans. The south side parking area does not have any accessible spaces. I would require at least one on the side of the building
ADA van accessible parking have been added to the south side parking area, which brings the total number of ADA parking spaces to 10; 4 of which being van accessible.
- Detectable warning devices are required whenever a walking path crosses vehicular traffic in accordance with the ICC/ANSI, A117.1, 2017 edition, section 406.6 and 705.
Detectable warning devices have been added to the plans.

Responses to your BJWSA comments are below:

- Pending formal submittal/review/approval of water and sewer design
Noted.

Responses to your BJWSA comments are below:

- Pending formal submittal/review/approval of water and sewer design
Noted.

Responses to your Planning Review- Address comments are below:

- Address 2# Parkside is good to go for use of Old Town Marketplace
Noted.
- New address will need to be created for FUTURE OFFICE, address can be off of either Buckwalter or Parkside DR
An address of 4 Parkside Drive will be used for the future office building.

- Is there an address needed for the Outdoor Pavilion
An address of 6 Parkside Drive will be used for the outdoor pavilion.

Thank you for your attention to this project. If you have any questions, please feel free to contact me at 757-814-0824 or cblaney@wardedwards.com


Sincerely,

Ward Edwards Engineering



Conor Blaney, PE
Project Manager

Enc: As Stated



NOT TO SCALE

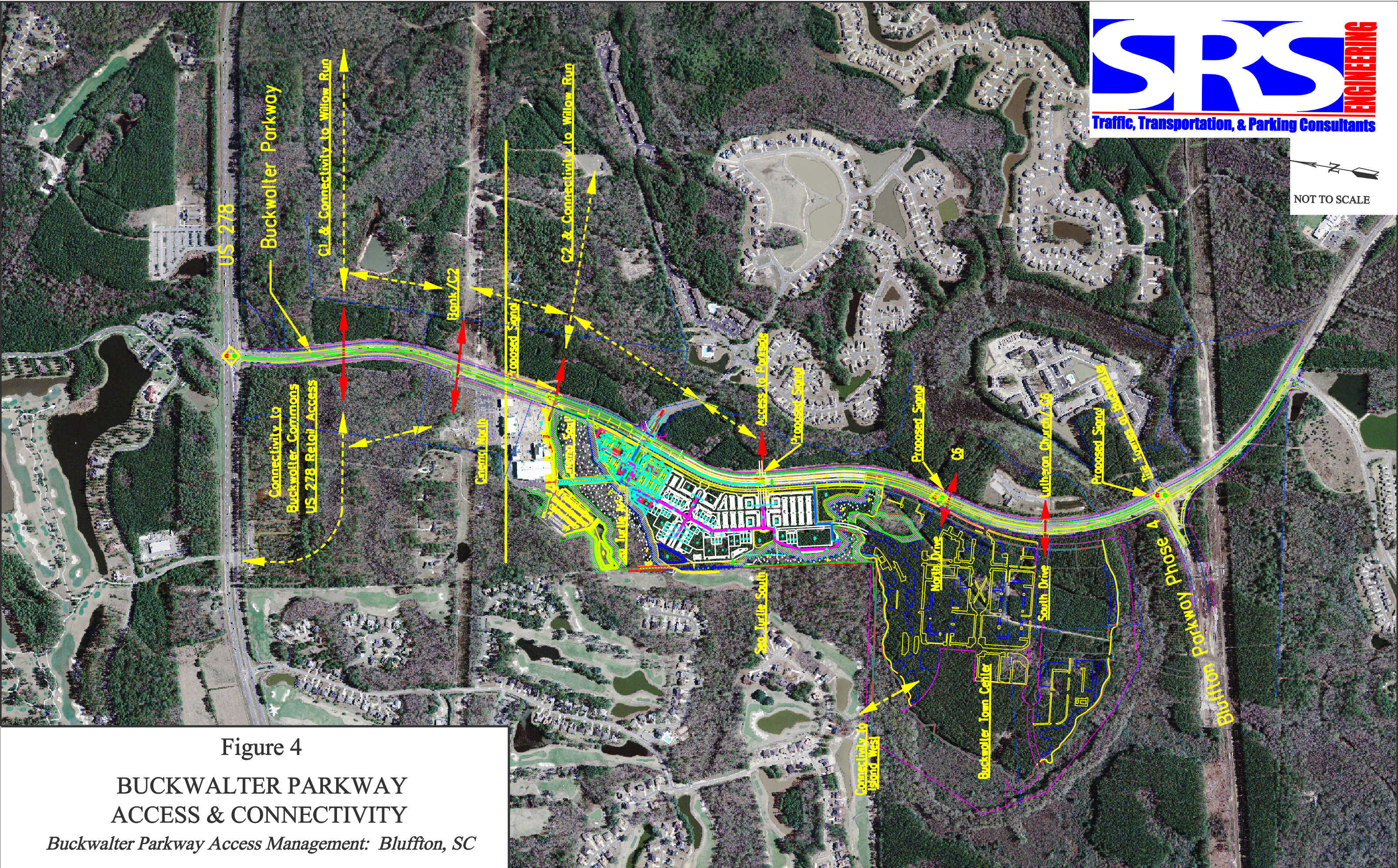


Figure 4

BUCKWALTER PARKWAY ACCESS & CONNECTIVITY

Buckwalter Parkway Access Management: Bluffton, SC

PLANNING COMMISSION

STAFF REPORT
Growth Management Department



<p>MEETING DATE:</p>	<p>October 28, 2020</p>
<p>PROJECTS:</p>	<p>COMP-07-19-13329 by Walter Nester of Burr, Forman, McNair. A request for an amendment to the Town of Bluffton Comprehensive Plan to amend the future annexation area to include approximately 61.093 Acres of land located at 323 Fording Island Road, Beaufort County Tax Map Nos. R600 022 000 0125 0000 and R600 022 000 1120 0000 and change the properties Future Land Use Designation of Civic/Institutional to Medium Intensity Commercial - Public Hearing and Recommendation to Town Council</p> <p>ANNX-07-19-13330 by Walter Nester of Burr, Forman, McNair. A request for the annexation of approximately 61.093 acres located at 323 Fording Island Road and identified by Beaufort County Tax Map Nos. R600 022 000 0125 0000 and R600 022 000 1120 0000, into the Town of Bluffton corporate limits – Public Hearing and Recommendation to Town Council</p> <p>ZONE-07-19-13331 by Walter Nester of Burr, Forman, McNair. A request for an Amendment to the Buckwalter Planned Unit Development Text to incorporate provisions for a New Land Use Tract to be Known as the Saint Gregory the Great Tract - Public Hearing and Recommendation to Town Council</p> <p>ZONE-07-19-13331 by Walter Nester of Burr, Forman, McNair. A request for a Zoning Map Amendment for approximately 61.093 acres located at 323 Fording Island Road and identified by Beaufort County Tax Map Nos. R600 022 000 0125 0000 and R600 022 000 1120 0000 to rezone the subject property to Buckwalter Planned Unit Development (PUD) subject to a new Saint Gregory the Great Land Use Tract - Public Hearing and Recommendation to Town Council</p> <p>DAA-02-20-14041 by Walter Nester of Burr, Forman, McNair. A request for an amendment to the Buckwalter Development Agreement to add approximately 61.093 Acres of land located at 323 Fording Island Road, Beaufort County Tax Map Nos. R600 022 000 0125 0000 and R600 022 000 1120 0000 and increase the total allowed Development Rights by 10.03 Acres of General Commercial and 150 Residential Dwelling Units - Public Hearing and Recommendation to Town Council</p>

	<p>CPA-02-20-14047 by Walter Nester of Burr, Forman, McNair. A request for an amendment to the Buckwalter Planned Unit Development Concept Plan to incorporate approximately 61.093 Acres of land located at 323 Fording Island Road, Beaufort County Tax Map Nos. R600 022 000 0125 0000 and R600 022 000 1120 0000 subject to a new Saint Gregory the Great Land Use Tract - Public Hearing and Recommendation to Town Council</p>
<p>PROJECT MANAGER:</p>	<p>Kevin P. Icard, AICP Planning & Community Development Manager</p>

REQUEST: Town Staff requests that Planning Commission review and provide direction on Annexation and Zoning Map Amendment applications to annex certain property containing approximately 61.093 acres located at 323 Fording Island Road and identified by Beaufort County Tax Map Nos. R600 022 000 0125 0000 and R600 022 000 1120 0000 (the “Property”) and establish zoning as Buckwalter Planned Unit Development subject to a new Saint Gregory the Great Land Use Tract to be established through a Buckwalter Planned Unit Development Text Amendment.

INTRODUCTION: In accordance with Section 5-3-150 of the Code of Laws of South Carolina, Walter Nester of Burr, Forman, McNair, on behalf of the Bishop of Charleston (Saint Gregory the Great Catholic Church) and Beaufort-Jasper Water and Sewer Authority (“BJWSA”), submitted annexation petitions pursuant to the 100% freeholder method on July 10, 2019 requesting to annex the approximately 61.093 acre Property into the Town of Bluffton’s municipal boundary, a copy of which is provided as Attachment 1.

Pursuant to the Town of Bluffton Annexation Policy and Procedure Manual (Annexation Manual), the Applicant also submitted a concurrent Zoning Map Amendment application requesting the establishment of the General Mixed Use (GMU) District subject to the Highway Corridor Overlay District (HCOD) pursuant to the Town of Bluffton’s Unified Development Ordinance (UDO) for the Property. Further, the Applicant submitted a concurrent application requesting a Comprehensive Plan Amendment to expand the Town’s current future annexation boundary delineated on the Future Annexation Area and Growth Framework maps as well as revise the Future Land Use map to change the subject property’s designation from Civic/Institutional to a Mixed Use or appropriate Commercial designation to align with the requested rezoning to General Mixed-Use (GMU).

Per the Annexation Manual, the initial step in the public review process is an initial briefing, or “intent to annex”, to Town Council for general discussion of the request and its associated applications such as the appropriate zoning classification and possible negotiation items. At the conclusion of the discussion, Town Council votes on the approval of First Reading of the Annexation Ordinance followed

by a vote to refer the annexation petition and its associated applications to the Town's Negotiating Committee, if deemed necessary.

Town Council considered the "intent to annex" at their August 13, 2019 meeting. During discussion of the request, Council advised the Applicant to consider revising their Zoning Map Amendment application to request the Buckwalter Planned Unit Development instead of GMU. Council then approved First Reading of the annexation ordinance and voted to forgo referring the request to the Negotiating Committee.

On February 21, 2020, the Applicant submitted a revision to the Zoning Map Amendment application as well as Development Agreement Amendment, Concept Plan Amendment, and Master Plan applications for the Property incorporation into Buckwalter subject to a new Land Use Tract which will be known as the Saint Gregory the Great Tract, copies of which are provided as Attachment 2.

The new Saint Gregory the Great Land Use Tract, as shown in the illustrative Buckwalter PUD Concept Plan provided as Attachment 3, proposes the following permitted land use categories:

1. Community Recreation.
2. Dwelling Units.
3. Hotel/Inn.
4. Institutional Civic.
5. Maintenance Areas.
6. Multifamily Residential.
7. Neighborhood Commercial – including specifically convenience stores and automobile service stations with up to 20 fueling stations but excluding Recreational Vehicle Parks.
8. Open Space.
9. Roads.
10. Setbacks and Buffers.
11. Silviculture.
12. Single Family Residential but excluding mobile homes.
13. Wetlands.
14. Utilities.

A general overview of land uses is provided in the [Buckwalter Concept Plan](#), Section 2 - Designation and Definitions, which are further detailed in Appendix 1, Beaufort County 1990/3 ZDSO, as modified. A comparison of current and proposed land uses is provided as Attachment 4 and excerpts from the Beaufort County Code of Ordinances and the Buckwalter PUD regarding allowed uses and conditions are provided as Attachment 5.

At that time, the proposed Buckwalter Planned Unit Development Concept Plan and Development Agreement Amendments request an increase in the total allowed development rights as follows:

1. 10.03 acres of general commercial; and
2. 446 residential dwelling units subject to the following allocation and designation:
3. 134 RDUs limited to multi-family use;
4. 82 RDUs limited to single family use; and
5. 200 RDUs limited to student housing/employee dormitories calculated as ½ RDU per room pursuant to the Buckwalter Concept Plan Section 2.D.6.a.

On July 22, 2020, Planning Commission held a workshop for the proposed annexation and zoning map amendment. Per Section 3.2.2.F. of the Unified Development Ordinance, Planning Commission Workshops are intended to be the first official presentation of a proposed project to provide the public with information and a forum to initially review the application and identify applicable application review criteria. Meetings are encouraged as opportunities for informal, non-binding communication between the Applicant and neighboring property owners who may be affected by the application.

During the course of discussions, the Commission provided comments and questions for consideration at the subsequent Public Hearing. Following is a summary of these items and findings:

1. What is the maximum amount of development allowed under the current Beaufort County zoning district?

Since the Beaufort County Community Development Code is a form-based code, the maximum site capacity cannot be determined without detailed plans.

2. Do the applications include provisions for affordable housing and/or has this been discussed?

Although the final use of the requested residential development rights is unknown at this time, the applicant has indicated interest in a retirement community for retired clergy as well as a hotel. Based upon these considerations and the anticipated future development of the site for expansion of the church and school facilities, the areas available for alternate development are limited and there will be no open market residential dwelling units for sale or rent. Planning Commission could recommend provisions be added to the Development Agreement and Concept Plan Amendments for inclusion of affordable housing provisions in the event all or a portion of the proposed additional 150 residential dwelling units were to be developed as open market units. Example provisions could include the allocation of 20% of the open market units are restricted to rental to households which are at or below 80% of HUD's annual Area Median Income for Beaufort County at HUD's annual Fair Market Rent, less annual Utility Allowances, for Beaufort County for a term of 10 years.

3. Consider limiting the requested development rights to the Saint Gregory the Great Tract which may not be sold or transferred to Buckwalter PUD Land Use Tracts.

The applicant has incorporated a restriction into the proposed Development Agreement Amendment Section 2.B.iii which prohibits the transfer of the additional development rights

outside of the Saint Gregory the Great Land Use Tract to other areas of Buckwalter and any unutilized rights may be transferred to the Town.

4. What would the height limitation be for the proposed commercial area?

The Neighborhood Commercial provisions limit height to 35' while the Highway 278 Corridor Overlay allows variable heights based upon the setback. Per the Buckwalter PUD Attachment 1, Tab 5 - Town of Bluffton Planned Unit Development Ordinance, Section 5.8.6, the regulations applicable to the uses in an approved PUD shall be those of the most restrictive zoning district where such uses are allowed, unless a waiver or deviation from such restrictions is secured as part of the approved Concept Plan. Since there is no waiver or deviation in the approved Concept Plan, the Neighborhood Commercial standard of 35' applies to building height for the Saint Gregory the Great Tract.

5. What is the status of the Willow Run frontage road from Buckwalter Parkway to the current Saint Gregory Drive/US Highway 278 intersection?

The Willow Run frontage road is part of Beaufort County's Capital Improvement Projects plan and is currently in the preliminary planning stage.

6. When is the applicant required to submit a Traffic Impact Analysis?

A Traffic Impact Analysis is required as part of the Master Plan. However, it should be noted that due to the COVID-19 pandemic, the school is utilizing on-line classes instead of attending classes at the school's campus which means accurate traffic counts for the school use cannot be compiled at this time. Planning Commission can recommend the inclusion of a provision in the Development Agreement and Concept Plan amendments noting the unusual circumstance and requiring that a Traffic Impact Analysis must be submitted prior to the issuance of any new Development Permits for the Saint Gregory the Great Tract.

7. What buffer requirements would apply to the Property for the proposed applications?

The perimeter of Property will be subject to a 50' Planned Unit Development buffer. The areas with frontage on US Highway 278 will be subject to the Highway 278 Corridor Overlay which requires a 25' vegetative buffer. It should be noted that Palmetto Electric holds an easement which extends 20' into the Property for existing overhead powerlines which provides for maintenance and thereby some clearing within its limits. The Overlay provides that in the event utilities, such as powerlines, are located within the 25' buffer, additional buffer area may be required.

8. Create an additional limitation of land uses within the proposed Saint Gregory the Great Land Use Tract with the church and school area limited to civic/institutional and the outparcels shown on the Conceptual Plan as Neighborhood Commercial.

The Campus Plan (Attachment 6) identifies the conceptual boundary of the commercial area which encompasses the Outparcels. The commercial area will permit all of the uses permitted

in the Saint Gregory the Great Tract while the remaining civic/institutional area will prohibit Neighborhood Commercial uses.

As a result of the Planning Commission Workshop, the applicant has since revised the proposed Buckwalter Planned Unit Development Concept Plan and Development Agreement Amendments request for the following increase in the total allowed development rights as follows:

1. 10.03 acres of general commercial; and
2. 150 residential dwelling units, which is a significant reduction from the 446 residential dwelling units initially requested.

BACKGROUND: The Property contains approximately 61.093 acres located within Unincorporated Beaufort County as shown on the Aerial Location Map (Attachment 7). The Property currently houses the Saint Gregory the Great Catholic Church Campus consisting of a chapel and associated facilities, Saint Gregory the Great Catholic School for Grades Pre-K to 6 consisting of a total of 66,000 square feet, as well as a BJWSA pump station serving the Property.

The Applicant intends to utilize a 50.856 acre portion of the property for the expansion of the Saint Gregory the Great Catholic Church Campus, 0.057 acre as a pump station, and the remaining 10.18 acres for sale as outparcels allowing a mix of uses permitted in the new Saint Gregory the Great Land Use Tract, which are yet to be determined as shown in the Campus Master Plan for St. Gregory the Great(Attachment 6). Further, all future development of the Property would be required to be reviewed through the applicable Town of Bluffton planning processes.

The Property are currently zoned as C3 Neighborhood Mixed Use (C3NMU) pursuant to the Beaufort County Community Development Code, as shown on the Beaufort County Zoning Map (Attachment 8) and Area Map (Attachment 9). The immediately adjacent Property, as shown on the Adjacent Property Map (Attachment 10), vary as to jurisdiction and zoning as follows:

Direction	Jurisdiction	Zoning District	Current Use
North	Beaufort County	Eagle’s Point Planned Unit Development	Eagle's Point Homeowner's Association, Inc. - Green Grass Drive - Eagles Point Community Association Common Area and Right-of-Way
	Beaufort County	Eagle’s Point Planned Unit Development	Eagles Pointe Golf Course, LLC - 2 Green Grass Drive - Eagles Point Golf Course
South	Beaufort County	n/a	US Highway 278 (Fording Island Road)
	Town of Bluffton	Buckwalter Planned Unit Development	Parcel C1, LLC - No Address - Open Space

	Town of Bluffton	Buckwalter Planned Unit Development	Medical Landholdings, LLC - 350 Fording Island Road - Commercial (Hilton Head Oral and Maxillofacial Surgery, Lux Spa, May River Dermatology, Weniger Plastic Surgery)
East	Beaufort County	T2 Rural (T2R)	Bluffton Township Fire District - 357 Fording Island Road - Civic (Bluffton Township Fire District Station 35)
	Beaufort County	n/a	Beaufort County - Saint Gregory Drive - Road Right-of-Way
West	Beaufort County	Berkeley Hall Plantation Planned Unit Development	Berkeley Hall Club, Inc. - 106 Lancaster Boulevard - Community Association Common Area and Open Space
	Beaufort County	Berkeley Hall Plantation Planned Unit Development	BAM Properties, LLC - 1024 Berkeley Hall Boulevard - Sales Center
	Beaufort County	Berkeley Hall Plantation Planned Unit Development	RBH ADM, LLC - 1022 Berkeley Hall Boulevard - Management Office
	Beaufort County	Berkeley Hall Plantation Planned Unit Development	Beaufort County - No Address - Frontage Road Right-of-Way

ANALYSIS

A. COMPREHENSIVE PLAN AMENDMENT

Staff reviewed the request to amend the Town of Bluffton Comprehensive Plan to amend the Future Annexation Area to include the Property and change the Property’s Future Land Use Designation from Civic/Institutional to Medium Intensity Commercial. The Planning Commission and Town Council shall consider the following criteria in assessing an application for Comprehensive Plan Amendment:

1. Section 3.3.3.A. Consistency with the intent of the overall policies in the Comprehensive Plan;

Finding: The proposed Amendment will be consistent with the overall policies in the Comprehensive Plan.

The Property is currently outside of the Town of Bluffton Comprehensive Plan Map 8.1 - Future Annexation Area (Attachment 11) boundary. The Applicant’s Comprehensive Plan

Amendment application requests extending the Future Annexation Area's boundary to encompass the Property to bring the requested annexation into compliance with the Comprehensive Plan.

The Town of Bluffton Comprehensive Plan Map 8.3 - Future Land Use (Attachment 12) identifies the Property as Civic/Institutional which is defined as follows:

"A non-profit, religious, or public use, such as a church, library, public or private school, hospital, or government owned or operated building, structure, or land used for public purpose. Activities provide for the social, cultural, educational, health or physical betterment of the community. Any parcel of land that contains roads and rights-of-way, railways, utility easements, parking areas, airports, and marine craft transportation. Any proposed change in use for a civic/institutional use must be evaluated on a case by case basis to determine its appropriate reuse to be compatible with surrounding land uses."

The Town of Bluffton Comprehensive Plan Map 8.3 - Future Land Use (Attachment 12) identifies the Property as Medium Intensity Commercial which is defined as follows:

"Medium intensity commercial uses including village commercial scale uses include: moderate scale, auto-oriented, grocery stores; moderate scale gas stations; restaurants; services; light, unobtrusive, small scale manufacturing and assembly; and general retail. These uses should be integrated into surrounding residential development to serve residents of nearby neighborhoods, generally within two to five miles. Medium intensity commercial uses also include medium density residential uses."

The anticipated uses of the property, church, school, hotel, multi-family, retail, office and gas station, fall within the definition of the Medium Intensity Commercial. The surrounding land uses vary and are comprised of vacant land, residential, sales center, golf course, and professional office, which supports the mix of permitted uses under the Saint Gregory the Great Land Use Tract.

Further, the Property is within the Village Place Type on the Town of Bluffton Growth Framework Map (Attachment 13) which allows a moderate intensity mix of uses as defined Section 6.1.2 of the UDO as follows:

"Located in highly developed areas or those areas to be developed, a Village consists of a single center surrounded by compact, complete and connected neighborhoods providing support for a mixed-use area with moderate intensity. The mixed-use development occurs at the intersection of larger neighborhoods and along corridor connecting multiple neighborhoods."

2. **Section 3.3.3.B. Consistency with demographic changes, prevailing economic trends and/or newly recognized best planning practices that would deem the proposed amendment necessary and proper for the advancement of the Town of Bluffton's goals;**

Finding: The application is consistent with demographic changes, prevailing economic trends and/or newly recognized best planning practices that would deem the proposed amendment necessary and proper for the advancement of the Town of Bluffton's goals.

3. **Section 3.3.3.C. If applicable, the ability of public infrastructure and services to sufficiently accommodate the requested amendment to the Comprehensive Plan;**

Finding: The Property subject to the Amendment are currently served by public infrastructure and services and any new development on the site is anticipated to have little to no impact on existing services.

4. **Section 3.3.3.D. Appropriate and efficient use of public funds, the future growth, development and redevelopment of its area of jurisdiction, and consideration of the fiscal impact on property owners;**

Finding: Staff completed a Cost/Benefit Analysis as part of the proposed Annexation, a copy of which is provided as Attachment 14, which shows little to no fiscal impact on public funds.

5. **Section 3.3.3.E. Enhancement of the health, safety, and welfare of the Town of Bluffton;**

Finding: The application will enhance the health safety and welfare of the Town of Bluffton.

6. **Section 3.3.3.F. Consistency with applicable South Carolina Planning law and consideration of case law;**

Finding: The application is consistent with applicable South Carolina Planning law and case law.

7. **Section 3.3.3.G. Impact of the proposed amendment on the provision of public services;**

Finding: The proposed amendment will have little to no impact on public services.

8. **Section 3.3.3.H. The application must comply with applicable requirements in the Applications Manual;**

Finding: The application has been reviewed by Staff and has been determined to be complete, meeting all requirements of the Applications Manual.

B. ANNEXATION APPLICATION

Summarize request...The *Town of Bluffton Annexation Policy and Procedure Manual* (Annexation Manual) provides the review criteria for annexation requests and an analysis of each is as follows:

1. The application meets the principals, policies and procedures set forth in the Annexation Manual.

Finding: Staff finds the annexation request meets the principals, policies and procedures to achieve orderly growth and develop a more cohesive and less fragmented Town Boundary as set forth in the Annexation Manual.

2. The Annexation of the property is in the best interest of the Town and its citizens.

Finding: Staff completed a Cost/Benefit Analysis, a copy of which is provided as Attachment 14, which estimates the annexation will generate \$0.00 in revenue after the first year of annexation and \$34,497.98 after build-out.

3. The Property has contiguity to the Town of Bluffton Municipal Boundary.

Finding: The Property is contiguous to the Town of Bluffton's Municipal Boundary. Contiguity with the Town of Bluffton's municipal boundary is established through two adjacent parcels to the south of the Property along US Highway 278. These adjacent parcels were annexed into the Town of Bluffton's municipal boundaries upon approval of the Buckwalter Annexation by Town Council Ordinance 2000-02 on April 19, 2000.

4. The Annexation avoids creating new enclaves (or donut holes) in the Town of Bluffton Municipal Boundary.

Finding: The proposed annexation will not create new enclaves in the Town of Bluffton Municipal Boundary.

5. The Annexation is consistent with the recommendations of the Town of Bluffton Comprehensive Plan including the Future Annexation Map.

Finding: The Property are currently outside of the Town of Bluffton Comprehensive Plan Map 8.1 - Future Annexation Area (Attachment 11) boundary. The Applicant's Comprehensive Plan Amendment application requests extending the Future Annexation Area's boundary to encompass the Property to bring the requested annexation into compliance with the Comprehensive Plan.

6. The requested zoning district(s), land use regulations, development standards and environmental regulations is appropriate.

Finding: The requested Buckwalter Planned Unit Development with designation as the Saint Gregory the Great Land Use Tract pursuant Buckwalter Planned Unit Development Concept Plan and Development Agreement, once amended through concurrent applications, is appropriate for the Property as it is surrounded by a mix of uses include vacant land, residential, sales center, golf course, and professional office. This criteria is discussed in greater detail in the analysis of the zoning map amendment below.

7. Consideration has been given to the costs, benefits and estimated revenues for a proposed annexation before action is taken on the petition.

Finding: Staff prepared a Cost/Benefit Analysis for the proposed annexation, a copy of which is provided as Attachment 14, to evaluate the costs, benefits and estimated revenues for the Property including its first year of annexation as well as at build-out.

8. The Annexation will not create a tax burden or measurably reduce the level of service(s) provided to existing citizens and property owners.

Finding: A tax burden is not created and a reduction in the level of service is not anticipated in the first year of annexation or at build-out.

9. The Fiscal impact of providing municipal services has been considered.

Finding: Per the Cost/Benefit Analysis (Attachment 14), it's anticipated that there will be minimal to no fiscal impact to provide municipal services once the Property is annexed.

10. Consideration of the annexation area's existing condition of utilities, transportation, infrastructure and future needs for expansion improvements has been taken.

Finding: The Property will be served by public water & sewer, electrical, telecommunications, and natural gas services are accessible, adjacent to, or are in close proximity for tie-in at time of development. Improvements, if necessary, to infrastructure and transportation systems will be considered as part of the development review process.

11. The full impact that annexation will have on law enforcement has been considered.

Finding: Additional police officers are not anticipated to be required at time of annexation or a build-out of the Property.

12. The application demonstrates potential for the diversification of the economic base and job opportunities.

Finding: The proposed annexation demonstrates a potential to further economic development, create new job opportunities, as well as diversify the Town's economic base through the expansion of church and school facilities as well as anticipated future commercial uses.

13. Petitioners understand of all potential costs/benefits associated with annexation.

Finding: Staff provided the Cost/Benefit Analysis (Attachment 14) to the petitioner as part of this Planning Commission meeting packet.

14. Input has been provided by the public and affected agencies during the review process.

Finding: There are several opportunities for the public and affected agencies to provide comment on the proposed annexation via public meetings or by contacting Staff or the Applicant directly. Notification of the Annexation and Zoning Map Amendment applications and their applicable meetings was accomplished by various methods as required by the South Carolina Freedom of Information Act, the Unified Development Ordinance, Annexation Manual, and Applications Manual as well as the Town Council Resolution for Joint Review of Regionally Significant Projects.

As of the drafting of this staff report, staff has received twenty-two (22) letters from Saint Gregory the Great parishioners supporting the proposed annexation. Comments from regional municipal and county governments received to-date are as follows:

1. Beaufort County - Responded with the following comments:
 - a. The PUD and Development Agreement amendment need to incorporate any future revisions in impact fees for roads, parks, libraries, fire, EMS, and schools. The Buckwalter Development Agreement Section XII.C provides that all development within Buckwalter is subject to Beaufort County Impact Fees.
 - b. A traffic impact analysis should be required for any development producing more than 50 peak hour trips.
 - c. No additional curb cuts should be permitted between St. Gregory Drive and Buckwalter Parkway signals. Any new curb cuts onto Fording Island Road will require an approved encroachment permit issued by SCDOT which is unlikely due to intersection and signal spacing requirements. Internal curb cuts, such as those for the outparcels, will require an approved encroachment permit from Beaufort County for Saint Gregory the Great Drive.
2. Town of Hilton Head Island - Responded they have no comments to submit.

3. City of Beaufort - No response to-date.
4. Town of Port Royal - No response to-date.
5. Jasper County - Responded they have no comments to submit.
6. Town of Ridgeland - No response to-date.
7. City of Hardeeville - No response to-date.

Finally, Dan Wiltse with the Bluffton Township Fire District provided that there should be no problems with traffic at the Saint Gregory Drive/ Fording Island Road intersection as the Fire District can control the traffic signal to stop traffic when necessary to respond to an emergency call.

C. ZONING MAP AMENDMENT AND BUCKWALTER PLANNED UNIT DEVELOPMENT TEXT AMENDMENT APPLICATION

Summarize request... The Planning Commission is required to consider the criteria set forth in Section 3.4.3 of the Unified Development Ordinance in assessing an application for a Zoning Map Amendment. These criteria are provided below followed by a Staff Finding(s) based upon review of the application submittals to date.

- 1. Section 3.4.3.A. Consistency with the Comprehensive Plan or, if conditions have changed since the Comprehensive Plan was adopted, consistency with the overall intent of the Comprehensive Plan, recent development trends and the general character of the area;**

Finding: Upon approval of the requested Comprehensive Plan Amendment, the application will be consistent with the provisions of the Comprehensive Plan, as well as the general character of the area.

The Property are currently outside of the Town of Bluffton Comprehensive Plan Map 8.1 - Future Annexation Area (Attachment 11) boundary. The Applicant's Comprehensive Plan Amendment application requests extending the Future Annexation Area's boundary to encompass the Property to bring the requested annexation into compliance with the Comprehensive Plan.

The Town of Bluffton Comprehensive Plan Map 8.3 - Future Land Use (Attachment 12) identifies the Property as Civic/Institutional which is defined as follows:

"A non-profit, religious, or public use, such as a church, library, public or private school, hospital, or government owned or operated building, structure, or land used for public

purpose. Activities provide for the social, cultural, educational, health or physical betterment of the community. Any parcel of land that contains roads and rights-of-way, railways, utility easements, parking areas, airports, and marine craft transportation. Any proposed change in use for a civic/institutional use must be evaluated on a case by case basis to determine its appropriate reuse to be compatible with surrounding land uses.”

The Town of Bluffton Comprehensive Plan Map 8.3 - Future Land Use (Attachment 12) identifies the Property as Medium Intensity Commercial which is defined as follows:

“Medium intensity commercial uses including village commercial scale uses include: moderate scale, auto-oriented, grocery stores; moderate scale gas stations; restaurants; services; light, unobtrusive, small scale manufacturing and assembly; and general retail. These uses should be integrated into surrounding residential development to serve residents of nearby neighborhoods, generally within two to five miles. Medium intensity commercial uses also include medium density residential uses.”

The anticipated uses of the property of school, church, retirement community for retired clergy, and commercial fall within the definition of the Medium Intensity Commercial. The surrounding land uses vary and are comprised of vacant land, residential, church, sales office, and medical office which supports the mix of permitted uses under the Buckwalter Planned Unit Development zoning district and its new Saint Gregory the Great Land Use Tract.

Lastly, the Property is within the Village Place Type on the Town of Bluffton Growth Framework Map (Attachment 13) which allows a moderate intensity mix of uses as defined Section 6.1.2 of the UDO as follows:

“Located in highly developed areas or those areas to be developed, a Village consists of a single center surrounded by compact, complete and connected neighborhoods providing support for a mixed-use area with moderate intensity. The mixed-use development occurs at the intersection of larger neighborhoods and along corridor connecting multiple neighborhoods.”

2. Section 3.4.3.B. Capability of the site’s physical, geological, hydrological and other environmental features to support the breadth and intensity of uses that could be developed in the proposed zoning district.

Finding. The Property plat and conceptual plan show 14.61 acres of wetlands and wetland buffers, stormwater retention ponds, and drainage serving existing and future development as well as public entities. As such the Applicant has provided sufficient

information to demonstrate that the physical, geological, hydrological and other environmental features of the site can support the development of uses permitted within the Buckwalter Planned Unit Development for consideration of this application. Additional information and requirements will be considered during the reviews for future development of the Property pursuant to the Town's standards.

3. Section 3.4.3.C. Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning districts in terms of suitability of location, impacts on the environment, noise, density, nature of use, traffic impacts, aesthetics, ability to develop adjacent properties under existing zoning, and potential influence on property values;

Finding: The use and applicable development standards are consistent and compatible with both the existing and planned uses. The Property is suitable to accommodate the impacts associated with the proposed and possible future uses in the surrounding neighborhood.

4. Section 3.4.3.D. Capacity of public infrastructure and services to sufficiently accommodate all potential uses allowed in the proposed district without compromising the public health, safety and welfare of the Town of Bluffton.

Finding: Public water & sewer, electrical, telecommunications, and natural gas services are accessible, adjacent to, or are in close proximity to the Property with sufficient capacity to support the proposed land use without comprising the public health, safety, and welfare of the Town.

5. Section 3.4.3.E. Public need for the potential uses permitted in the requested zoning district; and

Finding: The public need for the Property's proposed land use is to further economic development, to create new job opportunities, as well as diversify the Town's economic base.

6. Section 3.4.3.F. Compliance with applicable requirements in the Applications Manual.

Finding: The application has been reviewed by Staff and has been determined to be complete, meeting all requirements of the Applications Manual.

D. BUCKWALTER DEVELOPMENT AGREEMENT AMENDMENT

Town Staff, Planning Commission and Town Council are required to consider the criteria set forth in Title 6, Chapter 31 South Carolina Local Government Development Agreement Act, Section 70 of the Code of Laws of South Carolina Code (1976), as amended, in assessing an

application for Development Agreement Amendment. These criteria are provided below followed by a Staff Finding(s) based upon review of the application submittals to date:

1. Section 6-31-70. A development agreement and authorized development must be consistent with the local government's comprehensive plan and land development regulations.

Finding: The proposed Buckwalter Development Agreement Amendment meets this requirement and is consistent with the following elements of the Town of Bluffton Comprehensive Plan, adopted September 4, 2007, and regulations of the Buckwalter Development Agreement, adopted April 19, 2000.

i. Town of Bluffton Comprehensive Plan:

- (a) Chapter 8, Land Use provides that the property's Future Land Use classification is Civic/Institutional. The concurrent Comprehensive Plan Amendment application requests changing the Property's designation to Medium Intensity Commercial will allow commercial uses on the outparcels identified on the Conceptual Plan.
- (b) Chapter 9, Transportation provides that Access Management Plans study and determine the appropriate spacing, placement and design of access points on major roads to improve efficiency and decrease the potential for accidents. Beaufort County, Berkeley Hall, and the applicant worked together to provide for a frontage road through the Property providing access to two signalized intersections onto US 278.

ii. Buckwalter PUD Regulations:

The adopted Buckwalter PUD Concept Plan established eight Planning Tracts, which subsequently determine the allowed land uses for property within the PUD.

The applicant proposes to incorporate the property as a new Land Use Tract to be known as Saint Gregory the Great which will allow a mix of residential and limited commercial uses. These limited commercial uses are defined under the standards of the Neighborhood Commercial land use category which allows a mix of uses including small scale commercial uses.

E. BUCKWALTER CONCEPT PLAN AMENDMENT

Town Staff, Planning Commission and Town Council are required to consider the criteria set forth in in Section 3.8.3 of the Unified Development Ordinance (UDO) in assessing an

application for a Concept Plan Amendment. These criteria are provided below followed by a Staff Finding(s) based upon review of the application submittals to date:

2. Section 3.8.3.A. Promotion of and consistency with the land use goals, environmental objectives and overall intent of the policies within the Comprehensive Plan.

Finding: The proposed Buckwalter Development Agreement Amendment meets this requirement and is consistent with the following elements of the Town of Bluffton Comprehensive Plan, adopted September 4, 2007, and regulations of the Buckwalter Development Agreement, adopted April 19, 2000.

i. Town of Bluffton Comprehensive Plan:

- (c) Chapter 8, Land Use provides that the property's Future Land Use classification is Civic/Institutional. The concurrent Comprehensive Plan Amendment application requests changing the Property's designation to Medium Intensity Commercial will allow commercial uses on the outparcels identified on the Conceptual Plan.
- (d) Chapter 9, Transportation provides that Access Management Plans study and determine the appropriate spacing, placement and design of access points on major roads to improve efficiency and decrease the potential for accidents. Beaufort County, Berkeley Hall, and the applicant worked together to provide for a frontage road through the Property providing access to two signalized intersections onto Fording Island Road.

3. Section 3.8.3.B. Consistency with the intent of the Planned Unit Development Zoning District as prescribed in Article 4, Zoning Districts.

Finding: Staff finds that the proposed Concept Plan amendment is consistent with the intent of the original PUD Zoning District whereby the PUD provides for a high quality environmentally sensitive community through improved design, character and quality of walkable mixed-use developments and the preservation of natural and scenic features and open spaces.

The adopted Buckwalter PUD Concept Plan established eight Planning Tracts, which subsequently determine the allowed land uses for property within the PUD.

The applicant proposes to incorporate the property as a new Land Use Tract to be known as Saint Gregory the Great which will allow a mix of residential and limited commercial uses. These limited commercial uses are defined under the standards of

the Neighborhood Commercial land use category which allows a mix of uses including small scale commercial uses.

4. Section 3.8.3.C. Demonstration of innovative site planning techniques that improve upon the standards in other allowable Town of Bluffton zoning districts with the purpose of enhancing the Town of Bluffton's health, safety and welfare than which could be otherwise achieved through strict application of this Ordinance.

Finding: Staff finds that the proposed Concept Plan amendment demonstrates innovative site planning techniques that improve upon the standards in other allowable Town of Bluffton zoning districts with the purpose of enhancing the Town of Bluffton's health, safety and welfare than which could be otherwise achieved through strict application of this Ordinance.

5. Section 3.8.3.D. Compatibility of proposed land uses, densities, traffic circulation and design with adjacent land uses and environmental features, as well as the character of the surrounding area.

Finding: Staff finds that the proposed Concept Plan land uses, densities, traffic circulation and design are compatible with adjacent land uses, environmental features, and character of the surrounding area.

6. Section 3.8.3.E. Ability to be served by adequate public services, including, but not limited to, water, sanitary sewer, roads, police, fire, and school services. For developments that have the potential for significant impact on infrastructure and services the applicant shall be required to provide an analysis and mitigation of the impact on transportation, utilities, and community services.

Finding: Staff finds that the proposed Concept Plan amendment is able to be served by adequate public services, including, but not limited to, water, sanitary sewer, roads, police, fire, and school services.

Adequate facilities and allowances for all public services were provided for the greater Buckwalter PUD and its surrounding areas, including the Property for its current use as a church and school. All necessary utilities and roads are readily available to the property and consistent with prior planning for roads and infrastructure. Utility service providers such as Beaufort Jasper Water and Sewer Authority, Hargray, Palmetto Electric, and SCE&G provided the commitment to serve letters with the adoption of the initial Buckwalter Concept Plan and have confirmed their ability to serve the Property as shown in the letters provided as part of the application package. The Bluffton Township Fire District's Station 35 is immediately adjacent to the Property and currently serves the site. The Property is currently

served by the Beaufort County Sherriff's Office. Upon annexation, the Town of Bluffton police Department will serve the site and there is no anticipated need for additional officers based upon the applicant's proposal. Next, the church, school, restricted group residence, hotel, and commercial land uses would not increase enrollments for the Beaufort County School District to accommodate. However, there may be an increase in enrollments for the School District in the event some or all of the proposed 150 residential dwelling units were developed as unrestricted single-family or multi-family project. Beaufort County, Berkeley Hall, and the applicant worked together to provide for a frontage road through the Property providing access to two signalized intersections onto Fording Island Road.

7. Section 3.8.3.F. Conformance with adopted or accepted plans, policies, and practices of the Town of Bluffton.

Finding: Staff finds that the proposed Concept Plan amendment is in conformance with adopted or accepted plans, policies, and practices of the Town of Bluffton. Specifically, Town Staff has reviewed the Town of Bluffton Strategic Plan, Southern Beaufort County Regional Plan, Unified Development Ordinance, and the Bluffton Parkway Phase 4 Access Management Plan.

i. Town of Bluffton Strategic Plan:

Initially adopted on September 14, 2010, the Town of Bluffton Strategic Plan defines the Town's vision and needs to establish a long-term direction guided by identified goals, objectives, and actions.

The Goals and associated Objectives identified in the Town's Strategic Plan provide for an increase of the commercial tax base and striving for a sustainable Town balancing personal livability, environmental stewardship, economic opportunities, and community building.

In this regard, the proposed Concept Plan amendment meets these objectives by providing an additional 10.03 acres of commercial uses that, once developed, will provide for an increased commercial tax base for the Town. Further, commercial uses on the site would boost economic opportunities in the area while supporting the surrounding residential communities.

ii. Southern Beaufort County Regional Plan:

Adopted by the Town of Bluffton on July 12, 2006, the Southern Beaufort County Regional Plan assesses anticipated growth and its impacts over the next two

decades, and provide regional guidance for Beaufort County and local jurisdictions on how to address the impact of growth.

The Southern Beaufort County Regional Plan provides that the promotion a positive relationship of land uses to each other, including connections, pedestrian-friendliness, the encouragement of a mix of uses and higher-density development at identified nodes, and economic development at the appropriate locations are desirable regional goals.

In this regard, the proposed Concept Plan amendment meets these objectives by providing an additional 10.03 acres of commercial uses that, once developed, will provide for an increased commercial tax base for the Town and allow for higher density mixed-use development at the edge of a Village Place Type identified on the Town of Bluffton's Growth Framework Map.

iii. Unified Development Ordinance:

Adopted on October 11, 2011, the Unified Development Ordinance is intended to unify the subdivision, land use, and development/design regulations into a single set of integrated, updated, and streamlined standards while incorporating general watershed, natural resource, and open space protection principles that address land use, zoning, environmental protection, neighborhood development, affordable housing, economic development, and the Old Town Bluffton Historic District.

The site is identified as a preferred growth center, specifically a Village Place Type on the Growth Framework Map due to its close proximity to the Fording Island Road/Buckwalter Parkway intersection. This location is therefore best suited for a more intense land development scenario as a mixed-use area with moderate intensity and therefore supports proposed civic/institutional, residential, and commercial uses. In the future, this site will provide necessary essential services to the surrounding mixed-use areas, thereby furthering the Town's efforts to promote sustainable, compact, complete and connected neighborhoods.

8. Section 3.8.3.G. The application must comply with applicable requirements in the Applications Manual.

Finding: Staff finds that the proposed Concept Plan amendment is in conformance with the applicable requirements in the Applications Manual.

PLANNING COMMISSION RECOMMENDATION: Planning Commission has the authority to recommend the following to Town Council:

1. Recommend approval of the Applications as submitted by the Applicant;
2. Recommend approval of the Applications with conditions;
3. Table the Applications for additional information; or
4. Recommend denial of the Applications as submitted by the Applicant.

SCHEDULE: The proposed schedule for the applications is provided as Attachment 15.

ATTACHMENTS:

1. Annexation Petition
2. Applications
3. Illustrative Buckwalter PUD Concept Plan
4. Land Use Comparison Table
5. Town of Bluffton and Beaufort County Code Excerpts
6. Campus Master Plan for St. Gregory the Great
7. Aerial Location Map
8. Beaufort County Zoning Map
9. Area Map
10. Adjacent Property Owners Map
11. Future Annexation Map
12. Future Land Use Map
13. Bluffton Growth Framework Map
14. Cost Benefit Analysis
15. Schedule

STATE OF SOUTH CAROLINA) AMENDED PETITION FOR ANNEXATION
) TO
COUNTY OF BEAUFORT) THE TOWN OF BLUFFTON, SOUTH CAROLINA

TO THE HONORABLE MAYOR AND TOWN COUNCIL OF THE TOWN OF BLUFFTON, SOUTH CAROLINA

The undersigned petitioner, being the 100% freehold owner of the real property hereinafter described on Exhibit "A" attached hereto and made a part hereof being a 61.036 acre parcel of real property identified by Beaufort County Tax Map number **R600 022 000 0125 0000**, requests annexation into the Town of Bluffton, South Carolina and does hereby petition the Honorable Mayor and Town Council of the Town of Bluffton so as to become a part thereof pursuant to Section 5 – 3 – 150(3) of the South Carolina Code of Laws.

- 1. The property to be annexed is that described and set forth in Exhibit "A" attached hereto and made a part hereof (the "**Property**").
- 2. The Property comprises approximately 61.036 acres and is located on the northern side of U.S. Highway 278 across from the Buckwalter Planned Unit Development as shown on that certain boundary survey entitled "Boundary Survey Prepared for: St. Gregory the Great Catholic Church," dated December 19, 2019, prepared by Atlas Surveying, Inc., Jeremy W. Reeder, SCPLS # 28159.
- 3. The Property is adjacent to other lands within the Town of Bluffton.
- 4. The petitioner requests that the Property be zoned Buckwalter Planned Unit Development and Saint Gregory the Great Planning Area.

WHEREFORE, your petitioner prays that the Town of Bluffton agrees to accept this petition and annex the aforesaid described Property.

IN WITNESS WHEREOF, petitioner has hereunto set its hand and seal this 6th day of February, 2020.

WITNESSES:

Elaine H. Fowler
(Witness signs here)

Amelia S. Carr
(Witness signs here)

THE BISHOP OF CHARLESTON
A Corporation Sole

John L. Barker
By: John L. Barker
Its: Chief Financial Officer

EXHIBIT "A"

ALL that certain piece, parcel, and tract of land containing 63.12 acres, more or less, situate, lying and being in the Meggett Tract Section of Beaufort County, South Carolina, with said tract more specifically shown and described on a plat thereof entitled "A Boundary Plat of 63.12 Acres A Portion Of Tax Parcel 600-13-46 The Meggett Tract", prepared by Connor & Associates, Inc., certified by Matthew L. Crawford, S.C.R.L.S. No. 9756, dated November 14, 1997 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 63 at Page 9.

LESS AND EXCEPT that certain 0.33 acre parcel, more or less, shown as "Area of Acquisition" on that certain Title to Real Estate date February 11, 2011 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3040 at Page 2187.

LESS AND EXCEPT those certain "Frontage Roads" more particularly shown and described in that certain Deed of Right-of-Way in favor of Beaufort County, a political subdivision of the State of South Carolina dated December 14, 2015 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3460 at Pages 1928-1931.

LESS AND EXCEPT that certain 0.057 acre parcel, more or less, designated as "New Pump Station" on that certain plat of survey consisting of three (3) pages, entitled "A Subdivision and Utility/Access Easement Plat at St. Gregory the Great Sewer Expansion," prepared by Atlas Surveying Inc., certified by Mark Ellis Lamb, Sr., dated March 12, 2018 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 149 at Page 63.

TMS #: R600 022 000 0125 0000

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT) AMENDED PETITION FOR ANNEXATION
) TO
) THE TOWN OF BLUFFTON, SOUTH CAROLINA

TO THE HONORABLE MAYOR AND TOWN COUNCIL OF THE TOWN OF BLUFFTON,
SOUTH CAROLINA

The undersigned petitioner, being the 100% freehold owner of the real property hereinafter described on Exhibit "A" attached hereto and made a part hereof being a 0.057 acre parcel of real property identified by Beaufort County Tax Map number **R600 022 000 1120 0000**, requests annexation into the Town of Bluffton, South Carolina and does hereby petition the Honorable Mayor and Town Council of the Town of Bluffton so as to become a part thereof pursuant to Section 5 - 3 - 150(3) of the South Carolina Code of Laws.

1. The property to be annexed is that described and set forth in Exhibit "A" attached hereto and made a part hereof (the "Property").
2. The Property comprises approximately 0.057 acres and is located within the St. Gregory the Great Church and School Campus on the northern side of U.S. Highway 278 across from the Buckwalter Planned Unit Development.
3. The Property surrounded by a single parcel which is adjacent to other lands within the Town of Bluffton which is seeking annexation into the Town.
4. The petitioner requests that the Property be zoned Buckwalter Planned Unit Development and Saint Gregory the Great Planning Area.

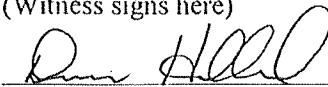
WHEREFORE, your petitioner prays that the Town of Bluffton agrees to accept this petition and annex the aforesaid described Property.

IN WITNESS WHEREOF, petitioner has hereunto set its hand and seal this 18 day of FEBRUARY, 2020.

WITNESSES:



(Witness signs here)



(Witness signs here)

BEAUFORT-JASPER WATER & SEWER
AUTHORITY



By: BRIAN CHEMSAK

Its: DIRECTOR OF ENGINEERING

EXHIBIT "A"

ALL that certain piece, parcel, and tract of land containing 0.057 acres, more or less, designated as "New Pump Station" on that certain plat of survey consisting of three (3) pages, entitled "A Subdivision and Utility/Access Easement Plat at St. Gregory the Great Sewer Expansion," prepared by Atlas Surveying Inc., certified by Mark Ellis Lamb, Sr., dated March 12, 2018 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 149 at Page 63.

TMS #: R600 022 000 1120 0000

EXHIBIT "A"

ALL that certain piece, parcel, and tract of land containing 63.12 acres, more or less, situate, lying and being in the Meggett Tract Section of Beaufort County, South Carolina, with said tract more specifically shown and described on a plat thereof entitled "A Boundary Plat of 63.12 Acres A Portion Of Tax Parcel 600-13-46 The Meggett Tract", prepared by Connor & Associates, Inc., certified by Matthew L. Crawford, S.C.R.L.S. No. 9756, dated November 14, 1997 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 63 at Page 9.

LESS AND EXCEPT that certain 0.33 acre parcel, more or less, shown as "Area of Acquisition" on that certain Title to Real Estate date February 11, 2011 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3040 at Page 2187.

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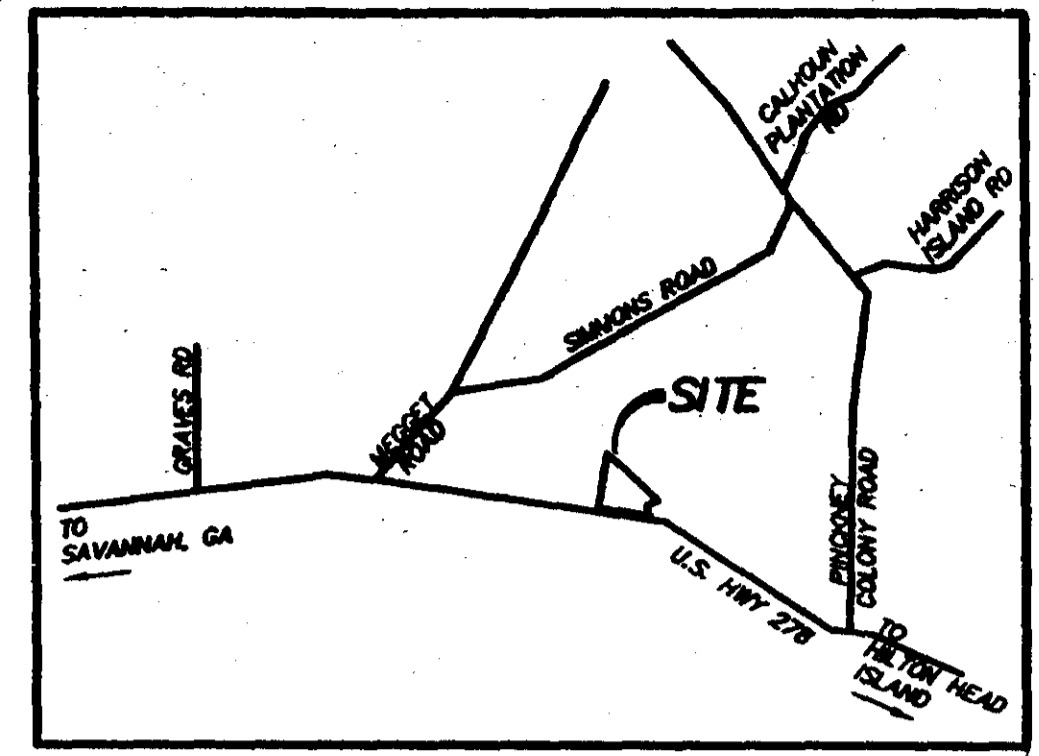
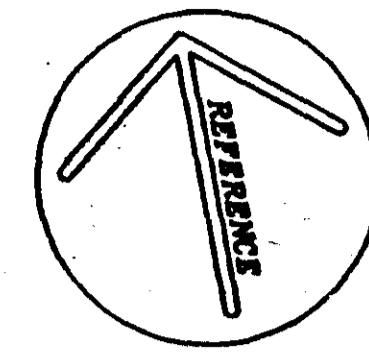
TMS #: R600 022 000 0125 0000

Exhibit C

Saint Gregory the Great Annexation

Plat Book 63 Page 9

FILED
 JOHN A. SULLIVAN-RMC
 BEAUFORT COUNTY, S.C.
 97 NOV 25 PM 4:52
 BK 63 PG 9
 FOLDER#



LINE	BEARING	LENGTH
L1	N37°44'39"E	44.67
L2	S89°30'23"E	200.96
L3	S60°17'18"E	194.78
L4	S37°46'01"W	150.09

CURVE	RADIUS	LENGTH	TANGENT	CHORD	CH. BRG.	DELTA
C1	1974.86	888.27	451.78	880.80	S73°10'24"E	25°46'16"

ACREAGE SUMMARY

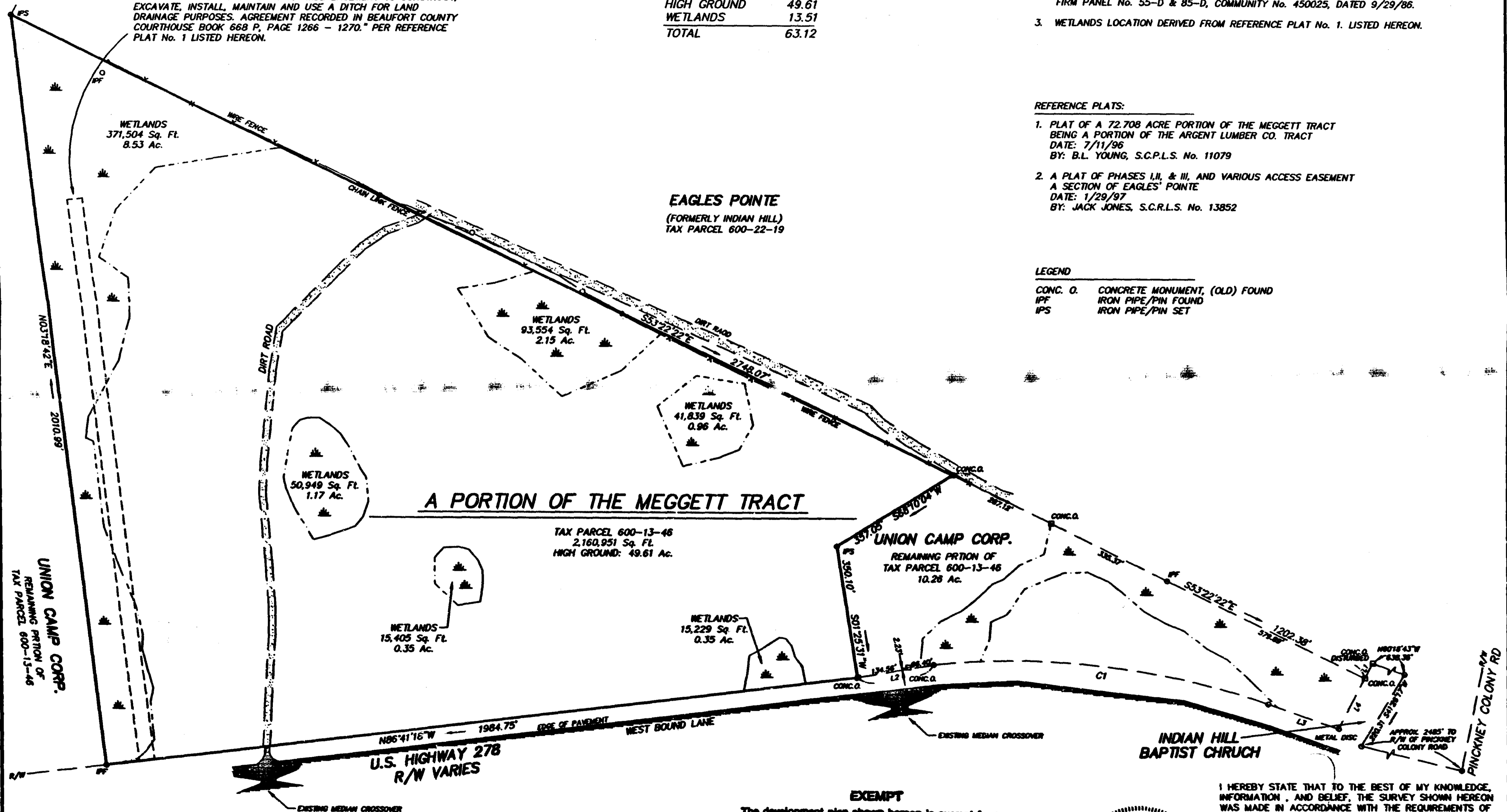
AREA	ACRES
HIGH GROUND	49.61
WETLANDS	13.51
TOTAL	63.12

- NOTES:
1. PREPARED FOR UNION CAMP CORPORATION.
 2. THIS LOT LIES IN FLOOD ZONE C, NOT A SPECIAL FLOOD HAZARD AREA PER FIRM PANEL No. 55-D & 85-D, COMMUNITY No. 450025, DATED 9/29/86.
 3. WETLANDS LOCATION DERIVED FROM REFERENCE PLAT No. 1. LISTED HEREON.

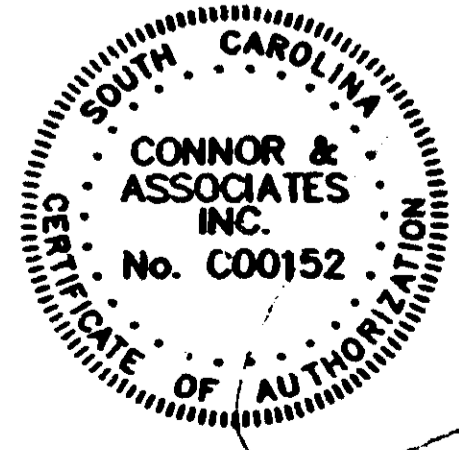
- REFERENCE PLATS:
1. PLAT OF A 72.708 ACRE PORTION OF THE MEGGETT TRACT BEING A PORTION OF THE ARGENT LUMBER CO. TRACT
 DATE: 7/11/96
 BY: B.L. YOUNG, S.C.P.L.S. No. 11079
 2. A PLAT OF PHASES I, II, & III, AND VARIOUS ACCESS EASEMENT A SECTION OF EAGLES' POINTE
 DATE: 1/29/97
 BY: JACK JONES, S.C.R.L.S. No. 13852

- LEGEND
- CONC. O. CONCRETE MONUMENT, (OLD) FOUND
 - IPF IRON PIPE/PIN FOUND
 - IPS IRON PIPE/PIN SET

"APPROXIMATE LOCATION OF A 40' WIDE EASEMENT TO CONSTRUCT, EXCAVATE, INSTALL, MAINTAIN AND USE A DITCH FOR LAND DRAINAGE PURPOSES. AGREEMENT RECORDED IN BEAUFORT COUNTY COURTHOUSE BOOK 668 P. PAGE 1266 - 1270." PER REFERENCE PLAT No. 1 LISTED HEREON.



EXEMPT
 The development plan shown hereon is exempt from the requirements of the Beaufort County Development Standards Ordinance according to the provisions of Article 2, Section 2.1.1(d).
 Certified by: [Signature]
 Date: 11/25/97
 Beaufort County Development Review Team



I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING BY SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.

MAURICE M. CRAWFORD
 S.P.L.S. No. 9756
 NOT VALID UNLESS CRIMPED WITH SEAL.

CONNOR AND ASSOCIATES, INC.
 engineers • planners • surveyors
 P.O. BOX 381
 BLUFFTON, SOUTH CAROLINA 29910
 PH (803) 657-2660 / FAX (803) 657-2666

A BOUNDARY PLAT OF
63.12 ACRES
 A PORTION OF TAX PARCEL 600-13-46
 THE MEGGETT TRACT
 U.S. HIGHWAY 278
 BLUFFTON TOWNSHIP, BEAUFORT COUNTY, SOUTH CAROLINA

FIELD CHECK: []
 OFFICE CHECK: [] RJM
 DRAWN BY: [] LAM
 DATE: 11/14/97
 SCALE: 1"=200'
 PROJECT No.: SAP-002A
 FILE: SAP02A.dwg

SHEET
 1
 OF
 1

5/8" RBS W/CAP

5/8" RBS W/CAP

1,253.11'

N/F EAGLES POINT GOLF COURSE LLC
TMS R600 022 000 0019 0000

N/F EAGLE'S POINT HOMEOWNER'S ASSOC INC
TMS R600 022 000 0055 0000

N/F EAGLES POINT GOLF COURSE LLC
TMS R600 022 000 0019 0000

N/F BERKELEY HALL CLUB INC
TMS R600 013 000 0046 0000

N/F THE BISHOP OF CHARLESTON
TMS R600 022 000 0125 0000
2,658,736.29 Sq.Ft.
61,036 Ac.

N/F BLUFFTON TOWNSHIP FIRE DISTRICT
TMS R600 022 000 0316 0000

PREPARED FOR:
ST. GREGORY THE GREAT CATHOLIC CHURCH
A BOUNDARY SURVEY OF
ST. GREGORY THE GREAT CATHOLIC CHURCH
TAX PARCEL No. R600 022 000 0125 0000

THE TOWN OF BLUFFTON
BEAUFORT COUNTY, SOUTH CAROLINA

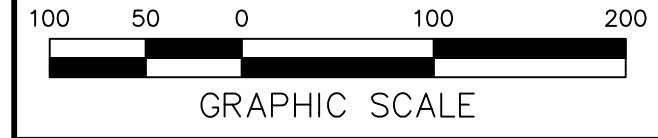
FIELD WORK: N/A
FIELD CHECK: N/A
DRAWN BY: JWF
DATE: 02-17-2025
SCALE: 1"=100'
PROJECT NO.: 871-1705
FILE: 871-1705 B10WG

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.



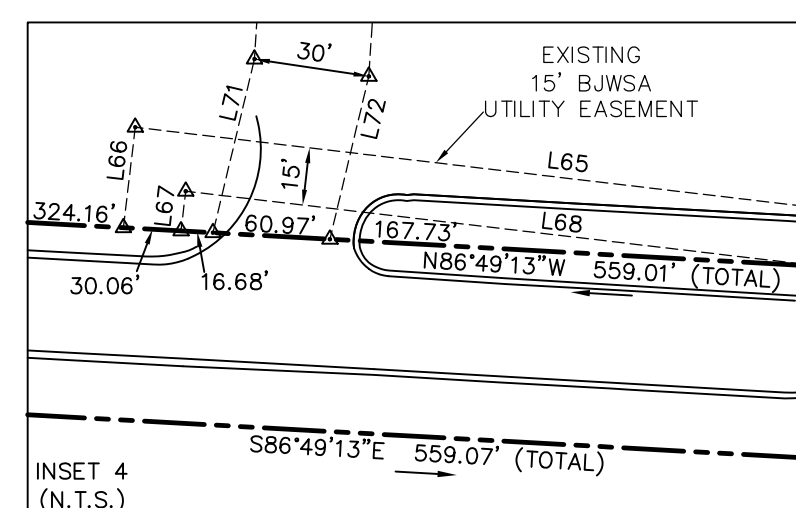
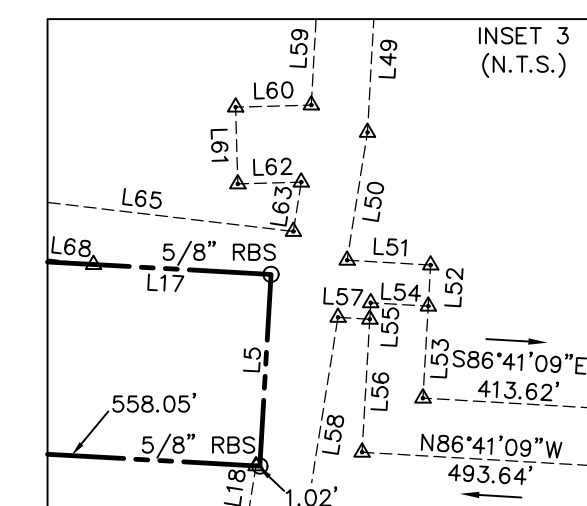
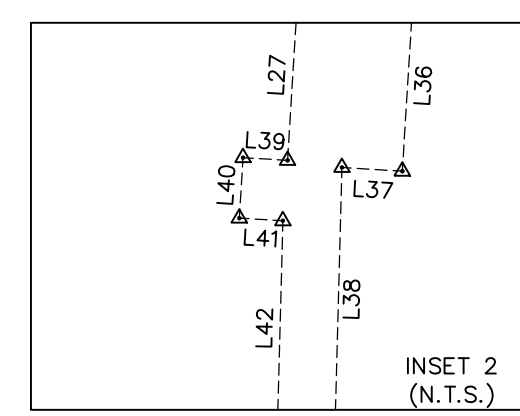
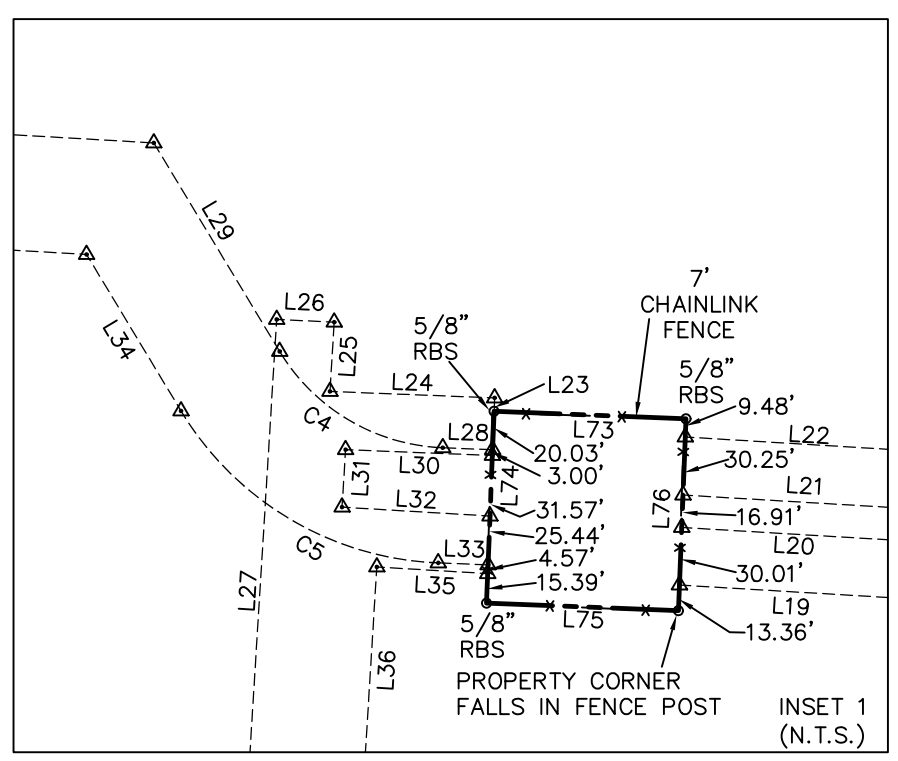
JEREMY W. WEIDER
S.C.P.L.S. No. 28139
NOT VALID UNLESS CRIMPED WITH SEAL

ATLAS SURVEYING, INC.
49 BROWN'S COVE ROAD, SUITE #5
RIDGELAND, SC 29936
PHONE: (843) 645-9277
WEBSITE: WWW.ATLASSURVEYING.COM



CURVE TABLE				
LABEL	RADIUS	ARC CHORD	CHORD BEARING	DELTA
C1	525.00	452.15	438.31	N62°00'58" W 49°20'44"
C2	475.00	415.90	402.74	S61°36'18" E 50°10'00"
C3	475.00	37.50	37.49	S34°15'35" E 4°31'26"
C4	82.00	51.40	49.33	S59°25'56" E 56°38'00"
C5	82.00	81.05	77.79	S59°25'56" E 56°38'00"
C6	165.00	135.32	131.56	N27°10'32" E 46°59'19"
C7	135.00	110.74	107.66	N27°10'32" E 46°59'19"
C8	170.03	62.58	62.23	N19°31'52" W 21°05'21"
C9	140.03	52.18	51.87	N20°56'42" W 21°20'55"
C10	165.00	105.22	103.45	N33°18'07" W 36°32'15"
C11	135.00	86.09	84.64	N33°18'07" W 36°32'15"
C12	104.96	102.04	98.07	N24°12'35" W 55°42'12"
C13	134.96	131.07	125.98	N24°10'51" W 55°38'44"

LINE TABLE		
LABEL	BEARING	DISTANCE
L1	N89°11'45" E	8.79
L2	N03°12'22" E	12.53
L3	S02°03'53" W	5.09
L4	N03°23'22" E	50.75
L5	N03°18'42" E	50.00
L6	N03°23'22" E	98.92
L7	N86°36'54" W	30.02
L8	S03°23'29" W	99.03
L9	N86°49'13" W	21.09
L10	S01°36'04" W	17.36
L11	S53°28'42" W	31.59
L12	S03°18'42" W	50.00
L13	S38°31'15" E	60.80
L14	N03°28'02" E	65.79
L15	N03°28'02" E	65.78
L16	N86°41'09" W	10.00
L17	N86°49'13" W	51.76
L18	N09°03'11" E	47.82
L19	N86°35'01" W	113.59
L20	N86°35'01" W	128.90
L21	S86°38'01" E	136.01
L22	S86°31'44" E	127.91
L23	S02°15'04" W	3.48
L24	S87°44'56" E	42.91
L25	S03°31'49" W	18.06
L26	S87°11'57" E	15.00
L27	N03°31'49" W	254.49
L28	S87°44'56" E	12.98
L29	S31°06'56" E	63.42
L30	S87°44'56" E	38.23
L31	N03°31'49" W	14.99
L32	N86°34'28" W	38.59
L33	S87°44'56" E	12.98
L34	S31°06'56" E	47.61
L35	N86°35'01" W	28.93
L36	S03°31'49" W	192.73
L37	N86°28'11" W	15.76
L38	S01°31'25" W	169.77
L39	S86°28'47" E	11.62
L40	N03°31'49" W	15.78
L41	N86°28'47" W	11.37
L42	N01°31'25" E	148.07
L43	S89°24'52" E	10.18
L44	N03°35'06" E	15.00
L45	N89°24'52" W	3.71
L46	S86°59'06" E	12.83
L47	S03°00'54" W	15.00
L48	N86°59'06" W	12.88
L49	S03°10'56" W	127.73
L50	S09°03'11" W	33.71
L51	S86°42'51" E	21.79
L52	S03°18'51" W	10.73
L53	S03°18'51" W	23.98
L54	N86°41'09" W	15.00
L55	S03°18'51" W	4.28
L56	N03°18'51" W	34.70
L57	N86°42'51" W	8.29
L58	S09°03'11" W	87.87
L59	N03°10'56" E	436.17
L60	N88°23'58" E	19.70
L61	N01°36'02" W	20.00
L62	S86°23'58" W	16.52
L63	N09°03'11" E	12.99
L64	S86°49'13" W	30.03
L65	S83°16'07" E	238.86
L66	N08°43'53" E	26.34
L67	S06°43'53" W	10.41
L68	N83°16'07" W	167.73
L69	N03°38'30" E	71.18
L70	N03°38'30" E	73.78
L71	N1°22'55" E	46.47
L72	N1°22'55" E	43.62
L73	N87°44'56" W	50.00
L74	S02°15'04" W	50.00
L75	S87°44'56" E	50.00
L76	N02°15'04" E	50.00
L77	S03°23'29" W	58.13
L78	S86°49'13" E	21.07
L79	N03°22'39" E	57.77
L80	N85°47'05" W	21.06



VICINITY MAP NOT TO SCALE

- LEGEND
- RFB ● IRON REBAR FOUND
 - CMF ■ CONC. MONUMENT FOUND
 - ▲ CALC POINT - CORNER NOT SET
 - RBS ○ IRON REBAR SET
 - PKS ○ PK NAIL SET
 - RWMF ■ RIGHT-OF-WAY CONC. MONUMENT FOUND
 - IPF ● IRON PIPE FOUND
 - N.T.S. NOT TO SCALE
 - POWER POLE
 - × GUY WIRE
 - OP — OVERHEAD POWER LINE
 - ////// EDGE OF PAVEMENT

- NOTES
1. THIS PARCEL APPEARS TO LIE IN FLOOD ZONE C, FIRM PANEL 0055-D AND 0085-D COMMUNITY 450025.
 2. HORIZONTAL DATUM IS SOUTH CAROLINA STATE PLANE GRID (NAD 83).
 3. PONDS WERE SCALED IN PER GOOGLE EARTH. APPROXIMATE POND AREA CALCULATIONS IS TO THE TOP OF BANK.

- REFERENCES
1. A BOUNDARY PLAT OF 63.12 ACRES, A PORTION OF TAX PARCEL 600-13-46, THE MEGGETT TRACT, PLAT BOOK 63 PAGE 9, DATE: 11-14-97, BY: MATTHEW M. CRAWFORD, S.C.R.L.S. No. 9756
 2. A SUBDIVISION PLAT OF PHASE III, A SECTION OF EAGLE'S POINT, PLAT BOOK 78 PAGE 73, DATE: 01-15-01, BY: MACK W. THOMAS III, S.C.R.L.S. No. 14531
 3. A CAD FILE BY WARD EDWARDS FOR PARISH LIFE CENTER - PHASE 1 UTILITIES RECEIVED ON 2-21-18.
 4. AN EASEMENT PLAT OF ST. GREGORY THE GREAT SEWER EXPANSION DATED 03-12-18 PLAT BOOK: 149 PAGE: 63, BY: MACK ELLIS LAMB S.C.P.L.S. No. 23200
 5. A RIGHT-OF-WAY EXHIBIT OF SAINT GREGORY CATHOLIC CHURCH, BY ATLAS SURVEYING, DATED: 12-10-15.

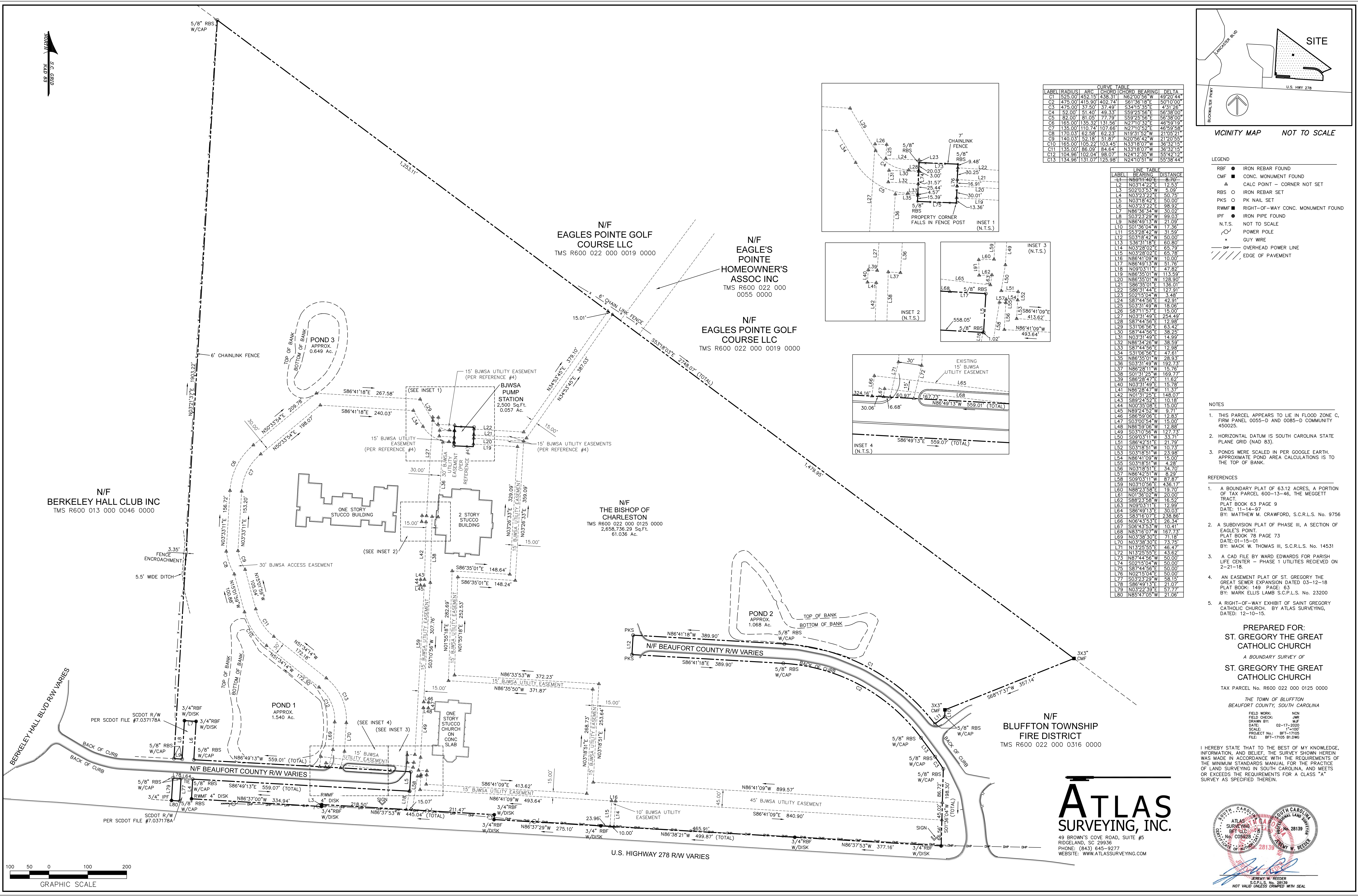


Exhibit D

Saint Gregory the Great Annexation

Title to Real Estate to South Carolina Department of Transportation

Book 3040 Page 2187

3/10 AB
SCDOT
7605

THE STATE OF SOUTH CAROLINA

COUNTY OF BEAUFORT

TITLE TO REAL ESTATE
Approximate Survey Station

Road/Route U. S. 278
File 7.037178A
Item _____
Project EM08(006)
PIN 37178 RD01
Tract 42

BEAUFORT COUNTY SC- ROD
BK 03040 PGS 2187-2189
DATE: 03/02/2011 11:44:09 AM
INST # 2011010755 RCPT# 641874

514+00 To 539+00 LT

To _____

To _____

KNOW ALL MEN BY THESE PRESENTS, That Bishop of Charleston, a Corporation Sole ("Grantor"), 1662 Ingram Road, Charleston, South Carolina 29407 in consideration of the sum of One Hundred Thousand and No/100 Dollars (\$100,000.00) and other valuable consideration to it in hand paid at and before the sealing and delivering thereof, by the South Carolina Department of Transportation, Columbia, South Carolina, receipt of which is hereby acknowledged, have, subject to the exceptions set forth below, granted, bargained, sold and released, and by these presents do grant, bargain, sell and release, unto the said South Carolina Department of Transportation, its successors and assigns, all that certain real property of the Grantor described below that is owned in fee simple absolute From S.C. Rte. 170 To: Near Rd. S-474 on U. S. Route 278, State and County aforesaid, as shown on plans prepared by the South Carolina Department of Transportation and dated August 12, 2009.

SPECIAL PROVISIONS: Notwithstanding anything to the contrary herein, the within conveyance and the consideration given is only for that parcel of land containing 0.327 acre, more or less, and all improvements thereon (including Grantor's sign), owned by Grantor and shown as the "Area of Acquisition" on Exhibit A attached hereto and made a part hereof. This conveyance is made subject to all easements, covenants and restrictions of record and all matters shown on surveys of record or that would be reflected on a current survey. This being a portion of the property acquired from Union Camp Corporation by deed dated December 26, 1997, and recorded December 29, 1997 in Deed Book 994, Page 412 in the records for Beaufort County and shown as Tax Map No. R600-022-000-0125-0000.

Together with, all and singular, the rights, members, hereditaments and appurtenances thereunto belonging, or in any wise incident or appertaining.

And I (or we) do hereby bind myself (or ourselves), my (or our) heirs, executor and administrators, to warrant and forever defend all and singular said premises unto said South Carolina Department of Transportation, its successors and assigns, against myself (or ourselves) and my (or our) heirs and against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

TO HAVE AND TO HOLD in fee simple, absolute and singular the said property and the rights hereinbefore granted, unto the said South Carolina Department of Transportation, its successors and assigns forever.

IN WITNESS WHEREOF, I (or we) have hereunto set my (or our) hand(s) and seal(s) this 8th day of February, 2011, in the year of our Lord, Two Thousand and _____
Signed, sealed and delivered in the presence of:

BISHOP OF CHARLESTON, A CORPORATION SOLE

Claine H. Fowler
1st Witness
Amelia E. Strickland
2nd Witness

John Z. Barker
BY: _____ (L.S.)
Chief Financial Officer
ITS: _____ (L.S.)

NOTE: All right of way agreements must be in writing and are subject to rejection by the South Carolina Department of Transportation.

THE STATE OF SC
COUNTY OF Charleston } SS

Personally appeared before me the undersigned witness and made oath that she/he saw the within named sign, seal and as their act and deed, deliver the within written instrument; and that she/he with the other witness whose signature appears above witnessed the execution thereof.

Claine H. Fowler
1st Witness

SWORN to before me this 8th
day of February, 20 11

Amelia E. Strickland
NOTARY PUBLIC FOR South Carolina
My Commission Expires: 1-23-2017

RECORDED
2011 Mar -25 09:34 AM
Sharon P. Burris
BEAUFORT COUNTY AUDITOR

Title approved by the South Carolina Department of Transportation

GRANTEE'S ADDRESS: SCDOT, Director, Rights of Way, P.O. Box 191, Columbia, SC 29202-0191

Checked 2/18/11 By CPC
Recorded _____ By _____
Project _____ File No. _____

Tract 42

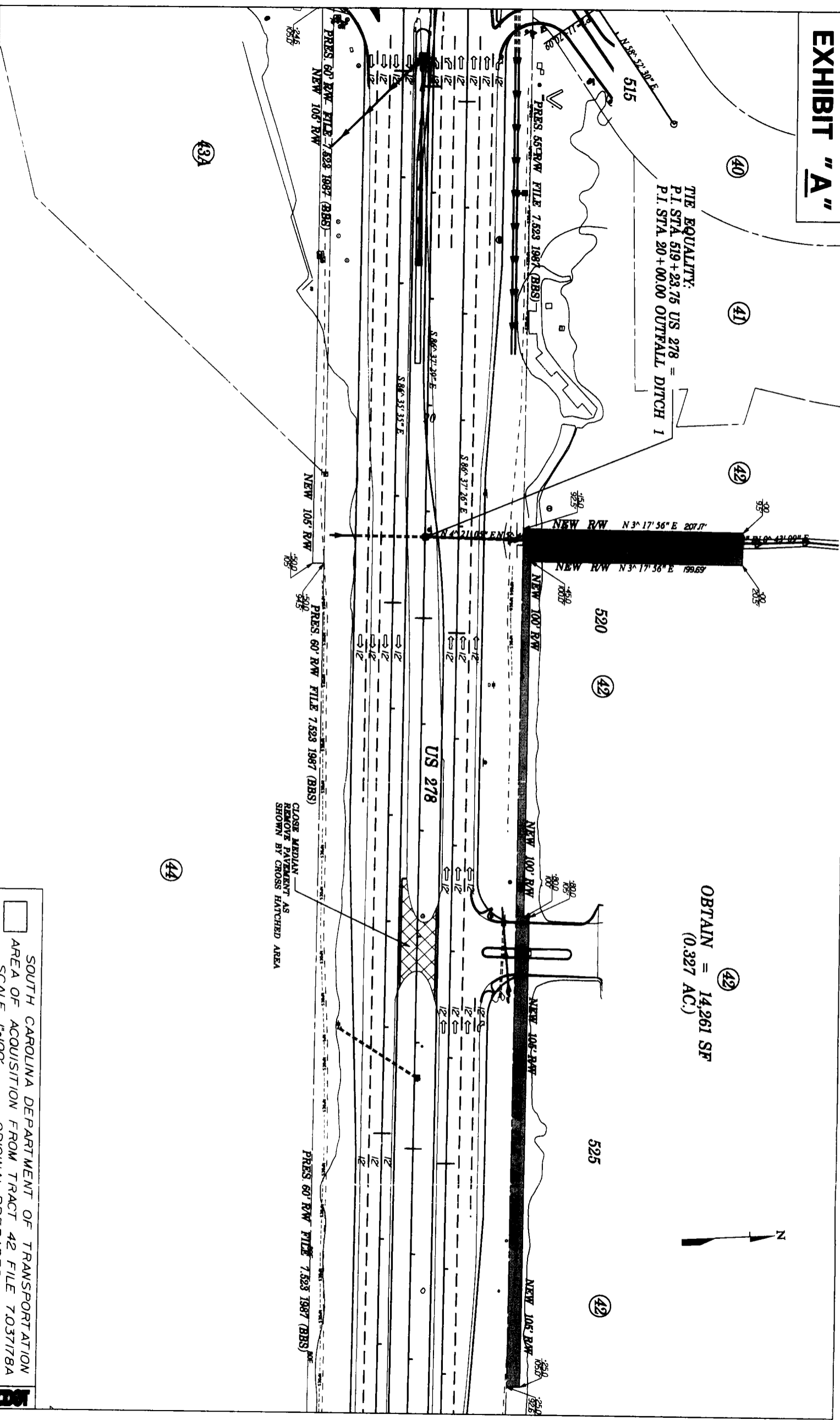
JUL 14 2011

PAYMENT REQUESTED

EXHIBIT "A"

THE EQUALITY:
 P.I. STA 519+23.75 US 278 =
 P.I. STA 20+00.00 OUTFALL DITCH 1

OBTAIN = 14,261 SF
 (0.327 AC.)



SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION
 AREA OF ACQUISITION FROM TRACT 42 FILE 7.037178A
 SCALE 1"=100'
 ORIGINAL PREPARED 4/1/2010

STATE OF SOUTH CAROLINA

COUNTY OF BEAUFORT

Road/Route **US 278**
File **7.037178A**
Item
Project **EM08(006)**
PIN **37178 RD01**

)
)
)
)
)
)
)
)
)
)
)

AFFIDAVIT


PERSONALLY appeared before me the undersigned, being duly sworn, deposes and says:

Property located on the above road or route, bearing a portion of Tax Map Number **R60002200001250000** in **BEAUFORT COUNTY**, was transferred by **Bishop of Charleston, a Corporation Sole** to the South Carolina Department of Transportation on **February 8, 2011**.

The above transaction is exempt, or partially exempt from the recording fee as set forth in S. C. Code Ann. Section 12-24-10 et.seq. because the deed is transferring realty to the State, its agencies and departments, and its political subdivisions, including school districts (Section 12-24-40(2).)

As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as Right of Way Agent for the South Carolina Department of Transportation.

I further understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.


Responsible Person Connected with the Transaction

SWORN to before me this 16th

day of February, 2011

Bill M. Syner

NOTARY PUBLIC FOR South Carolina

My Commission Expires January 29, 2017

Exhibit E

**Saint Gregory the Great Annexation
Deed of Right-of-Way to Beaufort County**

Book 3460 Page 1928

EXHIBIT A

RIGHT-OF-WAY 1 (WEST ROAD)

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SHOWN AS "THE BISHOP OF CHARLESTON TMS #R600-022-000-0125-0000 - PROPOSED R/W 1" AND BEING SHOWN AND DESIGNATED ON A RIGHT-OF-WAY EXHIBIT OF SAINT GREGORY CATHOLIC CHURCH PREPARED FOR WARD EDWARDS BY WILLIAM H. GRAY, JR. OF ATLAS SURVEYING, INC. DATED DECEMBER 10, 2015, COMMENCING AT AN IRON PIN ALONG THE NORTHERN RIGHT-OF-WAY OF U.S. HIGHWAY 278, BEING LABELED AS POINT OF COMMENCEMENT LABELED "POB 1", THENCE RUNNING N03°23'29"E FOR A DISTANCE OF 58.15' TO A POINT (BEING THE POINT OF BEGINNING); THENCE RUNNING N86°49'13"W FOR A DISTANCE OF 21.31' TO A POINT; THENCE RUNNING N03°18'42"E FOR A DISTANCE OF 50.00' TO A POINT; THENCE RUNNING S86°49'13"E FOR A DISTANCE OF 21.38' TO A POINT; THENCE RUNNING S86°49'13"E FOR A DISTANCE OF 30.03' TO A POINT; THENCE RUNNING S86°49'13"E FOR A DISTANCE OF 559.01' TO A POINT; THENCE RUNNING S03°18'42"W FOR A DISTANCE OF 50.00' TO A POINT; THENCE RUNNING N86°49'13"W FOR A DISTANCE OF 559.07' TO A POINT; THENCE RUNNING N03°23'22"E FOR A DISTANCE OF 50.00' TO A POINT; THENCE RUNNING N86°49'13"W FOR A DISTANCE OF 30.03' TO A POINT; THENCE RUNNING S03°23'29"W FOR A DISTANCE OF 50.00' TO A POINT; THENCE RUNNING S03°23'29"W FOR A DISTANCE OF 58.15' TO THE POINT OF BEGINNING. LESS AND EXCEPTING THE 50.00' (THE WIDTH OF THE ROAD) BY 30.03' STRIP OF LAND APPROXIMATELY 21.3' FROM THE WESTERN BOUNDARY OF SAID R/W 1 THAT WAS DEEDED TO THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION BY DEED DATED FEBRUARY 8, 2011 AND RECORDED MARCH 2, 2011 IN BOOK 03040, PAGE 2187 IN THE ROD OFFICE OF BEAUFORT COUNTY, SOUTH CAROLINA.

RIGHT-OF-WAY 2 (EAST ROAD)

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND AS SHOWN AS "THE BISHOP OF CHARLESTON TMS #R600-022-000-0125-0000 - PROPOSED R/W 2" AND BEING SHOWN AND DESIGNATED ON A RIGHT-OF-WAY EXHIBIT OF SAINT GREGORY CATHOLIC CHURCH PREPARED FOR WARD EDWARDS BY WILLIAM H. GRAY, JR. OF ATLAS SURVEYING, INC. DATED DECEMBER 10, 2015, COMMENCING AT A CONCRETE MONUMENT (3" CMF) (OFFSET 1.5') AT THE INTERSECTION OF "BLUFFTON TOWNSHIP FIRE DISTRICT" (TMS R600 022 000 0316 0000) AND THE PROPERTY OF GRANTOR, THENCE RUNNING S01°25'31"W FOR A DISTANCE OF 18.40' TO A POINT, BEING LABELED AS "POB 2" (BEING THE POINT OF BEGINNING); THENCE RUNNING S01°25'31"W FOR A DISTANCE OF 136.24' TO A POINT; THENCE RUNNING ALONG A CURVE WITH AN ARC LENGTH OF 39.16', HAVING A RADIUS OF 475.00' AND A LONG CHORD OF N34°09'35"W 39.15' TO A POINT; THENCE RUNNING N36°31'18"W FOR A DISTANCE OF 60.80' TO A POINT; THENCE RUNNING ALONG A CURVE WITH AN ARC LENGTH OF 415.90', HAVING A RADIUS OF 475.00' AND A LONG CHORD OF N61°36'18"W 402.74' TO A POINT; THENCE RUNNING N86°41'18"W FOR A DISTANCE OF 389.90' TO A POINT; THENCE RUNNING N03°18'42"E FOR A DISTANCE OF 50.00' TO A POINT; THENCE RUNNING S86°41'18"E FOR A DISTANCE OF 389.90' TO A POINT; THENCE RUNNING ALONG A CURVE WITH AN ARC LENGTH OF 452.15', HAVING A RADIUS OF 525.00' AND A LONG CHORD OF N62°00'56"W 438.31' TO A POINT; THENCE RUNNING N53°28'42"E FOR A DISTANCE OF 32.22' TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED RIGHTS-OF-WAY ARE A PORTION OF TMS #R600-022-000-0125-0000 AND ARE ALSO SHOWN ON EXHIBIT A-1 ATTACHED.

DERIVATION: THIS BEING THE SAME PROPERTY CONVEYED TO BISHOP OF CHARLESTON, A CORPORATION SOLE BY DEED OF UNION CAMP CORPORATION DATED DECEMBER 26, 1997 AND RECORDED DECEMBER 29, 1997 IN DEED BOOK 994, PAGE 412 IN THE ROD OFFICE OF BEAUFORT COUNTY, SOUTH CAROLINA.

DK

Exhibit F

Saint Gregory the Great Annexation

Beaufort-Jasper Water and Sewer Authority Annexation Petition

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

PETITION FOR ANNEXATION
TO
THE TOWN OF BLUFFTON, SOUTH CAROLINA

TO THE HONORABLE MAYOR AND TOWN COUNCIL OF THE TOWN OF BLUFFTON,
SOUTH CAROLINA

The undersigned petitioner, being the 100% freehold owner of the real property hereinafter described on Exhibit "A" attached hereto and made a part hereof being a 0.057 acre parcel of real property identified by Beaufort County Tax Map number **R600 022 000 1120 0000**, requests annexation into the Town of Bluffton, South Carolina and does hereby petition the Honorable Mayor and Town Council of the Town of Bluffton so as to become a part thereof pursuant to Section 5 – 3 – 150(3) of the South Carolina Code of Laws.

1. The property to be annexed is that described and set forth in Exhibit "A" attached hereto and made a part hereof (the "Property").
2. The Property comprises approximately 0.057 acres and is located within the St. Gregory the Great Church and School Campus on the northern side of U.S. Highway 278 across from the Buckwalter Planned Unit Development.
3. The Property surrounded by a single parcel which is adjacent to other lands within the Town of Bluffton which is seeking annexation into the Town.
4. The petitioner requests that the Property be zoned General Mixed Use with 0.057 acres of General Mixed Use density.

WHEREFORE, your petitioner prays that the Town of Bluffton agrees to accept this petition and annex the aforesaid described Property.

IN WITNESS WHEREOF, petitioner has hereunto set its hand and seal this 1 day of July, 2019.

WITNESSES:

Lauren B. Bute

(Witness signs here)

Shirley E. McLean
(Witness signs here)

BEAUFORT-JASPER WATER & SEWER
AUTHORITY

By: B. Chemsaf
Its: DIRECTOR OF ENGINEERING



6 SNAKE ROAD, OKATIE, SC 29909-3937
Phone 843.987.8100 | Fax 843.548.0096
Customer Service 843.987.9200
Operations & Maintenance 843.987.8046
Engineering 843.987.8065
www.bjwsa.org

Our mission: Inspire trust and enhance public health

JOE MANTUA, PE, GENERAL MANAGER
843.987.8044 (o) | 843.540.4002 (c)

July 1, 2019

Planning Commission and
Town Council of the Town of Bluffton

Re: Petition for Annexation – Saint Gregory the Great Catholic Church Campus BJWSA
Pump Station Site – Beaufort County Tax Map R600 022 000 1120 0000

Dear Ladies and Gentlemen:

Please let this letter serve to evidence the authorization by the owner of the property identified above for the Bishop of Charleston, a Corporation sole, to submit a Petition for Annexation (100% Petition Method), Application for Zoning Map Amendment and Amendment to the Town Comprehensive Plan and any related or associate applications necessary and appropriate to accomplish the proposed annexation of the above referenced parcel.

Sincerely,


Brian Chemsak, PE

DONNA L. ALTMAN
CHAIR

JIMMY BAKER
GREGORY A. PADGETT
DR. WILLIAM SINGLETON

MICHAEL L. BELL
VICE-CHAIR

LORRAINE W. BOND
R. THAYER RIVERS, JR
VACANCY

DONALD A. MANSON
SECRETARY/TREASURER

BRANDY M. GRAY
GERALD H. SCHULZE

Exhibit G

Saint Gregory the Great Annexation

Beaufort-Jasper Water and Sewer Authority Property Description

EXHIBIT "A"

ALL that certain piece, parcel, and tract of land containing 0.057 acres, more or less, designated as "New Pump Station" on that certain plat of survey consisting of three (3) pages, entitled "A Subdivision and Utility/Access Easement Plat at St. Gregory the Great Sewer Expansion," prepared by Atlas Surveying Inc., certified by Mark Ellis Lamb, Sr., dated March 12, 2018 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 149 at Page 63.

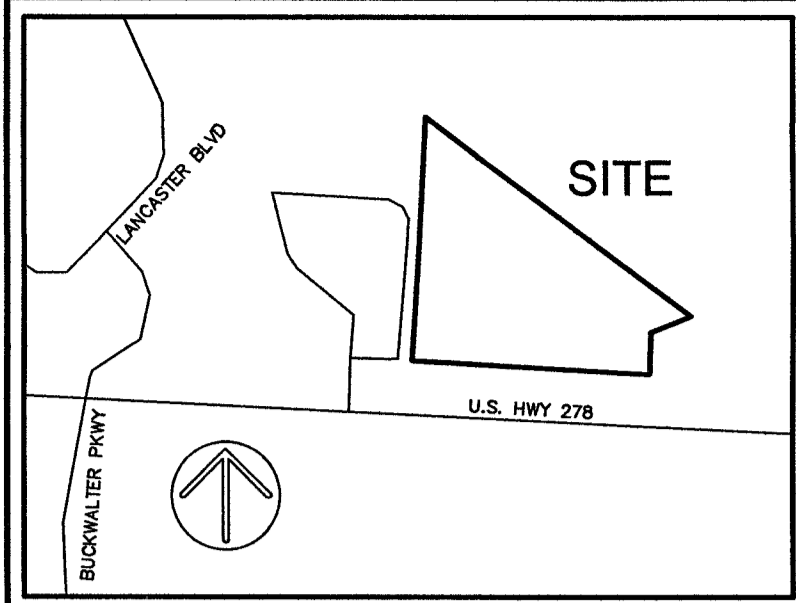
TMS #: R600 022 000 1120 0000

Exhibit H

Saint Gregory the Great Annexation

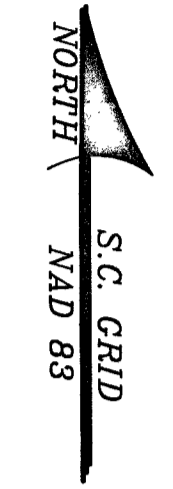
Beaufort-Jasper Water and Sewer Authority

Plat Book 149 Page 63



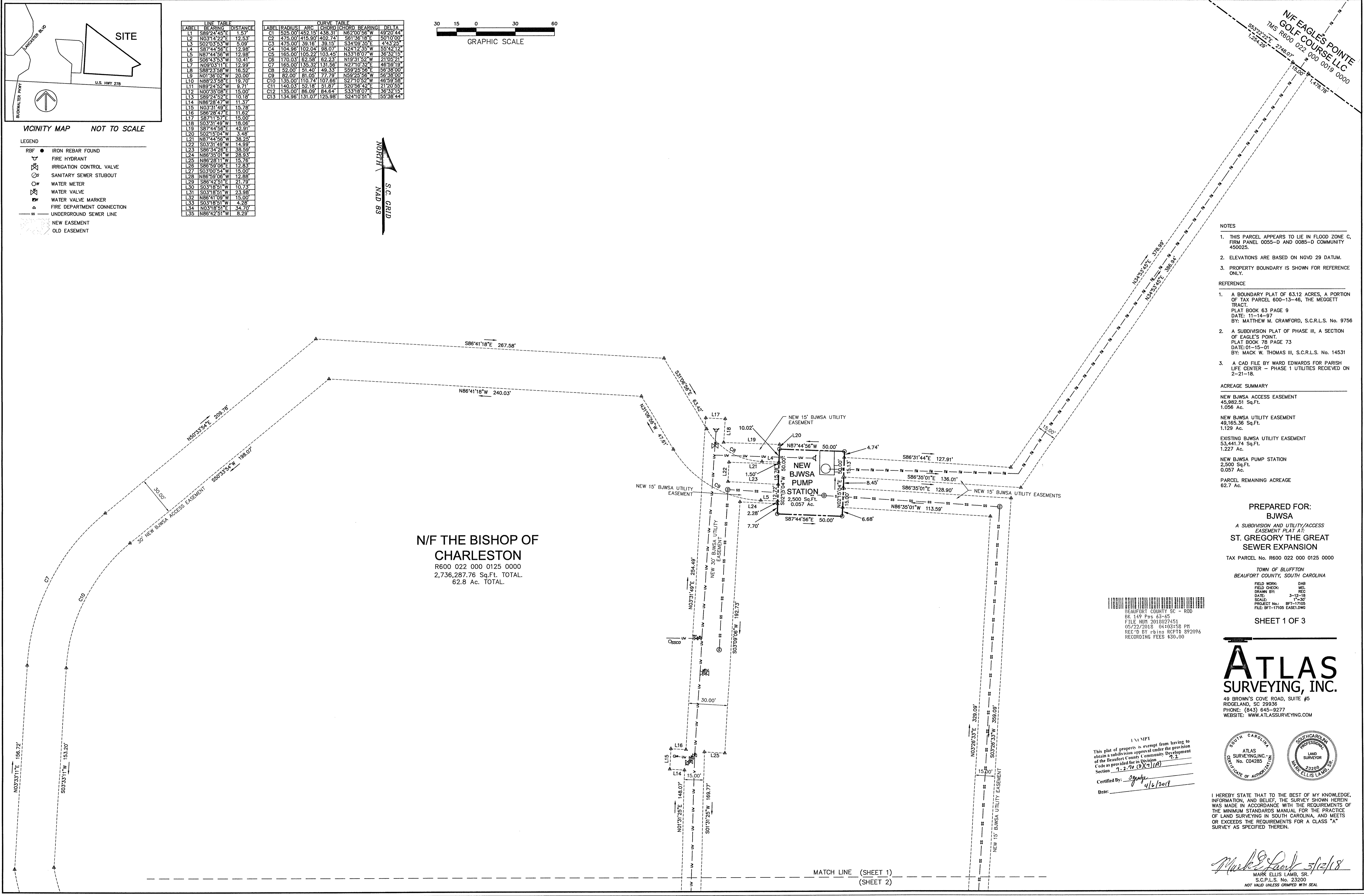
LINE TABLE		
LABEL	BEARING	DISTANCE
L1	S89°24'45"E	1.57
L2	N03°14'22"E	12.53
L3	S02°03'53"W	5.09
L4	S87°44'56"E	12.98
L5	N87°44'56"W	12.98
L6	S06°43'53"W	10.41
L7	N09°03'11"E	12.99
L8	S86°23'58"W	16.52
L9	N01°36'02"W	20.00
L10	N88°23'58"E	19.70
L11	N89°24'52"E	9.71
L12	N00°35'08"E	15.00
L13	S89°24'52"E	10.18
L14	N86°28'47"W	11.37
L15	N03°31'49"E	15.78
L16	S86°28'47"E	11.62
L17	S87°11'57"E	15.00
L18	S03°31'49"W	18.08
L19	S87°44'56"E	42.91
L20	S02°15'04"W	3.48
L21	N87°44'56"W	38.25
L22	S03°31'49"W	14.99
L23	S86°34'26"E	38.59
L24	N86°35'01"W	28.93
L25	N86°28'11"W	15.76
L26	S86°59'06"E	12.83
L27	S03°00'54"W	15.00
L28	N86°59'06"W	12.88
L29	S86°42'51"E	21.79
L30	S03°18'51"W	10.73
L31	S03°18'51"W	23.98
L32	N86°41'09"W	15.00
L33	S03°18'51"W	4.28
L34	N03°18'51"E	34.70
L35	N86°42'51"W	8.29

CURVE TABLE					
LABEL	RADIUS	ARC CHORD	CHORD BEARING	DELTA	
C1	925.00	452.13	438.31	N62°00'56"W	49°20'44"
C2	475.00	415.90	402.74	S61°36'18"E	50°10'00"
C3	475.00	38.16	39.15	S34°09'35"E	43°32'29"
C4	104.96	102.04	88.07	N24°12'35"W	55°42'12"
C5	165.00	105.22	103.45	N33°18'07"W	36°32'15"
C6	170.03	62.58	62.23	N19°31'52"W	21°05'21"
C7	165.00	133.32	131.56	N27°10'52"E	46°59'10"
C8	52.00	51.40	49.33	S59°25'58"E	56°38'00"
C9	82.00	81.05	77.79	N59°25'56"W	56°38'00"
C10	135.00	110.74	107.66	S27°10'52"W	46°59'58"
C11	140.03	52.18	51.87	S70°46'42"E	21°20'55"
C12	135.00	86.09	84.64	S33°18'07"E	36°32'15"
C13	134.96	131.07	125.98	S24°10'51"E	55°38'44"



VICINITY MAP NOT TO SCALE

- LEGEND
- IRON REBAR FOUND
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 - NEW EASEMENT
 - OLD EASEMENT



N/F THE BISHOP OF CHARLESTON
 R600 022 000 0125 000
 2,736,287.76 Sq.Ft. TOTAL
 62.8 Ac. TOTAL

- NOTES
- THIS PARCEL APPEARS TO LIE IN FLOOD ZONE C. FIRM PANEL 0055-D AND 0085-D COMMUNITY 450025.
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 - A CAD FILE BY WARD EDWARDS FOR PARISH LIFE CENTER - PHASE 1 UTILITIES RECEIVED ON 2-21-18.

ACREAGE SUMMARY

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NEW BJWSA UTILITY EASEMENT	49,165.36 Sq.Ft.	1.129 Ac.
EXISTING BJWSA UTILITY EASEMENT	53,441.74 Sq.Ft.	1.227 Ac.
NEW BJWSA PUMP STATION	2,500 Sq.Ft.	0.057 Ac.
PARCEL REMAINING ACREAGE		62.7 Ac.

PREPARED FOR:
BJWSA
 A SUBDIVISION AND UTILITY/ACCESS EASEMENT PLAT A/F
ST. GREGORY THE GREAT SEWER EXPANSION
 TAX PARCEL No. R600 022 000 0125 000

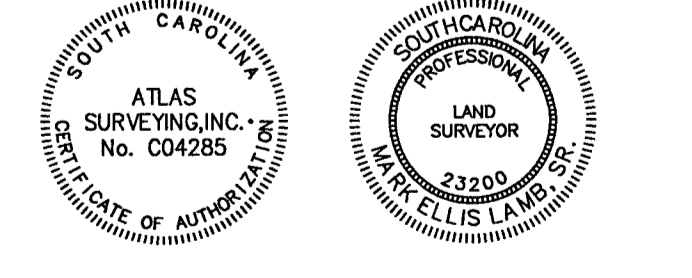
TOWN OF BLUFFTON
 BEAUFORT COUNTY, SOUTH CAROLINA

FIELD WORK:	DAB
FIELD CHECK:	MEL
DRAWN BY:	REC
DATE:	3-12-18
SCALE:	1"=30'
PROJECT No.:	BT-1705
FILE:	FT-1705 EASELWDG

SHEET 1 OF 3

ATLAS SURVEYING, INC.
 49 BROWN'S COVE ROAD, SUITE #5
 RIDGELAND, SC 29936
 PHONE: (843) 645-9277
 WEBSITE: WWW.ATLASSURVEYING.COM

EXEMPT
 This plat of property is exempt from having to obtain a subdivision approval under the provision of the Beaufort County Community Development Code as provided for in Division Section 7.2.70 (D)(2)(1)(A).
 Certified By: *[Signature]*
 Date: 4/6/2019



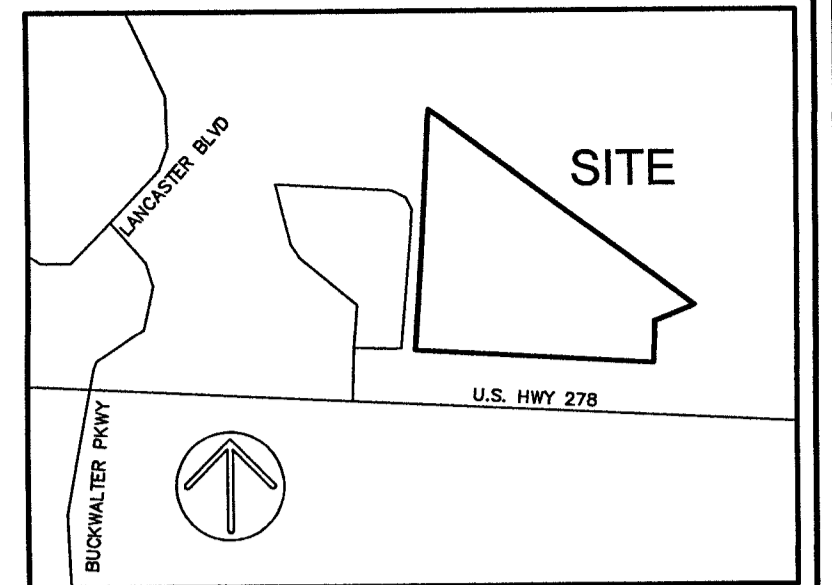
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Mark Ellis Lamb, Sr. 3/12/18
 MARK ELLIS LAMB, SR.
 S.C.P.L.S. No. 23200
 NOT VALID UNLESS CRIMPED WITH SEAL

MATCH LINE (SHEET 1)
 (SHEET 2)

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VICINITY MAP NOT TO SCALE

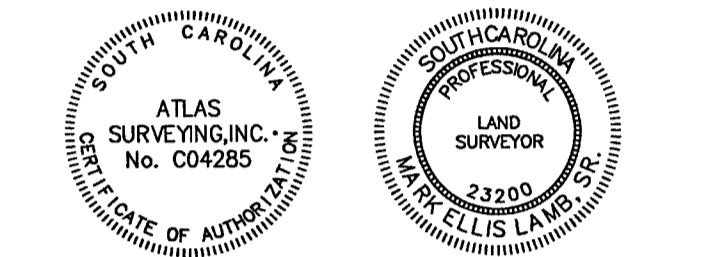
PREPARED FOR:
BJWSA
A SUBDIVISION AND UTILITY/ACCESS
EASEMENT PLAT AT
**ST. GREGORY THE GREAT
SEWER EXPANSION**
TAX PARCEL No. R600 022 000 0125 0000

TOWN OF BLUFFTON
BEAUFORT COUNTY, SOUTH CAROLINA

FIELD WORK: DAB
DRAWN BY: MEL
DATE: 3-12-18
SCALE: 1"=20'
PROJECT No.: BFT-17105
FILE: BFT-17105 EASEL.DWG

SHEET 2 OF 3

- LEGEND
- IRON REBAR FOUND
 - ⊕ FIRE HYDRANT
 - ⊕ IRRIGATION CONTROL VALVE
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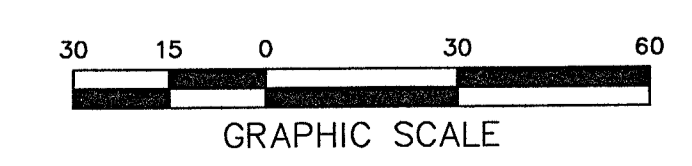


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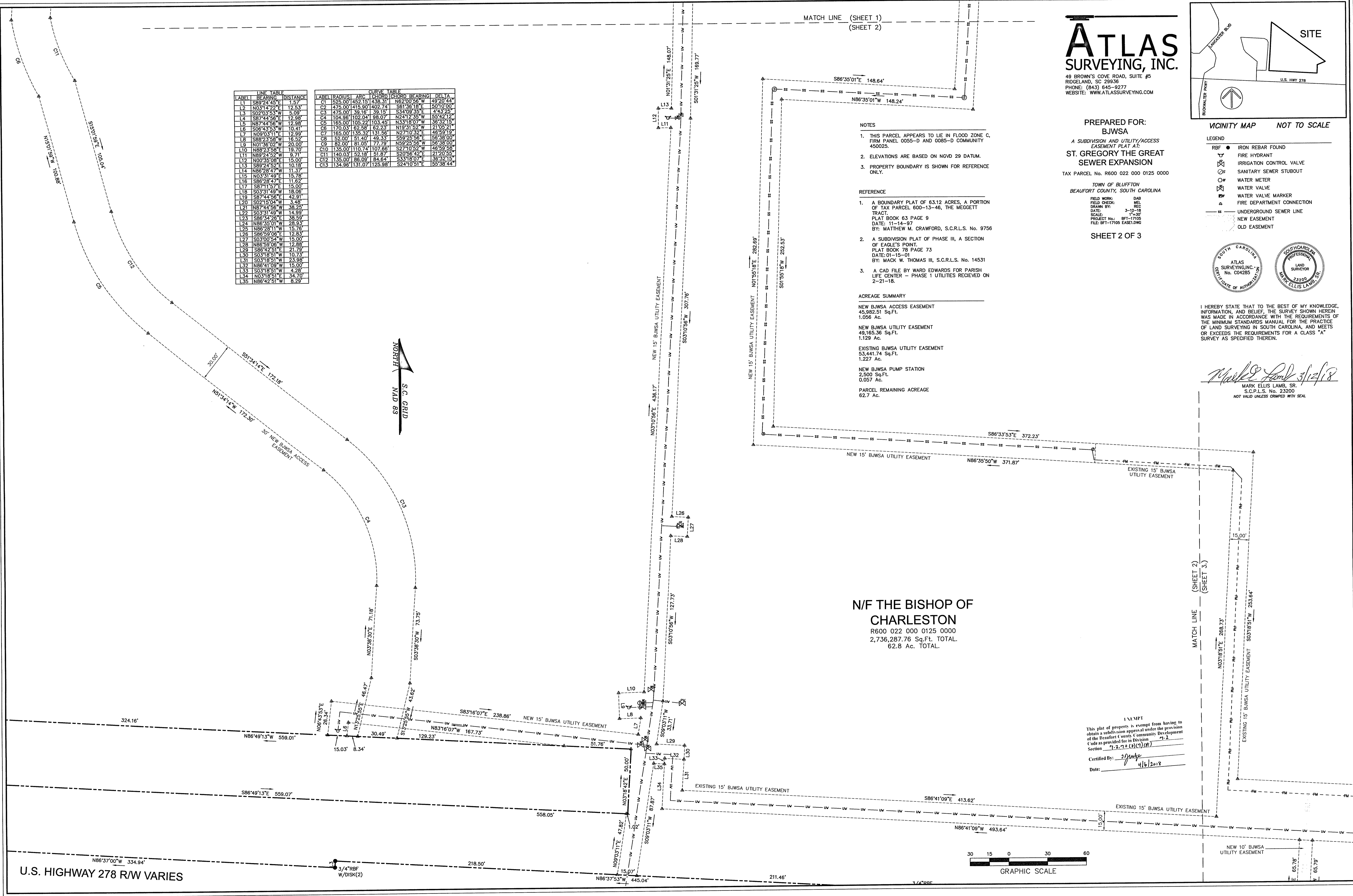
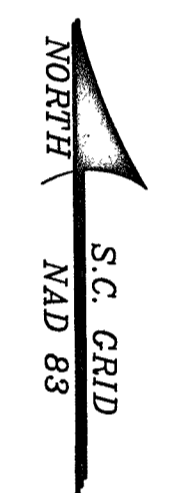
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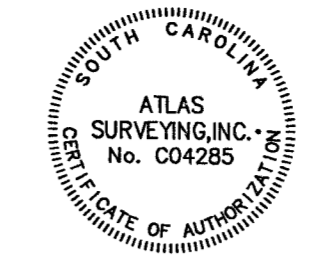
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This plat of property is exempt from having to obtain a subdivision approval under the provision of the Beaufort County Community Development Code as provided for in Division 7-2 Section 7-2.70 (2)(c)(ii)
Certified By: *[Signature]*
Date: 4/16/2018



LINE TABLE			CURVE TABLE					
LABEL	BEARING	DISTANCE	LABEL	RADIUS	ARC	CHORD	CHORD BEARING	DELTA
L1	S89°24'43"E	15.37	C1	525.00	252.15	438.31	N62°00'58"W	49°20'44"
L2	N03°14'22"E	12.53	C2	475.00	237.50	402.74	S61°36'18"E	50°10'00"
L3	S02°03'53"W	5.09	C3	475.00	39.16	39.16	S34°09'35"E	4°43'25"
L4	S87°44'56"E	12.98	C4	104.98	102.04	98.07	N24°12'35"W	53°42'19"
L5	N87°44'56"W	12.98	C5	165.00	105.22	103.45	N33°18'07"W	36°32'15"
L6	S06°43'53"W	10.41	C6	170.03	62.58	62.23	N19°31'52"W	21°05'21"
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L9	N01°58'02"W	20.00	C9	82.00	81.05	77.79	N59°25'56"W	56°38'00"
L10	N88°23'58"E	19.70	C10	135.00	110.74	107.66	S27°10'52"W	46°58'58"
L11	N89°24'52"W	9.71	C11	140.03	52.18	51.67	S20°56'42"E	21°20'53"
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L15	N03°31'49"E	15.78						
L16	S86°28'47"E	11.62						
L17	S87°11'57"E	15.00						
L18	S03°31'49"W	18.06						
L19	S87°44'56"E	42.91						
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U.S. HIGHWAY 278 R/W VARIES



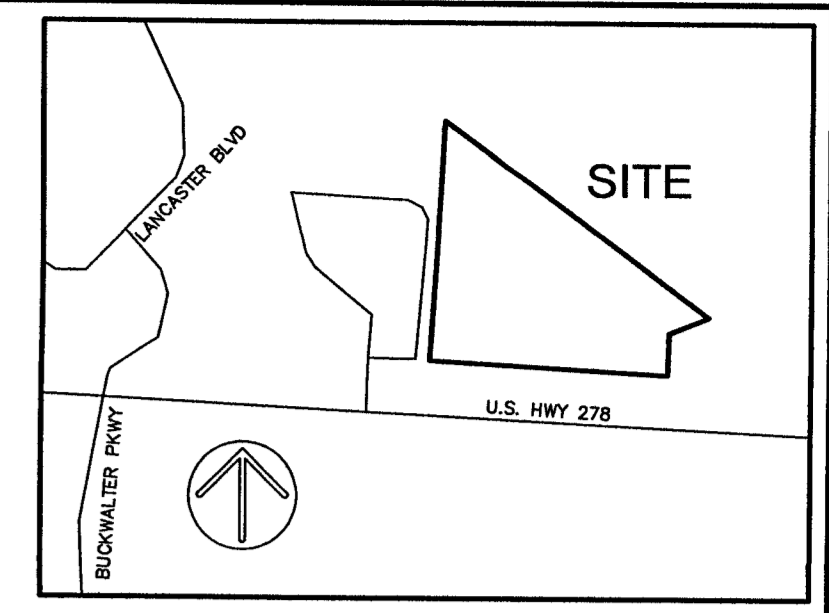
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Mark Ellis Lamb 3/12/18
MARK ELLIS LAMB, SR.
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NOT VALID UNLESS COMPAED WITH SEAL

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EASEMENT PLAT AT:
**ST. GREGORY THE GREAT
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TAX PARCEL No. R600 022 000 0125 0000
TOWN OF BLUFFTON
BEAUFORT COUNTY, SOUTH CAROLINA
FIELD WORK: DAB
FIELD CHECK: MEL
DRAWN BY: 3-12-18
DATE: 11-30
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PROJECT No. BFT-17105
FILE: BFT-17105 EASEL.DWG
SHEET 3 OF 3



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 - ELEVATIONS ARE BASED ON NGVD 29 DATUM.
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1.056 Ac.

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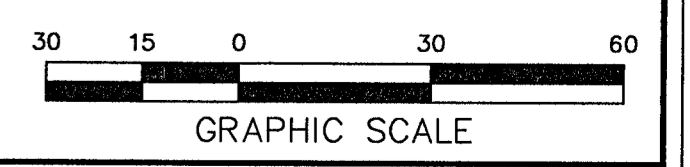
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62.7 Ac.



1 X 1 NPT
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Certified By: *[Signature]*
Date: 4/6/2018



**AMENDED
NARRATIVE
FOR
APPLICATION FOR ANNEXATION / ZONING MAP / COMPREHENSIVE PLAN
AMENDMENTS
OF THE
BISHOP OF CHARLESTON, A CORPORATION SOLE
CONCERNING
A 61.093 ACRE PARCEL (A PORTION OF THE MEGGETT TRACT)
FOR
SAINT GREGORY THE GREAT CATHOLIC CHURCH CAMPUS PROPERTY,
OUTPARCELS AND BEAUFORT-JASPER WATER & SEWER AUTHORITY PUMP STATION**

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List of Exhibits

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1. South Carolina Secretary of State Business Filings Report	A
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STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

BEFORE THE PLANNING COMMISSION
AND TOWN COUNCIL OF THE
TOWN OF BLUFFTON, SOUTH CAROLINA

AMENDED
NARRATIVE
FOR
APPLICATION FOR ANNEXATION / ZONING MAP / COMPREHENSIVE PLAN
AMENDMENTS
OF THE
BISHOP OF CHARLESTON, A CORPORATION SOLE
CONCERNING
A 61.093 ACRE PARCEL (A PORTION OF THE MEGGETT TRACT)
FOR
SAINT GREGORY THE GREAT CATHOLIC CHURCH CAMPUS PROPERTY,
OUTPARCELS AND BEAUFORT-JASPER WATER & SEWER AUTHORITY PUMP STATION

This Project Narrative is submitted with and is intended to be incorporated in and comprise a part of the application for Annexation, application for Zoning Map Amendment, application for Buckwalter Development Agreement Amendment and Buckwalter Concept Plan Amendment, and application for Comprehensive Plan (specifically, the Future Annexation Area Map and the Future Land Use Map) Amendment (collectively the “**Application**”) of the Bishop of Charleston, a Corporation Sole (the “**Bishop of Charleston**”)¹ and the Beaufort-Jasper Water and Sewer Authority (“**BJWSA**”)² (Bishop of Charleston and BJWSA hereinafter collectively the “**Owner**”). This narrative is submitted to the Planning Commission and the Town Council for the Town of Bluffton, South Carolina (the “**Town**”) to explain the request and

¹ See Business Filings Report of the South Carolina Secretary of State attached hereto as Exhibit “A” and made a part hereof.

² BJWSA joins in this Application solely due to its ownership of a 0.057 acre parcel of real property located within the Property for the purpose of the operation of a pump station (the “**Pump Station**”).

describe how the Application meets the criteria of the Town's Unified Development Ordinance (the "UDO") as required by the Application and the UDO.

I. **NARRATIVE.**

A. **Introduction, Background And Request.**

The Owner is the owner³ of an approximate 61.036 acre parcel of real property (the "Property") identified by Beaufort County Tax Map number **R600 022 000 0125 0000** located on the north side of U.S. Highway 278 and bounded to the east by the Bluffton Fire Department Station #35 and bounded on the west by the Berkeley Hall Club community. The 411 address for the Property is #323 Fording Island Road and it is more specifically shown and described as "A Portion of the Meggett Tract" on that certain plat of survey entitled "A Boundary Plat of 63.12 Acres, Portion of Tax Parcel 600-13-46 The Meggett Tract, U.S. Highway 278, Bluffton Township, Beaufort County South Carolina, dated November 14, 1997 and recorded in the Office of the Register of Deeds ("ROD") for Beaufort County, South Carolina in Plat **Book 63** at **Page 9**⁴. An approximate 0.327 acre portion of the original parcel purchased by the Owner was conveyed in February of 2011 to the South Carolina Department of Transportation as part of the expansion of the U.S. 278 right of way⁵ and an additional approximate 1.7 acre parcel was conveyed to Beaufort County⁶ in December of 2015. The 1.7 acre parcel conveyed to the County consists of an approximate 0.7 acre parcel improved as a 50' wide right of way serving as a frontage road from the main entrance to Berkeley Hall Club from U.S. Highway 278, which is a fully served signalized intersection providing direct access to the Property. The remaining approximate 1.0 acre parcel is also improved as a 50' wide right of way, named Saint Gregory Drive which serves as a second point providing direct access to the Property from U.S. Highway 278. This second access point is also served by a fully signalized intersection. An additional approximate 0.057 acre portion of the original parcel purchased by the Owner was conveyed to BJWSA for the Pump Station to serve the Property as more particularly described therein.⁷ The Pump Station is identified by Beaufort County Tax Map number **R600 022 000 1120 0000** and is surrounded by the Property. For the purposes of this Application the Pump Station shall hereinafter be included in the term "Property". In conjunction with this Application, the Owner commissioned an updated survey of the Property confirming the location of all of the aforementioned description which survey is entitled "A Boundary Survey of St. Gregory The Great Catholic Church," Tax Parcel No. R600 022 000 0125 0000, dated December 19, 2019⁸.

Portions of the Property have been improved to include the Saint Gregory the Great Catholic Church and the Saint Gregory the Great School consisting of an existing Church building of approximately 12,000 square feet; and an existing school building with offices

³ See deed recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in **Book 994** at **Pages 412 - 419** attached hereto as Exhibit "B" and made a part hereof.

⁴ See said boundary plat attached hereto as Exhibit "C" and made a part hereof.

⁵ See deed recorded in the ROD in **Book 3040** at **Pages 2187 - 2189**, attached hereto as Exhibit "B-1" and made a part hereof.

⁶ See deed recorded in the ROD in **Book 3460** at **Pages 1928 - 1931**, attached hereto as Exhibit "B-2" and made a part hereof.

⁷ See deed recorded in the ROD in **Book 3669** at **Pages 2349 - 2352**, attached hereto as Exhibit "B-3" and made a part hereof

⁸ Attached hereto as Exhibit "C-1" and made a part hereof.

supporting the school and the Church consisting of approximately 27,000 square feet; and a church multipurpose building of approximately 27,000 square feet⁹.

The Owner submits this Application requesting the approval of:

1. The annexation of the Property into the Town;
2. An amendment to the Town's official zoning map designating the Property with the zoning district of Buckwalter Planned Unit Development ("**Buckwalter PUD**"), specifically to be identified in the Buckwalter Concept Plan as the Saint Gregory the Great Land Use Tract with densities and land uses as described in Section B.8 of this Application Narrative; and
3. Approval of an amendment to the Development Agreement and amendment to the Buckwalter Concept Plan ("**Concept Plan**"); and
4. Approval of an amendment to the current version of the Comprehensive Plan's Future Annexation Area Map (Map 8.1)¹⁰ and Future Land Use Map;¹¹ and
5. Approval of a Master Plan for the Property.

B. Annexation.

Adjacent to the south of the Property across the U.S. Highway 278 right of way, is the Buckwalter PUD which is located within the municipal limits of the Town¹². The Property is therefore contiguous to the Town¹³. Since the Property is wholly owned by the Owner and BJWSA, the method of annexation is made pursuant to the one hundred percent (100%) property owner petition¹⁴ and ordinance method¹⁵. In accordance with the checklist set forth in the Town's Annexation Policy & Procedures Manual¹⁶ the following is submitted:

1. Contact Information.

- a. Owner. The Bishop of Charleston, a Corporation Sole, c/o Elaine H. Fowler, Esq., 901 Orange Grove Road, Charleston South Carolina 29407, Telephone: 843-261-0523, E-mail: efowler@charlestdiocese.org.
- b. Joinder Owner. Beaufort-Jasper Water and Sewer Authority, 6 Snake Road, Okatie, South Carolina 29909-3937, Telephone: 843-987-8100.

⁹ See Existing Conditions Plan attached hereto as Exhibit "D" and made a part hereof.

¹⁰ Attached hereto as Exhibit "E" and made a part hereof.

¹¹ Attached hereto as Exhibit "E-1" and made a part hereof.

¹² See Town Growth Management Department Planned Unit Developments map attached hereto as Exhibit "F" and made a part hereof.

¹³ See Section 5-3-305 of the South Carolina Code of Laws, incorporated herein by this reference.

¹⁴ See Petition attached hereto as Exhibit "G" and made a part hereof.

¹⁵ See Section 5-3-150(3) of the South Carolina Code of Laws, incorporated herein by this reference.

¹⁶ Annexation in the Town is undertaken pursuant to the Annexation Policy & Procedures Manual and State law.

- c. Applicant. Burr & Forman LLP, c/o Walter J. Nester III, 4 Clarks Summit Drive, Bluffton, South Carolina 29910, Telephone: 843-815-2171, E-mail: wnester@burr.com.
2. Agency Letter. The Owner has authorized the filing of the Application¹⁷.
 3. Reason for Annexation request and anticipated benefits. See Section I and Section II of this Narrative Supplement.
 4. Parcel Number and Acreage. Being an approximate 61.093 acre combined parcels of real property identified by Beaufort County Tax Map number **R600 022 000 0125 0000** and **R600 022 000 1120 0000**.
 5. Existing Structures. A Church and School Campus buildings with associated drives, parking and infrastructure including but not limited to the Pump Station.
 6. Current Special Districts. None.
 7. Current Beaufort County Zoning District and Land Uses. Current zoning is C3 Neighborhood Mixed Use (C3NMU). Land uses in the C3NMU District include public and private schools as are meeting facilities and places of worship¹⁸.
 8. Proposed Zoning District and Land Uses. The proposed zoning district for the Property is Buckwalter PUD as a new Planning Area under the Concept Plan entitled "Saint Gregory the Great Land Use Tract." The Allowed Land Uses being as follows:
 - a. Section 2.B. Allowed Land Uses. Add Saint Gregory the Great Land Use Tract as a new sub-section 10, with the following allowed land uses and definitions:
 - (i) Community Recreation.
 - (ii) Dwelling Units.
 - (iii) Hotel/Inn.
 - (iv) Institutional Civic.
 - (v) Maintenance Areas.
 - (vi) Multifamily Residential.
 - (vii) Neighborhood Commercial – including specifically convenience stores and automobile service stations with up to 20 fueling stations but excluding Recreational Vehicle Parks.
 - (viii) Open Space.
 - (ix) Roads.
 - (x) Setbacks and Buffers.
 - (xi) Siviculture.
 - (xii) Single Family Residential but excluding mobile homes.
 - (xiii) Wetlands.
 - (xiv) Utilities.

¹⁷ See Agency Letter attached hereto as Exhibit "H" and made a part hereof.

¹⁸ See Zoning Verification Letter dated March 12, 2019 from the Beaufort County Zoning Administrator attached hereto as Exhibit "I" and made a part hereof.

- b. Density. The Property is to be added to the Buckwalter Concept Plan and designated as the Saint Gregory the Great Land Use Tract as depicted in the Amended Concept Plan attached hereto as Exhibit “R”. The Property shall have 10.65 acres of general commercial development rights and 150 residential dwelling unit development rights both to be added to the Buckwalter PUD Concept Plan and Development Agreement. The balance of the Property is designated as Institutional/Civic which use does not require allocations of density as such use does not count against overall commercial acreage or residential density allowed for the Buckwalter PUD except however for student housing and employee dormitories using 1/2 residential dwelling unit development rights per room in accordance with Section 2.D.6.a. of the Buckwalter Concept Plan.
 - c. No Effect on Other Landowner Rights. No change which is hereby approved to the Development Agreement and Concept Plan shall have any effect whatsoever on any property or landowner rights other than the Saint Gregory the Great Land Use Tract and Owner.
- 9. Current versus Proposed Zoning District and Land Use Comparison. See table of comparative land uses attached hereto as Exhibit “K”.
 - 10. Consistency with the Town’s Comprehensive Plan, Future Annexation Area Map and Future Land Use Map. See application narrative in support of rezoning set forth herein.
 - 11. Estimate of current population of Annexation Area. None.
 - 12. Current Utility Service Providers. See attached Exhibit “L”.

C. Parcel Information.

- 1. Deed. See Deeds recorded in ROD in **Book 994 at Pages 412 - 419** and **Book 3669 at Pages 2349 - 2352** attached hereto as Exhibits “B” and “B-3” and made a part hereof.
- 2. Plats. See Plat entitled “A Boundary Plat of 63.12 Acres, A Portion of Tax Parcel 600-13-46 The Meggett Tract, U.S. Highway 278, Bluffton Township, Beaufort County South Carolina, dated November 14, 1997 and recorded in the ROD in **Plat Book 63 at Page 9** attached hereto as Exhibit “C” and made a part hereof. See also plat entitled “A Boundary Survey of St. Gregory The Great Catholic Church,” Tax Parcel No. R600 022 000 0125 0000, dated December 19, 2019. See also Plat entitled “A Subdivision and Utility/Access Easement Plat at Saint Gregory The Great Sewer Expansion” dated March 12, 2018 and recorded in the ROD in **Plat Book 149 at Page 63** attached hereto as Exhibit “C-2” and made a part hereof
- 3. Covenants and Restrictions. Restrictions in original deed to Owner. Amended by document recorded in the ROD in **Book 2974 at Pages 942 – 945** attached hereto as Exhibit “M” and made a part hereof. Released by document recorded in the ROD in **Book 3121 at Pages 2353 – 2354** attached hereto as Exhibit “M-1” and made a part hereof.

4. **Easements.** See easement in favor of Palmetto Electric Cooperative, Inc., dated February 23, 2006 and recorded in the ROD in **Book 2389 at Pages 712 – 714** attached hereto as Exhibit “N-1” and made a part hereof; easement in favor of Palmetto Electric Cooperative, Inc., dated March 28, 2006 and recorded in the ROD in **Book 2389 at Pages 742 – 744** attached hereto as Exhibit “N-2” and made a part hereof; Drainage Easement Agreement with Beaufort County, dated February 4, 2016 and recorded in the ROD in **Book 3460 at Pages 1932 – 1938** attached hereto as Exhibit “N-3” and made a part hereof; and, Water/Sewer Utility Easement Agreement with Beaufort Jasper Water & Sewer Authority dated May 4, 2018 and recorded in the ROD in **Book 3669 at Pages 2353 - 2357** attached hereto as Exhibit “N-4” and made a part hereof.
5. **Agreement of record in the ROD.** None other than as stated herein.
6. **Other Documents of record in the ROD.** None other than as stated herein.
7. **Location Map.** See Beaufort County GIS Map of the Property attached hereto as Exhibit “O” and made a part hereof.
8. **Zoning Verification.** See Zoning Verification Letter from Beaufort County Zoning Administrator dated March 20, 2018 attached hereto as Exhibit “I” and made a part hereof.
9. **Parcel History.** A portion of the “Meggett Tract”. See attached Exhibit “P”.
10. **Photographs of Existing and Adjacent Structures.** See GIS photographs from Beaufort County Assessor’s website attached hereto as Exhibit “Q” and made a part hereof.

D. **Annexation Assessment.**

The Town’s Annexation Policy & Procedures Manual sets forth in Chapter 2 thereof the information to be considered in the Town’s assessment of an application for annexation.

1. **Best Interests of the Municipality.** The proposed annexation represents the addition of a parcel of real property the majority of which is already developed with institutional uses that currently serve and employ many of the Town’s citizens and families. These institutional uses do not create a significant demand on the services provided by the Town and are considered a less intense use. The Town services are currently provided to development throughout the Buckwalter PUD and the Property is directly adjacent thereto and will not place additional service burden on the Town. The undeveloped portions of the property provide opportunities for future development consistent with the U.S. Highway 278 and Buckwalter corridors which serve to increase the Town’s tax base and opportunities for its citizens. Accordingly, the annexation is in the best interests of the Town.
2. **Feasibility Study and Cost/Benefit Analysis.** The proposed annexation represents the addition of a parcel of real property the majority of which is already developed with institutional uses that currently serve and employ many of the Town’s citizens and families. These institutional uses do not create a significant demand on the services provided by the Town and are considered a less intense

use. The Owner respectfully submits that the benefits of the annexation of the Property outweigh the burdens, if any, on Town services. Those portions of the Property where commercial uses are anticipated have existing infrastructure and future development of these areas benefit the Town by enhancing the creation of a diverse and stable tax base.

3. **Guiding Principles for Assessment of Annexations.** The Owner submits that this annexation petition provides benefit to both the Town and its citizens in terms of both costs and services received. The proposed annexation represents the addition of a parcel of real property the majority of which is already developed with institutional uses that currently serve and employ many of the Town's citizens and families. These institutional uses do not create a significant demand on the services provided by the Town and are considered a less intense use. The undeveloped portions of the Property provide the opportunity for development consistent with the U.S. Highway 278 corridor which provides for a stable tax base and provides additional employment and retail opportunities for residents of the Town and those in unincorporated areas of the County. With respect to the guiding principles and consideration for assessing this annexation petition the following is submitted:
 - a. Meets the principles, policies, and procedures set forth in the Manual. The Owner submits that the annexation petition represents the addition of a parcel of real property the majority of which is already developed with institutional uses that currently serve and employ many of the Town's citizens and families. These institutional uses do not create a significant demand on the services provided by the Town and are considered a less intense use;
 - b. Annexation of the property is in the best interest of the Town and its citizens. The Owner submits that the annexation petition is in the best interests of the Town and its citizens as it represents the addition of a parcel of real property the majority of which is already developed with institutional uses that currently serve and employ many of the Town's citizens and families. These institutional uses do not create a significant demand on the services provided by the Town and are considered a less intense use;
 - c. Contiguity to the Town of Bluffton Municipal Boundary. The Property is continuous with the Town's municipal boundary as it is adjacent to the Buckwalter PUD which is within the municipal limits of the Town;
 - d. Avoids creating new enclaves (or donut holes) in the Town's municipal boundaries. The Owner submits that this annexation petition expands the municipal limits of the Town but does not create a new enclave as the municipal limits of the Town currently extend along the south side of the U.S. Highway 278 right of way adjacent to the Property and there are areas along the U.S. Highway 278 right of way where the municipal boundaries of the Town extend across to the north side of the U.S. Highway 278 right of way;

- e. Consistency with the recommendations of the Town of Bluffton's Comprehensive Plan including the Future Annexation Map. The Property is located outside of the areas of future Town growth shown on the Town's Future Annexation Area Map¹⁹. This Application seeks to amend the Comprehensive Plan by an amendment to the Town's Future Annexation Area Map;
- f. Appropriateness of requested zoning district(s), land use regulations, development standards and environmental regulations. The Owner submits that the annexation petition meets this guiding principle as the requested zoning district is consistent with the densities and uses along the U.S. Highway 278 corridor;
- g. Consideration of the costs, benefits and estimated revenues for a proposed annexation before action is taken on the petition. The Owner submits that the annexation petition represents the addition of a parcel of real property the majority of which is already developed with institutional and civic uses that currently serve and employ many of the Town's citizens and families. These institutional uses do not create a significant demand on the services provided by the Town and are considered a less intense use;
- h. Annexation will not create a tax burden or measurably reduce the level of service(s) provided to existing citizens and property owners. The Owner submits that the annexation petition represents the addition of a parcel of real property the majority of which is already developed with institutional uses that currently serve and employ many of the Town's citizens and families. These institutional uses do not create a significant demand on the services provided by the Town and are considered a less intense use;
- i. Fiscal impact of providing municipal services. The Owner submits that the impact, if any, of providing municipal services to the Property will be negligible;
- j. Consideration of the annexation area's existing condition of utilities, transportation, infrastructure and future needs for expansion improvements. The Owner submits that these considerations are inapplicable to this annexation petition. The utilities and transportation infrastructure are new and in excellent condition and to the extent there is need in the future for improvement or expansion those will be costs paid by the Owner or successors in title and not the Town. The need for new roads is not anticipated;
- k. Full impact that annexation will have on law enforcement. The Owner submits that this annexation petition and the Project do not result in an increased burden on law enforcement as the annexation petition represents the addition of a church and school campus which are historically not substantive users of such services. Further, the land to the south of the

¹⁹ See Future Annexation Area map (Map 8.1) of the Comprehensive Plan attached hereto as Exhibit "E" and made a part hereof.

Property and the opposite side of the U.S. Highway 278 is within the municipal limits of the Town and are served by Town law enforcement;

- l. Demonstrates potential for the diversification of the economic base and job opportunities. The Owner submits that the annexation petition while modestly expanding the Town's economic base and opportunities for employment does little to diversify the Town's economic base;
- m. Consideration and utilization of Development Agreements for the proposed annexation area when applicable. The Owner has submitted an amendment to the Buckwalter Development Agreement;
- n. Petitioners understanding of all potential costs/benefits associated with annexation. The petitioner and the Owner understand the costs and benefits associated with the annexation and respectfully request approval; and
- o. Input provided by the public and affected agencies during the review process. The Owner welcomes input from the public and affected agencies and looks forward to working with them during the review process.

E. **Current And Proposed Density And Use.**

The current zoning is C3 Neighborhood Mixed Use (C3NMU). Land uses in the C3NMU District include public and private schools, meeting facilities and places of worship as well as other uses consistent with the proposed use. The proposed zoning district is Buckwalter PUD and the land uses proposed are as set forth in Section B.8 of this Application Narrative.

II. **REZONING CRITERIA.**

- A. **Applicability.** The current existing land use for the Property is C3 Neighborhood Mixed Use (C3NMU). Section 3.4.2 of the UDO requires that any rezoning "be based upon the recommended future land use category for the property as shown on the future land use map in the Town of Bluffton Comprehensive Plan". The future land use map in the Town's Comprehensive Plan (the "Comprehensive Plan") does not include the Property and therefore this Application also requests an amendment to the Comprehensive Plan²⁰. The Property adjacent across U.S. Highway 278 from the Property is within the Town and zoned Buckwalter PUD and is assigned a variety of uses and densities consistent with Buckwalter PUD. The Owner submits that it is appropriate to designate the Property with a new Planning Area and assign it development rights consistent with its acreage as existing development and land uses and density consistent with other Planning Areas in the Concept Plan and Buckwalter PUD.
- B. **Application Review Criteria.** Section 3.4.3 of the UDO sets forth the review criteria for consideration by the Town's Planning Commission and Town Council when reviewing an application for a Zoning Map Amendment. The Owner proposes that this Application satisfies or exceeds the requirements for a Zoning Map Amendment as set forth below.

²⁰ See Comprehensive Plan, Map 8.3, Future Land Use map attached hereto as Exhibit "E-1" and made a part hereof.

1. **Consistency with the Comprehensive Plan.**

- a. **Population Vision.** *The Population Vision of the Comprehensive Plan acknowledges and accepts the Town's diverse population and strives to offer a high quality of life for all residents, visitors and workers.*²¹ The proposed Zoning Map Amendment is consistent with the Population Vision as it provides institutional and educational services to support the existing and future population of the Town.²² Furthermore, it is consistent with and furthers efforts to fulfill the goal to prepare for the minimum two-fold increase growth of the Town's permanent residents with the addition of these institutional and educational uses as well as provide the opportunity for future retail opportunities and services.²³ The proposed Zoning Map Amendment is therefore the Population Vision of the Comprehensive Plan.
- b. **Cultural Resources Vision.** *The Cultural Resources Vision of the Comprehensive Plan instructs the Town to strive to maintain a sense of community, diversity and individuality by preserving cultural resources.*²⁴ The proposed amendment furthers the Culture Resources vision of the Comprehensive Plan since the Property is primarily developed as a church and school campus both of which serve to maintain a sense of community, diversity and individuality.
- c. **Natural Resources Vision.** *The Natural Resources Vision of the Comprehensive Plan instructs the Town to inventory and protect critical resources in a manner which sustains the vitality, function, and beauty of Bluffton's natural heritage.*²⁵ The Owner is seeking to amend the Official Zoning Map to include the Property in the Buckwalter PUD as a new Planning Area with uses and density reflecting the existing development on the Property and consistent with other Planning Areas in the Concept Plan and other developed areas within the municipal limits of the Town along the U.S. Highway 278 corridor. The Owner submits that the proposed amendment seeks to add land which is already primarily developed consistent with uses available in the Buckwalter PUD district and are well-planned and developed in conformance with the design standards similar to the Town including modern storm water management facilities. Accordingly, the Application is consistent with the Natural Resources vision of the Comprehensive Plan.
- d. **Housing Vision.** *The Housing Vision of the Comprehensive Plan seeks to ensure that every resident has decent, safe and affordable housing.*²⁶ The Owner's proposed Zoning Map Amendment supports the Housing Vision as it provides existing, modern and safe institutional and educational services to support the existing and future population of the Town. The

²¹ See Chapter 2, Page 2-1, December 9, 2014 Comprehensive Plan.

²² See Section 2.1 Population Needs and Goals Chart, Page 2-6, December 9, 2014 Comprehensive Plan.

²³ See Section 2.3 Population Projections Chart, Page 2-14, December 9, 2014 Comprehensive Plan.

²⁴ See Chapter 3, Page 3-1, December 9, 2014 Comprehensive Plan.

²⁵ See Chapter 4, Page 4-1, December 9, 2014 Comprehensive Plan.

²⁶ See Chapter 5, Page 5-1, December 9, 2014 Comprehensive Plan.

development currently existing on the Property, while not in itself housing, supports the vision overall by serving to attract new residents and business by making available quality institutional and educational services to support the existing and future population of the Town and its residents and guests, and therefore is consistent with the Housing Vision of the Comprehensive Plan.

- e. Economic Development Vision. *The Economic Development Vision of the Comprehensive Plan instructs the Town to strive to create a vital, diverse and sustainable local economy that enhances Bluffton's community resources: human, natural and economic.*²⁷ The Economic Development Vision of the Comprehensive Plan recognizes the need to ensure a balanced local economy through revisions to zoning and land use regulations.²⁸ The Owner's proposed Zoning Map Amendment provides residents and guests of the Town and the greater Bluffton area with institutional and educational opportunities and potential development opportunities of business uses available in the Buckwalter PUD district and therefore serves the goals set forth in the Economic Development Vision²⁹. All of which serve to enhance the Town's human, natural and economic resources and contributes to a stable tax base. Accordingly, the proposed additional use category is consistent with the Economic Development Vision of the Comprehensive Plan.

- f. Community Facilities Vision. *The Community Facilities Vision of the Comprehensive Plan encourages the Town to provide efficient and reliable facilities and services for the residents and visitors of the Town of Bluffton and to meet level of service standards to ensure a high quality of life.*³⁰ The approval of this Application supports the Community Facilities Vision as it adds additional religious and educational opportunities for residents and visitors to the Town which serve to enhance the quality of life in the Town. Additionally, most of the Property is already developed and the infrastructure including roadways, sanitary sewer, solid waste, drainage, potable water, electricity, telephone and cable, is already in place. The Owner's proposed Zoning Map Amendment therefore supports and is consistent with the Community Facilities Vision of the Comprehensive Plan, as it adds the opportunity for expanded religious and educational opportunities for residents and visitors of the Town without adding additional unplanned burdens on community facilities.

- g. Land Use Vision. *The Land Use Vision of the Comprehensive Plan encourages the Town to plan for a balance of land uses that ensure a high quality of life, business opportunity, environmentally protected areas and proposed placement of residential uses.*³¹ The Owner's proposed Zoning Map Amendment provides residents and guests of the Town and the

²⁷ See Chapter 6, December 9, 2014 Comprehensive Plan, Page 6-1.

²⁸ See Section 6.3 Local Economy, December 9, 2014 Comprehensive Plan, Page 6-9.

²⁹ See Section 6.6, Economic Development and Diversification Needs and Goals Chart, Page 6-23, December 9, 2014 Comprehensive Plan.

³⁰ See Chapter 7, December 9, 2014 Comprehensive Plan, Page 2-1.

³¹ See Chapter 8, December 9, 2014 Comprehensive Plan, Page 8-1.

greater Bluffton area with additional institutional and educational opportunities and potential development opportunities of business uses available in the Buckwalter PUD district. The Owner's use of the Property is supported by the existing infrastructure and does not adversely impact or create unplanned burdens on the natural environment or existing infrastructure, and is consistent with the Land Use Vision of the Comprehensive Plan.³²

- h. Transportation Vision. *The Transportation Vision of the Comprehensive Plan seeks to plan an efficient, adequate and safe transportation network for all users, including motorists, cyclists and pedestrians.*³³ The Owner's proposed use is consistent with and supports the Transportation Vision of the Comprehensive Plan. Access and road infrastructure for the Property is already constructed and no additions are contemplated. The rezoning of the Property to the Buckwalter PUD district proposed by the Owner has no negative impact on the Town's transportation system, and is consistent with the Transportation Vision of the Comprehensive Plan.
- i. Priority Investment Act Vision. *The Priority Investment Act Vision of the Comprehensive Plan encourages the shared commitment with neighboring jurisdictions and agencies to work together to plan and construct the public infrastructure needed by the residents of Bluffton and Beaufort County.*³⁴ The adoption of an Official Map is identified as a tool to implement the Comprehensive Plan by identifying property for future rights of way and other public uses and restricting the development on such property once such areas are identified.³⁵ The Property is located on the north side of the U.S. Highway 278 right of way and is well served by existing connections. Accordingly, the Owner's proposed Zoning Map Amendment does not negatively implicate the Priority Investment Act Vision and is therefore consistent with the Comprehensive Plan.

- 2. **Compatibility of the site's physical, geological, hydrological and other environmental features to support the breadth and intensity of uses that could be developed in the proposed zoning district.** The proposed annexation and Zoning Map Amendment adds the Property to the Buckwalter PUD creates a new Planning Area under the Concept Plan and authorizes use and density on the Property with storm water facilities and infrastructure already developed consistent with current standards. The Owner submits that the physical, geological, hydrological and other environmental features of Property have largely already been reviewed, planned, designed and approved and any remaining development will not overburden nor negatively impact the physical, hydrological or other environmental features of the Property.
- 3. **Compatibility of all the potential uses allowed in the proposed zoning district with the surrounding uses and zoning districts.** Compatibility of all the potential uses allowed in the proposed zoning district with the surrounding uses and zoning

³² See Land Use Table, Goals and Implementation Steps, Section 8.2, Page 8-22.

³³ See Chapter 9, December 9, 2014 Comprehensive Plan, Page 9-1.

³⁴ See Chapter 10, December 9, 2014 Comprehensive Plan, Page 10-1.

³⁵ See Section 10.2 Official Map, December 9, 2014 Comprehensive Plan, Page 10-5.

districts in terms of suitability of location, impacts on the environment, noise, density, nature of use, traffic impacts, aesthetics, ability to develop adjacent properties under existing zoning, and potential influence on property values.

- a. Compatibility with surrounding uses and zoning districts – location. Adjacent to the Property to the west is the Berkeley Hall PUD, a private residential club community, to the northeast by the Eagle’s Pointe private residential community and golf course, to the east by the Bluffton Township Fire Station # 35 and to the south across U.S. Highway 278 the Buckwalter PUD. Institutional and educational uses adjacent to these developments and facilities as well as Buckwalter PUD uses are compatible to the adjacent use as those uses are all existing uses in the Buckwalter PUD. Accordingly, the Owner submits that the Zoning Map Amendment is compatible with surrounding uses and zoning districts.
- b. Compatibility with surrounding uses and zoning districts – impacts on the environment. Much of the Property is already developed with institutional uses and the impacts on natural resources and the existing natural environment have been considered, planned and already approved. Accordingly, the Owner submits that the Zoning Map Amendment essentially will not result in new or unplanned impacts to the natural resources and existing natural environment of the surrounding uses or zoning districts.
- c. Compatibility with surrounding uses and zoning districts – noise. Much of the Property is already developed with institutional uses including a church and elementary school campus. The Owner submits that the Zoning Map Amendment will not result in new or unplanned noise impacts or create the type or level of noise beyond that created by the uses currently allowed in the Buckwalter PUD.
- d. Compatibility with surrounding uses and zoning districts – density. Much of the Property is already developed with institutional uses including a church and elementary school campus. The density requested is consistent with the uses, density and development along the U.S. Highway 278 corridor and those within the Buckwalter PUD.
- e. Compatibility with surrounding uses and zoning districts – nature of use. Much of the Property is already developed with institutional uses including a church and elementary school campus both being less intense use than other uses available in the Buckwalter PUD and therefore is compatible with surrounding uses and zoning districts.
- f. Compatibility with surrounding uses and zoning districts – traffic impacts. The Property is served by two signalized intersections providing ingress and egress to U.S. Highway 278. No other public rights of way are nearby and no further connections are contemplated. Much of the Property is already developed with institutional uses including a church and elementary school campus and traffic impacts have already been addressed. To the extent other development is proposed, it will be required to comply with applicable traffic and trip generation requirements. The

Application therefore is compatible with surrounding uses and zoning districts.

- g. Compatibility with surrounding uses and zoning districts – aesthetics. Much of the Property is already developed with institutional uses including a church and elementary school campus and design and aesthetics have already been considered and addressed. The Owner submits the aesthetics of the existing development on the Property is compatible with surrounding uses and zoning districts and future development, if any will be subject to the design standards of the UDO.
- h. Compatibility with surrounding uses and zoning districts – ability to develop adjacent properties under existing zoning. The Owner submits that the annexation of the Property into the Town and the zoning map amendment has no adverse impact on the development of adjacent properties as they may continue to be developed as provided in applicable ordinances and or master plans.
- i. Compatibility with surrounding uses and zoning districts – potential influence on property values. The Owner submits that the annexation of the Property into the Town and the zoning map amendment likely will have little or no influence or impact on property values of surrounding properties.

4. **Compatibility of public infrastructure and services to sufficiently accommodate all potential uses allowed in the proposed district.** Compatibility of public infrastructure and services to sufficiently accommodate all potential uses allowed in the proposed district without compromising the public health, safety and welfare of the Town. The Property has direct access to U.S. Highway 278 a major arterial with excellent connections to the Buckwalter Parkway, the Bluffton Parkway, South Carolina Highway 46 and beyond. The Property has all necessary and readily available utilities access and storm water drainage facilities suitable for the existing use and those contemplated by this Application³⁶. Accordingly, there is no adverse impact on the public facilities and services contemplated to serve the Property.

5. **Public need for the potential uses permitted in the requested zoning district.** The Property is primarily developed as a church and school campus providing services and support to the current and future residents of the Town and the Owner believes currently and will in the future serve a public need.

III. **AMENDMENT TO DEVELOPMENT AGREEMENT AND CONCEPT PLAN.**

- A. **Applicability.** Adjacent to the South of the Property across the U.S. Highway 278 right of way, is the Buckwalter PUD which is located within the municipal limits of the Town. Section 3.9 of the UDO requires that “if any of the property subject to a PUD Master Plan application is not zoned PUD at the time of submittal, the application shall be submitted concurrently with a Zoning Map Amendment application requesting approval of a PUD Zoning for the subject property.” The property is not currently zoned PUD and therefore

³⁶ See applicable utility intent to serve letters attached hereto as Exhibit “L” and made a part hereof.

this Application also requests an amendment of the Buckwalter PUD including amending the Development Agreement and Concept Plan for the Buckwalter Tract (“**Concept Plan Amendment**”). The Owner submits that it is appropriate to zone the Property Buckwalter PUD and assign the Property the uses and density of the Buckwalter PUD.

1. **Consistency with the Comprehensive Plan.**

- a. **Population Vision.** *The Population Vision of the Comprehensive Plan acknowledges and accepts the Town’s diverse population and strives to offer a high quality of life for all residents, visitors and workers.*³⁷ The proposed Concept Plan Amendment is consistent with the Population Vision as it provides institutional and educational services to support existing and future population of the Town located in the Buckwalter PUD.³⁸ Furthermore, it is consistent with and furthers efforts to fulfill the goal to prepare for the minimum two-fold increase growth of the Town’s permanent residents with the addition of these institutional and educational uses as well as provide the opportunity for future retail opportunities and services.³⁹ The proposed Concept Plan Amendment is therefore consistent with the Population Vision of the Comprehensive Plan.

- b. **Cultural Resources Vision.** *The Cultural Resources Vision of the Comprehensive Plan instructs the Town to strive to maintain a sense of community, diversity and individuality by preserving cultural resources.*⁴⁰ The proposed amendment furthers the Culture Resources vision of the Comprehensive Plan since a large part of the Property is already developed as a church and school campus both of which serve to maintain a sense of community, diversity and individuality for the citizens of the Town and its surrounds.

- c. **Natural Resources Vision.** *The Natural Resources Vision of the Comprehensive Plan instructs the Town to inventory and protect critical resources in a manner which sustains the vitality, function, and beauty of Bluffton’s natural heritage.*⁴¹ The Owner is seeking to amend the Concept Plan to authorize use of the Property for Buckwalter PUD uses consistent with existing development on the Property as well as that of other areas within the municipal limits of the Town along the U.S. Highway 278 corridor and in the Buckwalter PUD. The Owner submits that the proposed amendment seeks to add land which is already primarily developed consistent with uses available in the Buckwalter PUD district and are well-planned and developed in conformance with the design standards similar to the Town including modern storm water management facilities. Accordingly, the Application is consistent with the Natural Resources vision of the Comprehensive Plan.

³⁷ See Chapter 2, Page 2-1, December 9, 2014 Comprehensive Plan.

³⁸ See Section 2.1, Population Needs and Goals Chart, Page 2-6, December 9, 2014 Comprehensive Plan.

³⁹ See Section 2.3 Population Projections Chart, Page 2-14, December 9, 2014 Comprehensive Plan.

⁴⁰ See Chapter 3, Page 3-1, December 9, 2014 Comprehensive Plan.

⁴¹ See Chapter 4, Page 4-1, December 9, 2014 Comprehensive Plan.

- d. Housing Vision. *The Housing Vision of the Comprehensive Plan seeks to ensure that every resident has decent, safe and affordable housing.*⁴² The Owner's proposed Concept Plan Amendment supports the Housing Vision as it provides existing, modern and safe institutional and educational services to support the existing and future population of the Town. The development currently existing on the Property, while not in itself housing, supports the vision overall by serving to attract new residents and business by making available quality institutional and educational services to support the existing and future population of the Town and its residents and guests. Therefore the Application is consistent with the Housing Vision of the Comprehensive Plan.
- e. Economic Development Vision. *The Economic Development Vision of the Comprehensive Plan instructs the Town to strive to create a vital, diverse and sustainable local economy that enhances Bluffton's community resources: human, natural and economic.*⁴³ The Economic Development Vision of the Comprehensive Plan recognizes the need to ensure a balanced local economy through revisions to zoning and land use regulations.⁴⁴ The Owner's proposed Concept Plan Amendment provides residents and guests of the Town and the greater Bluffton area with institutional and educational opportunities and potential development opportunities of business uses available in the Buckwalter PUD district and therefore serves the goals set forth in the Economic Development Vision⁴⁵. All of which serve to enhance the Town's human, natural and economic resources and contributes to a stable tax base. Accordingly, the proposed additional use category is consistent with the Economic Development Vision of the Comprehensive Plan.
- f. Community Facilities Vision. *The Community Facilities Vision of the Comprehensive Plan encourages the Town to provide efficient and reliable facilities and services for the residents and visitors of the Town of Bluffton and to meet level of service standards to ensure a high quality of life.*⁴⁶ The approval of this Application supports the Community Facilities Vision as it adds additional religious and educational opportunities for residents and visitors to the Town which serve to enhance the quality of life in the Town. Additionally, much of the Property is already developed and the infrastructure including roadways, sanitary sewer, storm water, drainage, potable water, electricity, telephone and cable, is already in place. The Owner's proposed Concept Plan Amendment therefore supports and is consistent with the Community Facilities Vision of the Comprehensive Plan, as it adds the opportunity for expanded religious and educational opportunities for residents and visitors of the Town without adding additional unplanned burdens on community facilities.

⁴² See Chapter 5, Page 5-1, December 9, 2014 Comprehensive Plan.

⁴³ See Chapter 6, December 9, 2014 Comprehensive Plan, Page 6-1.

⁴⁴ See Section 6.3 Local Economy, December 9, 2014 Comprehensive Plan, Page 6-9.

⁴⁵ See Section 6.6, Economic Development and Diversification Needs and Goals Chart, Page 6-23, December 9, 2014 Comprehensive Plan.

⁴⁶ See Chapter 7, December 9, 2014 Comprehensive Plan, Page 2-1.

- g. Land Use Vision. *The Land Use Vision of the Comprehensive Plan encourages the Town to plan for a balance of land uses that ensure a high quality of life, business opportunity, environmentally protected areas and proposed placement of residential uses.*⁴⁷ The Owner’s proposed Concept Plan Amendment provides residents and guests of the Town and the greater Bluffton area with additional institutional and educational opportunities and potential development opportunities of business uses available in the Buckwalter PUD district. The Owner’s use of the Property is supported by the existing infrastructure and does not adversely impact or create unplanned burdens on the natural environment or existing infrastructure, and is consistent with the Land Use Vision of the Comprehensive Plan.⁴⁸
- h. Transportation Vision. *The Transportation Vision of the Comprehensive Plan seeks to plan an efficient, adequate and safe transportation network for all users, including motorists, cyclists and pedestrians.*⁴⁹ The Owner’s proposed use is consistent with and supports the Transportation Vision of the Comprehensive Plan. Access and road infrastructure for the Property is already constructed and no additions are contemplated. The addition of the Property to the Buckwalter PUD proposed by the Owner has no negative impact on the Town’s transportation system, and is therefore consistent with the Transportation Vision of the Comprehensive Plan.
- i. Priority Investment Act Vision. *The Priority Investment Act Vision of the Comprehensive Plan encourages the shared commitment with neighboring jurisdictions and agencies to work together to plan and construct the public infrastructure needed by the residents of Bluffton and Beaufort County.*⁵⁰ The adoption of an Official Map is identified as a tool to implement the Comprehensive Plan by identifying property for future rights of way and other public uses and restricting the development on such property once such areas are identified.⁵¹ The Property is located on the north side of the U.S. Highway 278 right of way and is well served by two (2) signalizing existing connections to that right of way. U.S. Highway 278 is a main arterial through southern Beaufort County and the Town and well serves residents and guests in the Town. Accordingly, the Owner’s proposed Concept Plan Amendment does not negatively implicate the Priority Investment Act Vision and is therefore consistent with the Comprehensive Plan.
2. Consistency with the intent of the Planned Unit Development Zoning District. Section 4.2.13 of the UDO describes the purpose of the PUD district as one to “achieve the objectives of the Town of Bluffton *Comprehensive Plan* and to allow flexibility in development than could otherwise be achieved through strict application of this Ordinance.” The Owner submits that the Concept Plan amendment will achieve this flexibility and will result in achieving the purpose of

⁴⁷ See Chapter 8, December 9, 2014 Comprehensive Plan, Page 8-1.

⁴⁸ See Land Use Table, Goals and Implementation Steps, Section 8.2, Page 8-22.

⁴⁹ See Chapter 9, December 9, 2014 Comprehensive Plan, Page 9-1.

⁵⁰ See Chapter 10, December 9, 2014 Comprehensive Plan, Page 10-1.

⁵¹ See Section 10.2 Official Map, December 9, 2014 Comprehensive Plan, Page 10-5.

the PUD which is to “improve[] design, character and quality of walkable mixed-use developments and preserve natural and scenic features of open spaces.”⁵²

- a. Eligibility. The Owner submits that the Concept Plan Amendment meets the required eligibility criteria as outlined below.
 - i. Preservation of Significant Natural and Historic Features. The Owner submits that the addition of the Property to the Buckwalter PUD does not alter or diminish the existing preservation and enhancement natural and historic features of the Buckwalter PUD.
 - ii. Preservation of Usable Open Space. The Owner submits that the addition of the Property to the Buckwalter PUD will not alter or diminish the existing preservation of usable open space. The addition of the Property adds usable open space to the Buckwalter PUD.
 - iii. Incorporation of a Complementary Mixture of Uses. The Owner submits that the addition of the Property in the Buckwalter PUD will complement the current mixture of uses in the Buckwalter PUD because of the educational, church and institutional uses existing and proposed for the Property.
 - iv. Inclusion of Creative Design of as Nonconforming Site. The Owner submits that the Property is in conformance with the Ordinance and the inclusion of the Property in the Buckwalter PUD will maintain compliance with the Ordinance.
 - v. Economic Development. The Owner submits that the inclusion of the Property in the Buckwalter PUD will provide economic development consistent with the Comprehensive Plan as outlined in Section II.B.e of this Application.
- b. Public Services. The Owner submits that the inclusion of the Property in the Buckwalter PUD will not impact the Buckwalter PUD’s ability to be served by adequate public services. In fact, the inclusion of the Property will add to the public services offered through the addition of the elementary school and church campuses.
- c. Allowed Uses. The Owner submits that the land uses proposed on the Property are consistent with the uses established in Section 4.3 of the UDO and have been specifically defined and submitted and described in this Application Narrative and as shown on the Table of Comparative Land Uses in Exhibit “K” attached hereto and made a part hereof.
- d. Affordable Housing. The Owner submits that the addition of the Property to the Buckwalter PUD will not impact the existing affordable and workforce housing located within the Buckwalter PUD.

⁵² See Section 4.2.13, Planned Unit Development, Town of Bluffton Unified Development Ordinance

- e. Dimensional Requirements. The Owner submits that inclusion of the Property in the Buckwalter PUD will not cause deviations from the current standards for dimensional requirements.
3. **Consistency with Development and Concept Plan.** The proposed Concept Plan Amendment is consistent with the Development Agreement and Concept Plan for Buckwalter PUD. The Town and Branigar Organization, Inc. executed and approved a Development Agreement (“Development Agreement”), dated April 19, 2000, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 1288 at Page 1, which Development Agreement, as amended, governs the use and development of a tract of land known as the Buckwalter Tract. Concurrently with the execution of the Development Agreement, the Town of Bluffton annexed Buckwalter Tract into the Town boundaries and granted Concept Plan zoning to the Buckwalter Tract, all as more particularly described in the Annexation Petition and Concept Plan for Buckwalter Tract, adopted April 19, 2000. Subsequent to the execution and approval of the Development Agreement and Concept Plan, the Town Approved eleven (11) Amendments to the Buckwalter Development Agreement and Concept Plan. The Owner submits that the annexation of the Property into the Buckwalter PUD is consistent with the Development Agreement and Concept Plan for Buckwalter PUD and therefore submits an Amendment to Development Agreement and Concept Plan - Buckwalter Tract attached hereto as Exhibit “R” and made a part hereof.
 4. **Compatibility of Proposed Land Uses, Densities, Traffic Circulation, Environmental Features and Design with Adjacent Land Uses as well as Character of Surrounding Area.**
 - a. Land Uses. Adjacent to the south of the Property across U.S. Highway 278 right of way is the Buckwalter PUD. Adjacent to the Property to the west and north is the Berkeley Hall PUD, a private residential community, to the northeast the Eagle’s Pointe golf course and to the east by the Bluffton Township Fire station #35. The Property is therefore contiguous with the Town. Institutional and educational uses adjacent to these developments and facilities as well as the proposed uses are consistent with the uses already existing in the Buckwalter PUD and are derived from uses allowed in the Town and specifically within the Buckwalter PUD.
 - b. Density. Much of the Property is already developed with institutional uses including a church and elementary school campus. Further, the proposed density is consistent with that provided in the Buckwalter PUD, Development Agreement and Concept Plan and therefore the proposed density of the Property is compatible with the density and development along U.S. Highway 278 within the municipal limits of the Town and that along the Buckwalter PUD.
 - c. Traffic Circulation. The Property is served by two signalized intersections providing ingress and egress to U.S. Highway 278. No other public rights of way are nearby. Much of the Property is already developed and traffic impacts have already been addressed. To the extent other development is proposed, it will be required to comply with the applicable traffic

requirements. The Owner submits that the annexation of the Property into the Buckwalter PUD is compatible with the use of adjacent lands.

- d. Environmental Features. Much of the Property is already developed with institutional uses and the impacts on natural resources and the existing natural environment have been considered, planned and already approved. Accordingly, the Owner submits that the Concept Plan Amendment will not result in any new or unplanned impacts to the natural resources and existing environmental features of the surrounding areas.
 - e. Character of Surrounding Areas. Much of the Property is already developed with institutional uses including a church and elementary school campus and design, aesthetics and character have already been considered and addressed. The proposed zoning for the Property is Buckwalter PUD and that zoning is adjacent to the Property. The Owner submits the design, aesthetics, and character of the existing development on the Property is compatible with surrounding areas.
5. **Ability to be served by adequate public services.** The Property has direct access to U.S. Highway 278, a major arterial with excellent connections to the Buckwalter Parkway, the Bluffton Parkway, South Carolina Highway 46 and beyond. The Property has all necessary and readily available utilities and storm water drainage facilities that are suitable for the existing use and those available in the Buckwalter PUD. Furthermore, much of the Property is already developed with a church and elementary school and will therefore enhance public services available to the balance of the Property and Buckwalter PUD.
 6. **Demonstration of innovative site planning techniques that improve upon the standards in other allowable Town of Bluffton zoning districts with the purpose of enhancing the Town of Bluffton's health, safety and welfare.** Much of the Property is already developed with institutional uses including a church and elementary school campus. The annexation of the Property into the Buckwalter PUD will ensure that the balance of the Property is developed as is the surrounding Buckwalter PUD and will not negatively impact the Town of Bluffton's health, safety and welfare.
 7. **Ability of the site to sufficiently accommodate the densities and land use intensities of the proposed development.** Much of the Property is already developed with institutional uses including a church and elementary school campus. The existing development on the Property accommodates the density of the existing development. The density requested is consistent with density and development along the U.S. Highway 278 corridor within the municipal limits of the Town and along the Buckwalter Parkway and Buckwalter PUD as that property is currently zoned Buckwalter PUD.
 8. **Conformance with adopted or accepted plans, policies, and practices of the Town of Bluffton.** Much of the Property is already developed with institutional uses in conformance with policies and practices of the Town of Bluffton. For a discussion of compatibility with the Town of Bluffton Comprehensive Plan please refer to Section III.A.1 of this Application.

9. **Compliance with applicable requirements in the Application Manual.** The Owner submits that this Application is compliant with the applicable requirements of the Town’s Applications Manual.

IV. **AMENDMENT TO THE COMPREHENSIVE PLAN CRITERIA.**

This Application proposes two changes to the Comprehensive Plan Maps – the Future Annexation Area Map and the Future Land Use Map (sometimes herein collectively the “Maps”). Importantly, the Future Annexation Area Map does not include the Property as no future annexations are shown on the map north of U.S. 278 in the area of the Property. This makes sense as Property surrounded by residential planned communities which are classified as PUDs in the County Code. However, many of the commercial and mixed use areas north of the U.S. Highway 278 corridor are within municipal boundaries of the Town through prior annexations. Those areas, specifically Belfair Town Centre, are also surrounded by private planned residential communities. The change to the Future Annexation Area Map to include the Property is consistent with areas similarly situated and already annexed into the Town.

Similarly, the requested amendment to the Future Land Use Map of the Comprehensive Plan is an appropriate amendment as it is reflective of other annexations and development in the Town along the north side of U.S. 278 right of way.

A. **Consistency with the intent and overall policies of the Comprehensive Plan.**

The Application is consistent with the intent and policies of the Comprehensive Plan as it assists to ensure the Town remains a highly desirable community in which to live, work and visit. The annexation and rezoning contemplated in the Application enhances the quality of life in the community by providing successfully operating civic and institutional facilities, as well as providing opportunity for new commercial development of the type in terms of use and density already existing in the Buckwalter PUD. Development of the remaining portions of the Property will contribute to a diversified tax base to support desired Town facilities and services while ensuring reasonable tax rates for Town citizens.

B. **Consistency with demographics changes, prevailing economic trends and/or newly recognized best planning practices that would deem the proposed amendment necessary and proper for the advancement of the Town of Bluffton’s goals.**

The Application is consistent with the Comprehensive Plan’s desire to remain consistent with demographic changes. The Town population continues to grow and the Application provides additional religious worship educational choices and business opportunities for citizens of the Town.

C. **If applicable, the ability of public infrastructure and services to sufficiently accommodate the requested amendment to the Comprehensive Plan.**

No changes to public infrastructure or services are requested or required to accommodate the amendment.

D. **Appropriate and efficient use of public funds, the future growth, development and redevelopment of its area of jurisdiction and consideration of the fiscal impact on property owners.**

The proposed amendments to the Maps represents appropriate and efficient use of the public funds as they bring in property in an area which requires no new infrastructure and little expenditure of public funds beyond police and administrative services. The institutional uses already existing on the Property add both worship and educational opportunities for residents of the Town, both uses which require little, if any, public funds. The area of the Property which may be developed for commercial uses will generate revenue for the Town helping to achieve the Comprehensive Plan purpose of creating a stable tax base. The Map amendments do not create negatively fiscal impacts on surrounding property owners as the institutional development already exists and future commercial development is consistent with other similar situated developments in the area of the Property along U.S. 278 right of way and the Buckwalter PUD.

E. **Enhancement of the health, safety, and welfare of the Town of Bluffton.**

The proposed Map amendments enhance the health, safety and welfare of the Town by providing new places of worship to residents in the Town not otherwise served by a Catholic church as well as providing new educational opportunities enhancing the religious worship and educational facilities and business opportunities in the Town.

F. **Consistency with applicable South Carolina Planning law and consideration of case law.**

The proposed Map amendments are consistent with the South Carolina Local Government Comprehensive Planning Enabling Act of 1994⁵³ and are not contrary to applicable South Carolina common law.

G. **Compliance with applicable requirements in the Applications Manual.**

The Owner submits that this Application is compliant with the applicable requirements of the Town's Applications Manual.

V. **CONCLUSION.**

A. The Owner believes the foregoing narrative and analysis demonstrates that this Application is in conformance with the Town's Comprehensive Plan, and meets the criteria set forth in Section 3.4.3 of the UDO. Accordingly, the Owner respectfully requests that the Planning Commission and Town Council:

B. Review this Application and the supporting documentation and any testimony which will be entered into the record.

⁵³ Section 6-29-310 et. Seq. South Carolina Code of Laws.

- C. Find the following:
1. That this Application and the supporting testimony and documentation establish that the requested zoning map / text amendment is consistent with the Town's Comprehensive Plan.
 2. That this Application and the supporting testimony and documentation establish the physical, geographical, hydrological and other environmental features of the Property support the breadth and intensity of the uses available in the proposed additional use category.
 3. That this Application and the supporting testimony and documentation establish that the uses available in the proposed additional use category for the Property are compatible with surrounding uses and zoning districts in terms of suitability of location, impacts on the environment, noise, density, nature of use, traffic impacts, aesthetics, ability to develop adjacent properties under existing zoning and the potential influence on property values.
 4. That this Application and the supporting testimony and documentation establish that the public infrastructure and services are available and capable of sufficiently accommodating the uses available in the proposed additional use category without compromising the public health, safety and welfare of the Town.
 5. That this Application and the supporting testimony and documentation establish that there is a public need in the zoning district and the Town for the use proposed by the Application.
 6. That this Application and the supporting testimony and documentation are in compliance with the applicable requirements in the Applications Manual.
- D. Recommend approval of this Application and the rezoning of the Property to Buckwalter PUD with uses and density as set forth in the proposed Amendment to the Buckwalter Development Agreement and Concept Plan.

Respectfully submitted on behalf of the Owner this 21st day of February, 2020.

Burr & Forman LLP

EXHIBIT “R” TO SUPPLEMENT

Amendment to Development Agreement and Concept Plan – Buckwalter Tract

(please see attached)

SUPPLEMENT TO
ANNEXATION APPLICATION

Attached please find the Application for Annexation which is the first of a series of six (6) applications being submitted together to supplement the Application for Annexation originally filed by The Bishop of Charleston, a Corporation Sole (“**Owner**”) on July 9, 2019 and supplemented on February 21, 2020 (the “**Application**”).

Owner owns an approximate 61.036 acre parcel of real property (the “**Property**”) identified by Beaufort County Tax Map Number R600 022 000 0125 0000 and located in unincorporated Beaufort County. The Owner submits this Annexation Application requesting annexation of the Property into the Town of Bluffton (the “**Town**”) and submits together with the Application additional applications as more particularly described below.

The Property is adjacent to the Buckwalter PUD. Since annexation necessarily requires a rezoning the Owner requests that the Property be zoned Buckwalter PUD, specifically to be identified as the Saint Gregory the Great Land Use Tract. Zoning as Buckwalter PUD necessarily requires an application for a PUD Amendment. Since the Buckwalter PUD is subject to and governed by a Development Agreement, the Owner also necessarily needs to file an application for Development Agreement. Since the Buckwalter PUD has a Concept Plan, Owner also requests approval of a Concept Plan Amendment, Comprehensive Plan Amendment, and Master Plan for the Property.

Accordingly, Owner has submitted the following:

1. Completed Annexation Petition and digital files;
2. Project Narrative and digital file describing reason for application and compliance with the criteria in Article 3 of the UDO was previously submitted. Please see Annexation Application Narrative filed with the Application on February 21, 2020;
3. Parcel Information and digital file;
4. Concurrent Applications for Zoning Map Amendment, Development Agreement Amendment, Concept Plan Amendment, Comprehensive Plan Amendment, and PUD Master Plan Application, and digital files;
5. All information required by the Annexation Application Checklist is found in the Application Narrative Supplement as more particularly described in the Annexation Application Checklist attached hereto as Schedule “A”; and
6. An Application Review Fee, previously submitted together with Application on July 9, 2019.

Schedule “A”
Town of Bluffton
Annexation Application Checklist

Narrative:

1. Contact Information. See Part I.B.1 on pages 3 and 4 of the Amended Application Narrative submitted with the Application February 21, 2020.
2. Agency Letter. Part I.B.2, page 4 of the Amended Application, Exhibit “H” of the Application submitted on February 21, 2020.
3. Reason for Annexation Request and Anticipated Benefits. See Part I.B., page 4 of the Amended Application Narrative submitted February 21, 2020.
4. Parcel Number and Acreage. See Part I.B.4, page 4 of the Amended Application Narrative submitted February 21, 2020.
5. Existing Structures. See Part I.B.5, page 4 of the Amended Application Narrative submitted February 21, 2020.
6. Current Special Districts. See Part I.B.6, page 4 of the Amended Application Narrative submitted February 21, 2020.
7. Current County Zoning and Land Use. See Part I.B.7, page 4 of the Amended Application Narrative submitted February 21, 2020.
8. Proposed Zoning District and Land Use. See Part I.B.8, page 4 of the Amended Application Narrative submitted February 21, 2020.
9. Current versus Proposed Zoning District and Land Use Comparison. See Part I.B.9, page 5 of the Amended Application Narrative submitted February 21, 2020.
10. Consistency with Comprehensive Plans and Maps. See Part I.B.10, page 5 of the Amended Application Narrative submitted February 21, 2020.
11. Population Estimate. See Part I.B.11, page 5 of the Amended Application Narrative submitted February 21, 2020.
12. Current Utility Providers. See Part I.B.12, page 5 of the Amended Application Narrative submitted February 21, 2020.

Parcel Information:

1. Deeds of Record. See Part I.C.1, page 5 of the Amended Application Narrative submitted February 21, 2020.
2. Plats of Record. See Part I.C.2, page 5 of the Amended Application Narrative submitted February 21, 2020.
3. Covenants, Conditions and Restrictions. See Part I.C.3, page 5 of the Amended Application Narrative submitted February 21, 2020.
4. Easements of Records. See Part I.C.4, pages 5 and 6 of the Amended Application Narrative submitted February 21, 2020.
5. Agreements of Record. See Part I.C.5, page 6 of the Amended Application Narrative submitted February 21, 2020.

6. Other Documents of Record. See Part I.C.6, page 6 of the Amended Application Narrative submitted February 21, 2020.
7. Location Map. See Part I.C.7, page 6 of the Amended Application Narrative submitted February 21, 2020.
8. Zoning Verification Letter. See Part I.C.8, page 6 of the Amended Application Narrative submitted February 21, 2020.
9. Parcel History Letter. See Part I.C.9, page 6 of the Amended Application Narrative submitted February 21, 2020.
10. Photographs. See Part I.C.10, page 6 of the Amended Application Narrative submitted February 21, 2020.



**TOWN OF BLUFFTON
ANNEXATION APPLICATION**

Growth Management Customer Service Center
20 Bridge Street
Bluffton, SC 29910
(843) 706-4622
www.townofbluffton.sc.gov
applicationfeedback@townofbluffton.com

Applicant		Property Owner	
Name: Walter J. Nester, III		Name: The Bishop of Charleston, a Corporation Sole	
Phone: 843-815-2171		Phone: 843-261-0523	
Mailing Address: 4 Clarks Summit Drive, Suite 200 Bluffton, SC 29910		Mailing Address: c/o Elaine H. Fowler, Esquire 901 Orange Grove Road Charleston, SC 29407	
E-mail: wnester@burr.com		E-mail: efowler@charlestandiocese.org	
Town Business License # (if applicable):			
Project Information			
Project Name: Saint Gregory The Great Catholic Church Annexation		Acreage: 62.80	
Project Location: 323 Fording Island Road, Bluffton			
Existing Zoning: C3NMU		Proposed Zoning: GM	
Tax Map Number(s): R600 022 000 0125 0000			
Project Description: Annexation of Saint Gregory The Great Catholic Church Campus			
Select Annexation Method (see Annexation Policy and Procedures Manual):			
<input checked="" type="checkbox"/> 100 Percent Petition and Ordinance Method		<input type="checkbox"/> 75 Percent Petition and Ordinance Method	<input type="checkbox"/> 25 Percent Elector Petition and Election Method
Minimum Requirements for Submittal			
<input type="checkbox"/> 1. Completed Annexation Petition(s) and digital files. <input type="checkbox"/> 2. Project Narrative and digital file per the attached Annexation Application Checklist. <input type="checkbox"/> 3. Parcel Information and digital file per the attached Annexation Application Checklist. <input type="checkbox"/> 4. Concurrent Applications and digital files per the attached Annexation Application Checklist. <input type="checkbox"/> 5. All information required on the attached Application Checklist. <input type="checkbox"/> 6. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.			
Note: A Pre-Application Meeting is required prior to Application submittal.			
Disclaimer: The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.			
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.			
Property Owner Signature: By: <u>John I. Barker</u>		Date: <u>6/27/2019</u>	
Applicant Signature: <u>[Signature]</u>		Date: <u>7.9.19</u>	
For Office Use			
Application Number: <u>[Handwritten]</u>		Date Received:	
Received By: <u>[Signature]</u>		Date Approved:	



TOWN OF BLUFFTON ANNEXATION APPLICATION CHECKLIST

In accordance with the Town of Bluffton Annexation Policies & Procedures Manual, the following information shall be included as part of an Annexation application submitted for review. This checklist is intended to assist in the provision of the minimum documentation necessary to demonstrate compliance with Town of Bluffton policies and procedures. Upon review of the submitted application by Town Staff, additional information may be required. The use of this checklist by Town Staff or the Applicant shall not constitute a waiver of any requirement contained in the Annexation Policies & Procedures Manual. Applicants are encouraged to work closely with Town Staff in preparing any application prior to submittal.

Narrative.
1. Contact information for property owner(s), applicant, attorney and any other applicable consultant/firm.
2. If the applicant is not the property owner, a letter of agency from the property owner authorizing the applicant to act on behalf of the property owner.
3. Reason for annexation request and anticipated benefits.
4. Parcel numbers and acreage of each.
5. Existing structure(s).
6. Current Special Districts (overlay, tax, and/or conservation).
7. Current Beaufort County Zoning District(s) and Land Use(s).
8. Proposed Zoning District(s) and Land Use(s).
9. Current versus Proposed Zoning District and Land Use Comparison.
10. Consistency with the Town of Bluffton Comprehensive Plan, Future Annexation Area Map, and Future Land Use Map.
11. Estimate of current population of Annexation Area.
12. Current utility service providers.
Parcel Information.
1. Deed(s) recorded with the Beaufort County Register of Deeds.
2. Plat(s) recorded with the Beaufort County Register of Deeds.
3. Covenants and Restriction(s) recorded with the Beaufort County Register of Deeds.
4. Easement(s) recorded with the Beaufort County Register of Deeds.
5. Agreement(s) recorded with the Beaufort County Register of Deeds.
6. Any other Document(s) recorded with the Beaufort County Register of Deeds.
7. Location Map of proposed Annexation Area showing: <ul style="list-style-type: none"> a) Existing Structures; b) Current Beaufort County Zoning District(s); and c) Adjacent Property Owners.
8. Zoning verification letter from Beaufort County providing: <ul style="list-style-type: none"> a) Current Beaufort County Zoning; and b) Special Districts such as Overlays.
9. Parcel History letter from Beaufort County providing: <ul style="list-style-type: none"> a) Special Districts such as, but not limited to, Tax Increment Finance District, Assessment District, and Multi-County Industrial Park; b) Any application(s) submitted for the past 10 years and the current status of the application; and c) Any zoning, land development, building, or county code violation(s) for the past 10 years and the current status of the violation.
10. Photographs of: <ul style="list-style-type: none"> a) Existing Structures and Land Use; and b) Adjacent Property.

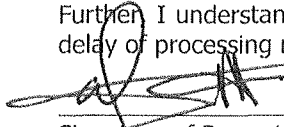


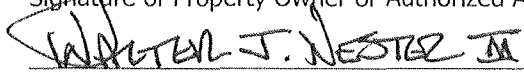
**TOWN OF BLUFFTON
ANNEXATION
APPLICATION CHECKLIST**

Concurrent Applications.	
1.	Zoning Map Amendment application and required submittal items.
2.	Other concurrent applications, as applicable: <ul style="list-style-type: none">a) Comprehensive Plan Amendment application and required submittal items;b) Development Agreement application and required submittal items;c) Concept Plan application and required submittal items; and/ord) Master Plan application and required submittal items.

**SIGN AND RETURN THIS CHECKLIST WITH THE APPLICATION SUBMITTAL
ALL SUBMITTALS MUST BE COLLATED AND FOLDED TO 8-1/2" X 11"**

By signature below I certify that I have reviewed and provided the minimum submittal requirements listed above, including any additional items requested by the Town of Bluffton Staff. Any items not provided have been listed in the project narrative with an explanation as to why the required submittal item has not been provided or is not applicable. Further I understand that failure to provide a complete, quality application or erroneous information may result in the delay of processing my application(s).



Signature of Property Owner or Authorized Agent


Printed Name

7.9.19

Date

SUPPLEMENT TO
COMPREHENSIVE PLAN AMENDMENT APPLICATION

Attached please find the Comprehensive Plan Amendment Application which is the sixth of a series of six (6) applications being submitted together to supplement the Application for Annexation originally filed by The Bishop of Charleston, a Corporation Sole (“**Owner**”) on July 9, 2019 and supplemented on February 21, 2020 (the “**Application**”).

Owner owns an approximate 61.036 acre parcel of real property (the “**Property**”) identified by Beaufort County Tax Map Number R600 022 000 0125 0000 and located in unincorporated Beaufort County. The Owner has requested the Property be annexed into the Town of Bluffton (the “**Town**”). Annexation of real property into the Town necessarily requires that the annexed property be rezoned to a Town zoning classification. Owner requests a designation of the Property with the zoning district Buckwalter PUD, specifically as the Saint Gregory the Great Land Use Tract.

As described in the Town’s Unified Development Ordinance, applications for rezoning must be in conformance with the Town’s Comprehensive Plan and if not, an application for amendment of the Comprehensive Plan is necessary. The Property is not included in the Comprehensive Plan’s Future Annexation Areas Map and accordingly also not designated with a future land use in the Comprehensive Plan’s Future Land Use Map. This application therefore seeks to amend the Comprehensive Plan’s Future Annexation Areas Map to add the Property and to amend the Comprehensive Plan’s Future Land Use Map to identify the Property with a future land use of Buckwalter PUD.


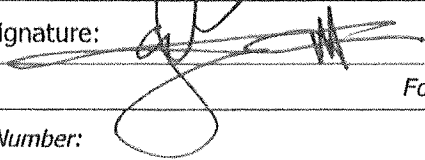

Accordingly, Owner has submitted the following:

1. Two (2) full sized copies and digital files of the maps and/or plans depicting the Property;
2. Project Narrative and digital file describing reason for application and compliance with the criteria in Article 3 of the UDO. See Section IV of the Amended Application Narrative submitted February 21, 2020; and
3. An Application Review Fee, previously submitted together with the Application July 9, 2020.



**TOWN OF BLUFFTON
COMPREHENSIVE PLAN AMENDMENT APPLICATION**

Growth Management Customer Service Center
20 Bridge Street
Bluffton, SC 29910
(843)706-4522
www.townofbluffton.sc.gov
applicationfeedback@townofbluffton.com

Applicant		Property Owner	
Name: Walter J. Nester, III		Name: The Bishop of Charleston, a Corporation Sole	
Phone: 843-815-2171		Phone: 843-261-0523	
Mailing Address: 4 Clarks Summit Drive, Suite 200 Bluffton, SC 29910		Mailing Address: c/o Elaine H. Fowler, Esquire 901 Orange Grove Road Charleston, SC 29407	
E-mail: wnester@burr.com		E-mail: efowler@charlestondiocese.org	
Town Business License # (if applicable):			
Project Information			
Project Name: Saint Gregory The Great Catholic Church Annexation			
Project Location: 323 Fording Island Road, Bluffton			
Zoning District: GM		Acreage: 62.80	
Tax Map Number(s): R600 - 022 - 000 - 0125 - 0000 ; R600 - 022 - 000 - 1120 - 0000 R_ _ _ - _ _ _ - _ _ _ _ - _ _ _ _ ; R_ _ _ - _ _ _ - _ _ _ _ - _ _ _ _			
Project Description: Annexation of Saint Gregory The Great Catholic Church Campus			
Minimum Requirements for Submittal			
<input type="checkbox"/> 1. Two (2) full sized copies and digital files of the maps and/or plans depicting the subject property. <input type="checkbox"/> 2. Project Narrative and digital file describing reason for application and compliance with the criteria in Article 3 of the UDO. <input type="checkbox"/> 3. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.			
Note: A Pre-Application Meeting is required prior to Application submittal.			
Disclaimer: The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.			
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.			
Property Owner Signature: 		Date: 7/1/2019	
Applicant Signature: 		Date: 7.9.19	
<i>For Office Use</i>			
Application Number: 		Date Received:	
Received By:		Date Approved:	

SUPPLEMENT TO
ZONING MAP/TEXT AMENDMENT APPLICATION

Attached please find the Zoning Map/Text Amendment Application which is the second of a series of six (6) applications being submitted together to supplement the Application for Annexation originally filed by The Bishop of Charleston, a Corporation Sole (“**Owner**”) on July 9, 2019 and supplemented on February 21, 2020 (the “**Application**”).

Owner owns an approximate 61.036 acre parcel of real property (the “**Property**”) identified by Beaufort County Tax Map Number R600 022 000 0125 0000 and located in unincorporated Beaufort County. The Owner has requested the Property be annexed into the Town of Bluffton (the “**Town**”). Annexation of real property into the Town necessarily requires that the annexed property be rezoned to a Town zoning classification. Accordingly, Owner submits this Zoning Map/Text Amendment requesting a designation of the Property with the zoning district Buckwalter PUD, specifically as the Saint Gregory the Great Land Use Tract.

Accordingly, Owner has submitted the following:

1. Two (2) full sized copies and digital files of the maps and/or plans depicting the Property;
2. Project Narrative and digital file describing reason for application and compliance with the criteria in Article 3 of the UDO. Please see Section II of the Amended Application Narrative submitted February 21, 2020; and
3. An Application Review Fee, previously submitted together with the Application July 9, 2019.



**TOWN OF BLUFFTON
ZONING MAP/TEXT AMENDMENT APPLICATION**

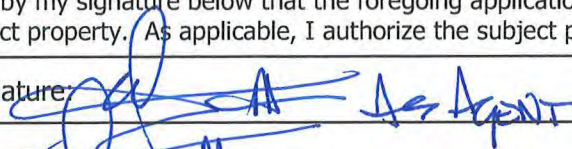

Growth Management Customer Service Center
20 Bridge Street
Bluffton, SC 29910
(843) 706-4522
www.townofbluffton.sc.gov
applicationfeedback@townofbluffton.com

Applicant		Property Owner	
Name: Walter J. Nester, III		Name: The Bishop of Charleston, a Corporation Sole	
Phone: 843-815-2171		Phone: 843-261-0523	
Mailing Address: 4 Clarks Summit Drive, Suite 200 Bluffton, SC 29910		Mailing Address: c/o Elaine H. Fowler, Esquire 901 Orange Grove Road Charleston, SC 29407	
E-mail: wnester@burr.com		E-mail: efowler@charlestdiocese.org	
Town Business License # (if applicable):			
Project Information			
Project Name: Saint Gregory The Great Catholic Church Annexation		Acreage: 62.80	
Project Location: 323 Fording Island Road, Bluffton		Comprehensive Plan Amendment <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Existing Zoning: C3NMU		Proposed Zoning: GM	
Type of Amendment: Text <input type="checkbox"/> Map <input checked="" type="checkbox"/>			
Tax Map Number(s): R600 022 000 0125 0000			
Project Description: Rezoning and amendment to future annexation area map.			
Minimum Requirements for Submittal			
<input type="checkbox"/> 1. Two (2) full sized copies and digital files of the maps and/or plans depicting the subject property. <input type="checkbox"/> 2. Project Narrative and digital file describing reason for application and compliance with the criteria in Article 3 of the UDO. <input type="checkbox"/> 3. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.			
Note: A Pre-Application Meeting is required prior to Application submittal.			
Disclaimer: The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.			
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.			
Property Owner Signature: <i>John L. Barker</i>		Date: 6/27/2019	
Applicant Signature: <i>[Signature]</i>		Date: 7.9.19	
<i>For Office Use</i>			
Application Number:		Date Received:	
Received By:		Date Approved:	



**TOWN OF BLUFFTON
DEVELOPMENT AGREEMENT APPLICATION**

Growth Management Customer Service Center
20 Bridge Street
Bluffton, SC 29910
(843)706-4522
www.townofbluffton.sc.gov
applicationfeedback@townofbluffton.com

Applicant		Property Owner	
Name: Walter J. Nester, III		Name: The Bishop of Charleston, a Corporation sole	
Phone: 843-815-2171		Phone: 843-261-0523	
Mailing Address: 4 Clarks Summit Drive, Suite 200 Bluffton, SC 29910		Mailing Address: c/o Elaine H. Fowler, Esquire 901 Orange Grove Road Charleston, SC 29407	
E-mail: wnester@burr.com		E-mail: efowler@charlestdiocese.org	
Town Business License # (if applicable):			
Project Information			
Project Name: Saint Gregory The Great Catholic Church Annexation		<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amendment
Project Location: 323 Fording Island Road, Bluffton			
Zoning District: Currently C3NMU		Acreage: 61.093	
Tax Map Number(s): R600 022 000 0125 0000, R600 022 000 1120 0000			
Project Description: Annexation of Saint Gregory The Great Catholic Church property and rezoning by amendment of Buckwalter Development Agreement, Concept Plan, Buckwalter PUD and Master Plan.			
Minimum Requirements for Submittal			
<input type="checkbox"/> 1. One (1) paper copy and digital file of the draft Development Agreement. <input type="checkbox"/> 2. Project Narrative and digital file describing reason for application and compliance with the criteria in Article 3 of the UDO. <input type="checkbox"/> 3. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.			
Note: A Pre-Application Meeting is required prior to Application submittal.			
Disclaimer: The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.			
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.			
Property Owner Signature: 		Date: 2/18/2020	
Applicant Signature: 		Date: 2/18/2020	
For Office Use			
Application Number:		Date Received:	
Received By:		Date Approved:	

Prepared by and after recording return to:
Burr & Forman LLP
23-B Shelter Cove Lane, Suite 400
Hilton Head Island, SC 29928
(843) 785-2171

STATE OF SOUTH CAROLINA	)	TWELFTH AMENDMENT TO
	)	DEVELOPMENT AGREEMENT
	)	AND CONCEPT PLAN -
	)	BUCKWALTER TRACT -
COUNTY OF BEAUFORT	)	SAINT GREGORY THE GREAT
	)	PLANNING TRACT

THIS TWELFTH AMENDMENT (“**Twelfth Amendment**”) to Development Agreement and Concept Plan is made and entered into this ___ day of _____, 2020 by and between the Town of Bluffton, South Carolina (“**Town**”), The Bishop of Charleston, a Corporation Sole (“**Bishop of Charleston**”), and Beaufort-Jasper Water & Sewer Authority (“**BJWSA**”), (Bishop of Charleston and BJWSA collectively “**Owner**”).

WHEREAS, Town and The Branigar Organization, Inc. executed and approved a Development Agreement (“**Development Agreement**”), dated April 19, 2000, and recorded in the Office of the Register of Deeds (“**ROD**”) for Beaufort County, South Carolina in Book 1288 at Page 1, which Development Agreement, as amended, governs the use and development of a tract of land known as the Buckwalter Tract, originally containing approximately 5,680 acres of land, more particularly described in the Development Agreement and amendments thereto (the “**Buckwalter PUD**”); and,

WHEREAS, concurrently with the execution of the Development Agreement, the Town annexed the Buckwalter Tract and granted Concept Plan zoning to the Buckwalter Tract, all as more particularly described in the Annexation Petition and Concept Plan (“**Concept Plan**”) for Buckwalter Tract, adopted April 19, 2000; and,

WHEREAS, subsequent to the execution and approval of the Development Agreement and Concept Plan, the Town approved Eleven (11) Amendments to the Buckwalter Development Agreement and Concept Plan to add additional property thereto, each hereinafter identified as follows:

1. **First Amendment.** Addition of 11.721 acres known as the Robertson Tract with additional Density to the Buckwalter Development Agreement and Concept Plan executed on June 21, 2002 and recorded in the ROD in **Book 1599 at Page 1149**; and
2. **Second Amendment.** Addition of 43.38 acres known as the Johnson Tracts together with 55 Dwelling Units to the Buckwalter Development Agreement and Concept Plan executed on February 4, 2003 and recorded in the ROD in **Book 1709 at Page 440**; and
3. **Third Amendment.** Addition of 173.62 acres known as the Cypress Lake Tract from the Jones Estate Development Agreement and Concept Plan together with 600 Dwelling Units

and 90 acres of General Commercial Density to the Buckwalter Development Agreement and Concept Plan executed on October 10, 2005 and recorded in the ROD in **Book 2256** at **Page 189**; and

4. **Fourth Amendment.** Addition of 59.91 acres known as the Rose Dhu Creek Phase III Tract together with 18 Dwelling Units to the Buckwalter Development Agreement and Concept Plan executed on October 10, 2005 and recorded in the ROD in **Book 2256** at **Page 204**; and
5. **Fifth Amendment.** Addition of 58.85 acres known as the Graves Tract together with 58.85 acres of General Commercial Density to the Buckwalter Development Agreement and Concept Plan executed on November 2, 2005 and recorded in the ROD in **Book 2305** at **Page 410**; and
6. **Sixth Amendment.** Addition of 2.687 acres known as the Jacoby Tract with no additional Density to the Buckwalter Development Agreement and Concept Plan executed on May 10, 2006 and recorded in the ROD in **Book 2816** at **Page 1746**; and
7. **Seventh Amendment.** Addition of 6.5 acres known as the University Investments Tract with no additional Density to the Buckwalter Development Agreement and Concept Plan executed on January 7, 2008 and recorded in the ROD in **Book 2671** at **Page 2250**; and
8. **Eighth Amendment.** Addition of 324 Dwelling Units through Transfer of Development Rights Permit for Buckwalter Place Initial Master Plan to the Buckwalter Development Agreement and Concept Plan executed on November 6, 2007 and recorded in the ROD in **Book 2823** at **Page 384**; and
9. **Ninth Amendment.** Addition of 163 acres known as the Willow Run Tract, together with the reallocation of Land Uses for the Northern Tract, as well as 260 Dwelling Units and 162 acres of General Commercial Density to the Buckwalter Development Agreement and Concept Master Plan executed on February 25, 2008 and recorded in the ROD in **Book 2724** at **Page 1787**; and
10. **Tenth Amendment.** Approved certain changes in use to the 9.18 acre Robertson site, and related conditions executed on February 10, 2012 and recorded in the ROD in **Book 3119** at **Page 2458**; and
11. **Eleventh Amendment.** Approved changes in permitted use for the Buckwalter Commons Connector Tract and redesignated a portion of the Sandhill Tract as Buckwalter Commons Tract and added an additional 70 acres of Commercial Density executed on April 10, 2013 and recorded in the ROD in **Book 3231** at **Page 3176**; and

WHEREAS, Owner owns that certain 61.093 acre parcel of real property (“the **Property**”) located on the north side of U.S. Highway 278 and bounded to the east by the Bluffton Fire Department Station #35 and bounded to the west by the Berkeley Hall Club community. Said Property is more particularly described in Exhibit “A” attached hereto and made a part hereof; and

WHEREAS, said Property is adjacent to the Buckwalter PUD which is located within the municipal limits of the Town, and is therefore contiguous with the Town; and

WHEREAS, portions of the Property have been improved to include the Saint Gregory the Great Catholic Church and the Saint Gregory the Great School consisting of an existing Church building of approximately 12,000 square feet; and an existing school building with offices supporting the school and the Church consisting of approximately 27,000 square feet, a church multipurpose building of approximately 27,000 square feet, and a sewer pump station and supporting infrastructure, parking, drives and rights of way (the “**Existing Development**”); and

WHEREAS, it is now the desire and intention of the Town and Owner to enter into this Twelfth Amendment to annex the Property into the Town to be included within the Concept Plan zoning of the Buckwalter Tract, designate the Property as being a part of the Buckwalter PUD, designate the Saint Gregory the Great Land Use Tract (the “**SGG Tract**”) as an additional Planning Area, and to establish the permitted uses for said SGG Tract; and

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Town and Owner agree as follows:

1. **Recitals.** The above recitals are incorporated herein by this reference thereto.
2. **Amendment of Development Agreement and Concept Plan.** The Development Agreement and Concept Plan are hereby further amended to provide:
 - A. Amendment to Development Agreement. The Buckwalter Concept Plan and Development Agreement, as amended, are hereby further amended to add the Property to the legal description of the property subject to the Development Agreement as a part of the Buckwalter Tract and the Development Agreement so amended. The effect of this Twelfth Amendment is to add the Property, depicted in the Plat described on Exhibit “B” attached hereto and made a part hereof as fully and completely as if the Property was originally included in the legal description to the Development Agreement.
 - B. Amendments to Concept Plan.
 - i. Land Use Designation and Development Standards. The Property is hereby designated as being a part of the Buckwalter PUD, said tract designated hereunder as the SGG Tract as depicted on the Amended Concept Plan for Buckwalter PUD attached hereto as Exhibit “C”. Development within the 61.093 acres of the newly designated SGG Tract shall be governed by the Zoning Regulations (as defined in the Development Agreement) and by the Amended Concept Plan. Specifically, the land uses and development standards applicable to the SGG Tract shall control development within the Property with the same effect as if included in the original Concept Plan and Development Agreement. Together with this Twelfth Amendment the Town has approved a Master Plan for the SGG Tract which Master Plan is attached hereto as Exhibit “D” and made a part hereof (the “**SGG Master Plan**”).

- ii. Section 2 of the Concept Plan is further hereby amended as follows:
 - 1. Section 2.A. Introduction. Add as new tenth (10th) Planning Area the SGG Tract.
 - 2. Section 2.B. Allowed Land Uses. Add SGG Tract as a new subsection 10, with the following allowed land uses and definitions:
 - a. Community Recreation.
 - b. Dwelling Units.
 - c. Hotel/Inn.
 - d. Institutional Civic.
 - e. Maintenance Areas.
 - f. Multifamily Residential.
 - g. Neighborhood Commercial – including specifically convenience stores and automobile service stations with up to 20 fueling stations but excluding Recreational Vehicle Parks.
 - h. Open Space.
 - i. Roads.
 - j. Setbacks and Buffers.
 - k. Siviculture.
 - l. Single Family Residential but excluding mobile homes.
 - m. Wetlands.
 - n. Utilities.
 - iii. Density. The Property is hereby added to the Buckwalter Concept Plan and designated as SGG Tract as depicted in the Amended Concept Plan attached hereto as Exhibit “C”. The Property shall have 10.30 acres of commercial density and multifamily density of up to 164 dwelling units and single family density of up to 82 dwelling units. The balance of the Property is designated as Institutional/Civic which use does not require allocations of density as such use does not count against overall commercial acreage or residential density allowed for the Buckwalter PUD except however for student housing and employee dormitories and for such use the Property is hereby designated with an additional 200 residential units.
 - iv. No Effect on Other Landowner Rights. No change which is hereby approved to the Development Agreement and Concept Plan shall have any effect whatsoever on any property or landowner rights other than the SGG Tract and Owner.
- 3. **Reaffirmation of Buckwalter Development Agreement, Concept Plan and Amendments Thereto.** The Buckwalter Development Agreement, Concept Plan and all prior amendments thereto as modified by this Twelfth Amendment are hereby ratified and reaffirmed as if set forth verbatim herein.
 - 4. **Binding Effect.** This Twelfth Amendment to the Buckwalter Development Agreement and Concept Plan shall inure to the benefit of and be binding upon the respective parties hereto, their successors and assigns.

5. **Consistency with the Comprehensive Plan.** The Town confirms that the matters contained herein are consistent with the Comprehensive Plan of the Town of Bluffton and consistent with long range planning for the Town, wetland protection, and other planning goals.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the parties hereto, in and through their authorized representatives, have caused these instruments to be executed on their behalf effective the date first above written.

WITNESSES:

TOWN OF BLUFFTON,
SOUTH CAROLINA

By: _____

Its: _____

Attest: _____

SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGEMENT

I, _____, Notary Public for South Carolina do hereby certify that _____ on behalf of the Town of Bluffton, South Carolina, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this _____ day of _____, 2020.

Notary Public for South Carolina
My Commission Expires: _____

WITNESSES:

THE BISHOP OF CHARLESTON,
A CORPORATION SOLE

By: _____
Its: _____

SOUTH CAROLINA)
)
COUNTY OF _____)

ACKNOWLEDGEMENT

I, _____, Notary Public for South Carolina do hereby certify that
_____ on behalf of The Bishop of Charleston personally appeared before me this day and
acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this _____ day of _____, 2020.

Notary Public for South Carolina
My Commission Expires: _____

WITNESSES:

BEAUFORT-JASPER WATER & SEWER
AUTHORITY

By: _____

Its: _____

SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGEMENT

I, _____, Notary Public for South Carolina do hereby certify that
_____ on behalf of Beaufort-Jasper Water & Sewer Authority personally appeared before
me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this _____ day of _____, 2020.

Notary Public for South Carolina
My Commission Expires: _____

EXHIBIT "A"

ALL that certain piece, parcel, and tract of land containing 63.12 acres, more or less, situate, lying and being in the Meggett Tract Section of Beaufort County, South Carolina, with said tract more specifically shown and described on a plat thereof entitled "A Boundary Plat of 63.12 Acres A Portion Of Tax Parcel 600-13-46 The Meggett Tract", prepared by Connor & Associates, Inc., certified by Matthew L. Crawford, S.C.R.L.S. No. 9756, dated November 14, 1997 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 63 at Page 9.

LESS AND EXCEPT that certain 0.33 acre parcel, more or less, shown as "Area of Acquisition" on that certain Title to Real Estate date February 11, 2011 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3040 at Page 2187.

LESS AND EXCEPT those certain "Frontage Roads" more particularly shown and described in that certain Deed of Right-of-Way in favor of Beaufort County, a political subdivision of the State of South Carolina dated December 14, 2015 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3460 at Pages 1928-1931.

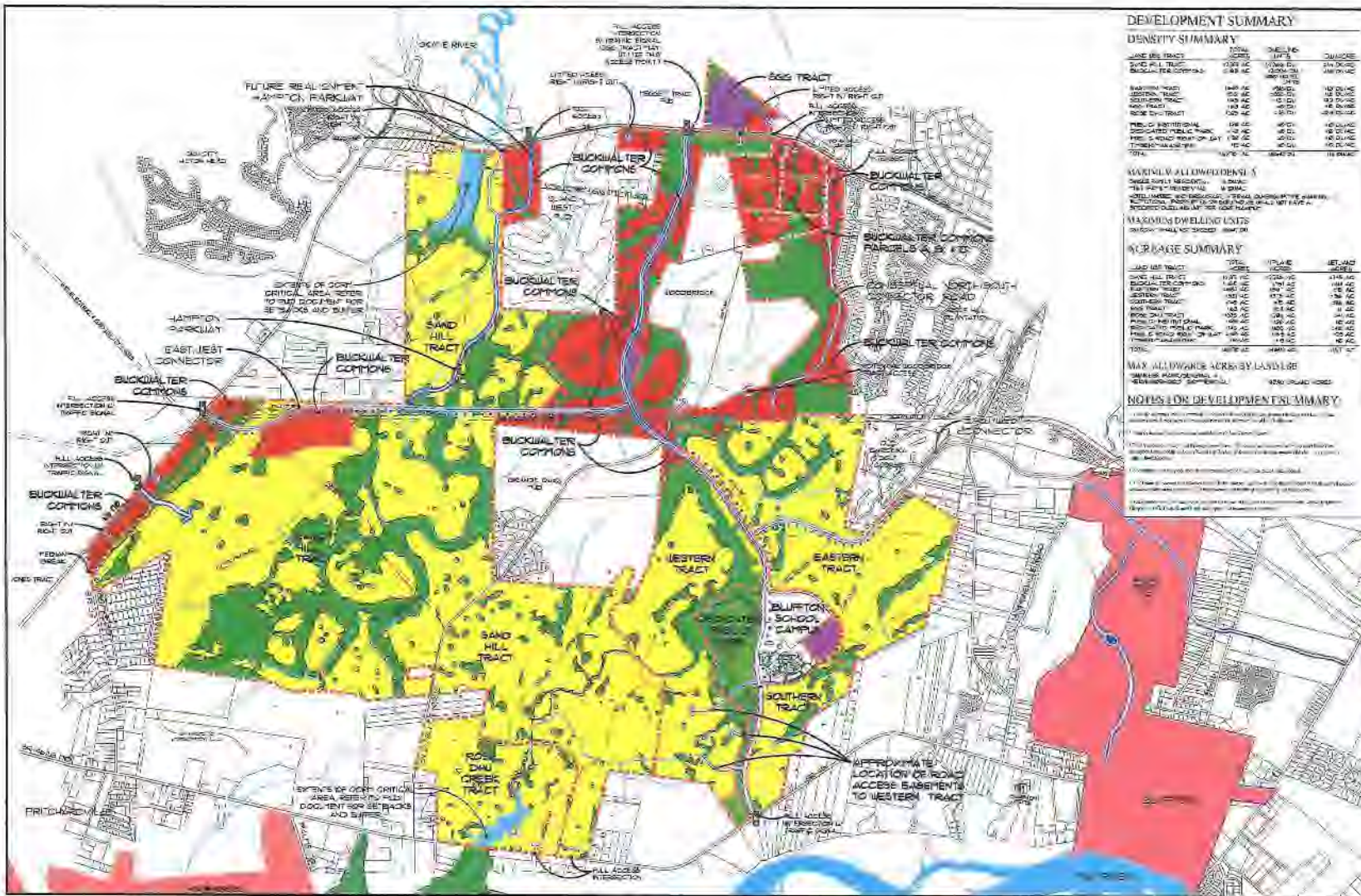
TMS #: R600 022 000 0125 0000

EXHIBIT "B"

Plat

EXHIBIT C

Amended Concept Plan for Buckwalter PUD



DEVELOPMENT SUMMARY

DENSITY SUMMARY

LAND TRACT	TOTAL ACRES	DENSITY	UNITS
BUCKWALTER COMMONS	1,000 AC	100 UNITS/AC	100,000 UNITS
SAND HILL TRACT	1,000 AC	100 UNITS/AC	100,000 UNITS
SAND CREEK TRACT	1,000 AC	100 UNITS/AC	100,000 UNITS
WESTERN TRACT	1,000 AC	100 UNITS/AC	100,000 UNITS
EASTERN TRACT	1,000 AC	100 UNITS/AC	100,000 UNITS
SOUTHERN TRACT	1,000 AC	100 UNITS/AC	100,000 UNITS
TOTAL	6,000 AC	100 UNITS/AC	600,000 UNITS

MAXIMUM ALLOWED DENSITY
 SINGLE FAMILY RESIDENTIAL: 10 UNITS/AC
 MULTIFAMILY RESIDENTIAL: 20 UNITS/AC
 COMMERCIAL: 10 UNITS/AC
 PUBLIC INSTITUTIONAL: 10 UNITS/AC
 WETLANDS: 10 UNITS/AC
 TIMBER MANAGEMENT: 10 UNITS/AC
 UCRM CRITICAL AREA: 10 UNITS/AC
 DEDICATED PUBLIC PARKS: 10 UNITS/AC

MAXIMUM DWELLING UNITS

ACRAGE SUMMARY

LAND TRACT	TOTAL ACRES	PLANNED ACRES	NET ACRES
BUCKWALTER COMMONS	1,000 AC	1,000 AC	1,000 AC
SAND HILL TRACT	1,000 AC	1,000 AC	1,000 AC
SAND CREEK TRACT	1,000 AC	1,000 AC	1,000 AC
WESTERN TRACT	1,000 AC	1,000 AC	1,000 AC
EASTERN TRACT	1,000 AC	1,000 AC	1,000 AC
SOUTHERN TRACT	1,000 AC	1,000 AC	1,000 AC
TOTAL	6,000 AC	6,000 AC	6,000 AC

MAX. ALLOWANCE ACRES BY LAND USE

RESIDENTIAL: 6,000 ACRES
 COMMERCIAL: 0 ACRES
 PUBLIC INSTITUTIONAL: 0 ACRES
 WETLANDS: 0 ACRES
 TIMBER MANAGEMENT: 0 ACRES
 UCRM CRITICAL AREA: 0 ACRES
 DEDICATED PUBLIC PARKS: 0 ACRES

NOTES FOR DEVELOPMENT SUMMARY

1. This summary is based on the information provided in the site plan and is subject to change based on the final design and construction of the project.
 2. The density and dwelling unit counts are based on the maximum allowed density and acreage for each land use type.
 3. The acreage summary is based on the total acreage of the project and the planned acreage for each land use type.

CONCEPT MASTER PLAN

For
Buckwalter
 PLANNED UNIT DEVELOPMENT
 Bluffton South Carolina

Prepared For:
Branigar Organization
 Savannah, Georgia



A COMPANY OF
 WOOD+PARTNERS, INC.
 Prepared By:
Wood+Partners, Inc.
 A Division of Wood+Partners, Inc.
 Thomas & Hutton Engineering Co.,
 Savannah, Georgia

LEGEND

- ROADS / PUBLIC RIGHT-OF-WAY
- INTERSECTION / ACCESS POINTS
- EXISTING DIRT ROADS
- STREAMS / WATER CHANNELS
- LAND USE TRACT LIMIT
- CHORE TRAIL

PUD LAND USE AREAS

- RESIDENTIAL
- PUBLIC/INSTITUTIONAL
- WETLANDS
- TIMBER MANAGEMENT
- UCRM CRITICAL AREA
- COMMERCIAL
- DEDICATED PUBLIC PARKS



DATE: 08/11/2011
 TIME: 10:00 AM
 PROJECT: BUCKWALTER PUD
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]
 SCALE: AS SHOWN
 SHEET NO. 1 OF 1

EXHIBIT "D"
SGG Tract Master Plan

Prepared By and After
 Recording Return to:
Burr & Forman LLP
 Attn: Walter J. Nester, III
 23-B Shelter Cove Lane
 Hilton Head Island, SC 29928
 843-785-2171

STATE OF SOUTH CAROLINA	)	_____	AMENDMENT TO
	)		DEVELOPMENT AGREEMENT
	)		AND CONCEPT PLAN -
	)		BUCKWALTER TRACT -
	)		SAINT GREGORY THE GREAT
COUNTY OF BEAUFORT	)		PLANNING TRACT

THIS _____ AMENDMENT (“_____ Amendment”) to Development Agreement and Concept Plan is made and entered into this ___ day of _____, 2020 by and between the Town of Bluffton, South Carolina (“**Town**”), The Bishop of Charleston, a Corporation Sole (“**Bishop of Charleston**”), and Beaufort-Jasper Water & Sewer Authority (“**BJWSA**”), (Bishop of Charleston and BJWSA collectively “**Owner**”).

WHEREAS, Town and The Branigar Organization, Inc. executed and approved a Development Agreement (“**Development Agreement**”), dated April 19, 2000, and recorded in the Office of the Register of Deeds (“**ROD**”) for Beaufort County, South Carolina in Book 1288 at Page 1, which Development Agreement, as amended, governs the use and development of a tract of land known as the Buckwalter Tract, originally containing approximately 5,680 acres of land, more particularly described in the Development Agreement and amendments thereto (the “**Buckwalter PUD**”); and,

WHEREAS, concurrently with the execution of the Development Agreement, the Town annexed the Buckwalter Tract and granted Concept Plan zoning to the Buckwalter Tract, all as more particularly described in the Annexation Petition and Concept Plan (“**Concept Plan**”) for Buckwalter Tract, adopted April 19, 2000; and,

WHEREAS, subsequent to the execution and approval of the Development Agreement and Concept Plan, the Town approved Eleven (11) Amendments to the Buckwalter Development Agreement and Concept Plan to add additional property thereto, each hereinafter identified as follows:

1. **First Amendment.** Addition of 11.721 acres known as the Robertson Tract with additional Density to the Buckwalter Development Agreement and Concept Plan executed on June 21, 2002 and recorded in the ROD in **Book 1599** at **Page 1149**; and
2. **Second Amendment.** Addition of 43.38 acres known as the Johnson Tracts together with 55 Dwelling Units to the Buckwalter Development Agreement and Concept Plan executed on February 4, 2003 and recorded in the ROD in **Book 1709** at **Page 440**; and

3. **Third Amendment.** Addition of 173.62 acres known as the Cypress Lake Tract from the Jones Estate Development Agreement and Concept Plan together with 600 Dwelling Units and 90 acres of General Commercial Density to the Buckwalter Development Agreement and Concept Plan executed on October 10, 2005 and recorded in the ROD in **Book 2256** at **Page 189**; and
4. **Fourth Amendment.** Addition of 59.91 acres known as the Rose Dhu Creek Phase III Tract together with 18 Dwelling Units to the Buckwalter Development Agreement and Concept Plan executed on October 10, 2005 and recorded in the ROD in **Book 2256** at **Page 204**; and
5. **Fifth Amendment.** Addition of 58.85 acres known as the Graves Tract together with 58.85 acres of General Commercial Density to the Buckwalter Development Agreement and Concept Plan executed on November 2, 2005 and recorded in the ROD in **Book 2305** at **Page 410**; and
6. **Sixth Amendment.** Addition of 2.687 acres known as the Jacoby Tract with no additional Density to the Buckwalter Development Agreement and Concept Plan executed on May 10, 2006 and recorded in the ROD in **Book 2816** at **Page 1746**; and
7. **Seventh Amendment.** Addition of 6.5 acres known as the University Investments Tract with no additional Density to the Buckwalter Development Agreement and Concept Plan executed on January 7, 2008 and recorded in the ROD in **Book 2671** at **Page 2250**; and
8. **Eighth Amendment.** Addition of 324 Dwelling Units through Transfer of Development Rights Permit for Buckwalter Place Initial Master Plan to the Buckwalter Development Agreement and Concept Plan executed on November 6, 2007 and recorded in the ROD in **Book 2823** at **Page 384**; and
9. **Ninth Amendment.** Addition of 163 acres known as the Willow Run Tract, together with the reallocation of Land Uses for the Northern Tract, as well as 260 Dwelling Units and 162 acres of General Commercial Density to the Buckwalter Development Agreement and Concept Master Plan executed on February 25, 2008 and recorded in the ROD in **Book 2724** at **Page 1787**; and
10. **Tenth Amendment.** Approved certain changes in use to the 9.18 acre Robertson site, and related conditions executed on February 10, 2012 and recorded in the ROD in **Book 3119** at **Page 2458**; and
11. **Eleventh Amendment.** Approved changes in permitted use for the Buckwalter Commons Connector Tract and redesignated a portion of the Sandhill Tract as Buckwalter Commons Tract and added an additional 70 acres of Commercial Density executed on April 10, 2013 and recorded in the ROD in **Book 3231** at **Page 3176**; and

WHEREAS, Owner owns that certain 61.093 acre parcel of real property (the “**Property**”) located on the north side of U.S. Highway 278 and bounded to the east by the Bluffton Fire Department Station #35 and bounded to the west by the Berkeley Hall Club community. Said Property is more particularly described in Exhibit “A” attached hereto and made a part hereof; and

WHEREAS, said Property is adjacent to the Buckwalter PUD which is located within the municipal limits of the Town, and is therefore contiguous with the Town; and

WHEREAS, portions of the Property have been improved to include the Saint Gregory the Great Catholic Church and the Saint Gregory the Great School consisting of an existing Church building of approximately 12,000 square feet; and an existing school building with offices supporting the school and the Church consisting of approximately 27,000 square feet, a church multipurpose building of approximately 27,000 square feet, and a sewer pump station and supporting infrastructure, parking, drives and rights of way (the “**Existing Development**”); and

WHEREAS, it is now the desire and intention of the Town and Owner to enter into this _____ Amendment to annex the Property into the Town to be included within the Concept Plan zoning of the Buckwalter Tract, designate the Property as being a part of the Buckwalter PUD, designate the Saint Gregory the Great Land Use Tract as an additional Planning Area, and to establish the permitted uses for said Saint Gregory the Great Land Use Tract; and

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Town and Owner agree as follows:

1. **Recitals.** The above recitals are incorporated herein by this reference thereto.
2. **Amendment of Development Agreement and Concept Plan.** The Development Agreement and Concept Plan are hereby further amended to provide:
 - A. Amendment to Development Agreement. The Buckwalter Development Agreement, as amended, is hereby further amended to add the Property to the legal description of the property subject to the Development Agreement as a part of the Buckwalter Tract and the Development Agreement so amended. The effect of this _____ Amendment is to add the Property, depicted in the Plat described on Exhibit “B” attached hereto and made a part hereof as fully and completely as if the Property was originally included in the legal description to the Development Agreement.
 - B. Amendments to Concept Plan. The Buckwalter Concept Plan, as amended, is hereby further amended as follows:
 - i. Land Use Designation and Development Standards. The Property is hereby designated as being a part of the Buckwalter PUD, said tract designated hereunder as the Saint Gregory the Great Land Use Tract as depicted on the Amended Concept Plan for Buckwalter PUD attached hereto as Exhibit “C” and made a part hereof. Development within the 61.093 acres of the newly designated Saint Gregory the Great Land Use Tract shall be governed by the Zoning Regulations (as defined in the Development Agreement) and by the Amended Concept Plan. Specifically, the land uses and development standards applicable to the Saint Gregory the Great Land Use Tract shall control development within the Property with the same effect as if included in the original Concept Plan and Development Agreement.

- ii. Section 2 of the Concept Plan is further hereby amended as follows:
 - 1. Section 2.A. Introduction. Add as new tenth (10th) Planning Area the Saint Gregory the Great Land Use Tract.
 - 2. Section 2.B. Allowed Land Uses. Add Saint Gregory the Great Land Use Tract as a new sub-section 10, with the following allowed land uses and definitions:
 - a. Community Recreation.
 - b. Dwelling Units.
 - c. Hotel/Inn.
 - d. Institutional Civic.
 - e. Maintenance Areas.
 - f. Multifamily Residential.
 - g. Neighborhood Commercial – including specifically convenience stores and automobile service stations with up to 20 fueling stations and car wash but excluding Recreational Vehicle Parks.
 - h. Open Space.
 - i. Roads.
 - j. Setbacks and Buffers.
 - k. Siviculture.
 - l. Single Family Residential but excluding mobile homes.
 - m. Wetlands.
 - n. Utilities.
 - iii. Density. The Property is hereby added to the Buckwalter Concept Plan and designated as Saint Gregory the Great Land Use Tract as depicted in the Amended Concept Plan attached hereto as Exhibit “C”. The Property shall have 10.30 acres of General Commercial development rights and 446 residential dwelling units of development rights subject to the following allocation of limits: multifamily density of up to 164 dwelling units and single family density of up to 82 dwelling units and 200 residential dwelling units for student housing or employee dormitories at 1/2 residential dwelling rights per room in accordance with Section 2.D.6.a. of the Buckwalter Concept Plan. The balance of the Property is designated as Institutional/Civic which use does not require allocations of density as such use does not count against overall commercial acreage or residential density allowed for the Buckwalter PUD.
 - iv. No Effect on Other Landowner Rights. No change which is hereby approved to the Development Agreement and Concept Plan shall have any effect whatsoever on any property or landowner rights other than the Saint Gregory the Great Land Use Tract and Owner.
- 3. **Reaffirmation of Buckwalter Development Agreement, Concept Plan and Amendments Thereto.** The Buckwalter Development Agreement, Concept Plan and all prior amendments thereto as modified by this _____ Amendment are hereby ratified and reaffirmed as if set forth verbatim herein.

4. **Binding Effect.** This _____ Amendment to the Buckwalter Development Agreement and Concept Plan shall inure to the benefit of and be binding upon the respective parties hereto, their successors and assigns.
5. **Consistency with the Comprehensive Plan.** The Town confirms that the matters contained herein are consistent with the Comprehensive Plan of the Town of Bluffton and consistent with long range planning for the Town, wetland protection, and other planning goals.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the parties hereto, in and through their authorized representatives, have caused these instruments to be executed on their behalf effective the date first above written.

WITNESSES:

TOWN OF BLUFFTON,
SOUTH CAROLINA

By: _____

Its: _____

Attest: _____

SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGEMENT

I, _____, Notary Public for South Carolina do hereby certify that _____ on behalf of the Town of Bluffton, South Carolina, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this _____ day of _____, 2020.

Notary Public for South Carolina
My Commission Expires: _____

WITNESSES:

BEAUFORT-JASPER WATER & SEWER
AUTHORITY

By: _____

Its: _____

SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGEMENT

I, _____, Notary Public for South Carolina do hereby certify that
_____ on behalf of Beaufort-Jasper Water & Sewer Authority personally appeared before
me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this _____ day of _____, 2020.

Notary Public for South Carolina
My Commission Expires:_____

EXHIBIT "A"

ALL that certain piece, parcel, and tract of land containing 63.12 acres, more or less, situate, lying and being in the Meggett Tract Section of Beaufort County, South Carolina, with said tract more specifically shown and described on a plat thereof entitled "A Boundary Plat of 63.12 Acres A Portion Of Tax Parcel 600-13-46 The Meggett Tract", prepared by Connor & Associates, Inc., certified by Matthew L. Crawford, S.C.R.L.S. No. 9756, dated November 14, 1997 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 63 at Page 9.

LESS AND EXCEPT that certain 0.33 acre parcel, more or less, shown as "Area of Acquisition" on that certain Title to Real Estate date February 11, 2011 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3040 at Page 2187.

LESS AND EXCEPT those certain "Frontage Roads" more particularly shown and described in that certain Deed of Right-of-Way in favor of Beaufort County, a political subdivision of the State of South Carolina dated December 14, 2015 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3460 at Pages 1928-1931.

TMS #: R600 022 000 0125 0000

EXHIBIT "B"

Plat

EXHIBIT C

Amended Concept Plan for Buckwalter PUD

SUPPLEMENT TO
APPLICATION FOR DEVELOPMENT AGREEMENT AMENDMENT –
BUCKWALTER DEVELOPMENT AGREEMENT

Attached please find the Application for Development Agreement Amendment – Buckwalter Development Agreement which is the third of a series of six (6) applications being submitted together to supplement the Application for Annexation originally filed by The Bishop of Charleston, a Corporation Sole (“**Owner**”) on July 9, 2019 and supplemented on February 21, 2020 (the “**Application**”).

Owner owns an approximate 61.036 acre parcel of real property (the “**Property**”) identified by Beaufort County Tax Map Number R600 022 000 0125 0000 and located in unincorporated Beaufort County. The Owner has requested the Property be annexed into the Town of Bluffton (the “**Town**”). Annexation of real property into the Town necessarily requires that the annexed property be rezoned to a Town zoning classification. Owner requests a designation of the Property with the zoning district Buckwalter PUD, specifically as the Saint Gregory the Great Land Use Tract.

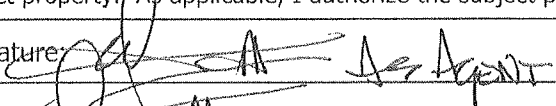

The Buckwalter PUD was created pursuant to and is governed by a development agreement between SP Forests L.L.C. and the Town (the “**Buckwalter Development Agreement**”). Since the zoning classification requested for the annexation of the Property into the Town is Buckwalter PUD, the Buckwalter Development Agreement is implicated and an amendment is required. Accordingly, the Applicant requests approval of an amendment to the Buckwalter Development Agreement and submits the following:

1. A paper and digital copy of the draft Twelfth Amendment to Buckwalter Development Agreement. Please see Exhibit “R” of the Amended Annexation Application submitted February 21, 2020;
2. Project Narrative and digital file describing the reason for application and compliance with criteria in Article 3 of the UDO. Please see Section III of Amended Annexation Application submitted February 21, 2020; and
3. An Application Review Fee, previously submitted together with the Application February 21, 2020.



**TOWN OF BLUFFTON
DEVELOPMENT AGREEMENT APPLICATION**

Growth Management Customer Service Center
20 Bridge Street
Bluffton, SC 29910
(843)706-4522
www.townofbluffton.sc.gov
applicationfeedback@townofbluffton.com

Applicant		Property Owner	
Name: Walter J. Nester, III		Name: The Bishop of Charleston, a Corporation sole	
Phone: 843-815-2171		Phone: 843-261-0523	
Mailing Address: 4 Clarks Summit Drive, Suite 200 Bluffton, SC 29910		Mailing Address: c/o Elaine H. Fowler, Esquire 901 Orange Grove Road Charleston, SC 29407	
E-mail: wnester@burr.com		E-mail: efowler@charlestdiocese.org	
Town Business License # (if applicable):			
Project Information			
Project Name: Saint Gregory The Great Catholic Church Annexation		<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amendment
Project Location: 323 Fording Island Road, Bluffton			
Zoning District: Currently C3NMU		Acreage: 61.093	
Tax Map Number(s): R600 022 000 0125 0000, R600 022 000 1120 0000			
Project Description: Annexation of Saint Gregory The Great Catholic Church property and rezoning by amendment of Buckwalter Development Agreement, Concept Plan, Buckwalter PUD and Master Plan.			
Minimum Requirements for Submittal			
<input type="checkbox"/> 1. One (1) paper copy and digital file of the draft Development Agreement. <input type="checkbox"/> 2. Project Narrative and digital file describing reason for application and compliance with the criteria in Article 3 of the UDO. <input type="checkbox"/> 3. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.			
Note: A Pre-Application Meeting is required prior to Application submittal.			
Disclaimer: The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.			
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.			
Property Owner Signature: 		Date: 2/18/2020	
Applicant Signature: 		Date: 2/18/2020	
For Office Use			
Application Number:		Date Received:	
Received By:		Date Approved:	

SUPPLEMENT TO
PLANNED UNIT DEVELOPMENT CONCEPT PLAN APPLICATION

Attached please find the Planned Unit Development Concept Plan Application which is the fourth of a series of six (6) applications being submitted together to supplement the Application for Annexation originally filed by The Bishop of Charleston, a Corporation Sole (“**Owner**”) on July 9, 2019 and supplemented on February 21, 2020 (the “**Application**”).

Owner owns an approximate 61.036 acre parcel of real property (the “**Property**”) identified by Beaufort County Tax Map Number R600 022 000 0125 0000 and located in unincorporated Beaufort County. The Owner has requested the Property be annexed into the Town of Bluffton (the “**Town**”). Annexation of real property into the Town necessarily requires that the annexed property be rezoned to a Town zoning classification. Owner requests a designation of the Property with the zoning district Buckwalter PUD, specifically as the Saint Gregory the Great Land Use Tract.

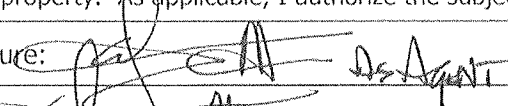

In addition to a zoning, PUD amendment and development agreement amendment, the annexation of the Property into the Town necessarily requires an amendment to the Buckwalter PUD Concept Plan (the “**Concept Plan**”). The Town maintains the Concept Plan in its data base to identify densities and uses within the various planning areas within the Town. An amendment is required as new property is added. Accordingly, Applicant hereby requests an amendment to the Concept Plan and submits the following:

1. Two (2) full sized copies and digital files of the Concept Plan previously delivered February 27, 2020;
2. Project Narrative and digital file describing the reason for application and compliance with criteria in Article 3 of the UDO was previously submitted together with the Amended Application Narrative. Please see Section III of the Amended Application Narrative; and
3. An Application Review Fee previously submitted together with the Application February 21, 2020.



**TOWN OF BLUFFTON
 PLANNED UNIT DEVELOPMENT (PUD)
 CONCEPT PLAN APPLICATION**

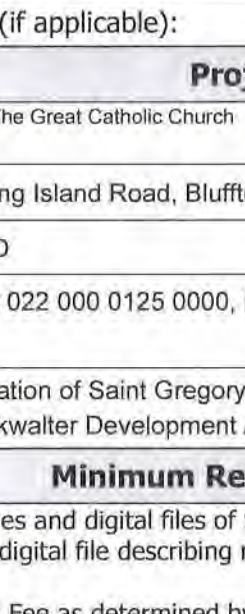
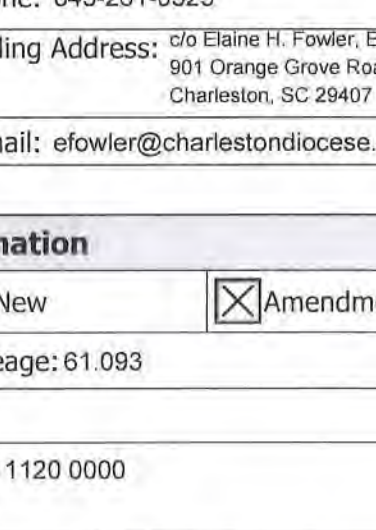
Growth Management Customer Service Center
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applicationfeedback@townofbluffton.com

Applicant		Property Owner	
Name: Walter J. Nester, III		Name: The Bishop of Charleston, a Corporation sole	
Phone: 843-815-2171		Phone: 843-261-0523	
Mailing Address: 4 Clarks Summit Drive, Suite 200 Bluffton, SC 29910		Mailing Address: c/o Elaine H. Fowler, Esquire 901 Orange Grove Road Charleston, SC 29407	
E-mail: wnester@burr.com		E-mail: efowler@charlestdiocese.org	
Town Business License # (if applicable):			
Project Information			
Project Name: Saint Gregory The Great Catholic Church Annexation		<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amendment
Project Location: 323 Fording Island Road, Bluffton		Acreage: 61.093	
PUD Name: Buckwalter PUD			
Tax Map Number(s): R600 022 000 0125 0000, R600 022 000 1120 0000			
Project Description: Annexation of Saint Gregory The Great Catholic Church property and rezoning by amendment of Buckwalter Development Agreement, Concept Plan, Buckwalter PUD and Master Plan.			
Minimum Requirements for Submittal			
<input type="checkbox"/> 1. Two (2) full sized copies and digital files of the Concept Plan. <input type="checkbox"/> 2. Project Narrative and digital file describing reason for application and compliance with the criteria in Article 3 of the UDO. <input type="checkbox"/> 3. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.			
Note: A Pre-Application Meeting is required prior to Application submittal.			
Disclaimer: The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.			
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.			
Property Owner Signature: 		Date: 2/18/2020	
Applicant Signature: 		Date: 2/18/2020	
<i>For Office Use</i>			
Application Number:		Date Received:	
Received By:		Date Approved:	



**TOWN OF BLUFFTON
 PLANNED UNIT DEVELOPMENT (PUD)
 CONCEPT PLAN APPLICATION**

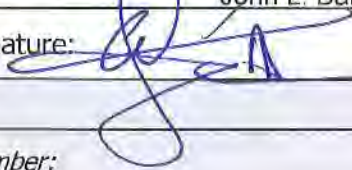
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Applicant		Property Owner	
Name: Walter J. Nester, III		Name: The Bishop of Charleston, a Corporation sole	
Phone: 843-815-2171		Phone: 843-261-0523	
Mailing Address: 4 Clarks Summit Drive, Suite 200 Bluffton, SC 29910		Mailing Address: c/o Elaine H. Fowler, Esquire 901 Orange Grove Road Charleston, SC 29407	
E-mail: wnester@burr.com		E-mail: efowler@charlestondiocese.org	
Town Business License # (if applicable):			
Project Information			
Project Name: Saint Gregory The Great Catholic Church Annexation		<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amendment
Project Location: 323 Fording Island Road, Bluffton		Acreage: 61.093	
PUD Name: Buckwalter PUD			
Tax Map Number(s): R600 022 000 0125 0000, R600 022 000 1120 0000			
Project Description: Annexation of Saint Gregory The Great Catholic Church property and rezoning by amendment of Buckwalter Development Agreement, Concept Plan, Buckwalter PUD and Master Plan.			
Minimum Requirements for Submittal			
<input type="checkbox"/> 1. Two (2) full sized copies and digital files of the Concept Plan. <input type="checkbox"/> 2. Project Narrative and digital file describing reason for application and compliance with the criteria in Article 3 of the UDO. <input type="checkbox"/> 3. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.			
Note: A Pre-Application Meeting is required prior to Application submittal.			
Disclaimer: The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.			
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.			
Property Owner Signature: 		Date: 2/18/2020	
Applicant Signature: 		Date: 2/18/2020	
For Office Use			
Application Number:		Date Received:	
Received By:		Date Approved:	



**TOWN OF BLUFFTON
 PLANNED UNIT DEVELOPMENT (PUD)
 MASTER PLAN APPLICATION**

Growth Management Customer Service Center
 20 Bridge Street
 Bluffton, SC 29910
 (843)706-4522
www.townofbluffton.sc.gov
applicationfeedback@townofbluffton.com

Applicant		Property Owner	
Name: Walter J. Nester, III		Name: The Bishop of Charleston, a Corporation Sole	
Phone: 843-815-2171		Phone: 843-261-0523	
Mailing Address: 4 Clarks Summit Drive, Suite 200 Bluffton, SC 29910		Mailing Address: c/o Elaine H. Fowler, Esquire 901 Orange Grove Road Charleston, SC 29407	
E-mail: wnester@burr.com		E-mail: efowler@charlestdiocese.org	
Town Business License # (if applicable):			
Project Information			
Project Name: Saint Gregory The Great Catholic Church Annexation		<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amendment
Project Location: 323 Fording Island Road, Bluffton		Acreage: 61.093	
PUD Name: Saint Buckwalter PUD			
Tax Map Number(s): R600 022 000 0125 0000 , R600 022 000 1120 0000			
Project Description: Annexation of Saint Gregory The Great Catholic Church property and rezoning by amendment of Buckwalter Development Agreement, Concept Plan, Buckwalter PUD and Master Plan.			
Minimum Requirements for Submittal			
<input type="checkbox"/> 1. Two (2) full sized copies and digital files of the Master Plan. <input type="checkbox"/> 2. Project Narrative and digital file describing reason for application and compliance with the criteria in Article 3 of the UDO. <input type="checkbox"/> 3. All information required on the attached Application Checklist. <input type="checkbox"/> 4. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.			
Note: A Pre-Application Meeting is required prior to Application submittal.			
Disclaimer: The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.			
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.			
Property Owner Signature: By: 		Date: 2/6/2020	
John L. Barker, Chief Financial Officer			
Applicant Signature: 		Date: 2/18/2020	
For Office Use			
Application Number:		Date Received:	
Received By:		Date Approved:	



TOWN OF BLUFFTON MASTER PLAN APPLICATION CHECKLIST

In accordance with the Town of Bluffton Unified Development Ordinance (UDO), the following information shall be included as part of a Master Plan application submitted for review. Depending on the proposal, the amount and type of documentation will vary. This checklist is intended to assist in the provision of the minimum documentation necessary to demonstrate compliance with the UDO. Upon review of the submitted application by Town Staff, additional information may be required. The use of this checklist by Town Staff or the Applicant shall not constitute a waiver of any requirement contained in the UDO. Applicants are encouraged to work closely with Town Staff in preparing any application prior to submittal.

NOTE: Depending on the activities proposed, Master Plan documentation will vary. At minimum, each plan must contain the General Information and Site & Existing Conditions Documentation in addition to information required for the other specific activities listed below, as applicable. Please contact Town Staff for questions and additional information.

General Information.

1. Name and address of property owner(s) and applicant.
2. If the applicant is not the property owner, a letter of agency from the property owner authorizing the applicant to act on behalf of the property owner.
3. Project name and/or name of development.
4. A detailed narrative describing the existing site conditions and uses, proposed development, proposed uses and activities that will be conducted on the site, statement of conformance with the UDO, description of any energy conservation or green technologies proposed on the site, the maintenance responsibility of any common or public areas, and publically dedicated improvements to be completed.
5. A listing of any past development permit approval numbers associated with the site and existing conditions placed on the development property by the Town of Bluffton through past approvals including a detailed description of how the condition will be met.
6. An explanation of why any items on this checklist are not included with the application materials.
7. Project name and/or name of development.
8. All plans must include the following: name of county; municipality; project location; parcel identification number(s); date of original design; all dates of revisions; north arrow; graphic scale; and legend identifying all symbology.
9. Vicinity map.
10. Site data table to include; total acreage, pervious versus impervious cover, required and proposed open space calculations, number and area of proposed lots, residential density, number and area of each proposed structure, area of each use of the property and buildings, and required and proposed parking calculations.
11. Phasing plan if the development is proposed to be developed in phases.
12. Letters of approval, including any applicable permits, from the following agencies (as necessary for the project):
 - a) United States Army Corp of Engineers;
 - b) South Carolina Department of Health & Environmental Control;
 - c) South Carolina Department of Transportation;
 - d) Beaufort County Engineering;
 - e) Beaufort County EMS;
 - f) Beaufort County School District;
 - g) Bluffton Township Fire District;
 - h) Beaufort Jasper Water Sewer Authority;
 - i) Town of Bluffton;
 - j) Electric Provider;
 - k) Natural Gas provider; and
 - l) Cable, telephone, and data provider.

Site and Existing Conditions Documentation.

1. Comprehensive color photograph documentation of site and existing conditions. If digital, images should be at a minimum of 300 dpi resolution.



TOWN OF BLUFFTON MASTER PLAN APPLICATION CHECKLIST

NOTE: Depending on the activities proposed, Master Plan documentation will vary. At minimum, each plan must contain the General Information and Site & Existing Conditions Documentation in addition to information required for the other specific activities listed below, as applicable. Please contact Town Staff for questions and additional information.

2. Names of the owners of contiguous parcels and an indication of adjacent existing and proposed (if known) land uses and zoning.
3. Location of municipal limits or county lines, zoning, overlay or special district boundaries, if they traverse the development property, form a part of the boundary of the development property, or are contiguous to such boundary.
4. Location of all existing access points and intersections along both sides of any frontage or access roadway(s) within a minimum of 1,000 feet of the development property.
5. Location, dimensions, name, and descriptions of all existing or recorded roadways, alleys, reservations, railroads, easements, or other public rights-of-way on or within 200 feet of the development property.
6. Location, size, and type of all existing easements, rights-of-way, or utility infrastructure on or within a minimum of 200 feet of the development property.
7. Existing topography and land cover. Contours shall be shown in intervals of 1 foot or less.
8. Location, dimensions, area, descriptions, and flow line of existing watercourses, drainage structures, ditches, one-hundred (100) year flood elevation, OCRM critical line, wetlands or riparian corridors top of bank locations, and protected lands on the development property.
9. Location of any existing buildings, structures, parking lots, impervious areas, public and private infrastructure, or other man made objects located on the development property.
10. Boundary survey with bearings and distances of all property lines, tract/lot acreage, location of property markers, and seal of a Registered Land Surveyor, as well as a legal description of the property.
11. Location of benchmarks/primary control points or descriptions and ties to such control points to which all dimensions, angles, bearings, block numbers, and similar data shall be referred.
12. Existing deed covenants, conditions, and restrictions, including any design or architectural standards.
13. Proposed deed covenants, conditions, and restrictions, including any design or architectural standards.
14. Legal documents for proposed public dedications.

Lot and Building Pattern.

1. Schematic block and roadway type layout and design indicating access, configuration, land use and intensity by block or portion thereof, and buffers including detailed dimensions as are necessary and appropriate to demonstrate compliance with all applicable standards and requirements.

Transportation Networks.

1. A map or sketch showing the general relationship of the development to the surrounding areas with existing and proposed access roadways referenced to the intersection of the nearest primary or secondary paved roadway.
2. A Traffic Assessment.
3. A Traffic Impact Analysis (TIA), if warranted by the Traffic Assessment.
4. Proposed roadway alignment plan showing right-of-way widths with specific reference to the roadway type and design assembly.
5. Proposed access indicating roadway names, connectivity, roadway extensions, proposed stub roads, and dead-end roadways including detailed dimensions as are necessary and appropriate to demonstrate compliance with all applicable standards and requirements.
6. Existing and proposed non-motorized vehicle lanes, paths, sidewalks, and other facilities, including transit facilities, on and within 200 feet of the development property including detailed dimensions as are necessary and appropriate to demonstrate compliance with all applicable standards and requirements.
7. Emergency access provisions.
8. Phasing plan of proposed traffic mitigation measures, or approved payments in-lieu of such that will be provided to the Town of Bluffton or applicable agency. Plan must ensure adequate transportation network is in place to support development at time of construction.

Natural Resources, Tree Conservation, Planting, and Landscaping.

1. Location of existing tree canopy coverage including table summarizing canopy lot coverage area, lot area not covered by tree canopy, and tree canopy expressed as percentage of lot coverage.



TOWN OF BLUFFTON MASTER PLAN APPLICATION CHECKLIST

NOTE: Depending on the activities proposed, Master Plan documentation will vary. At minimum, each plan must contain the General Information and Site & Existing Conditions Documentation in addition to information required for the other specific activities listed below, as applicable. Please contact Town Staff for questions and additional information.

2. Location and table summarizing trees listed on America's Historic Tree Register as maintained by American Forests.
3. Location of groups of trees that connect to other vegetated and/or treed areas on adjacent sites helping to create or extend a wildlife or natural corridor.

Open Space Plan.

1. Proposed open space areas, habitat areas, types, and access trails both on and off-site.
2. Proposed public lands and methods of dedication and access.
3. Proposed ownership and method of transfer through deed restrictions, covenants, public dedication, or other method acceptable to the UDO Administrator.
4. Proposed use for all portions of dedicated open space.

Stormwater Management.

1. Description of proposed methods, and general layout of stormwater drainage, water system, sewer system and open space areas.

**SIGN AND RETURN THIS CHECKLIST WITH THE APPLICATION SUBMITTAL
ALL SUBMITTALS MUST BE COLLATED AND FOLDED TO 8-1/2" X 11"**

By signature below I certify that I have reviewed and provided the minimum submittal requirements listed above, including any additional items requested by the Town of Bluffton Staff. Any items not provided have been listed in the project narrative with an explanation as to why the required submittal item has not been provided or is not applicable. Further, I understand that failure to provide a complete, quality application or erroneous information may result in the delay of processing my application(s).



Signature of Property Owner or Authorized Agent

2/18/2020

Date

WARD J. NESTOR III

Printed Name

Saint Gregory the Great Land Use Tract

Planned Unit Development

Master Plan Application

SUPPLEMENT TO
PLANNED UNIT DEVELOPMENT MASTER PLAN APPLICATION

Attached please find the Planned Unit Development Master Plan Application which is the fifth of a series of six (6) applications being submitted together to supplement the Application for Annexation originally filed by The Bishop of Charleston, a Corporation Sole (“**Owner**”) on July 9, 2019 and supplemented on February 21, 2020 (the “**Application**”).

Owner owns an approximate 61.036 acre parcel of real property (the “**Property**”) identified by Beaufort County Tax Map Number R600 022 000 0125 0000 and located in unincorporated Beaufort County. The Owner has requested the Property be annexed into the Town of Bluffton (the “**Town**”). Annexation of real property into the Town necessarily requires that the annexed property be rezoned to a Town zoning classification. Owner requests a designation of the Property with the zoning district Buckwalter PUD, specifically as the Saint Gregory the Great Land Use Tract.

Accordingly, Owner has submitted the following:

1. Two (2) full sized copies and digital files of the Master Plan previously delivered February 27, 2020.
2. Project Narrative and digital file describing the reason for application and compliance with criteria in Article 3 of the UDO. Please see Section III of the Amended Application Narrative submitted February 21, 2020;
3. All information required on the Master Plan Application Checklist is found in the Application Narrative Supplement as more particularly described in the Master Plan Application Checklist attached hereto as **Schedule “A”**; and
4. An Application Review Fee previously submitted together with the Application February 21, 2020.

Schedule "A"

Town of Bluffton Master Plan Application Checklist

General Information:

1. Name and contact information for property owner and applicant. See Part I.B.1, page 3 of the Amended Application Narrative submitted February 21, 2020.
2. Agency Letter. See Part I.B.2, page 3 of the Amended Application Narrative submitted February 21, 2020.
3. Project Name. "Saint Gregory the Great Land Use Tract."
4. Detailed Narrative. See Part I.A., pages 2 and 2 of the Amended Application Narrative submitted February 21, 2020.
5. Prior development permit approvals. See Parcel History, Exhibit "P" of the Amended Application Narrative submitted February 21, 2020.
6. Specific uses for the Property. Other than the institutional uses described and depicted in the Campus Master Plan, Exhibit "J" of the Amended Application Narrative submitted February 21, 2020, specific uses have not been determined. Accordingly, certain checklist materials cannot be prepared.
7. Project Name: "Saint Gregory the Great Land Use Tract."
8. Plans. See Exhibit "C" and Exhibit "J" of the Amended Application Narrative submitted February 21, 2020.
9. Vicinity Map. See Exhibit "O" of the Amended Application Narrative submitted February 21, 2020.
10. Site Data. Specific uses for the outparcels have yet to be determined so certain of this information is not capable of preparation as this time. See Exhibit "J" of the Amended Application Narrative submitted February 21, 2020.
11. Phasing Plan. None.
12. Utility Letters. See Exhibit "L" of the Amended Application Narrative submitted February 21, 2020.

Site and Existing Conditions Documentation:

1. Photos. See Exhibit "Q" of the Amended Application Narrative submitted February 21, 2020.
2. Contiguous Parcels. The Property is bounded to the east by the Bluffton Township Fire District Station #35; to the south (across U.S. Highway 278) by undeveloped land in the Town owned by Parcel C1, LLC and zoned Buckwalter PUD; developed land owned by Medical Landholdings, LLC and developed as a medical facility and day spa; to the west by undeveloped land owned by the Berkeley Hall Club, Inc. and being a part of the Berkeley Hall PUD; and, to the north by undeveloped land owned by Hallmark Golf Group I, LLC.
3. Boundaries. See Boundary Survey, C-1 of the Amended Application Narrative submitted February 21, 2020.
4. Access Points. See Exhibit "C-1" of the Amended Application Narrative submitted February 21, 2020.

5. Existing Roads. See Exhibit “C-1” of the Amended Application Narrative submitted February 21, 2020.
6. Existing Easements. See Exhibit “C-1” of the Amended Application Narrative submitted February 21, 2020.
7. Existing Topography. See Existing Conditions, Exhibit “D” of the Amended Application Narrative submitted February 21, 2020.
8. Watercourses. See Existing Conditions, Exhibit “D” of the Amended Application Narrative submitted February 21, 2020.
9. Existing Structures. See Existing Conditions, Exhibit “D” of the Amended Application Narrative submitted February 21, 2020.
10. Boundary Survey. See Boundary Survey, Exhibit “C-1” of the Amended Application Narrative submitted February 21, 2020.
11. Survey Controls. See Boundary Survey, Exhibit “C-1” of the Amended Application Narrative submitted February 21, 2020.
12. Existing covenants, conditions and restrictions. None.
13. Proposed covenants, conditions and restrictions. None
14. Proposed public dedications. None.

Lot and Building Pattern:

1. Layout. See Exhibit “J”, Campus Master Plan, of the Amended Application Narrative submitted February 21, 2020.

Transportation Networks:

1. Roads. See Boundary Survey, Exhibit “C-1” of the Amended Application Narrative submitted February 21, 2020.
2. Traffic Assessment. Uses for the outparcels not known at time of Application so Traffic Analysis cannot be completed.
3. Traffic Impact Analysis. Uses for the Outparcels not known at time of Application so Traffic Analysis cannot be completed.
4. Proposed Roadways. See Boundary Survey, Exhibit “C-1” of the Amended Application Narrative submitted February 21, 2020.
5. Proposed Access. Uses for the Outparcels not known at time of Application; unaware of proposed additional access.
6. Existing and Proposed Pathways. See Exhibit “J”, Campus Master Plan of the Amended Application Narrative submitted February 21, 2020.
7. Emergency Access. See Boundary Survey, Exhibit “C-1” of the Amended Application Narrative submitted February 21, 2020.
8. Phasing Plan. None.

Natural Resources, Tree Conservation, Planting and Landscaping:

1. Existing Tree Coverage. Undeveloped upland areas on the Property contain overage planted agricultural pines. Wetland areas consist of native trees. See Existing Conditions, Exhibit “D” of the Amended Application Narrative submitted February 21, 2020.
2. Historic Trees. None.
3. Tree Groups. See Existing Conditions, Exhibit “D” of the Amended Application Narrative submitted February 21, 2020.

Open Space:

1. Proposed open space areas. See Campus Master Plan, Exhibit “J” of the Amended Application Narrative submitted February 21, 2020.
2. Proposed public dedications. None
3. Proposed ownership method. Outparcels to be conveyed by standard limited warranty deed without deed restrictions.
4. Proposed use of open space. See Campus Master Plan, Exhibit “J” of the Amended Application Narrative submitted February 21, 2020.

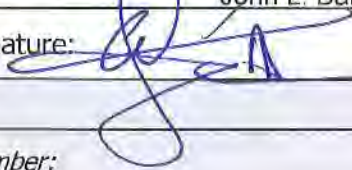
Stormwater Management:

1. Methods and General Layout. Storm water shall be treated in conformance with applicable storm water regulations existing as development is proposed. Uses and development of the Outparcels not yet known and not possible to draft, design or depict storm water systems for the Property beyond that depicted in the Campus Master Plan, “Exhibit “J” of the Amended Application Narrative submitted February 21, 2020.



**TOWN OF BLUFFTON
 PLANNED UNIT DEVELOPMENT (PUD)
 MASTER PLAN APPLICATION**

Growth Management Customer Service Center
 20 Bridge Street
 Bluffton, SC 29910
 (843)706-4522
www.townofbluffton.sc.gov
applicationfeedback@townofbluffton.com

Applicant		Property Owner	
Name: Walter J. Nester, III		Name: The Bishop of Charleston, a Corporation Sole	
Phone: 843-815-2171		Phone: 843-261-0523	
Mailing Address: 4 Clarks Summit Drive, Suite 200 Bluffton, SC 29910		Mailing Address: c/o Elaine H. Fowler, Esquire 901 Orange Grove Road Charleston, SC 29407	
E-mail: wnester@burr.com		E-mail: efowler@charlestdiocese.org	
Town Business License # (if applicable):			
Project Information			
Project Name: Saint Gregory The Great Catholic Church Annexation		<input type="checkbox"/> New	<input checked="" type="checkbox"/> Amendment
Project Location: 323 Fording Island Road, Bluffton		Acreage: 61.093	
PUD Name: Saint Buckwalter PUD			
Tax Map Number(s): R600 022 000 0125 0000 , R600 022 000 1120 0000			
Project Description: Annexation of Saint Gregory The Great Catholic Church property and rezoning by amendment of Buckwalter Development Agreement, Concept Plan, Buckwalter PUD and Master Plan.			
Minimum Requirements for Submittal			
<input type="checkbox"/> 1. Two (2) full sized copies and digital files of the Master Plan. <input type="checkbox"/> 2. Project Narrative and digital file describing reason for application and compliance with the criteria in Article 3 of the UDO. <input type="checkbox"/> 3. All information required on the attached Application Checklist. <input type="checkbox"/> 4. An Application Review Fee as determined by the Town of Bluffton Master Fee Schedule. Checks made payable to the Town of Bluffton.			
Note: A Pre-Application Meeting is required prior to Application submittal.			
Disclaimer: The Town of Bluffton assumes no legal or financial liability to the applicant or any third party whatsoever by approving the plans associated with this permit.			
I hereby acknowledge by my signature below that the foregoing application is complete and accurate and that I am the owner of the subject property. As applicable, I authorize the subject property to be posted and inspected.			
Property Owner Signature: By: 		Date: 2/6/2020	
John L. Barker, Chief Financial Officer			
Applicant Signature: 		Date: 2/18/2020	
For Office Use			
Application Number:		Date Received:	
Received By:		Date Approved:	



TOWN OF BLUFFTON MASTER PLAN APPLICATION CHECKLIST

In accordance with the Town of Bluffton Unified Development Ordinance (UDO), the following information shall be included as part of a Master Plan application submitted for review. Depending on the proposal, the amount and type of documentation will vary. This checklist is intended to assist in the provision of the minimum documentation necessary to demonstrate compliance with the UDO. Upon review of the submitted application by Town Staff, additional information may be required. The use of this checklist by Town Staff or the Applicant shall not constitute a waiver of any requirement contained in the UDO. Applicants are encouraged to work closely with Town Staff in preparing any application prior to submittal.

NOTE: Depending on the activities proposed, Master Plan documentation will vary. At minimum, each plan must contain the General Information and Site & Existing Conditions Documentation in addition to information required for the other specific activities listed below, as applicable. Please contact Town Staff for questions and additional information.

General Information.

1. Name and address of property owner(s) and applicant.
2. If the applicant is not the property owner, a letter of agency from the property owner authorizing the applicant to act on behalf of the property owner.
3. Project name and/or name of development.
4. A detailed narrative describing the existing site conditions and uses, proposed development, proposed uses and activities that will be conducted on the site, statement of conformance with the UDO, description of any energy conservation or green technologies proposed on the site, the maintenance responsibility of any common or public areas, and publically dedicated improvements to be completed.
5. A listing of any past development permit approval numbers associated with the site and existing conditions placed on the development property by the Town of Bluffton through past approvals including a detailed description of how the condition will be met.
6. An explanation of why any items on this checklist are not included with the application materials.
7. Project name and/or name of development.
8. All plans must include the following: name of county; municipality; project location; parcel identification number(s); date of original design; all dates of revisions; north arrow; graphic scale; and legend identifying all symbology.
9. Vicinity map.
10. Site data table to include; total acreage, pervious versus impervious cover, required and proposed open space calculations, number and area of proposed lots, residential density, number and area of each proposed structure, area of each use of the property and buildings, and required and proposed parking calculations.
11. Phasing plan if the development is proposed to be developed in phases.
12. Letters of approval, including any applicable permits, from the following agencies (as necessary for the project):
 - a) United States Army Corp of Engineers;
 - b) South Carolina Department of Health & Environmental Control;
 - c) South Carolina Department of Transportation;
 - d) Beaufort County Engineering;
 - e) Beaufort County EMS;
 - f) Beaufort County School District;
 - g) Bluffton Township Fire District;
 - h) Beaufort Jasper Water Sewer Authority;
 - i) Town of Bluffton;
 - j) Electric Provider;
 - k) Natural Gas provider; and
 - l) Cable, telephone, and data provider.

Site and Existing Conditions Documentation.

1. Comprehensive color photograph documentation of site and existing conditions. If digital, images should be at a minimum of 300 dpi resolution.



TOWN OF BLUFFTON MASTER PLAN APPLICATION CHECKLIST

NOTE: Depending on the activities proposed, Master Plan documentation will vary. At minimum, each plan must contain the General Information and Site & Existing Conditions Documentation in addition to information required for the other specific activities listed below, as applicable. Please contact Town Staff for questions and additional information.

2. Names of the owners of contiguous parcels and an indication of adjacent existing and proposed (if known) land uses and zoning.
3. Location of municipal limits or county lines, zoning, overlay or special district boundaries, if they traverse the development property, form a part of the boundary of the development property, or are contiguous to such boundary.
4. Location of all existing access points and intersections along both sides of any frontage or access roadway(s) within a minimum of 1,000 feet of the development property.
5. Location, dimensions, name, and descriptions of all existing or recorded roadways, alleys, reservations, railroads, easements, or other public rights-of-way on or within 200 feet of the development property.
6. Location, size, and type of all existing easements, rights-of-way, or utility infrastructure on or within a minimum of 200 feet of the development property.
7. Existing topography and land cover. Contours shall be shown in intervals of 1 foot or less.
8. Location, dimensions, area, descriptions, and flow line of existing watercourses, drainage structures, ditches, one-hundred (100) year flood elevation, OCRM critical line, wetlands or riparian corridors top of bank locations, and protected lands on the development property.
9. Location of any existing buildings, structures, parking lots, impervious areas, public and private infrastructure, or other man made objects located on the development property.
10. Boundary survey with bearings and distances of all property lines, tract/lot acreage, location of property markers, and seal of a Registered Land Surveyor, as well as a legal description of the property.
11. Location of benchmarks/primary control points or descriptions and ties to such control points to which all dimensions, angles, bearings, block numbers, and similar data shall be referred.
12. Existing deed covenants, conditions, and restrictions, including any design or architectural standards.
13. Proposed deed covenants, conditions, and restrictions, including any design or architectural standards.
14. Legal documents for proposed public dedications.

Lot and Building Pattern.

1. Schematic block and roadway type layout and design indicating access, configuration, land use and intensity by block or portion thereof, and buffers including detailed dimensions as are necessary and appropriate to demonstrate compliance with all applicable standards and requirements.

Transportation Networks.

1. A map or sketch showing the general relationship of the development to the surrounding areas with existing and proposed access roadways referenced to the intersection of the nearest primary or secondary paved roadway.
2. A Traffic Assessment.
3. A Traffic Impact Analysis (TIA), if warranted by the Traffic Assessment.
4. Proposed roadway alignment plan showing right-of-way widths with specific reference to the roadway type and design assembly.
5. Proposed access indicating roadway names, connectivity, roadway extensions, proposed stub roads, and dead-end roadways including detailed dimensions as are necessary and appropriate to demonstrate compliance with all applicable standards and requirements.
6. Existing and proposed non-motorized vehicle lanes, paths, sidewalks, and other facilities, including transit facilities, on and within 200 feet of the development property including detailed dimensions as are necessary and appropriate to demonstrate compliance with all applicable standards and requirements.
7. Emergency access provisions.
8. Phasing plan of proposed traffic mitigation measures, or approved payments in-lieu of such that will be provided to the Town of Bluffton or applicable agency. Plan must ensure adequate transportation network is in place to support development at time of construction.

Natural Resources, Tree Conservation, Planting, and Landscaping.

1. Location of existing tree canopy coverage including table summarizing canopy lot coverage area, lot area not covered by tree canopy, and tree canopy expressed as percentage of lot coverage.



TOWN OF BLUFFTON MASTER PLAN APPLICATION CHECKLIST

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1. Proposed open space areas, habitat areas, types, and access trails both on and off-site.
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4. Proposed use for all portions of dedicated open space.

Stormwater Management.

1. Description of proposed methods, and general layout of stormwater drainage, water system, sewer system and open space areas.

SIGN AND RETURN THIS CHECKLIST WITH THE APPLICATION SUBMITTAL ALL SUBMITTALS MUST BE COLLATED AND FOLDED TO 8-1/2" X 11"

By signature below I certify that I have reviewed and provided the minimum submittal requirements listed above, including any additional items requested by the Town of Bluffton Staff. Any items not provided have been listed in the project narrative with an explanation as to why the required submittal item has not been provided or is not applicable. Further, I understand that failure to provide a complete, quality application or erroneous information may result in the delay of processing my application(s).



Signature of Property Owner or Authorized Agent

2/18/2020

Date

WARD J. NESTOR III

Printed Name

**AMENDED
NARRATIVE
FOR
APPLICATION FOR ANNEXATION / ZONING MAP / COMPREHENSIVE PLAN
AMENDMENTS
OF THE
BISHOP OF CHARLESTON, A CORPORATION SOLE
CONCERNING
A 61.093 ACRE PARCEL (A PORTION OF THE MEGGETT TRACT)
FOR
SAINT GREGORY THE GREAT CATHOLIC CHURCH CAMPUS PROPERTY,
OUTPARCELS AND BEAUFORT-JASPER WATER & SEWER AUTHORITY PUMP STATION**

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List of Exhibits

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STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT) BEFORE THE PLANNING COMMISSION
 AND TOWN COUNCIL OF THE
 TOWN OF BLUFFTON, SOUTH CAROLINA

AMENDED
NARRATIVE
FOR
APPLICATION FOR ANNEXATION / ZONING MAP / COMPREHENSIVE PLAN
AMENDMENTS
OF THE
BISHOP OF CHARLESTON, A CORPORATION SOLE
CONCERNING
A 61.093 ACRE PARCEL (A PORTION OF THE MEGGETT TRACT)
FOR
SAINT GREGORY THE GREAT CATHOLIC CHURCH CAMPUS PROPERTY,
OUTPARCELS AND BEAUFORT-JASPER WATER & SEWER AUTHORITY PUMP STATION

This Project Narrative is submitted with and is intended to be incorporated in and comprise a part of the application for Annexation, application for Zoning Map Amendment, application for Buckwalter Development Agreement Amendment and Buckwalter Concept Plan Amendment, and application for Comprehensive Plan (specifically, the Future Annexation Area Map and the Future Land Use Map) Amendment (collectively the “**Application**”) of the Bishop of Charleston, a Corporation Sole (the “**Bishop of Charleston**”)¹ and the Beaufort-Jasper Water and Sewer Authority (“**BJWSA**”)² (Bishop of Charleston and BJWSA hereinafter collectively the “**Owner**”). This narrative is submitted to the Planning Commission and the Town Council for the Town of Bluffton, South Carolina (the “**Town**”) to explain the request and

¹ See Business Filings Report of the South Carolina Secretary of State attached hereto as Exhibit “A” and made a part hereof.

² BJWSA joins in this Application solely due to its ownership of a 0.057 acre parcel of real property located within the Property for the purpose of the operation of a pump station (the “**Pump Station**”).

describe how the Application meets the criteria of the Town’s Unified Development Ordinance (the “UDO”) as required by the Application and the UDO.

I. NARRATIVE.

A. Introduction, Background And Request.

The Owner is the owner³ of an approximate 61.036 acre parcel of real property (the “Property”) identified by Beaufort County Tax Map number **R600 022 000 0125 0000** located on the north side of U.S. Highway 278 and bounded to the east by the Bluffton Fire Department Station #35 and bounded on the west by the Berkeley Hall Club community. The 411 address for the Property is #323 Fording Island Road and it is more specifically shown and described as “A Portion of the Meggett Tract” on that certain plat of survey entitled “A Boundary Plat of 63.12 Acres, Portion of Tax Parcel 600-13-46 The Meggett Tract, U.S. Highway 278, Bluffton Township, Beaufort County South Carolina, dated November 14, 1997 and recorded in the Office of the Register of Deeds (“ROD”) for Beaufort County, South Carolina in Plat **Book 63 at Page 9**⁴. An approximate 0.327 acre portion of the original parcel purchased by the Owner was conveyed in February of 2011 to the South Carolina Department of Transportation as part of the expansion of the U.S. 278 right of way⁵ and an additional approximate 1.7 acre parcel was conveyed to Beaufort County⁶ in December of 2015. The 1.7 acre parcel conveyed to the County consists of an approximate 0.7 acre parcel improved as a 50’ wide right of way serving as a frontage road from the main entrance to Berkeley Hall Club from U.S. Highway 278, which is a fully served signalized intersection providing direct access to the Property. The remaining approximate 1.0 acre parcel is also improved as a 50’ wide right of way, named Saint Gregory Drive which serves as a second point providing direct access to the Property from U.S. Highway 278. This second access point is also served by a fully signalized intersection. An additional approximate 0.057 acre portion of the original parcel purchased by the Owner was conveyed to BJWSA for the Pump Station to serve the Property as more particularly described therein.⁷ The Pump Station is identified by Beaufort County Tax Map number **R600 022 000 1120 0000** and is surrounded by the Property. For the purposes of this Application the Pump Station shall hereinafter be included in the term “Property”. In conjunction with this Application, the Owner commissioned an updated survey of the Property confirming the location of all of the aforementioned description which survey is entitled “A Boundary Survey of St. Gregory The Great Catholic Church,” Tax Parcel No. R600 022 000 0125 0000, dated December 19, 2019⁸.

Portions of the Property have been improved to include the Saint Gregory the Great Catholic Church and the Saint Gregory the Great School consisting of an existing Church building of approximately 12,000 square feet; and an existing school building with offices

³ See deed recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in **Book 994 at Pages 412 - 419** attached hereto as Exhibit “B” and made a part hereof.

⁴ See said boundary plat attached hereto as Exhibit “C” and made a part hereof.

⁵ See deed recorded in the ROD in **Book 3040 at Pages 2187 – 2189**, attached hereto as Exhibit “B-1” and made a part hereof.

⁶ See deed recorded in the ROD in **Book 3460 at Pages 1928 – 1931**, attached hereto as Exhibit “B-2” and made a part hereof.

⁷ See deed recorded in the ROD in **Book 3669 at Pages 2349 – 2352**, attached hereto as Exhibit “B-3” and made a part hereof

⁸ Attached hereto as Exhibit “C-1” and made a part hereof.

supporting the school and the Church consisting of approximately 27,000 square feet; and a church multipurpose building of approximately 27,000 square feet⁹.

The Owner submits this Application requesting the approval of:

1. The annexation of the Property into the Town;
2. An amendment to the Town's official zoning map designating the Property with the zoning district of Buckwalter Planned Unit Development ("**Buckwalter PUD**"), specifically to be identified as the Saint Gregory the Great Land Use Tract (the "**SGG Tract**") with densities and land uses as described in Section B.8 of this Application Narrative; and
3. Approval of an amendment to the Development Agreement and amendment to the Buckwalter Concept Plan ("**Concept Plan**"); and
4. Approval of an amendment to the current version of the Comprehensive Plan's Future Annexation Area Map (Map 8.1)¹⁰ and Future Land Use Map;¹¹ and
5. Approval of a Master Plan for the Property.

B. Annexation.

Adjacent to the south of the Property across the U.S. Highway 278 right of way, is the Buckwalter PUD which is located within the municipal limits of the Town¹². The Property is therefore contiguous to the Town¹³. Since the Property is wholly owned by the Owner and BJWSA, the method of annexation is made pursuant to the one hundred percent (100%) property owner petition¹⁴ and ordinance method¹⁵. In accordance with the checklist set forth in the Town's Annexation Policy & Procedures Manual¹⁶ the following is submitted:

1. **Contact Information.**

- a. Owner. The Bishop of Charleston, a Corporation Sole, c/o Elaine H. Fowler, Esq., 901 Orange Grove Road, Charleston South Carolina 29407, Telephone: 843-261-0523, E-mail: efowler@charlestondiocese.org.
- b. Joinder Owner. Beaufort-Jasper Water and Sewer Authority, 6 Snake Road, Okatie, South Carolina 29909-3937, Telephone: 843-987-8100.

⁹ See Existing Conditions Plan attached hereto as Exhibit "D" and made a part hereof.

¹⁰ Attached hereto as Exhibit "E" and made a part hereof.

¹¹ Attached hereto as Exhibit "E-1" and made a part hereof.

¹² See Town Growth Management Department Planned Unit Developments map attached hereto as Exhibit "F" and made a part hereof.

¹³ See Section 5-3-305 of the South Carolina Code of Laws, incorporated herein by this reference.

¹⁴ See Petition attached hereto as Exhibit "G" and made a part hereof.

¹⁵ See Section 5-3-150(3) of the South Carolina Code of Laws, incorporated herein by this reference.

¹⁶ Annexation in the Town is undertaken pursuant to the Annexation Policy & Procedures Manual and State law.

- c. Applicant. Burr & Forman LLP, c/o Walter J. Nester III, 4 Clarks Summit Drive, Bluffton, South Carolina 29910, Telephone: 843-815-2171, E-mail: wnester@burr.com.
2. **Agency Letter**. The Owner has authorized the filing of the Application¹⁷.
 3. **Reason for Annexation request and anticipated benefits**. See Section I and Section II of this Narrative Supplement.
 4. **Parcel Number and Acreage**. Being an approximate 61.093 acre combined parcels of real property identified by Beaufort County Tax Map number **R600 022 000 0125 0000** and **R600 022 000 1120 0000**.
 5. **Existing Structures**. A Church and School Campus buildings with associated drives, parking and infrastructure including but not limited to the Pump Station.
 6. **Current Special Districts**. None.
 7. **Current Beaufort County Zoning District and Land Uses**. Current zoning is C3 Neighborhood Mixed Use (C3NMU). Land uses in the C3NMU District include public and private schools as are meeting facilities and places of worship¹⁸.
 8. **Proposed Zoning District and Land Uses**. The proposed zoning district for the Property is Buckwalter PUD as a new Planning Area under the Concept Plan entitled "SGG Tract." The Allowed Land Uses being as follows:
 - a. **Section 2.B. Allowed Land Uses**. Add SGG Tract as a new sub-section 10, with the following allowed land uses and definitions:
 - (i) Community Recreation.
 - (ii) Dwelling Units.
 - (iii) Hotel/Inn.
 - (iv) Institutional Civic.
 - (v) Maintenance Areas.
 - (vi) Multifamily Residential.
 - (vii) Neighborhood Commercial – including specifically convenience stores and automobile service stations with up to 20 fueling stations but excluding Recreational Vehicle Parks.
 - (viii) Open Space.
 - (ix) Roads.
 - (x) Setbacks and Buffers.
 - (xi) Siviculture.
 - (xii) Single Family Residential but excluding mobile homes.
 - (xiii) Wetlands.
 - (xiv) Utilities.

¹⁷ See Agency Letter attached hereto as Exhibit "H" and made a part hereof.

¹⁸ See Zoning Verification Letter dated March 12, 2019 from the Beaufort County Zoning Administrator attached hereto as Exhibit "I" and made a part hereof.

- b. Density. The Property is hereby added to the Buckwalter Concept Plan and designated as SGG Tract as depicted in the Amended Concept Plan attached hereto as Exhibit “R”. The Property shall have 10.65 acres of commercial density and multifamily density of up to 164 dwelling units and single family density of up to 82 dwelling units. The balance of the Property is designated as Institutional/Civic which use does not require allocations of density as such use does not count against overall commercial acreage or residential density allowed for the Buckwalter PUD except however for student housing and employee dormitories and for such use the Property is hereby designated with an additional 200 residential units.
 - c. No Effect on Other Landowner Rights. No change which is hereby approved to the Development Agreement and Concept Plan shall have any effect whatsoever on any property or landowner rights other than the SGG Tract and Owner.
- 9. Current versus Proposed Zoning District and Land Use Comparison. See table of comparative land uses attached hereto as Exhibit “K”.
 - 10. Consistency with the Town’s Comprehensive Plan, Future Annexation Area Map and Future Land Use Map. See application narrative in support of rezoning set forth herein.
 - 11. Estimate of current population of Annexation Area. None.
 - 12. Current Utility Service Providers. See attached Exhibit “L”.
- C. Parcel Information.
- 1. Deed. See Deeds recorded in ROD in **Book 994 at Pages 412 - 419** and **Book 3669 at Pages 2349 - 2352** attached hereto as Exhibits “B” and “B-3” and made a part hereof.
 - 2. Plats. See Plat entitled “A Boundary Plat of 63.12 Acres, A Portion of Tax Parcel 600-13-46 The Meggett Tract, U.S. Highway 278, Bluffton Township, Beaufort County South Carolina, dated November 14, 1997 and recorded in the ROD in **Plat Book 63 at Page 9** attached hereto as Exhibit “C” and made a part hereof. See also plat entitled “A Boundary Survey of St. Gregory The Great Catholic Church,” Tax Parcel No. R600 022 000 0125 0000, dated December 19, 2019. See also Plat entitled “A Subdivision and Utility/Access Easement Plat at Saint Gregory The Great Sewer Expansion” dated March 12, 2018 and recorded in the ROD in **Plat Book 149 at Page 63** attached hereto as Exhibit “C-2” and made a part hereof
 - 3. Covenants and Restrictions. Restrictions in original deed to Owner. Amended by document recorded in the ROD in **Book 2974 at Pages 942 – 945** attached hereto as Exhibit “M” and made a part hereof. Released by document recorded in the ROD in **Book 3121 at Pages 2353 – 2354** attached hereto as Exhibit “M-1” and made a part hereof.
 - 4. Easements. See easement in favor of Palmetto Electric Cooperative, Inc., dated February 23, 2006 and recorded in the ROD in **Book 2389 at Pages 712 – 714**

attached hereto as Exhibit “N-1” and made a part hereof; easement in favor of Palmetto Electric Cooperative, Inc., dated March 28, 2006 and recorded in the ROD in **Book 2389** at **Pages 742 – 744** attached hereto as Exhibit “N-2” and made a part hereof; Drainage Easement Agreement with Beaufort County, dated February 4, 2016 and recorded in the ROD in **Book 3460** at **Pages 1932 – 1938** attached hereto as Exhibit “N-3” and made a part hereof; and, Water/Sewer Utility Easement Agreement with Beaufort Jasper Water & Sewer Authority dated May 4, 2018 and recorded in the ROD in **Book 3669** at **Pages 2353 - 2357** attached hereto as Exhibit “N-4” and made a part hereof.

5. **Agreement of record in the ROD.** None other than as stated herein.
6. **Other Documents of record in the ROD.** None other than as stated herein.
7. **Location Map.** See Beaufort County GIS Map of the Property attached hereto as Exhibit “O” and made a part hereof.
8. **Zoning Verification.** See Zoning Verification Letter from Beaufort County Zoning Administrator dated March 20, 2018 attached hereto as Exhibit “I” and made a part hereof.
9. **Parcel History.** A portion of the “Meggett Tract”. See attached Exhibit “P”.
10. **Photographs of Existing and Adjacent Structures.** See GIS photographs from Beaufort County Assessor’s website attached hereto as Exhibit “Q” and made a part hereof.

D. **Annexation Assessment.**

The Town’s Annexation Policy & Procedures Manual sets forth in Chapter 2 thereof the information to be considered in the Town’s assessment of an application for annexation.

1. **Best Interests of the Municipality.** The proposed annexation represents the addition of a parcel of real property the majority of which is already developed with institutional uses that currently serve and employ many of the Town’s citizens and families. These institutional uses do not create a significant demand on the services provided by the Town and are considered a less intense use. The Town services are currently provided to development throughout the Buckwalter PUD and the Property is directly adjacent thereto and will not place additional service burden on the Town. The undeveloped portions of the property provide opportunities for future development consistent with the U.S. Highway 278 and Buckwalter corridors which serve to increase the Town’s tax base and opportunities for its citizens. Accordingly, the annexation is in the best interests of the Town.
2. **Feasibility Study and Cost/Benefit Analysis.** The proposed annexation represents the addition of a parcel of real property the majority of which is already developed with institutional uses that currently serve and employ many of the Town’s citizens and families. These institutional uses do not create a significant demand on the services provided by the Town and are considered a less intense use. The Owner respectfully submits that the benefits of the annexation of the

Property outweigh the burdens, if any, on Town services. Those portions of the Property where commercial uses are anticipated have existing infrastructure and future development of these areas benefit the Town by enhancing the creation of a diverse and stable tax base.

3. **Guiding Principles for Assessment of Annexations.** The Owner submits that this annexation petition provides benefit to both the Town and its citizens in terms of both costs and services received. The proposed annexation represents the addition of a parcel of real property the majority of which is already developed with institutional uses that currently serve and employ many of the Town's citizens and families. These institutional uses do not create a significant demand on the services provided by the Town and are considered a less intense use. The undeveloped portions of the Property provide the opportunity for development consistent with the U.S. Highway 278 corridor which provides for a stable tax base and provides additional employment and retail opportunities for residents of the Town and those in unincorporated areas of the County. With respect to the guiding principles and consideration for assessing this annexation petition the following is submitted:

- a. Meets the principles, policies, and procedures set forth in the Manual. The Owner submits that the annexation petition represents the addition of a parcel of real property the majority of which is already developed with institutional uses that currently serve and employ many of the Town's citizens and families. These institutional uses do not create a significant demand on the services provided by the Town and are considered a less intense use;
- b. Annexation of the property is in the best interest of the Town and its citizens. The Owner submits that the annexation petition is in the best interests of the Town and its citizens as it represents the addition of a parcel of real property the majority of which is already developed with institutional uses that currently serve and employ many of the Town's citizens and families. These institutional uses do not create a significant demand on the services provided by the Town and are considered a less intense use;
- c. Contiguity to the Town of Bluffton Municipal Boundary. The Property is continuous with the Town's municipal boundary as it is adjacent to the Buckwalter PUD which is within the municipal limits of the Town;
- d. Avoids creating new enclaves (or donut holes) in the Town's municipal boundaries. The Owner submits that this annexation petition expands the municipal limits of the Town but does not create a new enclave as the municipal limits of the Town currently extend along the south side of the U.S. Highway 278 right of way adjacent to the Property and there are areas along the U.S. Highway 278 right of way where the municipal boundaries of the Town extend across to the north side of the U.S. Highway 278 right of way;
- e. Consistency with the recommendations of the Town of Bluffton's Comprehensive Plan including the Future Annexation Map. The Property is located outside of the areas of future Town growth shown on the Town's

Future Annexation Area Map¹⁹. This Application seeks to amend the Comprehensive Plan by an amendment to the Town's Future Annexation Area Map;

- f. Appropriateness of requested zoning district(s), land use regulations, development standards and environmental regulations. The Owner submits that the annexation petition meets this guiding principle as the requested zoning district is consistent with the densities and uses along the U.S. Highway 278 corridor;
- g. Consideration of the costs, benefits and estimated revenues for a proposed annexation before action is taken on the petition. The Owner submits that the annexation petition represents the addition of a parcel of real property the majority of which is already developed with institutional and civic uses that currently serve and employ many of the Town's citizens and families. These institutional uses do not create a significant demand on the services provided by the Town and are considered a less intense use;
- h. Annexation will not create a tax burden or measurably reduce the level of service(s) provided to existing citizens and property owners. The Owner submits that the annexation petition represents the addition of a parcel of real property the majority of which is already developed with institutional uses that currently serve and employ many of the Town's citizens and families. These institutional uses do not create a significant demand on the services provided by the Town and are considered a less intense use;
- i. Fiscal impact of providing municipal services. The Owner submits that the impact, if any, of providing municipal services to the Property will be negligible;
- j. Consideration of the annexation area's existing condition of utilities, transportation, infrastructure and future needs for expansion improvements. The Owner submits that these considerations are inapplicable to this annexation petition. The utilities and transportation infrastructure are new and in excellent condition and to the extent there is need in the future for improvement or expansion those will be costs paid by the Owner or successors in title and not the Town. The need for new roads is not anticipated;
- k. Full impact that annexation will have on law enforcement. The Owner submits that this annexation petition and the Project do not result in an increased burden on law enforcement as the annexation petition represents the addition of a church and school campus which are historically not substantive users of such services. Further, the land to the south of the Property and the opposite side of the U.S. Highway 278 is within the municipal limits of the Town and are served by Town law enforcement;

¹⁹ See Future Annexation Area map (Map 8.1) of the Comprehensive Plan attached hereto as Exhibit "E" and made a part hereof.

- l. Demonstrates potential for the diversification of the economic base and job opportunities. The Owner submits that the annexation petition while modestly expanding the Town’s economic base and opportunities for employment does little to diversify the Town’s economic base;
- m. Consideration and utilization of Development Agreements for the proposed annexation area when applicable. The Owner has submitted an amendment to the Buckwalter Development Agreement;
- n. Petitioners understanding of all potential costs/benefits associated with annexation. The petitioner and the Owner understand the costs and benefits associated with the annexation and respectfully request approval; and
- o. Input provided by the public and affected agencies during the review process. The Owner welcomes input from the public and affected agencies and looks forward to working with them during the review process.

E. Current And Proposed Density And Use.

The current zoning is C3 Neighborhood Mixed Use (C3NMU). Land uses in the C3NMU District include public and private schools, meeting facilities and places of worship as well as other uses consistent with the proposed use. The proposed zoning district is Buckwalter PUD and the land uses proposed are as set forth in Section B.8 of this Application Narrative.

II. REZONING CRITERIA.

- A. **Applicability.** The current existing land use for the Property is C3 Neighborhood Mixed Use (C3NMU). Section 3.4.2 of the UDO requires that any rezoning “be based upon the recommended future land use category for the property as shown on the future land use map in the Town of Bluffton Comprehensive Plan”. The future land use map in the Town’s Comprehensive Plan (the “Comprehensive Plan”) does not include the Property and therefore this Application also requests an amendment to the Comprehensive Plan²⁰. The Property adjacent across U.S. Highway 278 from the Property is within the Town and zoned Buckwalter PUD and is assigned a variety of uses and densities consistent with Buckwalter PUD. The Owner submits that it is appropriate to designate the Property with a new Planning Area and assign it density consistent with its acreage as existing development and land uses and density consistent with other Planning Areas in the Concept Plan and Buckwalter PUD.
- B. **Application Review Criteria.** Section 3.4.3 of the UDO sets forth the review criteria for consideration by the Town’s Planning Commission and Town Council when reviewing an application for a Zoning Map Amendment. The Owner proposes that this Application satisfies or exceeds the requirements for a Zoning Map Amendment as set forth below.

²⁰ See Comprehensive Plan, Map 8.3, Future Land Use map attached hereto as Exhibit “E-1” and made a part hereof.

1. **Consistency with the Comprehensive Plan.**

- a. Population Vision. *The Population Vision of the Comprehensive Plan acknowledges and accepts the Town's diverse population and strives to offer a high quality of life for all residents, visitors and workers.*²¹ The proposed Zoning Map Amendment is consistent with the Population Vision as it provides institutional and educational services to support the existing and future population of the Town.²² Furthermore, it is consistent with and furthers efforts to fulfill the goal to prepare for the minimum two-fold increase growth of the Town's permanent residents with the addition of these institutional and educational uses as well as provide the opportunity for future retail opportunities and services.²³ The proposed Zoning Map Amendment is therefore the Population Vision of the Comprehensive Plan.
- b. Cultural Resources Vision. *The Cultural Resources Vision of the Comprehensive Plan instructs the Town to strive to maintain a sense of community, diversity and individuality by preserving cultural resources.*²⁴ The proposed amendment furthers the Culture Resources vision of the Comprehensive Plan since the Property is primarily developed as a church and school campus both of which serve to maintain a sense of community, diversity and individuality.
- c. Natural Resources Vision. *The Natural Resources Vision of the Comprehensive Plan instructs the Town to inventory and protect critical resources in a manner which sustains the vitality, function, and beauty of Bluffton's natural heritage.*²⁵ The Owner is seeking to amend the Official Zoning Map to include the Property in the Buckwalter PUD as a new Planning Area with uses and density reflecting the existing development on the Property and consistent with other Planning Areas in the Concept Plan and other developed areas within the municipal limits of the Town along the U.S. Highway 278 corridor. The Owner submits that the proposed amendment seeks to add land which is already primarily developed consistent with uses available in the Buckwalter PUD district and are well-planned and developed in conformance with the design standards similar to the Town including modern storm water management facilities. Accordingly, the Application is consistent with the Natural Resources vision of the Comprehensive Plan.
- d. Housing Vision. *The Housing Vision of the Comprehensive Plan seeks to ensure that every resident has decent, safe and affordable housing.*²⁶ The Owner's proposed Zoning Map Amendment supports the Housing Vision as it provides existing, modern and safe institutional and educational

²¹ See Chapter 2, Page 2-1, December 9, 2014 Comprehensive Plan.

²² See Section 2.1 Population Needs and Goals Chart, Page 2-6, December 9, 2014 Comprehensive Plan.

²³ See Section 2.3 Population Projections Chart, Page 2-14, December 9, 2014 Comprehensive Plan.

²⁴ See Chapter 3, Page 3-1, December 9, 2014 Comprehensive Plan.

²⁵ See Chapter 4, Page 4-1, December 9, 2014 Comprehensive Plan.

²⁶ See Chapter 5, Page 5-1, December 9, 2014 Comprehensive Plan.

services to support the existing and future population of the Town. The development currently existing on the Property, while not in itself housing, supports the vision overall by serving to attract new residents and business by making available quality institutional and educational services to support the existing and future population of the Town and its residents and guests, and therefore is consistent with the Housing Vision of the Comprehensive Plan.

- e. Economic Development Vision. *The Economic Development Vision of the Comprehensive Plan instructs the Town to strive to create a vital, diverse and sustainable local economy that enhances Bluffton's community resources: human, natural and economic.*²⁷ The Economic Development Vision of the Comprehensive Plan recognizes the need to ensure a balanced local economy through revisions to zoning and land use regulations.²⁸ The Owner's proposed Zoning Map Amendment provides residents and guests of the Town and the greater Bluffton area with institutional and educational opportunities and potential development opportunities of business uses available in the Buckwalter PUD district and therefore serves the goals set forth in the Economic Development Vision²⁹. All of which serve to enhance the Town's human, natural and economic resources and contributes to a stable tax base. Accordingly, the proposed additional use category is consistent with the Economic Development Vision of the Comprehensive Plan.

- f. Community Facilities Vision. *The Community Facilities Vision of the Comprehensive Plan encourages the Town to provide efficient and reliable facilities and services for the residents and visitors of the Town of Bluffton and to meet level of service standards to ensure a high quality of life.*³⁰ The approval of this Application supports the Community Facilities Vision as it adds additional religious and educational opportunities for residents and visitors to the Town which serve to enhance the quality of life in the Town. Additionally, most of the Property is already developed and the infrastructure including roadways, sanitary sewer, solid waste, drainage, potable water, electricity, telephone and cable, is already in place. The Owner's proposed Zoning Map Amendment therefore supports and is consistent with the Community Facilities Vision of the Comprehensive Plan, as it adds the opportunity for expanded religious and educational opportunities for residents and visitors of the Town without adding additional unplanned burdens on community facilities.

- g. Land Use Vision. *The Land Use Vision of the Comprehensive Plan encourages the Town to plan for a balance of land uses that ensure a high quality of life, business opportunity, environmentally protected areas and proposed placement of residential uses.*³¹ The Owner's proposed Zoning

²⁷ See Chapter 6, December 9, 2014 Comprehensive Plan, Page 6-1.

²⁸ See Section 6.3 Local Economy, December 9, 2014 Comprehensive Plan, Page 6-9.

²⁹ See Section 6.6, Economic Development and Diversification Needs and Goals Chart, Page 6-23, December 9, 2014 Comprehensive Plan.

³⁰ See Chapter 7, December 9, 2014 Comprehensive Plan, Page 2-1.

³¹ See Chapter 8, December 9, 2014 Comprehensive Plan, Page 8-1.

Map Amendment provides residents and guests of the Town and the greater Bluffton area with additional institutional and educational opportunities and potential development opportunities of business uses available in the Buckwalter PUD district. The Owner's use of the Property is supported by the existing infrastructure and does not adversely impact or create unplanned burdens on the natural environment or existing infrastructure, and is consistent with the Land Use Vision of the Comprehensive Plan.³²

- h. Transportation Vision. *The Transportation Vision of the Comprehensive Plan seeks to plan an efficient, adequate and safe transportation network for all users, including motorists, cyclists and pedestrians.*³³ The Owner's proposed use is consistent with and supports the Transportation Vision of the Comprehensive Plan. Access and road infrastructure for the Property is already constructed and no additions are contemplated. The rezoning of the Property to the Buckwalter PUD district proposed by the Owner has no negative impact on the Town's transportation system, and is consistent with the Transportation Vision of the Comprehensive Plan.
- i. Priority Investment Act Vision. *The Priority Investment Act Vision of the Comprehensive Plan encourages the shared commitment with neighboring jurisdictions and agencies to work together to plan and construct the public infrastructure needed by the residents of Bluffton and Beaufort County.*³⁴ The adoption of an Official Map is identified as a tool to implement the Comprehensive Plan by identifying property for future rights of way and other public uses and restricting the development on such property once such areas are identified.³⁵ The Property is located on the north side of the U.S. Highway 278 right of way and is well served by existing connections. Accordingly, the Owner's proposed Zoning Map Amendment does not negatively implicate the Priority Investment Act Vision and is therefore consistent with the Comprehensive Plan.

- 2. **Compatibility of the site's physical, geological, hydrological and other environmental features to support the breadth and intensity of uses that could be developed in the proposed zoning district.** The proposed annexation and Zoning Map Amendment adds the Property to the Buckwalter PUD creates a new Planning Area under the Concept Plan and authorizes use and density on the Property with storm water facilities and infrastructure already developed consistent with current standards. The Owner submits that the physical, geological, hydrological and other environmental features of Property have largely already been reviewed, planned, designed and approved and any remaining development will not overburden nor negatively impact the physical, hydrological or other environmental features of the Property.

³² See Land Use Table, Goals and Implementation Steps, Section 8.2, Page 8-22.

³³ See Chapter 9, December 9, 2014 Comprehensive Plan, Page 9-1.

³⁴ See Chapter 10, December 9, 2014 Comprehensive Plan, Page 10-1.

³⁵ See Section 10.2 Official Map, December 9, 2014 Comprehensive Plan, Page 10-5.

3. **Compatibility of all the potential uses allowed in the proposed zoning district with the surrounding uses and zoning districts.** Compatibility of all the potential uses allowed in the proposed zoning district with the surrounding uses and zoning districts in terms of suitability of location, impacts on the environment, noise, density, nature of use, traffic impacts, aesthetics, ability to develop adjacent properties under existing zoning, and potential influence on property values.
- a. Compatibility with surrounding uses and zoning districts – location. Adjacent to the Property to the west is the Berkeley Hall PUD, a private residential club community, to the northeast by the Eagle’s Pointe private residential community and golf course, to the east by the Bluffton Township Fire Station # 35 and to the south across U.S. Highway 278 the Buckwalter PUD. Institutional and educational uses adjacent to these developments and facilities as well as Buckwalter PUD uses are compatible to the adjacent use as those uses are all existing uses in the Buckwalter PUD. Accordingly, the Owner submits that the Zoning Map Amendment is compatible with surrounding uses and zoning districts.
 - b. Compatibility with surrounding uses and zoning districts – impacts on the environment. Much of the Property is already developed with institutional uses and the impacts on natural resources and the existing natural environment have been considered, planned and already approved. Accordingly, the Owner submits that the Zoning Map Amendment essentially will not result in new or unplanned impacts to the natural resources and existing natural environment of the surrounding uses or zoning districts.
 - c. Compatibility with surrounding uses and zoning districts – noise. Much of the Property is already developed with institutional uses including a church and elementary school campus. The Owner submits that the Zoning Map Amendment will not result in new or unplanned noise impacts or create the type or level of noise beyond that created by the uses currently allowed in the Buckwalter PUD.
 - d. Compatibility with surrounding uses and zoning districts – density. Much of the Property is already developed with institutional uses including a church and elementary school campus. The density requested is consistent with the uses, density and development along the U.S. Highway 278 corridor and those within the Buckwalter PUD.
 - e. Compatibility with surrounding uses and zoning districts – nature of use. Much of the Property is already developed with institutional uses including a church and elementary school campus both being less intense use than other uses available in the Buckwalter PUD and therefore is compatible with surrounding uses and zoning districts.
 - f. Compatibility with surrounding uses and zoning districts – traffic impacts. The Property is served by two signalized intersections providing ingress and egress to U.S. Highway 278. No other public rights of way are nearby and no further connections are contemplated. Much of the Property is already developed with institutional uses including a church and

elementary school campus and traffic impacts have already been addressed. To the extent other development is proposed, it will be required to comply with applicable traffic and trip generation requirements. The Application therefore is compatible with surrounding uses and zoning districts.

- g. Compatibility with surrounding uses and zoning districts – aesthetics. Much of the Property is already developed with institutional uses including a church and elementary school campus and design and aesthetics have already been considered and addressed. The Owner submits the aesthetics of the existing development on the Property is compatible with surrounding uses and zoning districts and future development, if any will be subject to the design standards of the UDO.
 - h. Compatibility with surrounding uses and zoning districts – ability to develop adjacent properties under existing zoning. The Owner submits that the annexation of the Property into the Town and the zoning map amendment has no adverse impact on the development of adjacent properties as they may continue to be developed as provided in applicable ordinances and or master plans.
 - i. Compatibility with surrounding uses and zoning districts – potential influence on property values. The Owner submits that the annexation of the Property into the Town and the zoning map amendment likely will have little or no influence or impact on property values of surrounding properties.
4. **Compatibility of public infrastructure and services to sufficiently accommodate all potential uses allowed in the proposed district.** Compatibility of public infrastructure and services to sufficiently accommodate all potential uses allowed in the proposed district without compromising the public health, safety and welfare of the Town. The Property has direct access to U.S. Highway 278 a major arterial with excellent connections to the Buckwalter Parkway, the Bluffton Parkway, South Carolina Highway 46 and beyond. The Property has all necessary and readily available utilities access and storm water drainage facilities suitable for the existing use and those contemplated by this Application³⁶. Accordingly, there is no adverse impact on the public facilities and services contemplated to serve the Property.
5. **Public need for the potential uses permitted in the requested zoning district.** The Property is primarily developed as a church and school campus providing services and support to the current and future residents of the Town and the Owner believes currently and will in the future serve a public need.

III. **AMENDMENT TO DEVELOPMENT AGREEMENT AND CONCEPT PLAN.**

- A. **Applicability.** Adjacent to the South of the Property across the U.S. Highway 278 right of way, is the Buckwalter PUD which is located within the municipal limits of the Town. Section 3.9 of the UDO requires that “if any of the property subject to a PUD Master Plan

³⁶ See applicable utility intent to serve letters attached hereto as Exhibit “L” and made a part hereof.

application is not zoned PUD at the time of submittal, the application shall be submitted concurrently with a Zoning Map Amendment application requesting approval of a PUD Zoning for the subject property.” The property is not currently zoned PUD and therefore this Application also requests an amendment of the Buckwalter PUD including amending the Development Agreement and Concept Plan for the Buckwalter Tract (“**Concept Plan Amendment**”). The Owner submits that it is appropriate to zone the Property Buckwalter PUD and assign the Property the uses and density of the Buckwalter PUD.

1. **Consistency with the Comprehensive Plan.**

- a. Population Vision. *The Population Vision of the Comprehensive Plan acknowledges and accepts the Town’s diverse population and strives to offer a high quality of life for all residents, visitors and workers.*³⁷ The proposed Concept Plan Amendment is consistent with the Population Vision as it provides institutional and educational services to support existing and future population of the Town located in the Buckwalter PUD.³⁸ Furthermore, it is consistent with and furthers efforts to fulfill the goal to prepare for the minimum two-fold increase growth of the Town’s permanent residents with the addition of these institutional and educational uses as well as provide the opportunity for future retail opportunities and services.³⁹ The proposed Concept Plan Amendment is therefore consistent with the Population Vision of the Comprehensive Plan.
- b. Cultural Resources Vision. *The Cultural Resources Vision of the Comprehensive Plan instructs the Town to strive to maintain a sense of community, diversity and individuality by preserving cultural resources.*⁴⁰ The proposed amendment furthers the Culture Resources vision of the Comprehensive Plan since a large part of the Property is already developed as a church and school campus both of which serve to maintain a sense of community, diversity and individuality for the citizens of the Town and its surrounds.
- c. Natural Resources Vision. *The Natural Resources Vison of the Comprehensive Plan instructs the Town to inventory and protect critical resources in a manner which sustains the vitality, function, and beauty of Bluffton’s natural heritage.*⁴¹ The Owner is seeking to amend the Concept Plan to authorize use of the Property for Buckwalter PUD uses consistent with existing development on the Property as well as that of other areas within the municipal limits of the Town along the U.S. Highway 278 corridor and in the Buckwalter PUD. The Owner submits that the proposed amendment seeks to add land which is already primarily developed consistent with uses available in the Buckwalter PUD district and are well-planned and developed in conformance with the design standards similar to the Town including modern storm water management

³⁷ See Chapter 2, Page 2-1, December 9, 2014 Comprehensive Plan.

³⁸ See Section 2.1, Population Needs and Goals Chart, Page 2-6, December 9, 2014 Comprehensive Plan.

³⁹ See Section 2.3 Population Projections Chart, Page 2-14, December 9, 2014 Comprehensive Plan.

⁴⁰ See Chapter 3, Page 3-1, December 9, 2014 Comprehensive Plan.

⁴¹ See Chapter 4, Page 4-1, December 9, 2014 Comprehensive Plan.

facilities. Accordingly, the Application is consistent with the Natural Resources vision of the Comprehensive Plan.

- d. Housing Vision. *The Housing Vision of the Comprehensive Plan seeks to ensure that every resident has decent, safe and affordable housing.*⁴² The Owner's proposed Concept Plan Amendment supports the Housing Vision as it provides existing, modern and safe institutional and educational services to support the existing and future population of the Town. The development currently existing on the Property, while not in itself housing, supports the vision overall by serving to attract new residents and business by making available quality institutional and educational services to support the existing and future population of the Town and its residents and guests, Therefore the Application is consistent with the Housing Vision of the Comprehensive Plan.

- e. Economic Development Vision. *The Economic Development Vision of the Comprehensive Plan instructs the Town to strive to create a vital, diverse and sustainable local economy that enhances Bluffton's community resources: human, natural and economic.*⁴³ The Economic Development Vision of the Comprehensive Plan recognizes the need to ensure a balanced local economy through revisions to zoning and land use regulations.⁴⁴ The Owner's proposed Concept Plan Amendment provides residents and guests of the Town and the greater Bluffton area with institutional and educational opportunities and potential development opportunities of business uses available in the Buckwalter PUD district and therefore serves the goals set forth in the Economic Development Vision⁴⁵. All of which serve to enhance the Town's human, natural and economic resources and contributes to a stable tax base. Accordingly, the proposed additional use category is consistent with the Economic Development Vision of the Comprehensive Plan.

- f. Community Facilities Vision. *The Community Facilities Vision of the Comprehensive Plan encourages the Town to provide efficient and reliable facilities and services for the residents and visitors of the Town of Bluffton and to meet level of service standards to ensure a high quality of life.*⁴⁶ The approval of this Application supports the Community Facilities Vision as it adds additional religious and educational opportunities for residents and visitors to the Town which serve to enhance the quality of life in the Town. Additionally, much of the Property is already developed and the infrastructure including roadways, sanitary sewer, storm water, drainage, potable water, electricity, telephone and cable, is already in place. The Owner's proposed Concept Plan Amendment therefore supports and is consistent with the Community Facilities Vision of the Comprehensive Plan, as it adds the opportunity for expanded religious and

⁴² See Chapter 5, Page 5-1, December 9, 2014 Comprehensive Plan.

⁴³ See Chapter 6, December 9, 2014 Comprehensive Plan, Page 6-1.

⁴⁴ See Section 6.3 Local Economy, December 9, 2014 Comprehensive Plan, Page 6-9.

⁴⁵ See Section 6.6, Economic Development and Diversification Needs and Goals Chart, Page 6-23, December 9, 2014 Comprehensive Plan.

⁴⁶ See Chapter 7, December 9, 2014 Comprehensive Plan, Page 2-1.

educational opportunities for residents and visitors of the Town without adding additional unplanned burdens on community facilities.

- g. Land Use Vision. *The Land Use Vision of the Comprehensive Plan encourages the Town to plan for a balance of land uses that ensure a high quality of life, business opportunity, environmentally protected areas and proposed placement of residential uses.*⁴⁷ The Owner’s proposed Concept Plan Amendment provides residents and guests of the Town and the greater Bluffton area with additional institutional and educational opportunities and potential development opportunities of business uses available in the Buckwalter PUD district. The Owner’s use of the Property is supported by the existing infrastructure and does not adversely impact or create unplanned burdens on the natural environment or existing infrastructure, and is consistent with the Land Use Vision of the Comprehensive Plan.⁴⁸
- h. Transportation Vision. *The Transportation Vision of the Comprehensive Plan seeks to plan an efficient, adequate and safe transportation network for all users, including motorists, cyclists and pedestrians.*⁴⁹ The Owner’s proposed use is consistent with and supports the Transportation Vision of the Comprehensive Plan. Access and road infrastructure for the Property is already constructed and no additions are contemplated. The addition of the Property to the Buckwalter PUD proposed by the Owner has no negative impact on the Town’s transportation system, and is therefore consistent with the Transportation Vision of the Comprehensive Plan.
- i. Priority Investment Act Vision. *The Priority Investment Act Vision of the Comprehensive Plan encourages the shared commitment with neighboring jurisdictions and agencies to work together to plan and construct the public infrastructure needed by the residents of Bluffton and Beaufort County.*⁵⁰ The adoption of an Official Map is identified as a tool to implement the Comprehensive Plan by identifying property for future rights of way and other public uses and restricting the development on such property once such areas are identified.⁵¹ The Property is located on the north side of the U.S. Highway 278 right of way and is well served by two (2) signaling existing connections to that right of way. U.S. Highway 278 is a main arterial through southern Beaufort County and the Town and well serves residents and guests in the Town. Accordingly, the Owner’s proposed Concept Plan Amendment does not negatively implicate the Priority Investment Act Vision and is therefore consistent with the Comprehensive Plan.

2. **Consistency with the intent of the Planned Unit Development Zoning District.** Section 4.2.13 of the UDO describes the purpose of the PUD district as one to “achieve the objectives of the Town of Bluffton *Comprehensive Plan* and to allow

⁴⁷ See Chapter 8, December 9, 2014 Comprehensive Plan, Page 8-1.

⁴⁸ See Land Use Table, Goals and Implementation Steps, Section 8.2, Page 8-22.

⁴⁹ See Chapter 9, December 9, 2014 Comprehensive Plan, Page 9-1.

⁵⁰ See Chapter 10, December 9, 2014 Comprehensive Plan, Page 10-1.

⁵¹ See Section 10.2 Official Map, December 9, 2014 Comprehensive Plan, Page 10-5.

flexibility in development than could otherwise be achieved through strict application of this Ordinance.” The Owner submits that the Concept Plan amendment will achieve this flexibility and will result in achieving the purpose of the PUD which is to “improve[] design, character and quality of walkable mixed-use developments and preserve natural and scenic features of open spaces.”⁵²

- a. Eligibility. The Owner submits that the Concept Plan Amendment meets the required eligibility criteria as outlined below.
 - i. Preservation of Significant Natural and Historic Features. The Owner submits that the addition of the Property to the Buckwalter PUD does not alter or diminish the existing preservation and enhancement natural and historic features of the Buckwalter PUD.
 - ii. Preservation of Usable Open Space. The Owner submits that the addition of the Property to the Buckwalter PUD will not alter or diminish the existing preservation of usable open space. The addition of the Property adds usable open space to the Buckwalter PUD.
 - iii. Incorporation of a Complementary Mixture of Uses. The Owner submits that the addition of the Property in the Buckwalter PUD will complement the current mixture of uses in the Buckwalter PUD because of the educational, church and institutional uses existing and proposed for the Property.
 - iv. Inclusion of Creative Design of as Nonconforming Site. The Owner submits that the Property is in conformance with the Ordinance and the inclusion of the Property in the Buckwalter PUD will maintain compliance with the Ordinance.
 - v. Economic Development. The Owner submits that the inclusion of the Property in the Buckwalter PUD will provide economic development consistent with the Comprehensive Plan as outlined in Section II.B.e of this Application.
- b. Public Services. The Owner submits that the inclusion of the Property in the Buckwalter PUD will not impact the Buckwalter PUD’s ability to be served by adequate public services. In fact, the inclusion of the Property will add to the public services offered through the addition of the elementary school and church campuses.
- c. Allowed Uses. The Owner submits that the land uses proposed on the Property are consistent with the uses established in Section 4.3 of the UDO and have been specifically defined and submitted and described in this Application Narrative and as shown on the Table of Comparative Land Uses in Exhibit “K” attached hereto and made a part hereof.

⁵² See Section 4.2.13, Planned Unit Development, Town of Bluffton Unified Development Ordinance

- d. Affordable Housing. The Owner submits that the addition of the Property to the Buckwalter PUD will not impact the existing affordable and workforce housing located within the Buckwalter PUD.
 - e. Dimensional Requirements. The Owner submits that inclusion of the Property in the Buckwalter PUD will not cause deviations from the current standards for dimensional requirements.
3. **Consistency with Development and Concept Plan**. The proposed Concept Plan Amendment is consistent with the Development Agreement and Concept Plan for Buckwalter PUD. The Town and Branigar Organization, Inc. executed and approved a Development Agreement (“Development Agreement”), dated April 19, 2000, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 1288 at Page 1, which Development Agreement, as amended, governs the use and development of a tract of land known as the Buckwalter Tract. Concurrently with the execution of the Development Agreement, the Town of Bluffton annexed Buckwalter Tract into the Town boundaries and granted Concept Plan zoning to the Buckwalter Tract, all as more particularly described in the Annexation Petition and Concept Plan for Buckwalter Tract, adopted April 19, 2000. Subsequent to the execution and approval of the Development Agreement and Concept Plan, the Town Approved eleven (11) Amendments to the Buckwalter Development Agreement and Concept Plan. The Owner submits that the annexation of the Property into the Buckwalter PUD is consistent with the Development Agreement and Concept Plan for Buckwalter PUD and therefore submits the Twelfth Amendment to Development Agreement and Concept Plan - Buckwalter Tract attached hereto as Exhibit “R” and made a part hereof.
4. **Compatibility of Proposed Land Uses, Densities, Traffic Circulation, Environmental Features and Design with Adjacent Land Uses as well as Character of Surrounding Area**.
- a. Land Uses. Adjacent to the south of the Property across U.S. Highway 278 right of way is the Buckwalter PUD. Adjacent to the Property to the west and north is the Berkeley Hall PUD, a private residential community, to the northeast the Eagle’s Pointe golf course and to the east by the Bluffton Township Fire station #35. The Property is therefore contiguous with the Town. Institutional and educational uses adjacent to these developments and facilities as well as the proposed uses are consistent with the uses already existing in the Buckwalter PUD and are derived from uses allowed in the Town and specifically within the Buckwalter PUD.
 - b. Density. Much of the Property is already developed with institutional uses including a church and elementary school campus. Further, the proposed density is consistent with that provided in the Buckwalter PUD, Development Agreement and Concept Plan and therefore the proposed density of the Property is compatible with the density and development along U.S. Highway 278 within the municipal limits of the Town and that along the Buckwalter PUD.

- c. Traffic Circulation. The Property is served by two signalized intersections providing ingress and egress to U.S. Highway 278. No other public rights of way are nearby. Much of the Property is already developed and traffic impacts have already been addressed. To the extent other development is proposed, it will be required to comply with the applicable traffic requirements. The Owner submits that the annexation of the Property into the Buckwalter PUD is compatible with the use of adjacent lands.
 - d. Environmental Features. Much of the Property is already developed with institutional uses and the impacts on natural resources and the existing natural environment have been considered, planned and already approved. Accordingly, the Owner submits that the Concept Plan Amendment will not result in any new or unplanned impacts to the natural resources and existing environmental features of the surrounding areas.
 - e. Character of Surrounding Areas. Much of the Property is already developed with institutional uses including a church and elementary school campus and design, aesthetics and character have already been considered and addressed. The proposed zoning for the Property is Buckwalter PUD and that zoning is adjacent to the Property. The Owner submits the design, aesthetics, and character of the existing development on the Property is compatible with surrounding areas.
5. **Ability to be served by adequate public services.** The Property has direct access to U.S. Highway 278, a major arterial with excellent connections to the Buckwalter Parkway, the Bluffton Parkway, South Carolina Highway 46 and beyond. The Property has all necessary and readily available utilities and storm water drainage facilities that are suitable for the existing use and those available in the Buckwalter PUD. Furthermore, much of the Property is already developed with a church and elementary school and will therefore enhance public services available to the balance of the Property and Buckwalter PUD.
 6. **Demonstration of innovative site planning techniques that improve upon the standards in other allowable Town of Bluffton zoning districts with the purpose of enhancing the Town of Bluffton's health, safety and welfare.** Much of the Property is already developed with institutional uses including a church and elementary school campus. The annexation of the Property into the Buckwalter PUD will ensure that the balance of the Property is developed as is the surrounding Buckwalter PUD and will not negatively impact the Town of Bluffton's health, safety and welfare.
 7. **Ability of the site to sufficiently accommodate the densities and land use intensities of the proposed development.** Much of the Property is already developed with institutional uses including a church and elementary school campus. The existing development on the Property accommodates the density of the existing development. The density requested is consistent with density and development along the U.S. Highway 278 corridor within the municipal limits of the Town and along the Buckwalter Parkway and Buckwalter PUD as that property is currently zoned Buckwalter PUD.

8. **Conformance with adopted or accepted plans, policies, and practices of the Town of Bluffton.** Much of the Property is already developed with institutional uses in conformance with policies and practices of the Town of Bluffton. For a discussion of compatibility with the Town of Bluffton Comprehensive Plan please refer to Section III.A.1 of this Application.
9. **Compliance with applicable requirements in the Application Manual.** The Owner submits that this Application is compliant with the applicable requirements of the Town’s Applications Manual.

IV. **AMENDMENT TO THE COMPREHENSIVE PLAN CRITERIA.**

This Application proposes two changes to the Comprehensive Plan Maps – the Future Annexation Area Map and the Future Land Use Map (sometimes herein collectively the “Maps”). Importantly, the Future Annexation Area Map does not include the Property as no future annexations are shown on the map north of U.S. 278 in the area of the Property. This makes sense as Property surrounded by residential planned communities which are classified as PUDs in the County Code. However, many of the commercial and mixed use areas north of the U.S. Highway 278 corridor are within municipal boundaries of the Town through prior annexations. Those areas, specifically Belfair Town Centre, are also surrounded by private planned residential communities. The change to the Future Annexation Area Map to include the Property is consistent with areas similarly situated and already annexed into the Town.

Similarly, the requested amendment to the Future Land Use Map of the Comprehensive Plan is an appropriate amendment as it is reflective of other annexations and development in the Town along the north side of U.S. 278 right of way.

A. **Consistency with the intent and overall policies of the Comprehensive Plan.**

The Application is consistent with the intent and policies of the Comprehensive Plan as it assists to ensure the Town remains a highly desirable community in which to live, work and visit. The annexation and rezoning contemplated in the Application enhances the quality of life in the community by providing successfully operating civic and institutional facilities, as well as providing opportunity for new commercial development of the type in terms of use and density already existing in the Buckwalter PUD. Development of the remaining portions of the Property will contribute to a diversified tax base to support desired Town facilities and services while ensuring reasonable tax rates for Town citizens.

B. **Consistency with demographics changes, prevailing economic trends and/or newly recognized best planning practices that would deem the proposed amendment necessary and proper for the advancement of the Town of Bluffton’s goals.**

The Application is consistent with the Comprehensive Plan’s desire to remain consistent with demographic changes. The Town population continues to grow and the Application provides additional religious worship educational choices and business opportunities for citizens of the Town.

C. **If applicable, the ability of public infrastructure and services to sufficiently accommodate the requested amendment to the Comprehensive Plan.**

No changes to public infrastructure or services are requested or required to accommodate the amendment.

D. **Appropriate and efficient use of public funds, the future growth, development and redevelopment of its area of jurisdiction and consideration of the fiscal impact on property owners.**

The proposed amendments to the Maps represents appropriate and efficient use of the public funds as they bring in property in an area which requires no new infrastructure and little expenditure of public funds beyond police and administrative services. The institutional uses already existing on the Property add both worship and educational opportunities for residents of the Town, both uses which require little, if any, public funds. The area of the Property which may be developed for commercial uses will generate revenue for the Town helping to achieve the Comprehensive Plan purpose of creating a stable tax base. The Map amendments do not create negatively fiscal impacts on surrounding property owners as the institutional development already exists and future commercial development is consistent with other similar situated developments in the area of the Property along U.S. 278 right of way and the Buckwalter PUD.

E. **Enhancement of the health, safety, and welfare of the Town of Bluffton.**

The proposed Map amendments enhance the health, safety and welfare of the Town by providing new places of worship to residents in the Town not otherwise served by a Catholic church as well as providing new educational opportunities enhancing the religious worship and educational facilities and business opportunities in the Town.

F. **Consistency with applicable South Carolina Planning law and consideration of case law.**

The proposed Map amendments are consistent with the South Carolina Local Government Comprehensive Planning Enabling Act of 1994⁵³ and are not contrary to applicable South Carolina common law.

G. **Compliance with applicable requirements in the Applications Manual.**

The Owner submits that this Application is compliant with the applicable requirements of the Town's Applications Manual.

V. **CONCLUSION.**

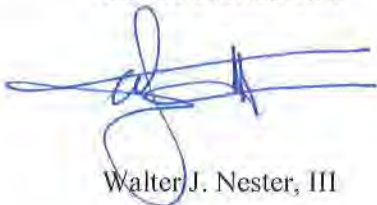
- A. The Owner believes the foregoing narrative and analysis demonstrates that this Application is in conformance with the Town's Comprehensive Plan, and meets the criteria set forth in Section 3.4.3 of the UDO. Accordingly, the Owner respectfully requests that the Planning Commission and Town Council:
- B. Review this Application and the supporting documentation and any testimony which will be entered into the record.

⁵³ Section 6-29-310 et. Seq. South Carolina Code of Laws.

- C. Find the following:
1. That this Application and the supporting testimony and documentation establish that the requested zoning map / text amendment is consistent with the Town's Comprehensive Plan.
 2. That this Application and the supporting testimony and documentation establish the physical, geographical, hydrological and other environmental features of the Property support the breadth and intensity of the uses available in the proposed additional use category.
 3. That this Application and the supporting testimony and documentation establish that the uses available in the proposed additional use category for the Property are compatible with surrounding uses and zoning districts in terms of suitability of location, impacts on the environment, noise, density, nature of use, traffic impacts, aesthetics, ability to develop adjacent properties under existing zoning and the potential influence on property values.
 4. That this Application and the supporting testimony and documentation establish that the public infrastructure and services are available and capable of sufficiently accommodating the uses available in the proposed additional use category without compromising the public health, safety and welfare of the Town.
 5. That this Application and the supporting testimony and documentation establish that there is a public need in the zoning district and the Town for the use proposed by the Application.
 6. That this Application and the supporting testimony and documentation are in compliance with the applicable requirements in the Applications Manual.
- D. Recommend approval of this Application and the rezoning of the Property to Buckwalter PUD with uses and density as set forth in the proposed Twelfth Amendment.

Respectfully submitted on behalf of the Owner this 21st day of February, 2020.

Burr & Forman LLP



Walter J. Nester, III

EXHIBIT "A" TO SUPPLEMENT

**South Carolina Secretary of State
Business Filings Report**

(please see attached)

South Carolina Secretary of State Mark Hammond

Business Entities Online

File, Search, and Retrieve Documents Electronically

BISHOP OF CHARLESTON

Corporate Information

Entity Type: Nonprofit

Status: Good Standing

Domestic/Foreign: Domestic

Incorporated State: South Carolina

Registered Agent

Agent: JOHN L. BARKER

Address: 901 Orange Grove Road
Charleston, South Carolina 29407

Important Dates

Effective Date: 12/13/1880

:

Expiration Date: N/A

Term End Date: N/A

Dissolved Date: N/A

Official Documents On File

Filing Type	Filing Date
Notice of Change of Registered Office or Registered Agent or Both of a Nonprofit Corporation	07/03/2017
Change of Agent or Office	08/28/2007
Amendment	03/10/1999
Amendment	06/11/1984
Amendment	01/10/1901
Incorporation	12/13/1880

EXHIBIT "B" TO SUPPLEMENT

Property Deed

(please see attached)

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46006

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

LIMITED WARRANTY INDENTURE DEED 412
FOR MEGGETT TRACT

BEAUFORT COUNTY, S.C.
RECORDING FEES COLLECTED
COUNTY FEE \$ 0
STATE FEE \$ 9.237.90

TO WHOM ALL THESE PRESENTS MAY COME:

WHEREAS, UNION CAMP CORPORATION, a Virginia corporation, formerly known as Union Bag-Camp Paper Corporation, qualified to conduct business in the State of South Carolina (hereinafter "Grantor"), is the owner of certain real property situate, lying and being in the Meggett Tract Section of Beaufort County, South Carolina, which Grantor may, subsequent to the date hereof, develop as a planned commercial development to be known as the Meggett Tract ("Meggett Tract"); and

WHEREAS, Grantor, is the owner of certain other real property in Beaufort County, South Carolina as described on Exhibit "A" attached hereto (the "Property") and desires to convey the Property in fee simple to The Bishop of Charleston, a corporation sole, ("Grantee"), whose mailing address is 119 Broad Street, Charleston, South Carolina 29401; and

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that the said Grantor, for and in consideration of the payment of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration, paid to the said Grantor by the Grantee, the receipt whereof is hereby acknowledged, has granted, bargained, sold and released and by these presents does grant, bargain, sell and release to the Grantee, its successors and assigns, in fee simple, the following described real property (Property), to wit:

See Exhibit "A" attached hereto and made an integral part hereof.

Together with the easements, rights and benefits as provided in the Covenants; and as shown on the above-referenced plat; and as defined below.

The within conveyance is made subject to the following:

1. Real Estate Taxes and Assessments for the current year and all future years.
2. All recorded easements, terms, provisions, conditions, covenants, reservations and restrictions affecting the Property.
3. All applicable governmental restrictions and regulations, specifically including, without limitation, the provisions of the Beaufort County Development Standards Ordinance ("DSO") and amendments thereto, as may be imposed upon the Property.
4. The assumption by Grantee of any and all obligations imposed by Beaufort County or any provider of utility services for the payment of impact fees, building permit fees, aid to

Limited Warranty Indenture Deed
#P09US4P
11/20/97

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construction fees and any other costs and expenses incident to Grantee's proposed use of the Property.

5. All matters which remain executory and subsequently binding upon the Grantor and Grantee as set forth in the Purchase and Sale Agreement ("Purchase Agreement") between the parties dated the 25th day of November, 1997, specifically including the reservation of timber rights by Union Camp upon the Property as set forth in such Purchase Agreement.

6. The Property may be used for any lawful purpose, as permitted from time to time by applicable zoning and land use planning ordinances; PROVIDED, HOWEVER, that in no event may the Property, or any portion thereof, be used for any commercial use or for new or used auto and truck sales, mobile home sales, industrial or freight receipt and distribution facilities, all of which uses are strictly prohibited on the Property.

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7. All utilities on the Property shall be located underground, unless the utility provider is prohibited therefrom by statute, rule or regulation.

8. A buffer of fifty (50) feet around the perimeter boundary of the Property shall remain undeveloped but may be cleaned of underbrush and otherwise maintained by Grantee. Trees may be thinned or planted and a fence may be constructed therein as may be approved under the provisions of the DSO. Utility easements may be granted by Grantee within the buffer and roads may be constructed across it.

9. All construction of improvements shall comply with building guidelines established under the Beaufort County Development Standards Ordinance ("DSO"), specifically including Article XVII thereof incident to the U.S. Highway 27B Corridor Overlay District, but subject to Grantee's right to seek any variances therefrom.

10. It is the desire of Grantor that all buildings placed on the Property and all landscaping be constructed in a manner reasonably consistent and compatible with the character of the adjacent master planned development of the Meggett Tract.

All buildings will be considered in the round, since buildings will be viewed from all sides (i.e., they cannot have a special treatment only on the front or entry, but an architectural concept must be consistent throughout). Buildings can be simple but interesting in form. The number of materials used for the exterior of all buildings shall be kept to a minimum. One of these materials will clearly have a dominant role. Buildings will be designed to appear substantial and in no way temporary in nature. Materials used should support this intent; e.g., brick, well-finished concrete (precast or poured in place), architectural block, wood, and glass. Any equipment placed or operated on the exterior of any structure, including air conditioning and heating units, must have appropriate vegetative screening of said equipment which is designed to blend with the building architecture. All flues, vents, downspouts, and other appurtenances will be considered as part of the total architectural concept. The enclosure treatment of these elements will be indicated on elevations and plans. Material, color and all other pertinent information will also be specified.

Grantee shall submit plans for the construction of buildings and all other improvements to Grantor for Grantor's review and comment only, subject to the provisions hereof, with such comments to be delivered to Grantee not more than ten (10) days subsequent to receipt of two (2) complete sets of plans by Grantor. All subsequent owners of all or any portion of the Property shall

be obligated to submit plans for the construction of any improvements to Grantor for review and approval with such approval not to be unreasonably withheld or delayed.

11. No temporary building, trailer, mobile home, shed or facility shall be brought or placed upon the Property without the prior written approval of Grantor except that temporary job trailers, material storage facilities or sheds may be brought upon the Property as may be reasonably required for the construction of the improvements upon the Property upon the express condition that such construction related items are removed promptly with the completion of such construction activities.

This limited right in favor of Grantee shall be neither transferable nor assignable without the prior written permission of Grantor. 414

Together with the rights, members, hereditaments and appurtenances to the Property belonging or in any way incident or appertaining thereto.

IN ACCEPTING THIS DEED, the Grantee, for itself, its successors and assigns, herein expressly acknowledges and agrees that:

1. The Grantee hereby covenants and agrees to have secured all necessary permits and approvals from all governmental and quasi-governmental authorities having jurisdiction over development and construction activities for the Property and to have commenced construction of a church sanctuary upon the Property not more than sixty (60) months after the date of Closing. The specific terms regarding commencement of construction are set forth in the Option to Purchase Agreement (hereinafter "Option Agreement") and Memorandum of Option ("Memorandum of Option") of even date to be executed by Grantee concurrently with execution of the within instrument with such Option Agreement and Memorandum of Option incorporated herein and made an integral part hereof.

2. Grantor has the right to enforce the Covenants as herein set forth or in the Option Agreement by any legal or equitable proceeding Grantor may deem appropriate except as otherwise agreed in writing.

3. In the event Grantor elects to undertake any legal or equitable action to enforce the provisions hereof or for the recovery of any damages occasioned by Grantee's failure to honor the Covenants or as set forth in the instruments herein referenced, Grantee shall be liable for all such damages, together with all costs incident to such enforcement or collection action, specifically including Grantor's attorneys fees.


4. All of the forgoing covenants, restrictions and requirements shall run with the land and shall be binding upon the Grantee, its successors, successors-in-title and assigns, provided that Grantor reserves the right to waive any or all such covenants, restrictions and requirements as Grantor may, in its sole and absolute discretion, deem appropriate.

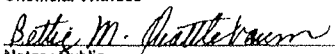
TO HAVE AND TO HOLD all and singular the said premises before mentioned unto the said Grantee, forever, in fee simple, subject to the affirmative obligations herein set forth assumed by Grantee upon acceptance of the within conveyance.

Subject to the conditions, restrictions, requirements and reservations set forth herein above, Grantor does hereby bind itself, its successors and assigns to warrant and forever defend all and singular the said premises unto Grantee, its successors and assigns, against the Grantor, its successors and assigns lawfully claiming or to claim the same, or any part thereof.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed this 25th day of November, 1997.

WITNESSES:

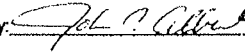


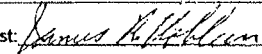
Unofficial Witness


Betty M. Matthews
Notary Public

GRANTOR: UNION CAMP CORPORATION,
a Virginia corporation qualified to conduct
business in the State of South Carolina

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By: 

Its: Sr. Vice President
Attest: 

Its: Asst. Secretary

station1/wpdocs/okatie/agreements/okatievlynden.ca@oficchurch

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

ACKNOWLEDGMENT

I, Bettie M. Quattlebaum, Notary Public for Georgia do hereby certify that John C. Albert, Senior Vice President and James R. Kobleur, Assistant Secretary of Union Camp Corporation, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

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Witness my hand and official seal this the 25th Day of November, 1997.

Bettie M. Quattlebaum

Notary Public for Georgia

My Commission Expires:

BETTIE M. QUATTLEBAUM
Notary Public, Chatham County, Ga.
My Commission Expires Nov. 28, 1999

The undersigned Grantee, for itself, its successors and assigns, herewith accepts the conveyance of the Property as herein described and assumes the obligations imposed hereunder this 26th day of November, 1997.

WITNESSES:

GRANTEE:
The Bishop of Charleston
a corporation sole

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Dennis Howard
Unofficial Witness
Barbara P. McKenzie
Notary Public
station1/wpdocs/contracts/agreements/1ch/1ch1001.catholic.church

By: David B. Thompson
The Most Reverend David B. Thompson

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

ACKNOWLEDGMENT

I, Barbara P. McKenzie, Notary Public for South Carolina do hereby certify that The Bishop of Charleston, a corporation sole, by The Most Reverend David B. Thompson, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 26 Day of November, 1997.

Barbara P. McKenzie
Notary Public for South Carolina
My Commission Expires: 7/15/03

Exhibit "A"

ALL that certain piece, parcel and tract of land, containing 63.12 acres, situate, lying and being in the Meggett Tract Section of Beaufort County, South Carolina, with said tract more specifically shown and described on a plat thereof entitled "A Boundary Plat of 63.12 Acres A Portion Of Tax Parcel 600-13-46 The Meggett Tract", with said plat prepared by Connor & Associates, Inc., as certified by Matthew L. Crawford, S.C.R.L.S. No. 9756, said plat dated the 14th day of November, 1997, and recorded in the Office of the Register of Mesne Conveyances for Beaufort County, South Carolina in Plat Book 103 at Page 9.

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Said 63.12 acres is further described by metes and bounds as follows, to wit: Commencing at a concrete monument at the northern right-of-way of U.S. Highway 278 and the southeastern corner of said 63.12 acre parcel, said concrete monument being the POINT OF COMMENCING; thence north 06 degrees 41 minutes 18 seconds west for a distance of 1984.75 feet along the right-of-way of U.S. Highway 278 to an iron pin; thence north 03 degrees 18 minutes 42 seconds east for a distance of 2010.99 feet to an iron pin; thence south 53 degrees 22 minutes 22 seconds east for a distance of 2748.07 feet to a concrete monument; thence south 68 degrees 10 minutes 04 seconds west for a distance of 357.05 feet to an iron pin; thence south 01 degrees 25 minutes 31 seconds west for a distance of 350.10 feet to a concrete monument, said concrete monument being the POINT OF COMMENCING.

This being a portion of the same property conveyed to the within Grantor by Deed of Argent Lumber Company, with said Deed recorded in the Office of the Register of Mesne Conveyances for Beaufort County, South Carolina in Deed Book 95 at Page 6.

The within instrument was prepared in the law offices of Jones, Scheider & Patterson, P.A. by James P. Scheider, Jr., Post Office Drawer 7049, Hilton Head Island, South Carolina 29938, 803-842-6111.

600-13-46 portion of

H+B 5920

FILED
JOHN A. SULLIVAN - RMC
BEAUFORT COUNTY, S.C.

97 DEC -1 PM 4:07

EX 994
FOLDER#

PG 412

RECORDED THIS 29 DAY
OF December 1997
BOOK A0 PAGE 2357

Wm O. Burris - J.
CLERK, BEAUFORT COUNTY, S.C.

EXHIBIT "B-1" TO SUPPLEMENT

Deed to SCDOT

(please see attached)

THE STATE OF SOUTH CAROLINA 7605

3/10 AB
SCDOT
7605

COUNTY OF BEAUFORT

TITLE TO REAL ESTATE
Approximate Survey Station

Road/Route U.S. 278
File 7.037178A
Item _____
Project EM08(006)
PIN 37178 RD01
Tract 42

BEAUFORT COUNTY SC- ROD
BK 03040 PGS 2187-2189
DATE: 03/02/2011 11:44:09 AM
INST # 2011010755 RCPT# 641874

_____ 514+00 To _____ 539+00 LT
_____ To _____
_____ To _____

KNOW ALL MEN BY THESE PRESENTS, That Bishop of Charleston, a Corporation Sole ("Grantor"), 1662 Ingram Road, Charleston, South Carolina 29407 in consideration of the sum of One Hundred Thousand and No/100 Dollars (\$100,000.00) and other valuable consideration to it in hand paid at and before the sealing and delivering thereof, by the South Carolina Department of Transportation, Columbia, South Carolina, receipt of which is hereby acknowledged, have, subject to the exceptions set forth below, granted, bargained, sold and released, and by these presents do grant, bargain, sell and release, unto the said South Carolina Department of Transportation, its successors and assigns, all that certain real property of the Grantor described below that is owned in fee simple absolute From S.C. Rte. 170 To: Near Rd. S-474 on U.S. Route 278, State and County aforesaid, as shown on plans prepared by the South Carolina Department of Transportation and dated August 12, 2009.

SPECIAL PROVISIONS: Notwithstanding anything to the contrary herein, the within conveyance and the consideration given is only for that parcel of land containing 0.327 acre, more or less, and all improvements thereon (including Grantor's sign), owned by Grantor and shown as the "Area of Acquisition" on Exhibit A attached hereto and made a part hereof. This conveyance is made subject to all easements, covenants and restrictions of record and all matters shown on surveys of record or that would be reflected on a current survey. This being a portion of the property acquired from Union Camp Corporation by deed dated December 26, 1997, and recorded December 29, 1997 in Deed Book 994, Page 412 in the records for Beaufort County and shown as Tax Map No. R600-022-000-0125-0000.

JUL 14 2011
PAYMENT REQUESTED

Together with, all and singular, the rights, members, hereditaments and appurtenances thereunto belonging, or in any wise incident or appertaining.

And I (or we) do hereby bind myself (or ourselves), my (or our) heirs, executor and administrators, to warrant and forever defend all and singular said premises unto said South Carolina Department of Transportation, its successors and assigns, against myself (or ourselves) and my (or our) heirs and against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

TO HAVE AND TO HOLD in fee simple, absolute and singular the said property and the rights hereinbefore granted, unto the said South Carolina Department of Transportation, its successors and assigns forever.

IN WITNESS WHEREOF, I (or we) have hereunto set my (or our) hand(s) and seal(s) this 8th day of February, 2011, in the year of our Lord, Two Thousand and _____
Signed, sealed and delivered in the presence of:

Clair H. Fowler
1st Witness
Ursula E. Strickland
2nd Witness

BISHOP OF CHARLESTON, A CORPORATION SOLE
BY: John R. Baskin (L.S.)
Chief Financial Officer
ITS: _____ (L.S.)

NOTE: All right of way agreements must be in writing and are subject to rejection by the South Carolina Department of Transportation.

THE STATE OF SC
COUNTY OF Charleston

Personally appeared before me the undersigned witness and made oath that she/he saw the within named sign, seal and as their act and deed, deliver the within written instrument; and that she/he with the other witness whose signature appears above witnessed the execution thereof.

Elaine H. Fowler
1st Witness

SWORN to before me this 8th day of February, 20 11

Ursula E. Strickland
NOTARY PUBLIC FOR South Carolina
My Commission Expires: 1-23-2017

RECORDED
2011 Mar -25 09:34 AM
Shawn P. Bennie
BEAUFORT COUNTY AUDITOR

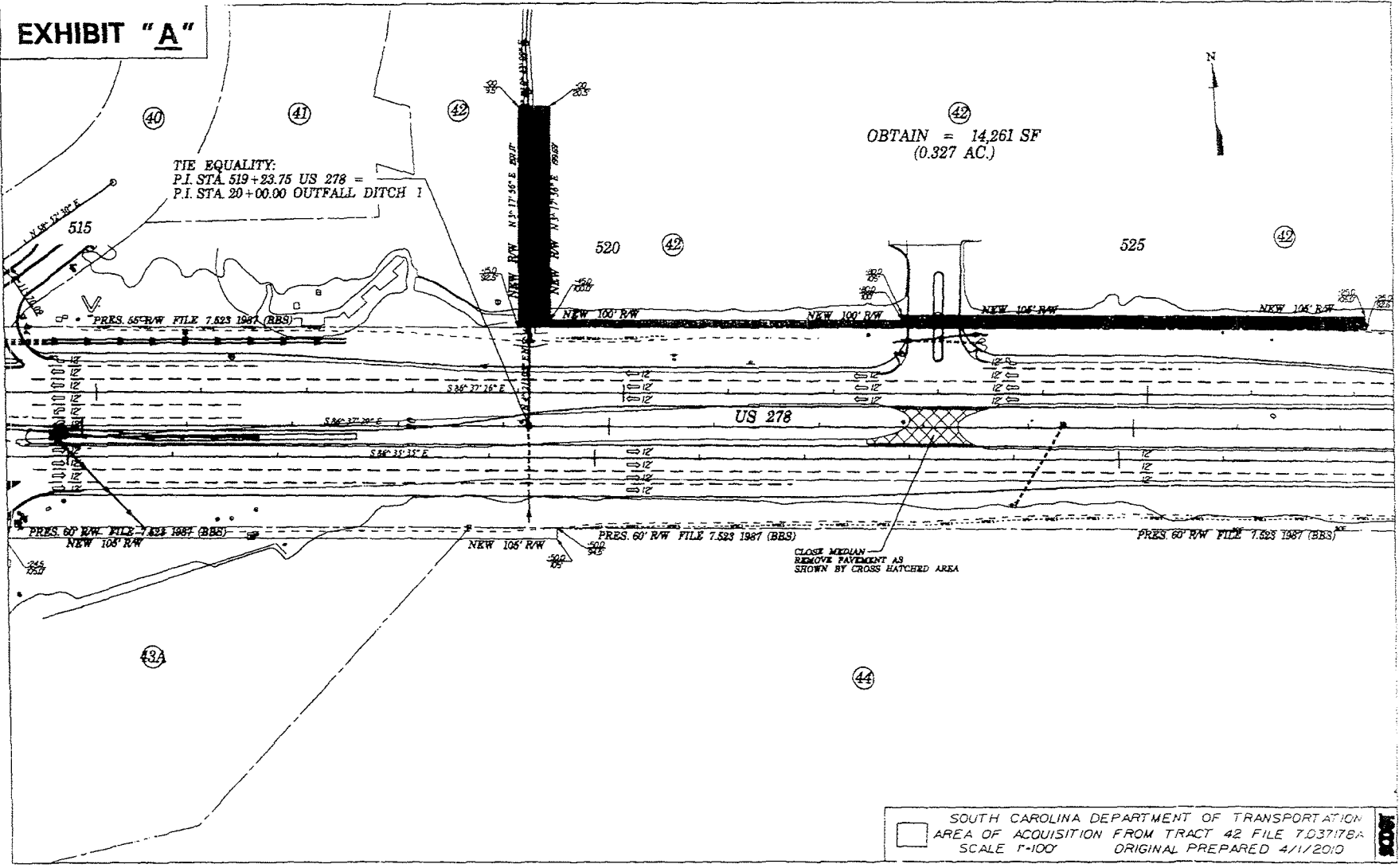
Title approved by the South Carolina Department of Transportation

GRANTEE'S ADDRESS: SCDOT, Director, Rights of Way, P.O. Box 191, Columbia, SC 29202-0191

Checked 2/18/11 By CPC
Recorded _____ By _____
Project _____ File No. _____

Tract 42

EXHIBIT "A"



STATE OF SOUTH CAROLINA)

COUNTY OF BEAUFORT)

Road/Route US 278)

File 7.037178A)

Item)

Project EM08(006))

PIN 37178 RD01)

AFFIDAVIT

PERSONALLY appeared before me the undersigned, being duly sworn, deposes and says:

Property located on the above road or route, bearing a portion of Tax Map Number R60002200001250000 in BEAUFORT COUNTY, was transferred by Bishop of Charleston, a Corporation Sole to the South Carolina Department of Transportation on February 8, 2011.

The above transaction is exempt, or partially exempt from the recording fee as set forth in S. C. Code Ann. Section 12-24-10 et.seq. because the deed is transferring realty to the State, its agencies and departments, and its political subdivisions, including school districts (Section 12-24-40(2).)

As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as Right of Way Agent for the South Carolina Department of Transportation.

I further understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Willie Johnson
Responsible Person Connected with the Transaction

SWORN to before me this 16th

day of February, 2011

Bruce M. Turner

NOTARY PUBLIC FOR South Carolina

My Commission Expires January 29, 2017

EXHIBIT "B-2" TO SUPPLEMENT

Deed to Beaufort County

(please see attached)

EXHIBIT A

RIGHT-OF-WAY 1 (WEST ROAD)

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SHOWN AS "THE BISHOP OF CHARLESTON TMS #R600-022-000-0125-0000 - PROPOSED R/W 1" AND BEING SHOWN AND DESIGNATED ON A RIGHT-OF-WAY EXHIBIT OF SAINT GREGORY CATHOLIC CHURCH PREPARED FOR WARD EDWARDS BY WILLIAM H. GRAY, JR. OF ATLAS SURVEYING, INC. DATED DECEMBER 10, 2015, COMMENCING AT AN IRON PIN ALONG THE NORTHERN RIGHT-OF-WAY OF U.S. HIGHWAY 278, BEING LABELED AS POINT OF COMMENCEMENT LABELED "POB 1", THENCE RUNNING N03°23'29"E FOR A DISTANCE OF 58.15' TO A POINT (BEING THE POINT OF BEGINNING); THENCE RUNNING N86°49'13"W FOR A DISTANCE OF 21.31' TO A POINT; THENCE RUNNING N03°18'42"E FOR A DISTANCE OF 50.00' TO A POINT; THENCE RUNNING S86°49'13"E FOR A DISTANCE OF 21.38' TO A POINT; THENCE RUNNING S86°49'13"E FOR A DISTANCE OF 30.03' TO A POINT; THENCE RUNNING S86°49'13"E FOR A DISTANCE OF 559.01' TO A POINT; THENCE RUNNING S03°18'42"W FOR A DISTANCE OF 50.00' TO A POINT; THENCE RUNNING N86°49'13"W FOR A DISTANCE OF 559.07' TO A POINT; THENCE RUNNING N03°23'22"E FOR A DISTANCE OF 50.00' TO A POINT; THENCE RUNNING N86°49'13"W FOR A DISTANCE OF 30.03' TO A POINT; THENCE RUNNING S03°23'29"W FOR A DISTANCE OF 50.00' TO A POINT; THENCE RUNNING S03°23'29"W FOR A DISTANCE OF 58.15' TO THE POINT OF BEGINNING. LESS AND EXCEPTING THE 50.00' (THE WIDTH OF THE ROAD) BY 30.03' STRIP OF LAND APPROXIMATELY 21.3' FROM THE WESTERN BOUNDARY OF SAID R/W 1 THAT WAS DEEDED TO THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION BY DEED DATED FEBRUARY 8, 2011 AND RECORDED MARCH 2, 2011 IN BOOK 03040, PAGE 2187 IN THE ROD OFFICE OF BEAUFORT COUNTY, SOUTH CAROLINA.

RIGHT-OF-WAY 2 (EAST ROAD)

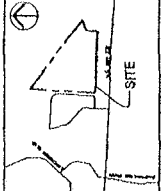
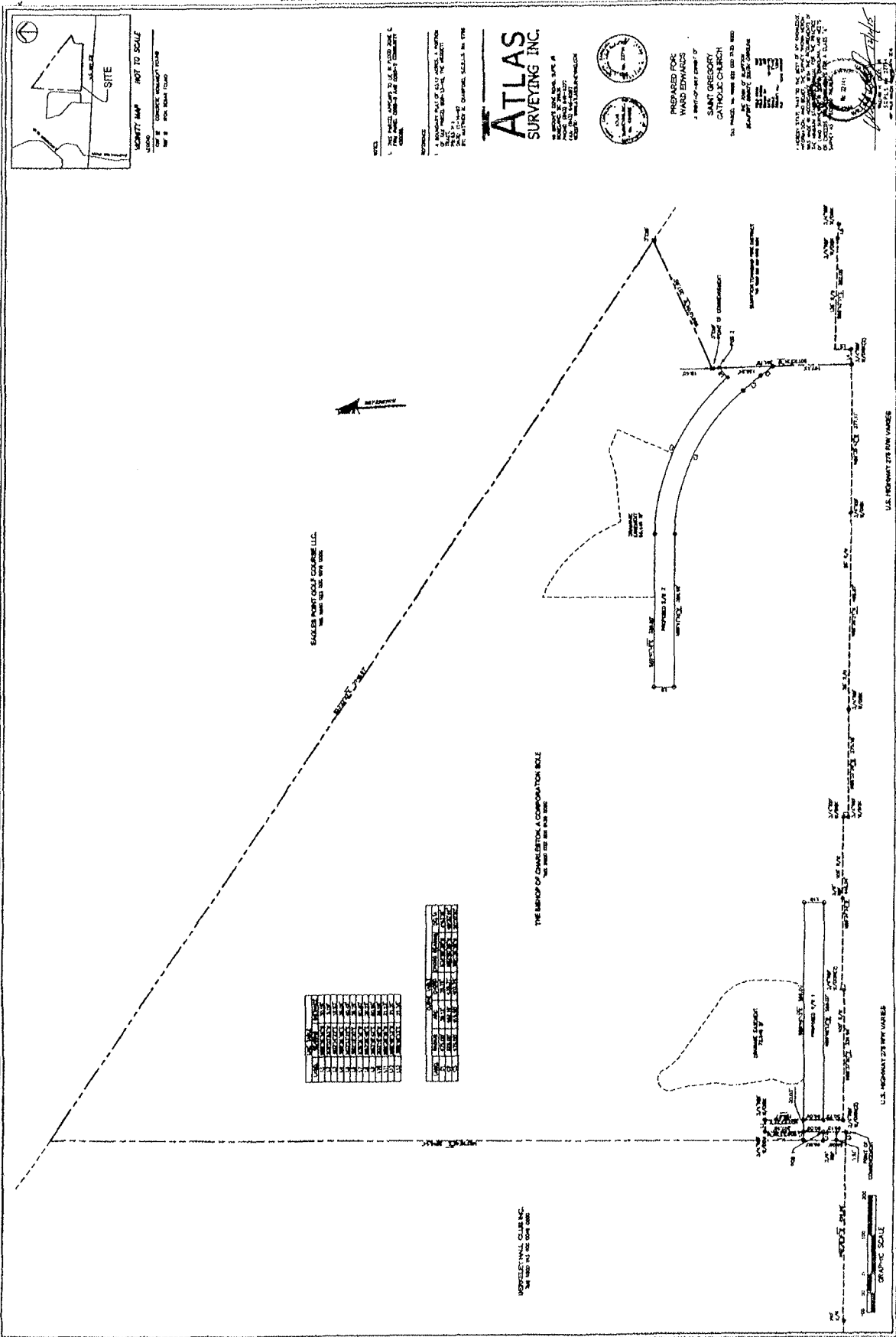
ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND AS SHOWN AS "THE BISHOP OF CHARLESTON TMS #R600-022-000-0125-0000 - PROPOSED R/W 2" AND BEING SHOWN AND DESIGNATED ON A RIGHT-OF-WAY EXHIBIT OF SAINT GREGORY CATHOLIC CHURCH PREPARED FOR WARD EDWARDS BY WILLIAM H. GRAY, JR. OF ATLAS SURVEYING, INC. DATED DECEMBER 10, 2015, COMMENCING AT A CONCRETE MONUMENT (3" CMF) (OFFSET 1.5') AT THE INTERSECTION OF "BLUFFTON TOWNSHIP FIRE DISTRICT" (TMS R600 022 000 0316 0000) AND THE PROPERTY OF GRANTOR, THENCE RUNNING S01°25'31"W FOR A DISTANCE OF 18.40' TO A POINT, BEING LABELED AS "POB 2" (BEING THE POINT OF BEGINNING); THENCE RUNNING S01°25'31"W FOR A DISTANCE OF 136.24' TO A POINT; THENCE RUNNING ALONG A CURVE WITH AN ARC LENGTH OF 39.16', HAVING A RADIUS OF 475.00' AND A LONG CHORD OF N34°09'35"W 39.15' TO A POINT; THENCE RUNNING N36°31'18"W FOR A DISTANCE OF 60.80' TO A POINT; THENCE RUNNING ALONG A CURVE WITH AN ARC LENGTH OF 415.90', HAVING A RADIUS OF 475.00' AND A LONG CHORD OF N61°36'18"W 402.74' TO A POINT; THENCE RUNNING N86°41'18"W FOR A DISTANCE OF 389.90' TO A POINT; THENCE RUNNING N03°18'42"E FOR A DISTANCE OF 50.00' TO A POINT; THENCE RUNNING S86°41'18"E FOR A DISTANCE OF 389.90' TO A POINT; THENCE RUNNING ALONG A CURVE WITH AN ARC LENGTH OF 452.15', HAVING A RADIUS OF 525.00' AND A LONG CHORD OF N62°00'56"W 438.31' TO A POINT; THENCE RUNNING N53°28'42"E FOR A DISTANCE OF 32.22' TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED RIGHTS-OF-WAY ARE A PORTION OF TMS #R600-022-000-0125-0000 AND ARE ALSO SHOWN ON EXHIBIT A-1 ATTACHED.

DERIVATION: THIS BEING THE SAME PROPERTY CONVEYED TO BISHOP OF CHARLESTON, A CORPORATION SOLE BY DEED OF UNION CAMP CORPORATION DATED DECEMBER 26, 1997 AND RECORDED DECEMBER 29, 1997 IN DEED BOOK 994, PAGE 412 IN THE ROD OFFICE OF BEAUFORT COUNTY, SOUTH CAROLINA.

DK

EXHIBIT A-1 TO DEED OF RIGHT-OF-WAY



NOT TO SCALE
MOUNTAIN MAP
CONTOUR INTERVAL 20 FEET
MAP © 2008 NCEM, INC.

NOTICE
1. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE PROFESSIONAL SURVEYING ACT OF 1968, CHAPTER 117, STATUTES OF THE STATE OF NORTH CAROLINA.

REFERENCE
A PORTION OF THE SURVEY OF THE TRACT OF LAND BEING THE SUBJECT OF THIS SURVEY IS SHOWN ON THE PLAT OF THE SURVEY OF THE TRACT OF LAND BEING THE SUBJECT OF THIS SURVEY, FILED IN THE PUBLIC RECORDS OF THE COUNTY OF WAKE, NORTH CAROLINA, ON 08/14/2008.

ATLAS SURVEYING INC.
A PROFESSIONAL SURVEYING FIRM
REGISTERED IN THE STATE OF NORTH CAROLINA
REGISTERED PROFESSIONAL SURVEYOR
REGISTERED PROFESSIONAL LAND SURVEYOR
REGISTERED PROFESSIONAL MAPPING ENGINEER



PROPOSED FOR
WINDY HILLS
A DEVELOPMENT OF
SNALES POINT GOLF COURSE
COUNTRY CLUB
TO BE BUILT ON THE TRACT OF LAND BEING THE SUBJECT OF THIS SURVEY.

ATLAS SURVEYING INC.
1000 W. HARRIS STREET
RANDOLPH, NC 28134
704.784.1111
www.atlasurveying.com

STATION	BEARING	DISTANCE	BEARING	DISTANCE	BEARING	DISTANCE
1	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00
2	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00
3	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00
4	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00
5	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00
6	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00
7	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00
8	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00
9	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00
10	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00

STATION	BEARING	DISTANCE	BEARING	DISTANCE	BEARING	DISTANCE
1	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00
2	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00
3	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00
4	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00
5	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00
6	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00
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9	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00
10	S 89° 15' 00" W	100.00	N 89° 15' 00" E	100.00	S 89° 15' 00" W	100.00

WINDY HILL CLUB INC.
NO NEED FOR THIS ONE

THE BISHOP OF CHARLESTON, A CORPORATION
NO NEED FOR THIS ONE

SNALES POINT GOLF COURSE LLC
NO NEED FOR THIS ONE



U.S. HIGHWAY 275 ROW VANCES

U.S. HIGHWAY 275 ROW VANCES

R. K. K.

EXHIBIT "B-3" TO SUPPLEMENT

Deed to BJWSA

(please see attached)

Grantor, for itself and its successors and assigns, reserves the right, from time to time, to relocate the access easement serving the property at its own expense. In the event that Grantor should determine it necessary or appropriate to relocate the New BJWSA Pump Station and the Access Easement (as defined on Schedule A) in the future, Grantee, by accepting this Title to Real Estate, agrees for itself and its successors and assigns to cooperate reasonably with Grantor to relocate the New BJWSA Pump Station and Access Easement to a new location on Grantor's property to be conveyed to Grantee in exchange for the reconveyance to Grantor of the property described on Schedule A, all at Grantor's sole cost.

TO HAVE AND TO HOLD, all and singular the said Premises before mentioned unto the said BEAUFORT-JASPER WATER & SEWER AUTHORITY, INC., its Successors and Assigns forever.

AND, Grantor does hereby bind itself and its successors and assigns to warrant and forever defend, all and singular, the said Premises unto the said BEAUFORT-JASPER WATER & SEWER AUTHORITY, INC., its Successors and Assigns, from and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

[The remainder of this page intentionally left blank. The signature page follows.]

WITNESS the Hand and Seal this 4th day of May, 2018.

SIGNED SEALED AND DELIVERED
IN THE PRESENCE OF:

BISHOP OF CHARLESTON,
A CORPORATION SOLE

Michael J. Aquilone
Witness signature

By: John L. Barker
Name: John L. Barker
Its: CEO

Elaine H. Fowler
Notary Public signature

STATE OF SOUTH CAROLINA)
)SS **ACKNOWLEDGMENT**
COUNTY OF CHARLESTON)

The foregoing instrument was acknowledged before me by Bishop of Charleston, a Corporation Sole, by John L. Barker, its CEO.

WITNESS my signature as of the 4th day of May, 2018.

Elaine H. Fowler (s.)

Notary Public for South Carolina

Printed Name of Notary Public:

Elaine H. Fowler

My Commission Expires: 12/15/2026

SCHEDULE "A"

ALL that certain piece, parcel or lot of land, situate, lying and being in the Meggett Tract Section of Beaufort County, South Carolina, containing 2,500 Sq. Ft., 0.057 Ac., and designated as NEW BJWSA PUMP STATION on that certain plat consisting of three (3) pages, entitled "A Subdivision and Utility/Access Easement Plat at St. Gregory the Great Sewer Expansion" prepared by Atlas Surveying, Inc., certified by Mark Ellis Lamb, Sr., dated March 12, 2018, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 149 at Page 63.

Together with the right of ingress and egress over and upon the "30' New BJWSA Access Easement", as depicted on the above-referenced plat, and other property of Grantor necessary to access and connect the property hereinabove described to the right of way of S.C. Highway 278.

This being a portion of the property conveyed to the Grantor herein by deed of Union Camp Corporation dated November 25, 1997, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Records Book 994 at Page 412.

TAX REF: R600 022 000 0125 0000 (portion of)

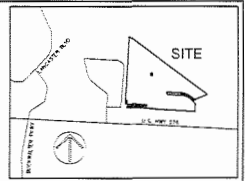
EXHIBIT "C" TO SUPPLEMENT

Boundary Plat

(please see attached)

EXHIBIT "C-1" TO SUPPLEMENT
A Boundary Survey of St. Gregory the Great Catholic Church

(please see attached)



VICINITY MAP NOT TO SCALE

NO.	DESCRIPTION	DATE	BY
1	FIELD NOTES	01-12-2022	ATLAS SURVEYING, INC.
2	FIELD NOTES	01-12-2022	ATLAS SURVEYING, INC.
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- LEGEND
- RFI ■ IRON REBAR FOUND
 - CMF ■ CONCRETE FOUND
 - A ■ CORNER POINT - CORNER NOT SET
 - RBS ○ IRON REBAR SET
 - PKS U PK NAIL SET
 - RFWF ■ RIGHT-OF-WAY CONCRETE MONUMENT FOUND
 - RF ■ IRON PIPE FOUND
 - N/S ■ NOT TO SCALE
 - POWER POLE
 - GUY WIRE
 - OVERHEAD POWER LINE
 - ////// EDGE OF PAVEMENT

NOTES

1. THIS PARCEL APPEARS TO BE IN FLOOD ZONE C PER FEMA PANEL 000-10-40, THE WEDGESET SCALE.
 2. HORIZONTAL DATUM IS SOUTH CAROLINA STATE PLANE (SOUTH 83).
 3. PONDS WERE SCALED IN PER GOOGLE EARTH. APPROXIMATE POND AREA CALCULATIONS IS TO THE TOP OF BANK.
- REFERENCES
1. A BOUNDARY PLAT OF 6310 ACRES, A PORTION OF TAX PARCEL 600-10-40, THE WEDGESET SCALE, PLAT BOOK 83 PAGE 9 DATED 10-04-87 BY MATTHEW W. DRAFFORD, S.C.L.S. NO. 9758
 2. A SUBDIVISION PLAT OF PHASE II, A SECTION OF EAGLES POINT PLAT BOOK 79 PAGE 13 DATED 01-10-81 BY MARK W. THOMAS II, S.C.L.S. NO. 14531
 3. A CAD FILE BY WARD ENHARTER FOR PARISH USE CENTER - PHASE 1 UTILITIES RECEIVED ON 11-21-18
 4. AN EASEMENT PLAT OF 51 ACRES, THE GREAT SOWER EXPANSION DATED 03-10-18 PLAT BOOK 169 PAGE 83 BY MARK ELLIS LAMB, S.C.L.S. NO. 23220
 5. A RIGHT-OF-WAY EXHIBIT OF SAINT GREGORY CATHOLIC CHURCH BY ATLAS SURVEYING, DATED 12-10-19.

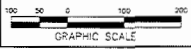
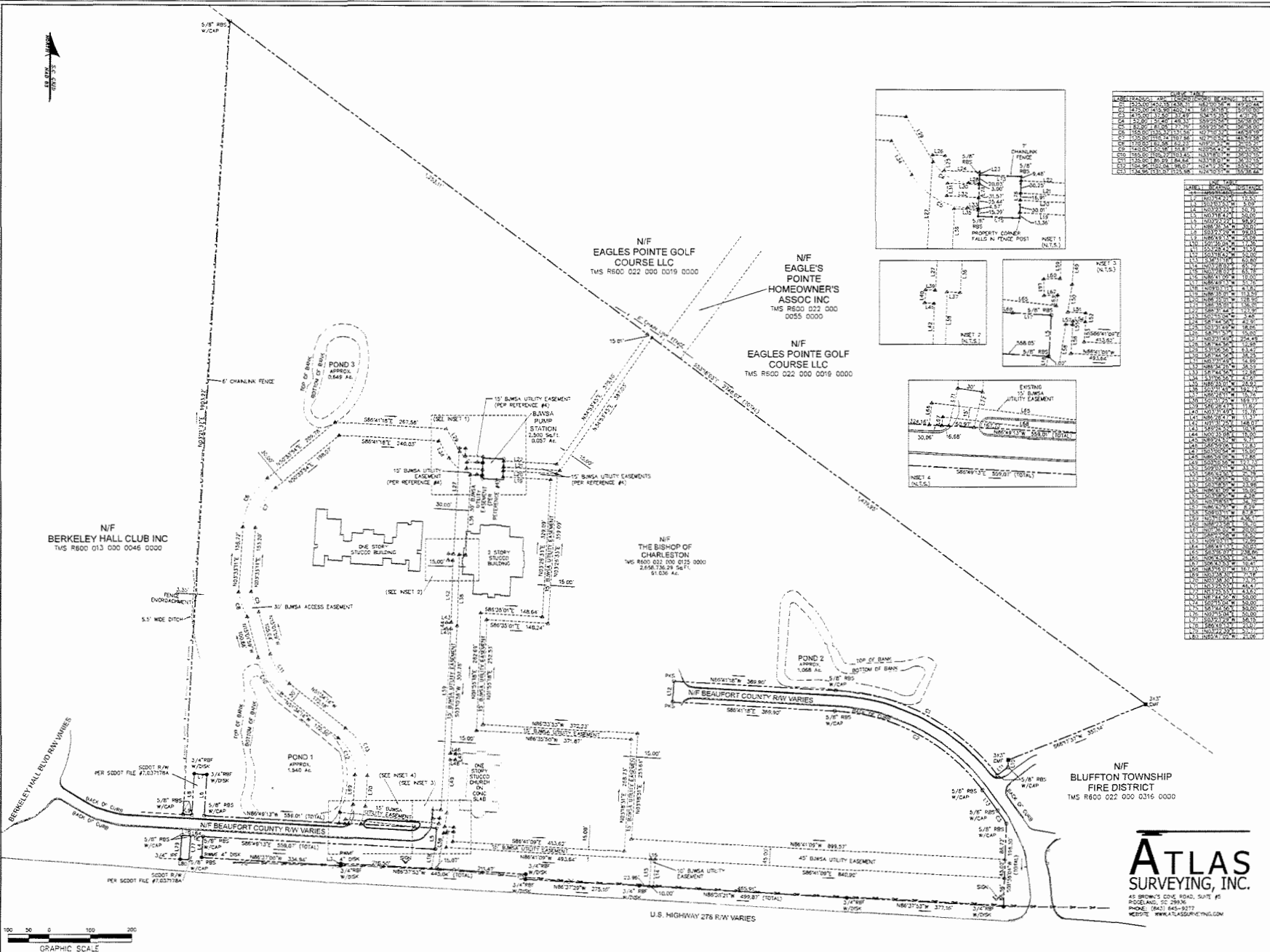
PREPARED FOR
ST. GREGORY THE GREAT
CATHOLIC CHURCH
A BOUNDARY SURVEY OF
ST. GREGORY THE GREAT
CATHOLIC CHURCH
TAX PARCEL NO. 980 012 000 0125 0000

THE TOWN OF BLUFFTON
BLUFFTON COUNTY, SOUTH CAROLINA
FILED FOR RECORD ON 01-12-2022
DATE 01-12-2022
FILE NO. 2022-001
PROJECT NO. 2022-001

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE INFORMATION CONTAINED HEREIN ACCORDS WITH THE REQUIREMENTS OF THE ANNUAL STATE SURVEYING MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN.



ATLAS SURVEYING, INC.
40 BRINK'S CIRCLE ROAD, SUITE #5
ROSELAND, SC 29396
PHONE: (843) 846-9277
WEBSITE: WWW.ATLASSURVEYING.COM



U.S. HIGHWAY 276 R/W VARIES

**EXHIBIT "C-2" TO SUPPLEMENT
A Subdivision and Utility Access Easement Plat**

(please see attached)

EXHIBIT “D” TO SUPPLEMENT

Existing Conditions Plan

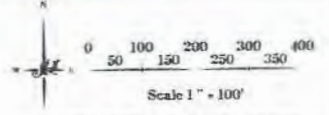
(please see attached)



- LEGEND**
- (A) EXISTING CHURCH
(~ 12,000 S.F.)
 - (B) EXISTING SCHOOL
(~ 27,000 S.F.)
 - (C) RESSURECTION GARDEN
 - (D) EXISTING PARKING
(~ 530 SPACES)
 - (E) STORMWATER POND
 - (F) FUTURE DEVELOPMENT/
PARKING EXPANSION
 - (G) PARISH LIFE CENTER
 - (H) COURTYARD
 - (I) MULTI-PURPOSE FIELD
 - (J) FUTURE MAIN CHURCH

Wagner Jones Keesler
 Ltd.
 ARCHITECTS
 1000 W. 10th St.
 Bluffton, SC 29910
 (843) 785-1111
 www.wjk.com

EXISTING CONDITIONS PLAN
 FOR
ST. GREGORY THE GREAT
 BLUFFTON, SOUTH CAROLINA

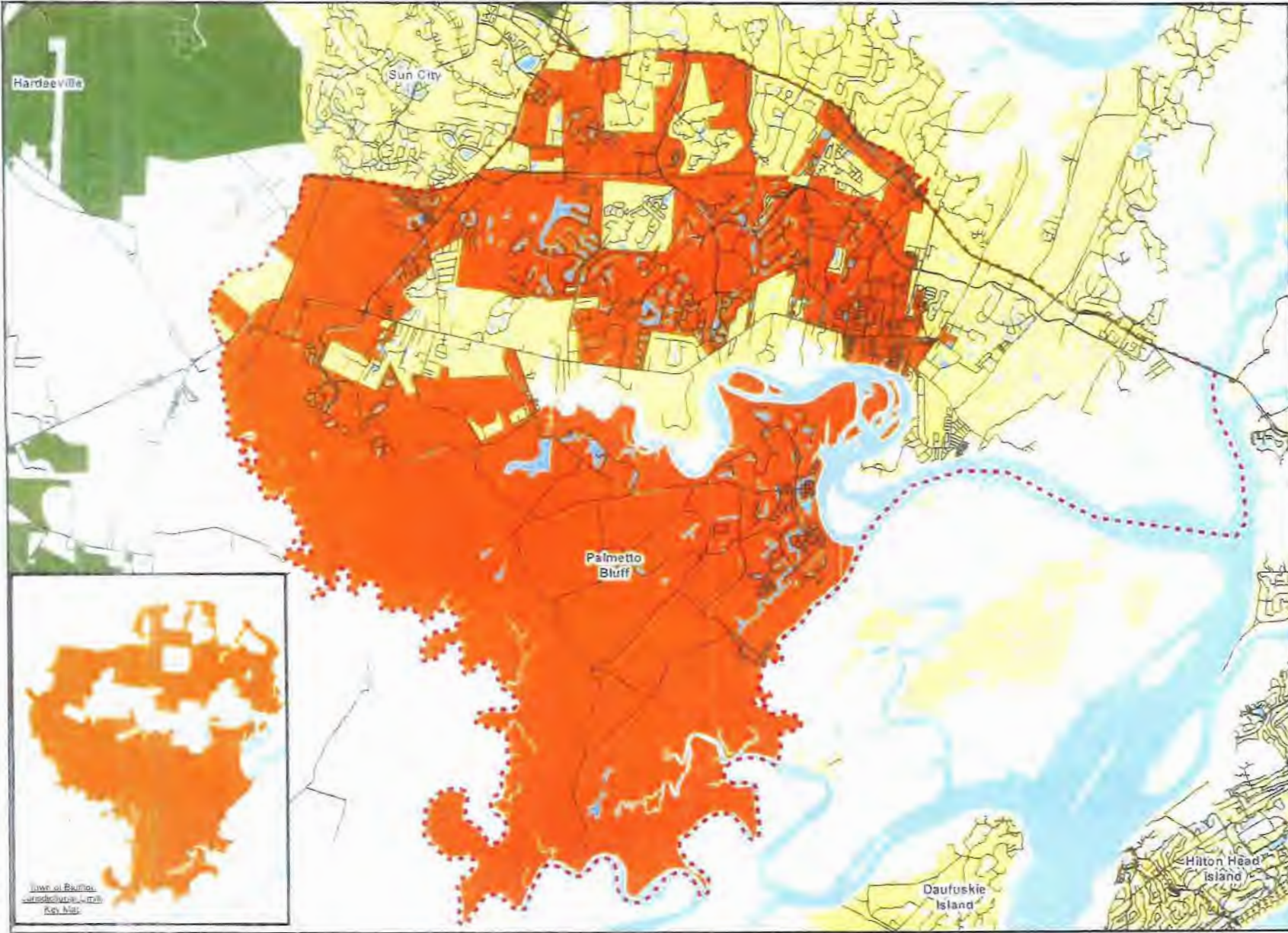


Note: Plan is conceptual in nature and subject to change

EXHIBIT “E” TO SUPPLEMENT

**Future Annexation Area Map
(Map 8.1)
of the Comprehensive Plan**

(please see attached)



Town of Bluffton
Beaufort County, SC

Growth Management
Department

**Future
Annexation
Area**
Map 8.1

Legend

JURISDICTIONAL

- Hilton Head Island
- Hardeeville
- Beaufort County
- Jasper County
- Town of Bluffton
- Town of Bluffton Future Limits

TRANSPORTATION

- Paved Roads
- Proposed Roads

HYDROLOGY

- Marsh
- Water

Scale: 1" = 1/2 Mile
2014-11-12

Map Prepared By:
GIS Office



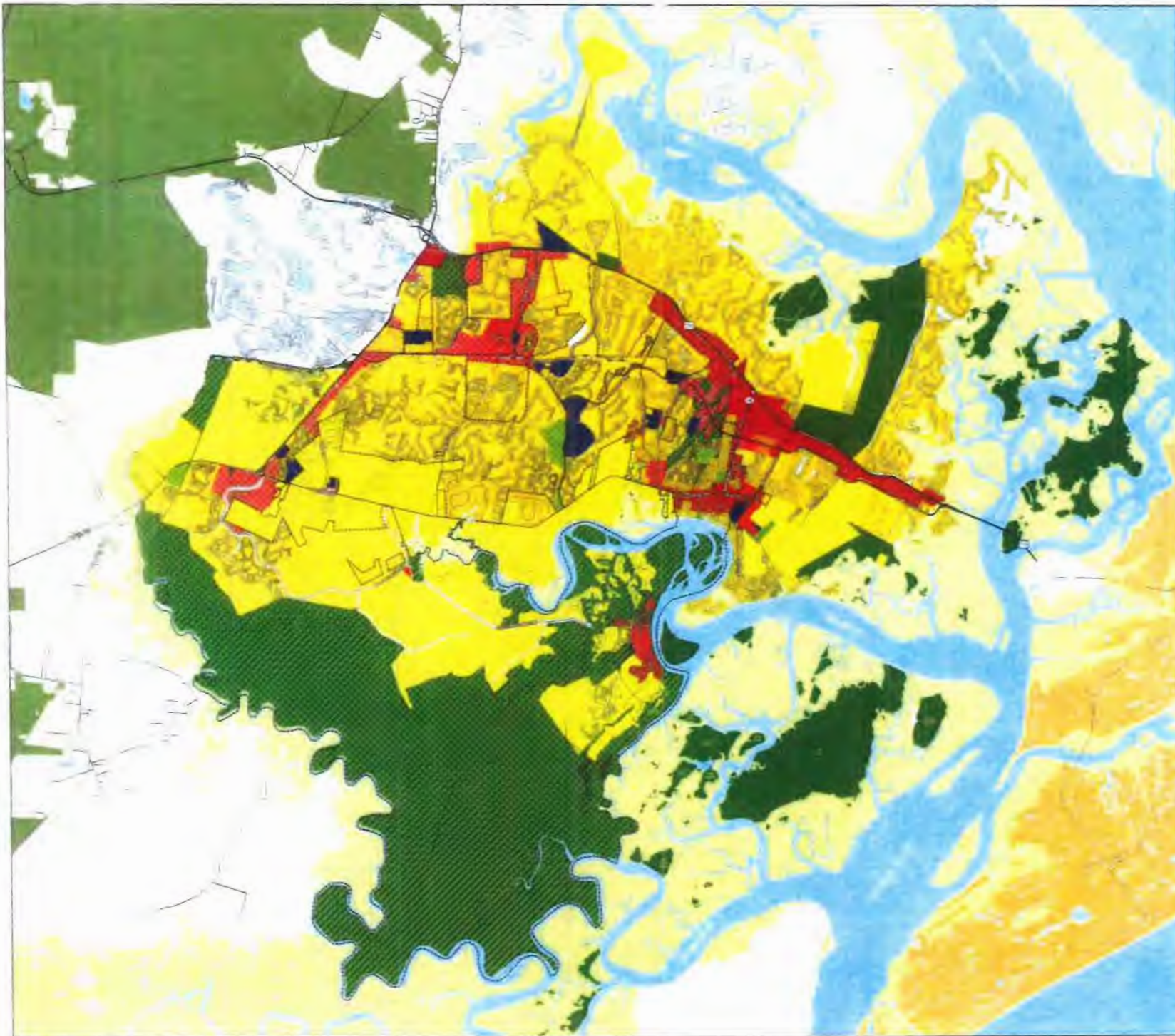
This map was created by the GIS Office of the Town of Bluffton. It is intended for informational purposes only and should not be used as a legal document. The Town of Bluffton makes no warranty, expressed or implied, as to the accuracy, completeness, or timeliness of the information contained on this map. The Town of Bluffton is not responsible for any errors or omissions in this map. The Town of Bluffton is not responsible for any damages, including consequential damages, arising from the use of this map. The Town of Bluffton is not responsible for any damages, including consequential damages, arising from the use of this map.

Office of Planning
and Development
Key Map

EXHIBIT “E-1” TO SUPPLEMENT

**Future Land Use Map
of the Comprehensive Plan**

(please see attached)



Town of Bluffton
Beaufort County, SC

Information
Technology Department

**FUTURE
LAND
USE**

Legend

FUTURE LAND USE

- High Intensity Commercial
- Medium Intensity Commercial
- Low Intensity Commercial
- Mixed Use
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Civic/Institutional
- Recreation/Open Space
- Conservation/Preservation
- In PUD

JURISDICTIONAL

- Hilton Head Island
- Hardeeville
- Beaufort County
- Jasper County
- Bluffton Town Limit

MISCELLANEOUS

- Bluffton Parcel Lines
- Beaufort County Parcel Lines
- Jasper County Parcel Lines

TRANSPORTATION

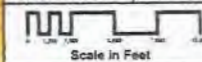
- Paved Road
- Bluffton Parkway (Proposed)

HYDROLOGY

- Marsh
- Water

Adopted: 5/9/2007
Revised: 12/09/2014
Updated: 3/26/2019

Map Prepared By:
Ryan Coleman, GISP

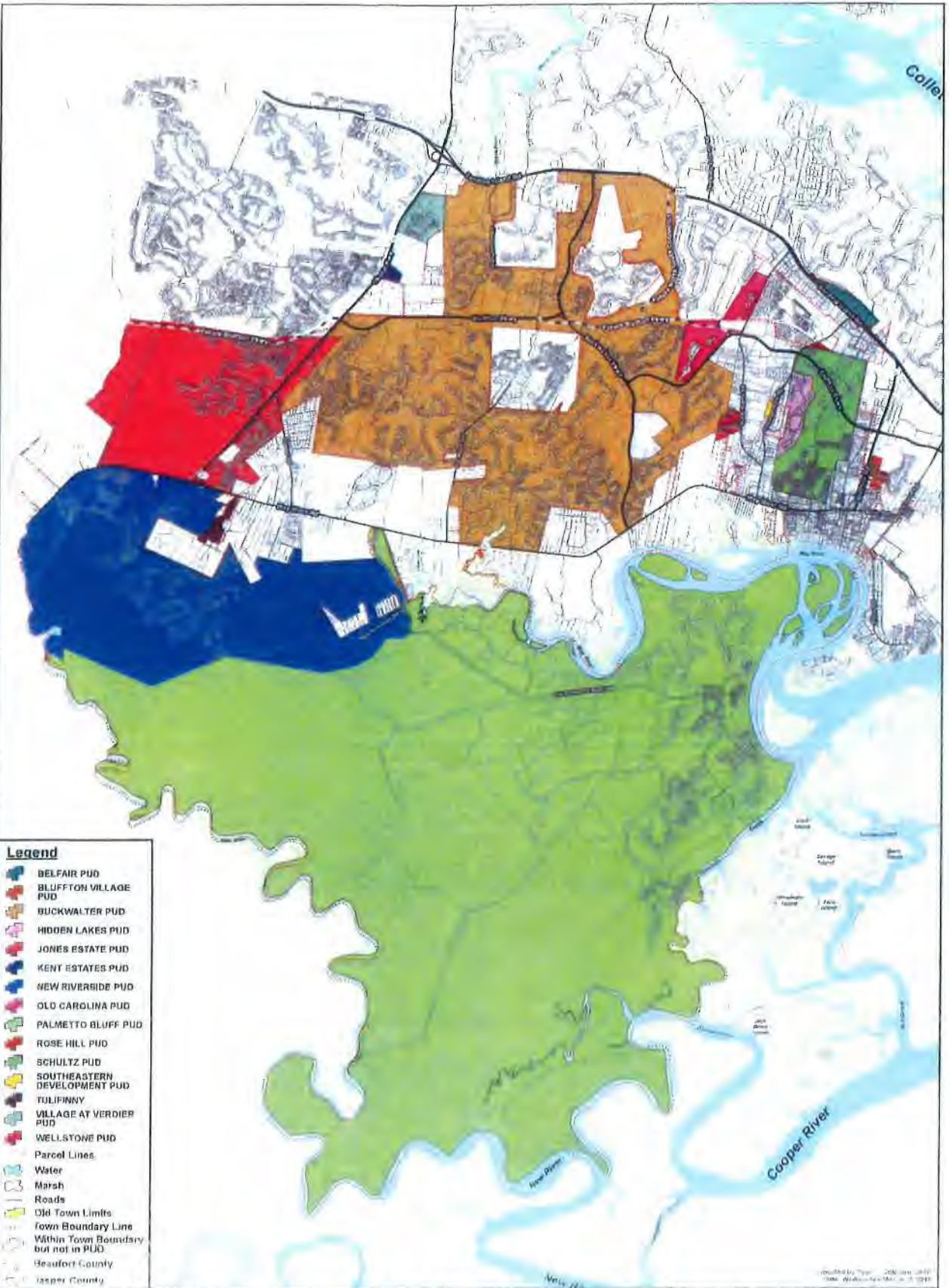


DISCLAIMER:
This map was created by the GIS Office of the Town of Bluffton's Information Technology Department and is solely intended to be used as a general representation for the Town of Bluffton. The GIS Office and its staff do not warrant the accuracy, completeness and currency thereof and are not responsible for any errors or omissions. The Town of Bluffton makes no representation, warranty or guarantee, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the Town's Geographic Information Systems database. Additionally, the Town of Bluffton or any agent, partner, or employee thereof assumes no liability whatsoever with the use of this data, and reserves its responsibility to maintain it for any reader or user.

EXHIBIT “F” TO SUPPLEMENT

Town Growth Management Department Planned Unit Development Map

(please see attached)



- Legend**
- BELFAIR PUD
 - BLUFFTON VILLAGE PUD
 - BUCKWALTER PUD
 - HIDDEN LAKES PUD
 - JONES ESTATE PUD
 - KENT ESTATES PUD
 - NEW RIVERSIDE PUD
 - OLD CAROLINA PUD
 - PALMETTO BLUFF PUD
 - ROSE HILL PUD
 - SCHULTZ PUD
 - SOUTHEASTERN DEVELOPMENT PUD
 - TULIFINNY
 - VILLAGE AT VERDIER PUD
 - WELLSTONE PUD
 - Parcel Lines
 - Water
 - Marsh
 - Roads
 - Old Town Limits
 - Town Boundary Line
 - Within Town Boundary but not in PUD
 - Beaufort County
 - Jasper County



Growth Management Department

Town of Bluffton - Beaufort County, SC

Scale in Feet

PLANNED UNIT DEVELOPMENTS

**EXHIBIT “G” TO SUPPLEMENT
Amended Petition for Annexation**

(please see attached)

EXHIBIT "A"

ALL that certain piece, parcel, and tract of land containing 63.12 acres, more or less, situate, lying and being in the Meggett Tract Section of Beaufort County, South Carolina, with said tract more specifically shown and described on a plat thereof entitled "A Boundary Plat of 63.12 Acres A Portion Of Tax Parcel 600-13-46 The Meggett Tract", prepared by Connor & Associates, Inc., certified by Matthew L. Crawford, S.C.R.L.S. No. 9756, dated November 14, 1997 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 63 at Page 9.

LESS AND EXCEPT that certain 0.33 acre parcel, more or less, shown as "Area of Acquisition" on that certain Title to Real Estate date February 11, 2011 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3040 at Page 2187.

LESS AND EXCEPT those certain "Frontage Roads" more particularly shown and described in that certain Deed of Right-of-Way in favor of Beaufort County, a political subdivision of the State of South Carolina dated December 14, 2015 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3460 at Pages 1928-1931.

LESS AND EXCEPT that certain 0.057 acre parcel, more or less, designated as "New Pump Station" on that certain plat of survey consisting of three (3) pages, entitled "A Subdivision and Utility/Access Easement Plat at St. Gregory the Great Sewer Expansion," prepared by Atlas Surveying Inc., certified by Mark Ellis Lamb, Sr., dated March 12, 2018 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 149 at Page 63.

TMS #: R600 022 000 0125 0000

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT) AMENDED PETITION FOR ANNEXATION
) TO
) THE TOWN OF BLUFFTON, SOUTH CAROLINA

TO THE HONORABLE MAYOR AND TOWN COUNCIL OF THE TOWN OF BLUFFTON,
SOUTH CAROLINA

The undersigned petitioner, being the 100% freehold owner of the real property hereinafter described on Exhibit "A" attached hereto and made a part hereof being a 0.057 acre parcel of real property identified by Beaufort County Tax Map number **R600 022 000 1120 0000**, requests annexation into the Town of Bluffton, South Carolina and does hereby petition the Honorable Mayor and Town Council of the Town of Bluffton so as to become a part thereof pursuant to Section 5 – 3 – 150(3) of the South Carolina Code of Laws.

1. The property to be annexed is that described and set forth in Exhibit "A" attached hereto and made a part hereof (the "Property").
2. The Property comprises approximately 0.057 acres and is located within the St. Gregory the Great Church and School Campus on the northern side of U.S. Highway 278 across from the Buckwalter Planned Unit Development.
3. The Property surrounded by a single parcel which is adjacent to other lands within the Town of Bluffton which is seeking annexation into the Town.
4. The petitioner requests that the Property be zoned Buckwalter Planned Unit Development and Saint Gregory the Great Planning Area.

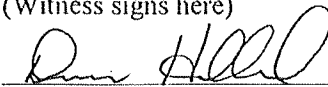
WHEREFORE, your petitioner prays that the Town of Bluffton agrees to accept this petition and annex the aforesaid described Property.

IN WITNESS WHEREOF, petitioner has hereunto set its hand and seal this 18 day of FEBRUARY, 2020.

WITNESSES:



(Witness signs here)



(Witness signs here)

BEAUFORT-JASPER WATER & SEWER
AUTHORITY



By: BRIAN CHEMSAK

Its: DIRECTOR OF ENGINEERING

EXHIBIT "A"

ALL that certain piece, parcel, and tract of land containing 0.057 acres, more or less, designated as "New Pump Station" on that certain plat of survey consisting of three (3) pages, entitled "A Subdivision and Utility/Access Easement Plat at St. Gregory the Great Sewer Expansion," prepared by Atlas Surveying Inc., certified by Mark Ellis Lamb, Sr., dated March 12, 2018 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 149 at Page 63.

TMS #: R600 022 000 1120 0000

EXHIBIT “H” TO SUPPLEMENT

Agency Letter

(please see attached)

EXHIBIT "I" TO SUPPLEMENT

Zoning Verification Letter

(please see attached)



COUNTY COUNCIL OF BEAUFORT COUNTY

Beaufort County Community Development
Multi Government Center • 100 Ribaut Road
Post Office Drawer 1228, Beaufort, SC 29901-1228
OFFICE (843) 255-2170
FAX (843) 255-9446

March 12, 2019

Mr. Walter J. Nester, III
Burr & Forman LLP
Post Office Drawer 3
Hilton Head Island, SC 29938

Re: Zoning Verification Letter – St. Gregory The Great Catholic Church/School Complex
District 600, Map 022, Parcel 0125
31 Fording Island Road, Bluffton

Dear Mr. Nester:

This is to certify that the referenced property, located at 31 Fording Island Road, and further defined as R600-022-0125-0000, and being located in Bluffton District, is zoned C3 Neighborhood Mixed-Use (C3NMU). Schools, Public or Private are permitted uses, and Meeting Facility/Places of Worship (15,000 gsf or greater) are conditional uses within this zoning district.

If I may be of further assistance, please do not hesitate to call me at 843.255.2173.

Sincerely,

Hillary A. Austin
Zoning & Development Administrator

EXHIBIT “J” TO SUPPLEMENT

Campus Master Plan

(please see attached)

BUILDING LEGEND

- EXISTING
- PROPOSED EXPANSION
- NEW BUILDING S.G.G. CAMPUS

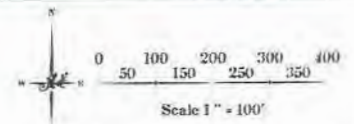
LEGEND

- (A)** EXISTING CHURCH
(± 12,000 S.F.)
- (B)** EXISTING SCHOOL
(± 27,000 S.F.)
- (C)** RESSURECTION GARDEN
- (D)** EXISTING PARKING
(± 530 SPACES)
- (E)** STORMWATER POND
- (F)** FUTURE DEVELOPMENT/
PARKING EXPANSION
- (G)** PARISH LIFE CENTER
- (H)** COURTYARD
- (I)** MULTI-PURPOSE FIELD
- (J)** FUTURE MAIN CHURCH
- (K)** SCHOOL/CHURCH
EXPANSION
- (L)** FUTURE RECTORY
- (M)** CROSS COUNTRY TRAIL
- (N)** FUTURE SERVICE
BUILDING
- (O)** APPROXIMATE LOCATION
OF RELOCATABLE CURB
CUTS, TYP.



FEBRUARY, 2020

CAMPUS MASTER PLAN
 FOR
ST. GREGORY THE GREAT
 BLUFFTON, SOUTH CAROLINA



Note: Plan is conceptual in nature and subject to change

EXHIBIT “K” TO SUPPLEMENT

Table of Comparative Land Uses

(please see attached)

Comparison of Current Beaufort County and Proposed Town of Bluffton Zoning District Land Uses

Legend: Permitted (P), Conditional (C), Special Use (S), Special Exception (SE), Permitted only as part of a Traditional Community Plan (TCP), Not included as a specific use for the jurisdiction (---)			
Land Use Type	Jurisdiction/ Zoning District		
	Beaufort County	Buckwalter Planned Unit Development	Town of Bluffton
	C-3 Neighborhood Mixed Use (C3NMU) ¹	Saint Gregory The Great Land Use Tract	General Mixed Use (GM) ³
Agriculture			
Agricultural Support Services	TCP	P	P
Forestry	P	P	---
Horse Riding School, Horse Training, Commercial Stables	C	P	P
Seafood/Shellfish Packaging/Processing	---	---	SE
Residential			
Dwelling: Single-Family Detached Unit	P	P	P
Dwelling: Single-Family Attached Unit	P	P	P
Dwelling: Two Family Unit (Duplex)	P	P	---
Dwelling: Multifamily Unit	C	P	P
Dwelling: Accessory Unit	C	P	C
Dwelling: Family Compound	C	P	---
Dwelling: Group Home	P	P	P
Community Residence	TCP	P	---
Home Office	C	P	P
Home Business	TCP	P	P
Live/Work	TCP	P	---
Retail & Restaurants			
General Retail 50,000 SF or less	---	P	---
General Retail with Drive-Thru	---	P	P
Bar, Tavern, Nightclub	---	C	---
Gas Station/Fuel Sales	C	P	P
Outdoor Sales	---	P	C
Restaurant, Café, Coffee Shop	TCP	P	C
Restaurant, Café, Coffee Shop with Drive-Thru	---	P	C
Vehicle Sales & Rental Light	---	P	P
Offices & Services			
Adult Oriented Business	---	---	SE
Artisan Workshop	P	P	P
General Office & Services 25,000 SF or less	---	P	P
General Office & Services with Drive Thru	---	P	---
Animal Services: Clinic Hospital	TCP	P	SE
Animal Services: Kennel	---	P	SE
Car Wash	---	P	P
Cemetery	---	P	P
Day Care: Family Home (up to 8 clients)	P	P	P
Offices & Services - Continued			
Day Care: Commercial Center (9 or more clients)	TCP	P	P
Lodging: Bed & Breakfast (5 rooms or less)	TCP	P	P4
Lodging: Inn (up to 24 rooms)	TCP	P	P5
Lodging: Hotel	---	P	P
Medical Services: Clinics/Offices	TCP	P	P
Personal Service Establishments	---	P	P
Residential Storage Facility	---	---	C
Tattoo/Body Art Parlor	---	---	P
Vehicle Services: Minor Maintenance & Repair	---	P	P
Vehicle Services: Major Maintenance & Repair	---	---	P
Recreation, Education, Safety, Public Assembly			
Community Oriented Cultural Facility (Less than 15,000 SF)	TCP	P	---

Comparison of Current Beaufort County and Proposed Town of Bluffton Zoning District Land Uses

Legend: Permitted (P), Conditional (C), Special Use (S), Special Exception (SE), Permitted only as part of a Traditional Community Plan (TCP), Not included as a specific use for the jurisdiction (---)			
Land Use Type	Jurisdiction/ Zoning District		
	Beaufort County	Buckwalter Planned Unit Development	Town of Bluffton
	C-3 Neighborhood Mixed Use (C3NMU) ¹	Saint Gregory The Great Land Use Tract	General Mixed Use (GM) ³
Community Oriented Cultural Facility (More than 15,000 SF)	---	P	---
Community Public Safety Facility	P	P	---
Conference or Exhibition Center	---	P	P
Club, Lodge, Union Hall, or Social Center	---	P	P
Golf Course	P	P	P
Government Building	---	P	P
Institutional Care Facility	---	P	P
Meeting Facility/Place of Worship (Less than 15,000 SF)	C	P	P
Meeting Facility/Place of Worship (More than 15,000 SF)	C	P	P
Museum	---	P	P
Park, Playground, Outdoor Recreation Area	P	P	P
Recreation Facility	---	P	C
Recreation Facility: Commercial Indoor	---	P	---
Recreation Facility: Commercial Outdoor	---	P	---
Recreation Facility: Community-Based	---	P	---
School: Public or Private	P	P	P
School: Specialized Training/Studio	P	P	P
School: College or University	S	P	P
Infrastructure, Transportation, Communications			
Infrastructure and Utilities: Regional (Major) Utility	C	P	---
Parking Facility, Public or Commercial	---	---	---
Transportation Terminal	---	---	---

Comparison of Current Beaufort County and Proposed Town of Bluffton Zoning District Land Uses

Legend: Permitted (P), Conditional (C), Special Use (S), Special Exception (SE), Permitted only as part of a Traditional Community Plan (TCP), Not included as a specific use for the jurisdiction (---)			
Land Use Type	Jurisdiction/ Zoning District		
	Beaufort County	Buckwalter Planned Unit Development	Town of Bluffton
	C-3 Neighborhood Mixed Use (C3NMU) ¹	Saint Gregory The Great Land Use Tract	General Mixed Use (GM) ³
Industrial			
Artisan Workshop (<i>considered light manufacturing in County</i>)	---	P	P
Concrete & Asphalt Plants	---	---	---
Contractor's Office	---	---	C
Junk & Salvage Operations	---	---	---
Light Assembly/Fabrication (<i>considered light manufacturing in County</i>)	---	---	C
Mini-warehouses or Self-service Storage Facilities	---	---	C
Research and laboratory	---	P	P
Solid Waste Transfer Facility/Recycling Center	---	---	---
Telecommunication Towers	S	C	C
Warehouse or Distribution Operation	---	---	---
Manufacturing, Processing, and Packaging - Light (Less than 15,000 SF)	---	---	---

Notes:

¹ Community Development Code, Section 3.3.30

² Refer to Unified Community Code, Section 4.3 for Uses

³ Unified Development Ordinance, Section 4.3

⁴ Maximum of 6 Guest Rooms

⁵ Maximum of 12 Guest Rooms

EXHIBIT “L” TO SUPPLEMENT

Current Utility Service Providers

(please see attached)



June 28, 2019

Walter J. Nester, III
Partner
Burr Foreman McNair
23 B Shelter Cove Lane, Suite 400
Hilton Head Island, SC 29928

Dear Mr. Nester:

SUBJ: Letter of Intent to Provide Service for: **Saint Gregory the Great Annexation,
38 Saint Gregory the Great Drive**

Hargray Engineering Services has reviewed the master plan for the above referenced project. Hargray Communications has the ability and intent to serve the above referenced project. Forward to our office a digital copy of the plan that has been approved by the county/town for use with Microstation or AutoCAD. Our office will then include owner/developer conduit requirements on the approved plan and return to your office.

By accepting this letter of intent to serve, you also accept responsibility to forward the requirements and Project Application Form to the owner/developer. The Project Application Form identifies the minimum requirements to be met as follows:

- Commercial buildings - apartments - villas: Minimum 4 inch diameter conduit Schedule 40 (gray electrical) PVC with pull string buried at 24 to 30 inch depth, from the equipment room or power meter location to a point designated by Hargray at the road right-of-way or property line. **Conduits are required from each building site and multiple conduits may apply.**
- Commercial buildings with multiple "units" may require conduit(s) minimum ¼" from main equipment entry point to termination point inside unit. Plenum type ceilings require conduits or flame retardant Teflon wiring to comply with code.
- Hotel or large commercial project requirements would be two (2) 4-inch diameter Schedule 40 PVC underground conduits.
- Equipment rooms to have ¼ inch 4'x8' sheet of plywood mounted on wall to receive telephone equipment.
- A dedicated 110-volt, 20 amp circuit with a four way outlet to power external equipment for the site. For Commercial Application.
- A power ground accessible at equipment room or an insulated #6 from the service panel or power MGN to the backboard.
- Residential wiring requires CAT5E wiring (4 or 6 Pair) twisted wire for Telephone and Data. Industry Standard.
- All interior wiring should be pulled to the area immediately adjacent to the plywood backboard or power meter location. A minimum of 5' of slack is required for terminations.
- CATV inside wiring will be RG6 foil wrapped 66% braid minimum, home run to each outlet.
- A 120 AC 15 A dedicated power outlet is to be located in the service yard to supply AC power to the ONU. Power to the ONU will be provided through a Pull Out Disconnected Switch, manufactured by Square D Company, or equivalent. The Horsepower Rating for the disconnect switch is 240VAC max, 60A, not fusable.

CATV Requirements

Hargray CATV services, requires you to install one 4" Schedule 40 (gray electrical) PVC pipe to a point designated to the road right of way or property line. The "service facilities" are required to be in separate pipes to ensure quality transmission and reception for both facilities.

Any Commercial or Subdivision areas installing pipe as required should extend the pipe 5' (feet) beyond any placed or planned curbed or sidewalk edge for facility access, away from the roadside.

Should there be any changes or additions to the original master plan, this letter will only cover the areas that are shown on the original master plan. All changes or additions would require another Letter of Intent to supply service. All costs incurred by the Telephone/CATV Company resulting from any requested change or failure to comply with minimum requirements shall be borne by the Developer. **Commercial projects require pre-construction meeting with Telco/CATV Company to review requirements.** I am available to discuss these requirements in more detail at your convenience.

Aid in or Aid to Construction may apply to certain projects.

Easements are required prior to installing facilities to your site.

Sincerely,

Rodney Canton
Manager - Facilities Engineering
1-803-333-6000

Hargray Communications - PO Box 5986 - 870 William Hilton Parkway - Hilton Head Island, SC - 29938 - 843 686-5000

**Requirement for
Letter of Intent to
Provide Service**

HARGRAY COMMUNICATIONS COMPANY, INC

**Engineering Services
Construction Application**

CONTACT INFORMATION

Project Owner Name: Bishop of Charleston	Phone No.:	843-261-0523
Address: 31 Saint Gregory Drive	City, State, Zip	Bluffton, SC 29909
Developer Name: N/A	Phone No.:	
Address:	City, State, Zip	
Project Manager Name: Walter Nester	Phone No.:	843-785-2171
Address: 23-B Shelter Cove Lane, Suite 400	City, State, Zip	Hilton Head Island, SC 29928

PROJECT INFORMATION

Project Name/Location	Saint Gregory the Great Annexation		
Proposed Start and Finish Dates	N/A	Lots	N/A
No. of Phases	Units Per Phase	Condominium Units	
Comments:	Commercial Sq. Ft.		

REQUIREMENTS INFORMATION

APPLICATION REQUIREMENTS

PROJECT REQUIREMENTS

**Engineering note: Check boxes that apply to applicant.

These must be in place before service can be provided

Hargray Communications Company Inc must have copies of the following items before we can furnish a "Letter of Intent" and schedule your project.

One copy of development or site plans indicating property and/or lot lines, proposed buildings, roads, parking, water, sewer and drainage layout.

No new development proposed.

Digital copy of county/town approved plan.

N/A

- * Commercial Buildings-Apartments-Villas - Hotels
Minimum 4 inch diameter conduit Sch. 40 PVC with pull string buried at 24 to 30 inch depth, from the equipment room or power meter location to a point designated by Hargray at the road right-of- way or property line. Conduits are required from each building site & multiple conduits may apply.
- * Commercial buildings with multiple "units" may require conduit(s) minimum 3/4" from main equipment entry point to termination point inside unit. Plenum type ceilings require conduits or flame retardant Teflon wiring to comply with code.
- A dedicated 110-volt, 20 amp circuit with a four way outlet to power external equipment for the site. For Commercial Application.
- Equipment rooms to have 3/4 inch 4'X8' sheet of plywood mounted on wall to receive telephone equipment.
- A power ground accessible at equipment room or an insulated #6 from the service panel or power MGN to the backboard.
- Residential wiring requires CAT5E wiring (4 or 6 Pair) twisted wire for Telephone and Data (industry standard).
- CATV inside wiring will be RG6 foil wrapped 66% braid minimum, home run to each outlet.
- All interior wiring should be pulled to the area immediately adjacent to the plywood backboard or power meter location. A minimum of 5' of slack is required for terminations.
- A 120 AC 15 A dedicated power outlet is to be located in the service yard to supply AC power to the ONU. Power to the ONU will be provided through a Pull Out Disconnected Switch, manufactured by Square D Company, or equivalent. The Horsepower Rating for the disconnect switch is 240VAC max, 60A, not fusible.
- Easements are required.

* Commercial projects require pre-construction meeting with Telco/CATV Company to review requirements.

I understand and agree to provide or meet the application and project requirements as stated above and to inform the contractor/builder of these requirements. I understand that if the project design changes or the proposed start date is delayed by nine (9) months or more, that I must submit a new application. All costs incurred by TELCO resulting from any requested change or failure to comply with minimum requirements, shall be borne by the Developer. Aid in or Aid to Construction may apply to certain projects.

Applicant/Representative

Date

Engineering Services Representative

Date

Hargray Engineering Services; P.O. Box 3380, Bluffton, SC 29910; Bluffton (843) 815-1676, FAX 815-6201



1 Cooperative Way

Hardeeville, SC 29927

843-208-5551

March 15, 2019

Mr. Walter J. Nester, III
Post Office Drawer 3
Hilton Head Island, SC 29938
wnester@burr.com

Re: Saint Gregory the Great Catholic Church

Dear Mr. Nester:

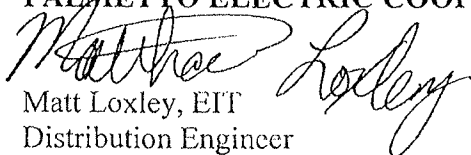
Palmetto Electric Cooperative, Inc. ("PECI") has ample power available to serve the above-referenced project with existing infrastructure. There may be "Aid-in-Construction" charges for line extensions or special grades of service as described in PEGI policies.

Project Location: 323 Fording Island Road, Bluffton, SC

Type: Annexation

Thank you for your cooperation in this matter. Please contact me at (843) 208-5513 or via email mloxley@palmetto.coop if you have any questions or if I may be of further assistance.

Sincerely,
PALMETTO ELECTRIC COOPERATIVE, INC.


Matt Loxley, EIT
Distribution Engineer

MHL:mhl
Encl.

c: Mr. Tim Hutchinson, PEGI





6 SNAKE ROAD, CHATIE, SC 29909-2637
Phone 843.987.8100 | Fax 843.568.0095
Customer Service 843.987.9200
Operations & Maintenance 843.987.8046
Engineering 843.987.8065
www.bjwsa.org

Our mission: to inspire trust and enhance public health

ED SAXON, PE, GENERAL MANAGER
843.987.8040 (o) | 843.263.1924 (c)

April 2, 2019

Burr & Forman, LLP
Shelter Cove Executive Park
23-B Shelter Cove Lane Suite 400
Hilton Head Island, SC 29928

RE: Water and Sewer Intent to Serve - Tax Map # R600 022 000 0125 0000

Dear Mr. Nester:

This letter is in response to a request for a water and sewer intent to serve for the above referenced property at 323 Fording Island Road, Bluffton, South Carolina.

This is to confirm that BJWSA is the designated water and sewer service provider for this location. Our organization will continue to operate and maintain the water and sewer systems required to serve Saint Gregory the Great Catholic Church.

Should you have questions or require additional information, please contact Mandy Anderson at 843-987-8091 or at mandy.anderson@bjwsa.org.

Sincerely,

Richard Denel, PE
Development Projects Manager

rgd/mya

DOANNA C. ALTMAN
CLERK

JERRY BAREY
DAVID S. JOY
GERALD H. SCHULZE

MICHAEL L. BELL
VICE CHAIR

LORRAINE W. BOYD
GREGORY A. PADGETT
DR. WILLIAM SEVOLUTION

DONALD A. MANCINI
SECRETARY/TREASURER

BRANDY M. GRAY
P. THAYER RIVERS, JR.

EXHIBIT "M" TO SUPPLEMENT
Amendment to Deed Restrictions

(please see attached)

4
10 PB
Vant

V & M / JRG

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

**Amendment and Modification
of Use Restrictions**

This Amendment and Modification of Use Restrictions ("Amendment") is made and entered into the date last signed by a party hereto, by and between International Paper Company, a New York Corporation qualified to conduct business in the State of South Carolina ("International Paper") as successor-in-interest by merger to Union Camp Corporation ("Union Camp") and Bishop of Charleston, a Corporation Sole ("Bishop of Charleston").

WITNESSETH

Whereas, on or about November 25, 1997, Union Camp conveyed certain real property (the "Property") to Bishop of Charleston, a Corporation Sole, by a Limited Warranty Indenture Deed for Meggett Tract ("Indenture Deed") which instrument is recorded in the real property records of Beaufort County, South Carolina in Deed Book 994 at page 412; and

Whereas, pursuant to the terms of numbered paragraph 6 on page 2 of the Indenture Deed, Union Camp imposed certain use restrictions upon Property, specifically including a prohibition against commercial uses and specific prohibitions against other uses, including "new or used auto and truck sales, mobile home sales, industrial or freight receipt and distribution facilities"; and

Whereas, on April 30, 1999, International Paper merged with Union Camp in accordance with Articles of Merger on file with the Secretaries of the State of New York and the Commonwealth of Virginia; and

Whereas, pursuant to said Articles of Merger, International Paper is the "Surviving Corporation", as referenced in Section 33-11-106 of the South Carolina Code of Laws (1976) as amended; and

Whereas, Bishop of Charleston has requested that International Paper modify the Indenture Deed to amend the use restrictions ("Use Restrictions") upon the Property as more specifically described herein; and

Whereas, International Paper is willing to modify the Use Restrictions as described herein, and the amendments herein inure to the benefit.

NOW, THEREFORE, KNOW ALL MEN BY THE PRESENTS, that International Paper, for \$5.00 and other good and valuable consideration, the receipt and adequacy whereof is herewith acknowledged, does hereby modify and amend the Use Restrictions applicable to the property as follows, to wit:

1. **Incorporation of Whereas Clauses.** The foregoing Whereas Clauses are incorporated herein and made an integral part hereof.

BEAUFORT COUNTY SC- ROD
BK 02974 PGS 0942-0945
DATE: 07/20/2010 10:18:54 AM
INST # 2010037567 RCPT# 622746

2. **Modification of Use Restrictions and Reaffirmation of Prohibited Uses.** International Paper hereby releases and discharges the prohibition against “commercial uses” upon the Property, but reaffirms and restates that no portion of the Property may be used for any of the following purposes: “new or used auto and truck sales, mobile home sales, industrial or freight receipt and distribution facilities”.

3. **Reaffirmation.** All other terms, conditions and affirmative obligations set forth in the Indenture Deed that are not hereby modified shall remain in full force and effect as if fully restated verbatim herein.

4. **Binding Effect.** The within Amendment and Modification of Use Restrictions shall be binding upon and enure to the benefit of the respective parties, their successors and assigns.

[The remainder of this page intentionally left blank. Signature pages follow.]

EXHIBIT "M-1" TO SUPPLEMENT

Release of Deed Restrictions

(please see attached)

**EXHIBIT "N-1" TO SUPPLEMENT
Easement - Palmetto Electric Cooperative, Inc.**

(please see attached)

3
Palmetto
Electric
#297

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

BEAUFORT COUNTY SC - ROD
HK 02389 PGS 0712-0714
FILE NUM 2006046654
06/12/2006 12:59:04 PM
REC'D BY S SMITH RCPT# 423915
EASEMENT FEES 10.00

KNOW ALL MEN BY THESE PRESENTS that the undersigned
Father H. Greyson West (hereinafter
"GRANTOR"), for good and valuable consideration, and One (\$1.00) Dollar, the receipt
and sufficiency of which is hereby acknowledged, and in further consideration of the
covenants and conditions expressed herein, do hereby grant bargain and sell and by these
presents have granted, bargained and sold unto **PALMETTO ELECTRIC
COOPERATIVE, INC.**, its Successors and Assigns (hereinafter "GRANTEE") the
nonexclusive right to enter the following described lands for the purpose of erecting,
operating and maintaining an overhead and/or underground electrical generation and
distribution system.

ALL that certain piece, parcel or lot of land described and known as:

NUMBER OF ACRES: 63.12
TAX DISTRICT MAP & PARCEL NO #: R 600 027 area 6125
AREA OF COUNTY: Rt 278 West
TOWN/TOWNSHIP: Bluffton
PLANTATION/SUBDIVISION: -
LOT: -
PLAT REFERENCE: Book: 63 Page: 9
OTHER: Bishop of Charleston
book 994 page 412
Previous Owner

Said easement being five (5') feet on either side of centerline of power line.

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in any wise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the **PALMETTO ELECTRIC COOPERATIVE, INC.**, its Successors and Assigns forever.

AND I (WE) do hereby bind myself (ourselves) and my (our) Heirs and Assigns, Executors and Administrators, to warrant and forever defend, all and singular, the said Premises unto the said **PALMETTO ELECTRIC COOPERATIVE, INC.**, its Successors and Assigns, against me (us) and my (our) Heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

The grant of this easement is subject to the following terms and conditions:

1. That **Grantee's** right to enter the above-described property shall be nonexclusive and solely for the purpose of, and is hereby limited to, such activities as are reasonable necessary for construction, reconstructing, operating and maintaining an overhead and/or underground power line or system.
2. That **Grantor** hereby reserves the right to use or convey the property which is subject of this Easement in any manner whosoever which does not interfere with the use and enjoyment of the Easement.
3. That **Grantor** hereby reserves the right to change the location of the within Easement from time to time, but solely at the expense of **Grantor**.
4. That landscaping shall not be planted within ten (10') feet of any door or opening of electrical distribution equipment, or within the boundaries of the basic easement.

WITNESS my (our) Hand(s) and Seal(s), this 23 day of February, in the year of our Lord Two Thousand Five. *SP*

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:**

Sister Pamela Smith
(Witness #1 Signature)

Print Name: SISTER PAMELA SMITH

Carolyn P. Conley
(Witness #2 Signature)

Print Name: CAROLYN P. CONLEY

H. Gregory West
(Grantor's Signature)

By: H. GREGORY WEST (I.S.)
(Print Grantor's Name)

Its: AGENT

STATE OF SOUTH CAROLINA)
)
COUNTY OF Beaufort)

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that he/she saw the within named Grantor sign, seal, and as his/her act and deed, deliver the within written Easement, and that he/she with the other witness whose signature appears above witnessed the execution thereof.

Walter Ronald Smith
(Witness #1 or #2)

SWORN to before me, this 23rd
day of February, A.D., 2008.

Cynthia E. Faulkner (SEAL)
Notary Public for
My Commission Expires: May 8, 2010

**EXHIBIT "N-2" TO SUPPLEMENT
Easement - Palmetto Electric Cooperative, Inc.**

(please see attached)

The grant of this easement is subject to the following terms and conditions:

1. That **Grantee's** right to enter the above-described property shall be nonexclusive and solely for the purpose of, and is hereby limited to, such activities as are reasonable necessary for construction, reconstructing, operating and maintaining an overhead and/or underground electric or communications system.
2. That **Grantor** hereby reserves the right to use or convey the property which is subject of this Easement in any manner whosoever which does not interfere with the use and enjoyment of the Easement.
3. That **Grantor** hereby reserves the right to change the location of the within Easement from time to time, but solely at the expense of **Grantor**.
4. That landscaping shall not be planted within ten (10') feet of any door or opening of electrical distribution equipment, or within the boundaries of the basic easement.

WITNESS my (our) Hand(s) and Seal(s), this 28th day of MARCH, in the year of our Lord Two Thousand Six.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF:

THE BISHOP OF CHARLESTON

Nancy Napolitano
(Witness #1 Signature)

H. Gregory West
(Grantor's Signature)

Print Name: NANCY NAPOLITANO

By: H. GREGORY WEST (L.S.)
(Print Grantor's Name)

Sister Pamela Smith, SSCM
(Witness #2 Signature)

Its: ABSENT

Print Name: SISTER PAMELA SMITH, SSCM.

EXHIBIT “N-3” TO SUPPLEMENT

Easement – Beaufort County

(please see attached)

7 PB
NC
Beaufort County
Abt of

BEAUFORT COUNTY SC - ROD
BK 3460 Pgs 1932-1938
FILE NUM 2016005712
02/05/2016 08:32:16 AM
REC'D BY pbaxley RCPT# 800814
RECORDING FEES \$0.00

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

DRAINAGE EASEMENT AGREEMENT

This **Drainage Easement Agreement** (this "Agreement") is made this 4th day of February, 2016, by and between **Bishop of Charleston**, a Corporation Sole ("Grantor"), and **Beaufort County**, a political subdivision of the State of South Carolina (the "County").

RECITALS

A. Grantor owns a tract of land containing 63.12 acres, situate, lying and being on U. S. Highway 278, in the Meggett Tract Section of Beaufort County, South Carolina, which tract is more specifically described on Exhibit A attached to and incorporated herein (as constituted before the conveyance referenced in Section B of these Recitals, the "Grantor Tract," and after the conveyance, the "Grantor Residual Tract").

B. Grantor is, simultaneous with the execution and delivery of this Agreement, executing and delivering to the County a Deed of Right-of-Way for property described on Exhibit B attached, the purpose of constructing and maintaining on the property described therein County roads on the East and West sides of the Grantor Tract, for the use of the general public (the "Frontage Roads").

C. In connection with the construction and subsequent usage of the Frontage Roads, it will be necessary for the County to construct and maintain certain drainage facilities on the Grantor Tract and on and through pipes under the Frontage Roads, for the purpose of handling surface water drainage from the Frontage Roads (the "Drainage Facilities").

D. It is contemplated that, in the future, certain of Grantor's property adjacent to the Frontage Road that is located on the East side of the Grantor Tract may be developed, in which case it may be necessary for surface water drainage from such developed property to also flow into the Drainage Facilities.

E. Grantor desires to convey to the County the within easements for purposes of constructing and maintaining the Drainage Facilities, and the County desires to acquire such easements, all on the terms and conditions set forth herein.

AGREEMENTS

NOW, THEREFORE, Grantor and the County agree as follows:

1. **Bishop of Charleston**, a Corporation Sole, in the State aforesaid, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), to it in hand paid at and before the sealing of these presents by **Beaufort County**, a political subdivision of the State of South Carolina, having an address of P.O. Drawer 1228, Beaufort, South Carolina 29901-1228, and the mutual agreements set forth herein, the receipt and sufficiency of which are hereby acknowledged, has granted and

Approved by Beaufort County
[Signature]
Legal Department

conveyed, and by these presents does grant and convey unto the County, its successors and assigns, subject to the conditions and right of reverter provided herein, a perpetual, non-exclusive easement for surface water drainage on, over and across certain lands of the Grantor described as "Drainage Easement 72,545 SF" and "Drainage Easement 65,446 SF" on Exhibit B-1 attached hereto.

2. The within easements are granted and accepted subject to the following terms:

A. The within easements are conveyed subject to all other easements and matters of record or that would be shown be a current survey of the property, and are further subject to the rights herein reserved by the Grantor, its successors and assigns, to utilize the Grantor's property at any time, in any manner, and for any purpose, provided, however, that such matters of record and use by the Grantor, its successors and assigns shall not be inconsistent with or prevent the full utilization by the County of the rights and privileges granted herein.

B. From the date of the commencement of the construction of the Frontage Roads, the County shall, at its sole cost and expense, be responsible for the construction, repair and maintenance of the Drainage Facilities.

C. The County agrees to cause all work contemplated hereunder to be performed in a workmanlike fashion with minimal interference to the Grantor, its successors or assigns, invitees, licensees and agents. The County further agrees that it will cause the work contemplated hereunder to be completed in an expeditious and timely fashion, and that the Drainage Facilities shall at all times be maintained in a safe condition, and that all materials, debris, and construction materials shall be promptly removed. The County shall restore at its expense any other part of Grantor's property that may be damaged as a result of the County's exercise of the rights granted hereunder to its pre-existing state.

D. Neither the Grantor, nor its successors and assigns, shall be liable for any damages, suits or liabilities whatsoever arising from the County's exercise of its easement rights hereunder, including construction and maintenance of the Drainage Facilities, or arising out of the use of the Drainage Facilities by the County.

E. The conveyance of the within easements is also expressly conditioned upon the following conditions, and the easements shall terminate and be extinguished in the event of the failure of: (i) the County to complete the construction of the Frontage Roads and Drainage Facilities and to comply with any other requirements such that Grantor may use the Frontage Roads as intended for access to U.S. Highway 278, within a period of three years from the date of this conveyance; or (ii) the subsequent closing of access for Grantor, its successors or assigns, to U.S. Highway 278 through the Frontage Roads by the South Carolina Department of Transportation or others.

[The remainder of this page has been intentionally left blank. The signature pages follow.]

[Signature Page of Grantor]

IN WITNESS WHEREOF, the parties hereto have caused the within Drainage Easement Agreement to be executed by its duly authorized officer on this 14th day of December, 2015.

Witnesses:

Bishop of Charleston, a Corporation Sole

Cristina Natividad
1st Witness

By: John L. Barker
John L. Barker, Chief Financial Officer

Amelia S. Aviles
2nd Witness

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

ACKNOWLEDGEMENT

I, the undersigned Notary Public, do hereby certify that Bishop of Charleston, a Corporation Sole, by John L. Barker, its Chief Financial Officer personally appeared before me this day and acknowledged the due execution of the forgoing instrument.

Witness my hand and seal this 14th day of December, 2015.

Amelia S. Aviles
Notary Public for South Carolina
AMELIA S. AVILES
Notary Public, State of South Carolina
My Commission Expires 1/23/2017

My Commission expires: 1-23-2017

[Handwritten initials]

[Signature Page of County]

IN WITNESS WHEREOF, the parties hereto have caused the within Drainage Easement Agreement to be executed by its duly authorized officer on this 4th day of February, 2016.

Witnesses:



1st Witness

Kathy J. Carter

2nd Witness

Beaufort County, a political subdivision
of the State of South Carolina

By: 

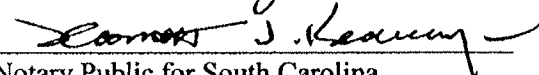
Name: GARY KUBIE
Title: County Administrator

STATE OF SOUTH CAROLINA)
)
COUNTY OF Beaufort)

ACKNOWLEDGEMENT

I, the undersigned Notary Public, do hereby certify that Beaufort County, a political subdivision of the State of South Carolina, by Gary Kubie, its County Administrator personally appeared before me this day and acknowledged the due execution of the forgoing instrument.

Witness my hand and seal this 4th day of February, 2016.



Notary Public for South Carolina

My Commission expires: 10/13/2025



Exhibit A
Legal Description
The Grantor Tract

All that certain piece, parcel or tract of land, containing 63.12 acres, situate, lying and being in the Meggett Tract Section of Beaufort County, South Carolina, with said tract more specifically shown and described on plat thereof entitled "A Boundary Plat of 63.12 Acres A Portion of Tax Parcel 600-13-46 The Meggett Tract", with said plat prepared by Connor & Associates, Inc., as certified by Matthew L. Crawford, S.C.R.L.S. No. 9756, said plat dated the 14th day of November, 1997, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 63 at Page 9. This property is commonly referred to as the St. Gregory the Great Catholic Church campus and is shown as TMS# R600 022 000 0125 0000 on the Beaufort County Tax Map.

Derivation: This being the same property conveyed to Bishop of Charleston, a Corporation Sole by deed of Union Camp Corporation dated December 26, 1997 and recorded December 29, 1997 in Deed Book 994, Page 412 in the records for Beaufort County.

Exhibit B

RIGHT-OF-WAY 1 (WEST ROAD)

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND SHOWN AS "THE BISHOP OF CHARLESTON TMS #R600-022-000-0125-0000 - PROPOSED R/W 1" AND BEING SHOWN AND DESIGNATED ON A RIGHT-OF-WAY EXHIBIT OF SAINT GREGORY CATHOLIC CHURCH PREPARED FOR WARD EDWARDS BY WILLIAM H. GRAY, JR. OF ATLAS SURVEYING, INC. DATED DECEMBER 10, 2015, COMMENCING AT AN IRON PIN ALONG THE NORTHERN RIGHT-OF-WAY OF U.S. HIGHWAY 278, BEING LABELED AS POINT OF COMMENCEMENT LABELED "POB 1", THENCE RUNNING N03°23'29"E FOR A DISTANCE OF 58.15' TO A POINT (BEING THE POINT OF BEGINNING); THENCE RUNNING N86°49'13"W FOR A DISTANCE OF 21.31' TO A POINT; THENCE RUNNING N03°18'42"E FOR A DISTANCE OF 50.00' TO A POINT; THENCE RUNNING S86°49'13"E FOR A DISTANCE OF 21.38' TO A POINT; THENCE RUNNING S86°49'13"E FOR A DISTANCE OF 30.03' TO A POINT; THENCE RUNNING S86°49'13"E FOR A DISTANCE OF 559.01' TO A POINT; THENCE RUNNING S03°18'42"W FOR A DISTANCE OF 50.00' TO A POINT; THENCE RUNNING N86°49'13"W FOR A DISTANCE OF 559.07' TO A POINT; THENCE RUNNING N03°23'22"E FOR A DISTANCE OF 50.00' TO A POINT; THENCE RUNNING N86°49'13"W FOR A DISTANCE OF 30.03' TO A POINT; THENCE RUNNING S03°23'29"W FOR A DISTANCE OF 50.00' TO A POINT; THENCE RUNNING S03°23'29"W FOR A DISTANCE OF 58.15' TO THE POINT OF BEGINNING. LESS AND EXCEPTING THE 50.00' (THE WIDTH OF THE ROAD) BY 30.03' STRIP OF LAND APPROXIMATELY 21.3' FROM THE WESTERN BOUNDARY OF SAID R/W 1 THAT WAS DEEDED TO THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION BY DEED DATED FEBRUARY 8, 2011 AND RECORDED MARCH 2, 2011 IN BOOK 03040, PAGE 2187 IN THE ROD OFFICE OF BEAUFORT COUNTY, SOUTH CAROLINA.

RIGHT-OF-WAY 2 (EAST ROAD)

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND AS SHOWN AS "THE BISHOP OF CHARLESTON TMS #R600-022-000-0125-0000 - PROPOSED R/W 2" AND BEING SHOWN AND DESIGNATED ON A RIGHT-OF-WAY EXHIBIT OF SAINT GREGORY CATHOLIC CHURCH PREPARED FOR WARD EDWARDS BY WILLIAM H. GRAY, JR. OF ATLAS SURVEYING, INC. DATED DECEMBER 10, 2015, COMMENCING AT A CONCRETE MONUMENT (3" CMF) (OFFSET 1.5') AT THE INTERSECTION OF "BLUFFTON TOWNSHIP FIRE DISTRICT" (TMS R600 022 000 0316 0000) AND THE PROPERTY OF GRANTOR, THENCE RUNNING S01°25'31"W FOR A DISTANCE OF 18.40' TO A POINT, BEING LABELED AS "POB 2" (BEING THE POINT OF BEGINNING); THENCE RUNNING S01°25'31"W FOR A DISTANCE OF 136.24' TO A POINT; THENCE RUNNING ALONG A CURVE WITH AN ARC LENGTH OF 39.16', HAVING A RADIUS OF 475.00' AND A LONG CHORD OF N34°09'35"W 39.15' TO A POINT; THENCE RUNNING N36°31'18"W FOR A DISTANCE OF 60.80' TO A POINT; THENCE RUNNING ALONG A CURVE WITH AN ARC LENGTH OF 415.90', HAVING A RADIUS OF 475.00' AND A LONG CHORD OF N61°36'18"W 402.74' TO A POINT; THENCE RUNNING N86°41'18"W FOR A DISTANCE OF 389.90' TO A POINT; THENCE RUNNING N03°18'42"E FOR A DISTANCE OF 50.00' TO A POINT; THENCE RUNNING S86°41'18"E FOR A DISTANCE OF 389.90' TO A POINT; THENCE RUNNING ALONG A CURVE WITH AN ARC LENGTH OF 452.15', HAVING A RADIUS OF 525.00' AND A LONG CHORD OF N62°00'56"W 438.31' TO A POINT; THENCE RUNNING N53°28'42"E FOR A DISTANCE OF 32.22' TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED RIGHTS-OF-WAY ARE A PORTION OF TMS #R600-022-000-0125-0000 AND ARE ALSO SHOWN ON EXHIBIT B-1 ATTACHED.

EXHIBIT “N-4” TO SUPPLEMENT

Easement - BJWSA

(please see attached)

repair and/or replace any other damage it causes to other utility lines servicing the Grantor's property or any permanent improvement thereupon.

Grantor shall have the right, from time to time, to relocate the easements conveyed herein and the water and sewer lines and related facilities located within such easements at Grantor's expense, including but not limited to the preparation of revised surveys and easement modification documents as may be necessary in connection therewith.

Grantor, for itself and its successors and assigns, reserves the right to use the easement areas for any purposes that do not adversely affect Grantee's use of the easements for their intended purposes; provided, however, Grantor agrees for itself, its successors, and assigns, not to build, place or allow any structure within the easement areas within ten (10') feet of the center of the water and sewer lines. For purposes of this Agreement, the term "structure" does not include: irrigation lines or other utility lines, pavement or landscaping; provided, however, Grantor grants to the Grantee the right and authority to approve the location of any additional utility lines that might be located within the dimensions of the above-described easement, which approval shall not be unreasonably, withheld, conditioned or delayed.

The permanent easement and right-of-way hereby granted to the Grantee consists of a strip of land of varying dimensions for permanent construction and access to the easement as hereinafter described on property as shown on the referenced drawing and more particularly described as follows:

ALL those certain pieces, parcels or tracts of land, situate, lying and being in the Meggett Tract Section of Beaufort County, South Carolina, containing 49,165.36 Sq. Ft., 1.129 Ac., and shown as "New Utility Easement" on that certain plat consisting of three (3) pages, entitled "A Subdivision and Utility/Access Easement Plat at St. Gregory the Great Sewer Expansion" prepared by Atlas Surveying, Inc., certified by Mark Ellis Lamb, Sr., dated March 12, 2018, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 149 at Page 63.

AND ALSO, ALL those certain pieces, parcels or tracts of land, situate, lying and being in the Meggett Tract Section of Beaufort County, South Carolina, containing 53,441.74 Sq. Ft., 1.227 Ac., and shown as "Existing Utility Easement" on that certain plat consisting of three (3) pages, entitled "A Subdivision and Utility/Access Easement Plat at St. Gregory the Great Sewer Expansion" prepared by Atlas Surveying, Inc., certified by Mark Ellis Lamb, Sr., dated March 12, 2018, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 149 at Page 63.

Together with the right of ingress and egress over and upon the "30' New BJWSA Access Easement", as depicted on the above-referenced plat, and other property of Grantor necessary to access the property hereinabove described to and from the public right of way of S.C. Highway 278.

This being a portion of the property conveyed to the Grantor herein by deed of Union Camp Corporation dated November 25, 1997, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Records Book 994 at Page 412.

TAX REF: R600 022 000 0125 0000 (portion of)

To have and to hold said permanent easement unto the Grantee, its Successors and Assigns, forever.

Grantor hereby covenants with the Grantee that they are lawfully seized and possessed of the real estate above-described, that they have good lawful right to convey it, or any part thereof, and that they will forever warrant and forever defend the title thereto against the lawful claims of their successors, heirs and assigns.

[The remainder of this page has been intentionally left blank. The signature pages follow.]

EXHIBIT "O" TO SUPPLEMENT

Location Map

(please see attached)



EXHIBIT "P" TO SUPPLEMENT

Parcel History

FOIA Information submitted August 1, 2019

EXHIBIT "Q" TO SUPPLEMENT

Photographs of Existing and Adjacent Structures

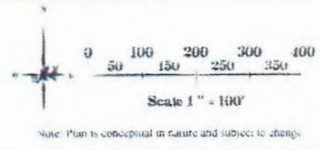
(please see attached)



- LEGEND**
- (A) EXISTING CHURCH
(~ 12,000 S.F.)
 - (B) EXISTING SCHOOL
(~ 27,000 S.F.)
 - (C) RESSURECTION GARDEN
 - (D) EXISTING PARKING
(~ 530 SPACES)
 - (E) STORMWATER POND
 - (F) FUTURE DEVELOPMENT/
PARKING EXPANSION
 - (G) PARISH LIFE CENTER
 - (H) COURTYARD
 - (I) MULTI-PURPOSE FIELD
 - (J) FUTURE MAIN CHURCH

Witmer Jones Keefer
Ltd
ARCHITECTS
PLANNERS
ENGINEERS
JUNE 2010

EXISTING CONDITIONS PLAN - PHOTO OVERLAY
FOR
ST. GREGORY THE GREAT
BLUFFTON, SOUTH CAROLINA



EXISTING CONDITIONS PHOTOS



01



02



03



04



05



06



07



08

June 2019

Witmer Jones Keefer Ltd. | P.O. Box 201, Bluffton, SC 29910 | ph: (843) 757-7411 | www.wjkltd.com

ST. GREGORY THE GREAT

BLUFFTON, SOUTH CAROLINA

Witmer Jones Keefer
Ltd.
landscape architecture
interior design

EXISTING CONDITIONS PHOTOS



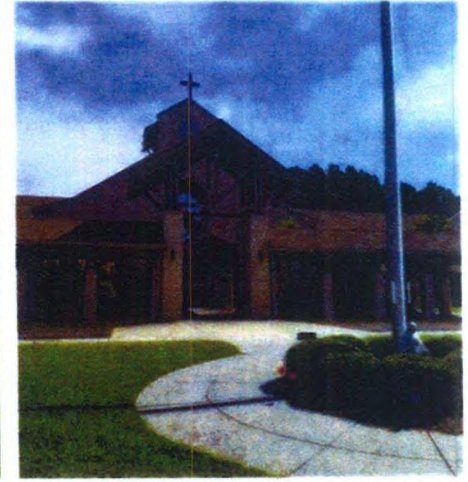
09



10



11



12



13



14

EXHIBIT “R” TO SUPPLEMENT

Twelfth Amendment to Development Agreement and Concept Plan – Buckwalter Tract

(please see attached)

Prepared By and After
Recording Return to:
Burr & Forman LLP
Attn: Walter J. Nester, III
23-B Shelter Cove Lane
Hilton Head Island, SC 29928
843-785-2171

STATE OF SOUTH CAROLINA)
)
)
)
)
)
)
COUNTY OF BEAUFORT)

 AMENDMENT TO
**DEVELOPMENT AGREEMENT
AND CONCEPT PLAN -
BUCKWALTER TRACT -
SAINT GREGORY THE GREAT
PLANNING TRACT**

THIS AMENDMENT (“ Amendment”) to Development Agreement and Concept Plan is made and entered into this ___ day of _____, 2020 by and between the Town of Bluffton, South Carolina (“**Town**”), The Bishop of Charleston, a Corporation Sole (“**Bishop of Charleston**”), and Beaufort-Jasper Water & Sewer Authority (“**BJWSA**”), (Bishop of Charleston and BJWSA collectively “**Owner**”).

WHEREAS, Town and The Branigar Organization, Inc. executed and approved a Development Agreement (“**Development Agreement**”), dated April 19, 2000, and recorded in the Office of the Register of Deeds (“**ROD**”) for Beaufort County, South Carolina in Book 1288 at Page 1, which Development Agreement, as amended, governs the use and development of a tract of land known as the Buckwalter Tract, originally containing approximately 5,680 acres of land, more particularly described in the Development Agreement and amendments thereto (the “**Buckwalter PUD**”); and,

WHEREAS, concurrently with the execution of the Development Agreement, the Town annexed the Buckwalter Tract and granted Concept Plan zoning to the Buckwalter Tract, all as more particularly described in the Annexation Petition and Concept Plan (“**Concept Plan**”) for Buckwalter Tract, adopted April 19, 2000; and,

WHEREAS, subsequent to the execution and approval of the Development Agreement and Concept Plan, the Town approved Eleven (11) Amendments to the Buckwalter Development Agreement and Concept Plan to add additional property thereto, each hereinafter identified as follows:

1. **First Amendment.** Addition of 11.721 acres known as the Robertson Tract with additional Density to the Buckwalter Development Agreement and Concept Plan executed on June 21, 2002 and recorded in the ROD in **Book 1599** at **Page 1149**; and
2. **Second Amendment.** Addition of 43.38 acres known as the Johnson Tracts together with 55 Dwelling Units to the Buckwalter Development Agreement and Concept Plan executed on February 4, 2003 and recorded in the ROD in **Book 1709** at **Page 440**; and

3. **Third Amendment.** Addition of 173.62 acres known as the Cypress Lake Tract from the Jones Estate Development Agreement and Concept Plan together with 600 Dwelling Units and 90 acres of General Commercial Density to the Buckwalter Development Agreement and Concept Plan executed on October 10, 2005 and recorded in the ROD in **Book 2256** at **Page 189**; and
4. **Fourth Amendment.** Addition of 59.91 acres known as the Rose Dhu Creek Phase III Tract together with 18 Dwelling Units to the Buckwalter Development Agreement and Concept Plan executed on October 10, 2005 and recorded in the ROD in **Book 2256** at **Page 204**; and
5. **Fifth Amendment.** Addition of 58.85 acres known as the Graves Tract together with 58.85 acres of General Commercial Density to the Buckwalter Development Agreement and Concept Plan executed on November 2, 2005 and recorded in the ROD in **Book 2305** at **Page 410**; and
6. **Sixth Amendment.** Addition of 2.687 acres known as the Jacoby Tract with no additional Density to the Buckwalter Development Agreement and Concept Plan executed on May 10, 2006 and recorded in the ROD in **Book 2816** at **Page 1746**; and
7. **Seventh Amendment.** Addition of 6.5 acres known as the University Investments Tract with no additional Density to the Buckwalter Development Agreement and Concept Plan executed on January 7, 2008 and recorded in the ROD in **Book 2671** at **Page 2250**; and
8. **Eighth Amendment.** Addition of 324 Dwelling Units through Transfer of Development Rights Permit for Buckwalter Place Initial Master Plan to the Buckwalter Development Agreement and Concept Plan executed on November 6, 2007 and recorded in the ROD in **Book 2823** at **Page 384**; and
9. **Ninth Amendment.** Addition of 163 acres known as the Willow Run Tract, together with the reallocation of Land Uses for the Northern Tract, as well as 260 Dwelling Units and 162 acres of General Commercial Density to the Buckwalter Development Agreement and Concept Master Plan executed on February 25, 2008 and recorded in the ROD in **Book 2724** at **Page 1787**; and
10. **Tenth Amendment.** Approved certain changes in use to the 9.18 acre Robertson site, and related conditions executed on February 10, 2012 and recorded in the ROD in **Book 3119** at **Page 2458**; and
11. **Eleventh Amendment.** Approved changes in permitted use for the Buckwalter Commons Connector Tract and redesignated a portion of the Sandhill Tract as Buckwalter Commons Tract and added an additional 70 acres of Commercial Density executed on April 10, 2013 and recorded in the ROD in **Book 3231** at **Page 3176**; and

WHEREAS, Owner owns that certain 61.093 acre parcel of real property (the “**Property**”) located on the north side of U.S. Highway 278 and bounded to the east by the Bluffton Fire Department Station #35 and bounded to the west by the Berkeley Hall Club community. Said Property is more particularly described in Exhibit “A” attached hereto and made a part hereof; and

WHEREAS, said Property is adjacent to the Buckwalter PUD which is located within the municipal limits of the Town, and is therefore contiguous with the Town; and

WHEREAS, portions of the Property have been improved to include the Saint Gregory the Great Catholic Church and the Saint Gregory the Great School consisting of an existing Church building of approximately 12,000 square feet; and an existing school building with offices supporting the school and the Church consisting of approximately 27,000 square feet, a church multipurpose building of approximately 27,000 square feet, and a sewer pump station and supporting infrastructure, parking, drives and rights of way (the “**Existing Development**”); and

WHEREAS, it is now the desire and intention of the Town and Owner to enter into this _____ Amendment to annex the Property into the Town to be included within the Concept Plan zoning of the Buckwalter Tract, designate the Property as being a part of the Buckwalter PUD, designate the Saint Gregory the Great Land Use Tract as an additional Planning Area, and to establish the permitted uses for said Saint Gregory the Great Land Use Tract; and

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Town and Owner agree as follows:

1. **Recitals.** The above recitals are incorporated herein by this reference thereto.
2. **Amendment of Development Agreement and Concept Plan.** The Development Agreement and Concept Plan are hereby further amended to provide:
 - A. Amendment to Development Agreement. The Buckwalter Development Agreement, as amended, is hereby further amended to add the Property to the legal description of the property subject to the Development Agreement as a part of the Buckwalter Tract and the Development Agreement so amended. The effect of this _____ Amendment is to add the Property, depicted in the Plat described on Exhibit “B” attached hereto and made a part hereof as fully and completely as if the Property was originally included in the legal description to the Development Agreement.
 - B. Amendments to Concept Plan. The Buckwalter Concept Plan, as amended, is hereby further amended as follows:
 - i. Land Use Designation and Development Standards. The Property is hereby designated as being a part of the Buckwalter PUD, said tract designated hereunder as the Saint Gregory the Great Land Use Tract as depicted on the Amended Concept Plan for Buckwalter PUD attached hereto as Exhibit “C” and made a part hereof. Development within the 61.093 acres of the newly designated Saint Gregory the Great Land Use Tract shall be governed by the Zoning Regulations (as defined in the Development Agreement) and by the Amended Concept Plan. Specifically, the land uses and development standards applicable to the Saint Gregory the Great Land Use Tract shall control development within the Property with the same effect as if included in the original Concept Plan and Development Agreement.

- ii. Section 2 of the Concept Plan is further hereby amended as follows:
 - 1. Section 2.A. Introduction. Add as new tenth (10th) Planning Area the Saint Gregory the Great Land Use Tract.
 - 2. Section 2.B. Allowed Land Uses. Add Saint Gregory the Great Land Use Tract as a new sub-section 10, with the following allowed land uses and definitions:
 - a. Community Recreation.
 - b. Dwelling Units.
 - c. Hotel/Inn.
 - d. Institutional Civic.
 - e. Maintenance Areas.
 - f. Multifamily Residential.
 - g. Neighborhood Commercial – including specifically convenience stores and automobile service stations with up to 20 fueling stations and car wash but excluding Recreational Vehicle Parks.
 - h. Open Space.
 - i. Roads.
 - j. Setbacks and Buffers.
 - k. Siviculture.
 - l. Single Family Residential but excluding mobile homes.
 - m. Wetlands.
 - n. Utilities.
- iii. Density. The Property is hereby added to the Buckwalter Concept Plan and designated as the Saint Gregory the Great Land Use Tract as depicted in the Amended Concept Plan attached hereto as Exhibit “R”. The Property shall have 10.65 acres of general commercial development rights and 150 residential dwelling unit development rights both to be added to the Buckwalter PUD Concept Plan and Development Agreement. The balance of the Property is designated as Institutional/Civic which use does not require allocations of density as such use does not count against overall commercial acreage or residential density allowed for the Buckwalter PUD except however for student housing and employee dormitories using 1/2 residential dwelling unit development rights per room in accordance with Section 2.D.6.a. of the Buckwalter Concept Plan. Notwithstanding anything otherwise contained in the Development Agreement or Concept Plan, the residential dwelling unit development rights allocated to the Saint Gregory the Great Land Use Tract may not be transferred to any other piece, parcel or tract of land within the Buckwalter Tract or otherwise. This prohibition shall not apply to the transfer of residential dwelling unit development rights to the Town.
- iv. No Effect on Other Landowner Rights. No change which is hereby approved to the Development Agreement and Concept Plan shall have any effect whatsoever on any property or landowner rights other than the Saint Gregory the Great Land Use Tract and Owner.

3. **Reaffirmation of Buckwalter Development Agreement, Concept Plan and Amendments Thereto.** The Buckwalter Development Agreement, Concept Plan and all prior amendments thereto as modified by this _____ Amendment are hereby ratified and reaffirmed as if set forth verbatim herein.
4. **Binding Effect.** This _____ Amendment to the Buckwalter Development Agreement and Concept Plan shall inure to the benefit of and be binding upon the respective parties hereto, their successors and assigns.
5. **Consistency with the Comprehensive Plan.** The Town confirms that the matters contained herein are consistent with the Comprehensive Plan of the Town of Bluffton and consistent with long range planning for the Town, wetland protection, and other planning goals.

[SIGNATURES ON FOLLOWING PAGES]

IN WITNESS WHEREOF, the parties hereto, in and through their authorized representatives, have caused these instruments to be executed on their behalf effective the date first above written.

WITNESSES:

TOWN OF BLUFFTON,
SOUTH CAROLINA

By: _____

Its: _____

Attest: _____

SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGEMENT

I, _____, Notary Public for South Carolina do hereby certify that _____ on behalf of the Town of Bluffton, South Carolina, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this _____ day of _____, 2020.

Notary Public for South Carolina
My Commission Expires: _____

WITNESSES:

BEAUFORT-JASPER WATER & SEWER
AUTHORITY

By: _____

Its: _____

SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGEMENT

I, _____, Notary Public for South Carolina do hereby certify that
_____ on behalf of Beaufort-Jasper Water & Sewer Authority personally appeared before
me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this _____ day of _____, 2020.

Notary Public for South Carolina
My Commission Expires:_____

EXHIBIT "A"

ALL that certain piece, parcel, and tract of land containing 63.12 acres, more or less, situate, lying and being in the Meggett Tract Section of Beaufort County, South Carolina, with said tract more specifically shown and described on a plat thereof entitled "A Boundary Plat of 63.12 Acres A Portion Of Tax Parcel 600-13-46 The Meggett Tract", prepared by Connor & Associates, Inc., certified by Matthew L. Crawford, S.C.R.L.S. No. 9756, dated November 14, 1997 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 63 at Page 9.

LESS AND EXCEPT that certain 0.33 acre parcel, more or less, shown as "Area of Acquisition" on that certain Title to Real Estate date February 11, 2011 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3040 at Page 2187.

LESS AND EXCEPT those certain "Frontage Roads" more particularly shown and described in that certain Deed of Right-of-Way in favor of Beaufort County, a political subdivision of the State of South Carolina dated December 14, 2015 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 3460 at Pages 1928-1931.

TMS #: R600 022 000 0125 0000

EXHIBIT "B"

Plat

EXHIBIT C

Amended Concept Plan for Buckwalter PUD

CONCEPT MASTER PLAN

For: Buckwalter

PLANNED UNIT DEVELOPMENT

Bluffton, South Carolina

Prepared For:
Branigar Organization
Savannah, Georgia



A company of
INTERNATIONAL PAPER

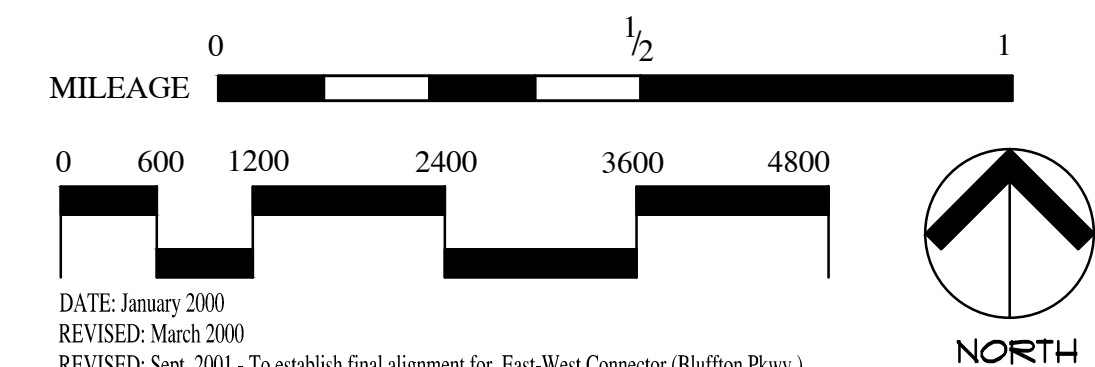
Prepared By:
Wood+Partners, Inc.
Landscape Architects/Land Planners
Hilton Head Island, South Carolina
Thomas & Hutton Engineering Co.
Savannah, Georgia

LEGEND:

- ROADS / PUBLIC RIGHT-OF-WAY
- INTERSECTION/ ACCESS POINTS
- EXISTING DIRT ROADS
- STREAMS / WATER CHANNELS
- LAND USE TRACT LIMIT
- LEISURE TRAIL

PUD LAND USE AREAS

- RESIDENTIAL
- COMMERCIAL
- PUBLIC/INSTITUTIONAL
- WETLANDS
- TIMBER MANAGEMENT
- OCRM CRITICAL AREA
- DEDICATED PUBLIC PARK



DATE: January 2000
 REVISED: March 2000
 REVISED: Sept. 2001 - To establish final alignment for East-West Connector (Bluffton Parkway)
 REVISED: October 2001 - To provide leisure trail along East / West Connector
 REVISED: May 2002 - Property addition to the Sand Hill Tract
 REVISED: August 2002 - Property addition to the Sand Hill Tract
 REVISED: October 2004 - Property addition to Sand Hill Tract & Buckwalter Commons
 REVISED: December 2004 - Property addition to the Sand Hill Tract
 REVISED: May 2005 - Hampton Parkway addition
 REVISED: July 2005 - Graves Tract Addition
 REVISED: October 2005 - Rose Dhu Phase 3 addition
 REVISED: January 2006 - Jacoby addition
 REVISED: May 2007 - Buckwalter Commons
 REVISED: November 2007 - Wilton Run Tract
 REVISED: February 2008 - Unit Counts
 REVISED: March 25, 2009 C-1-278 Parcel
 REVISED: November 2011 - Buckwalter 10th Amendment - Robertson Site
 REVISED: February 2012 - Modified Bluffton Parkway Phase 3B Alignment
 REVISED: October 2012 - Modified Sand Hill Tract/Buckwalter Commons Connector Tract to add 70 Acres into Buckwalter Commons
 REVISED: September 2013 - Annexed Saint Gregory the Great Tract (SGG Tract). Modification includes addition of 50.45 acres of public / institutional and 10.65 acres of commercial and added 150 Residential Dwelling Units.
 Included future Bluffton Parkway Phase 5b.

DEVELOPMENT SUMMARY

DENSITY SUMMARY

LAND USE TRACT	TOTAL ACRES	DWELLING UNITS	DU/ACRE
SAND HILL TRACT	\$2,911 AC	\$4,266 DU	\$1.4 DU/AC
BUCKWALTER COMMONS	\$1,165 AC	\$2,034 DU / \$302 HOTEL UNITS	\$1.8 DU/AC
EASTERN TRACT	\$682 AC	\$918 DU	\$1.3 DU/AC
WESTERN TRACT	\$931 AC	\$935 DU	\$1.0 DU/AC
SOUTHERN TRACT	\$145 AC	\$311 DU	\$2.2 DU/AC
SGG TRACT	\$61 AC	\$150 DU	\$2.5 DU/AC
ROSE DHU TRACT	\$325 AC	\$118 DU	\$0.4 DU/AC
PUBLIC/ INSTITUTIONAL DEDICATED PUBLIC PARK	\$28 AC	\$0 DU	\$0 DU/AC
PUBLIC ROAD RIGHT-OF-WAY	\$143 AC	\$0 DU	\$0 DU/AC
TIMBER MANAGEMENT	\$19 AC	\$0 DU	\$0 DU/AC
TOTAL	\$6,268 AC	\$8,192 DU	\$1.4 DU/AC

MAXIMUM ALLOWED DENSITY

SINGLE FAMILY RESIDENTIAL 8 DU/AC
 MULTI-FAMILY RESIDENTIAL 16 DU/AC
 HOTEL/INN/BED AND BREAKFAST, INTERVAL OWNERSHIP/TIME SHARING, INSTITUTIONAL PROPERTIES OR GUESTHOUSE SHALL NOT HAVE A SPECIFIED DWELLING UNIT PER ACRE MAXIMUM.

MAXIMUM DWELLING UNITS

DU COUNT SHALL NOT EXCEED 8,192 DU

ACREAGE SUMMARY

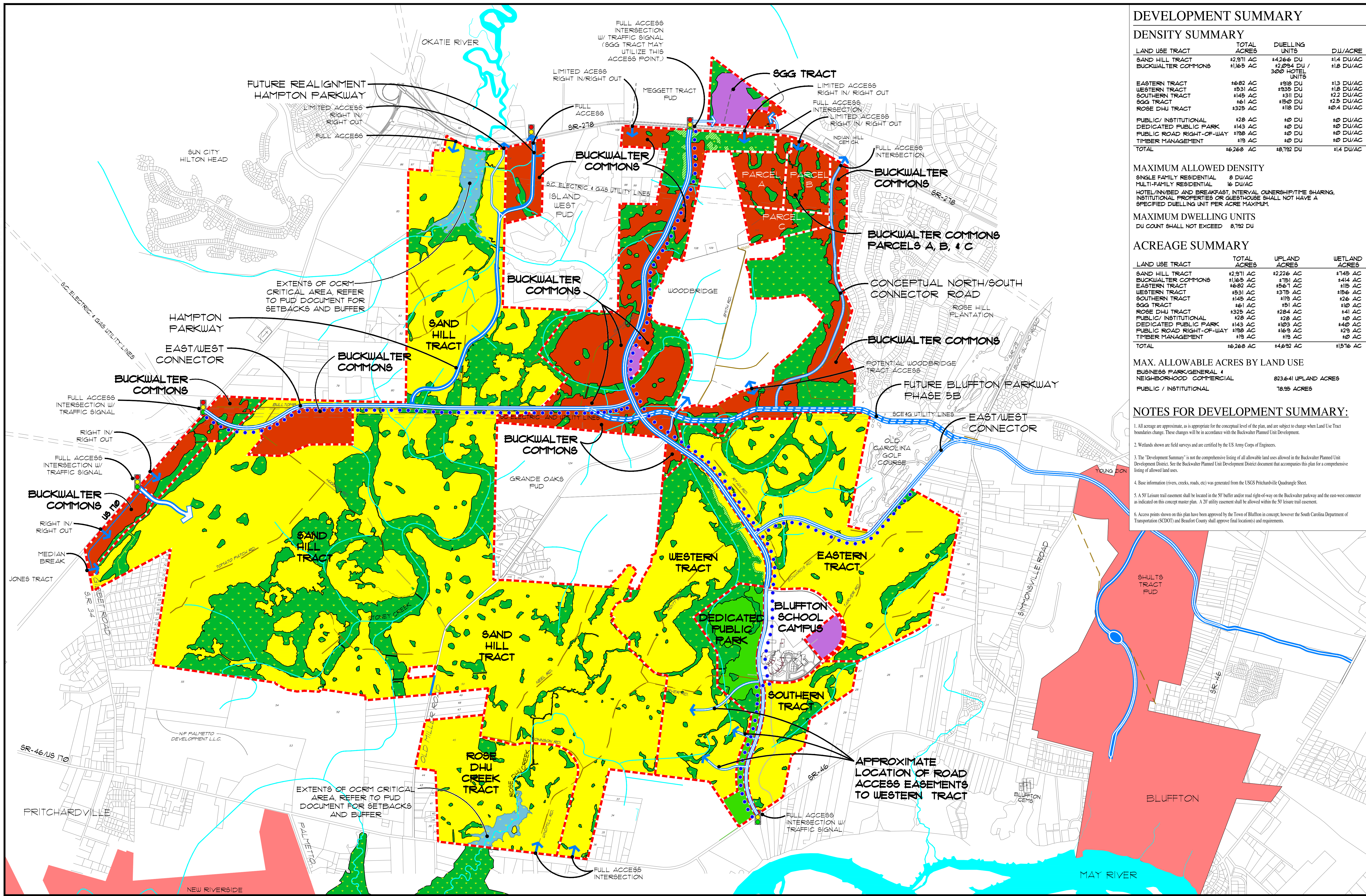
LAND USE TRACT	TOTAL ACRES	UPLAND ACRES	WETLAND ACRES
SAND HILL TRACT	\$2,911 AC	\$2,226 AC	\$145 AC
BUCKWALTER COMMONS	\$1,165 AC	\$171 AC	\$414 AC
EASTERN TRACT	\$682 AC	\$567 AC	\$115 AC
WESTERN TRACT	\$931 AC	\$375 AC	\$156 AC
SOUTHERN TRACT	\$145 AC	\$119 AC	\$26 AC
SGG TRACT	\$61 AC	\$51 AC	\$10 AC
ROSE DHU TRACT	\$325 AC	\$284 AC	\$41 AC
PUBLIC/ INSTITUTIONAL DEDICATED PUBLIC PARK	\$28 AC	\$28 AC	\$0 AC
PUBLIC ROAD RIGHT-OF-WAY	\$143 AC	\$103 AC	\$40 AC
TIMBER MANAGEMENT	\$19 AC	\$19 AC	\$0 AC
TOTAL	\$6,268 AC	\$4,692 AC	\$1,576 AC

MAX. ALLOWABLE ACRES BY LAND USE

BUSINESS PARK/GENERAL & NEIGHBORHOOD COMMERCIAL	823.641 UPLAND ACRES
PUBLIC / INSTITUTIONAL	18.95 ACRES

NOTES FOR DEVELOPMENT SUMMARY:

- All acreage are approximate, as is appropriate for the conceptual level of the plan, and are subject to change when Land Use Tract boundaries change. These changes will be in accordance with the Buckwalter Planned Unit Development.
- Wetlands shown are field surveys and are certified by the US Army Corps of Engineers.
- The "Development Summary" is not the comprehensive listing of all allowable land uses within the Buckwalter Planned Unit Development District. See the Buckwalter Planned Unit Development District document that accompanies this plan for a comprehensive listing of allowed land uses.
- Base information (rivers, creeks, roads, etc) was generated from the USGS Pritchardville Quadrangle Sheet.
- A 50' Leisure trail easement shall be located in the 50' buffer and/or road right-of-way on the Buckwalter parkway and the east-west connector as indicated on this concept master plan. A 20' utility easement shall be allowed within the 50' leisure trail easement.
- Access points shown on this plan have been approved by the Town of Bluffton in concept, however the South Carolina Department of Transportation (SDOT) and Beaufort County still approve final locations and requirements.



MAX. ALLOWABLE ACRES BY LAND USE

BUSINESS PARK/GENERAL & NEIGHBORHOOD COMMERCIAL	823.641 UPLAND ACRES
PUBLIC / INSTITUTIONAL	18.95 ACRES

NOTES FOR DEVELOPMENT SUMMARY:

- All acreage are approximate, as is appropriate for the conceptual level of the plan, and are subject to change when Land Use Tract boundaries change. These changes will be in accordance with the Buckwalter Planned Unit Development.
- Wetlands shown are field surveys and are certified by the US Army Corps of Engineers.
- The "Development Summary" is not the comprehensive listing of all allowable land uses within the Buckwalter Planned Unit Development District. See the Buckwalter Planned Unit Development District document that accompanies this plan for a comprehensive listing of allowed land uses.
- Base information (rivers, creeks, roads, etc) was generated from the USGS Pritchardville Quadrangle Sheet.
- A 50' Leisure trail easement shall be located in the 50' buffer and/or road right-of-way on the Buckwalter parkway and the east-west connector as indicated on this concept master plan. A 20' utility easement shall be allowed within the 50' leisure trail easement.
- Access points shown on this plan have been approved by the Town of Bluffton in concept, however the South Carolina Department of Transportation (SDOT) and Beaufort County still approve final locations and requirements.

Attachment 4

Comparison of Current Beaufort County and Proposed Town of Bluffton Zoning District Land Uses

Legend: Permitted (P), Conditional (C), Special Use (S), Special Exception (SE), Permitted only as part of a Traditional Community Plan (TCP), Not included as a specific use for the jurisdiction (---)		
Land Use Type	Beaufort County	Saint Gregory The Great
	C-3 Neighborhood Mixed Use (C3NMU) ₁	SGG Tract
Agriculture		
Agricultural Support Services	TCP	P
Forestry	P	P
Horse Riding School, Horse Training, Commercial Stables	C	P
Seafood/Shelfish Packaging/Processing	---	---
Residential		
Dwelling: Single-Family Detached Unit	P	P
Dwelling: Single-Family Attached Unit	P	P
Dwelling: Two Family Unit (Duplex)	P	P
Dwelling: Multifamily Unit	C	P
Dwelling: Accessory Unit	C	P
Dwelling: Family Compound	C	P
Dwelling: Group Home	P	P
Community Residence	TCP	P
Home Office	C	P
Home Business	TCP	P
Live/Work	TCP	---
Retail & Restaurants		
General Retail 50,000 SF or less	---	P
General Retail with Drive-Thru	---	P
Bar, Tavern, Nightclub	---	---
Gas Station/Fuel Sales	C	P
Outdoor Sales	---	P
Restaurant, Café, Coffee Shop	TCP	P
Restaurant, Café, Coffee Shop with Drive-Thru	---	P
Vehicle Sales & Rental Light	---	---
Offices & Services		
Adult Oriented Business	---	---
Artisan Workshop	P	P
General Office & Services 25,000 SF or less	---	P
General Office & Services with Drive Thru	---	P
Animal Services: Clinic Hospital	TCP	P
Animal Services: Kennel	---	---
Car Wash	---	P
Cemetery	---	P
Day Care: Family Home (up to 8 clients)	P	P
Offices & Services - Continued		
Day Care: Commercial Center (9 or more clients)	TCP	P
Lodging: Bed & Breakfast (5 rooms or less)	TCP	P
Lodging: Inn (up to 24 rooms)	TCP	P
Lodging: Hotel	---	P
Medical Services: Clinics/Offices	TCP	P
Personal Service Establishments	---	---
Residential Storage Facility	---	---
Tattoo/Body Art Parlor	---	---
Vehicle Services: Minor Maintenance & Repair	---	P
Vehicle Services: Major Maintenance & Repair	---	---
Recreation, Education, Safety, Public Assembly		
Community Oriented Cultural Facility (Less than 15,000 SF)	TCP	P

Comparison of Current Beaufort County and Proposed Town of Bluffton Zoning District Land Uses

Legend: Permitted (P), Conditional (C), Special Use (S), Special Exception (SE), Permitted only as part of a Traditional Community Plan (TCP), Not included as a specific use for the jurisdiction (---)		
Land Use Type	Beaufort County	Saint Gregory The Great
	C-3 Neighborhood Mixed Use (C3NMU) ¹	SGG Tract
Community Oriented Cultural Facility (More than 15,000 SF)	---	P
Community Public Safety Facility	P	P
Conference or Exhibition Center	---	P
Club, Lodge, Union Hall, or Social Center	---	P
Golf Course	P	---
Government Building	---	P
Institutional Care Facility	---	P
Meeting Facility/Place of Worship (Less than 15,000 SF)	C	P
Meeting Facility/Place of Worship (More than 15,000 SF)	C	P
Museum	---	P
Park, Playground, Outdoor Recreation Area	P	P
Recreation Facility	---	P
Recreation Facility: Commercial Indoor	---	P
Recreation Facility: Commercial Outdoor	---	P
Recreation Facility: Community-Based	---	P
School: Public or Private	P	P
School: Specialized Training/Studio	P	P
School: College or University	S	P
Infrastructure, Transportation, Communications		
Infrastructure and Utilities: Regional (Major) Utility	C	P
Parking Facility, Public or Commercial	---	---
Transportation Terminal	---	---
Industrial		
Artisan Workshop (<i>considered light manufacturing in County</i>)	---	P
Concrete & Asphalt Plants	---	---
Contractor's Office	---	---
Junk & Salvage Operations	---	---
Light Assembly/Fabrication (<i>considered light manufacturing in County</i>)	---	---
Mini-warehouses or Self-service Storage Facilities	---	---
Research and laboratory	---	P
Solid Waste Transfer Facility/Recycling Center	---	---
Telecommunication Towers	S	P
Warehouse or Distribution Operation	---	---
Manufacturing, Processing, and Packaging - Light (Less than 15,000 SF)	---	---

Notes:

- ¹ Community Development Code, Section 3.3.30
- ² Refer to Unified Community Code, Section 4.3 for Uses
- ³ Unified Development Ordinance, Section 4.3
- ⁴ Maximum of 6 Guest Rooms
- ⁵ Maximum of 12 Guest Rooms

Attachment 5

BUCKWALTER PUD

SECTION 2

BUCKWALTER CONCEPT MASTER PLAN DESIGNATION AND DEFINITIONS

SECTION 2

BUCKWALTER CONCEPT MASTER PLAN DESIGNATION AND DEFINITIONS

A. INTRODUCTION

The Buckwalter PUD has been divided into eight integrated Planning Areas as indicated on the Concept Master Plan for the Buckwalter Planned Unit Development District prepared by Wood+Partners Inc., dated January, 2000. The planning areas include:

1. Sand Hill Tract
2. Buckwalter Commons
3. Public/Institutional Tracts
4. Northern Tract
5. Eastern Tract
6. Western Tract
7. Southern Tract
8. Rose Dhu Tract

The Planning Areas or Tracts included above shall be used to identify allowed land uses and density within each tract. Included within the planning areas, the Buckwalter PUD tract has approximately 1500 acres of saltwater and freshwater wetlands. The Tract boundaries indicated on the Concept Master Plan and Land Use Areas within Tract boundaries are not intended to be rigid exact boundary lines for future improvements. The Concept Master Plan for the Buckwalter PUD District shall maintain flexibility to accommodate specific soil conditions, environmental concerns, physical constraints, market conditions and design parameters. Accordingly, the exact location of boundary lines between tracts and the location and size of land uses indicated within the planning area(s) shall be subject to change as Initial Master Plan(s) (within planning area(s)) are submitted for development from time to time; provided, however, that maximum densities and other conditions of the Development Agreement between the Branigar Organization Inc. and the Town of Bluffton, South Carolina, will be strictly adhered to.

B. ALLOWED LAND USES

The following land uses as designated for each individual tract shall be permitted in the Buckwalter PUD. The purpose of this portion of the PUD document is to state which land uses shall be allowed within the individual tracts or planning areas of the Buckwalter PUD. However allowing these uses this does not obligate the developer to provide the uses or facilities stated herein.

The following land uses shall be permitted in the Buckwalter PUD:

1. Sand Hill Tract

The Sand Hill Tract shall have the following allowed land uses and definitions:

- a. Community Recreation
- b. Hotel/Inn
- c. Institutional/Civic
- d. Maintenance Areas
- e. Model Homes/Sales Center
- f. Multi-family Residential
- g. Neighborhood Commercial
- h. Open Space
- i. Silviculture
- j. Single-family Residential
- k. Traditional Neighborhood Development District

2. Buckwalter Commons

The Buckwalter Commons shall have the following allowed land uses and definitions:

- a. Business Park
- b. Community Recreation
- c. General Commercial
- d. Hotel/Inn
- e. Institutional/Civic
- f. Maintenance Area
- g. Model Home/Sales Center
- h. Multi-family Residential
- i. Neighborhood Commercial
- j. Open Space
- k. Silviculture
- l. Single-family Residential
- m. Traditional Neighborhood Development District

3. Public/Institutional Tracts

Public/Institutional Tracts shall have the following allowed land uses and definitions:

- a. Community Recreation (excluding golf course)
- b. Institutional/Civic
- c. Maintenance Areas
- d. Open Space (excluding golf course)
- e. Silviculture

4. Northern Tract

The Northern Tract shall have the following allowed land uses and definitions:

- a. Community Recreation

- b. Institutional/Civic
- c. Maintenance Area
- d. Model Homes/Sales Center
- e. Multi-family Residential
- f. Open Space
- g. Silviculture
- h. Single-family Residential

5. Eastern Tract

The Eastern Tract shall have the following allowed land uses and definitions:

- a- Community recreation
- b. Hotel/Inn
- c. Institutional/Civic
- d. Maintenance Area
- e. Model Home/Sales Center
- f. Multi-family Residential
- g- Open Space
- h. Silviculture
- i. Single-family Residential
- j. Traditional Neighborhood Development District

6. Western Tract

The Western Tract shall have the following allowed land uses and definitions:

- a. Community recreation
- b. Hotel/Inn
- c. Institutional/Civic
- d. Maintenance Area
- e. Model Home/Sales Center
- f. Multi-family Residential
- g. Open Space
- h. Silviculture
- i. Single-family Residential
- j. Traditional Neighborhood Development District

7. Southern Tract

The Southern Tract shall have the following allowed land uses and definitions:

- a. Community recreation
- b. Dwelling Units
- c. Institutional/Civic
- d. Maintenance Area
- e. Model Home/Sales Center
- f. Multi-family Residential
- g. Open Space
- h. Silviculture
- i. Single-family Residential

1- Traditional Neighborhood Development District

8. Rose Dhu Tract

The Rose Due Creek Tract shall have the following allowed land uses and definitions:

- a. Community Recreation
- b. Maintenance Areas
- c. Model Home/Sales Center
- d. Multi-family Residential
- e. Open Space
- f. Silviculture
- g. Single-family Residential
- h. Traditional Neighborhood Development District

9. Dedicated Public Park

- a. Maintenance Areas
- b. Open Space
- c. Roads
- d. Silviculture

C. ALLOWED DENSITY AND TRANSFER OF DENSITY BETWEEN PLANNING AREAS

An overall density cap for the Buckwalter PUD has been established at 6885 Dwelling Units and 450 upland acres of Commercial Development and Business Park, with not more than 80 commercial upland acres per tract, with exception of Buckwalter Commons which may contain up to 350 upland acres of Commercial and Business Park per the Development Agreement with the Town of Bluffton. Additionally, the owner and developers shall have a limited right to convert commercial and/or neighborhood commercial density to residential. One (1) acre of commercial density shall be convertible into five (5) residential dwelling units, for purposes of maximum density calculations. A cap of 500 Dwelling Units shall be placed on the commercial to residential conversion. The 500 residential units shall be in addition to the 6885 residential units allowed by the PUD. For planning purposes, projected densities for each area have been estimated and are described below. The decreasing of the total number of dwelling units, commercial acreage or business park acreage within a planning area below the projected density shall be allowed. The Concept Master Plan for Buckwalter shall allow for the transfer of the undeveloped dwelling units, commercial acreage and business park acreage from one planning area to another and increasing the receiving planning areas density provided the following conditions are met:

- 1. The transferred density units, commercial acreage or business park acreage shall be limited to the allowed land uses in the receiving planning area.
- 2. No commercial/business park development shall be allowed in the Public/Institutional tracts or the Dedicated Public Park Tract.

Residential density shall include both Single-family Residential and Multi-family Residential, Hotels, Inns, Bed and Breakfast and Guesthouses, divisible dwelling units and time sharing properties. Projected densities per planning area include:

1.	Sand Hill Tract	4000 Units
2.	Buckwalter Commons	0 Units
3.	Public/Institutional Tracts	0 Units
4.	Northern Tract	235 Units
5.	Eastern Tract	1000 Units
6.	Western Tract	1000 Units
7.	Southern Tract	550 Units
8.	Rose Dhu Tract	100 Units
9.	Dedicated Public Park	0 Units
	Total*	6885 Dwelling Units

*Note: Refer to "C" above for commercial to residential conversion allowance.

D. DEFINITIONS OF LAND USE TERMS AND DENSITY TERMS.

In the absence of a term definition in this Concept Master Plan or in The Development Agreement with the Town of Bluffton, the definitions of the Beaufort County Zoning and Development Standards 90/3 included herein as Attachment 1 shall apply in the interpretation of this Land Use Plan. The allowed locations of specific land uses are described on the Concept Land Plan, and detailed by land use area in this text.

1. Business Park

This designation allows for a multi-use Business Park to meet regional demands for Light Industrial, Office, Commercial Services and Wholesale/Retail Businesses. By nature of the PUD process, the Business Park will be master planned to direct future growth, and will have quality-oriented design standards and amenities to attract a range of tenants while blending into the surrounding community. Business Park uses shall count against total allowed commercial acreage. Permitted uses include:

- (a) Establishments involved in light manufacturing, regional warehouses, distribution operations, back-off operations, commercial businesses, office space, office/warehouse operations, wholesale/retail businesses and commercial service businesses,
- (b) Uses allowed in General Commercial District and Light Industrial District under Beaufort County Zoning and Development Standards Ordinance 90/3 are included herein as Attachment 1 both by right and conditional uses.

The Other Requirements of Attachment 1 4.11.5 General Commercial District control development in the Business Park.

2. Community Recreation

This designation allows for the recreational complexes and amenities to serve the Buckwalter PUD. Land uses may consist of private and semi-private recreation, indoor and outdoor lighted and unlighted recreation facilities, establishments and services which include active and passive sports, entertainment and equestrian facilities, ancillary facilities such as restaurants and shops serving such public recreational facilities. Permitted uses include:

(a) Outdoor Recreational Facilities including but not limited to:

- (1) Public and/or private golf courses.
- (2) Golf learning and practice facilities.
- (3) Golf cart storage barn and maintenance facilities.
- (4) Swimming Pools, Pool Bath Houses and Gazebos.
- (5) Tennis Courts.
- (6) Lawn Games such as bocci, croquet, volleyball, etc.
- (7) Multi-use fields.
- (8) Playgrounds.
- (9) Neighborhood Parks.
- (10) Community Parks.
- (11) Leisure Trails and Bike Trails.
- (12) Other Recreational Uses.

(b) Equestrian Facilities

- (1) Barns.
- (2) Paddocks, Stables, Riding Rinks.
- (3) Bridle Trails.
- (4) Equestrian learning/teaching facilities.

(c) Recreational Building including but not limited to uses such as indoor recreation, meeting, assembly, banquet, fitness and hobby space.

(d) Accessory Buildings.

(e) Community Offices/Administration Buildings.

(f) Maintenance and Storage Facilities.

- (g) Community Service facilities which shall not be considered commercial uses and shall not be counted against the overall allowed acreage for commercial uses within the Buckwalter PUD including:
 - (1) Public and/or Private Clubhouses.
 - (2) Pro shops, Snack Bars, Grills, Restaurants and Lounges associated with clubhouses.
 - (3) Ancillary uses associated with community recreation facilities such as craft centers, fitness centers, etc.
- (h) The Other Requirements of Attachment 1 4.11.5 General Commercial District shall control development in Community Recreation.

3. Dwelling Units

- (a) Average Dwelling Units Per Acre (DU/AC)

A calculation, which is based on the total residential units of a tract, divided by the total net acres of the *same* tract with the following exceptions:

- Hotel/Inn/Bed and Breakfast, or Guesthouse room/key shall equal 1h a Dwelling Unit.
- Fractional Ownership Units (Interval Ownership/Timesharing Properties) shall equal 1/2 Dwelling Unit per Unit constructed for the first 750 dwelling units, and 1 dwelling unit for the balance up to a total of 1,500 units. If all 1,500 Fractional Ownership Units are built the residential cap will be reduced by 1,125 dwelling units.

- (b) Maximum Dwelling Units per Acre (DU/AC Max.)

An indication of the maximum density allowed within any sub-area(s) or project(s) within an identified tract per net acre with the following exceptions and clarifications:

1. Hotel/Inn/Bed and Breakfast, Fractional Ownership Units (Interval Ownership/Timesharing Properties) or Guesthouse units shall not have a specified DU/AC Max.
2. Maximum Dwelling Units Per Acre for Single-Family Residential shall be 8 DU/AC max.
3. Maximum Dwelling Units Per Acre for Multi-family Residential shall be 16 DU/AC max, based on number of stories, 1-story (8 units), 2-stories (12 units) and a project with a 3-story component in part or in whole is capped at 16 du/ac, and 3-story buildings will

be limited to a maximum of 75% of all buildings within any multi-family complex.

4. General Commercial

The general commercial designation allows for the development of concentrated commercial and office nodes located on primary vehicular routes to serve the Buckwalter PUD as a whole. Commercial uses are limited to 450 upland acres within the Buckwalter PUD. Contiguous or abutting commercial uses in any one planning area shall not exceed 80 upland acres with the exception of Buckwalter Commons, which shall be allowed 350 upland acres of commercial development.

Permitted Uses:

Establishments engaged in selling goods or merchandise to the general public for personal or household consumption (e.g. shopping centers, supermarkets, department stores, convenience stores, gas stations, etc.) and rendering services incidental to the sale of such goods; establishments providing services or entertainment to the general public including but not limited to eating and drinking establishments, personal service and repair business and entertainment establishments (e.g. movie theatres, bowling alleys, etc.); medical and health facilities/offices office buildings and/or office for government, business, professional or general purposes, unless specifically prohibited under Prohibited Uses below.

- b. Uses allowed in General Commercial District and under the Beaufort County Zoning and Development Standards Ordinance 90/3 included herein as Attachment 1 both by right and conditional uses, unless specifically prohibited under Prohibited Uses below.
- c. Single-family Residential.
- d. Multi-family residential.
- e. Hotel/hin.
- f. Recreational vehicle parks limited to self contained, motorized vehicles with a minimum length of 26 feet. Within the recreational Buckwalter PUD Recreational Vehicle parks have a cumulative cap of 200 acres.
- g. Mini-warehouse facilities will be limited to a maximum height of 24 feet from finished grade.

Prohibited Uses:

The following commercial uses are specifically prohibited:

- a. Junkyards or auto salvage yards.
- b. Campground and Recreational vehicle parks (except as allowed above under permitted uses).
- c. Video Poker Parlors.
- d. Amusement Parks.
- e. Go-Cart Racing Facilities.
- f. Commercial Race Tracks/Facilities using automobiles, horses or dogs.
- g. Roller coasters.
- h. Sexually-oriented businesses.

The Other Requirements of Attachment 1 4.11.5 General Commercial District shall control development in this land use.

5. Hotel/Inn

This designation is for hotels, inns, bed and breakfast, guest houses, divisible dwelling units and time sharing properties (interval ownership) that consist of building or buildings with guest rooms for sleeping and kitchens and/or a dining room to provide meals for guests. Divisible dwelling units (e.g. lock-out or lock-off units) will be defined using length of stay as the basis and used for sales guests only. Use of lock-outs will be limited to seven (7) days or less. Exceptions may be granted by the Planning Commission. Time share and fractional ownership will be limited to a maximum of 1,500 units, of which the initial 750 units count as a *ih* dwelling unit and the balance count as 1 dwelling unit., -Against the overall residential cap. Therefore, if all 1,500 Fractional Ownership Units were built, for calculation purposes, the Buckwalter residential cap would be reduced by 1,125 dwelling units. Hotels, Inns, Bed and Breakfasts, Guesthouses, and properties shall be considered a residential land use and counted against the overall residential density cap at a rate of% DU per room/key and as such shall not be considered a commercial use. The rooms shall be primarily designed for and occupied by transients. A conference facility may or may not accompany the hotel/inn and may be integral to the hotel/inn or detached.

The Other Requirements of Attachment 1 4.11.5 General Commercial District shall control development for Hotel/Inn.

6. Institutional/Civic

This designation allows for institutional and civic land uses, which shall be allowed to occur as a mixed use throughout the entire Buckwalter PUD. These land uses shall not count against the overall commercial acreage or residential density allowed for the Buckwalter PUD:-

- a. Civic, cultural, municipal, governmental, educational (public or private), conference centers, research or other similar facilities which may include

housing for staff, faculty and professionals. Other uses allowed in this category include student housing and employee dormitories, which count as 1/2 dwelling unit against the Buckwalter PUD residential cap of 6,885 dwelling units. Housing for staff associated with a specific project will not count against the Buckwalter PUD residential cap, provided that the housing is located within the project requiring the staff.

- b. Churches, synagogues, temple and other places of worship provided that such use is housed in a permanent structure.
- c. Cemeteries provided that such use does not include a funeral home or crematorium.
- d. Assisted living facilities, nursing homes and congregate care facilities
- e. Public emergency service facilities, library, museum, day care facilities, social/community centers, etc.
- f. Assisted Care Units used to establish a Certificate of Need (CON). All other units count toward the Buckwalter residential density cap.

The Other Requirements of Attachment 1 4.11.5 General Commercial District shall control development in Institutional/Civic.

7. Maintenance Areas

The maintenance areas will contain the facilities, tools and equipment necessary to maintain the common properties and recreational facilities within Buckwalter. These facilities may be congregated on a central site or located in separate convenient sites for different services such as general community maintenance, golf course maintenance, recreation area maintenance or individual property regime maintenance.

Permitted uses include:

- a. Vehicle maintenance.
- b. Storage of vehicles and parts, boats, recreational vehicles and resident storage units.
- c. Fuel storage.
- d. Shops for woodwork, metalwork and painting.
- e. Greenhouses, plant propagation areas and holding yards.
- f. Mulching facility and mulch storage.
- g. Storage of chemicals and bulk materials as permitted by law_
- h. Offices associated with community and maintenance.

The Other Requirements of Attachment 1 4.11.5 General Commercial District shall control development in Maintenance Areas.

8. Model Home/Sales Center

This designation allows for the model homes and office/administrative facilities associated with the primary sale of residential property, and commercial property. The facility(ies) may be permanent in nature with the model homes or building being sold as single-family residences or office/commercial space in the future or the facility(ies) may relocate from time to time during the period of development to meet the needs of development phasing.

9. Multi-family Residential

This designation includes multi-family residential units, up to a maximum of 16 units per net acre on a site specific basis. Density is based on the number of stories in a project. One story projects are limited to 8 DU/AC, two story projects are limited to 12 DU/AC and any project with a three story component is capped at 16 DU/AC. The 3-story component of a multi-family project is capped at 75 percent of the projects residential buildings. Multi-family residential consists of attached or detached residential including both short-term and long-term rentals, but excludes Hotel/Inn/Bed and Breakfast and Guesthouse.

The Other Requirements of Attachment 1 4.6.2 General Residential 16 shall control development in Multi-Family Residential.

The allocation of density as specified allows for the clustering of development to optimize the protection of natural features and maximize open space. This does not guarantee that all property within individual planning areas can be developed at the identified maximum. Density may be transferred between the planning tracts.

Multi-family units do not have a lot size designation.

Performance Standards for this district will be determined at the time of Initial Master Plan.

10. Neighborhood Commercial

This designation allows for the development of multiple neighborhood-oriented, limited-use commercial, civic, institutional and office nodes including villages, community centers, and neighborhood shopping centers to provide essential services to residents, invitees and guests to the Buckwalter PUD, relieving **a degree of** traffic and congestion which may surround other large commercial developments in the general area. Neighborhood Commercial Development shall **count against the 450 upland acre limits on total commercial acreage. Neighborhood commercial development on tracts abutting SC Highway 46 shall have a minimum 250 feet setback to any vertical structure greater than 6 feet in height and 150 feet buffer from Highway 46. The Town of Bluffton shall have**

the right to approve a buffer of less than 150 feet if appropriate landscape screening and/or landscaped berms are installed to achieve a visual buffer.

Permitted Uses:

- a. Retail businesses, personal service businesses, shopping centers, restaurants, convenience stores, clustered commercial establishments, offices and civic/institutional uses, unless specifically prohibited under Prohibited Uses below.
- b. Uses allowed in a Neighborhood Commercial District, and Office Commercial District under the Beaufort County Zoning and Development Standards Ordinance 90/3 included herein as Exhibit Attachment 1, both by right and conditional uses, unless specifically prohibited under Prohibited Uses below.
- c. Single-family Residential.
- d. Multi-family Residential.
- e. Hotel/Inn.
- f. Medical offices (not including facilities for patient care exceeding 48 hours).
- g. Recreational Vehicle Parks limited to self-contained motorized vehicles with a minimum length of 26 feet. Within the Buckwalter PUD, Recreational Vehicle Parks shall have a cumulative cap of 200 acres.

Prohibited Uses:

The following commercial uses are specifically prohibited:

- a. Junkyards or auto salvage yards.
- b. Campgrounds and recreational vehicle parks (except as allowed above under permitted uses).
- c. Video poker parlors.
- d. Amusement parks.
- e. Go-cart racing facilities.
- f. Roller coasters.
- g. Commercial race track facilities using automobiles, horses or dogs.
- h. Sexually-oriented businesses

The Other Requirements of Attachment 1 4.10.3 Neighborhood Commercial District shall control development in this land use.

11. Open Space

Total open space for the Buckwalter PUD shall be calculated for the boundary of the PUD and not on a site specific basis for each phase of the PUD, individual development or project. *However, at the Initial Master Plan stage, each project shall demonstrate a minimum of ten percent open space, saltwater and freshwater*

wetlands are excluded from the open space calculation for Initial Master Plans.
Open space shall consist of:

- a. Landscaped areas.
- b. Lagoons, ponds, impoundments, lakes and effluent disposal areas.
- c. Saltwater and freshwater wetlands including buffers.
- d. Forests, wildlife preserves/corridors, conservation areas and greenbelts.
- e. Garden plots.
- f. Recreation areas including, swimming pools, tennis courts, playgrounds, ball fields, lawn game fields, gardens, etc.
- g. Public or private, regulation or par three golf courses including ancillary facilities such as golf learning centers, practice facilities and support facilities.
- h. Pedestrian/bicycle trails.
- i. Perimeter buffers.

12. Roads

The Buckwalter PUD shall have roads designed to the standards of the Beaufort County Zoning and Development Standards Ordinance 90/3 included herein as Attachment I, or as it may be amended at the time of Initial Master Plan submittal, allowed throughout the PUD in locations appropriate under final site planning. Roads indicated on the Concept Master Plan are subject to modification at the time of Initial Master Plan approval based on specific soil conditions, environmental concerns, physical constraints and design parameters.

The Buckwalter PUD shall provide roadway linkage of major land use areas including internal linkage to commercial and recreational uses. Areas within the Buckwalter PUD in whole or in part may be developed as private areas with access restricted appropriately at the developer's discretion.

Road width and right-of-way width may be reduced when environmental and tree preservation considerations would be furthered thereby. To protect river quality and preserve trees, such design is hereby encouraged.

Roads, bike paths, leisure trails, and pedestrian pathways are allowed to penetrate the setbacks of the OCRM critical line to access the property, provided the stormwater is treated in accordance with the BMPs and Section 4.25.2(D) of the Beaufort County River Protection Overlay District.

13. Setbacks and Buffers

Setbacks and buffers shall meet the minimum requirement established herein and shall apply to the perimeter of the PUD only; provided, however, that any required wetlands setbacks shall apply according to law throughout the PUD.

Perimeter setbacks and buffer standards shall include:

- a. At SC Highway 46, SC Highway 170 and US Highway 278; setbacks and buffers shall meet or exceed the US Highway 278/Highway 278 Extension Corridor Overlay District Standards or as modified herein.
- b. To achieve visual opacity for development adjacent to South Carolina Highway 46, the design and development standards of the Highway Corridor Overlay District shall apply to all development fronting South Carolina Highway 46. The minimum buffer shall be 150 feet from the Highway 46 right of way with sufficient plant material retained and/or installed to accomplish visual opacity. A landscape plan detailing buffer treatment will be submitted at time of Development Permit. The Town of Bluffton shall reserve the right to review development buffers adjacent to South Carolina Highway 46 after construction to determine the buffer's adequacy with regard to opacity. In cases where the Town of Bluffton determines the buffers are inadequate, the landowner/developer shall work with the Town to remedy the problem and achieve visual opacity. Solutions may include, but are not limited to, berms, fencing and additional vegetative planting.

Neighborhood commercial development on tracts abutting South Carolina Highway 46 shall have a 250 feet setback from the Highway 46 right of way to any vertical structure greater than 6 feet in height.

- c. At adjacent property and along Buckwalter Parkway and the East-West Connector; setbacks shall be a minimum of 50 feet which contains a buffer of 50 feet, with exception of the property that abuts the Old Carolina Golf Course where there shall be a minimum setback of 30 feet and a buffer of 10 feet to allow for views from residential units to the existing golf course. In addition to the required distance, the buffers at adjacent property shall contain appropriate plant material sufficient to ensure the protection against real or potential incompatibility between adjoining land uses. Existing trees and understory vegetation shall be retained wherever possible with additional plantings as necessary to achieve the required buffer. If sufficient natural vegetation does not exist (i.e. no natural understory growth), planting requirements shall be determined at the time of final development application. The required buffer planting shall be installed on a phase-by-phase basis as development commences.
- d. At Rose Dhu Creek, Stoney Creek and the Okatie River, setbacks shall be one hundred fifty (150') feet from the OCRM critical line (refer to the concept master plan dated January, 2000 for location) for residential, multi-family, clubhouse and other building construction. All other setbacks and buffers shall conform to the standards of the River Protection

Overlay District which are restated for clarification purposes below and included in Attachment #1.

1. A 50-foot setback shall be required for golf courses including all areas of the golf course that are regularly mowed and/or chemically treated, sand traps, and accessory (non-habitable) structures and facilities such as storage sheds and ball washing machines.

Golf courses within the 150-foot setback will be designed to drain away from the critical area and provide treatment of stormwater runoff prior to discharge. Treatment will be in accordance with the Stormwater Management BMPs.

2. Selective pruning may occur in the 50-foot buffer to allow views and vistas to the marsh from the golf course. Selective pruning allows the trimming and removal of limbs. The pruning does not allow for the removal of trees. Selective clearing as described in Attachment 1 — Development Standards Ordinance will not apply to the 50-foot buffer in the Buckwalter PUD.

A plan for selective clearing will be approved by the Town as part of the development permit process. Selective pruning and maintenance will be accomplished by hand with non-wheeled machinery. The Town will be notified prior to pruning and maintenance.

Developer will post signs along the buffer at intervals of no less than two hundred (200) feet, to warn about sensitive areas.

3. A 50-foot setback shall be required for drainage systems and retention ponds with the exception of dry detention areas (grassed swales) which shall be used rather than drainage pipes within the 50-foot buffer zone unless a drainage pipe is an outfall from a detention, retention or filtration system. Also allowed within the 50-foot buffer zones are approved flood control and erosion control devices and other activities related to soil and water conservation.
4. A 150-foot setback shall be required for golf clubhouses.
5. A 150-foot setback shall be required for parking lots and accompanying access drives associated with the golf clubhouse.
6. All use of herbicides, pesticides or fertilizers must be in full compliance with the Federal Insecticide, Fungicide and

Rodenticide Act (FEFRA); South Carolina Pesticide Control Act; and South Carolina Fertilizer Law; and in strict accordance with pesticide label instructions in order that there be a "no adverse effect level" of surface runoff or airborne drift of these materials beyond the *area* of direct application.

14. Signage Control

Signage for the Buckwalter PUD shall be governed by Article IX "Signage Control" included in Attachment 1 to the PUD and as further modified below.

a. Individual Project Signage

- The exact number of signs and square footage of signage allowed per individual development tracts within the PUD shall be determined on a development project by development project basis as allowed by Attachment I to the PUD.

b. Directory Listing Signs

- Directory Listing Signs may be placed at each PUD access point indicated on the Conceptual Master Plan. Each access point shall be allowed a maximum of 160 square feet of signage (letters only). The Directory Listing signs are intended to be informational in nature and helpful for the convenience of visitors and not promotional of a particular business or type of business. Listings may include hotels, motels, restaurants, major residential developments, retail centers and the like.

15. Silviculture

This designation allows for continuation of managed forestry. Silviculture includes the practice of planting, culture, and harvesting of trees for the purpose of producing wood fiber and timber. Generally accepted methods of forest management are permitted, including wildlife management, construction and use of forest roads, and practices to promote health and growth of trees. Silviculture uses may continue up to the time a subdivision plat is recorded.

16. Single-family Residential

This designation allows for the development of single-family residential units, up to a maximum of 8 units per net acre on a site specific basis. Single-family residential consists of attached or detached residential, including both short and long-term rentals and mobile home communities. Modular homes are not considered to be mobile homes and will be treated as single family housing. Product mix may include full size lots, attached zero lot line, patio home sites and cottages. Product is limited to a maximum of three stories in height, not including architectural elements and mobile home communities.

The cottages shall be single-family attached or detached, residential units, including both short and long-term rentals. Ownership may be either fee simple lots or as units of a condominium or other common legal structure with no minimum lot size or street frontage. Cottages shall be developed on a site specific basis with environmental concerns being the primary constraint for each cottage site selection. Mobile home communities will have the following requirements:

- All mobile homes entering the community will be new or nearly new (within 2 years) of original purchase) and in good condition.
- All Mobile homes will have skirting and the moving assembly removed.
- Screened trash service collection areas.
- Boats and R.V.s within mobile home communities will be stored in designated and screened areas.
- Non-functioning vehicles will not be permitted (this excludes the mobile home).
- Paved access and circulation roads.
- Paved driveways and home pads.
- Covenants and declarations regarding landscaping, setbacks, buffers, outbuildings, maintenance buildings, and yard appurtenances such as clotheslines and recreation items_
- Common area amenities.

The allocation of density as specified allows for the clustering of development to optimize the protection of natural features and maximize open space. This does not guarantee that all property within individual planning areas can be developed at the identified maximum. Density may *be* transferred between the planning tracts.

Lot sizes range from the square footage of the foundation of cottage-type product to 2-acres or larger single family lots.

Performance Standards for this district will be determined at the time of Initial Master Plan.

17. Traditional Neighborhood Development District

This description allows for the development of traditional neighborhood type development typified by the culture, value and traditions exemplified in the Historical District of Bluffton. These neighborhoods are characterized by a pedestrian-friendly environment of graded streets, neighborhood parks, sidewalks, front porches, alleys, mixed uses and a tight scale to unify the district.

The traditional neighborhood development districts may be components of a **mixed-use development of neighborhood-commercial, single-family residential, multi-family residential, institutional and civic uses and open space. Distinctive**

features of the traditional neighborhood districts which shall be allowed within the district include:

- a. Mixed Land Uses.
- b. Minimum street right-of-way - 50 feet.
- c. Narrow streets with driving lanes of 18 feet minimum for two-way traffic and 11 feet minimum for one-way traffic.
- d. On-street/parallel parking (8 feet x 19 feet space minimum).
- e. Alleys (minimum right-of-way - 24 feet).
- f. Minimum curb radius of 8 feet_
- g. Allowance for streets of intersect at angles less than 60 degrees and allowance for more than two streets to intersect at public parks or squares.
- h. Allowance for single-structure, mixed-use capabilities (live/work units). Allowance for accessory buildings to have residential capacity (garage apartments).
- i. Allowance for unique lot and street configuration approved as part of the Initial Master Plan.

18. Wetlands

This designation allows the following uses within wetlands. Freshwater wetlands and saltwater wetlands on the property shall be those areas over which the US Army Corps of Engineers claims 404 jurisdiction for freshwater wetlands and OCRM claims jurisdiction for saltwater wetlands. The use of these lands is regulated by the U.S. Army Corps of Engineers (USACOE) and the South Carolina Department of Health and Environmental Control Office of Ocean and Coastal Resource Management (SCDHEC/OCRM), and unless restricted via a future Memorandum of Agreement (MOA) to the contrary, the following are Permitted Uses:

- a. Open space and buffers.
- b. Conservation areas.
- c. Activities in all areas as permitted by the U.S. Army Corps of Engineers and the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management.
- d. Disposal of reclaimed water as permitted by SCDHEC.
- e. Storm water control and management.
- f. Boardwalks, trails, bridges and other permitted structures.
- g. Game Management.
- h. Silviculture.

19. Utilities

This designation allows for utility service to serve the planning tracts of the Buckwalter PUD. The following land uses shall be allowed:

- a. Potable water supply and distribution.
- b. Wastewater collection, treatment and disposal.
- c. Stormwater collection, treatment and detention.
- d. Irrigation.
- e. Communication towers.
- f. Satellite antennas.
- g. Cable television facilities.
- h. Telephone facilities.
- i. Power transmission and distribution.
- j. Broad band multi-use transmission lines.
- k. Fiber-optic lines.

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

- a. Arterial streets and primary access roads.
- b. Water Supply.
- c. Wastewater Treatment and Effluent Disposal.
- d. Power substations.
- e. Central telephone facilities.
- f. Stormwater Management Lagoons.
- g. Natural Gas Supply
- h. Irrigation

In the case of this Concept Plan, the community-wide infrastructure may serve more than one Planning Tract. Infrastructure serving the community (on-site and off-site) is exempt from the Initial Master Plan approval process. Infrastructure projects must receive a Town of Bluffton Development Permit prior to construction, in accordance with the section of PUD ordinance describing Development Permits.

**BUCKWALTER PUD
BEAUFORT COUNTY ZDSO 90/3 EXCERPTS
ARTICLE IV**

REQUIREMENTS BY DISTRICT

Section 4.10

NCD - Neighborhood Commercial District

Section 4.10.1 Permitted Uses

The following uses shall be permitted in the Neighborhood Commercial District:

(A) All uses permitted in the Neighborhood Preservation Districts. However, when such use is a residential use, the density of the Neighborhood Preservation District abutting or closest to the Neighborhood Commercial District shall be the standard. When two or more Neighborhood Preservation Districts are contiguous to the Neighborhood Preservation District, the Neighborhood Preservation District with the highest density shall prevail.

(B) Retail business involving the display and sale of merchandise inside stores only, provided, however, that agricultural products may be displayed and sold outside. Permitted retail businesses specifically include and may be similar to:

- (1) Antique store
- (2) Appliance, radio, television store
- (3) Art supply store
- (4) Book, magazine, newspaper shop
- (5) Candy store
- (6) Clothing store
- (7) Drug store or pharmacy
- (8) Florist shop
- (9) Fruit, nut and/or vegetable store
- (10) Gift or curio shop
- (11) Grocery store
- (12) Hardware store
- (13) Hobby and/or toy shop
- (14) Millinery or hat shop
- (15) Music store and/or record shop
- (16) Office supply and equipment store
- (17) Package liquor store
- (18) Photographic and camera supply and service store
- (19) Shoe store

(C) Business involving the rendering of a personal service or the repair and servicing of small equipment specifically including, but not limited to:

- (1) Appliance, radio, television repair shop
- (2) Bank, savings and loan associations, personal loan agency and branches.
- (3) Barber shop, beauty shop, or combination thereof.
- (4) Bicycle repair and sales shop
- (5) Dressmaker, seamstress, tailor
- (6) Dry cleaning self-service and/or laundry self-service facility.
- (7) Insurance agency
- (8) Jewelry and watch repair shop
- (9) Locksmith or gunsmith
- (10) Medical, dental, or chiropractic office, clinic and/or laboratory.
- (11) Office for government, business, professional, or general purposes.
- (12) Photographic studio
- (13) Real estate agency
- (14) School offering instruction in art, music, dancing, drama, or similar cultural activity.
- (15) Telegraph office

(D) Radio and/or television station

(E) Private or semiprivate club, lodge, union hall or social center.

(F) Church

(G) Off-street commercial parking lot

(H) Publicly owned and operated building, facility or land.

(I) A temporary office and/or storage building during a project involving construction but not to be used as a dwelling with the removal of same within 30 days upon project completion.

(J) Public utility facility including substation, switching station, telephone exchange, pump station, water tower or fire tower.

Section 4.10.2 **Conditional Uses**

The following uses shall be permitted on a conditional basis in any Neighborhood Commercial District:

(A) Auto accessory store provided there is no storage of wrecked automobiles or scrapped or salvaged auto parts on the premises.

(B) Automobile service station provided operations involving major repairs, body and fender work, and painting, are not conducted on the premises; provided all pumps are set back at

least twenty-five (25') feet from the right-of-way line of all abutting streets; provided all pumps are set back at least fifty (50') feet from the right-of-way line along the major thoroughfares as identified in this Ordinance; and provided parking and/or services areas are separated from adjoining residential properties by a suitable planting screen, fence, or wall at least six (6') feet in height above finished grade.

(C) Bakery provided that goods baked on the premises are primarily sold at retail only.

(D) Contractor's office provided there is no storage of construction vehicles, equipment, or materials on the premises.

(E) Delicatessen, restaurant, soda fountain or other eating and/or drinking establishments provided no outside loud speaker systems are utilized; provided all lights or lighting arrangements used for purposes of advertising or night operations are directed away from adjoining or nearby residential properties and passing vehicular traffic by suitable planting screen, fence, or wall at least six (6') feet in height above finished grade.

(F) Dry cleaning or laundry pickup agency provided that any laundering, cleaning or pressing done on the premises involves only articles delivered to the premises by individual customers.

(G) Meat, fish, and/or poultry shop provided that no slaughtering be permitted.

(H) Pet shop, provided all animals are housed within the principal buildings so that no sound is perceptible beyond the premises.

(I) Building exceeding three thousand (3,000') square feet (pursuant to Section 4.10.3(C)) up to a maximum of twelve thousand (12,000') square feet provided it is used by agencies and organizations charged with the provision of essential public utilities or public safety services specifically including telephone, electric, gas, water, sewer, police and fire protection, emergency preparedness and telecommunications, and emergency medical services; provided it is used solely for the actual provision of those services plus activities which directly support the on-site operation and which could be carried out elsewhere only with a significant loss of efficiency; and provided it is located on a parcel(s) at least ten (10) acres in size.

(J) Telecommunications Towers Conditional Use. Telecommunications (transmission and receiving) towers provided the site plan complies with the requirements of Section 5.2.9(F); provided towers under two hundred (200') feet are painted silver or gray or retain galvanized finish in order to camouflage against the sky (unless the Federal Aviation Administration imposes other requirements); and provided no strobe lights are used (unless required by the FAA).

Section 4.10.3 Other Requirements

Uses permitted in the Neighborhood Commercial District shall be required to conform to the following standards:

(A) For front, side, and rear yard setback requirements, refer to Section 5.2.9.

(B) Maximum building height: Thirty-five (35') feet above base flood elevation or finished grade, whichever is greater.

(C) The maximum building size per parcel shall be ten thousand (10,000') square feet for all uses with the exception of: residential dwelling units; churches and other places of worship; public and nonprofit schools and day care centers; clubs, lodges, union halls, social/community centers; public recreational facilities; conditional uses delineated in Section 4.10.2(I).

(D) Additional requirements: Uses permitted in the Neighborhood Commercial Zoning District shall meet all standards set forth in Section 5.2.1(E) pertaining to off-street parking, loading, and other requirements.

Section 4.22

OCD - Office Commercial District

Section 4.22.1

Permitted Uses

The following uses shall be permitted in any Office Commercial District:

- (A) Single-family dwelling.
- (B) Offices for general administrative functions including operations management, sales and marketing, clerical service, personnel management, accounting/finance, data processing, and design/engineering.
- (C) Offices for business use including, but not limited to: insurance, real estate, travel, and advertising agencies; business consulting.
- (D) Offices for professional use including, but not limited to: accounting, architecture, engineering, surveying, law, medicine, chiropractic, and dentistry.
- (E) Offices for governmental or institutional purposes.
- (F) Radio or television studio excluding telecommunications tower.
- (G) School or day care center.
- (H) Public emergency service facilities.
- (I) Library.
- (J) Museum.
- (K) Church, synagogue, temple or other place of worship provided that such use is housed in a permanent structure.
- (L) Club; business or civic association.
- (M) Conference center, retreat house.
- (N) Commercial parking lot for passenger automobiles excluding use of lot for overnight sleeping.
- (O) Farm or establishment for the growing, care and harvesting of field crops and vegetables, but not including processing and packing of such products nor the commercial raising, care, or processing of poultry, cattle, swine, goats, or sheep.
- (P) Tree farm, timber area, or forest management area.

- (Q) Horticultural nursery.
- (R) Passive public park.
- (S) Unlighted, regulation size or par-three golf course.
- (T) Cemetery, provided that such use does not include a funeral home or crematorium.
- (U) Customary home occupations subject to the provisions contained in the Home Occupation Section of this Ordinance.
- (V) Accessory uses customarily appurtenant to a permitted or conditional use.
- (W) Temporary storage of construction materials during the construction process provided the materials are removed within 30 days after project completion.

Section 4.22.2 **Conditional Uses**

The following uses shall be permitted on a conditional basis in any Office Commercial District:

- (A) Bank or financial institution provided there are no more than two drive-in windows.
- (B) Governmental post office provided it does not exceed 5000 square feet in size.
- (C) Restaurant provided that it is not located within one hundred (100') feet of the property line of a residential use or zoning district; it does not exceed two thousand (2,000') square feet; and there are no drive-in window
- (D) Dry cleaning establishment for pick up and drop off service only (excluding dry cleaning on the premises).
- (E) Clothing tailoring operation including retail custom and repair work only.

Section 4.22.3 **General Requirements**

- (A) The sale, rental, repair, or servicing of goods or equipment on the premises shall not be permitted unless such activity is either specifically included as, or clearly incidental and customarily accessory to, a permitted or conditional use.
- (B) In addition to the specific standards of this section, all pertinent landscaping, screening, buffering, and parking lot provisions contained in the Highway Corridor Overlay District shall apply (regardless of whether or not the property is located in the HCOD).
- (C) Equipment and materials must be stored within completely enclosed buildings.

(D) All trash, garbage or other waste must be retained in sanitary containers located inside the building or within a screening enclosure. Any such enclosure must be located a minimum of fifty feet from the property line of any residential use or residential zoning district.

(E) All loading berths shall be located at the side or rear of the building.

Section 4.22.4 **Dimensional Requirements**

(A) Minimum lot size: One quarter acre (10,890 square feet).

(B) Maximum building height: thirty-five (35') feet above base flood elevation or finished grade, whichever is higher.

(C) For front, side and rear yard setback and buffer requirements see Section 5.2.9.

Section 4.22.5 **Signs and Exterior Lighting**

(A) In addition to the provisions of the Beaufort County Sign Control (Article IX, Ordinance 92/3), the following provisions shall apply to signs in the Office Commercial District:

(1) Internally illuminated and neon signs shall not be permitted.

(2) If a sign is to be illuminated a white, stationary light directed solely at the sign shall be used (except for back-lit signs, below). Illuminated signs shall not have a light-reflecting background but may use light reflecting lettering.

(3) Backlighting of signs (see definition) shall be permitted provided the sign is opaque and the rear surface is not reflective.

(B) Exterior lighting shall be designed and arranged so as to minimize glare and reflection. Lighting shall be low intensity, shielded from adjacent parcels, and directed away from any adjacent residential use or zoning district. The applicant shall submit plans for approval to the Development Review Team indicating the location and type of each exterior light.

Beaufort County Community Development Code Excerpts

3.3.30 Neighborhood Mixed Use (C3) Zone Standards

A. Purpose

The Neighborhood Mixed Use (C3) Zone provides for high-quality, moderate-density (averaging under three dwelling units per acre) residential development, with denser areas of multi-family and mixed-use development to provide walkability and affordable housing options. The design requirements are intended to provide a suburban character and encourage pedestrian, as well as automobile, access.

Open spaces shall be provided in sufficient quantity to ensure an open quality with a predominance of green space. Non-residential uses shall be limited to parcels having access to arterial or collector streets or within a Traditional Community Plan. This Zone provides for the lower densities of areas designated Neighborhood Mixed-Use in the Comprehensive Plan. It is intended to support the development of communities with a diverse range of housing types and uses.

B. Building Placement

Setback (Distance from ROW/Property Line)

Front	30' min. ¹
Side:	
Side, Main Building	10' min.
Side, Ancillary Building	10' min.
Rear	50' min.

¹ The minimum front setback for mansion apartments in a Multi-family community on internal streets is 15 feet.

Lot Size

Lot Size	10,890 SF min.
Width	70' min.

Minimum Site Area

Single-Family and Duplex	10,890 SF
Multi-Family	21,780 SF

Note:

For development within a Traditional Community Plan meeting the requirements of Division 2.3, setback, minimum lot size and minimum site area requirements of the transect zone established and delineated on the regulating plan shall apply.

C. Building Form

Building Height

Single Family and Duplex	2.5 stories max.
Multi-Family	2.5 stories max.
Non-Residential Buildings	2 stories max.
Institutional Buildings	35 feet above grade
Ground Floor Finish Level	No minimum

D. Gross Density¹ and Floor Area Ratio

Gross Density

Single-Family Detached	2.6 d.u./acre
Single-Family Attached/Duplex	2.6 d.u./acre
Multi-Family Unit	12 d.u./acre, Maximum of 80 Dwelling units
Traditional Community Plan	3.5 d.u./acre ²

Floor Area Ratio

Non-residential buildings	0.18 max.
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¹ Gross Density is the total number of dwelling units on a site divided by the Base Site Area (Division 6.1.40.F)

² Subject to the requirements in Division 2.3

E. Parking

Required Spaces: Residential Uses

Single-family detached	3 per unit
Single-family attached/duplex	2 per unit
Multi-family units	1.25 per unit
Accessory dwelling unit	1 per unit
Community residence	1 per bedroom
Live/work	2 per unit plus 1 per 300 GSF of work area

Required Spaces: Service or Retail Uses

Retail, offices, services	1 per 300 GSF
Restaurant, Café, Coffee Shop	1 per 150 GSF
Gas station/fuel sales	1 per pump plus requirement for retail
Lodging: Bed and breakfast	2 spaces plus 1 per guest room
Lodging: Inn/hotel	1 per room

For parking requirements for all other allowed uses see Table 5.5.40.B (Parking Space Requirements).

G. C3 Allowed Uses

Land Use Type ¹	Specific Regulations	Use C3
Agricultural		
Agriculture & Crop Harvesting		P
Agricultural Support Services	2.3	TCP
Seasonal Farmworker Housing	4.1.90	C
Forestry		P
Commercial Stables	4.1.50	C
Residential		
Dwelling: Single-Family Detached Unit		P
Dwelling: Single-Family Attached Unit		P
Dwelling: Two Family Unit (Duplex)		P
Dwelling: Multi-Family Unit	4.1.170	C
Dwelling: Accessory Unit	4.2.30	C
Dwelling: Group Home		P
Dwelling: Family Compound	2.7.40	C
Community Residence (dorms, convents, assisted living, temporary shelters)	2.3	TCP
Home Office	4.2.90	C
Home Business	4.2.80	C
Live/Work	2.3	TCP
Manufactured Home Community	4.1.130	C
Retail & Restaurants		
General Retail 3,500 SF or less	2.3	TCP
Gas Station/Fuel Sales	4.1.100	C
Restaurant, Café, Coffee Shop	2.3	TCP

Land Use Type ¹	Specific Regulations	Use C3
Offices & Services		
General Offices & Services 3,500 SF or less	4.1.110	C
Animal Services: Clinic/Hospital	2.3	TCP
Day Care: Family Home (up to 8 clients)		P
Day Care: Commercial Center (9 or more clients)	2.3	TCP
Lodging: Bed & Breakfast (5 rooms or less)	2.3	TCP
Lodging: Inn (up to 24 rooms)	2.3	TCP
Medical Service: Clinics/Offices	2.3	TCP
Recreation, Education, Safety, Public Assembly		
Community Oriented Cultural Facility (less than 15,000 SF)	2.3	TCP
Community Public Safety Facility		P
Meeting Facility/Place of Worship (less than 15,000 SF)	4.1.150	C
Meeting Facility/Place of Worship (15,000 SF or greater)	4.1.150	C
Park, Playground, Outdoor Recreation Areas		P
Recreation Facility: Golf Course		P
School: Public or Private		P
School: Specialized Training/Studio		P
School: College or University	7.2.130	S
Infrastructure, Transportation, Communications		
Infrastructure and Utilities: Regional (Major) Utility	4.1.210	C
Wireless Communications Facility	4.1.320	S

Key

P Permitted Use

C Conditional Use

S Special Use Permit Required

TCP Permitted only as part of a Traditional Community Plan under the requirements in Division 2.3

— Use Not Allowed

End Notes

¹ A definition of each listed use type is in Table 3.1.70 Land Use Definitions.

(Ord. No. 2015/32, § 1, 11-9-15; Ord. No. 2015/33, 11-9-15; Ord. No. 2016/18, 6-27-16; Ord. No. 2017/9, 4-10-17)

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4.1.10 Purpose

This Division provides site planning, development, and operating standards for certain land uses where allowed in Article 3 (Specific to Zones) that require additional standards to ensure compatibility with the existing context and surrounding uses.

4.1.20 Adult-Oriented Businesses

Adult-oriented businesses shall comply with the following:

- A. **Buffers.** An additional 20 feet of perimeter buffer width shall be provided on all lot sides.

- B. **Separation.** The use shall be a minimum of 1,000 feet from any residential development outside the zone in which the adult-oriented business is located, a church, a school, a public building, or a day care center.
- C. **Spacing from Adult-Oriented Business.** An adult-oriented business shall be located a minimum distance of one-mile from another adult-oriented business.
- D. **Minimum Lot Area.** The minimum area of a lot on which an adult-oriented business is located shall be one acre.
- E. **Access.** Access to an adult-oriented business shall be from an interior street in the development, not from an exterior road.
- F. **Signage.** Signage for an adult-oriented business shall be a monument sign that does not exceed 60 percent of the area for signage allowed in the zone where the use is located. At the entrance to the building housing an adult-oriented business, a notice shall be posted in print that is sufficiently large for persons entering the building to read that states an adult-oriented business is located in the building(s), and the use may involve activities or materials that do not meet community decency standards.

4.1.30 Animal Production

Animal production operations shall comply with the following:

- A. **State Approvals.** No factory farm operation shall be allowed unless and until all appropriate state agency permits are approved and issued by the appropriate agencies.
- B. **Setbacks.**
 - 1. A factory farm operation shall be setback from all property lines a minimum of 200 feet.
 - 2. For all other animal production operations, any structure housing animals shall be setback a minimum of 100 feet from any residential lot.
- C. **Buffers.** A factory farm operation shall be screened with a visual buffer equal to a Type E Perimeter Buffer (see Table 5.8.90.D) next to all property lines.

4.1.40 Animal Services: Kennel

Animal services: kennels shall comply with the following:

- A. **Setbacks.** Open runs or outdoor pens used to house animals shall be located a minimum of 100 feet from any residential lot.
- B. **Buffers.** Be screened with a visual buffer equal to a Type E Perimeter Buffer (see Table 5.8.90.D) along side and rear lot lines adjoining residential lots.

4.1.50 Commercial Stables

Commercial stables shall comply with the following:

- A. **Fencing.** Provide a five-foot high fence around all paddock areas.
- B. **Setbacks.** Any structure housing horses shall be a minimum of 100 feet from any residential lot.
- C. **Minimum Site Area.** Be located on a parcel of 5 acres or more, with a minimum of one-half acre per horse.

4.1.60 Day Care (Adult or Child)

A day care (adult or child) shall comply with the following, as appropriate:

- A. **Adult Day Care.** Adult day care facilities shall comply with all relevant state requirements.
- B. **Child Day Care.** Child day care facilities shall comply with all relevant state requirements. Child day care facilities shall also comply with the following:
 - 1. **Outdoor Play Areas.** Outdoor play areas shall be provided, and shall be safely segregated from parking, loading, or service areas.
 - 2. **Buffering.** A landscaped hedge or solid fence shall be provided along any rear or side property line adjoining a residential lot. The hedge or fence shall be designed and/or planted to be at least four feet in height at maturity.
 - 3. **Parking Area, Vehicular Circulation, and Drop-Off and Pick-Up.** The parking areas and vehicular circulation for the child day care shall be designed to:
 - a. Ensure the safety of children as they arrive at and leave the facility;
 - b. Provide a designated pickup and delivery area that is located in such a way that children do not have to cross vehicular travel ways to enter or exit the center and traffic congestion is minimized.

4.1.70 Drive-Through Facilities

Drive-through facilities in conventional zones shall comply with the following:

- A. **Drive-through Configuration.** Drive-throughs shall be located to the side or at the rear of the building and shall be designed so that pedestrian safety is ensured.
- B. **Location on Corner Lot.** Drive-throughs serving a building located on a corner lot shall be located to the rear or interior side. In no instance shall the drive-through be located on the side of a building facing a street.
- C. **Roof.** If covered, the roof over the drive-through shall be of a complementary architectural design as the design covering the primary portion of the structure.
- D. **Talk Boxes.** Talk boxes at drive-through facilities shall be screened by a sound barrier such as landscaping, a fence or a masonry wall.
- E. **Stacking Lane Requirements.** Stacking lanes shall be a minimum of 12 feet in width and provide for the stacking of at least five vehicles. One bypass lane, a minimum of 10 feet in width, shall be provided.

4.1.80 Family Compound

Family compounds shall comply with the standards found in Section 2.7.40 (Family Compound Standards).

4.1.90 Seasonal Farmworker Housing

Seasonal farmworker housing shall comply with the following:

- A. **Active Agricultural Operations.** Be located on active agricultural land.
- B. **Site Area.** Be located on a parcel of 50 acres or more.

- C. **Seasonal Labor.** Be used to house seasonal agricultural labor, only.
- D. **Screened.** Be screened with a visual buffer equal to a Type E Perimeter Buffer (see Table 5.8.90.D) between the farm worker housing and adjacent properties used for residential purposes.
- E. **Indoor Facilities.** Be served by indoor sanitary, cooking, and bathing facilities.
- F. **Density.** Not exceed a maximum of 5,000 square feet of gross floor area per 50 acres.
- G. **Type of Units.** Consist of single-family units, multi-family units, or dormitories.

4.1.100 Gas Station/Fuel Sales

Gas stations/fuel sales shall comply with the following:

- A. **Canopies over Gas Pumps.**
 - 1. Canopies over gas pumps shall have the same roof shape and exterior materials as the primary structure. Pitched roofs are encouraged.
 - 2. Canopies shall meet the setback requirements for the principal structure.
- B. **Lighting.**
 - 1. Canopy lighting fixtures shall be hidden inside a canopy so as not to be visible from off-site.
 - 2. Freestanding lighting fixtures shall not exceed 15 feet in height if the use adjoins an existing residential development or residential lot. All light fixtures shall be cutoff luminaries that block the light source from off-site view.
- C. **Car Wash Allowed as Accessory Use.** A one-bay car wash may be allowed as an accessory use. The car wash shall meet the setbacks for the principal use and not exceed 900 square feet in area. The car wash bay shall not be oriented toward the public ROW. Car washes are required to have operational recycled water systems where a minimum of fifty percent (50%) of water utilized is recycled.
- D. **Specific to T2 Rural District.** Gas stations shall be located no closer to one another than three miles along a public roadway.
- E. **Specific to Transect Zones and C4 District.** Within any transect zone and C4 district, the following additional standards shall apply:
 - 1. Fuel pumps and parking shall be located behind the front line of the primary structure. The Director may grant an exception to this requirement because of the shape of a parcel, the location of specimen trees, or other similar circumstances.
 - 2. The principal structure shall be oriented toward the street.

4.1.110 General Offices and Services

General office and service uses shall comply with the following:

- A. **Specific to C3 District.** The site shall have frontage on, and access shall be provided directly to, an arterial or collector street unless the Director determines that access to an adjoining secondary local street is safer and provides improved design. This restriction does not apply to general office and service uses located in Traditional Community Plans.

- B. Specific to S1 District.** Banks, Business Services and Personal Services shall take access from the development's internal streets. These uses shall not have direct access to arterial or collector streets.

4.1.120 General Retail

General retail shall comply with the following:

- A. Specific to T2 Rural District.**
1. The maximum allowable size for General Retail shall be 1,500 square feet total.
 2. No general retail use shall be located within one-half mile radius from another general retail use.
 3. The buildings shall be residential in character and meet the Estate House (see Section 5.1.50) or Village House (see Section 5.1.60) building type standards.
- B. Specific to C3 District.** The site shall have frontage on, and access shall be provided directly to, an arterial or collector street unless the Director determines that access to an adjoining secondary local street is safer and provides improved design.
- C. Specific to S1 District.**
1. Access shall be from the development's internal streets.
 2. The use shall not have direct access to arterial or collector streets.
 3. General retail establishments may reuse developed sites that have been unoccupied by a light industrial business for more than two years provided the following standards are met:
 - a. Adequate parking in compliance with Division 5.5 (Off-Street Parking) shall be provided;
 - b. The site shall be located within 1,000 feet of an arterial road, and traffic impacts as measured by trips per day shall not exceed by more than 10% the traffic impact of the former permitted use on the site;
 - c. The proposed use shall meet the Land Use Compatibility Recommendations of the United States Navy for the Accident Potential Zones (APZs) or Noise Zones, if the site is within such a zone; and
 - d. No outside sales for an adaptive reuse shall be permitted with the APZs or Noise Zones, if the site is within such a zone.
 - e. Structural additions shall not increase the existing floor space by more than 15%; if more than a 15% increase is proposed, the application will be treated as a special use.

(Ord. No. 2015/32, § 1, 11-9-15)

4.1.130 Manufactured Home Community

Manufactured Home Communities shall comply with the following:

- A. Design Standards.** Specific design standards for manufactured home communities are found in Division 2.5 (Manufactured Home Communities).

- B. RVs Permitted as Accessory Use.** Up to 25% of the lots in a manufactured home community may be used for either manufactured homes or recreational vehicles as follows:
1. Combination lots, which may be used for either manufactured homes or recreational vehicles, shall be clustered, separated from exclusively manufactured home lots and clearly delineated on the development plan.
 2. All recreational vehicles shall be road ready and not attached to any permanent structure.
 3. All prospective renters shall be notified by the property owner through a written provision contained in the lease agreement that the manufactured home community contains lots that may be rented for either manufactured home or recreational vehicle use.
 4. A pump out station meeting SCDHEC requirements shall be provided for recreational vehicles.

4.1.140 Manufacturing, Processing, and Packaging

Manufacturing, processing, and packaging facilities shall comply with the following:

- A. No Adverse Impacts.** The use shall not create noise, vibration, odor, fumes, or electrical or communications interference that can be detected by the normal senses off the premises.
- B. All Operations Must Be Located Within an Enclosed Structure.** All manufacturing, processing, and packaging operations shall occur within an enclosed building.
- C. Loading Areas.** Outdoor loading areas shall be located to the rear of the principal structure and shall meet the requirements of Section 5.8.100 (Screening). Loading and unloading of goods and supplies shall not interfere with the on-site circulation of vehicles and pedestrians.

4.1.150 Meeting Facility/Place of Worship

Meeting facilities/places of worship shall comply with the following:

- A. Access.** Road access for a meeting facility/place of worship over 15,000 square feet shall be provided through frontage on an arterial or collector street.
- B. Accessory Uses.**
 1. Meeting facilities/places of worship may include functionally related internal facilities such as kitchens, multi-purpose rooms, and offices. Places of worship may establish schools, daycare centers, and on-site social programs such as health care clinics, food banks and the like as accessory uses in the principal structure and/or auxiliary buildings.
 2. Accessory uses must be not-for-profit.
 3. The sum of all principal and accessory structures may not exceed the allowable floor space for this use in the district in which it is located (i.e. over or under 15,000 square feet). Additionally, the floor area of all accessory uses may not exceed the floor area of the principal building.

4.1.160 Mining/Resource Extraction**A. General Standards.**

1. **State Approvals.** No Special Use Permit for a mining/extraction project shall be issued unless and until all appropriate state agency permits are approved and issued by the appropriate agencies.
2. **Height.** No equipment shall exceed 30 feet in height above the lowest natural grade on the site.
3. **Hours of Operation.** The hours of operation are limited to 6:30 a.m. to 6:30 p.m., Monday - Saturday.
4. **No Processing or Drying.** No processing or drying is allowed on the site.
5. **Stormwater.** The site shall be designed so that the quantity and quality of runoff reaching any surface water, on-site, or discharging off-site, shall be controlled through County approved BMPs.
6. **Safe Edges Required.** Safe edges shall be provided for any excavation on the site to prevent accidents. Safe edges shall require a long shelf with a slope of less than 1:5 to a depth of three feet.
7. **Fencing.** Where water is to remain for more than one day, the area shall be fenced. The fence shall be located at least 50 feet from the edge of excavation. No trespassing signs that are highly visible shall be installed on the fence every 25 feet along the length of the fence. Clearly legible no trespassing signs in high visibility locations shall also be placed at all site access points.

B. Specific to Projects Five Acres or Less. Mining/resource extraction of 5 acres or less shall comply with the following standards:

1. **Size/Area.** The ratio of area to be excavated to the gross site area shall be a minimum of 1:4.
2. **Maximum Depth of Excavation.** Land shall be excavated no deeper than 12 feet from existing grade.
3. **Buffers Adjacent to Residential Development.** Along all property boundaries adjoining residential uses, the required forested buffer width shall be 100 feet. If the buffer is not currently forested, the standards of Section 5.8.90.D (Perimeter Buffer), Perimeter Buffer Type E, shall apply.
4. **Engineer's Report Required for Disturbance Greater than 10,000 Square Feet.** Any excavation resulting in land disturbance of 10,000 square feet or greater shall provide a certified engineer's report ensuring that drainage and runoff do not adversely impact the property or surrounding properties.
5. **Truck Routing Plan.** A truck routing plan shall be submitted that ensures that truck traffic through residential areas is avoided or mitigated to the extent practicable. Any roads brought to sub-standard condition due to work on the site as determined by SCDOT and/or the County must be brought up to standard. At a minimum, a road must be returned to its initial condition.
6. **Noise.** Maximum noise at the property line shall not exceed 65 decibels.

C. Specific to Projects Greater than Five Acres. Mining/resource extraction of over 5 acres shall comply with the following standards:

1. **Minimum Site Area.** The minimum site area shall be 20 acres.

2. **Buffers Adjacent to Residential Development.**
 - a. If the proposed mining/excavation is adjacent to existing residential development on parcels of one acre or larger, there is a required forested buffer width of 200 feet. If the adjacent residential development is on parcels less than one acre, the forested buffer width shall be 400 feet.
 - b. If the buffer is not currently forested, the standards of Section 5.8.90.D (Perimeter Buffers), Perimeter Buffer Type E, shall apply and shall be planted over a berm having a minimum height of eight feet.
 - c. If the Special Use Permit limits the mining/excavation to less than two years, the buffer may be reduced to 100 feet, if it is demonstrated the reduced buffer addresses any compatibility problems between the uses.
3. **Berm to Address Noise.** The site shall be bermed to ensure that the maximum noise at the property line does not exceed 65 decibels. Unless this berm is also being utilized to meet the provisions of Section 4.1.160.C.2. above, it shall be located outside of the required buffers.
4. **Groundwater.** If groundwater is encountered, the following shall be demonstrated:
 - a. Probable maximum pumping rates and cone of depression impacts on surrounding public and private wells and the long-term water table.
 - b. The disposal method for pumped water and its effect on water quality and flooding.
 - c. A study shall be done before submittal of the special use application to ensure pumping during the active use of the site does not result in groundwater contamination or salt-water intrusion. Monitoring wells shall be installed to monitor any groundwater pumping. If groundwater contamination or salt-water intrusion occurs, the County shall require the mine to be closed immediately and require the mine operator/landowner to undertake corrective action and pay for any damages resulting from the operation. The mine operator shall be strictly liable for any harm to adjacent lands.
5. **Additional Submittal Requirements.** The following plans shall be submitted as part of the application for a Special Use Permit (see Section 7.2.130, Special Use Permit):
 - a. **Truck Routing Plan.** A truck routing plan shall be included as part of a traffic impact analysis (see Division 6.3, Traffic Impact Analysis), which ensures:
 - (1) Truck traffic through existing residential areas is mitigated or avoided to the maximum extent practicable;
 - (2) The capacity of all truck route roads to carry traffic from the site to arterial or collector roads is evaluated; and
 - (3) Any sub-standard roads are brought up to adequate standards, both before and after mining activities, as determined by the County Engineer and/or SCDOT.
 - b. **Operations Plan.** An operations plan shall identify the specific types of activities that are necessary for successful operation of the use, specific technologies that will be incorporated into the use, potential impacts on adjacent lands and mitigation measures, the size of the operation, the number of employees, and the operating hours of the use.
 - c. **End Use Plan.** An end use plan shall be approved that demonstrates after completion of the mining/excavation, the site will be restored. The end use plan shall address the following:
 - (1) The ground surface on the site is restored to a condition permitting one of the following uses: agricultural, residential, recreation, or non-residential.

- (2) If recreation is identified as the restored use, its management is established in the end use plan.
 - (3) Risks from any sub-surface materials to future restored use(s) is identified and mitigated.
 - (4) If surface water will be present, likely chemical water quality shall be identified.
 - (5) Where permanent water bodies are created as a result of surface mining, littoral shelves and wetland vegetation are encouraged to promote water quality and natural habitat.
6. **Final Excavation Plan.** Where surface water features remain, or a depressed area is created during mining/excavation, a final excavation plan shall be submitted that is consistent with the end use plan and approved as part of the Special Use Permit. The final excavation plan shall demonstrate that sufficient land will remain unexcavated and/or that the excavation will be done in a manner that allows the development to conform to this chapter's requirements without variances.
 7. **Escrow Account.** An escrow account or a yearly fee approved by the County Attorney and County Council as part of the Special Use Permit may be required to ensure that there are sufficient funds set aside for restoration.

4.1.170 Multi-Family Dwellings

Multi-family dwellings shall comply with the following:

- A. **Specific to C3 District.** In the C3 District, multi-family uses shall be compatible with surrounding neighborhood character in size, scale, and architecture.
- B. **Reserved.**

(Ord. No. 2017/9, 4-10-17)

4.1.180 Outdoor Maintenance/Storage Yard

- A. **Storage Height.** Storage of any equipment may not exceed 12 feet in height from the lowest ground elevation.
- B. **Screening of Storage Areas.** All outdoor storage areas shall be screened with a solid wooden fence or masonry wall at least eight feet high. One evergreen shrub shall be installed for every five linear feet of fence or wall on the side of the fence or wall facing a neighboring property or public right-of-way.

4.1.190 Recreation Facility: Campgrounds

Campgrounds shall comply with the following:

- A. **Primitive Campground.** A campground accessible by walk-in, equestrian, motorized trail vehicles or vehicular traffic where basic facilities may be provided for the comfort and convenience of the campers. Primitive Campgrounds shall comply with the following:
 1. **Length of Stay.** All campers are limited to a 14-day length of stay.
 2. **Zones.** Primitive Campgrounds are allowed in the T1 Natural Preserve zone and all T2 Rural Zones.

3. **Buffers.** Any tent sites shall be located no less than 30 feet from any property line.
 4. No RVs or camping trailers over 20 feet in length shall be allowed.
 5. **Tree Requirement.** Existing trees shall be left on site, when practical. If there are no trees between campsites, at least two trees shall be planted between each campsite.
 6. **Accessory Uses.** Facilities for the comfort and convenience of the camper may be provided such as bathing facilities, flushing toilets, grills, tables, fire pits, fire circles, and refuse collection.
- B. Semi-Developed Campground.** A campground, with two or more campsites, for a camping unit, accessible by walk-in, pack-in, equestrian campers, motorized trail vehicles or vehicular traffic. Semi-Developed Campgrounds shall comply with the following:
1. **Length of Stay.** All camping units are limited to a 30-day length of stay.
 2. **Zones.** Semi-Developed Campgrounds can be located within T2 Rural Zones (neighborhood and Rural Center).
 3. **Buffers.** This use shall be screened with a 100-ft. wide, opaque, visual buffer next to all property lines.
 4. **Minimum RV Pad Size.** If RV pads are provided they shall be a minimum of 1,600 square feet. This does not include tent only sites. A maximum number of 200 camp sites.
 5. **Tree Requirement.** Existing trees shall be left between all campsites and/or RV pads, to the maximum extent practicable. If there are no trees between campsites, tent sites, or RV pads, at least two trees shall be planted between each campsite, tent site or RV pad.
 6. **Accessory Uses.** Recreational facilities and amenities shall be for the purpose of the camper enjoyment including sports facilities, equipment for amusement, playground facilities, swimming pools and a camp store/office. These amenities shall not be for general public use and shall not exceed 3,000 square feet.
- C. Developed Campground.** A campground with two or more campsites, for a camping unit, accessible by walk-in, pack-in, equestrian campers, motorized trail vehicles, or vehicular traffic. Sites may be substantially developed with tables, refuse containers, flush toilets, bathing facilities, and one or more service buildings. These campsites may have individual water, sewer, and electrical connections. Developed Campgrounds shall comply with the following:
1. **Length of Stay.** All camping units are limited to a 30-day length of stay.
 2. **Zones.** Developed Campgrounds can be located within T2 (only Rural Center Zone), C4 Community Center Mixed Use and C5 Regional Center Mixed Use.
 3. **Buffers.** This use shall be screened with a 100-ft. wide, opaque, visual buffer next to all property lines.
 4. **Minimum RV Pad Size.** If RV pads are provided they shall be a minimum of 1,600 square feet. A maximum number of 400 campsites.
 5. **Tree Requirement.** Existing trees shall be left between all campsites and/or RV pads, to the maximum extent practicable. If there are no trees between campsites, tent sites, or RV pads, at least two trees shall be planted between each campsite, tent site or RV pad.
 6. **Accessory Uses.** Recreational facilities and rural recreation businesses including, but not limited to, zip lines, horse riding trails, arcades, camp stores, small cafes,

small offices, or a club house. The size, intensity and scale of such accessory uses should be reasonably related to the particular campground of which such accessory uses are associated. The amenities shall not be for public use.

(Ord. No. 2016/18, 6-27-16; Ord. No. 2019/34, 5-28-19)

4.1.200 Recreation Facility: Commercial Outdoor

Commercial outdoor recreation facilities shall comply with the following:

- A. **Buffers.** Buffers shall incorporate walls or solid fences and be increased by 50 feet, where the use is adjacent to existing residential development.
- B. **Hours of Operation.** Outdoor operations shall be closed and exterior lighting turned off by 11:00 p.m. Facilities seeking to remain open after this time must apply for and receive approval of a Special Use Permit, see Section 7.2.130 (Special Use Permit).

4.1.210 Regional (Major) Utility

Regional (major) utilities shall comply with the following:

- A. **Additional Buffer.** The site shall have an additional buffer of 100 feet.
- B. **Structure Over 150 Feet in Height.**
 - 1. Within a regional utility corridor, all structures 150 feet or taller shall be fitted with orange aviation marker balls installed along the static wire located between the structures, in accordance with applicable industry standards.
 - 2. Outside a regional utility corridor, all structures 150 feet or taller shall have lighting in accordance with Federal Aviation Administration (FAA) Advisory Circular AC 70/7460-1K, as amended, and FAA Advisory Circular AC 150/5345-43E, as amended, and shall be red flashing strobe lights (L-864) at night and medium intensity flashing white lights (L-865) during daylight and twilight use unless otherwise required by the FAA.

4.1.220 Residential Storage Facility

Residential storage facilities shall comply with the following:

- A. **Operation.**
 - 1. The only uses allowed on-site shall be the rental of storage bays and the pickup and deposit of goods or property in dead storage, and limited incidental sales of storage materials (e.g., boxes, tape). Storage bays shall not be used to manufacture, fabricate, or process goods, to service or repair vehicles, small engines or electrical equipment, or conduct similar repair activities, to conduct garage sales or retail sales of any kind, or to conduct any other commercial or industrial activity on the site.
 - 2. Individual storage bays or private postal boxes within a self-service storage facility shall not be considered premises for the purpose of assigning a legal address.
 - 3. No more than one security quarters may be developed on the site, and shall be integrated into the building's design.
 - 4. Except as otherwise authorized in this Section, all property stored on the site shall be enclosed entirely within enclosed buildings.

5. There shall be no storage of toxic, hazardous, flammable, explosive or noxious materials.

B. Parking and Circulation.

1. Interior circulation shall be provided in the form of aiseways adjacent to the storage bays. These aiseways shall be used both for circulation and temporary customer parking while using storage bays. The minimum width of these aiseways shall be 22 feet if only one-way traffic is permitted, and 30 feet if two-way traffic is permitted.
2. The one- or two-way traffic flow patterns in aiseways shall be clearly marked. Marking shall consist, at a minimum, of standard directional signage and painted lane markings with arrows.
3. All aiseways shall be paved with asphalt, concrete, or comparable paving materials.

C. Building Standards.

1. Garage doors serving individual storage units shall be perpendicular to a public or private street so as to not be visible from adjacent streets.
2. With the exception of a structure used as a security guard or security quarters, the maximum height of a personal storage facility shall be 20 feet.
3. Fences shall be no shorter than six feet or taller than eight feet and meet the standards of Division 5.4 (Fences and Walls). One evergreen shrub shall be installed for every five linear feet of fence or wall on the side of the fence or wall facing a neighboring property or public right-of-way.

D. Open Storage. Open storage of recreational vehicles, travel trailers, and dry storage of pleasure boats of the type customarily maintained by persons for their personal use shall be permitted within a residential storage facility, provided that the following standards are met:

1. No outdoor storage shall be visible from off-site.
2. The storage shall occur only within a designated area that is clearly delineated.
3. Outdoor storage areas shall be located to the rear of the principal structure and be screened with a solid fence or masonry wall at least eight feet high.

E. Residential Storage Facilities in T4 Hamlet Center, T4 Hamlet Center Open, and T4 Neighborhood Center. Residential storage facilities shall be sited so that storage buildings are located in the interior of the block and do not face a street. The site shall incorporate outparcels to screen and separate the storage buildings from the street. The leasing office and/or security quarters may face and address the street. In the T4 Hamlet Center District where and adaptive reuse of an existing building is sought to preserve commercial stability on a street, the building and parcel upon which it resides may be remodeled and converted into a residential storage facility.

(Ord. No. 2015/32, § 1, 11-9-15; Ord. No. 2015/37, 12-14-15)

4.1.230 Restaurant, Cafés, Coffee Shop

Restaurants, cafés, and coffee shops shall comply with the following:

A. Specific to S1 District.

1. Restaurants, cafés, and coffee shops shall take access from the development's internal streets. These uses shall not have direct access to arterial or collector streets.

2. A manufacturing or office use may include a restaurant, café, or coffee shop as an accessory use provided there are no identification signs, other than directional signs identifying the facility.
- B. Specific to C3 District.** The site shall have frontage on, and access shall be provided directly to, an arterial or collector street unless the Director determines that access to an adjoining secondary local street is safer and provides improved design.

4.1.240 Salvage Operations

Salvage operations shall comply with the following:

- A. Specific to S1 District.** Salvage operations in the S1 district shall:
1. Be located at least 300 feet from the outer boundaries of the district unless the adjacent property is in the S1 district.
 2. Have either, an additional ten feet of forested buffer, or an eight-foot wall or solid fence, landscaped with one canopy tree per 50 feet, around the entire property. If the adjacent property is an existing residential use, both shall be required.
- B. Maximum storage height.** Outside storage of motor vehicles, equipment, parts, junk, or other material shall not be visible from roadways or adjacent residential uses.
- C. Burning prohibited.** Burning of junk or vehicles in any salvage yard is prohibited.

4.1.250 Tattoo or Body Piercing Facility

Tattoo or body piercing facilities shall comply with the following:

- A. Separation.** A tattoo or body piercing facility shall be a minimum of 1,000 feet from property line to property line of any residential development, church, school, public building, or day care center.
- B. Spacing.** The minimum spacing between another tattoo or body piercing facility shall be 500 feet from property line to property line.
- C. Access.** Access shall be from an interior street within the development, not from an exterior local, collector or arterial road.
- D. Federal, State, and other Local Permits Required.** An applicant shall obtain all permits required by SCDHEC or any other federal, state or local government department or agency that has rules and regulations governing tattoo or body piercing facilities, prior to receiving a land development permit from Beaufort County.

4.1.260 Vehicle Sales and Rental: Automobiles, Light Trucks, Boats

Vehicle sales and rentals shall comply with the following:

- A. No Vehicles or Boats in ROWs and Buffers.** No vehicles or boats shall be parked in a ROW or buffer.
- B. Display of Vehicles.** No vehicles shall be displayed with their hoods open, except in a display building, which shall be an enclosed structure. No vehicles or boats shall be displayed on top of a building.
- C. Location of Service Bay Doors.** Repair of all vehicles and boats shall occur within an enclosed building. Service bay doors shall be located perpendicular to the road fronting the site and shall be screened from all other streets and adjacent residential property.

- D. **Outdoor Intercoms.** Outdoor intercoms located on vehicular sales and rental sites shall comply with the following:
 - 1. Be located a minimum of 150 feet from the property line of any existing residential use; and
 - 2. If the vehicle sales and rental use is located adjacent to an existing residential use, be located on a side of the building that does not front the residential use.
- E. **Additional Standards in T2RC, T4HCO, and C4 Districts.** Vehicular sales and rental uses in the T2RC, T4HCO, and C4 districts shall comply with the following additional standards:
 - 1. All areas for the outdoor display of vehicles and boats for sale shall be located behind the front building line and shall be included in the floor area ratio (FAR) calculation for the site if applicable.
 - 2. All service and repair activities, including outdoor storage areas (those areas not used for display), shall be located behind the front building line and shall be completely screened (100 percent opacity) from adjoining properties and ROWs using natural buffers, fencing, buildings, or a combination thereof.
 - 3. Within the T4HCO district, the sale of automobiles, trucks, vans, and motorcycles are not permitted. Boat sales are only permitted within ½ mile of a public boat ramp.

4.1.270 Vehicle Services: Maintenance and Repair

- A. **Auto Painting or Body Shop.** Uses shall comply with the following:
 - 1. The use shall be located at least 250 feet from any existing residential development, school, or day care.
 - 2. Vehicles shall not be parked or stored as a source of parts or for the purpose of sale or lease/rent.
 - 3. Repair and storage of all vehicles shall occur within an enclosed building. Temporary outdoor vehicle storage may be allowed in an outdoor storage area located behind or to the side of the principal structure, and completely screened (100 percent opacity) from adjoining properties and ROWs using natural buffers, fencing, buildings, or a combination thereof.
 - 4. Vehicles that are repaired and are awaiting removal shall not be stored or parked for more than 30 consecutive days unless the owner or operator of the establishment demonstrates steps have been taken to remove the vehicle from the premises using the appropriate legal means.
- B. **Auto Wrecker Service.** Uses shall comply with the following:
 - 1. The number of vehicles stored on-site shall be limited to 15 vehicles. Vehicles shall not be stored for more than 90 days. Vehicles shall be stored to the rear of the principal structure, and completely screened (100 percent opacity) from public view using natural buffers, fencing, buildings, or a combination thereof.
 - 2. Reserved.
- C. **Car Wash and Auto Detailing.** Uses shall comply with the following:
 - 1. Openings to wash bays shall not face road ROWs and shall be designed to minimize visual intrusion onto adjoining properties.
 - 2. Vacuuming equipment shall be set back at least 50 feet from any adjacent residential development.

3. Car wash and auto detailing uses shall provide adequate, enclosed trash storage facilities on the site.
4. Car washes are required to have operational recycled water systems where a minimum of fifty percent (50%) of water utilized is recycled.

D. Other Repair Services. Uses shall comply with the following:

1. Repair of all vehicles shall occur within an enclosed building. Temporary outdoor vehicle storage may be allowed in an outdoor storage area located behind or to the side of the principal structure, and completely screened (100 percent opacity) from public view using natural buffers, fencing, buildings, or a combination thereof.
2. All automobile parts and similar materials shall be stored within an enclosed building or completely screened from view by an opaque or privacy fence.
3. The use shall not include outdoor storage lots or impound yards for towed vehicles.
4. Openings to repair bays shall not face road ROWs and shall be designed to minimize visual intrusion onto adjoin properties.

4.1.280 Warehousing, Wholesaling, and Distribution

Warehousing and distribution shall comply with the following:

- A. **Access.** The use shall have direct access onto an arterial or major collector road.
- B. **Screening of Outdoor Storage Areas.** The use shall locate outdoor storage areas to the rear of the principal structure to the maximum extent practicable and screen them with a wooden fence or masonry wall no less than eight feet in height in accordance with Division 5.4, Fences and Walls. One evergreen shrub shall be installed for every five linear feet of fence or wall on the side of the fence or wall facing a neighboring property or public right-of-way.
- C. The use shall be designed to ensure proper functioning of the site as related to vehicle stacking, circulation, and turning movements.

4.1.290 Waste Management Facility: Community Waste Collection and Recycling

A community waste collection and recycling facility shall comply with the following:

- A. **Only Residential and Office Waste Accepted.** Only residential and office wastes shall be accepted by this use. Commercial, industrial, auto or machinery generated waste shall not be accepted.
- B. **Buffers.** A 100-foot wide buffer with 100% opacity is required around the entire property excluding the entrance. Trash bins shall not be visible from any neighboring property or public right-of-way.
- C. **Cut-off Lighting.** Only cut off lighting fixtures shall be used. If the adjacent property is residential, the height of the pole shall not exceed 15 feet from the top of finished grade level.

4.1.300 Waste Management Facility: Regional Waste Transfer and Recycling

Regional waste transfer and recycling facilities shall comply with the following:

- A. **Buffers.** Where this use adjoins saltmarshes, tidal waters, Rural and Critical Lands, or existing or permitted residential uses, a 500-foot wide buffer with 100% opacity is required. All other adjoining uses shall be screened by a 200-foot wide buffer with 100% opacity.

- B. **Cut-off Lighting.** Only cut off lighting fixtures shall be used. If the adjacent property is residential, the height of the pole shall not exceed 15 feet from the top of finished grade level.
- C. **Operations Plan and Truck Routing Plan.** An operations plan and truck routing plan shall be approved as part of the Special Use Permit (see Section 7.2.130, Special Use Permit), and shall be updated every five years, or as determined by the ZBOA, and include:
 - 1. The truck routing plan shall be included as part of the traffic impact analysis (see Division 6.3, Traffic Impact Analysis) and shall demonstrate:
 - a. The capacity of all truck route roads that will carry truck traffic from the site to arterial or collector roads, the trucks' impact on those roads, and how the impacts will be mitigated so there will not be a deterioration of the roads or their capacity.
 - b. Regional Waste Transfer and recycling facilities shall have direct access from a Major or Minor Arterial with no trucks utilizing residential streets.
 - 2. The operations plan shall identify the specific types of activities that are necessary for successful operation of the use, specific technologies that will be incorporated into the use, potential impacts on adjacent lands and mitigation measures, size of the operation, number of employees, operating hours, etc.
- D. **State and Federal Compliance.** The use shall comply with all applicable State and Federal Regulations.
- E. **Access.** The use shall have direct access from a Major or Minor Arterial with no trucks utilizing residential streets. The access road, and all parking and loading areas shall be paved.
- F. The use shall be located outside of the 100-year floodplain.

4.1.310 Waste Management Facility: Regional Waste Disposal and Resource Recovery

Regional waste disposal and resource recovery facilities shall comply with the following:

- A. **Buffers.** Where this use adjoins saltmarshes, tidal waters, Rural and Critical Lands, or existing or permitted residential uses, a 500-foot wide buffer with 100% opacity is required. All other adjoining uses shall be screened by a 200-foot wide buffer with 100% opacity.
- B. **Operations Plan and Truck Routing Plan.** An operations plan and truck routing plan shall be approved as part of the Special Use Permit (see Section 7.2.130, Special Use Permit), and shall be updated every five years, or as determined by the ZBOA, and include:
 - 1. The truck routing plan shall be included as part of the traffic impact analysis (see Division 6.3, Traffic Impact Analysis) and shall demonstrate:
 - a. The capacity of all truck route roads that will carry truck traffic from the site to arterial or collector roads, the trucks' impact on those roads, and how the impacts will be mitigated so there will not be a deterioration of the roads or their capacity.
 - b. Truck traffic through existing residential areas is mitigated or avoided to the maximum extent practicable.

2. The operations plan shall identify the specific types of activities that are necessary for successful operation of the use, specific technologies that will be incorporated into the use, potential impacts on adjacent lands and mitigation measures, size of the operation, number of employees, operating hours, etc.

C. Additional Requirements for Landfills.

1. The quantity and quality of runoff reaching any surface water on-site or discharging off-site shall be identified and controlled through BMPs or other appropriate means.
2. If surface water will be present, the likely chemical water quality shall be identified.
3. If groundwater is to be encountered:
 - a. Probable maximum pumping rates and cone of impact depression impacts on surrounding public and private wells and long-term water table shall be identified and addressed.
 - b. The disposal method for pumped water and its effect on water quality and flooding shall be identified and addressed.
 - c. A study shall be done to ensure that pumping during the active use of the site will not result in salt-water intrusion. Monitoring wells shall be installed to monitor activities to ensure this does not occur. If salt-water intrusion occurs, the County shall require the landfill to be closed immediately and require the operator/landowner to undertake corrective action and pay for any damages resulting from the operation. The landowner and operator shall be strictly liable for any harm to adjacent lands.
4. End Use Plan. An end use plan shall be approved as part of the Special Use Permit (see Section 7.2.130, Special Use Permit) that demonstrates, after completion of the landfill, the site will be restored. The end use plan shall address the following:
 - a. The ground surface on the site is restored to a condition permitting one of the following uses: recreation or non-residential. If recreation is identified as the restored use, its management shall be established in the end use plan.
 - b. Risks from any sub-surface materials to future restored use(s) are identified and mitigated.
5. Landfill Slopes.
 - a. Side slopes of landfills shall be designed so they can be effectively screened from adjacent development and the public ROW while the landfill is active. Side slopes shall be planted in accordance with Section 5.8 (Landscaping, Buffers, and Screening Standards).
 - b. Side slopes shall be kept at least ten feet higher than operating areas.
 - c. Safe edges shall be provided for any excavation on the site to prevent accidents. Safe edges shall require a long shelf with a slope of less than 1:5 to a depth of three feet.
6. Final Cover. A minimum of one foot of final cover shall be placed on the landfill when activities are completed. In addition, all slopes and a minimum of 30 percent of the landfill top shall be covered with an additional depth of three feet and planted with a forest cover.

- D. Debris Management Locations.** If a natural disaster such as hurricane, tornado, flooding, etc., occurs, the County will utilize available tracts of land to allow emergency debris clearance of public ROWs to facilitate rescue operations, to reestablish public

services and mobility, and to begin the disaster recovery process. All debris management policies, priority actions and decisions shall be exempt from the requirements of this section and approved by resolution of County Council. These activities will be conducted by the Public Works Department, in association with the Emergency Management Office, and other appropriate agencies and entities.

E. Additional Requirements.

1. The use shall comply with all applicable State and Federal Regulations.
2. The access road, and all parking and loading areas shall be paved.
3. The use shall be located outside of the 100-year floodplain.
4. Gathering, processing, and treating methane gas emitted from decomposing garbage to produce electricity, heat, fuels, and various chemical compounds are strongly encouraged.

4.1.320 Wireless Communications Facility

Wireless communication facilities shall comply with the following:

A. Collocation. Collocation of wireless communication facilities shall be achieved in accordance with this Section:

1. All applications where wireless communication facilities are not being provided through collocation shall include a collocation study that demonstrates there is not a suitable collocation site that can serve the needs of the user. Placement on existing towers, water towers or other tall structures shall be fully considered prior to making an application for a new tower.
2. When a new tower is proposed within two miles of an existing tower, the applicant will be expected to prove that there is no technologically and structurally suitable space available within the search ring. The applicant shall submit satisfactory written evidence such as correspondence, agreements, contracts, etc., that alternative towers are not available for use. The proposed tower, if approved, shall be either camouflaged or stealth in design.
3. Speculation towers are prohibited.
4. The following collocation standards shall apply to all new towers:
 - a. All structures less than 125 feet in height shall make provision for at least two locations.
 - b. Towers between 125 feet and 200 feet in height shall have at least four locations.
5. The design of ground structures for new towers shall be such that modular expansion to accommodate collocation is feasible.

B. Towers. Towers shall comply with the following:

1. Maximum tower height shall be as follows:
 - a. For towers with provisions for one to three locations, 125 feet.
 - b. For towers with provisions for four to five locations, 200 feet.
2. In T2 zones, where the tower is located on a property with a conservation easement in place, the location of the tower will be completely screened at least one mile in sight distance, from roads or waterways having visual access of the subject property.

3. All towers 150 feet or taller shall be lighted. Lighting shall be in accordance with Federal Aviation Administration (FAA) Advisory Circular AC 70/7460-1K, as amended, and FAA Advisory Circular AC 150/5345-43E, as amended, and shall be red strobe lights (L-864) at night and medium intensity flashing white lights (L-865) during daylight and twilight use unless otherwise required by the FAA. No general illumination shall be permitted. (All commercial communication towers approved by Beaufort County and by the South Carolina State Historic Preservation Office prior to January 8, 2007, and operating in conformance with those approvals, shall be deemed to be lawful nonconforming uses and structures and are not subject to these lighting requirements. Status as a lawful nonconforming use or structure under this Section shall terminate upon the expiration or revocation of a commercial communication tower's permit or upon any modification to the height of the tower.)
4. A sign of no more than two square feet shall be mounted in an easily noticeable location, no more than four feet above the ground, providing tower identification and an emergency notification number.
5. A 50-foot forested buffer shall be provided around the entire perimeter of the parent property containing the tower (not just the leased area). If a forested buffer does not exist, a new buffer shall be planted in accordance with a Type E Perimeter Buffer (see Table 5.8.90.D, Perimeter Buffer Types). For camouflage and stealth towers, the Director may approve a buffer modulation of this requirement based on site design.
6. All applications shall include a visual impact analysis of the proposed tower.
7. The base of any new tower shall be set back a minimum distance from an existing residential dwelling that is equal to one foot for each one foot in height of the proposed tower, plus an additional 50 feet.
8. A collapse zone shall be designed so that tower collapse will occur only within the property owned or leased by the tower company, or controlled by an easement held by the tower company.
9. No tower shall be located within 500 feet, plus one foot for each foot of height of the proposed tower, of the OCRM critical line.
10. All towers shall comply with the standards found in the Beaufort County Airport Overlay Zone (See Section 3.4.40, Beaufort County Airport Overlay (BC-AO) Zone Standards).
11. The tower shall not adversely affect any historic structure or site.
12. Towers are prohibited within 500 feet of the ROW of arterial and major collector roadways and shall not adversely affect any property, road or waterway that has been officially recognized or designated as scenic within the County.
13. If disputed evidence occurs in the review of the application, the County may hire, at the developer's expense, a communications expert or engineer of its own choosing to assist in determining the facts.
14. When any tower is abandoned for 60 days, the landowner shall remove the tower and restore the site within six months.

4.1.330 Ecotourism

Ecotourism shall comply with the following:

- A. Applications shall include a site plan whose design incorporates the building, structures, and amenities into the natural and scenic qualities of the area in a complimentary fashion.

- B. An operational plan shall indicate that this use will enhance the ecotourism experience of intended users in regard to the related wilderness setting, interpretive educational programs, wildlife viewing opportunities, outdoor activities, parks/protected areas, and/or cultural experiences.
- C. The maximum floor area ratio for each development shall be 0.1.
- D. An open space ratio of (at least) 85% shall be required for the entire property.
- E. Impervious surface shall not exceed 8% for the entire property.
- F. There shall be a 3-acre minimum site size for this use.
- G. Lodgings are permitted with this use and include cabins, inns, B&Bs, historic properties, and small hotels. Hotel uses shall be limited to no more than 50 units per development, 8 units per building, and a maximum height of 2 stories.
- H. Operators of ecotourism uses shall adhere to the stewardship, research, and education principles promoted by The Ecotourism Society (TES).

4.1.340 Aquaponics

Aquaponics shall comply with the following:

- A. An operational plan shall be submitted that indicates that this use will result in no adverse impacts on neighboring properties including noise and odors.
- B. The principal product of aquaponics shall be vegetables with fish available from time to time as a bi-product.
- C. All standards that apply to the zoning districts which allow Agriculture and Crop Harvesting shall be followed, and aquaponics may be an accessory use on the site.
- D. The entire aquaponics process shall take place inside an enclosed greenhouse to protect from outside contaminants, and the need for pesticides or herbicides is to be avoided.
- E. No excavation of the ground to create the potential of sand mining shall be allowed in the pursuit of an aquaponics zoning permit.

(Ord. No. 2017/31, 10-23-17)

4.1.350 Affordable Housing

- A. Findings. County Council finds that affordable housing is the essential foundation upon which to build a more sustainable future for Beaufort County and to grow a more competitive workforce to meet the challenges of our regional, state, and global economy. County Council finds that zoning regulations can be an effective tool for implementing the strategies to address the needs for affordable housing stock within Beaufort County. County Council finds that the Regional Center Mixed Use (C5) zone district is an appropriate place for certain incentives provided in this chapter for the development of affordable housing types.
- B. Purpose. This chapter is intended to promote a diversity of housing stock by providing certain incentives and regulatory standards for the creation of affordable housing units in the C5 zone district.
- C. Availability. The affordable housing incentives and regulations provided in this chapter are available to all landowners in the C5 zone district as a conditional use when an applicant has demonstrated compliance with the conditions provided herein.

- D. Definitions.** For the purpose of this chapter, the following terms shall mean:
- a.** Owner occupied affordable housing unit: A dwelling unit where at least one occupant is an owner, and where all occupants have, in the aggregate, household income less than or equal to one hundred (100%) percent of the area median income (AMI) for owner occupied units. Area median income (AMI) shall be determined annually by the United States Department of Housing and Urban Development (HUD) as adjusted by the Beaufort County Human Services Department or its successor.
 - b.** Rental affordable housing unit: A dwelling unit, where occupants have, in the aggregate, household income less than or equal to eighty (80%) percent of the area median income (AMI) for rental units. AMI shall be determined annually by HUD as adjusted by the Beaufort County Human Services Department or its successor.
 - c.** Qualified household: Households where occupants have, in the aggregate, a household income less than or equal to one hundred (100%) percent of the AMI for owner occupied units, and a household income less than or equal to eighty (80%) percent of the AMI for rental units.
 - d.** Initial maximum allowable sales price: An amount equal to three (3) times one hundred (100%) percent of the AMI plus any subsidy available to the buyer.
 - e.** Affordable rent: Affordable rent is based on an amount not to exceed thirty (30%) percent of eighty (80%) percent of the AMI as published annually by HUD based on household size, inclusive of a utility allowance. Utility allowances are as provided by HUD guidelines.
 - f.** Household income: All sources of financial support, both cash and in kind, of adult occupants of the housing unit, to include wages, salaries, tips commissions, all forms of self-employment income, interest, dividends, net rental income, income from estates or trusts, Social Security benefits, pension benefits, or any other sources of financial support.
- E. Applicability.** Any development or redevelopment within the Regional Center Mixed Use (C5) zone district that includes residential dwelling units may elect to develop the residential portion according to the standards in this chapter provided that the applicant demonstrates strict compliance with conditions stated herein.
- F. Land Use Standards.** A development or redevelopment within the Regional Center Mixed Use (C5) zone district may elect to provide for Affordable Housing units, in accordance with the following standards:
- a.** The number of owner occupied affordable housing units and/or rental affordable housing units per development shall be one of the following at the election of the applicant:
 - i.** Thirty (30%) percent of the dwelling units, rounded up to the whole number, shall be restricted by deed as owner occupied affordable housing units and/or rental affordable housing units for a period of at least twenty (20) years; or
 - ii.** Twenty (20%) percent of the dwelling units, rounded up to the whole number, shall be restricted by deed as owner occupied affordable housing units and/or rental affordable housing units for a period of at least twenty-five (25) years.
 - b.** The affordable housing units shall be sized, in terms of square footage and number of bedrooms, comparable and proportional to the square footage and number of bedrooms of the market rate units in the development as a whole. The smallest affordable housing unit by bedroom count shall not be smaller than the smallest market rate unit with the same number of bedrooms. The affordable housing units shall be integrated and intermixed within the market rate units in a development and may not be clustered

together or segregated from the market rate units. When a development contains multiple buildings, it shall incorporate into each building, affordable housing units comparable and in proportion, to the number of market rate units in the building so that affordable housing units are disbursed proportionately throughout the development. Exterior finishes of affordable housing units shall be indistinguishable from exterior finishes of market rate units.

- c. Density bonus. Housing developments or re-developments located within the Regional Center Mixed Use (CS) zone district may elect to development land in compliance with this chapter. As an incentive for development under this chapter, there shall be no maximum density or minimum lot size requirements.
 - d. Impact fees. Impact fees shall be reduced in proportion to the number of affordable housing units being provided in accordance with Beaufort County Code of Ordinances Section 82-32. A project approved under this chapter shall be determined to be a project that creates affordable housing for the purpose of exempting impact fees in proportion to the number of affordable housing units created.
 - e. All other land use and developments standards of the Regional Center Mixed Use (CS) zone district for multi-family development shall be provided, including, but not limited to, standards for height, area, setbacks, parking, and buffers.
 - f. For mixed use projects, the standards and incentives provided in this chapter shall apply only to the housing portions of the mixed use project.
- G. Submittal Requirements, Procedures and Enforcement.**
- a. Prior to receiving a building permit for any portion of a development, the owner thereof shall provide, in writing, in the form of a Memorandum of Understanding to be filed with the Beaufort County Register of Deeds, to the satisfaction of the Beaufort County Human Services Department, or its successor, information identifying the total number of efficiency, one bedroom, two bedroom, etc. and the respective square footage of the same and provide a breakdown of the number, location, size, square footage, bedrooms, etc., of the affordable housing units. Prior to the issuance of a certificate of occupancy for any portion of a development, the owner thereof shall identify, in writing, to the Beaufort County Human Services Department, or its successor, the units designated as owner occupied affordable housing units and/or rental affordable housing units. Affordable housing units shall not be changed, modified, or amended in location, size, square footage, etc., without first notifying and receiving in writing, approval from Beaufort County Human Services Department.
 - b. Prior to the issuance of a certificate of occupancy for any portion of a development permitted pursuant to this chapter, the owner shall execute covenants satisfactory to the County that identifies the owner occupied affordable housing units and/or the rental affordable housing units. The executed covenants shall restrict such units to occupancy or ownership by qualified households for a period of twenty (20) years when thirty (30%) percent of the units are set aside as affordable housing units or twenty-five (25) years when twenty (20%) percent of the units are set aside as affordable housing units pursuant to Section 4.1.350(F)(a)(i-ii) above. The executed covenants shall be filed with the Register of Deeds prior to the issuance of a certificate of occupancy.
 - c. Prior to the issuance of a development permit, the owner shall submit plans in accordance with Article 7 of the Community Development Code. The plans shall demonstrate compliance with the standards provided in this chapter.
 - d. The covenants for affordable housing units shall provide:
 - i. For owner occupied affordable housing units, the covenants shall identify the maximum allowable sales price, and provide that the initial maximum allowable

sale price may be adjusted annually for inflation based on the increase in the area median income (AMI) or Consumer Price Index, whichever is greater. Each owner of such units, prior to initial occupancy, shall be required to submit to the Beaufort County Human Services Department, or its successor, a verified income report of household income of all members of the household. The covenants shall require notice to the Beaufort County Human Services Department, or its successor, of any transfer of the owner occupied affordable housing units and verification that the purchaser is a qualified household. Owner occupied affordable housing units shall be subject to these resale restrictions for no fewer than the numbers of years elected by the developer provided for in Section 4.1.350(F)(a)(i-ii) above. Such restrictions shall be recorded as deed restrictions for the affordable housing unit identified in the memorandum of understanding executed pursuant to the requirements in this chapter.

- ii. For rental affordable housing units, the covenants shall require the owner to provide proof to the Beaufort County Human Services Department, or its successor, at inception of every tenancy, and on an annual basis thereafter, that no more than affordable rent is being charged for the affordable housing units. The owner or licensed property manager acting on behalf of the owner, shall provide verified income reports of household income of all occupants of rental affordable housing units at the request of Beaufort County Human Services Department, or its successor. Rental affordable housing units shall be subject to these restrictions for no fewer than the number of years elected by the developer provided for in subsections 4.1.350(F)(a)(i-ii) above.
- iii. If an affordable housing unit is converted from rental occupied to owner occupied occupancy during the term of the covenants, the unit shall be subject to the owner occupied affordable housing unit requirements as set out in subsection 4.1.350(F)(d)(i) above (to include an Initial Maximum Sales Price) for a term of months equal to the number resulting when subtracting from three hundred (300) months, the number of months the unit has been subject to the rental affordable housing covenants.
- iv. Conversion of an affordable housing unit from owner occupied to renter occupied occupancy shall not be permitted.
- v. Covenants shall require written notice to the Beaufort County Human Services Department prior to any conversion taking place and shall require that the necessary covenant(s) and amendment(s) to the memorandum of understanding be filed with the Register of Deeds.
- e. The covenants and memorandum of understanding shall accord to the Beaufort County Human Services Department, or its assignee, successor or agent, rights of enforcement by any legal and/or equitable means, including the revocation of a certificate of occupancy, and in all events, writings, agreements or understandings between the developer and Beaufort County, be subject to approval by the Beaufort County Attorney.
- f. If the development is to be phased, each phase shall include affordable housing units concurrently with the market rate units in the particular phase in the same proportions in relations to the overall development requirements for affordable housing units. A phasing in plan must make the affordable housing units available concurrently with the market rates in proportions based on the overall percentages elected pursuant to this Code.
- g. Upkeep and maintenance of affordable housing rental units must be maintained at the same or better level provided to the market rate units.

(Ord. No. 2018/26, 6-25-18)

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Division 4.2: Accessory Uses and Structures

Sections:

4.2.10	Purpose
4.2.20	General Standards and Limitations
4.2.30	Accessory/Secondary Dwelling Unit
4.2.40	Cottage Industry
4.2.50	Fences and Walls
4.2.60	Food Sales (Indoor)
4.2.70	Guesthouse
4.2.80	Home Business
4.2.90	Home Office
4.2.100	Outdoor Display as an Accessory Use
4.2.110	Outdoor Storage as an Accessory Use
4.2.120	Private Stables
4.2.130	Satellite Dish Antenna
4.2.140	Security Quarters
4.2.150	Small Wind Energy System
4.2.160	Solar Energy Equipment
4.2.170	Swimming Pools, Hot Tubs, and Ornamental Ponds and Pools
4.2.180	Waste Receptacles and Refuse Collection Areas
4.2.190	Water/Marine-Oriented Facilities
4.2.200	Private Fish Ponds

4.2.10 Purpose

This Section authorizes the establishment of accessory uses and structures that are incidental and customarily subordinate to principal uses. The County's intent in adopting this Section is to allow a broad range of accessory uses and structures, so long as they are located on the same site as the principal use, and so long as they comply with the standards set forth in this Section in order to reduce potentially adverse impacts on surrounding lands.

4.2.20 General Standards and Limitations

- A. Compliance with Development Code Requirements.** All accessory uses and accessory structures shall conform to the applicable requirements of this Development Code. The provisions of this Section establish additional standards and restrictions for particular accessory uses and structures.
- B. General Standards.** All accessory uses and accessory structures shall meet the following standards:
1. Be customarily accessory and clearly incidental and subordinate to the principal use or structure;
 2. Be subordinate in area, extent, and purpose to the principal use or structure;
 3. Be owned or operated by the same person as the principal use or structure;
 4. Be located on the same lot as the principal use or structure unless otherwise specified in this section;

5. Together with the principal use or structure, not violate the standards of this Ordinance;
 6. Not be constructed or established prior to the time the principal use or structure is constructed or established unless expressly allowed under this section; and
 7. Not constitute a combination use, which is the combination of two principal uses (combination uses will not meet the above standards in terms of being subordinate or providing service to the principal use).
- C. Approval of Accessory Uses and Structures.** Unless otherwise specified in this Section, any accessory use or accessory structure shall be treated as a permitted use in the zone in which it is located. An accessory use or structure may be approved through a Zoning Permit, see Section 7.2.20 (Zoning Permit).
- D. Table of Permitted Accessory Uses.**
1. **Listed Accessory Uses.** Table 4.2.20.A (Table of Permitted Accessory Uses), lists what types of accessory uses, structures, and activities are allowed in each of the zones. If a specific accessory use is allowed in a zone, the column underneath the zone is marked with a "P." If the accessory use or structure is not allowed in a zone, the column is marked with a "—". If there is a reference contained in the column entitled "additional requirements," refer to the cited section(s) for additional standards that apply to the specific accessory use.
 2. **Interpretation of Unidentified Accessory Uses.** The Director shall evaluate potential accessory uses that are not identified in Table 4.2.20.A (Table of Permitted Accessory Uses), on a case-by-case basis, as an interpretation, see Section 7.3.60 (Interpretations). In making the interpretation, the Director shall apply the following standards.
 - a. **General Standards.** The definition of "accessory use", see Article 10 (Definitions), and the general accessory use standards established in this Division.
 - b. **Additional Standards.** The additional regulations for specific accessory uses established in this Division.
 - c. **Purpose and Intent of Zones.** The purpose and intent of the zone in which the accessory use is located, see Article 3 (Specific to Zones).
 - d. **Potential Adverse Impacts.** Any potential adverse impacts the accessory use may have on other lands in the area, compared with other accessory uses permitted in the zone.
 - e. **Compatibility.** The compatibility of the accessory use, including the structure in which it is housed, with other principal and accessory uses permitted in the zone.

Table 4.2.20A: Table of Permitted Accessory Uses																	
Accessory Use/ Structure Type	Additional Requirements	T1 N	T2R T2RL	T2 RN	T2 RNO	T2 RC	T3E	T3 HN	T3 N	T4 HC	T4VC	T4 HCO	T4 NC	C3	C4	C5	SI
Accessory/ Secondary Dwelling Unit	4.2.30	—	P	P	P	P	P	P	P	P	P	P	P	P	—	—	—
Cottage Industry	4.2.40	—	P	—	P	P	—	—	—	—	—	—	—	—	—	—	—
Fences and Walls	4.2.50	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Food Sales (Indoor)	4.2.60	—	P	—	P	P	—	—	—	P	P	P	P	—	P	P	P
Freestanding Accessory Structure (includes Garages and Sheds)	4.2.20.E	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Guest House	4.2.70	—	P	P	P	P	P	P	—	—	—	—	—	P	—	—	—
Home Business	4.2.80	P	P	P	P	P	—	—	P	P	P	P	P	P	—	—	—
Home Office	4.2.90	—	P	P	P	P	P	P	P	P	P	P	P	P	—	—	—
Outdoor Display (as an Accessory Use)	4.2.100	—	—	—	P	P	—	—	—	—	P	P	P	—	P	P	—
Outdoor Storage (as an Accessory Use)	4.2.110	—	—	—	—	P	—	—	—	—	—	P	P	—	P	P	P
Private Fish Ponds	4.2.200	—	P	P	P	P	P	P	P	—	—	—	—	P	—	—	—
Private Stables	4.2.120	—	P	P	P	—	—	—	—	—	—	—	—	P	—	—	—
Satellite Dish Antenna	4.2.130	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Security Quarters	4.2.140	—	—	—	—	P	—	—	—	—	P	P	P	—	P	P	P
Small Wind Energy System	4.2.150	P	P	P	P	P	—	—	—	—	—	—	—	—	—	—	P
Solar Energy Equipment	4.2.160	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Swimming Pools, Hot Tubs, and Ornamental Ponds and Pools	4.2.170	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Waste Receptacles and Refuse Collection Areas	4.2.180	—	P	P	P	P	—	—	P	P	P	P	P	P	P	P	P
Water/Marine- Oriented Facilities	4.2.190	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

P = Permitted Subject to the Additional Requirements — = Not Allowed

E. Standards for Freestanding Accessory Buildings/Structures.**1. Location.****a. General.**

- (1) No accessory use, structure, or activity except water/marine-oriented facilities shall occupy or take place in a required front, side, or rear yard setback, except for permitted fences or walls erected on a property line or an ornamental pond.
- (2) Except in T1, T2R, and T2RL zones, all river, marsh, and ocean waterfront lots, and water/marine-oriented facilities, no accessory structure shall project beyond the front building line of the principal structure.
- (3) Except for fences, walls, swimming pools, hot tubs, and air conditioning compressor units, no accessory structures shall be located within five feet of a principal structure or any other accessory structure.
- (4) No accessory structure shall be located within any platted or recorded easement or over any known utility.
- (5) All freestanding accessory structures shall meet the side setbacks and building height standards for ancillary buildings in Article 3 (Specific to Zones).
- (6) Except for water/marine-oriented facilities, all freestanding residential accessory structures shall be set back from rear property lines as follows:
 - (a) Five feet for lots less than 10,000 square feet.
 - (b) Ten feet for lots between 10,000 square feet and one acre.
 - (c) Twenty-five feet for lots one acre or greater.
- (7) Freestanding non-residential accessory structures shall meet the rear yard setback for the principal structure.

b. Water/Marine-Oriented Facilities. Structures used for water/marine-oriented facilities such as boat docks, boat houses, and similar uses may be located where necessary to provide access to the waterfront.

c. Air Conditioner Compressor Units. Air conditioner compressor units shall be located in the building envelope.

2. **Size.** Except for the T2R district, individual freestanding accessory structures on a parcel shall not collectively exceed 30 percent of the floor area of the principal structure. This does not include standard two-car garages (less than 600 square feet), accessory dwellings, guesthouses, structures used for bona fide agricultural purposes, and accessory structures used for home businesses and cottage industries. In the T2R district, except for structures used for bona fide agricultural purposes, all freestanding accessory structures shall be clearly incidental and subordinate to the principal structure.
3. **Storage Buildings for Private Residential Use Only.** Storage buildings are permitted on residential lots provided they are used only for private residential storage of the property owner or tenant.
4. Tractor trailers and shipping containers may not be used as accessory structures.

F. Temporary Accessory Uses and Structures. Temporary accessory uses and structures shall be governed by the standards and temporary use procedures set forth in Section 4.3.40 (Temporary Use Permit), and Section 4.3.50 (General Standards for all Temporary Uses and Structures).

G. Storage of Trucks and Heavy Equipment. Semitrailer trucks, their cabs or trailers, construction vehicles or equipment, or commercial vehicles with a gross cargo weight of more than

three tons or a gross weight of seven tons shall not be parked on any residential lot or residential street in the C3 zone, any transect zone except T2, or any Community Preservation District unless specifically permitted in Appendix A of this code.

(Ord. No. 2015/32, § 1, 11-9-15; Ord. No. 2016/18, 6-27-16; Ord. No. 2017/30, 10-23-17)

4.2.30 Accessory/Secondary Dwelling Unit

An accessory/secondary dwelling unit shall comply with the following standards:

- A. **Zones Allowed.** Accessory/secondary dwelling units shall be permitted as accessory uses to single-family detached residential dwelling units in accordance with Table 4.2.20.A (Table of Permitted Accessory Uses).
- B. **Comply with Dimensional and Development Standards.** Accessory/secondary dwelling units shall comply with all dimensional and development standards in Article 3 (Specific to Zones).
- C. **Density.** Accessory/secondary dwelling units shall not count toward any applicable maximum residential density requirements.
- D. **Area of Unit.**
 - 1. In T2 and all conventional zones, the unit shall be no more than 1,000 heated square feet or less than 300 heated square feet in area.
 - 2. In all transect zones except T2, the unit shall be within a carriage house building type, see Section 5.1.40 (Carriage House).
- E. **Design of Unit.** The unit shall maintain the architectural design, style, appearance and character of the principal single-family dwelling as a single-family residence.
- F. **Parking.** In Conventional zones one off-street parking space, in addition to that provided for the existing single-family dwelling, shall be provided for the unit.
- G. **Resale.** Accessory dwelling units shall not be sold apart from the principal dwelling upon the same lot where they are located.
- H. **Rental.** Accessory dwelling units shall not be leased or rented for tenancies of less than 30 consecutive days.
- I. **No Recreational Vehicles and Travel Trailers.** Recreational vehicles and travel trailers shall not be used as accessory dwelling units.

4.2.40 Cottage Industry

A cottage industry shall comply with the following standards:

- A. **Zones Allowed.** A cottage industry shall be permitted as an accessory use to a principal residential dwelling unit in accordance with Table 4.2.20.A (Table of Permitted Accessory Uses).
- B. **Site Area.** The minimum site area shall be six acres, unless it is approved as a Special Use Permit, see Section 7.2.130 (Special Use Permit). The qualifying acreage may consist of the total acreage of both the property upon which the use is proposed, as well as the adjacent residential property upon which the owner resides, in accordance with Section 4.2.40.F below.
- C. **Use.** The use shall be one of the following:
 - 1. Boat, small engine (e.g. lawnmowers) and farm equipment repair services;

2. All light manufacturing, processing and packaging uses listed in Table 3.1.60 (Consolidated Use Table).
- D. **Incidental Sales.** Only incidental retail sales are permitted.
 - E. **Building Size.** Buildings associated with the cottage industry shall not exceed 5,000 square feet of combined floor space.
 - F. **Operator Resides on Premises.** The operator of a cottage industry shall own and reside on the property or immediately adjacent thereto.
 - G. **Employees.** The cottage industry shall employ no more than six persons who do not reside on the premises.
 - H. **Screening.** All operations associated with the cottage industry, including buildings, work areas, and outdoor storage areas, shall be completely screened from adjacent existing residential uses (unless owned by the owner of the property upon which the cottage industry is located) with a 100-foot wide perimeter buffer providing 100 percent opacity. Non-contiguous parcels deemed to be adjoining as a result of an easement must be screened from physically adjacent residential uses not owned by the owner/operator of the cottage industry.
 - I. **Signage.** No more than one non-illuminated sign that complies with Section 5.6.190 (Yard Sign Type) may be placed on the property to advertise the business.
 - J. **Noise, Odor, Vibration, or Electrical Interference.** There shall be no perceptible increase in noise, odor, vibration or electrical interference beyond the property line as a result of the cottage industry.
 - K. **Exterior Lighting.** Exterior light fixtures, if any, shall be cut-off fixtures mounted in such a manner that the cone of light is not directed at any property line.
 - L. **Hours of Operation.** Hours of operation shall be limited to between 7:00 a.m. and 7:00 p.m., Monday through Saturday.
 - M. **Repair Work on Internal Combustion Engines.** All repair work on internal combustion engines must be performed within an enclosed structure.
 - N. **Boats, Trailers, and Farm Equipment Registered.** All boats, trailers and farm equipment, if applicable, associated with a repair business must be currently licensed and registered. Salvage operations are prohibited as part of a cottage industry.

4.2.50 Fences and Walls

Fences and walls shall meet the standards in Division 5.4 (Fences and Walls)

4.2.60 Food Sales (Indoor)

Food sales occurring as an accessory use shall comply with the following standards:

- A. **Zones Allowed.** Indoor food sales shall be permitted as an accessory use to a principal nonresidential use in accordance with Table 4.2.20.A (Table of Permitted Accessory Uses).
- B. **Size.** The amount of square footage utilized by food sales operations (including preparation, sales, and storage, but not including dining) shall not exceed 30 percent of the principal use where located.
- C. **Entrances.** Entrance to the food sales area shall be via the principal use it serves.

- D. **Parking and Signage.** Accessory indoor food sales shall not have dedicated off-street parking areas or signage.

4.2.70 Guesthouse

A guesthouse shall comply with the following standards:

- A. **Zones Allowed.** A guesthouse shall be permitted as an accessory use to a principal residential dwelling unit in accordance with Table 4.2.20.A (Table of Permitted Accessory Uses).
- B. **No Rental Permitted.** A guesthouse shall be for use by the property owner and his/her guests only. It shall not be for lease or rent and must be connected to the same utility meters, septic system, well, etc., as the principal dwelling.
- C. **Density.** One guesthouse shall not count toward any applicable residential density requirements. Additional guesthouses are permitted as long as the total number of residential units on the property does not exceed the applicable density requirements.
- D. **Size of Unit.** The size of a guesthouse shall not exceed that of the principal single-family dwelling and shall be clearly subordinate to it.
- E. **Design of Unit.** The unit shall maintain the architectural design, style, appearance and character of the principal single-family dwelling. Manufactured homes, recreational vehicles and travel trailers shall not be used as a guesthouse.
- F. **Construction May Occur Before Principal Dwelling.** A guesthouse may be constructed prior to the construction of the principal dwelling.

4.2.80 Home Business

A home business occurring as an accessory use to any principal dwelling unit shall comply with the following standards:

- A. **Prohibited Uses.** The following uses are prohibited as a home business:
 - 1. The repair, rental, sales or assembly of vehicles or equipment with internal combustion engines (such as outboard marine engines, lawnmowers, etc.); battery motors (such as golf carts, electric cars, etc.); or any other work related to automobiles and their parts;
 - 2. Repair, rental or sales of large appliances (such as washing machines, dryers and refrigerators, etc.);
 - 3. Restaurants and bars;
 - 4. Animal boarding facilities (such as kennels, animal hospitals, commercial stables, etc.);
 - 5. Commercial lodging;
 - 6. Adult entertainment;
 - 7. Medical offices and clinics; and
 - 8. Body branding, body piercing, or tattoo facilities.
- B. **Size/Area.**
 - 1. The home business shall be clearly incidental and secondary to the property's use for residential purposes.

2. No more than 1,000 square feet of an accessory structure, such as a garage, may be used for the home business. No alterations shall be made to the external appearance of any principal or accessory structure or of the property that changes the character of the site from residential to non-residential.
- C. **Residency.** The operator of a home business shall own and reside on the property.
- D. **Employees.** The home business shall employ no more than three persons who do not reside on the premises.
- E. **Neighborhood Compatibility.**
1. Only one vehicle used by the operator for business use, shall be permitted with the home business.
 2. Traffic generated by the home business must not negatively impact the safety, ambiance and characteristics of the neighborhood where the home business is located. The increase to existing traffic created by the home business shall not exceed 20 trips per day, on average.
 3. All storage areas for equipment and supplies associated with the home business shall be completely screened from view with a wood fence and/or landscaping. Equipment and supplies shall be stored in a manner so that they are not visible beyond the wood fence and/or landscaping. Storage of hazardous substances, other than substances of a type and quantity customarily associated with a home or hobby, is prohibited.
 4. No home business or equipment used in connection with a home business may cause odor, vibration, noise, or electrical interference that is perceptible beyond the lot line of the property upon which the home business is conducted.
 5. Outdoor light fixtures, if any, shall be cut-off fixtures mounted in such a manner that the cone of light is not directed at any property line.
 6. The sale of products grown, made or repaired on site is permitted. In addition, incidental retail sales are allowed in connection with a permitted home business (for example, a hair stylist may sell hair products to customers). No outdoor display of products for sale is permitted.
- F. **Signage.** One non-illuminated yard sign that complies with Section 5.6.190 (Yard Sign Type) may be placed on the property to advertise the business.

4.2.90 Home Office

A home office occurring as an accessory use to any principal dwelling unit shall comply with the following standards:

- A. **Size/Area.** The office shall be located within the principal dwelling or an associated accessory building (but not an accessory dwelling unit), and may not exceed 25 percent of the heated floor area of the principal structure.
- B. **Employees and Residency.**
1. **Operator Must Reside in Dwelling.** The operator of a home office shall reside in the principal dwelling unit.
 2. **Employs No More than One Person Who Does Not Reside in Dwelling.** The home office may employ no more than one person who does not reside on the premises.

C. Neighborhood Compatibility.

1. **No Change in External Appearance.** The home office shall cause no change in the external appearance of the existing dwelling and structures on the property.
2. **Use of Vehicles.** Only one vehicle used by the operator for business use shall be permitted with the home office and it shall be of a size, and located on the premises in such a manner, so as to not disrupt the quiet nature and visual quality of the neighborhood.
3. **Additional Parking.** Additional parking is limited to two (2) pervious parking spaces. Any need for parking generated by the home office shall be met off the street, and other than in a required front yard.
4. **Traffic.** The type and volume of traffic generated by the home office shall be consistent with the traffic generation characteristics of other dwellings in the area.
5. **No Advertising.** There shall be no advertising devices on the property, or other signs of the home office, which are visible from outside the dwelling or accessory building. The street address of the home office may be used in advertisements off the property.
6. **No Outdoor Display or Storage of Goods.** The property shall contain no outdoor display or storage of goods or services that are associated with the home office, nor shall these materials be stored in an accessory structure. No toxic, explosive, flammable, radioactive, or other hazardous materials used in conjunction with the home office shall be used or stored on site.
7. **No Wholesale or Retail Sale of Goods.** Wholesale or retail sales of goods shall not occur on the premises.
8. **No Adverse Impacts.** The home office shall not create traffic or parking congestion, noise, vibration, odor, glare, fumes, or electrical or communications interference which can be detected by the normal senses off the premises, including visual or audible interference with radio or television reception.

D. Prohibited Home Office Uses. The following Home Office uses are prohibited: Adult uses; body branding, body piercing, or tattoo facilities.

4.2.100 Outdoor Display as an Accessory Use

Outdoor display as an accessory use shall comply with the following standards:

- A. Items That May be Displayed Outdoors.** Merchandise intended for outdoor use in a yard, garden, or other landscaped area; plant materials; and agricultural products may be displayed outdoors as an accessory use. The exterior display of all other merchandise as an accessory use is prohibited.
- B. Location and Dimensions.**
 1. **Location.** All outdoor display of goods shall be located adjacent to the storefront, or building sides, and not in drive aisles, loading zones, fire lanes, parking lots, or to the rear of buildings. Outdoor displays may be located in sidewalk areas as long as they do not impede pedestrian traffic in the sidewalk area.
 2. **Limited in Size.** Outdoor display areas shall be limited to no more than one-half of the length of the storefront or building side.
 3. **Shopping Center.** In the case of a shopping center, the "storefront" shall include the entire frontage of the shopping center, meaning that the total amount of display for all the in-line tenants combined shall not exceed 50 percent of the aggregate storefront of the total shopping center.

4. **Not Encompass Width of Entrance Doors.** The area of outdoor display or sales shall not encompass the width of the entrance doors to the establishment as projected straight out from the facility. (For example, if the width of the entrance doors is 10 feet, there shall be at least a 10-foot clearance from the doors as projected straight out and away from the facility.)
 5. **No Goods Attached to Wall Surface.** No goods shall be attached to a building's wall surface.
 6. **Height.** The height of the outdoor display shall not exceed six feet.
 7. **Improved Surface.** The outdoor display area shall take place on an improved surface such as the sidewalk or pavement.
- C. **No Pedestrian Obstruction.** At least five feet along the parking lot side of the display shall be maintained free of obstruction to allow for pedestrian and handicap movement, such that handicapped pedestrians and others do not have to enter the parking lot or drive aisle to walk around the display.
- D. **Temporary Sales Distinguished.** The provisions of this Section shall not apply in cases of temporary sales events, such as weekend sidewalk sales, seasonal sales and other similar temporary uses. See Division 4.3 (Temporary Uses and Structures), for regulations applying to temporary sales.

4.2.110 Outdoor Storage as an Accessory Use

Outdoor storage may be allowed as an accessory use in the zones identified in Table 4.2.20.A (Table of Permitted Accessory Uses). The storage area shall meet all of the following standards:

- A. **Incorporated into Design.** Each outdoor storage area shall be incorporated into the overall design of the principal structure on the site and shall be located at the rear of the principal structure.
- B. **Goods Stored Must be Sold on Premises.** Goods stored in an outdoor storage area which are intended for re-sale shall be limited to those sold on the premises as part of an associated, principal use.
- C. **Screening.** Each outdoor storage area shall be screened from view from all property lines and adjacent rights-of-way by an opaque fence or wall between six and eight feet in height that incorporates at least one of the predominant materials and one of the predominant colors used in the primary structure. Materials may not be stored higher than the height of the fence or wall.
- D. **Storage Area Covering.** If the outdoor storage area is covered, then the covering shall include at least one of the predominant exposed roofing colors on the primary structure.
- E. **Flammable Liquid or Gas.** Flammable liquids or gases in excess of 1,000 gallons shall be stored underground.
- F. **Storage.** No materials may be stored in areas intended for vehicular or pedestrian circulation.

4.2.120 Private Stables

A private horse stable as an accessory use to any principal dwelling unit shall comply with the following standards:

- A. **Size/Area.**
 1. Stables are permitted on lots over three acres.

2. The lot shall have at least one-half acre per horse.
- B. **Boarding of up to Four Additional Horses Allowed.** The stable shall be for the owner's private use only; however, boarding of up to four additional horses not owned by the owner shall be permitted without such use becoming a commercial stable.
- C. **Setbacks.** Any structure housing horses shall be a minimum of 100 feet from any residential lot. No corral or riding area shall be permitted within 25 feet of a property line, except that a trail may connect to an off-lot riding trail.

4.2.130 Satellite Dish Antenna

- A. **Purpose.** These standards are adopted in order to comply with applicable state and federal law, including the Federal Telecommunications Act of 1996; and control the location and screening of satellite dish antennae to lessen any impact on surrounding properties.
- B. **Applicability.** These standards apply to all satellite dish antennae measuring one meter (39 inches) or more in diameter (large satellite dish antenna). Small satellite dishes (less than 39 inches in diameter) are exempt from these requirements.
- C. **General.** Satellite dish antennae measuring one meter (39 inches) or more (large satellite dish antenna) are permitted accessory uses in the zones identified in Table 4.2.20.A (Table of Permitted Accessory Uses). Such dishes are subject to the standards set forth below to the maximum extent feasible, but only where there is no impairment of acceptable signal quality. These regulations are not intended to impose unreasonable delays or impose unreasonable costs on the installation, maintenance, or use of satellite dishes, and shall not be interpreted or enforced in any manner contrary to federal or state law.
 1. **Location.** Satellite dishes shall be located to the rear of the principal building, but not within five feet of any side or rear property line or in any required buffer, and not within 10 feet of any property line adjoining a street.
 2. **Screened.** Satellite dishes shall be screened so that no more than 40 percent of the area of the satellite dish antenna is visible from any public street or private street open to the public. The screen may consist of, but is not limited to, fences, buildings, plantings, or any other opaque vegetation or structure permanently affixed to the structure. Screens of vegetation may be installed to meet this standard.
 3. **Erected in Wind-Resistant Manner.** Satellite dishes shall be erected in a secure, wind-resistant manner.

4.2.140 Security Quarters

A dwelling unit for security quarters shall comply with the following standards:

- A. **Zones Allowed.** A dwelling unit for security quarters shall be allowed as an accessory use to commercial and business principal uses in the zones allowed in Table 4.2.20.A (Table of Permitted Accessory Uses).
- B. **One Unit per Principal Use.** Only one such dwelling unit per principal use shall be allowed.
- C. **No Mobile Homes.** Security quarters are not permitted to be located within a mobile home.
- D. **Maximum Unit Size.** An individual unit shall not exceed 1,200 square feet of gross floor area.

- E. **Off-street Parking.** A minimum of two off-street parking spaces shall be provided, in addition to the required parking for the principal use or business.
- F. **Occupant.** Only the owner, operator, or an employee of the principal building, plus that person's immediate family, may occupy the dwelling unit.

4.2.150 Small Wind Energy System

A small wind energy facility shall comply with the following standards:

- A. **Amount.** Towers and turbines associated with a small wind energy facility shall be limited to a maximum of one per principal use.
- B. **Capacity.** Small wind energy facilities shall be:
 1. Limited to less than 100kw of wind power generation in T2, C5, and S1 districts; and
 2. Limited to 10kw of wind power generation or less, in all other districts.
- C. **Location and Setback.**
 1. Small wind energy facilities shall not be located between a principal building and any streets fronting the lot.
 2. A small wind energy facility shall be set back a distance equal to its total extended height (e.g., if on a roof, roof height plus the height of any tower extending from the roof) plus 10 feet from all lot lines and overhead utilities. Guy wires and other support devices shall be set back at least 10 feet from all lot lines.
- D. **Height.** The maximum height of a small wind energy system (including the tower and extended blades) shall be 90 feet.
- E. **Sound.** Sound produced by the wind turbine under normal operating conditions, as measured at a lot line, shall not exceed 55 decibels. The 55 decibels sound level, however, may be exceeded during short-term events that occur beyond the property owner's control, such as utility outages and/or severe windstorms.
- F. **Appearance.** The wind turbine and tower shall be painted or finished in the color originally applied by the manufacturer, or a matte neutral color (e.g., gray, white, or galvanized steel).
- G. **Blade Clearance.** The blade tip or vane of any small wind energy facility shall have a minimum ground clearance of 15 feet above grade, as measured at the lowest point of the arc of the blades. No blades shall extend over public rights-of-way, parking, or driveway areas.
- H. **Lighting.** No illumination of the turbine or tower shall be allowed, unless required by the FAA.
- I. **Access to Tower.** Any climbing rungs shall be removed to a height of 12 feet above grade.
- J. **Signage Prohibited.** Signage visible from any public street shall be limited to the manufacturer's or installer's identification, appropriate warning signs, or owner identification.
- K. **Abandonment.** On determining that a small wind energy facility has been inoperable for 180 days or more, the Director shall send the property owner notice requiring restoration of the system to operating order within 180 days after receiving the notice. If the owner fails to restore the system to operating condition within the authorized time frame, the owner shall be required, at the owner's expense, to remove the wind turbine

from the tower for safety reasons. If the owner fails to remove the wind turbine from the tower, the County may pursue legal action to have the wind turbine removed at the owner's expense.

4.2.160 Solar Energy Equipment

Solar energy equipment shall comply with the following standards:

- A. **Location.** The system may be located on the roof of a principal or accessory structure, on the side of such structures, on a pole, or on the ground.
- B. **Height.** The system shall comply with the maximum height standards for the zone in which it is located, provided that a roof-mounted system shall not extend more than the width of the panel above the roofline of the structure on which it is mounted.
- C. **Nonconforming Structure-Height.** Where an existing structure exceeds the applicable height limit, a solar energy collection system may be located on its roof irrespective of applicable height standards, provided the system extends no more than five feet above the roof surface.
- D. **Area.** The area of the system shall not exceed one-half the footprint of the principal structure or 600 square feet, whichever is greater.
- E. The property owner shall be responsible for negotiating with other landowners in the vicinity to establish any solar easement designed to protect solar access for the solar energy collection system.

4.2.170 Swimming Pools, Hot Tubs, and Ornamental Ponds and Pools

Swimming pools, hot tubs, and ornamental ponds and pools shall comply with the following standards.

- A. **Fencing.** All swimming pools and ornamental ponds and pools having a depth greater than two feet, and all hot tubs and spas shall be enclosed by fencing of a type that is not readily accessible by children and that contains no opening larger than four inches.
- B. **Height of Fencing.** Fencing shall be not less than four feet in height and, if equipped with a gate, shall have a childproof latch. Maximum fence height shall conform to the standards in Section 5.4.40, Height Requirements for Fences and Walls.
- C. **In-Lieu of Fencing.** In lieu of fencing, spas and hot tubs may have a lockable cover capable of supporting a minimum of 150 pounds, and such cover shall be locked when the spa or hot tub is not in use.

4.2.180 Waste Receptacles and Refuse Collection Areas

Except for facilities serving individual single-family detached dwellings, two-family dwellings, and temporary waste receptacles on construction sites, all waste receptacles and refuse collection areas shall comply with the following standards:

- A. **Setbacks.** Waste receptacles and refuse collection areas shall be set back at least five feet from a side or rear lot line, and shall not be located within the front or street side setback area.
- B. **Surfacing Requirements.** Areas intended for large waste receptacles and refuse collection shall be surfaced with concrete or other material approved by the County Engineer.

- C. **Drainage.** Eating establishments and other uses that produce significant amounts of liquid waste shall configure areas intended for large waste receptacles and refuse collection to drain to an approved stormwater management system through grease traps or similar devices.
- D. **Screening.** Waste receptacles and refuse collection areas shall meet the screening requirements in Section 5.8.100 (Screening).

4.2.190 Water/Marine-Oriented Facilities

Water/Marine-oriented facilities shall comply with the following standards:

- A. **Space as Far Apart as is Reasonably Feasible.** Water-oriented facilities should be spaced as far apart as is reasonably feasible.
- B. **Regulation of Navigable Structures or Aids.** The regulation of navigational structures or aids falls under the jurisdiction of the State of South Carolina Ocean and Coastal Resource Management Office (OCRM), or appropriate federal regulators.
- C. **Construction May Occur Before Principal Dwelling.** Water-oriented facilities may be constructed prior to the construction of the principal dwelling.
- D. **Docks on Small Tidal Creeks.** Private docks and community docks located on small tidal creeks shall meet the requirements of this Section. Small tidal creeks are defined as tidally influenced bodies of water that are 100 meters or less in width measured from marsh bank to marsh bank. The Beaufort County Small Tidal Creek Delineation Maps (See Appendix F) provide an inventory of small tidal creeks in Beaufort County. The Director may request a survey from a certified land surveyor to verify the width of a creek.
 - 1. **Minimum Lot Width.**
 - a. Except for lots in existence on May 8, 2000, and lots in a subdivision where a community dock is used in-lieu of private docks, all lots in new subdivisions shall have a minimum of 250 feet of frontage along a small tidal creek to qualify for a private dock.
 - b. New subdivisions with a proposed community dock shall comply with the lot width requirement for the zone in which they are located.
 - 2. **Not Adversely Interfere with Navigation.**
 - a. Docks shall not interfere or adversely impact navigation.
 - b. The length of a dock shall not exceed 300 feet in total length, inclusive of pier-heads, floats, boatlifts, ramps, mooring, pilings and other associated structures.
 - c. If two or more owners of adjoining lots agree to create a community dock, in-lieu of individual private docks, a bonus of one foot of dock length over 300 feet for every foot of waterfront footage exceeding 300 feet is allowed, up to a maximum length of 500 feet.
 - 3. **Location of Dock Facilities.**
 - a. The dock, pier, boatlift, floating dock, walkway and any appendages allowed shall be located within the extended property lines of the land, and shall comply with the setback requirements of this Development Code. In addition, the dock facilities shall be no closer than 20 feet from extended side property lines.

- b. A waiver to this requirement may be granted by the Director if it can be demonstrated there are unique circumstances on the property that require variation of the dock location, it is the minimum waiver possible, and the waiver is consistent with the purpose and intent of this Section.

4. Walkway and Floating Dock.

- a. The maximum width of the walkway or pier between the upland and the pier head shall be four feet, unless it can be demonstrated the four-foot width limit would render the dock unusable by the owner and other reasonably anticipated users.
- b. The walkway may have a safety railing with slats at least two inches apart, provided that they do not exceed three feet in height, but shall have no walls which impede the flow of air through the walkway.
- c. A floating dock shall likewise not be enclosed nor shall there be any walls of any kind on any side. Like the walkway, the floating dock may have a safety railing with slats at least two inches apart, provided that they do not exceed three feet in height.

5. Lighting.

- a. Electrical cutoff fixture lighting is allowed along the walkway and at the head of the dock, provided the lighting is shielded to direct the light down onto the dock and away from any adjoining residences and the tidal creek.
- b. The electrical power used for the lighting shall comply with the electrical safety codes adopted by the County.

6. Permitting. Docks located in navigable waterways require permitting through the U.S. Army Corps of Engineers and the State of South Carolina Ocean and Coastal Resource Office (OCRM). All other docks require OCRM permitting.

7. Miscellaneous.

- a. No plumbing shall be allowed, except for water sinks and faucets. All toilets, port-o-lets, or any other means of sewage collection or disposal is strictly prohibited.
- b. Boat lifts are allowed, provided that no portion of a boat when fully elevated shall extend higher than 12 feet above mean high water, excluding masts, tower, antennae, and outriggers.
- c. The use of docks shall be limited to private, non-commercial uses, except in the Commercial Fishing Village Overlay District.
- d. All docks, and associated boats secured thereto, shall be maintained to ensure safe usage and to prevent any potential hazard to navigation.

(Ord. No. 2019/06, 1-28-19)

4.2.200 Private Fish Ponds

A Private Fish Pond shall comply with the following standards:

- A. Zones Allowed.** Private fish ponds shall be permitted as an accessory use to a principal residential dwelling unit in accordance with Table 4.2.20 (Table of Permitted Accessory Uses).

- B. Size/Area.**
 - 1. Ponds are permitted to be excavated on lots a minimum of three acres in size.
 - 2. Ponds shall be no larger than one acre in size.
- C. Setbacks.** All excavation activities shall meet all setbacks applicable to the principal structure, except that these activities shall be set back a minimum of 100 feet from the OCRM critical line, if applicable.
- D. Maximum Depth of Excavation.** Ponds shall be excavated no deeper than 12 feet from existing grade.
- E. Safe Edges.** Safe edges shall be provided for any excavation on the site to prevent accidents. Safe edges shall require a long shelf with a slope a minimum of 1:5 to a depth of three feet.
- F. Engineer's Report Required for Disturbance Greater than 10,000 Square Feet.** Any private pond excavation resulting in a land disturbance of 10,000 sq. ft. or greater shall provide a certified engineer's report ensuring that drainage and runoff do not adversely impact the property or surrounding properties.
- G. Hours of Operation.** Excavation activities are limited to 7:00 a.m. to 6:00 p.m. Monday through Saturday.
- H. Noise.** Maximum noise at the property line shall not exceed 65 decibels.
- I. Deleted by Ord. No. 2015/32.**
- J. Truck Routing Plan.** A truck routing plan shall be submitted that ensures that truck traffic through residential areas is avoided or mitigated to the extent practicable. Any roads brought to sub-standard condition due to work on the site as determined by SCDOT and/or the County must be brought up to standard. At a minimum, a road must be returned to its initial condition.
- K. State Permit Required if Fill Dirt Leaves the Site or is Sold.** If fill dirt leaves the site or is sold, the property owner shall submit a valid mining permit issued by the appropriate state agency at the time of application for a private fish pond.

(Ord. No. 2015/32, § 1, 11-9-15; Ord. No. 2017/30, 10-23-17)

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Division 4.3: Temporary Uses and Structures

Sections:

- 4.3.10 Purpose
- 4.3.20 Table of Allowed Temporary Uses and Structures
- 4.3.30 Prohibited Temporary Uses
- 4.3.40 Temporary Use Permits
- 4.3.50 General Standards for All Temporary Uses and Structures
- 4.3.60 Temporary Offices and Classrooms
- 4.3.70 Temporary Real Estate Sales Office and Model Sales Home
- 4.3.80 Seasonal Sales
- 4.3.90 Sidewalk and Parking Lot Sales
- 4.3.100 Roadside Stands and Farmers' Markets
- 4.3.110 Special Events
- 4.3.120 Construction-Related Activities for New Construction
- 4.3.130 Temporary Concrete/Asphalt Batch Plant

4.3.10 Purpose

This Section allows for the establishment of certain temporary uses of limited duration and special events provided that such uses do not negatively affect adjacent properties, and provided that such uses are discontinued upon the expiration of a set time period. Temporary uses and special events do not involve the construction or alteration of any permanent building or structure.

4.3.20 Table of Allowed Temporary Uses and Structures

Table 4.3.20.A summarizes the temporary uses and structures that are allowed within the County and any general or specific standards that apply. Temporary uses or structures not listed in Table 4.3.20.A. shall be evaluated on a case-by-case basis by the Director as an interpretation, see Section 7.3.60 (Interpretations).

Table 4.3.20.A: Temporary Uses and Structures		
Temporary Use or Structure	Allowable Time Frame	Specific Regulations
Temporary Structures		
Temporary Offices/Classrooms	Except for school classrooms, in place for no more than one to three years.	Permit Required; see Section 4.3.60
Temporary Real Estate Sales Office/Model Sales Home	Temporary sales office in place for no more than one to three years. No limit on model sales units.	Permit Required; see Section 4.3.70
Temporary Sales ¹		

Table 4.3.20.A: Temporary Uses and Structures		
Temporary Use or Structure	Allowable Time Frame	Specific Regulations
Seasonal Sales	Limited to a maximum of 45 days per calendar year; no more than three occurrences per parcel, per year.	Permit Required; see Section 4.3.80
Sidewalk and Parking Lot Sales	Limited to a maximum of 72 hours per event; no more than four occurrences per parcel, per year.	Permit Required; see Section 4.3.90
Roadside Stands and Farmers' Markets	Limited to one year, per location; permit may be renewed on an annual basis.	Permit Required; see Section 4.3.100
Garage and/or Yard Sales	Limited to 14 total days per calendar year, per parcel.	No Permit Required
Temporary Not-For-Profit Car Wash	Limited to 14 total days per calendar year, per parcel.	
Special Events		
Special Events	Limited to 14 total days per calendar year, per parcel.	Permit Required; see Section 4.3.110
Construction Staging		
Construction-Related Activities for New Construction	Must be removed within 30 days after Certificate of Compliance is Issued	Permit Required if activities are off-site; see Section 4.3.120
Concrete/Asphalt Batch Plant	Must be removed within 30 days after Certificate of Compliance is Issued.	Permit Required; see Section 4.3.130

¹ Persons conducting temporary sales should contact the Director to ensure that other permits are not required by the County Code of Ordinances.

4.3.30 Prohibited Temporary Uses

Without limiting the standards of this Development Code, the following activities are prohibited in all zones:

- A. **Retail or Display of Goods, Products, or Services in Public Rights-of-Way.** Retail sales or display of goods, products, or services within the public right-of-way except as part of an authorized not-for-profit, County-recognized event.
- B. **Retail Sales or Display of Goods from Vehicles.** Except as part of a permitted seasonal sale or a roadside stand, retail sales or display of goods, products, or services from a motor vehicle, trailer, or shipping container except as allowed by other permitting processes.

4.3.40 Temporary Use Permits

All temporary uses and structures required to obtain a temporary use permit in accordance with Table 4.3.20.A (Temporary Uses and Structures), shall be reviewed, approved, or revoked only in accordance with the standards of this section.

4.3.50 General Standards for all Temporary Uses and Structures

All temporary uses, structures, or special events shall meet the following general standards, unless otherwise specified in this Development Code:

- A. **General.** The temporary use, structure, or special event shall not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare.
- B. **Compliance with County Code of Ordinances.** All temporary uses, even those requiring no temporary use permit shall be subject to the requirements in the County Code of Ordinances or other provisions related to business licenses, vendor permits, or other County requirements.
- C. **No Adverse Effects.** The temporary use, structure, or special event shall not have substantial adverse effects or noise impacts on nearby residential neighborhoods.
- D. **Permanent Alterations Prohibited.** Permanent alterations to the site to accommodate a temporary use, structure, or special event are prohibited.
- E. **Temporary Signs.** Temporary signs associated with the temporary use or structure shall meet the standards of Section 5.6.60 (Temporary Signs) and shall be removed when the activity ends.
- F. **Conditions of Approval.** The temporary use or structure shall not violate any applicable conditions of approval that applies to a principal use on the site.
- G. **Undeveloped Property.** If the property is undeveloped, it shall contain sufficient land area to allow the temporary use, structure, or special event to occur, as well as adequate land to accommodate any parking and traffic movement associated with the temporary use, without disturbing environmentally-sensitive lands.
- H. **Developed Property.** If the property is developed, the temporary use, structure, or special event must be located in an area that will not interfere with the normal operations of an existing approved principal use, and that will support the proposed temporary use without encroaching or creating a negative impact on existing buffers, open space, landscaping, traffic movements, pedestrian circulation, sensitive or protected resources, or parking space availability.
- I. **Location.** Tents and other temporary structures will be located so as to not interfere with the normal operations of any permanent use located on the property.
- J. **Off-Street Parking.** Adequate off-street parking shall be provided to accommodate the proposed temporary use.
- K. **Inspections.** All inspections and permits required by applicable County departments and State agencies shall be approved by the appropriate person and/or agencies.

4.3.60 Temporary Offices and Classrooms

- A. **Purpose and Scope.** Factory-fabricated, transportable buildings that are designed to arrive at the site ready for occupancy (except for minor unpacking and connection to utilities), and designed for relocation to other sites, may be placed on land to serve as the following:
 - 1. **Temporary Expansion Space for Places of Worship, Health Care Facilities, and Government Offices.** Expansion space for existing places of worship, health care facilities, and government offices, provided plans for the permanent expansion of the existing facilities have been approved by the County.

2. **Temporary Classroom Space.** Temporary classroom space to augment existing schools, colleges, and universities.
 3. **Temporary Quarters for Other Non-Residential Uses.** Temporary quarters for other non-residential uses when the permanent building has been destroyed by a fire or other physical catastrophe, provided a building permit for the permanent facility is obtained within four months after approval of the temporary quarters. The Director may approve a written request for an extension of an additional 90 days for good cause shown. Failure to obtain a building permit within the time frame allowed will revoke approval for the temporary quarters.
 4. **Temporary Office.** One temporary office per site to include, but not be limited to, the following uses: hiring, membership solicitation, multiple family development office/leasing, and other general office uses. The number of modular buildings housing such uses shall be limited to one, in addition to those already allowed by this Section. Such modular buildings shall not be placed on the property prior to the issuance of a Building Permit.
- B. Construction Offices Exempt from this Section.** Temporary offices for construction and security personnel during the construction of a development for which the County has issued a development and/or building permit shall meet the standards of Section 4.3.120 (Construction-Related Activities for New Construction).
- C. Standards.** In addition to meeting the general standards of Section 4.3.50 (General Standards for All Temporary Uses and Structures), all temporary structures approved in accordance with this Section shall meet the following standards:
1. **Location.** Temporary structures allowed under this Section may be located anywhere on site, except within the following areas:
 - a. Existing/required resource protection areas and perimeter buffer areas;
 - b. Required building setbacks; and
 - c. Other areas designated on the site for open space, vehicular use, or ingress/egress.
 2. **Other Standards.**
 - a. The temporary structure shall be factory-fabricated and transportable;
 - b. In addition to any other off-street parking required on the site in accordance with Division 5.5 (Off-Street Parking), adequate off-street parking shall be provided for the temporary use;
 - c. All permits required by applicable building, electrical, plumbing, and mechanical codes shall be obtained prior to installation of the temporary structure;
 - d. The temporary structure shall be compatible with the existing buildings on the site in terms of exterior color; and
 - e. A sketch plan containing sufficient information to show compliance with the above standards shall be approved as part of the Temporary Use Permit by the Director in accordance with Section 4.3.40 (Temporary Use Permit).
- D. Duration.**
1. **General.** Except for temporary classrooms, temporary structures under this Subsection may remain on the site for no more than 12 months. This period may be renewed for two, 12-month periods, for good cause shown, upon approval of a written request for such extension, submitted to the Director 30 days prior to the expiration of the Temporary Use Permit.

2. **Temporary Classrooms.** Temporary classrooms for use as part of an existing school, college, or university may be allowed to remain on the site for longer than three years.

4.3.70 Temporary Real Estate Sales Office and Model Sales Home

- A. **General Standards.** One temporary real estate sales office or model sales home may be allowed as incidental to a new residential, non-residential, or mixed use development, provided that:
 1. **On Lot.** The use is located on a lot approved by the County as part of a development.
 2. **Signage.** Signage complies with the standards of Division 5.6 (Sign Standards).
 3. **Aesthetically Compatible.** The temporary use is aesthetically compatible with the character of surrounding development in terms of exterior color, predominant exterior building materials, and landscaping.
 4. **Yard and Setbacks.** The temporary use complies with the development standards of the zone in which it is located.
 5. **Off-street Parking.** Off-street parking provided for the temporary use complies with the standards of Division 5.5 (Off-Street Parking).
 6. **Sketch Plan.** A sketch plan, containing sufficient information to show compliance with the above standards is approved by the Director.
 7. **Termination.** Upon termination of the temporary real estate sales office or model sales home, the structure shall be converted into, or removed and replaced with, a permanent residential use.
 8. **Adverse Impacts.** In approving or renewing approval of a real estate sales office, the Director may impose other conditions as is deemed necessary to avoid adverse impacts that the use as a sales office may have on adjacent properties or the community as a whole.
 9. **Temporary Trailers.** All temporary trailers shall be removed from the site prior to the issuance of the last certificate of occupancy for the site.
- B. **Duration.**
 1. **Temporary Real Estate Sales Offices.** Temporary real estate sales offices may be approved for a period of up to one year. This period may be renewed for two additional 12-month periods, for good cause shown, upon approval of a written request for such an extension, submitted to the Director, 30 days prior to the expiration of the permit. In no event shall the extension allow the temporary structure to remain on the site for more than three years.
 2. **Model Sales Homes.** Model sales homes may be approved for a period of up to three years. This period may be renewed for additional 12-month periods, for good cause shown, upon approval of a written request for such an extension submitted to the Director, 30 days prior to the expiration of the permit. There is no time limit on the use of model sales units for rental housing.

4.3.80 Seasonal Sales

- A. **General.** Seasonal sales, including the sale of such items as Christmas trees and pumpkins, seasonal produce, and other similar agricultural products, may take place on a vacant or developed lot, and may be permitted for a period not to exceed 45 days, up to three times per calendar year per site.

- B. **Standards.** Seasonal sales shall comply with the standards in Section 4.3.50 (General Standards for All Temporary Uses and Structures).

4.3.90 Sidewalk and Parking Lot Sales

- A. **General.** Sidewalk and parking lot sales, located on the same site as the merchant's permanent place of business, may be permitted in accordance with the standards in Section 4.3.50 (General Standards for All Temporary Uses and Structures), for a period not to exceed 72 hours, up to four times per calendar year per site.
- B. **Display Areas.** Sales displays shall not interfere with pedestrian flow or traffic safety and shall be arranged to leave at least six feet of clear walkway for pedestrian circulation.

4.3.100 Roadside Stands and Farmers' Markets

- A. **Standards for Roadside Stands.** In addition to the standards in Section 4.3.50 (General Standards for All Temporary Uses and Structures), roadside stands shall comply with the following:
 - 1. Not be permitted along any four-lane, or higher, divided section of road with an average annual daily trip rate (AADT) of more than 30,000 trips.
 - 2. Shall be located on private property. The written permission of the property owner shall be required prior to issuance of a permit for a roadside stand.
 - 3. Minimum setbacks shall be 15 feet from any property line.
 - 4. Signage shall meet the standards of Section 5.6.60 (Temporary Signs). No off-premises signs shall be permitted. Signs shall be removed when the roadside stand is removed.
 - 5. A driveway encroachment permit shall be required from the SCDOT or Beaufort County, as appropriate. Vehicle parking shall be accommodated without interfering with the safe flow of traffic on adjacent roads.
 - 6. All display stands, shelters, etc. associated with the roadside stand shall be temporary and moveable. No permanent structures shall be permitted.
 - 7. In addition to produce, roadside stands may also sell products such as flowers, firewood and seafood.
- B. **Standards for Farmers' Markets.** In addition to the standards in Section 4.3.50 (General Standards for All Temporary Uses and Structures), farmers' markets shall comply with the following:
 - 1. Be operated by a governmental agency, non-profit agencies, or one or more farm producers.
 - 2. At least 50% of the vendors must be farmers, fishermen, and other agricultural producers who sell produce, eggs, plants, flowers, local seafood, and other value-added farm products such as jams, jellies, and honey.
 - 3. May not operate more than three days per week for more than six hours per day.
 - 4. Shall be required to obtain a driveway encroachment permit from the SCDOT or Beaufort County, as appropriate. Vehicle parking shall be accommodated without interfering with the safe flow of traffic on adjacent roads.
 - 5. If located on private property, must receive written permission from the property owner. If located on public property, must receive written permission from the governmental agency.

- C. **Duration.** Permits for roadside stands and farmers' markets shall be valid for one year. Permits may be re-issued for the same location on an annual basis.

4.3.110 Special Events

A. **Applicability.**

1. **General.** The procedures and standards of this Section shall apply to all special events (including but not limited to cultural events, musical events, celebrations, festivals, fairs, carnivals, and circuses) held on private property within the County, unless exempted in accordance with Section B, below.
2. **Temporary Use Permit for Special Event Required.** All special events subject to this Section shall have a Temporary Use Permit for a special event reviewed and approved or approved with conditions by the Director in accordance with Section 4.3.40 (Temporary Use Permit), prior to conducting the special event.

B. **Exemptions.** The following events or activities are exempt from the standards of this Section (i.e., may occur without a Temporary Use Permit for a special event). Such activities are subject to all other applicable procedures and standards of this Development Code.

1. **Grounds of Private Residence.** Special events or activities occurring within, or on the grounds of, a private residence or on the common areas of a single-family attached, townhouse, two-family, or multiple family residential development.
2. **County or State Sponsored.** Any event sponsored in whole or in part by the County or State.
3. **Event or Activity Intended for That Purpose.** Any organized activities conducted at sites or facilities typically intended and used for such activities. Examples of such exempt activities include, but are not limited to, sporting events such as golf, soccer, softball, and baseball tournaments conducted on courses or fields intended and used for such activities; wedding services conducted at reception halls, or similar facilities; funeral services conducted at funeral homes or cemeteries; celebrations of local culture and history; religious services, wedding services, and funeral services conducted at places of worship.

C. **Unreasonable Risk.** In addition to the standards in Section 4.3.50 (General Standards for All Temporary Uses and Structures), a Special Event shall not create an unreasonable risk of the following:

1. Damage to public or private property, beyond normal wear and tear;
2. Injury to persons;
3. Public or private disturbances or nuisances;
4. Unsafe impediments or distractions to, or congestion of, vehicular or pedestrian travel;
5. Additional and impracticable or unduly burdensome police, fire, trash removal, maintenance, or other public services demands;
6. Other adverse effects upon the public health, safety, or welfare;
7. Not be of such a nature, size, or duration that the particular location requested cannot reasonably accommodate the event; and
8. Be at a time and location that has already been permitted or reserved for other activities.

D. **Conditions.** In approving the temporary use permit for the special event, the Director is authorized to impose such conditions upon the premises benefited by the permit as may be

necessary to reduce or minimize any potential adverse impacts upon other property in the area, as long as the condition relates to a situation created or aggravated by the proposed special event. The Director is authorized, where appropriate, to require:

1. Provision of temporary parking facilities, including vehicular access and egress.
 2. Control of nuisance factors, such as but not limited to, the prevention of glare or direct illumination of adjacent properties, noise, vibrations, smoke, dust, dirt, odors, gases, and heat.
 3. Regulation of temporary buildings, structures and facilities, including placement, height and size, location of equipment and open spaces, including buffer areas and other yards.
 4. Provision of sanitary and medical facilities.
 5. Provision of solid waste collection and disposal.
 6. Provision of security and safety measures.
 7. Use of an alternative location or date for the proposed special event.
 8. Modification or elimination of certain proposed activities.
 9. Regulation of operating hours and days, including limitation of the duration of the special event to a shorter time period than that requested or specified in this Section.
 10. Submission of a performance guarantee to ensure that any temporary facilities or structures used for such proposed special event will be removed from the site within a reasonable time following the event and that the property will be restored to its former condition.
- E. **Duration of Permit.** A Temporary Use Permit for a special event authorized in accordance with this Subsection shall be limited to a maximum duration of 14 days per site per calendar year, unless otherwise specifically authorized by the Director.

4.3.120 Construction-Related Activities for New Construction

- A. **General.** Temporary construction-related activities for new construction, including construction offices, storage buildings, outdoor storage, and employee parking areas, may occur on the same site as the construction activity without obtaining a Temporary Use Permit. Such uses shall be removed within 30 days after issuance of a certificate of compliance.
- B. **Location on Adjacent Site.** Because of site constraints, construction-related activities may need to occur on a site that is adjacent to or nearby the construction site. In such cases, a Temporary Use Permit is required; see Section 4.3.40 (Temporary Use Permits). Such uses shall be removed within 30 days after issuance of a certificate of compliance, and the site restored to its previous condition.

4.3.130 Temporary Concrete/Asphalt Batch Plant

- A. **Setback from Residential Uses.** No such use shall be located within 500 feet of an adjoining residential use.
- B. **Site Restoration.** Prior to receiving a Temporary Use Permit; see Section 4.3.40 (Temporary Use Permits), the applicant shall provide a written agreement and advance surety in the amount of 100 percent of the estimated site restoration costs (to be determined by the Director and County Engineer) to ensure complete site restoration upon the project's conclusion.

- C. Road Restoration.** Prior to receiving a Temporary Use Permit; see Section 4.3.40 (Temporary Use Permits), the applicant shall provide a written agreement and advance surety in the amount of 100 percent of the estimated road restoration/replacement costs (to be determined by the Director and County Engineer) to ensure roads will be reconstructed to their original or improved condition upon the project's conclusion.
- D. Duration.** Such uses shall be removed within 30 days after issuance of a certificate of compliance for the construction project.

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BUILDING LEGEND

- EXISTING
- PROPOSED EXPANSION
- NEW BUILDING S.G.G. CAMPUS

LEGEND

- A EXISTING CHURCH (+/- 12,000 S.F.)
- B EXISTING SCHOOL (+/- 25,000 S.F.)
- C RESSURECTION GARDEN
- D EXISTING PARKING (+/- 530 SPACES)
- E STORMWATER POND
- F FUTURE DEVELOPMENT/ PARKING EXPANSION
- G PARISH LIFE CENTER
- H COURTYARD
- I MULTI-PURPOSE FIELD
- J FUTURE MAIN CHURCH
- K SCHOOL/CHURCH EXPANSION (+/- 18,500 S.F.)
- L FUTURE RECTORY (+/- 3,000-5,000 S.F.)
- M CROSS COUNTRY TRAIL
- N FUTURE SERVICE BUILDING
- O APPROXIMATE LOCATION OF RELOCATABLE CURB CUTS, TYP.



HIGHWAY 278 EAST
EXISTING S.G.G. SIGN

PROPOSED FREE STANDING
OUTPARCEL SIGN (40 S.F.)

MAIN IDENTIFICATION
SIGN (80 S.F. MAX)

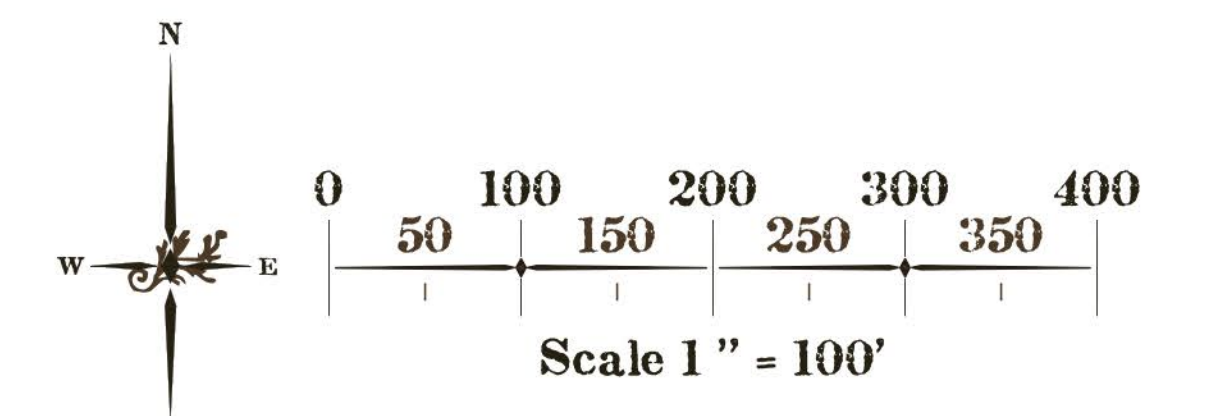


CAMPUS MASTER PLAN

FOR

ST. GREGORY THE GREAT

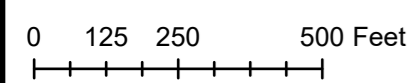
BLUFFTON, SOUTH CAROLINA



Note: Plan is conceptual in nature and subject to change



- Legend**
- Property Lines
 - Town of Bluffton Limits
 - St. Gregory the Great Annexation

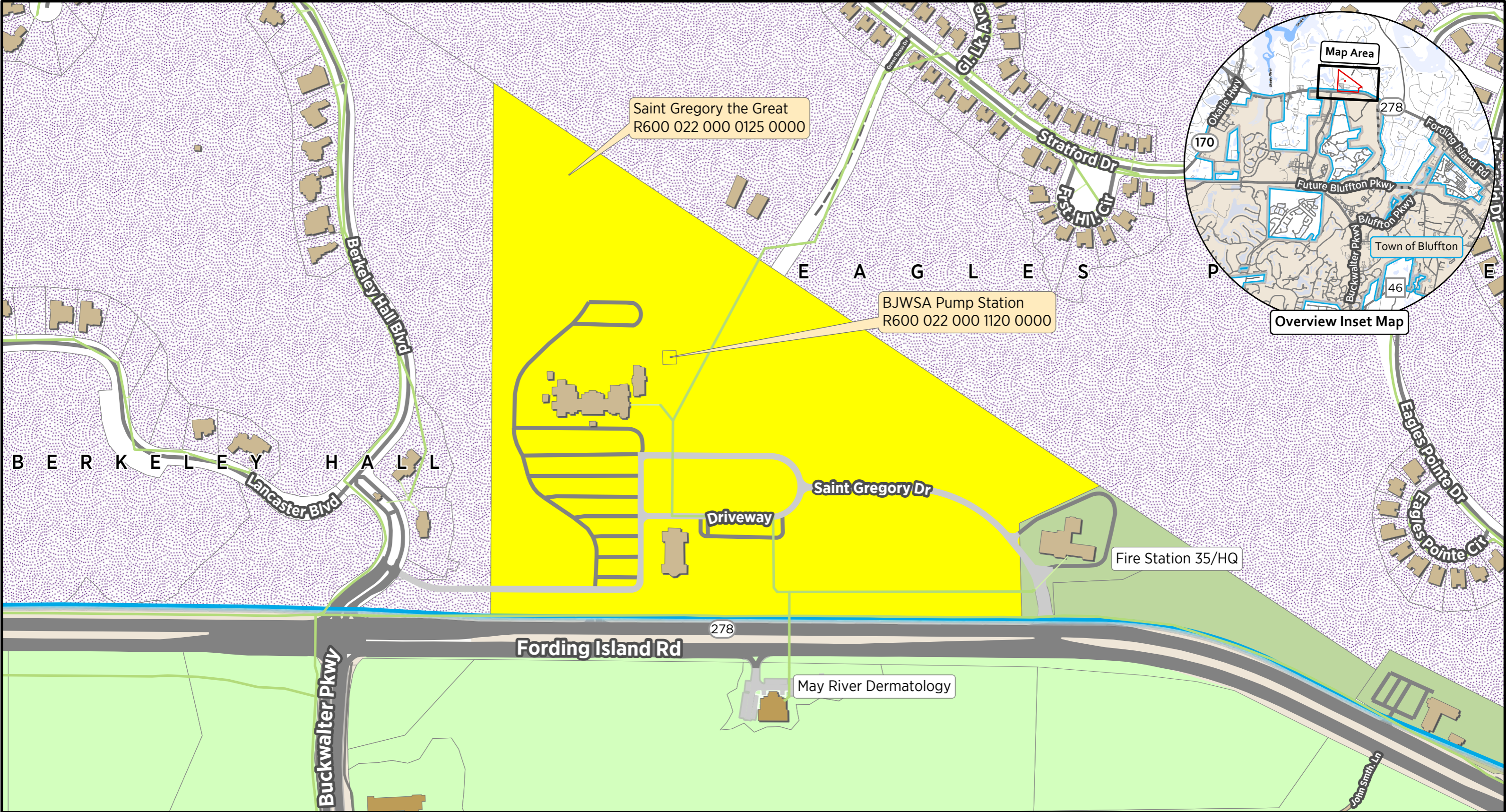


Attachment 7
 TOWN OF BLUFFTON - BEAUFORT COUNTY - SOUTH CAROLINA
SAINT GREGORY THE GREAT
 CATHOLIC CHURCH ANNEXATION REQUEST

W N E S

TOWN OF BLUFFTON
 SOUTH CAROLINA

Ryan J. Coleman, GISP
 Date: 7/30/2019

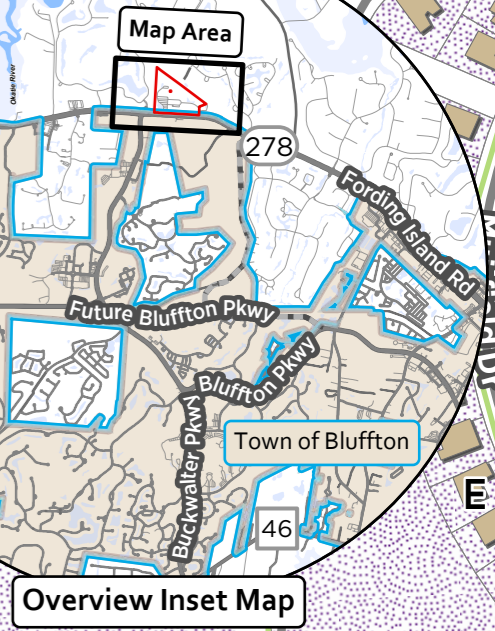


Saint Gregory the Great
R600 022 000 0125 0000

BJWSA Pump Station
R600 022 000 1120 0000

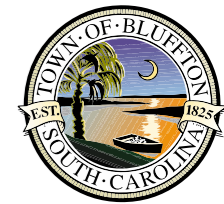
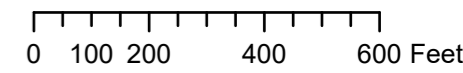
Fire Station 35/HQ

May River Dermatology

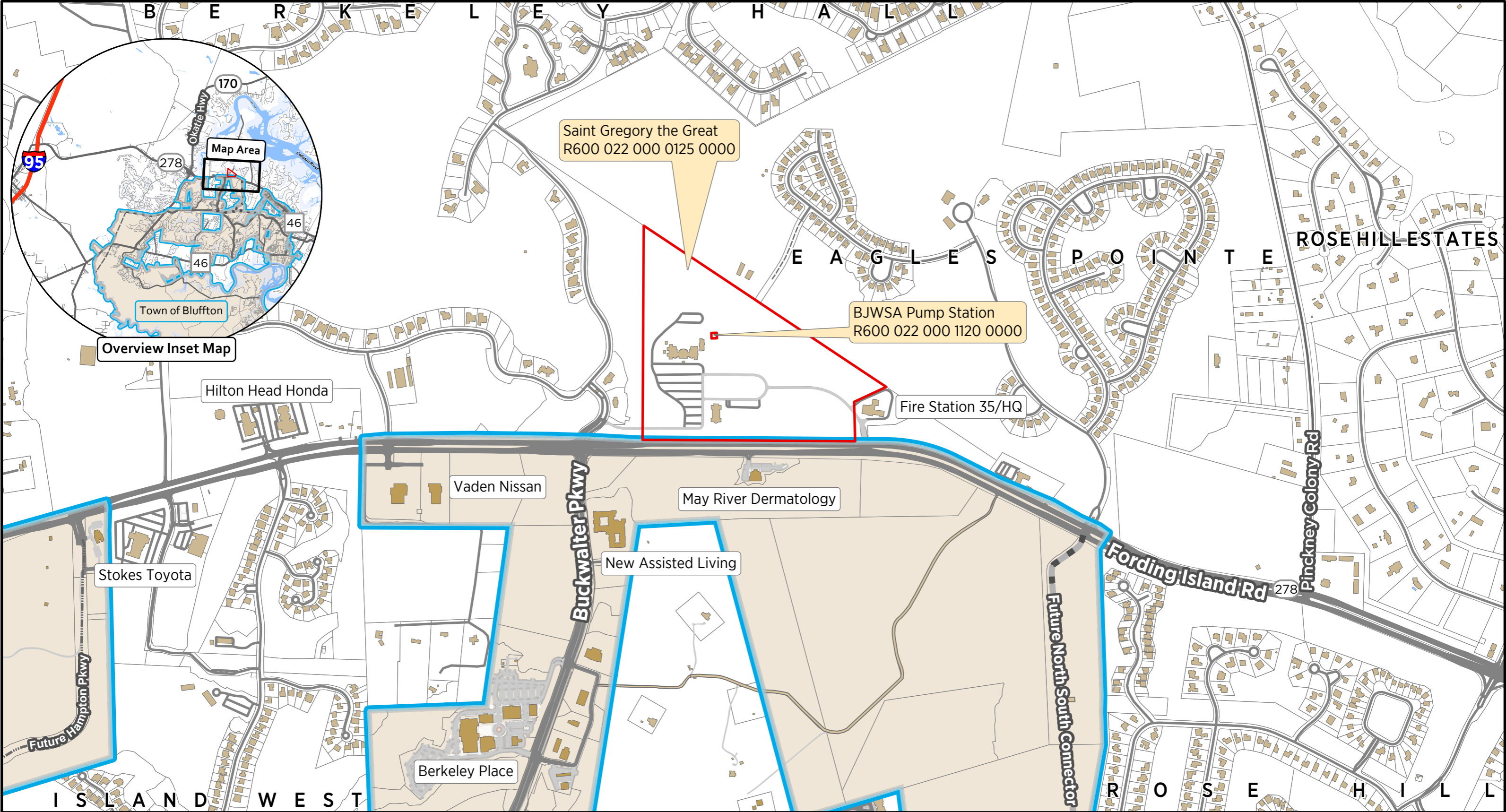


- Legend**
- Town of Bluffton Limits
 - Sewer Lines
 - Bluffton Zoning Districts**
 - Planned Unit Development
 - Beaufort County Zoning**
 - Existing Planned Unit Development [PUD]
 - Neighborhood Mixed-Use
 - Rural [T2R]

Attachment **8**
 TOWN OF BLUFFTON - BEAUFORT COUNTY - SOUTH CAROLINA
SAINT GREGORY THE GREAT
 CATHOLIC CHURCH ANNEXATION REQUEST



Ryan J. Coleman, GISP
Date: 7/30/2019



- Legend**
- St. Gregory the Great Annexation
 - Town of Bluffton Limits
 - Building Footprints**
 - BLUFFTON
 - COUNTY

Attachment 9

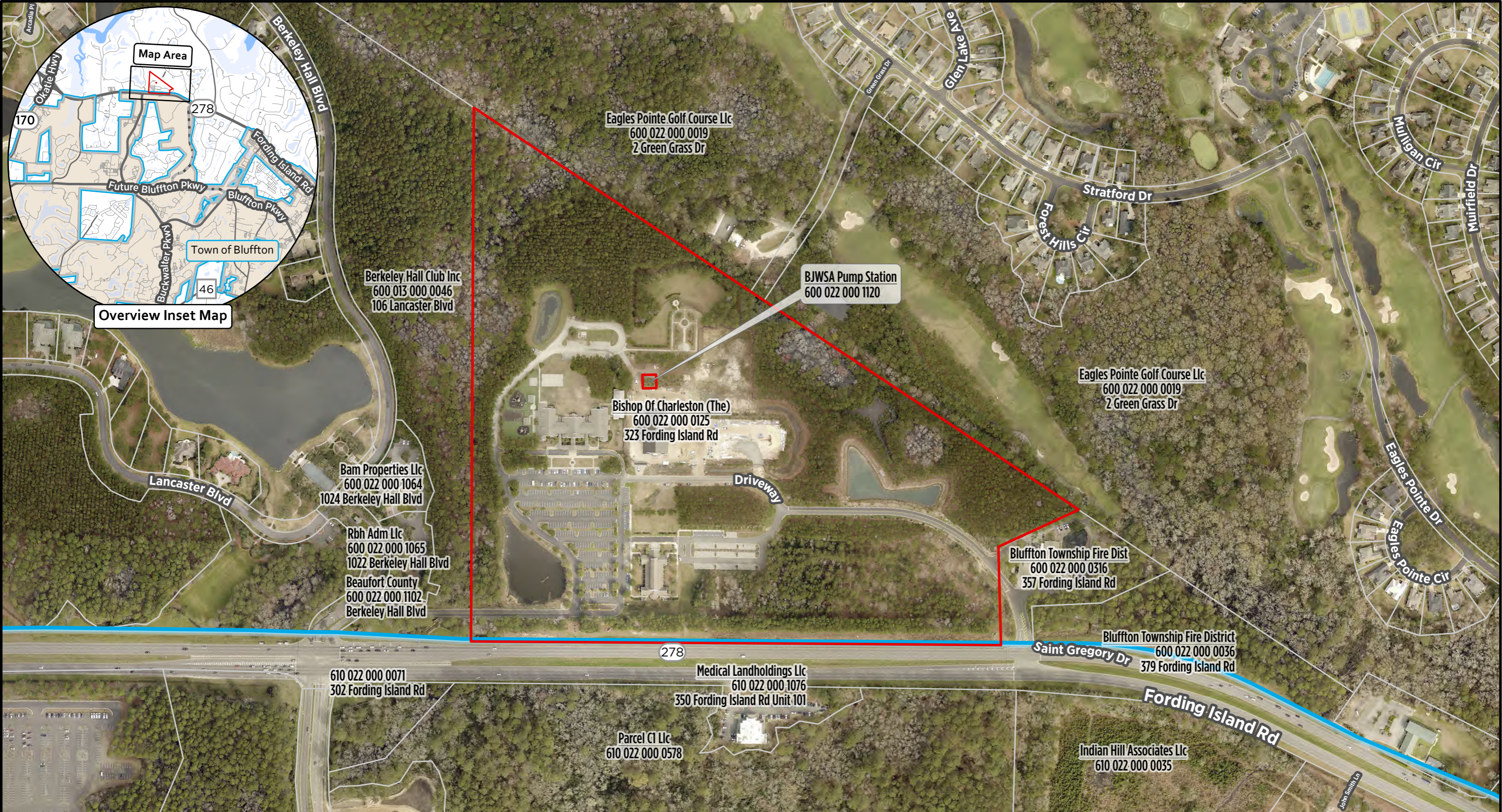
SAINT GREGORY THE GREAT

CATHOLIC CHURCH ANNEXATION REQUEST

0 100 200 400 600 Yards

N
W E
S

Ryan J. Coleman, GISP
Date: 7/30/2019



Eagles Pointe Golf Course Llc
600 022 000 0019
2 Green Grass Dr

BJWSA Pump Station
600 022 000 1120

Bishop Of Charleston (The)
600 022 000 0125
323 Fording Island Rd

Eagles Pointe Golf Course Llc
600 022 000 0019
2 Green Grass Dr

Bam Properties Llc
600 022 000 1064
1024 Berkeley Hall Blvd

Rbh Adm Llc
600 022 000 1065
1022 Berkeley Hall Blvd

Beaufort County
600 022 000 1102
Berkeley Hall Blvd

Bluffton Township Fire Dist
600 022 000 0316
357 Fording Island Rd

Bluffton Township Fire District
600 022 000 0036
379 Fording Island Rd

610 022 000 0071
302 Fording Island Rd

Medical Landholdings Llc
610 022 000 1076
350 Fording Island Rd Unit 101

Parcel C1 Llc
610 022 000 0578

Indian Hill Associates Llc
610 022 000 0035

Overview Inset Map

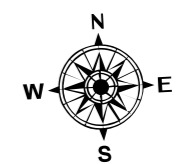
Attachment **10**

SAINT GREGORY THE GREAT
CATHOLIC CHURCH ANNEXATION REQUEST

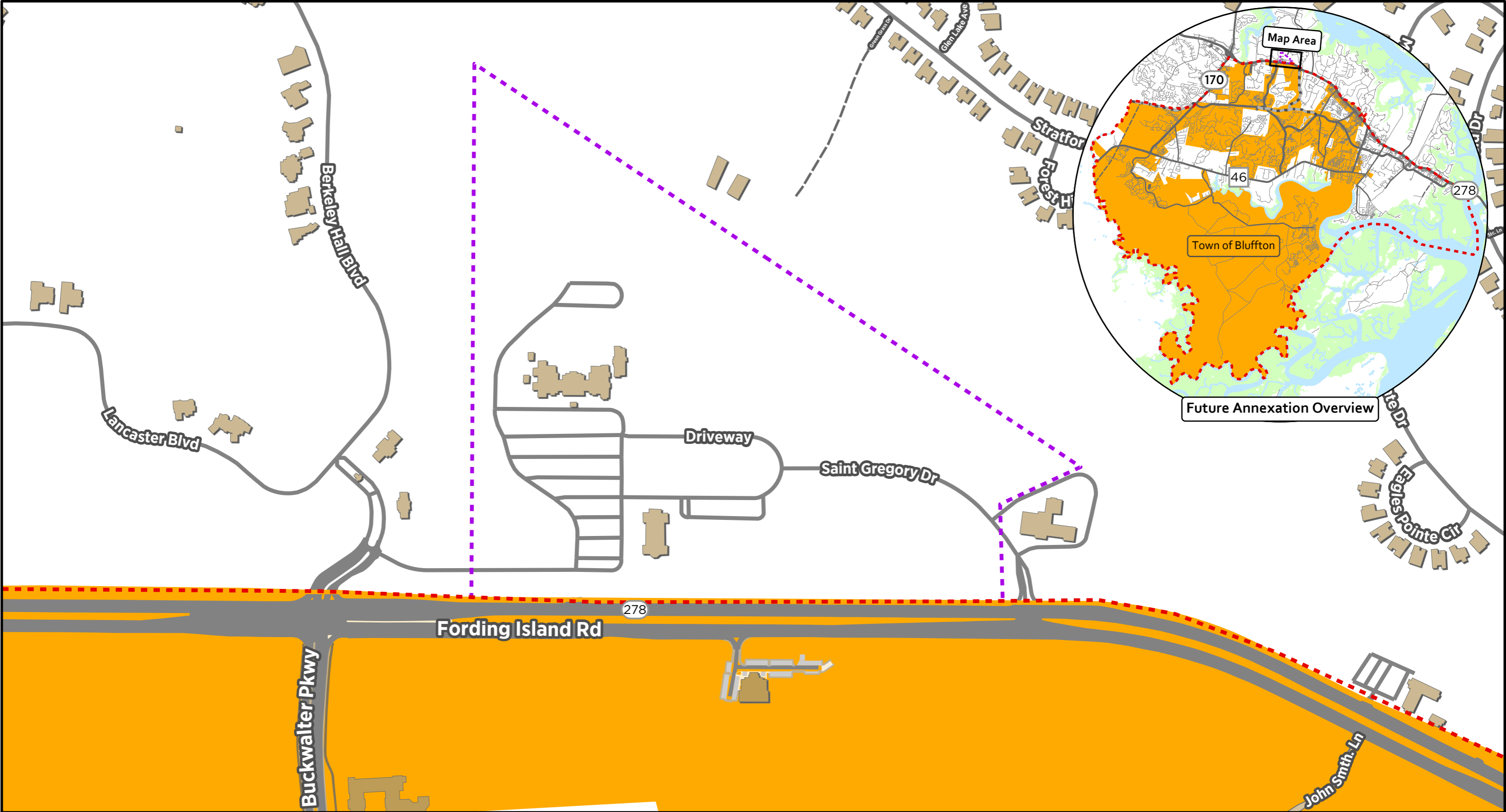
Legend

- St. Gregory the Great Annexation
- Town of Bluffton Limits
- Property Lines

0 125 250 500 Feet






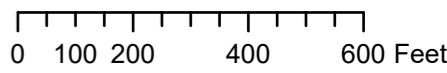
Ryan J. Coleman, GISP
Date: 7/30/2019



Attachment 11

TOWN OF BLUFFTON - BEAUFORT COUNTY - SOUTH CAROLINA
SAINT GREGORY THE GREAT
 CATHOLIC CHURCH ANNEXATION REQUEST

- Legend**
-  Future Annexation Limits
 -  Future Limits After Annexation
 -  Town of Bluffton Limits









Ryan J. Coleman, GISP
 Date: 7/30/2019



Future Annexation Area

Legend

JURISDICTIONAL

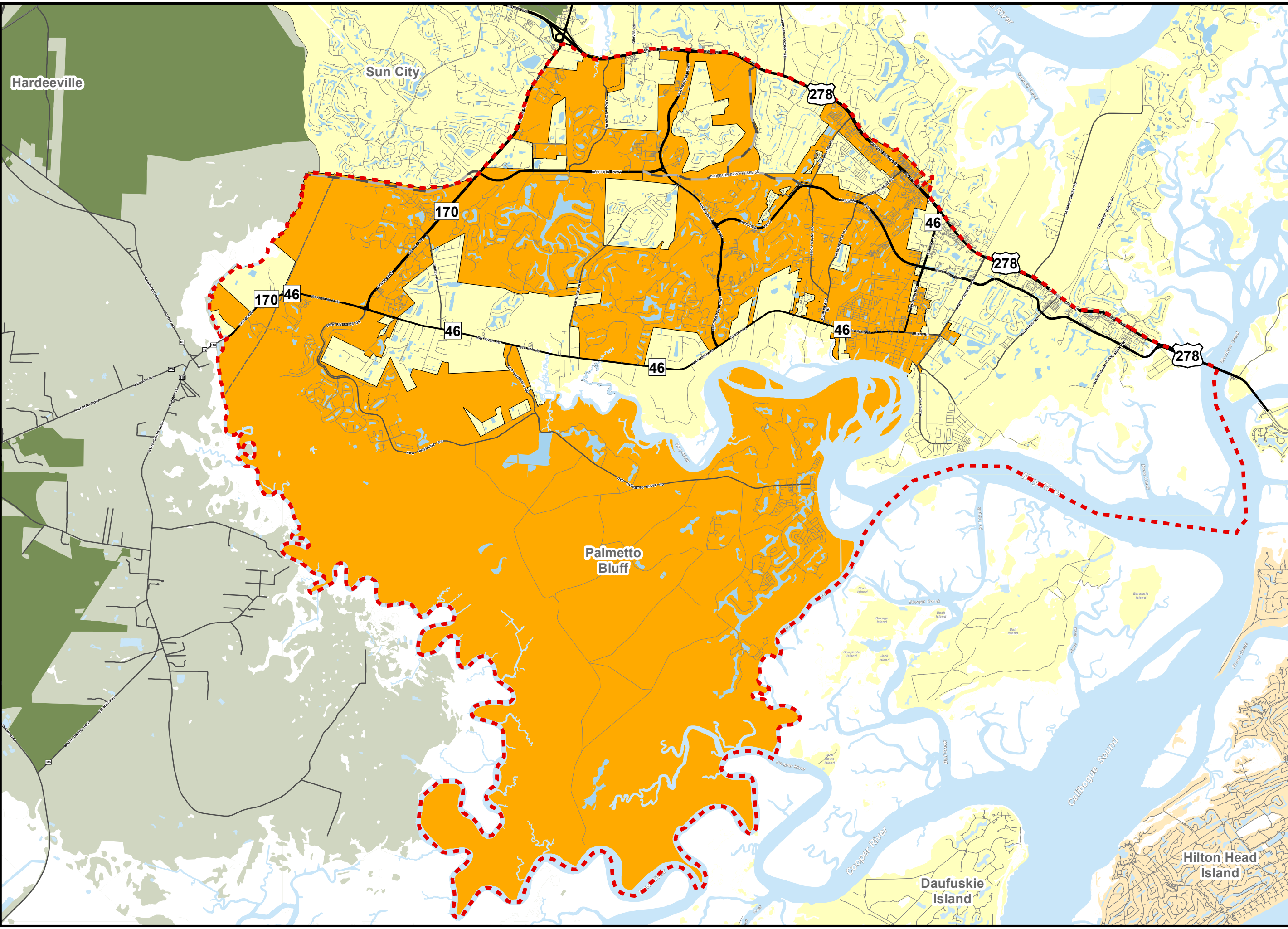
-  Hilton Head Island
-  Hardeeville
-  Beaufort County
-  Jasper County
-  Town of Bluffton
-  Town of Bluffton Future Limits

TRANSPORTATION

-  Paved Roads
-  Proposed Roads

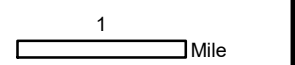
HYDROLOGY

-  Marsh
-  Water

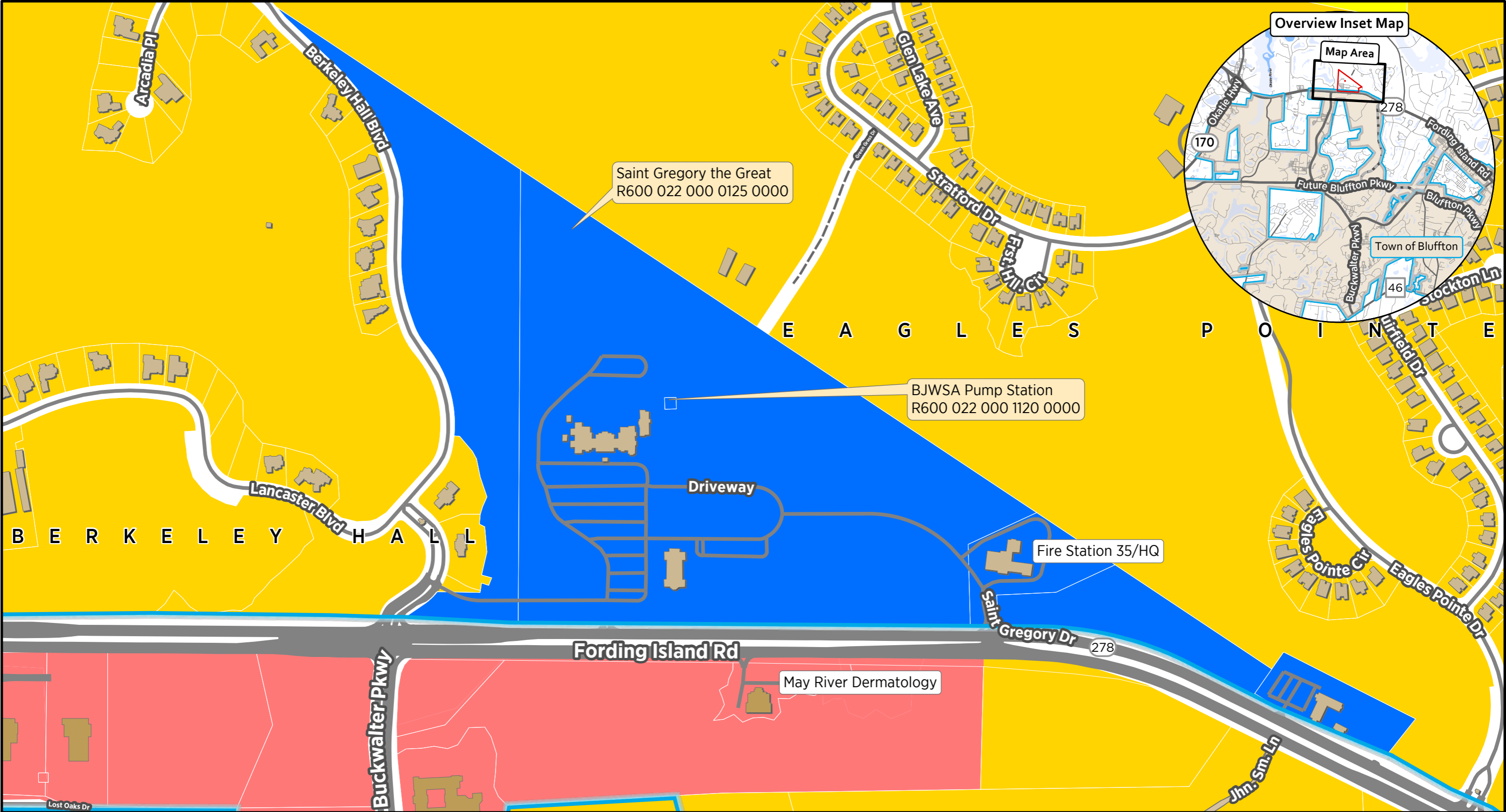


Adopted: 9/04/2007
 Revised: 12/09/2014
 Updated: 3/20/2019

Map Prepared By:
Ryan Coleman, GISP



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Saint Gregory the Great
R600 022 000 0125 0000

BJWSA Pump Station
R600 022 000 1120 0000

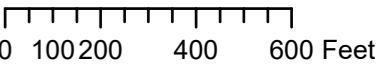
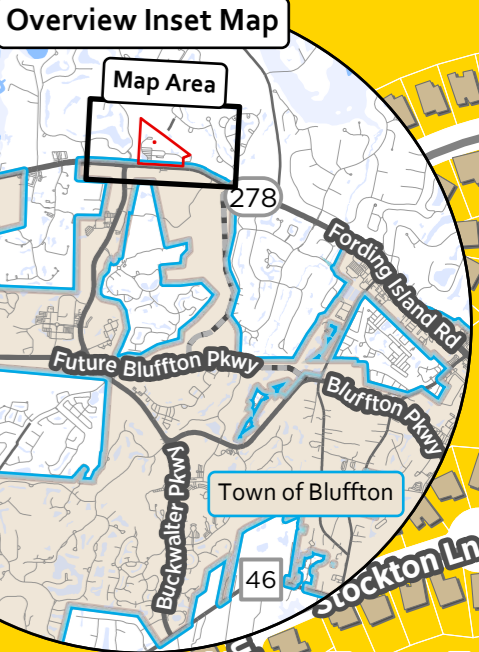
Fire Station 35/HQ

May River Dermatology

Attachment 12

TOWN OF BLUFFTON - BEAUFORT COUNTY - SOUTH CAROLINA
SAINT GREGORY THE GREAT
 CATHOLIC CHURCH ANNEXATION REQUEST

- Legend**
- Town of Bluffton Limits
 - LOW DENSITY RESIDENTIAL
 - LOW INTENSITY COMMERCIAL
 - Future Land Use**
 - CIVIC/INSTITUTIONAL
 - MEDIUM DENSITY RESIDENTIAL
 - CONSERVATION/PRESERVATION
 - MEDIUM INTENSITY COMMERCIAL
 - HIGH DENSITY RESIDENTIAL
 - MIXED USE
 - HIGH INTENSITY COMMERCIAL
 - RECREATION/OPEN SPACE



Ryan J. Coleman, GISP
Date: 7/30/2019

FUTURE LAND USE

Legend

FUTURE LAND USE

- High Intensity Commercial
- Medium Intensity Commercial
- Low Intensity Commercial
- Mixed Use
- High Density Residential
- Medium Density Residential
- Low Density Residential
- Civic/ Institutional
- Recreation/ Open Space
- Conservation/ Preservation
- In PUD

JURISDICTIONAL

- Hilton Head Island
- Hardeeville
- Beaufort County
- Jasper County
- Bluffton Town Limit

MISCELLANEOUS

- Bluffton Parcel Lines
- Beaufort County Jasper County Parcel Lines

TRANSPORTATION

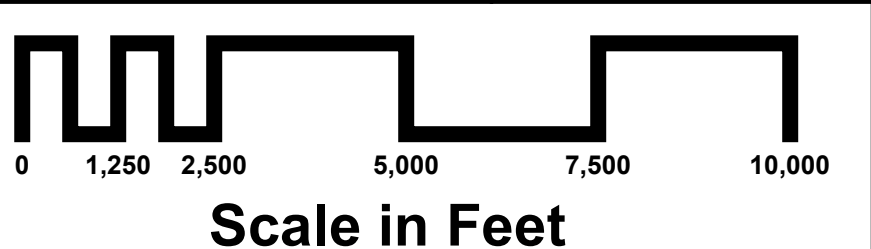
- Paved Road
- Bluffton Parkway (Proposed)

HYDROLOGY

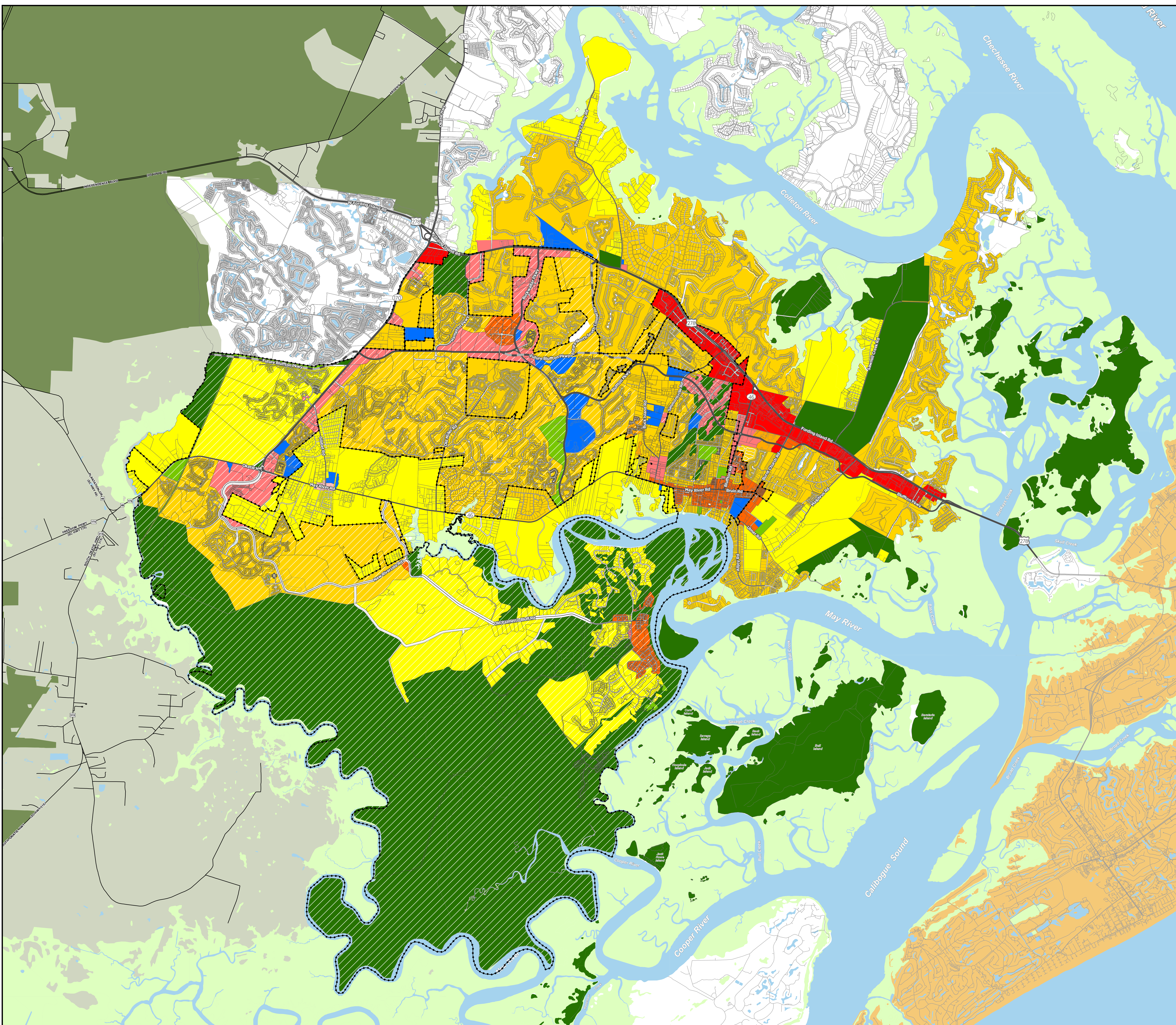
- Marsh
- Water

Adopted: 9/04/2007
Revised: 12/09/2014
Updated: 3/20/2019

Map Prepared By:
Ryan
Coleman, GISP



DISCLAIMER:
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Attachment 13

Town of Bluffton
Beaufort County, SC

Growth Management
Department

Growth Framework Map 8.5

Map Legend

- Future Bluffton Limits
- Town Center Place Type Assembly
- Village Place Type Assembly
- Hamlet Place Type Assembly
- Rural Crossroad Place Type Assembly

Streets

- Major Road
- Minor Road
- Local Road
- Future Major Road
- Future Road
- Pathway

Water Type

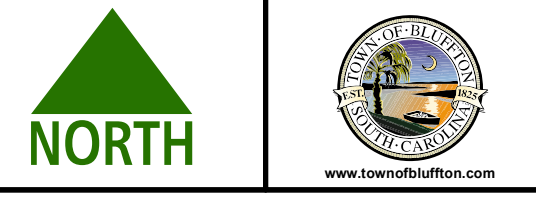
- Water
- Marsh

County

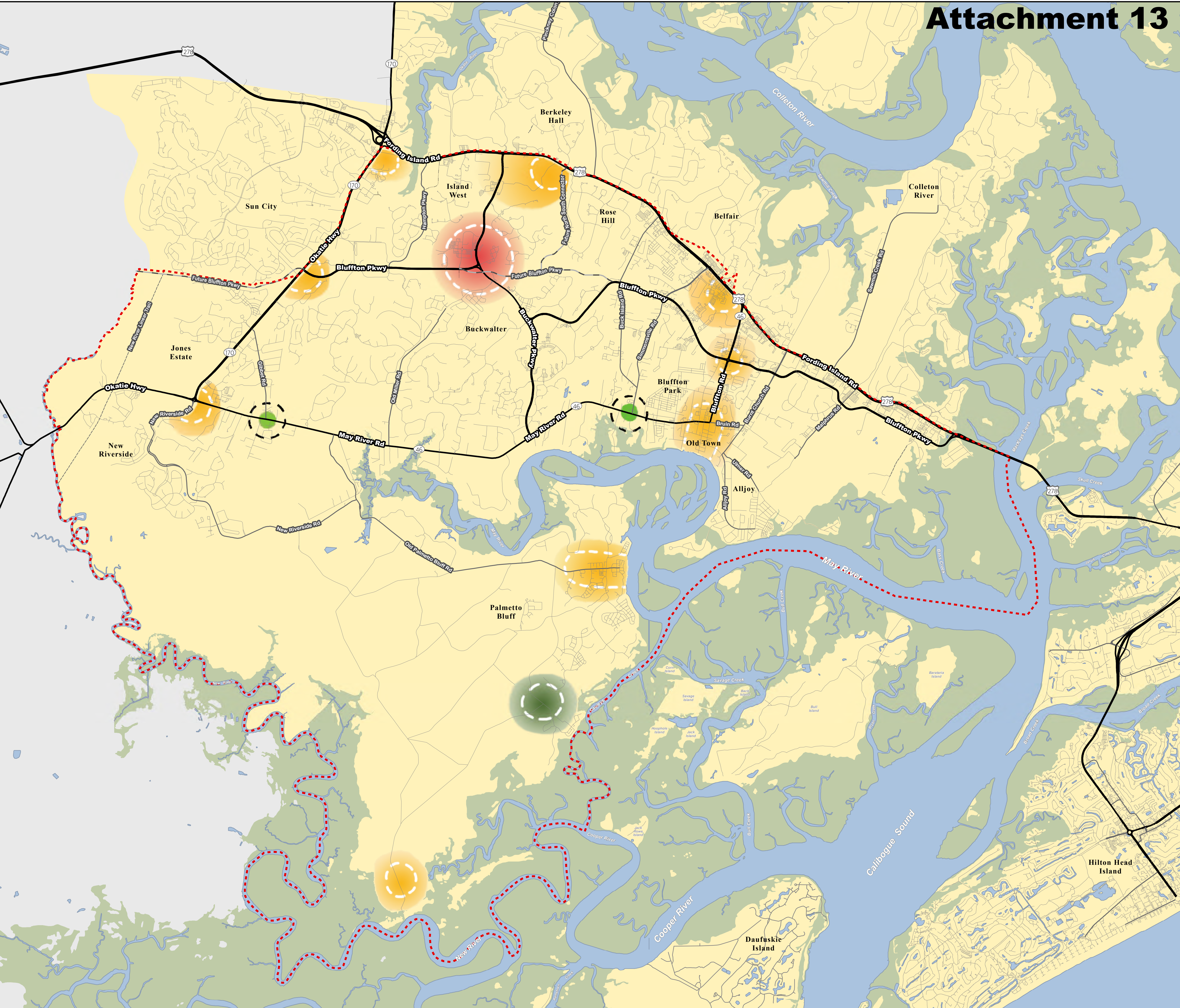
- Beaufort
- Jasper

Adopted: 11/10/2011	Map Prepared By:
Revised: 12/09/2014	Ryan Coleman, GISP
Updated: 3/20/2019	

0 0.25 0.5 1 Miles



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Attachment 14

Saint Gregory the Great Annexation

Cost Benefit Analysis

1. Cost Benefit Summary

In accordance with Section 5-3-150 of the Code of Laws of South Carolina, Walter Nester of Burr, Forman, McNair, on behalf of submitted annexation petitions pursuant to the 100% freeholder method on July 10, 2019 requesting to annex the approximately 61.093 acre Property into the Town of Bluffton’s municipal boundary,

The Bishop of Charleston (Saint Gregory the Great Catholic Church) and Beaufort-Jasper Water and Sewer Authority (“BJWSA”) are proposing to annex certain property containing approximately 61.093 acres, more or less, located at 323 Fording Island Road and identified by Beaufort County Tax Map Nos. R600 022 000 0125 0000 and R600 022 000 1120 0000, into the Town of Bluffton corporate limits (Property) and establish zoning for the property Buckwalter Planned Unit Development (PUD) subject to a new Saint Gregory the Great Land Use Tract. Under the existing conditions the additional municipal costs will be minimal, while tax revenue will increase by approximately \$34,497.98 per year upon buildout.

2. Parcel Information

The Property is Owned by the Bishop of Charleston (Saint Gregory the Great Catholic Church) and BJWSA and contains approximately 61.093 acres located within Unincorporated Beaufort County and is currently zoned as C3 Neighborhood Mixed Use (C3NMU) pursuant to the Beaufort County Community Development Code. The Property currently houses the Saint Gregory the Great Catholic Church Campus consisting of a chapel and associated facilities, Saint Gregory the Great Catholic School for Grades Pre-K to 6 consisting of approximately 62,000 square feet, as well as a BJWSA pump station serving the Property. The Applicant intends to utilize a 50.856 acre portion of the property for the expansion of the Saint Gregory the Great Catholic Church Campus an possibly a retirement community for retired clergy, the 0.057 acre as a pump station, and the remaining 10.18 acres for sale as outparcels whose specific uses are yet to be determined but may include a mix of uses such as a gas station, hotel, office building, retail, or any other use permitted in the new Saint Gregory the Great Land Use Tract.

3. Taxes and Stormwater Utility Fees

Upon annexation, the property’s tax assessment will be subject to Beaufort County and Town of Bluffton millage. The table below provides a comparison of millage for Tax Years 2020 and 2021 to demonstrate the overall change of how the properties will be assessed:

Description	Millage/ Fee Rates	
	2020	2021
County Operations	50.04	53.90
County Debt Service	5.58	5.50
Purchase of Real Property Program	5.50	4.80
School Operations	114.00	114.00
School Bond Debt Service (Principal & Interest)	31.71	36.60

Bluffton Fire Operations	24.10	24.10
Bluffton Fire Debt	1.60	1.60
Total Beaufort County Millage	236.79	240.50
General Fund	0	36.80
Debt Service	0	1.70
Total Town of Bluffton Millage	0	38.50

The attached worksheets provide a detailed analysis of each parcel’s value, taxes and fees paid for tax year 2020, and estimates of taxes and fees upon annexation and at build out. The table below provides a summary of the detailed worksheets for the entire annexation area:

Description	2020 Paid	2021 Estimated	Build Out Estimated
Appraised Value	\$10,597,600	\$10,597,600	\$50,457,942.10
Taxable Value	\$0	\$0	\$896,051.50
Beaufort County Taxes	\$0	\$0	\$215,500.38
Town of Bluffton Taxes	N/A	\$0	\$34,497.98
Total Taxes	\$0	\$0	\$249,998.37

4. Service Providers

The table below provides a comparison of current service providers for the properties and identifies the services the Town of Bluffton would assume after annexation:

Type of Service	Provider of Service	
	Current	After Annexation
General Government Services	Beaufort County	Town of Bluffton
Planning, Community Development, & Land Use Regulatory Services	Beaufort County	Town of Bluffton
Police Protection	Beaufort County	Town of Bluffton
Fire Protection	Bluffton Township Fire District	Bluffton Township Fire District
Emergency Medical Services	Beaufort County	Beaufort County
Hospitals	Private	Private
Schools	Beaufort County School District	Beaufort County School District
Parks & Recreation	Beaufort County	Beaufort County
Stormwater Maintenance	Beaufort County	Town of Bluffton
Road Maintenance	Private (<i>Internal Roads</i>) Beaufort County (<i>Frontage Road</i>)	Private (<i>Internal Roads</i>) Beaufort County (<i>Frontage Road</i>)
Garbage Service - Residential	Private	Town of Bluffton
Garbage Service - Commercial	Private	Private

Water & Sewer Service	Beaufort-Jasper Water & Sewer Authority	Beaufort-Jasper Water & Sewer Authority
----------------------------------	---	---

5. Additional Municipal Service Costs

The services the Town of Bluffton would assume upon annexation of the property would not result in a significant expense as indicated in the table below:

Property Tax Revenue/ Town Service	Rate at Time of Annexation	Estimated Town Property Tax Revenue/ Expense	
		1 st Year of Annexation ¹	Build Out ²
Estimated Annual Town Property Tax Revenue	38.50 Mills	\$0.00	\$6,566.13
Garbage/ Recycling Service	\$9.92 per Month Per Dwelling Unit ³	\$0.00	\$0.00
Police Service	\$66,380 per Officer	\$0.00	\$0.00
Administrative/ Growth Management/ Stormwater/ Public Works Service	\$65,018 per Employee	\$0.00	\$0.00
Total Estimated Revenue After Expenses	N/A	\$0.00	\$6,972.97

- a) Police and Judicial Costs – The costs of police protection and judicial services for the annexation of this property would be nominal.
- b) Solid Waste Collection – The Town of Bluffton does not provide solid waste collection services to multi-family properties, commercial properties or businesses. Direct private container service contracted under separate individual agreement is available to businesses.
- c) Other Government Services – Additional costs for other government services and employees (including Administration, Public Works, and Growth Management) would be nominal.

6. Schools

The proposed annexation will have a minimal effect on the Beaufort County School District as the anticipated development and build-out of the Property will not contain any unrestricted, open market multi-family rental units.

7. Transportation

The proposed annexation will have no measurable effect to the traffic on Fording Island Road as the existing church and school, which would be the largest contributor to traffic counts for the Property even at buildout, have been reviewed and mitigated by the installation of a frontage road. Specifically,

Beaufort County, Berkeley Hall, and the applicant worked together to provide for a frontage road through the Property providing access to two signalized intersections onto US 278.

Exhibits

- A. 2020 Beaufort County Taxes and Fees Paid;
- B. Estimate of 2021 Beaufort County and Town of Bluffton Taxes and Fees; and
- C. Estimate of Annual Beaufort County and Town of Bluffton Taxes and Fees at Build Out.

Saint Gregory the Great Annexation Cost Benefit Analysis

2020 Beaufort County Taxes and Fees Paid

Property/ Tax/ Fee Description	Church/ School Site	Church/ School Site
Property ID	R600 022 000 0125 0000	R600 022 000 1120 0000
Property Owner	The Bishop of Charleston	Beaufort Jasper Water & Sewer Authority
Acreage	62.80	0.06
Property Class Code	Church & Cemetery Imp	Tran Comm Util (TCU) Vac Util
Appraised Land Value	\$ 5,024,000.00	\$ 500.00
Appraised Improvements Value	\$ 5,573,100.00	\$ -
Total Appraised Value	\$ 10,597,100.00	\$ 500.00
Limited (Capped) Appraised Value Total	\$ 10,296,750.00	\$ 30.00
Assessment Ratio	6%	6%
Assessed Value	\$ 617,805	\$ 30.00
Taxable Value	\$ -	\$ -
Beaufort County Taxes		
County Operations (54.3 Mills)	\$ -	\$ -
County Debt Service (5.8 Mills)	\$ -	\$ -
County Purchase of Real Property Program (5.5 Mills)	\$ -	\$ -
School Operations (114 Mills)	\$ -	\$ -
Owner Occupied (4 % Ratio) School Operations Credit	\$ -	\$ -
School Bond Debt Service (31.71 Mills)	\$ -	\$ -
Bluffton Fire Operations (24.1 Mills)	\$ -	\$ -
Bluffton Fire Debt Service (1.6 Mills)	\$ -	\$ -
Beaufort County Total Estimated Annual Taxes at Build Out	\$ -	\$ -
Town of Bluffton Taxes		
Town of Bluffton General Fund (35.3 Mills)	\$ -	\$ -
Town of Bluffton Debt Service (3.2 Mills)	\$ -	\$ -
Town of Bluffton Total Estimated Annual Taxes at Build Out	\$ -	\$ -
Beaufort County and Town of Bluffton Estimated Annual Taxes at Build Out	\$ -	\$ -

Saint Gregory the Great Annexation Cost Benefit Analysis

2021 Estimate of Town of Bluffton and Beaufort County Taxes and Fees

Property/ Tax/ Fee Description	Church/ School Site	Church/ School Site
Property ID	R600 022 000 0125 0000	R600 022 000 1120 0000
Property Owner	The Bishop of Charleston	Beaufort Jasper Water & Sewer Authority
Acreage	62.80	0.06
Property Class Code	Church & Cemetery Imp	Tran Comm Util (TCU) Vac Util
Appraised Land Value	\$ 5,024,000.00	\$ 500.00
Appraised Improvements Value	\$ 5,573,100.00	\$ -
Total Appraised Value	\$ 10,597,100.00	\$ 500.00
Limited (Capped) Appraised Value Total	\$ 10,296,750.00	\$ 30.00
Assessment Ratio	6%	6%
Assessed Value	\$ 617,805	\$ 30.00
Taxable Value	\$ -	\$ -
Beaufort County Taxes		
County Operations (53.9 Mils)	\$ -	\$ -
County Debt Service (5.5 Mils)	\$ -	\$ -
County Purchase of Real Property Program (4.8 Mils)	\$ -	\$ -
School Operations (114 Mils)	\$ -	\$ -
Owner Occupied (4 % Ratio) School Operations Credit	\$ -	\$ -
School Bond Debt Service (36.6 Mils)	\$ -	\$ -
Bluffton Fire Operations (24.1 Mils)	\$ -	\$ -
Bluffton Fire Debt Service (1.6 Mils)	\$ -	\$ -
Beaufort County Total Estimated Annual Taxes at Build Out	\$ -	\$ -
Town of Bluffton Taxes		
Town of Bluffton General Fund (36.8 Mils)	\$ -	\$ -
Town of Bluffton Debt Service (1.7 Mils)	\$ -	\$ -
Town of Bluffton Total Estimated Annual Taxes at Build Out	\$ -	\$ -
Beaufort County and Town of Bluffton Estimated Annual Taxes at Build Out	\$ -	\$ -

Saint Gregory the Great Annexation Cost Benefit Analysis

Estimate of Annual Beaufort County and Town of Bluffton Taxes and Fees at Build Out

Property/ Tax/ Fee Description	Lot Number / Property Address						Total
	Church/ School Site	BJWSA Pump Station	Outparcel 1	Outparcel 2	Outparcel 3	Outparcel 4	
Property ID	R600 022 000 0125 0000	R600 022 000 1120 0000	TBD	TBD	TBD	TBD	N/A
Property Owner	The Bishop of Charleston	Beaufort Jasper Water & Sewer Authority	TBD	TBD	TBD	TBD	N/A
Acreage	52.15	0.057	2.34	2.45	2.92	2.94	62.857
Development Description	Existing: 61,021 Square Feet Shool, Church, and Parish Life Center; Future: 24,000 Square Foot Church, 18,500 Square Foot Church/ School Expansion, 5,000 Square Foot Rectory, and 80 Unit Multi-Family Restricted to Retired Clergy	Pump Station	6,000 SF Convenience Store, 20 Vehicle Fuling Positions, Car Wash	10,000 SF Retail	10,000 SF Office	120 Room Hotel	
Property Class Code	Church & Cemetery Imp	Tran Comm Util (TCU) Vac Util	ComImp Trade GasStat&ConvStore	ComImp Trade NeighborhdShopCtr	ComImp Serv Professional	ComImp HotelMotelBed&Breakfast	N/A
Appraised Land Value	\$ 8,500,000.00	\$ 500.00	\$ 971,100.00	\$ 796,250.00	\$ 633,640.00	\$ 235,200.00	\$ 11,136,690.00
Appraised Improvements Value	\$ 27,023,250.50	\$ -	\$ 824,769.60	\$ 1,374,616.00	\$ 1,374,616.00	\$ 8,724,000.00	\$ 39,321,252.10
Total Appraised Value	\$ 35,523,250.50	\$ 500.00	\$ 1,795,869.60	\$ 2,170,866.00	\$ 2,008,256.00	\$ 8,959,200.00	\$ 50,457,942.10
Limited (Capped) Appraised Value Total	\$ 35,523,250.50	\$ 30.00	\$ 1,795,869.60	\$ 2,170,866.00	\$ 2,008,256.00	\$ 8,959,200.00	\$ 50,457,472.10
Assessment Ratio	6%	6%	6%	6%	6%	6%	N/A
Assessed Value	\$ 2,131,395	\$ 30.00	\$ 107,752.18	\$ 130,251.96	\$ 120,495.36	\$ 537,552.00	\$ 3,027,476.53
Taxable Value	\$ -	\$ -	\$ 107,752.18	\$ 130,251.96	\$ 120,495.36	\$ 537,552.00	\$ 896,051.50
Beaufort County Taxes							
County Operations (53.9 Mills)	\$ -	\$ -	\$ 5,807.84	\$ 7,020.58	\$ 6,494.70	\$ 28,974.05	\$ 48,297.18
County Debt Service (5.5 Mills)	\$ -	\$ -	\$ 592.64	\$ 716.39	\$ 662.72	\$ 2,956.54	\$ 4,928.28
County Purchase of Real Property Program (4.8 Mills)	\$ -	\$ -	\$ 517.21	\$ 625.21	\$ 578.38	\$ 2,580.25	\$ 4,301.05
School Operations (114 Mills)	\$ -	\$ -	\$ 12,283.75	\$ 14,848.72	\$ 13,736.47	\$ 61,280.93	\$ 102,149.87
Owner Occupied (4 % Ratio) School Operations Credit	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
School Bond Debt Service (36.6 Mills)	\$ -	\$ -	\$ 3,943.73	\$ 4,767.22	\$ 4,410.13	\$ 19,674.40	\$ 32,795.48
Bluffton Fire Operations (24.1 Mills)	\$ -	\$ -	\$ 2,596.83	\$ 3,139.07	\$ 2,903.94	\$ 12,955.00	\$ 21,594.84
Bluffton Fire Debt Service (1.6 Mills)	\$ -	\$ -	\$ 172.40	\$ 208.40	\$ 192.79	\$ 860.08	\$ 1,433.68
Beaufort County Total Estimated Annual Taxes at Build Out	\$ -	\$ -	\$ 25,914.40	\$ 31,325.60	\$ 28,979.13	\$ 129,281.26	\$ 215,500.38
Town of Bluffton Taxes							
Town of Bluffton General Fund (36.8 Mills)	\$ -	\$ -	\$ 3,965.28	\$ 4,793.27	\$ 4,434.23	\$ 19,781.91	\$ 32,974.70
Town of Bluffton Debt Service (1.7 Mills)	\$ -	\$ -	\$ 183.18	\$ 221.43	\$ 204.84	\$ 913.84	\$ 1,523.29
Town of Bluffton Total Estimated Annual Taxes at Build Out	\$ -	\$ -	\$ 4,148.46	\$ 5,014.70	\$ 4,639.07	\$ 20,695.75	\$ 34,497.98
Beaufort County and Town of Bluffton Estimated Annual Taxes at Build Out	\$ -	\$ -	\$ 30,062.86	\$ 36,340.30	\$ 33,618.21	\$ 149,977.01	\$ 249,998.37

Attachment 15

St. Gregory the Great Annexation Application Meeting Sequence REVISED

Meeting	Date	Task Description/ Application(s) for Review	Action(s)	
Pre-Application Meeting COMPLETE	January 31, 2019 9:00 a.m.	Annexation Petition (ANNX-07-19-13330)	Review of Application Requirements and Timeline	
		PUD Zoning Map & Text Amendment (ZONE-07-19-13331)		
		Comprehensive Plan Amendment (COMP-07-19-13329)		
Application Submittal Meeting COMPLETE	July 10, 2019	Annexation Petition (ANNX-07-19-13330)	Submittal of Applications	
		PUD Zoning Map & Text Amendment (ZONE-07-19-13331)		
		Comprehensive Plan Amendment (COMP-07-13329)		
Town Council "Intent to Annex", Ordinance 1 st Reading & Consideration COMPLETE	August 13, 2019 6:00 p.m.	Annexation Petition (ANNX-07-19-13330)	"Intent to Annex", Ordinance 1 st Reading	
Application Submittal Meeting COMPLETE	February 21, 2020 Via Email	Annexation Petition (ANNX-07-19-13330)	Resubmittal of Applications with Revised Materials	
		PUD Zoning Map & Text Amendment (ZONE-07-19-13331)		
		Buckwalter Development Agreement Amendment (DAA-02-20-14041)	Submittal of Applications	
		Buckwalter Concept Plan Amendment (CPA-02-20-14047)		
		St. Gregory the Great Master Plan (MP-02-20-14050)		
Development Review Committee COMPLETE	June 24, 2020 1:00 p.m.	Buckwalter Concept Plan Amendment (CPA-02-20-14047)	Discussion and Comments for Consideration. The DRC will provide comments on the Buckwalter Concept Plan Amendment.	
Submittal of Revisions for Planning Commission Packet COMPLETE	July 3, 2020	Buckwalter Concept Plan Amendment (CPA-02-20-14047)	Any revisions for the Buckwalter Concept Plan Amendment.	
Public Hearing Notice 30 days Prior to Public Hearing COMPLETE	July 26, 2020	Annexation Petition (ANNX-07-19-13330) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Letters notifying adjacent property owners within 500' radius of pending applications and associated upcoming Public Hearings <input type="checkbox"/>	
		PUD Zoning Map & Text Amendment (ZONE-07-19-13331) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
		Comprehensive Plan Amendment (COMP-07-19-13329) <input type="checkbox"/>		
		Buckwalter Development Agreement Amendment (DAA-02-20-14041) <input type="checkbox"/>		
		Buckwalter Concept Plan Amendment (CPA-02-20-14047) <input type="checkbox"/>		Post the property <input type="checkbox"/>
		St. Gregory the Great Master Plan (MP-02-20-14050)		Newspaper Notification <input type="checkbox"/>
Planning Commission Workshop COMPLETE	July 22, 2020	Annexation Petition (ANNX-07-19-13330)	Discussion and Comments for Consideration. Projects not highlighted do not require the workshop, however, it will be included in the discussion.	
		PUD Zoning Map & Text Amendment (ZONE-07-19-13331)		
		Comprehensive Plan Amendment (COMP-07-19-13329)		
		Buckwalter Development Agreement Amendment (DAA-02-20-14041)		
		Buckwalter Concept Plan Amendment (CPA-02-20-14047)		
		St. Gregory the Great Master Plan (MP-02-20-14050)		
Public Hearing Notice 30 days Prior to Public Hearing	September 23, 2020	Annexation Petition (ANNX-07-19-13330) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Resend letters notifying adjacent property owners within 500' radius of pending applications and upcoming rescheduled Planning Commission Public Hearing <input type="checkbox"/>	
		PUD Zoning Map & Text Amendment (ZONE-07-19-13331) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
		Comprehensive Plan Amendment (COMP-07-19-13329) <input type="checkbox"/>		
		Buckwalter Development Agreement Amendment (DAA-02-20-14041) <input type="checkbox"/>		
		Buckwalter Concept Plan Amendment (CPA-02-20-14047) <input type="checkbox"/>		Post the property <input type="checkbox"/>
		St. Gregory the Great Master Plan (MP-02-20-14050)		Newspaper Notification <input type="checkbox"/>
Submittal of Revisions for Planning Commission Packet	September 30, 2020	Annexation Petition (ANNX-07-19-13330)	Any revisions to plans will need to be resubmitted by this date to provide adequate time for staff to review and comment.	
		PUD Zoning Map & Text Amendment (ZONE-07-19-13331)		
		Comprehensive Plan Amendment (COMP-07-19-13329)		
		Buckwalter Development Agreement Amendment (DAA-02-20-14041)		
		Buckwalter Concept Plan Amendment (CPA-02-20-14047)		
		St. Gregory the Great Master Plan (MP-02-20-14050)		
Planning Commission Public Hearing & Recommendation to Town Council <i>Rescheduled from August 26, 2020</i>	October 28, 2020 6:00 p.m.	Annexation Petition (ANNX-07-19-13330) <input type="checkbox"/>	Public Hearing and Recommendation to Town Council	
		PUD Zoning Map & Text Amendment (ZONE-07-19-13331) <input type="checkbox"/>		
		Comprehensive Plan Amendment (COMP-07-19-13329) <input type="checkbox"/>		
		Buckwalter Development Agreement Amendment (DAA-02-20-14041) <input type="checkbox"/>	Public Hearing Cases <input type="checkbox"/>	
		Buckwalter Concept Plan Amendment (CPA-02-20-14047) <input type="checkbox"/>		

St. Gregory the Great Annexation Application Meeting Sequence REVISED

Meeting	Date	Task Description/ Application(s) for Review	Action(s)
Submittal of Revisions for Town Council Packet	November 6, 2020	Annexation Petition (ANNX-07-19-13330)	Packet is due to the Town Clerk on November 25, 2020. By submitting on the November 6 th , staff will have adequate time to review and create the necessary documents for Town Council.
		PUD Zoning Map & Text Amendment (ZONE-07-19-13331)	
		Comprehensive Plan Amendment (COMP-07-19-13329)	
		Buckwalter Development Agreement Amendment (DAA-02-20-14041)	
		Buckwalter Concept Plan Amendment (CPA-02-20-14047)	
Town Council Ordinance 1 st Reading	December 8, 2020 6:00 p.m.	PUD Zoning Map & Text Amendment (ZONE-07-19-13331)	Ordinance 1 st Reading
		Comprehensive Plan Amendment (COMP-07-19-13329)	
		Buckwalter Development Agreement Amendment (DAA-02-20-14041)	
		Buckwalter Concept Plan Amendment (CPA-02-20-14047)	
Public Hearing Notice 30 days Prior to Public Hearing	January 6, 2021	Annexation Petition (ANNX-07-19-13330) <input type="checkbox"/>	Letters notifying adjacent property owners within 500' radius of pending applications and upcoming Town Council Public Hearing <input type="checkbox"/>
		PUD Zoning Map & Text Amendment (ZONE-07-19-13331) <input type="checkbox"/>	
		Comprehensive Plan Amendment (COMP-07-19-13329) <input type="checkbox"/>	
		Buckwalter Development Agreement Amendment (DAA-02-20-14041) <input type="checkbox"/>	
		Buckwalter Concept Plan Amendment (CPA-02-20-14047) <input type="checkbox"/>	
		St. Gregory the Great Master Plan (MP-02-20-14050)		Post the property ☐ Newspaper Notification ☐
Submittal of Revisions for Town Council Packet	January 8, 2021	Annexation Petition (ANNX-07-19-13330)	Packet is due to the Town Clerk on January 27, 2021. By submitting on the January 8 th , staff will have adequate time to review and create the necessary documents for Town Council.
		PUD Zoning Map & Text Amendment (ZONE-07-19-13331)	
		Comprehensive Plan Amendment (COMP-07-19-13329)	
		Buckwalter Development Agreement Amendment (DAA-02-20-14041)	
		Buckwalter Concept Plan Amendment (CPA-02-20-14047)	
		St. Gregory the Great Master Plan (MP-02-20-14050)	
Town Council Public Hearing & Ordinance 2 nd and Final Reading	February 9, 2021 6:00 p.m.	Annexation Petition (ANNX-07-19-13330) <input type="checkbox"/>	Public Hearing and Ordinance 2 nd and Final Reading Public Hearing Cases <input type="checkbox"/> Approval by Majority Vote
		PUD Zoning Map & Text Amendment (ZONE-07-19-13331) <input type="checkbox"/>	
		Comprehensive Plan Amendment (COMP-07-19-13329) <input type="checkbox"/>	
		Buckwalter Development Agreement Amendment (DAA-02-20-14041) <input type="checkbox"/>	
		Buckwalter Concept Plan Amendment (CPA-02-20-14047) <input type="checkbox"/>	
		St. Gregory the Great Master Plan (MP-02-20-14050)	

PLANNING COMMISSION



STAFF REPORT Department of Engineering

MEETING DATE:	October 28, 2020
PROJECT:	Amendments to the Town of Bluffton Code of Ordinances, Chapter 23 – Unified Development Ordinance, Article 3 – Application Process, Article 5 – Design Standards, Section 5.10 Stormwater Management, and Article 9 – Definitions and Interpretations Related to Adopting the Southern Lowcountry Post Construction Stormwater Ordinance and Stormwater Design Manual
APPLICANT:	Town of Bluffton
PROJECT MANAGER:	Bryan McIlwee, P.E. Director of Engineering

INTRODUCTION: As set forth in Section 3.5.2 of the Unified Development Ordinance (UDO), “an application for a Unified Development Ordinance Text Amendment may be initiated by a Town of Bluffton property owner, Town Council, Planning Commission, or the UDO Administrator when public necessity, convenience, State or Federal law, general welfare, new research, or published recommendations on zoning and land development justifies such action.”

REQUEST: The Unified Development Ordinance (UDO) Administrator requests that the Planning Commission recommend approval to Town Council of the following Text Amendments:

Amendments to Chapter 23 (Unified Development Ordinance), Article 3 – Application Process, Article 5 – Design Standards, Section 5.10 Stormwater Management, and Article 9 – Definitions and Interpretations related to incorporating the Southern Lowcountry Post Construction Stormwater Ordinance and *Southern Lowcountry Stormwater Design Manual*.

BACKGROUND: Elected officials from Towns of Bluffton, Beaufort County, City of Hardeeville, Ridgeland, Hilton Head Island, and Jasper County re-established the Southern Lowcountry Regional Board (SoLoCo) on 8/29/17. The Mission of SoLoCo is “to create a regional think tank that will identify the problems and opportunities that face the entire southern Lowcountry, as defined by the members and regardless of municipal or county boundaries; to discuss the zoning, housing, employment, quality of life and social issues; and to propose action plans to the appropriate legislative bodies.”

SoLoCo prioritized the need for a uniform set of stormwater standards and design guidelines to meet the goal of protecting the region’s sensitive environment, resident’s quality of life, and future economic development opportunities. Recognizing that existing

standards may not be current with State of the Knowledge for stormwater management, SoLoCo requested each jurisdiction assign a staff member to a subcommittee to investigate current stormwater standards and bring forth a recommendation for standardization. Understanding the importance of the regional approach, SoLoCo-represented staff members invited staff from other jurisdictions not part of the SoLoCo, namely the City of Beaufort and Towns of Port Royal and Yemassee, to also participate in the evaluation.

Following the recommendation of the subcommittee, SoLoCo voted on 3/27/18 to recommend that each SoLoCo member, as well as the City of Beaufort and Towns of Port Royal and Yemassee, proceed with development of regional stormwater ordinance and design manual. At this time, the Towns of Ridgeland and Hilton Head Island stated they would not be participating in the project, leaving seven (7) jurisdictions (Town of Bluffton, Beaufort County, City of Hardeeville, Jasper County, City of Beaufort, Town of Port Royal, and Town of Yemassee) to embark upon the finalization and adoption of a regional stormwater ordinance and design manual.

SoLoCo recommended on 6/26/18 that a consultant contract be awarded to assist in the development of regional stormwater ordinance and design manual with the contract amount cost-shared based upon population. Town of Bluffton Town Council unanimously adopted a Resolution on 9/11/18 to enter into a Memorandum of Agreement with Beaufort County regarding the financing and production of the regional ordinance and manual.

The consultant team and the seven (7) project partners received local stakeholder input from the project's outset and garnered feedback from the professional design community during local, statewide, regional, and national presentations as well as three (3) Public Meetings and a Public Review and Comment period of the Final Draft documents.

Upon completion of the Public Meetings and Public Comment period, comments were reviewed and evaluated by the SoLoCo Technical Committee which resulted in a Final version the *Southern Lowcountry Post Construction Stormwater Ordinance* (SoLoCo Stormwater Ordinance) and *Southern Lowcountry Stormwater Design Manual* (*Design Manual*) as presented.

On 5/8/18, the Town of Bluffton Town Council approved a Resolution adopting the Strategic Plan for Fiscal Year 2019-20 ("Strategic Plan"). The Strategic Plan serves as a road map for activities and initiatives to implement the Town's Vision and Mission Statement to ensure that Bluffton is poised to capitalize on opportunities that advance key goals.

Strategic Plan focus areas include Fiscal Sustainability, Economic Growth, Town Organization, Community Quality of Life, Infrastructure, Affordable and/or Workforce Housing, and the May River & Surrounding Rivers and Watersheds. These proposed amendments relate to May River & Surrounding Rivers and Watersheds and Community Quality of Life, which include updating policies and ordinances to sustain the Town's "unique and authentic" character, as well as preserving its natural resources, culture, and history.

Chapter 23 (Unified Development Ordinance), Article 5 (Design Standards), Section 10 (Stormwater) regulates new construction and redevelopment within the Town of Bluffton.

The proposed amendments are intended to adopt a consistent set of regulations across the southern Lowcountry region to manage stormwater on a watershed basis to protect water quality and natural resources. Section 10 also includes requirements for a grading permit to ensure proper lot drainage, protection of topography, and protection of vegetative resources. Further stormwater design detail guidance is provided in the *Design Manual*. Additional amendments in Article 3 (Application Process) and Article 9 (Definitions and Interpretation) are proposed to provide consistency with the proposed Article 5, Section 10 amendments.

As part of the Town's adoption process, additional public review has included a Planning Commission Workshop on 8/26/20; review and formal recommendation for adoption on 8/27/20 from the May River Watershed Action Plan Advisory Committee; and a Town Council Workshop on 10/13/20.

PROPOSED AMENDMENTS: Because of length, the proposed amendments are provided in Attachment 1. Below is a summary of the sections of the UDO to be edited as part of the SoLoCo Stormwater Ordinance and *Design Manual* adoption process.

- UDO Article 3 – Application Process
Changes proposed relate to establishing a stormwater surety as part of the stormwater permit and process,
 - Section 3.10 – Development Plan
 - Section 3.13 – Development Surety and Stormwater Surety
- UDO Article 5 – Design Standards
 - Section 5.10 – Stormwater
For clarity and consistency with partner jurisdictions, the proposed SoLoCo Stormwater Ordinance elements have been incorporated into existing UDO Article 5.10 Stormwater with reference to the regional *Design Manual*.
- UDO Article 9 – Definitions and Interpretation
Definitions and interpretations related to incorporating the SoLoCo Stormwater Ordinance and *Design Manual* into the UDO.

REVIEW CRITERIA & ANALYSIS: When assessing an application for a UDO Text Amendment, the Planning Commission and Town Council are required to consider the criteria set forth in UDO Section 3.5.3, Application Review Criteria. These criteria are provided below, followed by Staff Finding.

1. **Section 3.5.3.A.** Consistency with the Comprehensive Plan or, if conditions have changed since the Comprehensive Plan was adopted, the consistency with the overall intent of the Plan, recent development trends and the general character of the area.

Finding. The proposed amendments are consistent with the needs, goals and implementation strategies of the Comprehensive Plan. The Comprehensive Plan, as adopted on 9/4/07, balances “long-term visioning and goals” with “short-term actions.” The Action Agenda Initiatives found in the 2019-20 Strategic Plan capture non-capital improvement projects of significance, many of which emanate from the Comprehensive Plan. The proposed Text Amendments are a direct result of these Initiatives.

2. **Section 3.5.3.B.** Consistency with demographic changes, prevailing economic trends, and/or newly recognized best planning practices.

Finding. The proposed amendments are consistent with best planning practices, which includes evaluating existing ordinances from time to time to ensure, among other things, that they are adequately protecting and enhancing the Bluffton's unique natural environment and character.

3. **Section 3.5.3.C.** Enhancement of the health, safety, and welfare of the Town of Bluffton.

Finding. The proposed amendments will help to promote the Town's general welfare by ensuring that stormwater design standards adequately protect Bluffton's unique natural environment and character.

4. **Section 3.5.3.D.** Impact of the proposed amendment on the provision of public services.

Finding. The amendments will have no impact on providing public services.

5. **Section 3.5.3.E.** The application must comply with applicable requirements in the Applications Manual.

Finding. The application complies with all applicable requirements of the Applications Manual.

PLANNING COMMISSION ACTIONS: As granted by the powers and duties set forth in Section 2.2.6.C.4 of the UDO, the Planning Commission has the authority to take the following actions with respect to this application:

1. Recommend approval to Town Council of the application as submitted;
2. Recommend approval to Town Council of the application with conditions; or
3. Recommend denial to Town Council of the application as submitted.

STAFF RECOMMENDATION: The proposed Text Amendments relate to Action Agenda Items #56, 58, 59, and 60 in the 2019-20 Strategic Plan and the 2007 Comprehensive Plan. The proposed amendments are consistent with best planning practices and will further the general welfare of the Town.

For the reasons conveyed in this report, the Unified Development Ordinance (UDO) Administrator requests that the Planning Commission recommend approval to Town Council of the proposed Text Amendments.

Next Steps:

UDO Amendments Articles 3, 10, and 9 - Process	Date	Complete
Step 1. SoLoCo – Recommendation to Adopt by Partner Organizations	July 28, 2020	✓
Step 2. Planning Commission – Workshop	August 27, 2020	✓
Step 3. May River Watershed Action Plan Advisory Committee – Recommendation to Adopt	August 28, 2020	✓
Step 4. Town Council – Workshop	October 13, 2020	✓
Step 5. Planning Commission – Public Hearing and Recommendation to Town Council	October 28, 2020	✓
Step 6. Town Council – 1st Reading (<i>Anticipated</i>)	November 10, 2020	✓
Step 7. Town Council Meeting – Final Reading and Public Hearing (<i>Anticipated</i>)	December 8, 2020	✓
Step 8. Implementation of Amended UDO (<i>Anticipated</i>)	January 1, 2021	✓

ATTACHMENTS:

1. Proposed UDO edits

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3.10 Development Plan, 3.10.3. Application Review Criteria

3.10.3.B. Final Development Plan

The UDO Administrator shall consider the following criteria in assessing an application for a Final Development Plan:

5. The Applicant has provided Development Sureties as defined in this article ~~required by Section 3.13 of the UDO~~ and legal guarantee, as applicable, ~~of the installation and maintenance of water system, sewer systems, drainage systems, street systems, open space areas, and any other improvements to be constructed or indicated in lieu of actual construction prior to final approval;~~ **required by Section 3.13 of the UDO**.

3.13 Development **Surety and Stormwater** Surety

3.13.1 Intent

This Section is intended to provide procedures and standards to facilitate the review of Development **Surety Applications and Stormwater** Surety Applications. Review of Development **Surety Applications and Stormwater** Surety Applications will be required to ensure completion of the required improvements within a specified time period.

3.13.2 Applicability

Development **Surety and/or Stormwater** ~~sureties~~ **Surety** as set forth herein shall be accepted where the Applicant desires to record a plat before completion of all required improvements and where a Temporary Certificate of Compliance is being issued pursuant to this article. The Development **Surety and/or Stormwater** ~~Surety~~ **Surety** shall ensure the satisfactory completion of all required improvements shown on the approved Subdivision Plan or Development Plan.

- A. **Development Surety: The installation and maintenance of drinking water systems, sewer systems, streetlights and signs, open space areas, and any other improvements to be constructed or indicated in lieu of actual construction prior to final approval; and**
- B. **Stormwater Surety: The installation and maintenance of erosion and sediment control Best Management Practices (BMPs), drainage systems, stormwater management systems, street systems (roadway paving, curb and gutter, roadway swales, roadway stormwater inlets, pipes and structures), grading, any other improvements to be constructed or indicated in lieu of actual construction prior to final stormwater permit approval not included in the Development Surety.**

3.13.3 Application Review Criteria

The UDO Administrator shall consider the following criteria in assessing an application for Development **Surety and/or Stormwater** Surety:

- A. The application must comply with applicable requirements in the Applications Manual **and/or Southern Lowcountry Stormwater Design Manual (Design Manual)**;
- B. The following types of ~~development~~ **Development Surety and/or Stormwater** ~~sureties~~ **Surety** may be accepted by the UDO Administrator:

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1. Cash;
 2. A surety bond that names the Town of Bluffton as beneficiary;
 3. A bank certified check payable to “Town of Bluffton”; and
 4. An irrevocable letter of credit approved by the UDO Administrator that names the Town of Bluffton as beneficiary.
- C. Prior to the UDO Administrator’s acceptance of any ~~development~~ **Development Surety and/or Stormwater sureties Surety**, the Applicant shall submit to the UDO Administrator a copy of a contract signed by both the developer and a licensed contractor for the completion of required improvements and infrastructure, or an itemized and certified cost estimate for such work prepared by a licensed contractor, registered engineer, registered architect, or registered landscape architect, or any combination thereof, as appropriate, which will cover the costs for completion of all required improvements and infrastructure. The amount of a ~~development~~ **Development Surety and/or Stormwater sureties Surety** shall be the amount determined by the UDO Administrator to be necessary to assure completion of required improvements and infrastructure, based on such contract or cost estimate, but not less than 150% of the improvement and infrastructure costs. The surety amount includes a contingency amount to ensure completion of work which may have been underestimated or unanticipated, a maintenance fee to cover the cost of maintenance and stabilization of the site improvements, and an administrative fee to cover any potential cost incurred by the Town of Bluffton in administering completion of any unfinished portion of the work and may include, but shall not be limited to, staff time and expenses, use of Town of Bluffton equipment, and/or possible professional consultant fees.

3.13.4 Effect and Expiration of Approvals

- A. Subsequent to on-site inspection by the UDO Administrator verifying that all improvements subject to the ~~development~~ **Development Surety and/or Stormwater sureties Surety** have been satisfactorily completed or a percentage has been satisfactorily completed in the opinion of the UDO Administrator, the surety, either in whole, in part, or any remaining balance thereof, shall be released in accordance with the following:
1. A release of an appropriate portion of a ~~development~~ **Development Surety and/or Stormwater sureties Surety**, which has been accepted by the UDO Administrator in the form of cash or certified check (hereinafter a “drawdown”) or amendment of the face value of any letter of credit or performance bond (hereinafter a “markdown”) that has previously been accepted by the UDO Administrator may be permitted provided that:
 - a. Prior to a request for a drawdown or markdown, the Applicant shall submit; to the UDO Administrator, the contractor’s itemized list of work completed, **including requisite submittals, certifications, and preliminary As-Built Drawings, or any other documents or information deemed reasonably necessary by the UDO Administrator**, and work remaining as secured by the surety, which has been certified by the project engineer or owner;

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- b. The UDO Administrator has inspected the work site and has verified in writing that, to the best of his/her knowledge, all such respective work has been completed;
 - c. The requested drawdown or markdown shall be at least twenty percent (20%) of the original face value of the approved surety, but not less than ~~\$10,000 dollars~~ **30% of the original surety posting plus administrative fees**; and
 - d. No more than one such drawdown or markdown shall be approved during any thirty-day period, except for the request for a final drawdown or markdown.
2. In all cases where a drawdown or markdown is requested, the contingency fee and the administrative fee shall remain intact until the work secured by the ~~development~~ **Development Surety and/or Stormwater Sureties Surety** is verified by the UDO Administrator to have been completely finished and a final drawdown or markdown has been requested; ~~and~~
 3. A ~~development~~ **Development Surety** surety shall be completely released by the UDO Administrator upon the full completion of all required improvements and infrastructure and the issuance by the UDO Administrator of a final Certificate of Construction Compliance; ~~and~~
 4. A Stormwater Surety shall be completely released by the UDO Administrator upon the full completion of all required improvements, infrastructure, Final As-Builts (Final As-Builts include re-survey and As-Built of previously submitted information and new development and stormwater systems constructed as part of the phase and/or subphase), or any other documents or information deemed reasonably necessary by the UDO Administrator, and the issuance by the UDO Administrator of a Notice of Termination of the stormwater permit.
- B. Time limits on ~~development~~ **Development Surety and/or Stormwater Surety** surety shall be as follows:
1. The maximum length of time for which a ~~development~~ **Development and/or Stormwater Surety** surety may be held by the UDO Administrator shall be one year. Any ~~development~~ **Development Surety and/or Stormwater Surety** surety submitted as a letter of credit or performance bond shall state on its face that, subsequent to the date of expiration, the Town of Bluffton as beneficiary shall have 30 days from the date of expiration to make demand upon the issuing bank or agency for the honoring of such surety, if the respective work has not been fully completed; and
 2. Any ~~development~~ **Development Surety and/or Stormwater Surety** surety submitted as a letter of credit or performance bond shall also state that the letter of credit or performance bond shall be automatically renewed until such time that the surety issuer provides the UDO Administrator with a 30 days written notice of the expiration of such surety.
- C. If all improvements and infrastructure work secured by a ~~development~~ **Development and/or Stormwater Surety** surety ~~has~~ **have** not been completed as of the stated date for such completion,

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the UDO Administrator shall contract to complete the remaining work and stabilize and maintain the site following normal Town of Bluffton procurement procedures.

1. In the case of a cash or certified check surety, the Town of Bluffton shall take possession of the full amount or remaining balance of such surety.
 2. In the case of a letter of credit or bond, the UDO Administrator shall make demand upon the issuer of such surety for immediate payment to the Town of Bluffton of the full or amended face value of such surety.
- D. In addition to any Penalties set forth in this Ordinance, failure by the Applicant to keep current any ~~development~~ **Development and/or Stormwater Surety** ~~surety~~ prior to the issuance of a Certificate of Construction Compliance shall cause the UDO Administrator to immediately order all **development** work stopped and all necessary Town of Bluffton inspections of the **development** work suspended until a ~~development~~ **Development and/or Stormwater Surety** ~~surety~~ meeting the requirements of this article has been approved.

5.10 Stormwater

5.10.1 General provisions

A. Intent

1. The May River and the surrounding receiving waters have been designated by the State of South Carolina as Outstanding Resource Waters. The use of the river's natural resources has historical and traditional significance to the area in general and to the Town of Bluffton in particular. It is in the public interest that the pristine condition of these areas be maintained and preserved for future generations. Uncontrolled stormwater runoff may have significant, adverse impact on the health, safety and general welfare of the Town and the quality of life of its citizens by transporting pollutants into receiving waters and by causing erosion and/or flooding. **Development may can** alter the hydrologic response of local watersheds ~~and increases~~ **by increasing** stormwater runoff rates, ~~and volumes,~~ **and pollutant loads;** ~~flooding,;~~ **soil erosion,;** ~~stream channel erosion,;~~ **non-point source pollution,;** ~~and pollutant and sediment transport and deposition in rivers and streams, wetlands, and estuaries,;~~ **and fluctuations in salinity concentrations and productivity in estuaries.** **Certain development including removal of trees and alteration of natural drainage patterns, can alter the hydrologic response of local watersheds, increasing stormwater runoff rates and volumes, and, consequently, decreasing the amount of rainfall that is available to recharge shallow groundwater aquifers** ~~as well as reducing groundwater recharge~~. These changes in stormwater runoff may contribute to increased quantities of water-borne pollutants and alterations in hydrology which are harmful to public health, safety, and welfare, as well as to the natural environment.
2. Point source pollution may have significant, adverse impact on the health, safety and general welfare of the Town and the quality of life of its citizens by transporting pollutants into receiving waters. The allowance of discharge pipes and outfalls for non-stormwater discharges, illegal dumping, and improper handling of accidental spills and intentional disposals increase the

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- quantities of water-borne pollutants which are harmful to public health, safety, and welfare, as well as to the natural environment.
3. The effects of point and non-point source pollution, such as uncontrolled runoff, have shown evidence of ~~degradation of~~ **degrading** the Town's receiving waters; thereby adversely affecting the unique qualities of the Town's receiving waters, its recreational opportunities and commercial, oystering, boating and fishing, the ecosystem's ability to naturally reproduce and thrive, and the general ability of the area to sustain its natural estuarine resources.
 4. **Grading can create problems with storm drainage and water quality by generating non-point source pollution. Grading plans for compliance with overall development shall be to maximize groundwater recharge, minimize runoff, ensure positive drainage within and from the site with no impact on adjacent property, ensure offsite drainage is received to an existing, adequate conveyance system, and prevent mass grading and clearing of a site.**
 - ~~4.5.~~ **5.** These deleterious effects can be managed and minimized by applying proper design and well-planned controls to manage stormwater runoff **from development sites, manage to protect** existing natural features, **such as trees and contours**, that maintain hydrology and provide water quality control, and **to** eliminate potential sources of pollution to receiving waters. Public education regarding the cause and effect of these types of pollutions and the implementation of the controls and management policies is key to fundamentally changing public behavior.
 6. **The Town of Bluffton is required to comply with a number of State and Federal regulations that require the adverse impacts of stormwater runoff rates, volumes and pollutant loads to be controlled and minimized.**
 7. **The Town of Bluffton has determined that it is in the public interest to control and minimize the adverse impacts of certain development activities and has established this set of stormwater management provisions to regulate post-construction stormwater runoff rates, volumes and pollutant loads on development sites.**
 - ~~5.8.~~ 8. This article is not in conflict with any development agreements to which the Town is a party and does not prevent the development set forth in any development agreement.
 - ~~6.9.~~ 9. This article is essential to the public health, safety or welfare and shall apply to any development that is subject to a development agreement.
 - ~~7.10.~~ 10. Laws of general application throughout the Town necessary to protect health, safety and welfare are anticipated and are provided for in development agreements.
 - ~~8.11.~~ 11. Substantial changes in development impacts have occurred since the time the development agreements were signed, which changes, if not addressed in this article would pose a threat to public health, safety or welfare.

B. Purpose

1. It is the purpose of this article to protect, maintain, and enhance the environment of the Town and the short and long-term public health, safety, and general welfare of the citizens of the Town by establishing requirements and procedures to control the potential adverse effects of increased stormwater runoff associated with both future development, and existing developed land. Proper

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management of **existing natural features** and stormwater runoff will minimize damage to public and private property, ensure a functional drainage system, reduce the effects of development on land and stream channel erosion, attain and maintain water quality standards, enhance the local environment associated with the drainage system, reduce local flooding, reduce pollutant loading to the maximum extent practicable and maintain to the extent practicable the pre-developed hydrologic characteristics of the area, and facilitate economic development while minimizing associated pollutant, flooding, and drainage impacts.

2. This article specifically authorizes and enables the Town at a minimum to:

- a. **Establish decision-making processes surrounding land development activities that protect the integrity of local aquatic resources;**
- b. ~~a-~~ Prohibit Illicit Discharges to the Stormwater System and receiving waters.
- c. ~~b-~~ Define procedures for site plan review, inspection, and enforcement relative to stormwater management.
- d. ~~c-~~ Control the discharge of spills, dumping or disposal of materials other than stormwater to the Stormwater System and receiving waters.
- e. ~~d-~~ Address specific categories of non-stormwater discharges and similar other incidental non-stormwater discharges.
- f. ~~e-~~ Require temporary erosion and sediment controls to protect water quality to the maximum extent practicable during construction activities, in accordance with current state regulations.
- g. ~~f-~~ Define procedures for receipt and consideration of information submitted by the public.
- h. ~~g-~~ Address runoff, particularly volume, rate, and quality through the control and treatment of stormwater with stormwater management facilities and/ or Best Management Practices (BMPs) **to provide volume control and at least an eighty (80) percent reduction in total suspended solids loads, thirty (30) percent reduction of total nitrogen load, and sixty (60) percent reduction in bacteria load.**
- i. ~~h-~~ Develop post-construction stormwater quality performance standards, through enforcement of minimum design standards for BMPs.
- j. ~~i-~~ Ensure effective long-term operation and maintenance of BMPs.
- k. ~~j-~~ Carry out all inspection, surveillance, monitoring, and enforcement procedures necessary to determine compliance and noncompliance with this article and stormwater permit (permit) conditions including the prohibition of Illicit Discharges to the Town's Stormwater System and the protection of water quality of the receiving waters.
- l. **Establish minimum post-development stormwater management standards and design criteria set forth by the *Southern Lowcountry Stormwater Design Manual (Design Manual)* with the intent of reducing flooding, channel erosion, and pollutant transport and deposition in local aquatic resources;**
- m. **Establish minimum post-development stormwater management standards and design criteria in the *Design Manual* with the intent of preserving existing hydrologic conditions on development sites;**

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- n. Establish design criteria in the *Design Manual* for structural and nonstructural stormwater management practices that can be used to meet the minimum post-development stormwater management standards and design criteria;
 - o. Establish that Better Site Design (BSD), natural vegetative buffers, tree conservation, and site planning have been incorporated, documented, and presented in the development design process.
 - p. Maintain structural and nonstructural stormwater management practices to ensure that they continue to function as designed and pose no threat to public safety; and,
 - q. In the event these requirements cannot be met, a fee-in-lieu shall be required as outlined in Section 5.10.3.K.
3. The article requires prudent site planning, including special considerations for the purposes of preserving natural drainage ways incorporating on-site stormwater detention and infiltration, including natural resource preservation, to minimize runoff from individual sites to receiving waters by use of effective runoff management, structural and nonstructural BMPs, drainage structures, and stormwater facilities to maintain the pre-development hydrology of a development.

C. Applicability

Beginning with and subsequent to its effective date, this article shall be applicable to:

1. ~~All Development and Redevelopment~~ The following activities, unless exempt pursuant to Section 5.10.1.C.2 below:
 - a. Development and/or Redevelopment that involves the creation, addition or replacement of 5,000 square feet or more of impervious surface or that involves other land disturbing activities of one acre or more.
 - b. Development and/or Redevelopment, regardless of size, that is part of a larger common plan of development, even though multiple, separate and distinct land disturbing activities may take place at different times and on different schedules.
 - c. A Major Substantial Improvement of an existing property.
2. The following activities are exempt from this Article:
 - a. Any maintenance, alteration, renewal, or improvement as approved by the Town which does not alter existing drainage pattern, does not result in change or adverse impact on adjacent property, or create adverse environmental or water quality impacts, and does not increase the temperature, rate, quality, or volume or location of stormwater runoff discharge;
 - b. Projects that are exclusively for agricultural or silvicultural activities, not involving relocation of drainage canals, within areas zoned for these uses;
 - c. Redevelopment that constitutes the replacement of the original footprint of impervious cover and original acreage of other land development activity when the original development is wholly or partially lost due to natural disaster or other acts of God occurring after January 1, 2021; and,

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- d. Work by governmental agencies or property owners required to mitigate emergency flooding conditions. If possible, emergency work should be approved by the duly appointed officials in charge of emergency preparedness or emergency relief. Property owners performing emergency work will be responsible for any damage or injury to persons or property caused by their unauthorized actions. Property owners will stabilize the site of the emergency work within 60 days, or as soon as reasonable, following the end of the emergency period.
23. Any illicit discharges.
 34. The provisions of this article shall apply throughout the incorporated areas of the Town.

5.10.2 Stormwater Management Program

~~A. Development of Program.~~

~~Stormwater Management Program (Program) shall be developed by the Town to administer and implement the regulations of this article shall be set out in the Stormwater Design Manual. The Program, as amended from time to time by the Town, is hereby adopted for the duration of this article as the official operational Program.~~

AB. Coordination with Other Agencies.

The UDO Administrator will coordinate the Town's activities with other federal, state, and local agencies, which manage and perform functions relating to the protection of receiving waters.

BC. Cooperation with Other Governments.

The Town may enter into agreements with other governmental and private entities to carry out the purposes of this article.

These agreements may include, but are not limited to enforcement, resolution of disputes, cooperative monitoring, and cooperative management of stormwater systems and cooperative implementation of stormwater management programs.

Nothing in this article or in this section shall be construed as limitation or repeal of any ordinances of these local governments or of the powers granted to these local governments by the South Carolina Constitution or statutes, including, without limitation, the power to require additional or more stringent stormwater management requirements within their jurisdictional boundaries.

CD. Southern Lowcountry Stormwater Design Manual

- ~~1. Reference to a Design Manual. The UDO Administrator shall use the policy, criteria, and information, including technical specifications and standards, in the Stormwater Design Manual as the basis for decisions about stormwater plans and about the design, implementation and performance of structural and non-structural stormwater BMPs. At a minimum, the Stormwater Design Manual shall describe in detail how post-development stormwater hydrology will be controlled and managed, the design of all stormwater facilities and practices, and how the proposed project will meet the requirements of this article. The Stormwater Design Manual includes a list of acceptable stormwater treatment practices, including the specific design criteria for each stormwater practice.~~

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utilize the standards, criteria, and information presented in the *Design Manual* or applicable addendums, appendices, technical memorandums, and/or applicable revisions that may be applied for the proper implementation of this Article. This Manual may be updated and expanded periodically, based on improvements in science, engineering, monitoring, local experience, and state or federal water quality requirements.

The *Design Manual* identifies Special Watershed Protection Areas that have standards and criteria specific to land development in the areas.

- ~~2. Relationship of Design Manual to Other Laws and Regulations. If the specifications or guidelines of the Design Manual are more restrictive or apply a higher standard than other laws or regulations, that fact shall not prevent application of the specifications or guidelines in the Design Manual.~~

DE. Compatibility with Other Regulations

This Article is not intended to interfere with, modify or repeal any other ordinance, rule, regulation, or other provision of law. The procedures and standards set forth in this Ordinance, and the policies, procedures, and design data specified in the *Design Manual* provide the minimum standards to be adhered to by land development activities under the jurisdiction of the Town of Bluffton. If any regulation or requirement of this Article is in conflict with any other local, state or federal law, the most restrictive, or whichever imposes the highest protective standards for human health or the environment, shall apply.

5.10.3 Standards

A. General Requirements

1. All land development activities shall utilize structural and nonstructural stormwater management practices to control and minimize the increased stormwater runoff rates, volumes, and pollutant loads caused by land development in accordance with the criteria presented in the *Design Manual*.
2. For structural and nonstructural stormwater management practices not included in the *Design Manual*, or for which pollutant removal and runoff reduction rates have not been provided, the effectiveness of the structural or nonstructural stormwater management practice must be documented through prior studies, literature reviews, or other means and receive approval from the Town before being included in the design of a stormwater management system. In addition, if the site is located in a Watershed Protection Area or a Special Watershed Protection Area the Town may impose additional requirements as deemed necessary, which are located in the *Design Manual*.
- ~~13.~~ All development, including single family lots not part of a larger common plan of development **meeting applicability requirements in Section 5.10.1.C.1**, in the Town shall meet the following General Requirements to the maximum extent practicable. Developments requiring the stormwater management plans for construction shall meet all Requirements of this article.
- ~~24.~~ All development shall disconnect Impervious Surfaces with vegetative surfaces to the maximum extent practicable.
- ~~35.~~ Stormwater runoff shall be controlled in a manner that:

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- a. Promotes positive drainage from structures resulting from **development as detailed in the *Design Manual***.
- b. Includes the use of vegetated conveyances, such as swales and existing natural channels to promote infiltration.
- c. Promotes runoff velocities that maintain sheet flow condition to prevent erosion and promote infiltration.
- d. Limits its interaction with potential pollutant sources that may become water-borne and create non-point source pollution.

46. **Better Site Design, Natural Vegetative Buffers, and Tree Conservation**

Better Site Design, Natural natural vegetative buffers, and tree conservation play an integral part in minimizing the volume of stormwater runoff by promoting infiltration and acting as a first line of treatment of water quality pollution. **As such all Development subject to this Article shall comply with the following:**

- a. **Any and all Better Site Design practices set forth in *Design Manual*; sites shall observe the**
- b. **Any and all buffer requirements of this article; other applicable Sections of the UDO, or and if applicable, the relevant development agreement, any approved concept plan, and/or approved master plan.**
- c. **Tree conservation requirements of the Unified Development Ordinance Article Section 3.22, 5.3 and other applicable sections that may apply.**

~~B. Stormwater Design Requirements for Development~~

- ~~1. Development shall control the post-development runoff discharge rate for the 2-, 10-, and 25-year, 24-hour design-storm events to pre-development levels with structural BMPs.~~
- ~~2. All development and redevelopment, including highways, shall use site planning, design, construction, and maintenance strategies for the property to maintain or restore, to the maximum extent technically feasible, the predevelopment hydrology of the property with regard to the temperature, rate, volume, and duration of flow.~~
- ~~3. Development that incorporates engineered stormwater collection, conveyance, and storage systems shall design the systems to design criteria established in the Stormwater Design Manual.~~

~~C. Water Quality Requirements~~

- ~~1. In areas of Hydrologic Soil Groups A and B, the development shall control and infiltrate the first one inch of stormwater runoff from the entire development or maintain the pre-development hydrology of the property for the Water Quality Design Storm Event, whichever is greater.~~
- ~~2. In areas of Hydrologic Soil Groups C and D only, the development shall maintain the pre-development hydrology of the property for the Water Quality Design Storm Event.~~
- ~~3. Undisturbed natural areas will not be required to demonstrate that such areas can retain the first one inch of runoff.~~

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D. BMP Requirements

~~1. Effectiveness of infiltration practices is dependent on the site conditions. The Stormwater Design Manual outlines guidance for properly siting infiltration practices and shall be reviewed prior to the design phase.~~

~~2. The owners of all new developments that receive a permit from the Town shall be required to perform stormwater quality monitoring at their expense to ensure compliance with the provisions of this article and ensure that structural BMPs are operated as intended.~~

~~a. Structural BMPs shall be monitored individually up to 36 months from final as-built inspection for water quality performance. This initial monitoring period shall provide the Town and owner or operator of the structural BMP with information to improve the performance of the structural BMP if failing to operate as intended.~~

~~b. Monitoring test results from a DHEC Certified Laboratory of fecal coliform, turbidity, total phosphorus and total nitrogen will be required to be submitted to the Town each month from May to September and each November, January and March.~~

~~c. At least half of the samples gathered will need to be taken within 24 hours of a rain event one-half inch or greater.~~

~~d. If 20 percent or more of the samples fail to meet the water quality, then within 60 days of reporting of such a sample failure, the operator of the stormwater system shall submit to the Town Engineer a corrective action plan stipulating how compliance with the DHEC water quality standards will be met. Violations of any single test parameter shall constitute a failure for that sampling period.~~

~~3. Water quality standards will be initially established as the pre-development pollutant loading levels. A determination of the pre-development pollutant loading shall be provided to the UDO Administrator and the UDO Administrator shall determine if such information is sufficient to establish the pre-development pollutant loading levels. In all cases, post-development pollutant loading cannot exceed pre-development levels.~~

~~4. All construction and implementation of erosion and sediment control BMPs shall comply with the requirements of the South Carolina Stormwater Management and Sediment Reduction Act.~~

~~5. Developments submitting monthly inspection reports in accordance with the State Sediment and Erosion Control Act shall submit copies of those reports to the Town for the duration of the construction phase. The Town reserves the right to perform other monitoring as it deems appropriate to determine compliance with the State Sediment and Erosion Control Act.~~

B. Permit Application Requirements

No owner or developer shall perform any land development activity without first meeting the requirements of this Article and the *Design Manual* and having been issued a permit from the Town. Unless specifically exempted by this Article, any owner or developer proposing a land development activity shall submit to the Town a permit application and accompanying items as indicated in the *Design Manual* and Town for that purpose.

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The UDO Administrator shall use the criteria, and information, including technical specifications and standards, in the *Design Manual* as the basis for decisions about stormwater plans and about the design, implementation and performance of structural and non-structural stormwater systems. The *Design Manual* standards shall describe in detail how post-development stormwater runoff will be controlled and managed, the design of all stormwater facilities and practices, the components of a project plan necessary to meet the requirements of this Article and post-construction maintenance and inspection requirements.

C. Maximum Extent Practical Guidelines and Process

Maximum extent practicable, or "MEP," is the language of the Federal Clean Water Act that sets the standards to evaluate efforts pursued to achieve pollution reduction to the waters of the United States. It is the determination of this Article that all proposed development, sites meet the requirements of the *Design Manual* to achieve reduction of pollution to the waters of the Southern Lowcountry. If it is technically infeasible to do so, the applicant shall document and provide such information to the Town for review. Information provided shall demonstrate how a combination of several iterations of Better Site Design and post development stormwater management design scenarios fail to meet the minimum requirements of the *Design Manual* and justification of their determination of infeasibility. Cost is not a viable justification.

The MEP process defined by the *Design Manual* shall be the basis of submittals for plan approval under this Article. The MEP submittal must provide documentable evidence of the process the applicant has performed that demonstrates the restrictions to the use and implementation of BMPs to meet the requirements of this Manual in whole or in part. The consideration for a waiver of this Article's requirements will rely on the MEP submittal and UDO Administrator review.

D. Stormwater Surety

The Town is authorized under this Article to require a Stormwater Surety for construction of stormwater management systems, as detailed in the *Design Manual*.

Financial sureties for the cost of stormwater facilities approved for the proposed development shall be provided in accordance with the Town Stormwater Surety and stormwater permit issuance process in Article 3.10.3.B. The Town shall require from the developer a surety or cash bond, irrevocable letter of credit, or other means of security acceptable to the Town prior to the issuance of any stormwater permit for any development. The Stormwater Surety required in this Section shall include provisions relative to forfeiture for failure to complete work specified in the approved stormwater management design plan, compliance with all of the provisions of this Article, other applicable laws and regulations, and any time limitations.

E. Stormwater Volume Control

Some portion of the stormwater runoff generated on a development or, redevelopment and major substantial improvement site shall be captured and retained, reused, or otherwise reduced in order to preserve and/or replicate pre-development site hydrology, recharge shallow groundwater aquifers, promote baseflow to on-site and downstream aquatic resources, and minimize the water quality impacts of land development. Applicants shall follow the runoff reduction, peak flow and extreme flood requirements in the *Design Manual*.

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F. Stormwater Conveyance Systems

Stormwater conveyance systems, which may include but are not limited to culverts, stormwater drainage pipes, catch basins, drop inlets, junction boxes, headwalls, gutters, swales, channels, ditches, and energy dissipaters, shall be provided when necessary for the protection of public rights-of-way and properties adjoining development sites. Stormwater conveyance systems that are designed to convey stormwater runoff from more than one parcel shall meet the following requirements:

- a. Methods used to calculate stormwater runoff rates and volumes shall be in accordance with the latest edition of the *Design Manual*;
- b. All culverts, pipe systems, and open channel flow systems shall be sized in accordance with the stormwater management design plan using the methods included in the latest edition of the *Design Manual*; and,
- c. Planning and design of stormwater conveyance systems shall be in accordance with the criteria and specifications found in the latest edition of the *Design Manual*.
- d. Off-site discharge points in the final approved stormwater plan submission and/or grading permit plan must be identified and the receiving conveyance system must be determined and certified by the Applicant Engineer to be adequate by the applicant/engineer to convey the 25-year storm and not have negative impact on downstream properties.

G. Overbank Flood Protection

All stormwater management systems shall be designed to control the post-development peak discharge generated by the overbank flood protection storm event, as defined in the latest edition of the *Design Manual*, to prevent an increase in the frequency and magnitude of damaging overbank flooding and safely convey the design storms. A stormwater management system complies with this requirement if:

- a. It provides overbank flood protection in accordance with the criteria and information provided in the latest edition of the *Design Manual*; and,
- b. Appropriate structural and nonstructural stormwater management practices have been selected, designed, constructed, and maintained in accordance with the standards, criteria, and information presented in the latest edition of the *Design Manual*.
- c. Off-site discharge points in the final approved stormwater plan submission must be identified and the receiving conveyance system must be determined and certified by the Applicant Engineer to be adequate by the applicant/engineer to convey the 2- to 25-year, 24-hour storm and not have negative impact on downstream properties.

H. Extreme Flood Protection

All stormwater management systems shall be designed to control and/or safely convey the post-development peak discharge generated by the extreme flood protection storm event, as defined in the latest edition of the *Design Manual*, to protect downstream properties from flood damage, maintain the boundaries of existing floodplains, and protect the physical integrity of downstream stormwater conveyance features and flood control facilities. A stormwater management system complies with this requirement if:

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- a. It provides extreme flood protection in accordance with the criteria and information provided in the latest edition of the *Design Manual*;
- b. Appropriate structural and nonstructural stormwater management practices have been selected, designed, constructed, and maintained in accordance with the standards, criteria, and information presented in the latest edition of the *Design Manual*; and
- c. Adequate 100 year flow overflow path (as documented in the 10% analysis submission) from the site to adjacent properties is identified and determined to not have a negative impact on existing downstream receiving conveyance system(s), adjacent properties, and/or structures; this overflow path must be certified by a professional engineer.

I. Structural Stormwater Management Practices

All structural stormwater management practices shall be selected, designed, constructed, and maintained in accordance with the standards, criteria, and information presented in the latest edition of the *Design Manual* and any relevant addenda. Applicants shall consult the latest edition of the *Design Manual* for guidance on selecting structural stormwater management practices that can be used to satisfy the post-construction stormwater management criteria.

J. Grading

Mass grading and clearing shall not be permitted. No land within the Town shall be cleared, disturbed, graded, excavated, except as follows:

1. It shall be unlawful to perform Land Disturbance, or land disturbing activity, in excess of 5,000 square feet or create an increase in impervious surface in excess of 2,000 square feet unless a Grading Plan has been submitted to and approved by the Town of Bluffton as provided for herein.
2. A Grading Plan shall be filed with and become part of any Application that equals or exceeds the threshold limits provided above. Such plan shall be prepared in accordance with Article 3.2.
3. Amendments to Grading Plans. Amendments, changes or modifications of a minor nature to a plan required as a result of field conditions arising during construction may be ordered or approved by the UDO Administrator.
4. All Grading Plans shall follow the requirements set forth in Article 5 Design Standards.
5. Soil erosion and sediment control measures shall, at a minimum, conform to the Standards for Soil Erosion and Sediment Control per the *Design Manual*.

~~E. Irrigation System~~

~~Irrigation systems must first make use of all available surface stormwater runoff or other retained or detained stormwater as the water supply. No groundwater wells or use of potable water for irrigation of any kind will be permitted in developments or redevelopments unless it can be demonstrated that alternative sources of irrigation water will not exceed pre-development conditions. In addition, no irrigation systems shall be placed within fifty feet of a natural creek, marsh, or estuary where soils and/or grade will allow such irrigation water to flow or migrate to such a natural creek, marsh, or estuary.~~

K. Fee-in-Lieu

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A fee-in-lieu may be approved by the UDO Administrator when none or only partial stormwater requirements, as defined in this Article and in the *Design Manual*, cannot be attained on the site (due to impractical site characteristics or constraints). A Maximum Extent Practicable analysis shall be required by the applicant for review by the UDO Administrator to make this determination.

L. ~~F.~~ Waiver.

Individuals seeking a waiver ~~in connection with a Stormwater Plan~~ from the requirements of this Article may submit to the UDO Administrator a request for a waiver in accordance with the *Design Manual*. ~~from the requirements of this article if exceptional circumstances applicable to a site exist such that adherence to the provisions of the article will result in unnecessary hardship and will not fulfill the intent of the article.~~

~~1. Request of Waiver at Staff Level. A written request for a waiver is required and shall state the specific waiver sought and the reasons, with supporting data, a waiver should be granted. The request shall include all information necessary to evaluate the proposed waiver. The applicant will address the three areas of consideration for waiver approval as follows:~~

~~a. What exceptional circumstances to the site are evident?~~

~~b. What unnecessary hardship is being caused?~~

~~c. How will denial of the waiver be inconsistent with the intent of the article?~~

~~2. Review of Waivers. The UDO Administrator will conduct a review of the request and will issue a decision within 15 working days of receiving the request.~~

5.10.4 Maintenance

A. General Requirements

1. Function of BMPs as Intended. The owner of each structural BMP installed pursuant to this article shall maintain and operate it to preserve and continue its function in controlling stormwater quality and quantity at the degree or amount of function for which the structural BMP was designed.

2. Right of Town to Inspection. Every Structural BMP installed pursuant to this article shall be made accessible for adequate inspection by the Town.

3. Annual Maintenance Inspection and Report. The person responsible for maintenance of any structural BMP installed pursuant to this article shall submit to the UDO Administrator an inspection report from a certified post-construction BMP inspector, a registered South Carolina Professional Engineer, or Landscape Architect. The inspection report, at a minimum, shall contain all of the following:

a. The name and address of the land owner;

b. The recorded book and page number of the lot of each structural BMP or a digital representation of the geographic location of each structural BMP;

c. A statement that an inspection was made of all structural BMPs;

d. The date the inspection was made;

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- e. A statement that all inspected structural BMPs are performing properly ~~properly~~ **as originally designed/intended** and comply with the terms and conditions of the approved maintenance agreement required by this article;
- f. The original signature and seal of the engineer inspecting the structural BMPs; and
- g. Digital photographs of the structural BMPs and pertinent components integral to its operation, including but not limited to inlet/outlet control structures, downstream receiving channel/area, embankments and spillways, safety features, and vegetation.
- h. All inspection reports shall be ~~on forms supplied by~~ **provided to** the UDO Administrator. An original inspection report shall be provided to the UDO Administrator ~~beginning~~ **beginning** one year from the date of ~~record drawings~~ **As-Built** certification and ~~each year thereafter~~ **every three (3) years** on or before the date of the ~~record drawings~~ **As-Built** certification.

B. Operation and Maintenance Agreement

1. Prior to the ~~conveyance or transfer of any lot or building site~~ **issuance of stormwater permit** requiring a structural BMP pursuant to this article, the applicant or owner of the site must execute an operation and maintenance agreement/**covenant for each structural BMP identified on the approved Stormwater Management Plan for recordation in Land Records**. The operations and maintenance agreement must be approved by the UDO Administrator or his designee, and shall be binding on all subsequent owners of the site, portions of the site, and lots or parcels served by the structural BMP. ~~Until the transference of all property, sites, or lots served by the structural BMP, the original owner or applicant shall have primary responsibility for carrying out the provisions of the maintenance agreement.~~
2. The operation and maintenance agreement shall:
 - a. Require the owner or owners to maintain, repair and, if necessary, reconstruct the structural BMP; **to ensure the BMP functions as designed and intended in perpetuity.**
 - b. **For each BMP identified on the approved Stormwater Management Plan, state state** the terms, conditions, and schedule of maintenance for ~~the~~ **each** structural BMP.
 - c. Grant to the Town a right of entry ~~in the event that the UDO Administrator have reasons to believe it has become necessary~~ to inspect, monitor, maintain, repair, or reconstruct the structural BMP; however, in no case shall the right of entry, of itself, confer an obligation on the Town to assume responsibility for the structural BMP.
 - d. Allow the Town to recover from the property or homeowner's association and its members any and all costs the Town expends to maintain or repair the structural BMPs or to correct any operational deficiencies. Failure to pay the Town all of its expended costs, after 45 days written notice, shall constitute a breach of the agreement. The Town shall thereafter be entitled to bring an action against the association and its members to pay, or foreclose upon the lien hereby authorized by the agreement against the property, or both, in case of a deficiency. Interest, collection costs, and attorney fees shall be added to the recovery.

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- e. Provide a statement that this agreement shall not obligate the Town to maintain or repair any structural BMPs, and the Town shall not be liable to any person for the condition or operation of structural BMPs.
 - f. Provide a statement that this agreement shall not in any way diminish, limit, or restrict the right of the Town to enforce any of its ordinances as authorized by law.
 - g. Contain a provision indemnifying and holding harmless the Town for any costs and injuries arising from or related to the structural BMP, unless the Town has agreed in writing to assume the maintenance responsibility for the structural BMPs accepted dedication of all rights necessary to carry out that maintenance.
 - h. Contain an attachment with the locations, dimensions, elevations, and characteristics of all structural BMPs detailed in the Stormwater Management Plan. The attachment shall include a north arrow, scale, boundary lines of the site, lot lines, existing and proposed roads and other information necessary to locate the structural BMPs.
3. Operation and Maintenance Agreement Recordation

Upon approval by the UDO Administrator or his designee, the operations and maintenance agreement shall be recorded with the county Register of Deeds to appear in the chain of title of all subsequent purchasers under generally accepted searching principles. A copy of the recorded operation and maintenance agreement shall be given to the UDO Administrator prior to issuance of the development permit

C. Records of Installation and Maintenance Activities.

The owner of each structural BMP shall keep records of inspections, maintenance, and repairs for at least five years from the date of the record and shall submit the same upon reasonable request to the UDO Administrator.

D. Nuisance.

The owner of each stormwater BMP shall maintain it so as not to create or result in a nuisance condition, such as but not limited to flooding, erosion, excessive algal growth, overgrown vegetation, mosquito breeding habitat, existence of unsightly debris, or impairments to public safety and health.

5.10.56 Illicit Discharges and Connections

D. Spills.

Spills or leaks of polluting substances released, discharged to, or having the potential to released or discharged to a receiving water or the stormwater conveyance system, shall be contained, controlled, collected, and properly disposed. All affected areas shall be restored to their preexisting condition.

Persons in control of the polluting substances shall immediately report the release or discharge to persons owning the property on which the substances were released or discharged, ~~shall~~ and within two hours of such an event shall notify the Bluffton Township Fire Department and Town of Bluffton Police Department (who will also notify the UDO Administrator), and all required federal and state agencies of the release or discharge. Notification shall not relieve any person of any expenses related to the restoration, loss,

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damage, or any other liability which may be incurred as a result of said spill or leak, nor shall such notification relieve any person from other liability which may be imposed by State or other law.

5.10.67 Inspections

A. Inspections. The Town is authorized under this Article to perform and require ongoing inspections of stormwater management systems as detailed in the *Design Manual*.

The Town will maintain the right to inspect any and all Stormwater Systems within its jurisdiction as outlined below:

1. An Inspector designated by the UDO Administrator, bearing proper credentials and identification, may enter and inspect all properties for regular inspections, periodic investigations, monitoring, observation measurement, enforcement, sampling and testing, to ensure compliance with the provisions of this article.
2. Upon refusal by any property owner to permit an inspector to enter or continue an inspection, the Inspector may terminate the inspection or confine the inspection to areas concerning which no objection is raised. The Inspector shall immediately report the refusal and the grounds to the UDO Administrator. The UDO Administrator will promptly seek the appropriate compulsory process.
3. In the event that the UDO Administrator or Inspector reasonably believes that discharges from the property into the Town's Stormwater System or receiving waters may cause an imminent and substantial threat to human health or the environment, the inspection may take place at any time after an initial attempt to notify the owner of the property or a representative on site. The Inspector shall present proper credentials upon reasonable request by the owner or representative. Inspection reports will be maintained in a permanent file at the offices of the Town.

B. Construction Inspections. The Town is authorized under this Article to perform construction inspections including, but not limited to, preconstruction, preclearing, and construction sequence inspections as detailed in the *Design Manual*. The Town is authorized under this Article to perform final construction inspections and require As-Built plans for all permanent stormwater management practices as detailed in the *Design Manual*.

C. Post-construction Inspections. The Town is authorized under this Article to perform post-construction inspections and require ongoing maintenance of stormwater management systems as detailed in the *Design Manual*.

5.10.8 Violations, Enforcement, and Penalties

The Town is authorized under this Article to enforce the provisions of this Article as described in UDO Article 8 Penalties and Enforcement. Any action or inaction that violates the provisions of this Article or the requirements of an approved stormwater management design plan, stormwater management inspection and maintenance agreement and plan, or permit may be subject to the enforcement actions. Any such action or inaction that is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief.

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9.0 Definitions and Interpretation

9.2 Defined Terms

All words and phrases shall have their ordinary and customary meanings unless the context of the word or phrase indicates otherwise. The following terms shall have the meaning given below, unless the context of the use of the term clearly indicates otherwise based on the purposes, intent, design objective or other guidance associated with its use in a particular section.

100 Year Flood: The ~~storm~~, flood or level of floodwater measured from mean sea level ~~from large low-frequency storm events~~ that has a one percent chance of being equaled or exceeded in any given year.

As-built/Record Drawings: A set of drawings prepared by and certified by a South Carolina registered professional engineer, ~~landscape architect, or registered surveyor~~ that accurately represents the actual final configuration, ~~locations, site grading, elevations, excavated/constructed dimensions, depths, lengths, widths, (to verify constructed volumes meet or exceed design volumes) materials, landscaping~~ of the stormwater ~~systems, and BMPs~~ and other related infrastructure constructed in a development.

Best Management Practices (BMP): Stormwater management practices, either structural, nonstructural or natural that ~~has~~ ~~have~~ been demonstrated to effectively control movement of pollutants, prevent degradation of ~~soil~~ ~~environmental~~ and water resources, ~~especially by reducing runoff volume and the pollutant loads carried in that runoff~~, and that are compatible with the planned land use.

Better Site Design (BSD): Site design techniques that can be used during the site design process to minimize the creation of new impervious cover and reduce a site's impact on the watershed. Better site design techniques include reduced clearing and grading limits, roadway lengths and widths, and parking lot and building footprints.

Better Site Planning: Site planning techniques that can be used during the site planning process to protect and conserve natural areas that are critical in preserving pre-development site hydrology and reducing a site's impact on the watershed. Better site planning techniques include conserving significant stands of trees and other vegetation, natural drainage features, and riparian buffers.

Building: Any structure, ~~either temporary or permanent~~, used or intended for supporting or sheltering any use or occupancy. Each portion of a building separated from other portions by a firewall shall be considered as a separate building.

Caliper: The width of a tree trunk as measured six (6) inches above the root ball.

Channel: means a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

Clearing: The cutting or removal of trees or other vegetation as regulated by the Town of Bluffton Tree Conservation, Planting, and Landscaping standards (Article 5.3).

Clear-cutting: The complete or nearly complete removal of trees and understory within the proposed disturbed land area and/or limit of lot grading area of a development site or forestry activity.

Detention: The collection and ~~temporary~~ storage of surface water ~~or stormwater runoff~~ for subsequent controlled discharge at a rate that is less than the rate of inflow.

Developer: A person who undertakes land development or redevelopment activities.

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Development: The performance of any building or mining operation; the making of any material; change in the use of any structure or land; or the division of land into two or more parcels. The following specific activities or uses shall be categorized as Development, **Redevelopment and/or Major Substantial Improvements:**

- A. A material change in type of use of a structure or land which would tangibly affect the area's natural environment, drainage, transportation patterns, public health, or economic values;
- B. A building operation involving construction, reconstruction, or alteration of the size of a structure which would result in a tangible effect on the area's natural environment, transportation patterns, public health, or economic values;
- C. A material increase in the intensity of land use, such as an increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land; when such increase would tangibly affect the area's natural environment, transportation patterns, public health, or economic values;
- D. Subdivision of a parcel or tract of land into two or more lots, parcels, or pieces for the purpose of sale or transfer of title;
- E. Commencement of any mining operation on a parcel of land;
- F. In connection with the use of land, the making of any material, change in noise levels, thermal conditions, or emissions of waste materials;
- G. Alteration of a shore, bank, or flood plain of a seacoast, river, stream, lake, or other natural water body;
- H. Reestablishment of a use which has been abandoned for one year; ~~and~~
- I. Construction of major electrical and telephone utility lines over three-fourths of a mile in length and involving tree removal, construction of any utility line substation, or construction of any utility line crossing wetlands-;
- J. **Any change in land cover, including, but not limited to, clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, filling, and paving, that alters the hydrologic response of local watersheds; and**

The following operations or uses do not constitute development for the purpose of this Ordinance:

- A. The construction of any public street or other public way, grounds, buildings, structures, or facilities. Such public project Development Plans are submitted and reviewed for approval under a separate administrative procedure;
- B. Work for the maintenance, renewal, improvement, or alteration, of any structure, if the work affects only the interior or the color of the structure, or decoration of the exterior of the structure;
- C. The use of any structure or land devoted to dwelling uses for any purposes customarily incidental to enjoyment of the dwelling;
- D. The use of any land for the purpose of growing plants, crops, trees, or for other agricultural purposes;
- E. A transfer of title to land not involving the division of land into parcels;
- F. The division of land into parcels of five acres or more where no improvements are involved;
- G. 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;

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- H. The division of land into lots for the purpose of sale or transfer to members of one’s own immediate family, where no new street is involved, is exempt from the standard submission and review procedures;
- I. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the governing authority;
- J. The recordation of a plat of land or property for purposes other than the sale or transfer of title to land including:
 - 1. The creation or termination of mortgages, leases, easements, or liens;
 - 2. Lot line corrections on existing recorded properties;
 - 3. The creation, termination, or amendment of private covenants or restrictions on land;
 - 4. Property trades or swaps between immediately adjacent landowners not resulting in the creation of new parcels of record; and
 - 5. Division of land for the purpose of sale or transfer to an immediately adjacent landowner for the sole purpose of enlarging the adjacent landowner’s property and not resulting in the creation of new parcels.

Easement: An interest in land of another that entitles the holder to a specified limited use.

Erosion and Sedimentation Control Plan: A plan that is designed to minimize the accelerated erosion and sediment runoff at a site during land development or redevelopment activities.

Existing Conditions: Land use and land cover conditions at the time of a land development or redevelopment permit application.

Extreme Flood Protection: Stormwater control measures taken to prevent adverse impacts from large low-frequency storm events that have a one percent chance of being equaled or exceeded in any given year.

Fee-in-lieu: A payment collected by approval of the UDO Administrator as an alternative to meeting requirements set forth in the UDO.

Flooding: A volume of surface water that cannot be confined within the banks or walls of a conveyance or stream channel and that overflows onto adjacent lands.

Grading: Any activity involving the clearing, grading, transporting, filling or excavation of land, stump removal or any other activity which causes land to be exposed to danger of erosion.

Grading Plan: A plan that depicts existing and proposed elevations, contours and drainage which meets or exceeds the standards for soil erosion and sediment control as outlined in the *Southern Lowcountry Stormwater Design Manual*.

Greenspace: As pertaining to Stormwater, permanently protected area(s) of the site that are preserved in a natural state.

Hydrologic Soil Group (HSG): As pertaining to Stormwater, a Natural Resource Conservation Service classification system in which soils are categorized into four runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and produce much more runoff.

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Impaired Waters: Those streams, rivers and lakes that currently do not meet their designated use classification and associated water quality standards and as identified in the Clean Water Act Section 303(d) list by the South Carolina Department of Health and Environmental Control.

Impervious Surface: ~~A surface, which 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.~~ A surface compacted or composed of any material that impedes or prevents the passive, natural infiltration of water into soil. Impervious surfaces include, but are not limited to, rooftops, buildings, streets, roads, and compacted stone or gravel, except those designed specifically to provide active, engineered infiltration.

Infill Development: Land development that occurs within designated areas based on local land use, watershed, and/or utility plans where the surrounding area is generally developed, and where the site or area is either vacant or has previously been used for another purpose.

Infiltration: The process of percolating stormwater runoff into the subsoil.

Infiltration Practice: Any stormwater management practice designed to provide active, engineered infiltration of retained water to the subsurface. These stormwater management practices may be above or below grade.

Inspection and Maintenance Agreement and Covenant: A written agreement and covenant providing for the long-term inspection and maintenance of stormwater management facilities and practices on a site or with respect to a land development or redevelopment project, which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a development project.

Land Disturbance or Land Disturbing Activity: The use of land by any person that results in a change in the natural vegetated cover or topography, including clearing **vegetation** that may contribute to or alters the quantity and/or quality of stormwater runoff.

Larger Common Plan of Development: A common plan for development or sale. It identifies a site where multiple separate and distinct construction activities (areas of disturbance) are occurring on contiguous areas. Such sites may have one operator or owner or several operators and owners. Construction activities may take place at different times on different schedules, in separate stages, and/or in separate phases, and/or in combination with other construction activities. Each developer, operator or owner for each site or project determined to be a part of a larger common plan of development are subject to land development approval and permitting requirements as defined herein and the *Southern Lowcountry Stormwater Design Manual*.

Limits of Disturbance (LOD): The outermost boundary of the area planned to be disturbed by construction, grading, grubbing, landscaping, excavating, filling, plowing, tilling, or stockpiling of material as indicated by the approved design plan.

Low Impact Development: Small-scale, distributed stormwater management practices that can be used during the site design process to replicate existing hydrologic conditions, help offset the creation of new impervious cover, and reduce impact on the watershed.

Maintenance: Any action necessary to preserve stormwater management facilities in proper working condition, in order to serve the intended purposes **and meet original design intent** set forth in this article and to prevent structural failure of such facilities.

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Major Substantial Improvement: Specific to stormwater, a renovation or addition to a structure that meets the following cost and size thresholds: a) construction costs for the building renovation/addition are greater than or equal to 50% of the pre-project assessed value of the structure as developed using current Building Valuation Data of the International Code Council, and b) combined footprint of structure(s) and any land disturbance is greater than or equal to 5,000 square feet.

Mass Grading: The movement of earth by mechanical means to alter the gross topographic features (elevations, slopes, etc.) to prepare a site for final grading and the construction of facilities such as buildings, roads, infrastructure, and parking.

Maximum Extent Practicable (MEP): The extent of efforts to comply with the post-construction stormwater management requirements.

Nonpoint Source Pollution: A form of water pollution that does not originate from a discrete point, such as a sewage treatment plant or industrial discharge, but involves the transport of pollutants, such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, nutrients, organic materials, and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff and leaching. Nonpoint source pollution is a by-product of land use practices, such as agriculture, silviculture, mining, construction, subsurface disposal, suburban and urban runoff.

Nonstructural Stormwater Management Practice or Nonstructural Practice: Any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits and includes, but is not limited to, riparian buffers, open and greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.

Overbank Flood Protection: Measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain) and that are intended to protect downstream properties from flooding for the 2-year through 25-year frequency storm events.

Post-development: The time period or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development or redevelopment activity on a site.

Pre-development: The time period or the conditions that exist, on a site prior to land development. For the purpose of determining pre-development surface runoff conditions, it is assumed that predevelopment is meadow conditions.

Recharge: The replenishment of groundwater aquifers.

Redevelopment: As pertains to stormwater, change to previously existing, improved property, including but not limited to the building of structures, filling, grading, paving, or excavating, but excluding ordinary maintenance activities, remodeling of buildings on the existing footprint, resurfacing of paved areas, and exterior changes or improvements that do not materially increase or concentrate stormwater runoff or cause additional nonpoint source pollution.

Regional Stormwater Management Facility or Regional Facility: Stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual properties may assist in the financing of the facility and the requirement for on-site controls in the contributing drainage area is either eliminated or reduced.

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Riparian Buffer: An area of land at or near a streambank, wetland, or waterbody that has intrinsic water quality value due to the ecological and biological processes it performs or is otherwise sensitive to changes which may result in significant degradation of water quality.

Runoff: Stormwater runoff.

Runoff Reduction: The total annual runoff volume reduced through canopy interception, soil infiltration, evaporation, transpiration, rainwater harvesting, engineered filtration, or extended filtration.

Special Watershed Protection Area: A watershed or drainage catchment designated by the Town to provide specific stormwater management requirements beyond those established in the *Southern Lowcountry Stormwater Design Manual* for the general three watershed protection areas of the Southern Lowcountry.

Stop Work Order: An administrative order that requires development activity on a site to be stopped. The extent of the stop work order is determined by the UDO Administrator and is identified in accompanying details of each Order.

Stormwater: Stormwater runoff, precipitation runoff, and surface runoff.

Stormwater Hotspot: An area where land use or activities generate highly contaminated runoff with concentrations of pollutants in excess of those typically found in stormwater runoff. The following operations are examples of, but not limited to, stormwater hot spots in this ordinance: car washes, industrial sites, auto repair shops, parking garages, vehicle fueling and storage areas, golf courses, marinas, and transportation equipment repair facilities.

Stormwater Management: ~~The collection, conveyance, storage, treatment and disposal of stormwater runoff in a manner to meet the objectives of this article and its terms, including, but not limited to measures that control the increased volume and rate of stormwater runoff and water quality impacts caused by manmade changes to the land.~~ The collection, conveyance, storage, treatment, and disposal of stormwater runoff in a manner intended to prevent increased flood damage, streambank channel erosion, habitat degradation, and water quality degradation, and to enhance and promote the public health, safety, and general welfare.

Stormwater Management Facility: Any infrastructure that controls or conveys stormwater runoff.

Stormwater Management Plan (SWMP): The set of drawings and other documents that comprise all of the information and specifications for the programs, drainage systems, **Stormwater Management Systems**, structures, BMPs, concepts, and techniques for the control of stormwater.

Stormwater Retrofit: A stormwater management practice designed for an existing development site that previously had either no stormwater management practice in place or a practice inadequate to meet the requirements of the *Southern Lowcountry Stormwater Design Manual*.

Structural Stormwater Management Practice: A structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release, or the velocity of flow of such runoff.

Surety: A financial guarantee in form of a letter of credit, bond, cash or other form as may be accepted by the UDO Administrator that ensures the completion of all required improvements per approved plan.

Watercourse: A permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

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Watershed Management Plan: A document, usually developed cooperatively by government agencies and other stakeholders, to protect, restore, and/or otherwise manage the water resources within a particular watershed or subwatershed. The plan commonly identifies threats, sources of impairment, institutional issues, and technical and programmatic solutions or projects to protect and/or restore water resources.

Watershed Protection Area: A watershed or drainage catchment designated in the *Southern Lowcountry Stormwater Design Manual* with specific stormwater management requirements that are intended to enhance the quality of development, protect and enhance stormwater quality and management, protect aquatic resources from the negative impacts of land development process, address water quality impairments or a total maximum daily load, as identified by the South Carolina Department of Health and Environmental Control (DHEC), or address localized flooding issues.

Southern Lowcountry Stormwater Design Manual

Stormwater Best Management Practices

Prepared by



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Acronym Definitions

Acronym/Abbreviation	Definition
ARC	Antecedent Runoff Condition
BMP	Best Management Practice
BSD	Better Site Design
CDA	Contributing Drainage Area
CN	Curve Number
C-SWPPP	Construction Stormwater Pollution Prevention Plan
EGL	Energy Grade Line
EPA	United States Environmental Protection Agency
ESC	Erosion and Sediment Control
FHWA	Federal Highway Administration
GI	Green Infrastructure
HDS	Hydraulic Design Services
HGL	Hydraulic Grade Line
HUC	Hydrologic Unit Code
IWS	Internal Water Storage
LID	Low-Impact Development
LOD	Limits of Disturbance
MEP	Maximum Extent Practicable
MS4	Municipal Separate Storm Sewer System
NC DEQ	North Carolina Department of Environmental Quality
NEH	National Engineering Handbook
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
PROW	Public Right-of-Way
PUD	Planned Unit Development
SC DHEC	South Carolina Department of Health and Environmental Control
SC DOT	South Carolina Department of Transportation
SDA	Site Drainage Area
SWMP	Stormwater Management Plan
SWRv	Stormwater Retention Volume

Chapter 1. Introduction, Background, Purpose, and Administration

1.1 Introduction

Upon passage of the Southern Lowcountry Stormwater Ordinance as amended and adopted by <local jurisdiction>, participating municipalities/jurisdictions will follow the design and permitting requirements of the *Southern Lowcountry Stormwater Design Manual*. The Ordinance directs residents, land developers, redevelopment, and government permit applicants to submit details and plans that comply with this Manual. It is the intent of the Ordinance that all proposed development, redevelopment, and major substantial improvement shall provide stormwater quality control for the stormwater retention volume (SWRv) for Watershed Protection Areas and/or Special Watershed Protection Areas. In the following chapters, Better Site Design (BSD) practices, green infrastructure/low impact development practices (GI/LID), and stormwater best management practices (BMPs) are described in detail to support the stormwater retention requirements. Through in-line and off-line application of these practices, the cumulative impact is reduction of the runoff and the retention on site of design storms.

This Manual and the design criteria presented within represent good engineering practice and should be used in the preparation of stormwater management plans. The criteria are intended to establish requirements, minimum standards, and methods for a sound planning, design, and review process. It is intended to guide the stormwater design review of proposed work done by developers, private parties, and governmental agencies.

1.2 Background

The U.S. Environmental Protection Agency (EPA) recommends that the Phase II Small Municipal Separate Storm Sewer System (MS4) permit require the permittee to adopt a planning process that identifies the municipality's program goals (e.g., minimize water quality impacts resulting from post-construction runoff from new development and redevelopment), implementation strategies (e.g., adopt a combination of structural and/or non-structural BMPs), operation and maintenance policies and procedures, and enforcement procedures. In developing the program, EPA states that the permit should also require the permittee to assess existing ordinances, policies, programs and studies that address stormwater runoff quality. These policy assessments should include the following:

- Policies and ordinances that:
 - provide requirements and standards to direct growth to identified areas,
 - protect sensitive areas such as wetlands and riparian areas,
 - maintain and/or increase open space (including a dedicated funding source for open space acquisition),
 - provide buffers along sensitive water bodies,
 - minimize impervious surfaces, and
 - minimize disturbance of soils and vegetation;
- Policies or ordinances that encourage infill development in higher density urban areas and areas with existing infrastructure;
- Education programs for developers and the public about project designs that minimize water quality impacts; and
- Measures such as minimization of percent impervious area after development and minimization of directly connected impervious areas (81 Federal Register 237).

1.3 Purpose

This Manual's purpose is to provide a framework for designing a stormwater management system to:

- Improve water quality through runoff reduction to the maximum extent practicable (MEP);
- Prevent downstream stream bank and channel erosion;
- Reduce downstream overbank flooding; and
- Safely pass or reduce the runoff from extreme storm events.

This Manual presents a unified approach for sizing stormwater best management practices (BMPs) in the Southern Lowcountry to meet pollutant removal goals, reduce peak discharges, and pass extreme floods. Additionally, it follows a watershed approach for their size and specification. Based on the site's watershed, stormwater design criteria specific to each must be met for development permit approval.

1.4 Applicability and Exemptions

1.4.1 Applicability

Design criteria in this Manual are applicable to any new development or redevelopment activity that meets one or more of the following criteria, or is a major substantial improvement, unless exempt pursuant to Section 1.4.2 below:

1. New development that involves the creation of 5,000 square feet of impervious surface or that involves other land disturbing activities of one acre or more.
2. Redevelopment that involves the creation, addition, or replacement of 5,000 square feet or more of impervious surface or that involves other land disturbing activities of one acre or more.
3. New development or redevelopment, regardless of size, that is part of a larger common plan of development, even though multiple, separate and distinct land disturbing activities may take place at different times and on different schedules.
4. A major substantial improvement of an existing property, which is defined as a renovation or addition to a structure that meets both of the following cost and size thresholds: a) construction costs for the building renovation/addition are greater than or equal to 50% of the pre-project assessed value of the structure as developed using current Building Valuation Data of the International Code Council, and b) project size where the combined footprint of structure(s) exceeding the cost threshold and any land disturbance is greater than or equal to 5,000 square feet.

The design criteria are applicable for infill development of platted lots, whether they are new development or redevelopment sites if the work involves creation, addition or replacement of 5,000 square feet or more of impervious surface or that involves other land disturbing activities of one acre or more.

1.4.2 Exemptions

The following activities are exempt from the permitting requirements of this Manual:

1. Any maintenance, alteration, renewal, or improvement as approved by *<local jurisdiction>* which does not alter existing drainage pattern, does not result in change or adverse impact on adjacent property, or create adverse environmental or water quality impacts, and does not increase the temperature, rate, quality, volume, or location of stormwater runoff discharge.
2. Projects that are exclusively for agricultural or silvicultural activities within areas zoned for these agricultural and silvicultural uses;
3. Agricultural activity not involving relocation of drainage canals;

4. Redevelopment that constitutes the replacement of the original square footage of impervious cover and original acreage of other land development activity when the original development is wholly or partially lost due to natural disaster or other acts of God occurring after *<date of adoption>*; and,
5. Work by agencies or property owners required to mitigate emergency flooding conditions. If possible, emergency work should be approved by the duly appointed officials in charge of emergency preparedness or emergency relief. Property owners performing emergency work will be responsible for any damage or injury to persons or property caused by their unauthorized actions. Property owners will stabilize the site of the emergency work within 60 days, or as soon as reasonable, following the end of the emergency period.

1.5 Administration

1.5.1 Approval Requirements

Before the *<local jurisdiction>* may issue a stormwater permit for any project requiring stormwater management, the *<local jurisdiction>* must approve a Stormwater Management Plan (SWMP) meeting the requirements of the Southern Lowcountry Stormwater Ordinance and receive all fees required by the *<local jurisdiction>* for site and building development plans.

A complete SWMP submittal includes a completed engineer's certification statement, a submittal checklist, plans and design that are signed and sealed by a registered professional engineer licensed in South Carolina. Erosion and sediment control for sites below the South Carolina Department of Health and Environmental Control (SC DHEC) National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges from Construction Activities (SCR100000) thresholds must obtain permit coverage under this stormwater permit. All construction stormwater permit applications above the SC DHEC thresholds are reviewed by the DHEC Office of Coastal Resources Management, or the reviews are delegated to the *<local jurisdiction>* to determine compliance with the requirements of SCDHEC's NPDES General Permit for Stormwater Discharges from Construction Activities (SCR100000) and of the Construction Stormwater Pollution Prevention Plan (C-SWPPP). These permit applications must be approved, issued, and provided to *<local jurisdiction>* prior to the issuance of the stormwater management plan approval.

1.5.2 Fees

An applicant is responsible for paying fees that provide for the cost of review, administration, and management of the stormwater permitting process and inspection of all projects subject to the requirements of *<the local jurisdiction>*. These fees are posted by the *<local jurisdiction>*.

Chapter 2. Design, Review, & Permitting Process

2.1 Satisfying the Stormwater Management, Site Planning, & Design Criteria

2.1.1 Overview

This chapter presents a comprehensive set of site planning and design and post-construction criteria that must be applied to new development and redevelopment activities occurring within the Southern Lowcountry region. Satisfying these criteria promotes the systematic development of acceptable stormwater management plans, and a successful integration of natural resource protection and stormwater management through the site planning and design process (Figure 2.1).

Through the use of Better Site Design, as described in detail below, the integration of natural resource protection and stormwater management can be achieved by:

- Identifying and protecting valuable natural resources;
- Limiting land disturbance, new impervious cover, and disturbed pervious cover; and
- Reducing and managing post-construction stormwater runoff rates, volumes, and pollutant loads.

This approach involves the use of two distinct but complementary groups of natural resource protection and stormwater management techniques:

- Green Infrastructure Practices: Natural resource protection and stormwater management practices and techniques (i.e., better site planning and design techniques, low impact development practices) that can be used to help prevent increases in post-construction stormwater runoff rates, volumes and pollutant loads.
- Stormwater Management Practices: Stormwater management practices (e.g., wet ponds, swales) that can be used to manage post-construction stormwater runoff rates, volumes and pollutant loads.

Natural resource protection and stormwater management techniques help control and minimize the negative impacts of the land development process while retaining and, perhaps, even enhancing a developer's vision for a development site. When applied during the site planning and design process, they can be used to create more natural and aesthetically pleasing development projects and create more cost-effective post-construction stormwater management systems (ARC, 2001). The use of these techniques, particularly the green infrastructure practices, can even reduce overall development costs while maintaining or increasing the resale value of a development project (MacMullan and Reich, 2007; US EPA, 2007; Winer-Skonovd et al., 2006).

2.1.2 Better Site Design in the Planning Process

Better Site Design (BSD) refers to planning land development using certain principles to minimize stormwater impacts. Integral to low impact development design, proper application of BSD principles can allow for smaller required stormwater BMP storage and retention volumes, and can help provide significant reductions in post-construction peak flows and pollutant loads. These principles include reduction/restoration of impervious cover, conservation of natural cover areas, stream restoration, and integration of both structural and non-structural stormwater management within site design. The principles of Better Site Design are referenced in the sections below.

Fundamental to the application of Better Site Design is the correlation between impervious surface area in a watershed and negative impacts on receiving water resources. On a national level, the Impervious

Cover Model (ICM) estimates stream quality based on percentage of impervious cover (Schueler and Fraley-McNeal, 2009). This model demonstrates that streams follow a continuous gradient of degradation in response to increasing impervious cover in a watershed. Local studies have supported this paradigm, and report that changes in the rate and volume of stormwater runoff were primary causes of ecological impairment in headwater tidal creeks, such as those found in Beaufort and Jasper Counties. These studies have shown that physical and chemical characteristics such as altered hydrography, increased salinity variance, increased chemical contaminants, and increased fecal coliform loadings of tidal creeks were negatively impacted with as little as 10 to 20% impervious cover. When impervious cover exceeded 30% of the watershed, measurable impacts to living resources were observed, indicating the ecological processes in the creek ecosystems were impaired (Holland et al., 2004).

Such findings are of consequence to Beaufort and Jasper Counties. Increasing pressure for development in response to population growth, and land development practices of the Lowcountry result in significant tree removal and loss of vegetative cover from land grading and storm pond construction and increases in impervious surfaces. According to the NOAA C-CAP Land Cover Analysis (<https://coast.noaa.gov/ccapatlas/>), from 1996 to 2010, the percent net increase in impervious surface area was 60% for Beaufort County and 59% for Jasper County. Table 2. 1 below summarizes the findings of this NOAA report. Although the percentage of total wetlands lost is relatively low for both counties, the actual wetland types have been converted from palustrine forested wetlands to palustrine scrub/shrub and palustrine emergent wetlands, which may alter ecosystem processes and hydrology in these areas.

Table 2.1. Summary of land cover changes in Southern Lowcountry from 1996 to 2010.

Land Cover %	Beaufort County ¹			Jasper County ¹		
	1996	2010	% Change	1996	2010	% Change
Development	3.87	6.16	+59.12	1.62	2.52	+55.15
Forested Area	25.28	21.5	-14.98	62.50	48.37	-22.60
Wetlands	33.85	33.20	-1.93	45.24	44.74	-1.11

¹ Percent of County under each land cover type.

Given the rapid growth the Southern Lowcountry experienced in the past 20 years, the goals of Better Site Design should resonate with those charged with managing stormwater and its release into the area watersheds. Succinctly, the goals of Better Site Design include the following:

- Preventing stormwater impacts rather than mitigating them;
- Managing stormwater (quantity and quality) as close to the point of origin as possible and minimizing collection and conveyance;
- Utilizing simple, nonstructural methods for stormwater management that are lower cost and lower maintenance than structural controls;
- Creating a multifunctional landscape; and
- Using hydrology as a framework for site design.

The Center for Watershed Protection’s Better Site Design Handbook outlines 22 model development principles for site design that act to reduce impervious cover, conserve open space, prevent stormwater pollution, and reduce the overall cost of development (CWP, 2017). The principles can provide notable

reductions in post-construction stormwater runoff rates, volumes and pollutant loads (ARC, 2001). Better Site Design across the country is implemented through review of existing planning and development codes, and streets, parking and stormwater engineering criteria. Within the context of a stormwater management document and this Manual, the Better Site Design techniques of greatest application include protection of existing natural areas, incorporation of open space into new development, effective sediment and erosion control practices, and stormwater management that mimics natural systems. The following sections apply Better Site Design to the Southern Lowcountry Watershed Protection Areas and Special Watershed Protection Areas to help mitigate the effects of development to the watersheds. Therefore, the conservation principles below are part of an overall watershed approach to stormwater management and will complement the Watershed Protection Area approach in this Manual. Their application is subject to *<local jurisdiction>* requirements and/or standards.

2.1.3 Natural Resources Inventory

The first step to conserve natural resources is properly documenting existing assets. An up-to-date natural resources inventory map can provide geospatial information for water resources, soils, sensitive natural resource areas, critical habitats, and other unique resources (Ellis et al., 2014).

An application for new development requires a natural resources inventory prior to the start of any land disturbing activities. A natural resources inventory prepared by a qualified person shall be used to identify and map the most critical natural resources identified on the property that would be best to preserve, such as those listed in Table 2.2, as they exist predevelopment. Qualified persons include individuals with a working knowledge of hydrology, wetlands, plant taxonomy, and field survey methods. Qualified individuals include but are not limited to licensed foresters, professional wetland scientists, and geographic information professionals. A thorough assessment of the natural resources, both terrestrial and aquatic, found on a development site shall be submitted in the development application.

Table 2.2. Resources to be identified and mapped during the Natural Resources Inventory.

Resource Group	Resource Type
General Resources	<ul style="list-style-type: none"> • Topography • Natural Drainage Divides • Natural Drainage Patterns • Natural Drainage Features (e.g., Swales, Basins, Depressional Areas) • Soils • Erodible Soils • Steep Slopes (e.g., Areas with Slopes Greater Than 15%) • Trees and Other Existing Vegetation
Freshwater Resources	<ul style="list-style-type: none"> • Rivers • Perennial and Intermittent Streams • Freshwater Wetlands
Estuarine Resources	<ul style="list-style-type: none"> • Tidal Rivers and Streams • Tidal Creeks • Coastal Marshlands • Tidal Flats • Scrub-Shrub Wetlands
Marine Resources	<ul style="list-style-type: none"> • Near Coastal Waters • Beaches
Groundwater Resources	<ul style="list-style-type: none"> • Groundwater Recharge Areas • Wellhead Protection Areas
Terrestrial Resources	<ul style="list-style-type: none"> • Dunes • Maritime Forests • Marsh Hammocks • Evergreen Hammocks • Canebrakes • Bottomland Hardwood Forests • Beech-Magnolia Forests • Pine Flatwoods • Longleaf Pine-Wiregrass Savannas • Longleaf Pine-Scrub Oak Woodlands
Other Resources	<ul style="list-style-type: none"> • Shellfish Harvesting Areas • Floodplains • Aquatic Buffers • Other High Priority Habitat Areas as described by South Carolina Department of Natural Resources

2.1.4 Conservation Development

Conservation development, also known as open space development or cluster development, is a site planning and design technique used to concentrate structures and impervious surfaces in a small portion of a development site, leaving room for larger conservation areas and managed open spaces elsewhere on the site (Figure 2.1). Alternative lot designs are typically used to “cluster” structures and other impervious surfaces within these conservation developments.

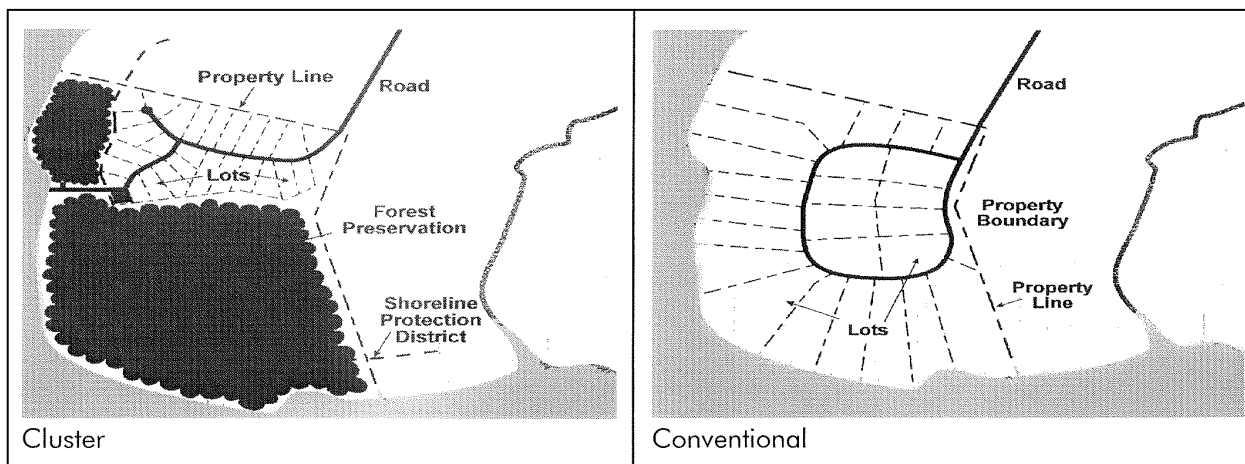


Figure 2.1. Conservation (i.e., cluster) development versus conventional development.

Conservation development projects provide a host of environmental benefits that are typically more difficult to achieve with conventional site design techniques. They provide for better natural resource protection on development sites and inherently limit increases in site imperviousness, sometimes by as much as 40 to 60 percent (CWP, 1998). Reduced site imperviousness results in reduced post-construction stormwater runoff rates, volumes and pollutant loads, which helps better protect both on-site and downstream aquatic resources from the negative impacts of the land development process. Reduced stormwater runoff rates, volumes and pollutant loads also help reduce the size of and need for storm drain systems and stormwater management practices on development sites.

As a number of recent studies have shown (MacMullan and Reich, 2007; US EPA, 2007; Winer-Skonovd et al., 2006), conservation development projects can also be significantly less expensive to build than more conventional development projects. Most of the cost savings can be attributed to the reduced amount of infrastructure (e.g., roads, sidewalks, post-construction stormwater management practices) needed on these development projects. And while these projects are frequently less expensive to build, developers often find that the lots located within conservation developments command higher prices and sell more quickly than those located within more conventional developments (ARC, 2001).

Table 2. 3 provides suggestions for Better Site Design techniques that will help protect valuable resources such as buffers, trees, wetlands, and open space.

Table 2.3. Better Site Design principles for conservation.

Principle	Description
Vegetated Buffer System	Create a variable width, naturally vegetated buffer system along all streams that also encompasses critical environmental features such as the 100-year floodplain, steep slopes, and freshwater wetlands. <i>Recommended buffer widths are included in Table 3.2-4 in Ellis et al., 2014</i>
Buffer Maintenance	The riparian buffer should be preserved or restored with native vegetation that can be maintained through delineation, plan review, construction, and occupancy stages of development.
Clearing and Grading	Clearing and grading of forests and native vegetation should be limited to the minimum amount needed to build lots, allow access, and provide fire protection. A fixed portion of any community open space should be managed as protected green space in a consolidated manner.
Tree Conservation	Conserve trees and other vegetation at each site by planting additional vegetation, clustering tree areas, and promoting the use of native plants. Wherever practical, manage community open space, street rights-of-way, parking lot islands, and other landscaped areas to promote natural vegetation.
Land Conservation	Open space development should be encouraged to promote conservation of stream buffers, forests, meadows, and other areas of environmental value. In addition, off-site mitigation consistent with locally-adopted watershed plans should be encouraged.
Stormwater Outfalls	New stormwater outfalls should not discharge unmanaged into jurisdictional wetlands, sole-source aquifers, or sensitive areas.

2.1.5 Residential Streets & Parking Lots

Up to 65% of the total impervious cover in a watershed can be attributed to streets, parking lots, and driveways (CWP, 1998). Table 2.4 describes Better Site Design principles related to techniques to reduce the impervious surfaces associated with these hardscapes.

Table 2.4. Better Site Design principles for streets and parking to meet <local jurisdiction> requirements.

Principle	Description
Street Width	Design residential streets for the minimum required pavement width needed to support travel lanes; on-street parking; and emergency, maintenance, and service vehicles.
Street Length	Reduce the total length of residential streets by examining alternative street layouts to determine the best option for increasing the number of homes per unit length.
Right-of-Way Width	Wherever possible, residential street right-of-way widths should reflect the minimum required to accommodate the travel-way, the sidewalk, and vegetated open channels. Utilities and storm drains should be located within the pavement section of the right-of-way wherever feasible.
Cul-de-sacs	Minimize the number of residential cul-de-sacs and incorporate landscaped areas to reduce their impervious cover. The radius of cul-de-sacs should be the minimum required to accommodate emergency and maintenance vehicles. Alternative turnarounds should be considered.
Vegetated Open Channels	Where density, topography, soils, and slope permit, vegetated open channels should be used in the street right-of-way to convey and treat stormwater runoff.
Parking Ratios	The required parking ratio governing a particular land use or activity should be enforced as both a maximum and a minimum in order to curb excess parking space construction. Existing parking ratios should be reviewed for conformance, taking into account local and national experience to see if lower ratio is warranted and feasible.
Parking Lots	Reduce the overall imperviousness associated with parking lots by providing compact car spaces, minimizing stall dimensions, incorporating efficient parking lanes, and using pervious materials in spillover parking areas.
Structured Parking	Utilize structured (e.g., parking garage) and shared parking to reduce impervious surface area.
Parking Lot Runoff	Wherever possible, provide stormwater treatment for parking lot runoff using bioretention areas, filter strips, and/or other practices that can be integrated into required landscaping areas and traffic islands.

2.1.6 Lot Development Principles to Meet Requirements

Development of lots follows similar guidelines for reducing impervious cover and protecting natural areas, such as open space. Table 2. 5 summarizes Better Site Design principles for lot development. Preserving open space is critical to maintaining water quality at the regional level. Compared to traditional development, open space development can reduce the annual runoff volume from a site by 40%–60%, nitrogen loads by 42%–81%, and phosphorus loads by 42%–69% (CWP, 1998). Large, continuous areas of open space reduce and slow runoff, absorb sediments, serve as flood control, and help maintain aquatic communities. Open space can be provided by minimizing lot sizes, setbacks, and frontage distances.

Table 2. 5. Better Site Design principles for lot development.

Principle	Description
Open Space Development	Utilize open space development that incorporates smaller lot sizes to minimize total impervious area, reduce total construction costs, conserve natural areas, provide community recreational space, and promote watershed protection.
Setbacks and Frontages	Consider minimum setbacks allowed by <local jurisdiction>. Relax side yard setbacks and allow narrower frontages to reduce total road length in the community and overall site imperviousness. Relax front setback requirements to minimize driveway lengths and reduce overall lot imperviousness.
Sidewalks	Where practical, consider locating sidewalks on only one side of the street and providing common walkways linking pedestrian areas.
Driveways	Reduce overall lot imperviousness by promoting alternative driveway surfaces and shared driveways that connect two or more homes together.
Rooftop Runoff	Direct rooftop runoff to pervious areas such as yards, open channels, or vegetated areas and avoid routing rooftop runoff to the roadway and the stormwater conveyance system.
Open Space Management	Clearly specify how community open space will be managed and designate a sustainable legal entity responsible for managing both natural and recreational open space.

For more detailed descriptions of these techniques, please reference *Better Site Design: A Handbook for Changing Development Rules in Your Community* (CWP, 1998) and Chapter 3 of *Low Impact Development in Coastal South Carolina: A Planning and Design Guide* (Ellis et al., 2014).

2.1.7 Site Planning & Design Process

Figure 2.2 depicts the site planning and design process that is captured in *Low Impact Development in Coastal South Carolina: A Planning and Design Guide* (Ellis et al., 2014) and is applicable to the <local jurisdiction>. The site planning and design checklist of the Southern Lowcountry Design Manual does not make each of the phases of the process a submittal requirement. The checklist, however, gives the <local jurisdiction> the opportunity to ask whether each of these steps have been considered. The actual document submittal begins with the preliminary plan when considered in context of the planning process below:

- Site Prospecting:** During the site prospecting phase, some basic information is used to evaluate the feasibility of completing a development or redevelopment project. A *feasibility study* is typically used to evaluate the many factors that influence a developer’s decision about whether or not to move forward with a potential development project. Factors that are typically evaluated during a *feasibility study* include information about site characteristics and constraints, applicable local, state and federal stormwater management and site planning and design requirements, adjacent land uses and access to local infrastructure (e.g., water, sanitary sewer).
- Site Assessment:** Once a potential development or redevelopment project has been deemed feasible, a more thorough assessment of the development site is completed. The site assessment, which is typically completed using acceptable site reconnaissance and surveying techniques, provides additional information about a development site’s characteristics, its natural resource inventory and constraints. Once the assessment is complete, a developer can identify and analyze the natural, man-made, economic and social aspects of a potential development project, define the actual buildable area available on the development site and begin making some preliminary decisions about the layout of the proposed development project.
- Concept Plan:** The results of the site assessment are typically used to create a concept plan (also known as a *sketch plan*) for the proposed development project. A concept plan is used to illustrate the basic layout of the proposed development project, including lots and roadways,

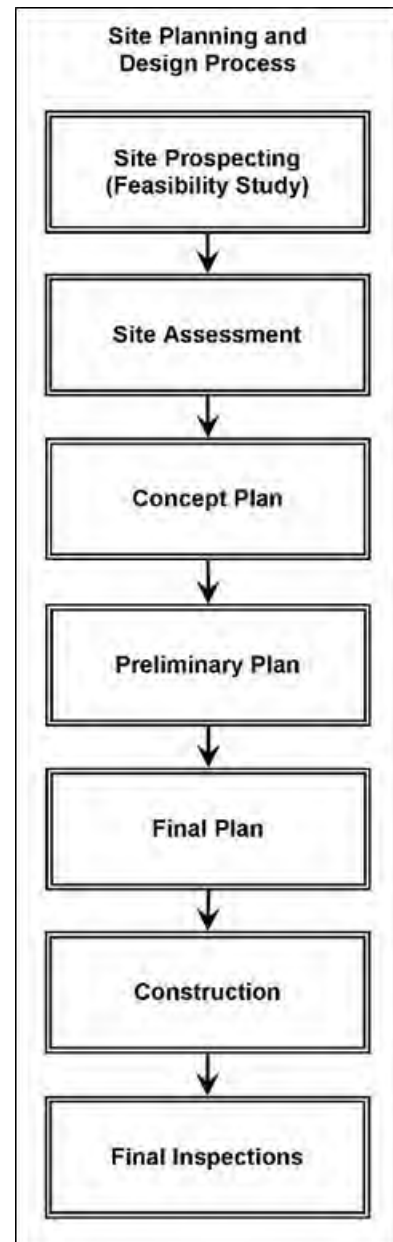


Figure 2.2. Site planning & design process (source: Center for Watershed Protection, Inc.)

and is usually reviewed with the local development review authority before additional resources are used to create a more detailed plan of development. During this phase, several alternative concept plans can be created and compared with one another to craft a plan of development that best “fits” the character of the development site (Figure 2.3, Figure 2.4, and Figure 2.5). It is at this point in the planning and design process that a Maximum Extent Practicable demonstration described in Section 3.9 is required for development projects that will seek a waiver from requirements of this Manual.

- **Preliminary Plan**: A preliminary plan presents a more detailed layout of a proposed development project. It typically includes information about lots, buildings, roadways, parking areas, sidewalks, conservation areas, utilities and other infrastructure, including the post-construction stormwater management system. After the preliminary plan has been reviewed and approved by the local development review authority, a final plan may be prepared. There may be several iterations of the preliminary plan between the time that it is submitted and the time that it is approved by the local development review authority.
- **Final Plan**: The final plan adds further detail to the preliminary plan and reflects any changes to the plan of development that were requested or required by the local development review authority. The final plan typically includes all of the information that was included in the preliminary plan, as well as information about landscaping, pollution prevention, erosion and sediment control and long-term operation and maintenance of the site’s post-construction stormwater management system. There may be several iterations of the final plan between the time that it is submitted and the time that it is approved by the local development review authority.
- **Construction**: Once the final plan has been reviewed and approved, performance bonds are set and placed, contractors are retained, and construction begins. During the construction phase, a development project may be inspected on a regular basis by the local development review authority to ensure that all roadways, parking areas, buildings, utilities and other infrastructure, including the post-construction stormwater management system, are being built in accordance with the approved final plan and that all primary and secondary conservation areas have been protected from any land disturbing activities.
- **Final Inspections**: Once construction is complete, final inspections take place to ensure that all roadways, parking areas, buildings, utilities and other infrastructure, including the post-construction stormwater management system, were built according to the approved final plan. As-built plans are also typically prepared and executed during this phase. If a development project passes all final inspections, an occupancy permit may be issued for the project.



Figure 2.3. Conventional Site Design (source: Merrill et al., 2006).



Figure 2.4. Conservation Site Design (source: Merrill et al., 2006).



Figure 2.5. New Urbanist Site Design (source: Merrill et al., 2006).

2.1.8 Integrating Natural Resource Protection & Stormwater Management with the Site Planning & Design Process

In order to successfully *integrate* natural resource protection and stormwater management with the site planning and design process, site planning and design teams are encouraged to consider following questions at the beginning of the process:

- What valuable natural resources, both terrestrial and aquatic, can be found on the development site?
- How can better site planning techniques be used to protect these valuable natural resources from the direct impacts of the land development process?
- How can better site design techniques be used to minimize land disturbance and the creation of new impervious and disturbed pervious cover?
- What low impact development practices can be used to help preserve pre-development site hydrology and *reduce* post-construction stormwater runoff rates, volumes and pollutant loads?
- What stormwater management practices can be used to *manage* post-construction stormwater runoff rates, volumes and pollutant loads?
- Are there any site characteristics or constraints that prevent the use of any particular low impact development or stormwater management practices on the development site?

Although answering these questions is no easy task, they can be readily obtained within the context of the six-step *stormwater management planning and design process* outlined in Figure 2.6, and the steps are described in more detail below.

- **Step 1: Pre-Application Meeting**

It is recommended that a pre-application meeting between the applicant's site planning and design team and the <local jurisdiction> development review authority occur at the very beginning of the stormwater management planning and design process. This meeting, which should occur during the site prospecting phase of the overall site planning and design process (Figure 2.6), helps establish a relationship between the site planning and design team and the <local jurisdiction> development review authority. The pre-application meeting also provides an opportunity to discuss the local site planning and stormwater management design criteria that will apply to the proposed development project, which increases the likelihood that the remainder of the site planning and design process will proceed both quickly and smoothly.

- **Step 2: Review of Local, State, and Federal Stormwater Management, Site Planning, & Design Requirements**

Once a pre-application meeting has been completed, it is recommended that the site planning and design team review the local, state and federal requirements that will apply to the proposed development project. This review should occur during the site prospecting phase of the overall site planning and design process (Figure 2.6), while the feasibility study is still being completed.

During their review of stormwater management and site planning and design requirements, the applicant's site planning and design teams should also investigate opportunities and incentives for land conservation, and opportunities and incentives for conservation development as illustrated earlier in Figure 2.1.

- **Step 3: Natural Resources Inventory**

Once the potential development or redevelopment project has been deemed feasible, acceptable site reconnaissance and surveying techniques must be used to complete a thorough assessment of the natural resources, both terrestrial and aquatic, found on the development site. The identification and subsequent preservation and/or restoration of these natural resources helps reduce the negative impacts of the land development process "by design." The natural resources inventory should be completed during the site assessment phase of the overall site planning and design process (Figure 2.6). A map that is created to illustrate the results of the natural resources inventory, known as a site fingerprint, should be used to prepare a stormwater management concept plan for the proposed development project.

Once the natural resources inventory has been completed and a site fingerprint has been created, the site planning and design team should have a better understanding of a development site's characteristics and constraints. This information can be used to identify primary and secondary conservation areas (Figure 2.7) and define the actual buildable area available on the development site. Along with information about adjacent land uses and available infrastructure (e.g., roads, utilities), the site fingerprint can also be used to make some preliminary decisions about the layout of the proposed development project and to guide the creation of the stormwater management concept plan.

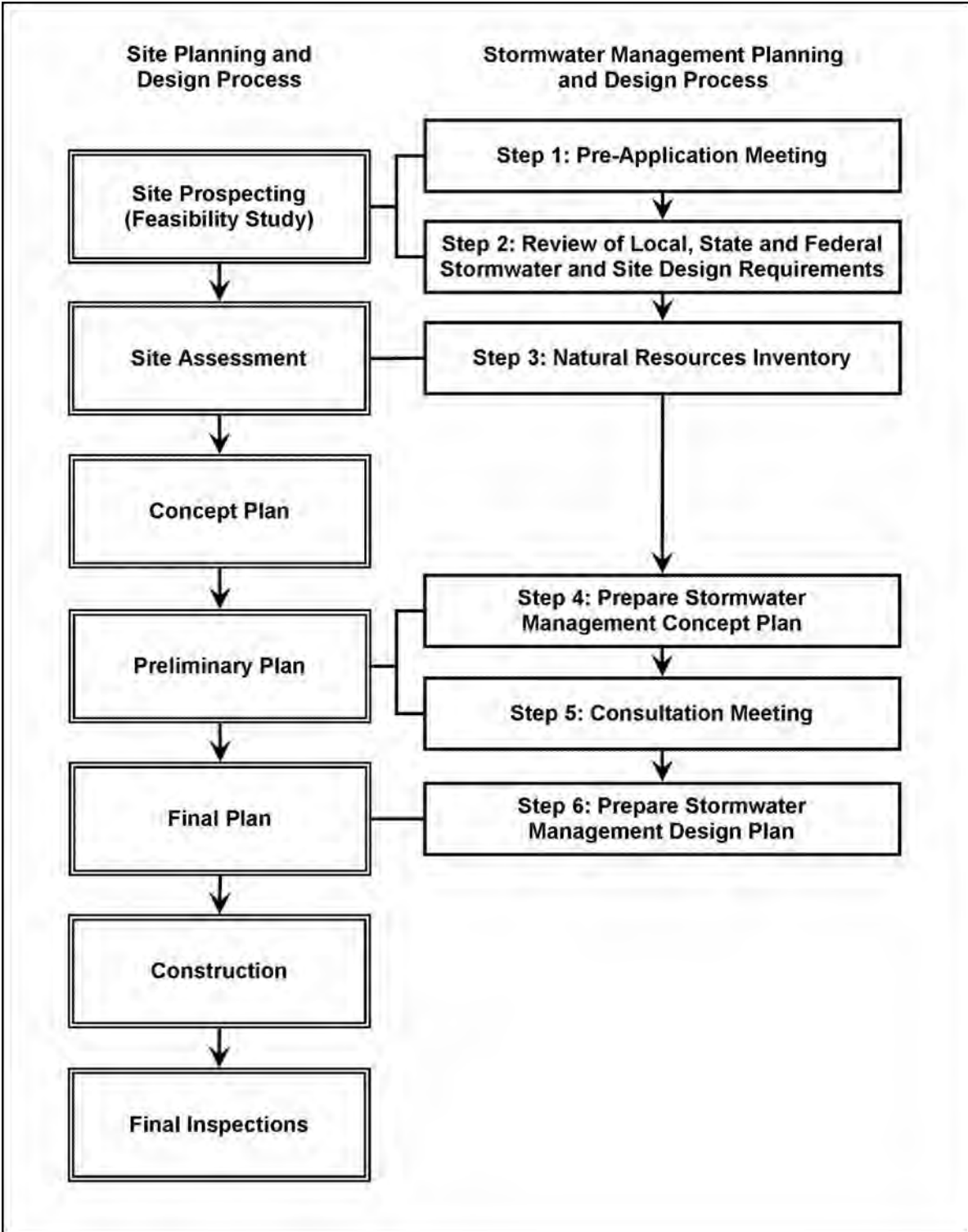


Figure 2.6. Integrating Natural Resource Protection & Stormwater Management with the Site Planning & Design Process (source: Center for Watershed Protection, Inc.).

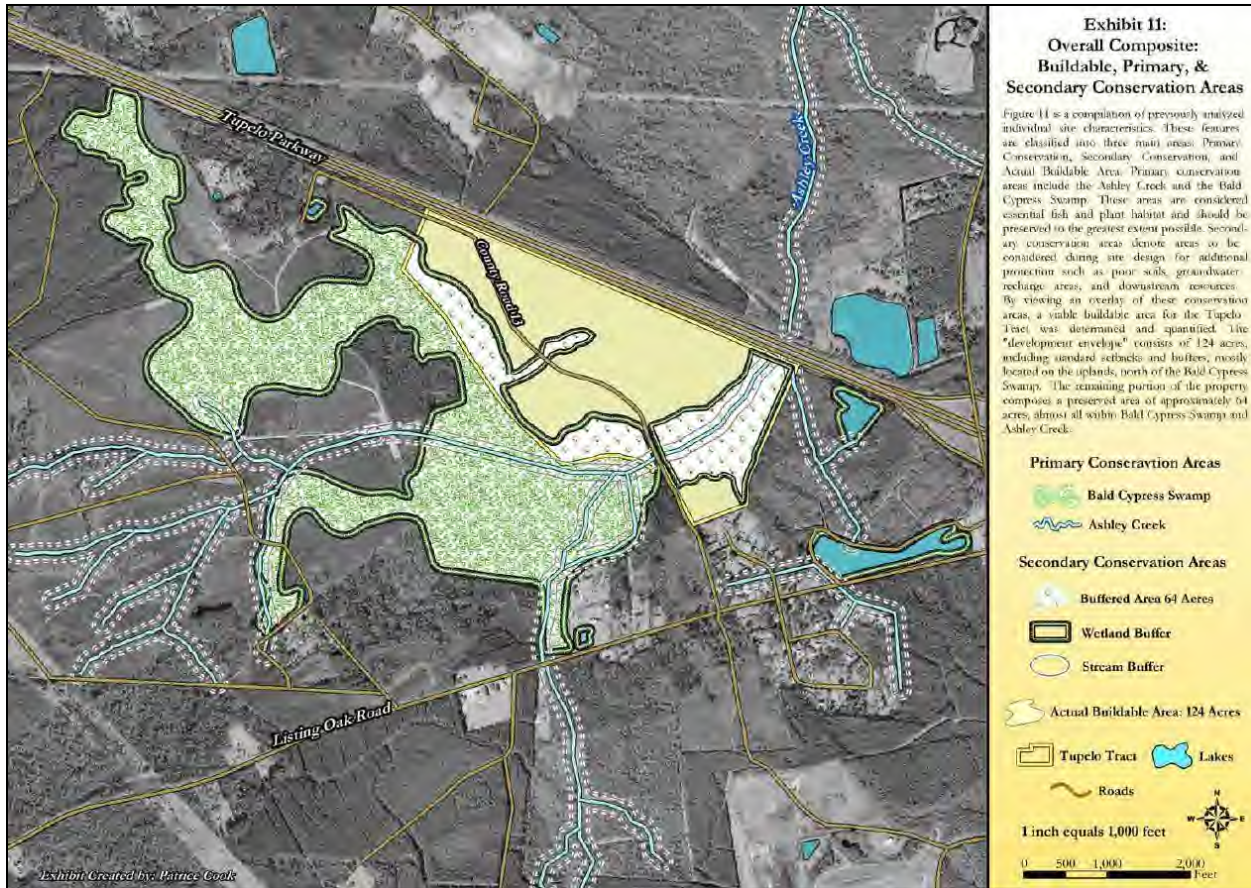


Figure 2.7. Buildable Area and Primary/Secondary Conservation Areas (source: Merrill et al., 2006).

- **Step 4: Prepare Stormwater Management Concept Plan**

After the natural resources inventory has been completed, it is recommended that the site fingerprint be used to develop a stormwater management concept plan for the proposed development project. The stormwater management concept plan should illustrate the layout of the proposed development project and should show, in general, how post-construction stormwater runoff will be managed on the development site.

The creation of a stormwater management concept plan allows the applicant's site planning and design team to make some preliminary decisions about the layout of the proposed development project. If it is submitted to the local development review authority prior to the preparation and submittal of the stormwater management design plan, it can also be used to solicit early feedback on the project and on the green infrastructure and stormwater management practices that will be used to manage post-construction stormwater runoff on the development site.

During the creation of the stormwater management concept plan, most of the site layout, including the layout of lots, buildings, roadways, parking areas, sidewalks and green infrastructure and stormwater management practices, will be completed. Therefore, it is very important that natural resource protection and stormwater management be considered throughout this part of the stormwater management planning and design process.

- **Step 5: Consultation Meeting**

Once a stormwater management concept plan has been created, it is recommended that the applicant's site planning and design team hold a consultation meeting with the *<local jurisdiction>* development review authority. This meeting, which should occur right after completion of the stormwater management concept plan, provides an opportunity to discuss the proposed development project and the approach that was used to satisfy the stormwater management and site planning and design criteria that apply to the development site. It may be advantageous for the consultation meeting to take place on the development site after the concept plan submittal, but prior to approval. This meeting can be used to verify site conditions and feasibility of the proposed stormwater management concept plan.

- **Step 6: Prepare Stormwater Management Design Plan**

Subsequent to review and approval of the stormwater management concept plan, the site planning and design team should prepare a stormwater management design plan. The stormwater management design plan should detail how post-construction stormwater runoff will be managed on the development site and should include maps, narrative descriptions and design calculations (e.g., hydrologic and hydraulic calculations) that show how the stormwater management and site planning and design criteria that apply to the development project have been met. The stormwater management design plan should be submitted to the local development review authority for review and approval.

2.2 Submittal & Review Process of Stormwater Management Plans

The Stormwater Management Plan (SWMP) consists of the entire submittal package and includes the following components:

- Project description and narrative;
- Description of selected stormwater management systems;
- Erosion and sediment control plans;
- Sufficient information to evaluate the environmental characteristics of the affected areas, the potential impacts of the proposed development on water resources, the effectiveness and acceptability of stormwater best management practices (BMPs), and land covers for managing stormwater runoff;
- Supporting computations and drawings; and
- Construction, inspection, and maintenance schedules.

All SWMPs must include the Stormwater submittal checklist (Appendix D) and calculations summary. The plans must include the calculated stormwater retention volume (SWRv) for each BMP and for the overall project, the pre and post development peak flow comparison, extreme flood requirements, and any off-site retention or detention volume obligation.

The SWMP and accompanying documentation may be submitted electronically according to the *<local jurisdiction>* process, but the applicant must also submit one paper copy of the SWMP carrying the stamp of a registered professional engineer licensed in the State of South Carolina with all supporting documentation to *<local jurisdiction>*.

Upon acceptance of a complete application (which includes payment of filing fees), the *<local jurisdiction>* will review the SWMP and make a determination to approve, approve with conditions, or disapprove the SWMP. Relatively large and/or complicated projects tend to require a longer review

time than smaller and less complicated projects. A written response of approval or disapproval will be provided to the applicant. If it is determined that more information is needed or that a significant number of changes must be made before the SWMP can be approved, the applicant must resubmit the applications with the revisions required and certified by the registered professional engineer according to the plan resubmittal process of the <local jurisdiction>.

When a SWMP approval is granted, a final submission package is required, including the following:

- One PDF copy of the SWMP, certified by a registered professional engineer licensed in the State of South Carolina,
- A declaration of covenants that has been approved for legal sufficiency by the <local jurisdiction>, and
- All supporting documents specified within this Manual or as requested during the review process according to the <local jurisdiction> requirements.

2.2.1 Components of a Stormwater Management Plan

As itemized in the SWMP checklist in Appendix D Design Checklists, a SWMP includes the following:

Site Plan

The following information must be formatted to print as a standard drawing size of 24 by 36 inches. The site drawing will provide details of existing and proposed conditions:

- A cover page that contains a blank space measuring 7 inches wide by 9.5 inches high. The blank space must be located 1 inch below the top edge and 1 inch from the left edge of the page;
- A plan showing property boundaries and the complete address of the property;
- Lot number or property identification number designation (if applicable);
- North arrow, scale, and date;
- Property lines (include longitude and latitude);
- Location of easements (if applicable);
- Existing and proposed structures, utilities, roads, and other paved areas;
- Existing and proposed topographic contours;
- Soil information for design purposes;
- Area(s) of soil disturbance;
- Drainage area(s) within the limits of disturbance (LOD) and contributing to the LOD;
- Contributing drainage area (CDA) to each BMP;
- Location(s) of BMPs, marked with the BMP ID Numbers to agree with the BMP design summary list;
- Delineation of existing and proposed land covers including natural cover, compacted cover, and impervious surfaces. Consult Appendix G Compliance Calculator Instructions for details;
- Natural resources inventory with site fingerprint map;
- All plans and profiles must be drawn at a scale of 1 in. = 10 ft, 1 in. = 20 ft, 1 in. = 30 ft, 1 in. = 40 ft, 1 in. = 50 ft, or 1 in. = 100 ft. Although, 1 in. = 10 ft, 1 in. = 20 ft, and 1 in. = 30 ft, are the most commonly used scales. Vertical scale for profiles must be 1 in. = 2 ft, 1 in. = 4 ft, 1 in. = 5 ft, or 1 in. = 10 ft;
- Drafting media that yield first- or second-generation, reproducible drawings with a minimum letter size of No. 4 (1/8 inch);
- Location and size of existing utility lines including gas lines, sanitary lines, telephone lines or poles, electric utilities and water mains;

- A legend identifying all symbols used on the plan;
- Applicable flood boundaries and FEMA map identification number for sites lying wholly or partially within the 100-year floodplain;
- Site development plan and stormwater management narrative;
- Assess potential application of green infrastructure practices in the form of better site planning and design techniques. Low impact development practice should be used to the maximum extent practicable during the creation of a stormwater management concept plan. A demonstration of better site planning is required. The following site information and practices shall be considered:
 - Soil type (from Soil Study);
 - Depth of ground water on site;
 - Whether the type of development proposed is a hotspot as defined by the Ordinance and Design Manual and address how this influences the concept proposal;
 - Protection of primary and secondary conservation areas;
 - Reduced clearing and grading limits;
 - Reduced roadway lengths and widths;
 - Reduced parking lot and building footprints to minimize impervious surface;
 - Soil restoration;
 - Site reforestation/revegetation;
 - Impervious area disconnection;
 - Green roof (for redevelopment, infill and major substantial improvement projects); and
 - Permeable pavements.
- Stormwater Pollution Prevention Plan (SWPPP) or Erosion and Sediment Control narrative (for projects disturbing over an acre);
- Information regarding the mitigation of any off-site impacts anticipated as a result of the proposed development;
- Construction specifications;
- Design and As-Built Certification, including the following:

Certification by a registered professional engineer licensed in the State of South Carolina seal that the site design, land covers, and design of the BMPs conforms to the standard of care applicable to the treatment and disposal of stormwater pollutants and that the Facility has been designed in accordance with the specifications required under the stormwater ordinance of the *<local jurisdiction>*.

Submission one set of the As-Built drawings sealed by a registered professional engineer licensed in the State of South Carolina within 21 days after completion of construction of the site, all BMPs, land covers, and stormwater conveyances.

For a project consisting entirely of work in the public right-of-way (PROW), the submission of a Record Drawing certified by an officer of the project contracting company is acceptable if it details the as-built construction of the BMP and related stormwater infrastructure.
- Maintenance sheet for stormwater BMPs, including the following:
 - i A maintenance plan that identifies routine and long-term maintenance needs and a maintenance schedule;
 - ii A maintenance agreement and schedule for all post construction best management practices in a form and manner that meets the *<local jurisdiction>* requirements.
 - iii For applicants using Rainwater Harvesting, submission of third-party testing of end-use water quality may be required at equipment commissioning as determined by the requirements in Appendix J Rainwater Harvesting Treatment and Management

Requirements. Additional regular water quality reports certifying compliance for the life of the BMP may also be required in Appendix J Rainwater Harvesting Treatment and Management Requirements.

Stormwater Retention Volume Computations

The following summary calculations must be included on the plan set. Supporting documentation and the South Carolina DHEC C-SWPPP are not in the plan set but provided separately.

- Calculation(s) of the required SWRv for the entire site within the LOD and each site drainage area (SDA) within the LOD;
- Calculation(s) for each proposed BMP demonstrating retention value towards SWRv in accordance with Chapters 2 and 4;
- For Rainwater Harvesting BMP, calculations demonstrating the annual water balance between collection, storage, and demand, as determined using the Rainwater Harvesting Retention Calculator;
- For proprietary and non-proprietary BMPs follow the guidance in Chapter 4.13 to identify/receive approval or denial to use these practice(s); and
- Off-site stormwater volume requirement.

Pre-/Post-Development Hydrologic Computations

Include in the plan set a summary of the pre-/post-runoff analysis with the following information at a minimum:

- A summary of soil conditions and field data;
- Pre- and post-project curve number summary table;
- Pre and post construction peak flow summary table for the 2-, 10-, 25- and 50-year 24-hour storm events for each SDA within the project's LOD; and
- Flow control structure elevations.

Hydraulic Computations

Hydraulic computations for the final design of water quality and quantity control structures may be accomplished by hand or through the use of software using equations/formulae as noted in Chapters 3 and 4. The summary of collection or management systems will include the following:

- Existing and proposed SDA must be delineated on separate plans with the flow paths used for calculation of the times of concentration;
- Hydraulic capacity and flow velocity for drainage conveyances, including ditches, swales, pipes, inlets, and gutters. Plan profiles for all open conveyances and pipelines, with energy and hydraulic gradients for the 25-year and 100-year, 24-hour storms;
- The proposed development layout including the following:
 - Location and design of BMP(s) on site, marked with the BMP ID Numbers;
 - Stormwater lines and inlets;
 - A list of design assumptions (e.g., design basis, 2 through 50-year return periods);
 - The boundary of the CDA to the BMP;
 - Schedule of structures (a listing of the structures, details, or elevations including inverts); and

- Manhole to manhole profile, listing of pipe size, pipe type, slope, (i.e., a storm drain pipe schedule) computed velocity, and computed flow rate, energy grade line (EGL) and hydraulic grade line (HGL).

Supporting Documentation

Provide a written report with the following supporting documentation:

- Pre- and post-project curve number selection
- Time of concentration calculation;
- Travel time calculation;
- Hydrologic computations supporting peak discharges assumed for each SDA within the project's LOD for the 2-, 10-, 25-, and 100-year, 24-hour storm events;
- SC DHEC's Construction Stormwater Pollution Prevention Plan (C-SWPPP).

A professional engineer registered in the State of South Carolina must also submit the following:

1. Elevation and topographic data illustrating changes in topography and drainage;
2. Impacts upon local flood flows (25- and 100-yr storm events);
3. Identify areas where stormwater flows are discharged off-site or off-property;
4. For proposed off-site/property discharge points, perform analysis of receiving off-site conveyance systems to confirm safe conveyance from the proposed developed property, no negative impact to adjacent properties, and adequacy of the receiving, existing conveyance system for 25-yr storm flows. Such analysis shall be taken to point where the 25-yr storm conveyance is determined to be adequate in the public stormwater conveyance/infrastructure system; and
5. Documentation supporting safe passage of the 100-yr post development flow according to the 10% Rule (see Section 3.8);

2.2.2 Resubmission of Stormwater Management Plans

If changes occur in the design or construction of an accepted SWMP, the applicant may be required to resubmit the SWMP for approval. Examples of changes during design and construction that will require SWMP resubmission for review include the following:

1. Revision to the property boundary, property size, or LOD boundaries that may require redesigning BMPs;
2. Any change to SWRV through land cover designation change;
3. Change in compaction or infiltration rates due to construction activities;
4. Encountering contaminated soil or other underground source of contamination;
5. Changes to floodplain designation or requirements;
6. Changes in any component of the BMP that may adversely affect the intended capacity of the approved BMP, such as the following:
 - a. Modification to approved BMP selection, dimensions, or location
 - b. Modification to approved material specification
 - c. Changes to the size, invert, elevation, and slopes of pipes and conveyances
 - d. Installation of new drains and conveyance structures
 - e. Need for a new storm sewer outlet connection to the sanitary/storm sewer main
 - f. Changes to the amount of off-site requirements
 - g. Changes to the CDA to a BMP
7. Revision to the approved grading and drainage divides and that may require redesigning BMPs;

8. Relocation of an on-site storm sewer or conveyance; or
9. Abandonment, removal, or demolition of a BMP.

If the applicant resubmits an SWMP after making changes, the resubmission must contain a list of the changes made and may be in the form of a response to comments. The resubmittal plans and calculations must include the stamp of the registered professional engineer in South Carolina.

However, if any of the following minor changes are made to the SWMP, resubmission is not required. These minor changes may be made anytime during inspection or at the as-built submittal by the *<local jurisdiction>*.

1. Changes to SWM components that do not adversely affect BMP capacity while in consultation with the *<local jurisdiction>*. The inspector should review the appropriate manufacturer's documentation to his/her satisfaction before approving such a change and should ensure that such changes are recorded as red line changes or deviations in the as-built plans. These changes include the following:
 - a. Changes to parts type of similar function (e.g. dewatering valve)
 - b. Change in hole pattern or size of underdrain pipe perforations
 - c. Change in project address, ownership, permit status, or zoning

2.2.3 Design Certifications

The engineer shall certify that this Plan satisfies all requirements of the Southern Lowcountry Ordinance and Stormwater Design Manual. The following statement with engineer's seal is required in the Plan submittal.

The engineering features of all stormwater best management practices (BMPs), stormwater infrastructure, and land covers (collectively the "Facility") have been designed/examined by me and found to be in conformity with the standard of care applicable to the treatment and disposal of stormwater pollutants. The Facility has been designed in accordance with the specification required under Ordinance XXX of *<local jurisdiction>*.

2.2.4 Performance Bonds

Bonding for the cost of stormwater facilities approved for the proposed development shall be provided in accordance with the *<local jurisdiction>* bonding and permit issuance process. It is recommended that the bond be in the amount of 125% of the approved estimated cost (labor, equipment, material and incidentals) for construction/installation of the approved stormwater management facilities. The *<local jurisdiction>* shall require from the developer a surety or cash bond, irrevocable letter of credit, or other means of security acceptable to the *<local jurisdiction>* prior to the issuance of any building and/or grading permit for any land development or redevelopment activity requiring a permanent stormwater management system. The bond required shall include provisions relative to forfeiture for failure to complete work specified in the approved stormwater management design plan, compliance with all of the provisions of this ordinance, other applicable laws and regulations, and any time limitations. The bond shall not be fully released without a final inspection of the completed work by the *<local jurisdiction>*, a recorded inspection and maintenance agreement and plan, and submission of "as-built" plans containing certifications provided by the Applicant and Engineer, including the following:

1. Certification that facilities were constructed in accordance with the submitted and approved design and will function as designed.

2. As-built certification to be on as-built drawing submitted by Engineer after construction and prior to Certificate of Project Completion and confirming line, size, elevation and grade of constructed stormwater BMPs and drainage/conveyance systems.

A procedure may be used to release parts of the bond held by the *<local jurisdiction>* after various stages of construction have been completed and accepted by the *<local jurisdiction>*. Partial Bond release will be determined for the portion of work being accepted and construction work has been approved by *<<local jurisdiction >*. All requirements pertaining to this portion of work have been satisfied to include, but not be limited to, as-builts plans, all certifications and approvals for that portion of work related to the partial bond release have been provided by applicant's Engineer and approved by *<local jurisdiction >*. The procedures used for partially releasing performance bonds must be specified by the *<local jurisdiction>* in writing prior to the approval of a stormwater management design plan.

2.3 Construction Inspection Requirements

2.3.1 Inspection Schedule & Reports

Prior to the approval of a SWMP, the applicant will submit a proposed construction inspection schedule. The *<local jurisdiction>* will review the schedule to determine if changes are required. The construction schedule should reflect the construction sequences defined in each BMP section Stormwater Best Management Practices (BMPs) of this Manual. The construction and inspection schedule must be included in the SWMP. The *<local jurisdiction>* will conduct inspections and file reports of inspections during construction of BMPs and site stormwater conveyance systems to ensure compliance with the approved plans.

Note: No stormwater management work may proceed past the stage of construction that the *<local jurisdiction>* has identified as requiring an inspection unless

- the *<local jurisdiction>* has issued an "approved" or "passed" report;
- the *<local jurisdiction>* has approved a plan modification that eliminates the inspection requirement; or
- the *<local jurisdiction>* has eliminated or modified the inspection requirement in writing.

The *<local jurisdiction>* may require that the professional engineer responsible for sealing the approved SWMP, the professional engineer responsible for certifying the as-built SWMP, or, for a project entirely in the PROW, the officer of the contracting company responsible for certifying the Record Drawing be present during inspections.

If the *<local jurisdiction>* conducts an inspection and finds work that is not in compliance with the SWMP, the *<local jurisdiction>* will issue a written notice, and the applicant must take prompt corrective action. The written notice provides details on the nature of corrections required and the time frame within which corrections must be made.

2.3.2 Inspection Requirements Before & During Construction

The *<local jurisdiction>* construction stormwater inspection form is provided in Appendix E Construction Inspection Form.

Preconstruction Meetings. These meetings are required prior to the commencement of any land-disturbing activities and prior to the construction of any BMPs. The applicant is required to contact the *<local jurisdiction>* to schedule preconstruction meetings three (3) days prior to beginning any construction activity subject to the requirements the *<local jurisdiction>*.

Inspections During Construction. The applicant is required to contact the *<local jurisdiction>* to schedule inspection three (3) days prior to any stage of BMP construction, or other construction activity, requiring an inspection. For large, complicated projects, the applicant and the *<local jurisdiction>* may agree during the preconstruction meeting to an alternative approach such as a weekly notification schedule. Any such agreement must be made in writing and signed by all parties. The *<local jurisdiction>* will revert to the 3-day notification procedure if the agreement is not followed.

During construction, the *<local jurisdiction>* may require the presence of the professional engineer responsible for sealing the approved SWMP; the professional engineer responsible for certifying the as-built SWMP; or for a project entirely in the PROW, the officer of the contracting company responsible for certifying the Record Drawing.

Final Inspection. The applicant is required to contact the *<local jurisdiction>* to schedule a final inspection one week prior to the completion of a BMP construction to schedule a final inspection of the BMP. Upon completion of the BMP, *<local jurisdiction>* will conduct a final inspection to determine if the completed work was constructed in accordance with approved plans.

Inspection Requirements by BMP Type. Chapter 4 Stormwater Best Management Practices (BMPs) of this Manual provides details about the construction sequences for each BMP. After holding a preconstruction meeting, regular inspections will be made at the following specified stages of construction:

- **Infiltration Systems and Bioretention Areas** shall be inspected at the following stages to ensure proper placement and allow for infiltration into the subgrade:
 - During on-site or off-site percolation or infiltration tests;
 - Upon completion of stripping, stockpiling, or construction of temporary sediment control and drainage facilities;
 - Upon completion of excavation to the subgrade;
 - Throughout the placement of perforated PVC/HDPE pipes (for underdrains and observation wells) including bypass pipes (where applicable), geotextile materials, gravel, or crushed stone course and backfill; and
 - Upon completion of final grading and establishment of permanent stabilization;
- **Flow Attenuation Devices**, such as open vegetated swales upon completion of construction;
- **Retention and Detention Structures**, at the following stages:
 - Upon completion of excavation to the sub-foundation and, where required, installation of structural supports or reinforcement for structures, including but not limited to the following:
 - During testing of the structure for watertightness;
 - During placement of structural fill and concrete and installation of piping and catch basins;
 - During backfill of foundations and trenches;
 - During embankment construction; and
 - Upon completion of final grading and establishment of permanent stabilization.
- **Stormwater Filtering Systems**, at the following stages:

- Upon completion of excavation to the sub-foundation and installation of structural supports or reinforcement for the structure;
 - During testing of the structure for watertightness;
 - During placement of concrete and installation of piping and catch basins;
 - During backfill around the structure;
 - During prefabrication of the structure at the manufacturing plant;
 - During pouring of floors, walls, and top slab;
 - During installation of manholes/trap doors, steps, orifices/weirs, bypass pipes, and sump pit (when applicable);
 - During placement of the filter bed; and
 - Upon completion of final grading and establishment of permanent stabilization.
- Green Roof Systems, at the following stages:
 - During placement of the waterproofing layer, to ensure that it is properly installed and watertight;
 - During placement of the drainage layer and drainage system;
 - During placement of the growing media, to confirm that it meets the specifications and is applied to the correct depth (certification for vendor or source must be provided);
 - Upon installation of plants, to ensure they conform to the planting plan (certification from vendor or source must be provided); and
 - At the end of the first or second growing season, to ensure desired surface cover specified in the Care and Replacement Warranty has been achieved.

2.3.3 Final Construction Inspection Reports

The <local jurisdiction> will conduct a final inspection to determine if the completed work is constructed in accordance with approved plans and the intent of this Manual and the Stormwater Ordinance. Within 21 days of the final inspection, the applicant must submit an as-built package, including one PDF copy of the as-built SWMP certified by a registered professional engineer licensed in the State of South Carolina. For a project consisting entirely of work in the PROW, the submission of a Record Drawing certified by an officer of the project contracting company is acceptable if it details the as-built construction of the BMPs, related stormwater infrastructure, and land covers.

A registered professional engineer licensed in South Carolina is required to certify as-built SWMPs and state that all activities including clearing, grading, site stabilization, the preservation or creation of pervious land cover, the construction of drainage conveyance systems, the construction of BMPs, and all other stormwater-related components of the project were accomplished in strict accordance with the approved SWMP and specifications. As stated in Section 2.2.2 Resubmission of Stormwater Management Plans, all plan changes are subject to the <local jurisdiction> approval. The as-built certification must be on the original SWMP.

Upon completion, these plans will be submitted to the <local jurisdiction> for processing. The estimated time for processing will be two weeks (10 working days), after which the plans will be returned to the engineer. The <local jurisdiction> will provide the applicant with written notification of the final inspection results.

2.3.4 Inspection for Preventative Maintenance

The Stormwater Ordinance requires maintenance inspections for BMPs and landcovers to ensure their ongoing performance is in compliance with their original design. The inspection will occur at least once

every three (3) years. Maintenance inspection forms are provided in Appendix F Maintenance Inspection Checklists. The <local jurisdiction> will conduct these maintenance inspections, though it may, in certain circumstances, allow a property to self-inspect and provide documentation.

The <local jurisdiction> will maintain maintenance inspection reports for all BMPs. The reports will evaluate BMP functionality based on the detailed BMP requirements of Stormwater Best Management Practices (BMPs) and inspection forms found in Appendix F Maintenance Inspection Checklists.

If, after an inspection by the <local jurisdiction>, the condition of a BMP presents an immediate danger to the public safety or health because of an unsafe condition or improper maintenance, the <local jurisdiction> will take such action as may be necessary to protect the public and make the BMP safe. Any costs incurred by the <local jurisdiction> will be assessed against the owner(s).

2.4 Inspections & Maintenance

2.4.1 Inspections & Maintenance Responsibilities

A site with an approved SWMP must also have a responsible party inspect and maintain the BMPs and land covers according to the inspections and maintenance schedule in the SWMP and this Manual. Land covers must be maintained in type and extent as approved. Approved BMPs must be kept in good condition, including all the engineered and natural elements of each practice, as well as conveyance features (e.g., grade surfaces, walls, drains, structures, vegetation, soil erosion and sediment control measures, and other protective devices). All repairs or restorations must be in accordance with the approved SWMP.

A declaration of covenants including an exhibit stating the owner's specific maintenance responsibilities must be recorded with the property deed at the Record of Deeds. An inspection and maintenance schedule for any BMP will be developed for the life of the project and shall state the inspection and maintenance to be completed, the time for completion, and who will perform the inspections and maintenance. The schedule will be printed on the SWMP and will appear as an exhibit in the declaration of covenants.

2.4.2 Inspection & Maintenance Agreements

Inspection and maintenance obligations are binding on current and future owners of a property subject to recorded covenants. The <local jurisdiction> will not issue final approval of a complete set of the SWMP for private parcels until the applicant has executed a declaration of covenants providing notice of this obligation to current and subsequent owners of the land served by the BMP(s) and land covers. Inspection and maintenance agreements by regulated projects include providing access to the site and the BMP(s) at reasonable times for regular inspection by the <local jurisdiction> and for regular or special assessments of property owners, as needed, to ensure that the BMP(s) is maintained in proper working condition and the land covers are retained as approved in the SWMP. An example of the declaration of covenants/maintenance agreement for a site with BMPs and designated land covers is provided at the end of this chapter.

The applicant must record the agreement as a declaration of covenants with the <local jurisdiction> Recorder of Deeds. The agreement must also provide that, if after written notice by the <local jurisdiction> to correct a violation requiring maintenance work, satisfactory corrections are not made by the owner(s) of the land served by the BMP within a reasonable period of time, not to exceed 45 to 60 days unless an extension is approved in writing by the <local jurisdiction>. The <local jurisdiction> may perform all necessary work to place the BMP in proper working condition. The owner(s) of property served by the BMP will be assessed the cost of the work and any penalties, and there will be a lien on

any property served by the BMP, which may be placed on the tax bill and collected as ordinary taxes by the State.

2.5 As-Built Submittals

One set of As-Built drawings sealed by a registered professional engineer licensed in the State of South Carolina must be submitted within 21 days after completion of construction of the site, all BMPs, land covers, and stormwater conveyances as required by the procedure for handling close out documents for private development projects by the *<local jurisdiction>*.

The following items must be completed and provided:

General Information:

- Words As-Built in or near the project title
- As-Built Signature/Approval block on each sheet
- As-builts shall have a coordinate system based on the South Carolina Coordinate System North American Datum of 1983 (NAD83).
- Elevations shown shall be based on the North American Vertical Datum of 1988 (NAVD88).
- Vicinity map
- Sheets numbered correctly
- Project ID number, Project Name, Permit number and name, address and contact information of project engineer
- All measurements and coordinates shall be shown on all drainage structures, detention and BMP structure outlets, outlet control structures and manholes.
- Any change to BMP capacities, dimensions, specifications or location shall be shown as mark-through of the original design on the drawings
- Elevations to the nearest 0.1 ft.

Basins:

- At least two benchmarks on the plans
- Profile of the top of berm
- Cross-section of emergency spillway at the control section
- Profile along the centerline of the emergency spillway
- Cross-section of berm at the principle spillway
- Elevation of the principle spillway crest or top of structure elevations
- Elevation of the principle spillway inlet and outlet invert
- Riser diameter/dimensions and riser base size
- Diameter, invert elevation and sizes of any stage orifices, weirs or storm drain pipes
- Barrel diameter, length, and slope
- Types of material used
- Outfall protection length, width, depth, size of rip rap and filter cloth
- Size, location, and type of anti-vortex and trash rack device (height and diameter, elevations and spacing)
- Pipe cradle information
- On plan view show length, width and depth of pond and contours of the basin area so that design volume is specified
- As-built spot elevations with the disturbed area required for basin construction in sufficient detail to provide accurate as-built contours

- Core trench limits and elevations of bottom of cut off trench
- Show length width and depth of outfall rip rap
- Certification by a Geotechnical Engineer for compact and unified soil classes
- Vegetation cover certification
- Show location of planted landscaping
- Utility locations and elevations encountered, test pitted and/or relocation during contract work

Storm Drain Piping:

- At least two benchmarks on the plans
- Diameter and class of pipe
- Invert of pipe at outfall, structures and/or field connections
- Slope of pipe
- Pipe lengths (show stationing)
- Types of materials
- Location of all pipes and structures horizontally on the plan
- Length, width and depth of all rip rap and other outfall protection as specified
- Elevation of rip rap at outfall and at changes in grade
- Utility locations and elevations encountered, test pitted and/or relocation during contract work

Post construction BMP Specific details:

- Provide as-built details as described for each best management practice in Chapter 4.

2.6 References

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Chapter 3. Minimum Control Requirements

3.1 Introduction

This chapter establishes the minimum stormwater control standards necessary to implement the Southern Lowcountry Stormwater Ordinance within the <local jurisdiction>. The term “runoff reduction” is used throughout this chapter to describe the retention of the stormwater on site. The SWRv is used to describe the volume of stormwater to be retained on site.

Two levels of stormwater retention are prescribed, the 85th and the 95th percentile storm, and are assigned based on a site’s subwatershed as identified by the U.S. Geological Survey Hydrologic Unit Code 12 (HUC-12) presented in Section 3.5.1 below. In addition, peak discharge control of the post-development 2-, 10- and 25-year, 24-hour storms to their predevelopment flow shall be provided by a combination of structural controls, GI/LID practices and other non-structural BMPs. As well, requirements to manage the 100-yr, 24-hour storm event are provided in the extreme flood event section below. Further, this Manual and Appendices provide the framework and necessary tools to document the methods proposed by development plans to comply with these requirements. It should be noted that stormwater ponds are considered the least favorable structural best management practice to meet the SWRv and water quality requirements of this Manual.

3.2 Regulated Site Definition

According to the Stormwater Ordinance, the design criteria of this Manual shall be applicable to any new development, redevelopment or major substantial improvement activity, including, but not limited to, site plan applications, public improvement projects, and subdivision applications that meet the applicability standards found in Chapter 1.4.

The Southern Lowcountry stormwater design requirements are applied according to the flow chart in Figure 3.1 and should be determined as follows:

- 1) In sequence, first determine which HUC-12 watershed that the project is in according to Table 3.1. Stormwater design criteria for the development follows the watershed area in which it is located. Next, determine the square feet of impervious area to be created, added or replaced as a part of the development or redevelopment. Does it equal or exceed 5,000 square feet? Or will the project disturb greater than 1 acre? If the answer is “yes” to either of these questions, the project plan must meet the requirements for stormwater management in this Manual for their respective watershed area.
- 2) If a project is a major substantial improvement, it must meet the water quality criteria for its respective watershed protection area to the maximum extent practicable (MEP) or obtain off-site stormwater credit. The terms MEP and off-site stormwater credit are further explained in Section 3.9 and 3.10 below. Peak control requirements do not apply to major substantial improvement projects.

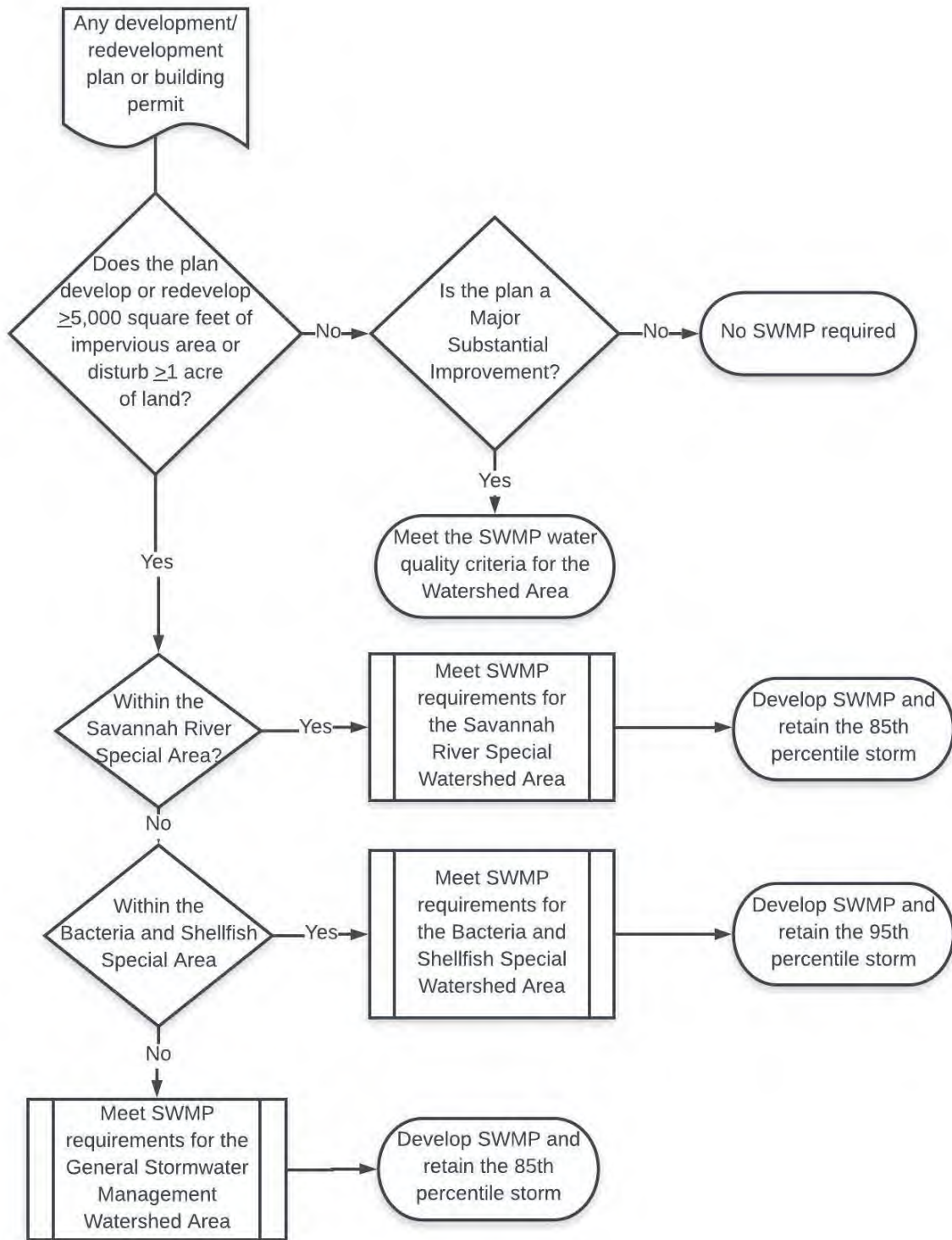


Figure 3.1. Southern Lowcountry Stormwater Design Manual applicability diagram.

3.3 Infill & Redevelopment

An infill project is one on a previously platted property that may or may not have stormwater management capacity in its original development plan. Regardless of size, infill that is part of a larger common plan of development, even through multiple, separate, and distinct land disturbing activities that may take place at different times and on different schedules must comply with this Manual. Such projects may include Planned Unit Developments (PUDs) that have stormwater systems built that do not meet the requirements of this Manual. If the proposed project meets the applicability criteria of Section 1.4.1, the stormwater plan review in this Manual is necessary. If the development's original stormwater management plan is sufficient to meet the current requirements of this Manual and is documented through approved plans and as-built drawings, or current field measurements and engineering calculations, no further stormwater requirements must be met. When the infill project is part of an original plan that does not meet the current stormwater requirements, the level of stormwater management that is provided in the current development may be credited toward the current volume and hydrologic analysis. Infill locations that, due to the municipal jurisdiction's zoning or land use requirements or site conditions, cannot meet the requirements of this Manual must complete the maximum extent practicable (MEP) evaluation in Section 3.9 for project approval.

Similarly, redevelopment may be credited for the level of stormwater in place. If the redevelopment's original stormwater management plan is sufficient to meet the current requirements of this Manual and is documented through approved plans and as-built drawings, or current field measurements and engineering calculations, no further stormwater requirements must be met. When the redevelopment is part of an original plan that does not meet the current stormwater requirements, the level of stormwater management that is provided in the current development may be credited toward the current volume and hydrologic analysis. Redevelopment projects that, due to the municipal jurisdiction's zoning or land use requirements or site conditions, cannot meet the requirements of this Manual must complete the maximum extent practicable (MEP) evaluation in Section 3.9 for project approval.

3.4 Stormwater Runoff Quality & Peak Discharge Control

Since its inception, the Clean Water Act was designed to address the water quality impacts of stormwater runoff. As it has been applied through successive stormwater permit cycles, the Act's requirements have been interpreted to mean application of stormwater best management practices to the maximum extent practicable. The U.S. Environmental Protection Agency (EPA) has stated that such conditions include specific tasks or best management practices (BMPs), BMP design requirements, and performance requirements (EPA, 81 Fed. Reg. 3).

Consistent with the EPA's Phase II MS4 permit, this Manual requires that stormwater runoff shall be adequately treated before it is discharged from a development site. A stormwater management system is assumed to meet the stormwater runoff quality criteria by satisfying the stormwater runoff volume criteria for its respective Watershed Area presented in this Manual. If any of the required stormwater runoff volume cannot be reduced on the site, due to impractical site characteristics or constraints, the following questions shall be addressed in the permitting process:

1. Can the required stormwater volume be obtained from an adjacent site owned or available for stormwater retention purposes;
2. Is there available stormwater retention volume within the adjacent right-of-way and available through fee-in-lieu arrangements within this jurisdiction; and

3. Is a waiver granted based on a maximum extent practicable evaluation?

Further, a stormwater management system is presumed to comply with these criteria if:

- It intercepts and treats stormwater runoff in stormwater management practices that have been selected, designed, constructed and maintained in accordance with this Manual;
- It is provided with documentation to show that total suspended solids, nitrogen and bacteria removal were considered during the selection of the stormwater management practices that will be used to intercept and treat stormwater runoff on the development site;
- It is designed to provide the amount of stormwater load reduction specified in the latest edition of this Manual; and
- It manages the peak flow and extreme flood event storms in accordance with this Manual.

3.5 Southern Lowcountry Stormwater Management Performance Requirements

Stormwater management requirements of this Manual are intended to enhance the quality of development, protect and enhance stormwater quality and management, protect aquatic resources from the negative impacts of the land development process, address water quality impairments or a total maximum daily load, as identified by the South Carolina Department of Health and Environmental Control (DHEC), or address localized flooding issues.

3.5.1 Watershed Protection Area Designations

Not all watersheds of the Southern Lowcountry region require the same level of post-construction stormwater management. Currently, three watershed protection areas are designated with specific unique stormwater management requirements based on the current and anticipated water quality control measures for their contributing watersheds. The Southern Lowcountry Stormwater Ordinance provides the *<local jurisdiction>* the flexibility and authority to designate subwatersheds or drainage areas as Special Watershed Protection Areas that lead to more restrictive requirements or special criteria. Such special designations and criteria will be provided as Appendix P to this Manual.

In the Southern Lowcountry, impairments include recreational water use impairment from bacteria (*Enterococcus* for saltwater and *E. coli* for freshwater), aquatic life use impairment from turbidity or dissolved oxygen, and shellfish harvesting use impairment from fecal coliform bacteria. Stormwater best management practices for these types of impairments include erosion and sediment control for turbidity impairments, illicit discharge detection, vegetated conveyances, vegetated buffers, pet waste programs, and post-construction runoff control. Currently, Southern Lowcountry water quality impairments do not include nutrient impairments, but nutrients can also be addressed through erosion and sediment control and the stormwater best management practices outlined in this Manual.

Most of Beaufort County and the lower reaches of the Jasper County watersheds have shellfish receiving waters or are recreational waters and are therefore sensitive to bacteria impairments. Land development and redevelopment projects in these watersheds require greater scrutiny to ensure that low impact development methods are designed, implemented and maintained to be protective of these water uses.

Watersheds tributary to the Savannah River in the Southern Lowcountry include most of the freshwater wetlands of the region. River water quality is excellent and is a supply for drinking water for the City of Savannah and the Beaufort Jasper Water and Sewer Authority. Savannah River impairments downstream of the I-95 bridge are primarily aquatic life use due to low dissolved oxygen. Since the

Savannah River is the boundary of Georgia and South Carolina, it is reasonable to align stormwater requirements within Jasper County with those in Chatham and Effingham Counties, GA. Stormwater permits for the Georgia jurisdictions require use of the Georgia Coastal Stormwater Supplement to the Georgia Stormwater Management Manual, which is primarily a green infrastructure/low impact development (GI/LID) design Manual with requirements specific to the Georgia coastal counties.

The remaining watersheds of the Southern Lowcountry are more upland areas and in agricultural or silvicultural use or are conservation lands. For these areas new development is subject to stormwater management requirements similar to previous county requirements. This Manual unifies stormwater management standards across the designated watersheds rather than differing across county or jurisdictional lines.

The map in Figure 3.2 outlines the boundaries of the three watershed protection areas of the Southern Lowcountry. Requirements specific to each area are further developed in this chapter. Table 3.1 lists the US Geological Survey 12-Digit Hydrologic Unit Code (HUC-12) for the watersheds in each area. To identify a site's HUC-12, refer to the South Carolina DHEC Watershed Atlas, available online at <https://gis.dhec.sc.gov/watersheds/>. After identifying the site's HUC 12, use Table 3.2 to identify the watershed protection area.

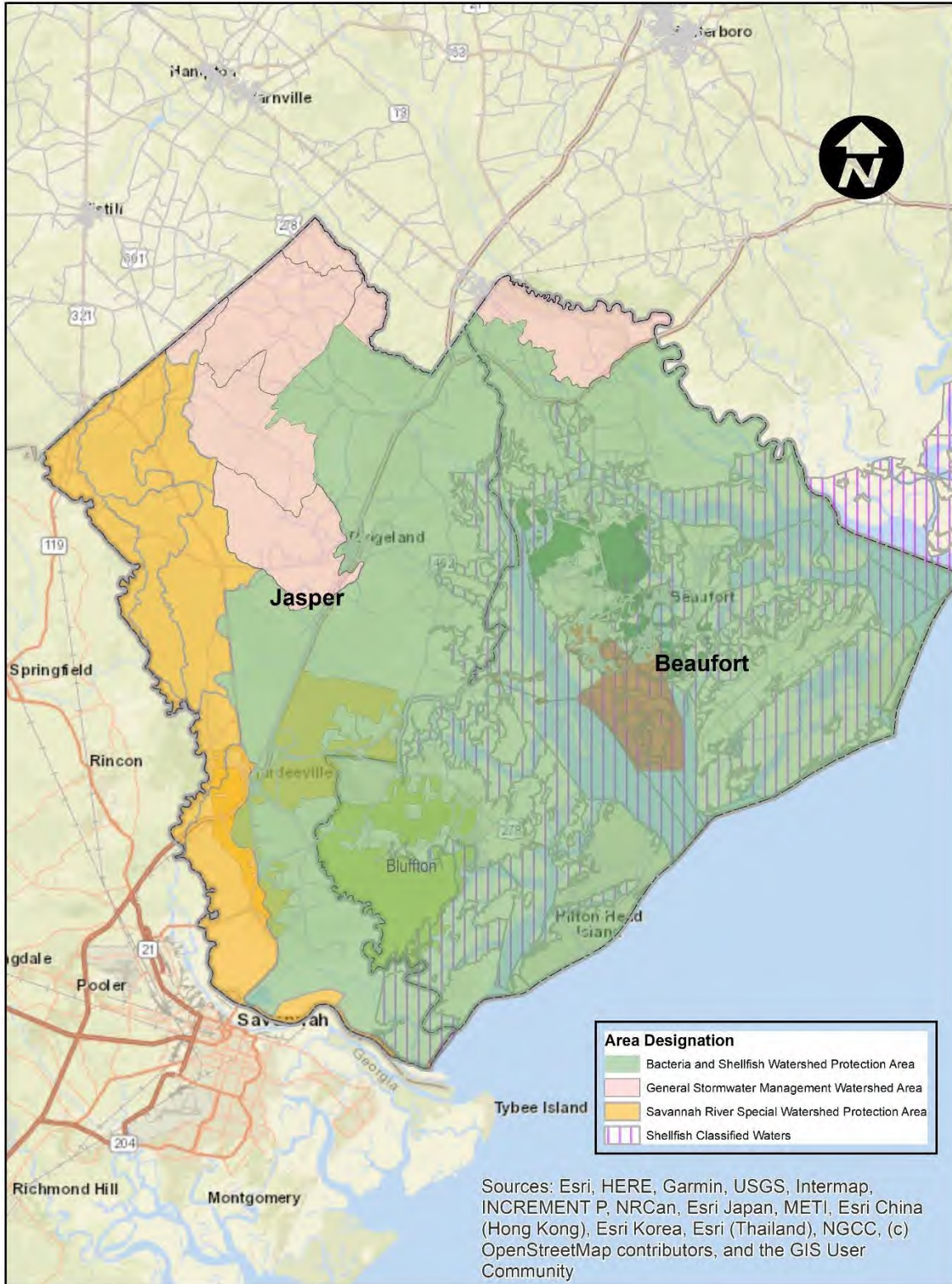


Figure 3.2. Watershed Protection Areas of the Southern Lowcountry.

Table 3.1. Watershed Protection Area HUC-12 Codes.

General Stormwater Management Watershed Areas		Savannah River Watershed Protection Area	
HUC-12 No.	Watershed Name	HUC-12 No.	Watershed Name
030502070704	Middle Combahee River	030601090107	Hog Branch-Savannah River
030502080301	Johns Pen Creek	030601090301	Cypress Branch
030502080302	Cypress Creek	030601090302	Black Swamp
030502080404	Mcpherson Creek-Coosawhatchie River	030601090303	Coleman Run
030502080405	Early Branch-Coosawhatchie River	030601090304	Sand Branch
030601100101	Gillison Branch	030601090305	Dasher Creek-Savannah River
030601100102	Upper Great Swamp	030601090307	Outlet Savannah River
Bacteria and Shellfish Watershed Protection Area			
HUC-12 No.	Watershed Name	HUC-12 No.	Watershed Name
030502070706	Lower Combahee River	030502080605	Boyd Creek-Broad River
030502071101	Wimbee Creek	030502080606	Colleton River
030502071102	Coosaw River	030502080607	Chechessee River
030502071103	Morgan River	030502080608	Broad River-Port Royal Sound
030502071104	Coosaw River-St. Helena Sound	030502100101	Harbor River-St. Helena Sound
030502080406	Bees Creek	030502100102	Harbor River-Trenchards Inlet
030502080407	Tulifiny River-Coosawhatchie River	030601090306	Wright River
030502080501	Battery Creek	030601100103	Lower Great Swamp
030502080502	Upper Beaufort River-Atlantic Intracoastal Waterway	030601100201	Upper New River-Atlantic Intracoastal Waterway
030502080503	Lower Beaufort River-Atlantic Intracoastal Waterway	030601100202	Lower New River-Atlantic Intracoastal Waterway
030502080601	Pocotaligo River-Broad River	030601100301	May River
030502080602	Huspa Creek	030601100302	Broad Creek
030502080603	Whale Branch	030601100303	Cooper River-Calibogue Sound
030502080604	Euhaw Creek	030601100304	Calibogue Sound

3.5.2 Overall Performance Requirements

Based on the watershed water quality criteria, its impairment status, or stormwater permit requirements, development and redevelopment stormwater management performance requirements will differ. These requirements are interpreted in terms of sizing and performance criteria. Table 3.2 presents a summary of the sizing criteria used to achieve the stormwater management performance requirements for each watershed protection area.

Table 3.2. Watershed Area Overall Performance Requirements.

General Stormwater Management Watershed Protection Areas	Savannah River Watershed Protection Area
Overall Performance Requirements	Overall Performance Requirements
<ul style="list-style-type: none"> • Water Quality: Implement Better Site Design, maintain pre-development hydrology of the site to the Maximum Extent Practicable (MEP) for the 85th percentile storm event. • Peak Control: Control post-development peak runoff discharge rate to pre-development rate for: 2-, 10- and 25-year, 24-hour design storm events. • Accommodate the 100-year, 24-hour storm event conveyance through the site and downstream without causing damage/inundation to structures. Provide 10% rule analysis. • As a pollutant removal minimum, intercept and treat stormwater runoff volume to at least an 80 percent reduction in total suspended solids load, 30 percent reduction of total nitrogen load and 60 percent reduction in bacteria load. • Complete a natural resources inventory for new site development applications. 	<ul style="list-style-type: none"> • Water Quality: Implement Better Site Design, retain the 85th percentile storm event on-site to the MEP or obtain off-site credit. • Peak Control: Control post-development peak runoff discharge rate to pre-development rate for: 2-, 10- and 25-year, 24-hour design storm events. • Accommodate the 100-year, 24-hour storm event conveyance through the site and downstream without causing damage/inundation to structures. Provide 10% rule analysis. • As a pollutant removal minimum, intercept and treat stormwater runoff volume to at least an 80 percent reduction in total suspended solids load, 30 percent reduction of total nitrogen load and 60 percent reduction in bacteria load. • Complete a natural resources inventory for new site development applications.
Rationale	Rationale
The previous Jasper County stormwater design manual specified these overall performance requirements.	The Savannah River watershed adjoins Georgia counties that are subject to similar overall performance requirements as outlined in the Georgia Coastal Stormwater Supplement.
Bacteria and Shellfish Watershed Protection Area	
Overall Performance Requirements	
<ul style="list-style-type: none"> • Water Quality: Implement Better Site Design and retain the 95th percentile storm on-site with approved infiltration/filtering BMPs. Fulfill MEP requirements or, as a last resort, fulfill off-site credit and/or fee-in-lieu requirements. • As a pollutant removal minimum, intercept and treat stormwater runoff volume to at least an 80 percent reduction in total suspended solids load, 30 percent reduction of total nitrogen load and 60 percent reduction in bacteria load. 	<ul style="list-style-type: none"> • Peak control: Control the post-development peak runoff discharge rate for the 2, 10 and 25-year, 24-hour design storm events to the pre-development discharge rates. • Accommodate the 100-year, 24-hour storm event conveyance through the site and downstream without causing damage/inundation to structures. Provide 10% rule analysis. • Complete a natural resources inventory for new site development applications.
Rationale	
The Bacteria and Shellfish Watershed Protection Areas are either impaired or have TMDLs, or the receiving waters are classified for shellfish harvesting. These watersheds require greater protection due to their Clean Water Act status or water quality classification. The site's natural resource inventory is a necessary component of permit application.	

3.5.3 Southern Lowcountry Stormwater Precipitation & Runoff

As in the natural environment, a site's stormwater runoff volume depends upon soil conditions and land cover. To evaluate each site's development plan, this Manual relies on the rainfall runoff estimating methods of the Natural Resources Conservation Service National Engineering Handbook (NEH). Sometimes referred to as the curve number method or soil cover complex method, NEH chapter 9 describes the runoff response to rainfall events based on hydrologic soil group (HSG A, B, C or D) and land cover type with an integer between 29 and 100 (NRCS, 2004). Accordingly, information documenting the site's soils, their permeability, predeveloped land use or natural cover, and post-developed land cover, as well as the shallow groundwater table, are required in development plans in order to review and permit the development activity.

Precipitation event size and distribution are set by this Manual for the three watershed protection areas that make up the Southern Lowcountry.

The precipitation event distribution terms used in this Manual are defined as follows:

85th Percentile Storm is the 24-hour rainfall amount that according to the National Oceanic and Atmospheric Administration records for the past 30 years in which 85% of all rainfall events do not exceed at the nearest US Weather Service station to the County seat. For the General Stormwater Management Watershed Areas and the Savannah River Watershed Protection Areas, this number is 1.16 inches of rainfall.

95th Percentile Storm is the 24-hour rainfall amount that according to the National Oceanic and Atmospheric Administration records for the past 30 years in which 95% of all rainfall events do not exceed at the nearest US Weather Service station to the County seat. For the Bacteria and Shellfish Watershed Protection Areas this is 1.95 inches of rainfall.

Plans submitted for new development or redevelopment must demonstrate through accepted hydrologic methods that the development at post-construction will attenuate and treat the prescribed storm events. This includes volume reduction, peak flow management and extreme flood protection both on site and downstream.

3.5.4 Savannah River Watershed Protection Area

Upon implementation of this Manual, any applicable new development, redevelopment or major substantial improvement in the designated HUC-12 watersheds that are part of the Savannah River watershed shall meet the following requirements:

- Complete a natural resources inventory for new site development applications.
- Document use of Better Site Design.
- Retain the 85th percentile storm event on-site to the MEP or obtain off-site credit.
- Control the post-development peak runoff discharge rate for the 2, 10 and 25-year, 24-hour design storm events to the pre-development discharge rates.
- Accommodate 100-year, 24-hour storm event through the development without causing damage to the on-site and offsite structures. Provide 10% rule analysis.
- At a minimum, intercept and treat stormwater runoff volume to at least an 80 percent reduction in total suspended solids load, 30 percent reduction of total nitrogen load and 60 percent reduction in bacteria load.

3.5.5 Bacteria & Shellfish Watershed Protection Area

Upon implementation of this Manual, any applicable new development, redevelopment or major substantial improvement in the designated HUC-12 watersheds that are part of the Bacteria and Shellfish Watershed Protection Area shall meet the following requirements:

- Complete a natural resources inventory for new site development applications.
- Document use of Better Site Design.
- Retain the 95th percentile storm on-site with approved infiltration/filtering BMPs.
- Fulfill MEP requirements or, as a last resort, fulfill off-site credit and/or fee-in-lieu requirements.
- At a minimum, intercept and treat stormwater runoff volume to at least an 80 percent reduction in total suspended solids load, 30 percent reduction of total nitrogen load and 60 percent reduction in bacteria load.
- Control the post-development peak runoff discharge rate for the 2, 10 and 25-year, 24-hour design storm events to the pre-development discharge rates.
- Accommodate the 100-year, 24-hour storm event conveyance through the site and downstream without causing damage/inundation to structures. Provide 10% rule analysis.

3.5.6 General Stormwater Management Watershed Area

Upon implementation of this Manual, any applicable new development, redevelopment or major substantial improvement in the designated HUC-12 watersheds for the General Stormwater Management Watershed Area shall meet the following requirements:

- Complete a natural resources inventory for new site development applications.
- Document use of Better Site Design.
- Maintain pre-development hydrology of the site to the Maximum Extent Practicable (MEP) for the 85th percentile storm event.
- Control post-development peak runoff discharge rate for the 2, 10 and 25-year, 24-hour design storm events to pre-development discharge rates.
- Accommodate 100-year, 24-hour storm event through the development without causing damage to the on-site and offsite structures. Provide 10% rule analysis.
- As a pollutant removal minimum, intercept and treat stormwater runoff volume to at least an 80 percent reduction in total suspended solids load, 30 percent reduction of total nitrogen load and 60 percent reduction in bacteria load.

3.5.7 Runoff Reduction & Pollutant Removal

It is the minimum criteria of this Manual that a site's stormwater best management practices shall retain the precipitation event size for its watershed protection area as summarized in Section 3.5.2. Through successive application of the practices below and that are described in detail in Chapter 4, provide at least an 80% reduction in total suspended solids loads, 30% reduction of total nitrogen load, and 60% reduction in bacteria load (Jasper County, 2011).

Stormwater best management practices, when built according to the standards in Chapter 4 and maintained according to the site's maintenance agreement, can be expected to achieve runoff reduction and pollutant removal efficiencies according to Table 3.3. These values are to be used in the pollutant removal documentation and are used within the stormwater runoff reduction calculator in Appendix H. Other water quality credits may be assigned for BMPs based on the determination by the *<local jurisdiction>* and valid study results presented with the Stormwater Management Plan submittal.

Table 3.3. Pollutant Removal Efficiencies of Structural BMPs.

BMP	Water Quality Credits			
	Runoff Reduction	TSS % Removal	Total N % Removal	Bacteria % Removal
Bioretention - No Underdrain	100% ¹	100% ¹	100% ⁶	100% ⁶
Bioretention – Internal Water Storage	75% ¹	85% ¹	85% ⁴	80% ⁵
Bioretention - Standard	60% ²	85% ¹	75% ⁴	80% ⁵
Permeable Pavement - Enhanced	100% ¹	100% ¹	100% ⁶	100% ⁶
Permeable Pavement - Standard	30% ²	80% ¹	45% ⁴	30% ⁶
Infiltration	100% ¹	100% ¹	100% ⁶	100% ⁶
Green Roof	100% ³	100% ⁶	100% ⁶	100% ⁶
Green Roof - Irrigated	50% ³	50% ⁶	50% ⁶	50% ⁶
Rainwater Harvesting	100% ³	100% ⁶	100% ⁶	100% ⁶
Impervious Surface Disconnection	40% ²	80% ¹	40% ⁴	40% ⁶
Grass Channel	10% ²	50% ¹	25% ⁴	30% ⁵
Grass Channel - Amended Soils	20% ²	50% ¹	35% ⁴	30% ⁵
Dry Swale	60% ²	85%	70% ⁴	80% ⁵
Wet Swale	0% ¹	80% ¹	25% ⁴	60% ⁵
Regenerative Stormwater Conveyance	0% ¹	80% ¹	40% ⁶	80% ⁶
Filtering Systems	0% ³	80% ¹	30% ⁴	80% ⁶
Storage Practices	0% ³	60% ¹	10% ⁴	60% ⁵
Stormwater Ponds	0% ¹	80% ¹	30% ⁴	60% ⁵
Stormwater Wetlands	0% ¹	80% ¹	25% ⁴	60% ⁵
Tree Planting and Preservation	see section 4.12			
Proprietary Practices	see section 4.13			
Conservation Areas	see section 4.14			

Notes:

The following resources were used to develop the runoff reduction and pollutant removal values in the above table.

1. (ARC, 2016).
2. (Hirschman, 2018).
3. (DOEE, 2013)
4. (Hirschman, 2018). Nitrogen removal values from this source were applied to the remaining volume after runoff reduction was applied. The values provided in the table above represent the results of this application.
5. (Chesapeake Stormwater Network, 2018)
6. Best professional judgement was used where a BMP's pollutant removal values were not available in the above sources, or conflicts were present. In all cases, a BMP's pollutant removal value must be at least as high as its runoff reduction values (for example, if a BMP is assigned a runoff reduction value of 100%, it will also have TSS, nitrogen, and bacteria removal rates of 100%). In addition, it was assumed that a Regenerative Stormwater Conveyance (RSC) will have similar nitrogen removal to bioretention systems, so the nitrogen removal value from the Runoff Reduction Method was applied as described in reference 4, above. It was also assumed that both RSCs and filtering systems will have the same bacterial removal rate as bioretention (with no runoff reduction).

3.6 Erosion & Sediment Control (ESC) Requirements

The design and management of construction site runoff control measures for all qualifying developments as defined in the Ordinance shall be in accordance with SCDHEC NPDES General Permit for Stormwater Discharges from Construction Activities, the SCDHEC Erosion and Sediment Reduction and Stormwater Management regulations and its most current version of standards, where applicable. The <local jurisdiction> reserves the right to require additional erosion and sediment control or a higher standard of measure and make their requirement a condition of a development permit approval.

3.7 Retention Standard & Volume

This section provides the formulas and rationale for use of the runoff reduction method to compare predeveloped and post-development hydrology for projects submitted for approval to the Southern Lowcountry jurisdictions.

Runoff reduction is defined as “the total annual runoff volume reduced through canopy interception, soil infiltration, evaporation, transpiration, rainfall harvesting, engineered infiltration, or extended infiltration” (Hirschman, 2008). The formula to calculate the volume reduced through successive application of stormwater best management practices originates with the Natural Resources Conservation Service (NRCS) method of estimating direct runoff from storm rainfall and the curve number method of NEH Chapter 9 (NEH, 2004). As shown in Equation 3.1, rainfall event runoff (Q) is a function of depth of event rainfall (P) over the watershed, the initial abstraction (I_a) and the maximum potential retention (S).

Equation 3.1. Curve number runoff equation.

$$Q = \frac{(P - I_a)^2}{(P - I_a) + S}$$

$$I_a = 0.2S$$

$$Q = \frac{(P - 0.2S)^2}{(P + 0.8S)}$$

$$Q - R = \frac{(P - 0.2S)^2}{(P + 0.8S)}$$

$$S = \frac{100}{CN} - 1$$

Where:

- Q = Runoff depth (in)
- P = Depth of rainfall event for the designated watershed protection area (85th or 95th percentile rain event)
- I_a = Initial abstraction (in)
- S = Potential maximum retention after runoff begins (in)
- CN = Runoff curve number
- R = Retention storage provided by runoff reduction practices (in)

Not all stormwater BMPs provide runoff reduction equally. Through the crediting procedures of the Compliance Calculator found in Appendix H and the retention volumes required in this section, designers will be able to evaluate their proposed designs and submit for approval in a unified process across the Southern Lowcountry jurisdictions.¹

Supplemental information on the terms below can be found in the *Low Impact Development in Coastal South Carolina: Planning and Design Guide*, and the Georgia Stormwater Management Manual (Ellis, K. et al., 2014; ARC, 2016).

The Stormwater Retention Volume (SWRv) is the volume of stormwater runoff that is required to be retained, post-development. It is calculated as shown in Equation 3.2 for the entire site and for each site drainage area (SDA). The SDA is defined as the area that drains to a single discharge point from the site or sheet flows from a single area of the site. A development site may have multiple SDAs and runoff coefficients.

Equation 3.2. Stormwater retention volume (SWRv) equation

$$SWRv = \frac{P \times [(Rv_I \times I) + (Rv_C \times C) + (Rv_N \times N)]}{12}$$

Where:

- SWRv = Volume required to be retained (cubic feet)
- P = Depth of rainfall event for the designated watershed protection area (85th or 95th percentile rain event)
- Rv_I = Runoff coefficient for impervious cover and BMP cover based on SCS hydrologic soil group (HSG) or soil type
- I = Impervious cover surface area (square feet)
- Rv_C = Runoff coefficient for compacted cover based on soil type
- C = Compacted cover surface area (square feet)
- Rv_N = Runoff coefficient for forest/open space based on soil type
- N = Natural cover surface area (square feet)
- 12 = Conversion factor (inches to feet)

	Rv Coefficients			
	A soils	B Soils	C Soils	D Soils
Forest/Open Space (Rv _N)	0.02	0.03	0.04	0.05
Managed Turf (Rv _C)	0.15	0.20	0.22	0.25
Impervious Cover (Rv _I)	0.95	0.95	0.95	0.95
BMP	0.95	0.95	0.95	0.95

The surface area of a non-infiltrating BMP or its permanent pool shall be calculated as part of the impervious cover.

The Compliance Calculator in Appendix H uses best available pollutant removal efficiencies for total suspended solids, total nitrogen and fecal indicator bacteria. Use of the compliance calculator allows the designer to evaluate alternative designs to arrive at compliance with the runoff reduction and pollutant

¹ Compliance Calculator instructions are found in Appendix G

removal requirements and clearly summarize them for the local plan reviewer. The compliance calculator output is a necessary submittal for a plan reviewer to evaluate selected BMPs to demonstrate compliance with the watershed protection area standards of this Manual.

3.7.1 Total Suspended Solids, Nutrients, & Bacteria

The minimum pollutant removal performance requirements for all watersheds of the Southern Lowcountry include the interception and treatment of stormwater runoff volume to at least an 80% reduction in total suspended solids load, 30% reduction of total nitrogen load, and 60% reduction in bacteria load. These requirements are established for the following reasons.

Stormwater in the Lowcountry conveys the plant nutrients nitrogen and phosphorus. Nitrogen tends to dissolve in water, but phosphorus is adsorbed to suspended solids predominantly. Control of total suspended solids through the BMPs in this Manual will also remove a proportional amount of phosphorus. Relying on the judgement of stormwater researchers and other state design manuals, the approach for the Southern Lowcountry is similar. If a BMP is effective at runoff reduction or retention of stormwater, it is similarly effective at removal of the initial volume of suspended solids (NCDEQ, 2014).

Many of the Southern Lowcountry watersheds at the HUC-12 size are directly tributary to bacteria and shellfish impaired waters. As these watersheds develop with rooftops, roads and other impervious surfaces, there is an increasing potential for bacteria in the stormwater from wildlife populations (deer, racoons, waterfowl), pet waste, septic system discharges and sanitary sewer system malfunctions. Similarly, nutrients can be expected to increase due to fertilizer use in erosion control practices, managed turf and landscaping, septic system leachate, and atmospheric deposition on impervious surfaces. Best management practices, along with better site design practices, can be used to reduce bacteria and nutrients in stormwater to the benefit and restoration of Southern Lowcountry water quality.

3.7.2 Hydrologic & Hydraulic Analysis

In order to prevent an increase in the duration, frequency and magnitude of downstream overbank flooding and scouring, this Manual requires that enough stormwater detention be provided on a development site to control the post-development peak runoff discharge to the predevelopment runoff rates for the 2, 10, and the 25 -year, 24-hour storm events. The capacity of the existing downstream receiving conveyance system for all off-site discharge points must be determined to be adequate. An analysis of the downstream conveyance capacity to accommodate the site's post development 25- and 100-year, 24-hour peak flow shall be provided in the engineering report. Discharge to the public right-of-way of the SC State highway system shall comply with the SCDOT Requirements for Hydraulic Design Studies. Necessary upgrades within the public right-of-way due to inadequate capacity for the post-development 25-yr flow must be identified during the permit application process. Upgrades to the downstream system to accommodate the 100-yr 24-hour flow must be considered through the MEP process outlined in Section 3.9. Documentation supporting safe passage of the 100-yr post development flow to the downstream point where the detention or storage area comprises 10% of the total drainage area, and an analysis of the surrounding neighborhood area to identify any existing capacity shortfalls or drainage blockages is required for plan approval. This analysis is called the 10% analysis rule in Section 3.8 of this Manual.

The recommended 2, 10, 25, and 100-year, 24-hour storm event values from Appendix F of the South Carolina DHEC Storm Water Management BMP Handbook, July 31, 2005 for Beaufort and Jasper Counties are in Table 3.4².

Table 3.4. Rainfall depth (inches) for the Southern Lowcountry.

County	Return Period (years)			
	2	10	25	100
Beaufort	4.5	6.9	8.4	11.0
Jasper	4.2	6.4	7.8	10.2

In this Manual, Appendix I General Design Criteria and Guidelines provides the acceptable methodologies and computer models for estimating runoff hydrographs before and after development, as well as design criteria for stormwater collection systems and land cover designations. The following are the acceptable methodologies and computer models for estimating runoff hydrographs before and after development. These methods are used to predict the runoff response from given rainfall information and site surface characteristic conditions. The design storm frequencies used in all of the hydrologic engineering calculations will be based on design storms required in this Manual unless circumstances make consideration of another storm intensity criterion appropriate:

- Rational Method (limited to sites under 10 acres)
- Urban Hydrology for Small Watersheds TR-55
- Storage-Indication Routing
- HEC-1, WinTR-55, TR-20, ICPR v3 or 4 and SWMM computer models

These methods are given as valid in principle and are applicable to most stormwater management design situations in the Southern Lowcountry.

The following conditions should be assumed when developing predevelopment, pre-project, and post-development hydrology, as applicable:

- The design storm duration shall be the 24-hour rainfall event, using the NRCS (SCS) Type III rainfall distribution with a maximum six-minute time increment.
- The predeveloped peaking factor shall be 200 for new development (Blair et al., 2012).
- The post development peaking factor shall be 323.
- For new development sites the predeveloped condition shall be calculated as a composite CN based on the HSG and meadow conditions (NEH, 2004).
- For infill and redevelopment sites, the predeveloped condition shall be calculated as a composite CN based on the HSG and the land cover type and hydrologic condition at the time of the project's initial submittal.
- Antecedent Runoff Condition (ARC) II is the average adjustment factor for calculations using TR-55. ARC III is to be used for wetter conditions such as areas that receive irrigation water harvested from stormwater ponds and for poorly drained soils.

² Until SCDHEC updates its Stormwater Management BMP Handbook rainfall table to the NOAA Atlas 14 values, the Southern Lowcountry region shall use the Handbook Appendix F rainfall table for 24 hour storm events.

Project designs must include supporting data and source information. All storm sewer systems shall be analyzed for both inlet and outlet control (including tailwater effects) by using the following:

- a. Equations and nomographs as shown in the Federal Highway Administration (FHWA) Hydraulic Design Services (HDS) publication No. 5.
- b. Computer programs that calculate the actual hydraulic grade line for the storm sewer system can be used, provided all losses (friction, bend, junction, etc.) are taken into account using the appropriate loss coefficient (K) values.
- c. Design tailwater condition elevation shall be supported by a reasonable resource and/or analysis.
- d. Allowable headwater. The allowable headwater of all culverts, pipe systems, open channels, bridges and roadway culverts shall be established following the SCDOT Requirements for Hydraulic Design Studies.

All culverts, pipe systems, and open channel flow systems shall be sized in accordance with the design criteria found in Appendix I Hydrology and Hydraulics Design Requirements.

3.7.3 Maintenance Easements

Maintenance easements are provided for the protection and legal maintenance of stormwater management facilities not within a right-of-way. Drainage easements shall be required in subdivisions over any portion of a stormwater management facilities not within a right-of-way and necessary for the functioning of the system. Drainage easements for all facilities must be shown on construction drawings and approved by the stormwater manager. The easements shall be designated on the plan prior to issuance of a development permit and recorded in public records with copy of recorded easement submitted prior to <local jurisdiction> permit termination. The minimum allowable width of drainage easements shall be as shown in Table 3.5.

Table 3.5. Drainage maintenance access easements.

Stormwater Management Facility	Minimum Easement Width
Closed systems (storm sewers/pipes/culverts)	diameter + 4 ft + 2D(20-ft minimum)*
Open drainage systems	
Bottom width 20 ft or less	15 ft + BW + 2SD (30 ft minimum)**
Bottom width 20 ft to 40 ft	30 ft + BW + 2SD**
Bottom width greater than 40 ft	40 ft + BW + 2SD**
Retention/detention BMPs	20 ft around facility***
Pond Maintenance Access	A 20' maintenance access easement between lot lines and top of bank shall be provided for stormwater ponds with a permanent pool. The easement shall be provided for boat trailer access, and for all structure maintenance and repair. No permanent structures (mechanical, electrical, phone, fences) or landscaping are allowed within the 20' pond maintenance access easement.
*Where: D = Depth from grade to pipe invert **Where: BW = Bottom width S = Side slope D = Depth of opening	
Note: The minimum required width and configuration of drainage easements may be modified if deemed necessary by the stormwater manager for justifiable reasons.	

3.8 Extreme Flood Requirement: 10% Rule

The peak discharge generated by the 100-year, 24-hour storm event under post-development conditions is considered the extreme peak discharge. The intent of the extreme flood protection is to prevent flood damage from infrequent but large storm events, maintain the boundaries of the mapped 100-year floodplain, and protect the physical integrity of the best management practices as well as downstream stormwater and flood control facilities. The 100-yr flow is to be used in the routing of runoff through the drainage system and stormwater management facilities to determine the effects on the facilities, adjacent property, and downstream. Emergency spillways of best management practices should be designed appropriately to pass the resulting flows safely.

Documentation supporting safe passage of the 100-year post-development flow shall be provided by the applicant/engineer. In order to prevent an increase in the duration, frequency and magnitude of downstream extreme flooding over existing conditions, an evaluation must be provided to include downstream analysis to the point where the project comprises 10% of the total contributing drainage area. The 10% rule evaluation must address existing conveyance system capacity and “pinch points” where a pipe/culvert would be overtopped and where the pipe/culvert will need to be upgraded or the peak discharge rate will need to be limited to the capacity of the downstream system.

The 10% rule recognizes the fact that a structural BMP control providing detention has a “zone of influence” downstream where its effectiveness can be felt. Beyond this zone of influence, the structural control becomes relatively small and insignificant compared to the runoff from the total drainage area at that point. Based on studies and master planning results from a large number of sites, that zone of influence is considered to be the point where the drainage area controlled by the detention or storage

facility comprises 10% of the total drainage area. For example, if the drainage control drains 10 acres, the zone of influence ends at a point where the total drainage area is 100 acres or greater (ARC, 2016).

Demonstration of safe passage of the 100-year, 24-hour storm shall include a stage storage analysis of the system, an inflow/outflow comparison of the system, and construction of a table showing peak stage elevations in comparison to safe freeboards to structures of the system and adjacent buildings/structures/infrastructure. Safe passage to the receiving water also requires that there be no additional downstream flooding or other environmental impacts (e.g., stream channel enlargement, degradation of habitat).

Typical steps in the application of the 10% rule are:

1. Determine the target peak flow for the site for predevelopment conditions.
2. Using a topographic map, determine the lower limit of the zone of influence (10% point)
3. Using a hydrologic model, determine the predevelopment peak flows and timing of those peaks at each tributary junction beginning at the pond outlet and ending at the next tributary junction beyond the 10% point.
4. Change land use on the site to post-development and rerun the model.
5. Design the structural control facility such that the overbank flood protection (25-year) post-development flow is adequately conveyed to the lower limit of the zone of influence and the Extreme Flood (100-year) post-development flow does not impact any existing structures within the area of zone of influence.
6. If the overbank flood protection (25-year) post-development flow is not adequately conveyed to the lower limit of the zone of influence and/or Extreme Flood (100-year) post-development flow is shown to impact any structure, the structural control facility must be redesigned or one of the following options considered:
 - a. Work with the *<local jurisdiction>* to reduce the flow elevation through channel or flow conveyance structure improvements downstream.
 - b. Obtain a flow easement from downstream property owners to the 10% point.
 - c. Request a detention waiver from *<local jurisdiction>*. This waiver would be for water quantity control only and best management practices to achieve water quality goals will still be required.

3.9 Maximum Extent Practicable

Maximum extent practicable (MEP) is the language of the Clean Water Act that sets the standards to evaluate efforts pursued to achieve pollution reduction to the Waters of the United States. The MEP refers to management practices; control techniques; and system, design, and engineering methods for the control of pollutants. It allows for considerations of public health risks, societal concerns, and social benefits, along with the gravity of the problem and the technical feasibility of solutions. The MEP for stormwater management is achieved, in part, through a process of selecting and implementing different design options with various structural and non-structural stormwater best management practices (BMPs), where ineffective BMP options may be rejected, and replaced when more effective BMP options are found (DOEE, 2019).

There must be a serious and demonstrated attempt to comply with this Manual, and practical solutions may not be lightly rejected. If project applicants implement and demonstrate only a few of the least expensive BMPs, and the regulated volume has not been retained, it is likely that the MEP standard has

not been met. If, on the other hand, a project applicant implements all applicable and effective BMPs except those shown to be technically infeasible, then the project applicant would have achieved retention to the MEP.

Major land-disturbing activities, infill and redevelopment projects, and projects in the existing public right-of-way, must achieve the SWRv, and meet peak flow requirements for channel and extreme flood protection to the MEP. Through application of stormwater best management practices on site or at an off-site property within the same stormwater drainage catchment, land development projects should be able to comply with the Southern Lowcountry Stormwater Ordinance. It is the applicant's responsibility to demonstrate to the greatest extent that the requirements of this Manual can be met for the proposed development. The applicant must fully demonstrate that the requirements of the Manual are not possible or feasible before entering into a MEP analysis, and only after the concurrence of the *<local jurisdiction>* based on the project submittals, documentation and discussions. The applicant must realize that if the requirements of the Manual cannot be met, the site may not be conducive for development, as proposed, in the interest of public safety and welfare.

When a new land development project, infill or redevelopment cannot meet the volume and peak flow requirements of this Manual, the following design and review process is required to comply with the MEP requirement. This evaluation is intended to be completed during the concept review stage of plan development.

- 1) Demonstrate how BSD has been implemented to the maximum extent practicable or document site restrictions that prevent BSD application.
- 2) List the site restrictions that prevent the on-site use of the stormwater BMPs of this Manual.
- 3) Cite justification for not being able to retain the SWRv and attain the required peak discharge limits.
- 4) Is there off-site capacity in the same drainage catchment as defined by the *<local jurisdiction>* to meet the volume and/or peak flow requirements for the site's contributing drainage area(s)?
- 5) Does the publicly maintained stormwater drainage system have sufficient capacity for the development site's extreme flood peak flow?
- 6) Develop a cost versus aggregated stormwater retention volume achieved curve for the site's contributing drainage area. A minimum of five cost points with three of the BMP alternatives in series as a treatment train are necessary for the curve. Include the evaluation off-site capacity cost. Identify the inflection point of the cost curve to identify the optimal solution where increased cost does not result in increased effectiveness.
- 7) The optimum aggregated retention value and BMP selection and size analysis must be submitted as a part of the stormwater management plan for the project.
- 8) Offsite stormwater volume retention credit or fee-in-lieu documents will be required for project completion.

The MEP submittal must provide documentable evidence of the process the applicant has performed that demonstrates the restrictions to the use and implementation of BMPs to meet the requirements of this Manual in whole or in part.

3.10 Off-Site Stormwater Management

All stormwater management design plans shall include on-site stormwater management practices, unless post-construction stormwater runoff in an off-site or regional stormwater management practice is approved according to this Section.

The off-site or regional stormwater management practice must be located on property legally dedicated to that purpose, be designed and sized to meet the post-construction stormwater management criteria presented in this Manual, provide a level of stormwater quality and quantity control that is equal to or greater than that which would be provided by on-site green infrastructure and stormwater management practices, be in the same drainage catchment, as defined by the *<local jurisdiction>*, as the project area, and have an associated inspection and maintenance agreement and plan. In addition, appropriate stormwater management practices shall be installed, where necessary, to protect properties and drainage channels that are located between the development site and the location of the off-site or regional stormwater management practice.

To be eligible for compliance through the use of off-site stormwater management practices, the applicant must submit a stormwater management design plan to the *<local jurisdiction>* that demonstrates the adequacy of the off-site or regional stormwater management practice, and demonstrates, to the satisfaction of the *<local jurisdiction>* that the off-site or regional stormwater management practice will not result in any of the following impacts:

- (1) Increased threat of flood damage or endangerment to public health or safety;
- (2) Deterioration of existing culverts, bridges, dams, and other structures;
- (3) Accelerated streambank or streambed erosion or siltation;
- (4) Degradation of in-stream biological functions or habitat; or,
- (5) Water quality impairment in violation of state water quality standards and/or violation of any other state or federal regulations.

3.11 Fee-in-Lieu

Fee-in-lieu is, as the name suggests, a program where an entity with the responsibility of managing stormwater runoff pays a fee in lieu of physically managing and maintaining stormwater on site or off site. Based on the cost of treatment, long term maintenance/repair/replacement and inspection costs, a representative cost of treating stormwater can be established, and that money can go to larger scale and more efficient practices being implemented (ARC, 2016). The developer provides a fee to the *<local jurisdiction>* (or its assigned entity) that will help cover cost of installation and long-term operation and maintenance of the stormwater practice. A fee-in-lieu program can be administered through the *<local jurisdiction>*, a public/private initiative, or a private bank. Any fee-in-lieu program must have an Enterprise Fund and ability to oversee construction activities (e.g. programs managed by the *<local jurisdiction>*) or be able to collect fees and dedicate those funds to stormwater related projects. In-lieu fees typically need to cover higher municipal prevailing wage and public bidding costs. The off-site mitigation practices must be implemented in the same HUC-12 watershed as the original project (or more restrictive limits, at the discretion of the local authority). Therefore, careful accounting must take place to ensure that each site using off-site mitigation to meet pollutant removal requirements has corresponding off-site controls in the same watershed (CWP, 2012).

3.12 Waivers

Individuals seeking a waiver from the requirements of this Ordinance may submit to the (*administrator*) a request for a waiver in accordance with the Southern Lowcountry Stormwater Design Manual.

(1) Request of a Waiver at Staff Level

A written request for a waiver is required and shall state the specific waiver sought and the reasons, with supporting data, a waiver should be granted. The request shall include all information necessary to evaluate the proposed waiver. Requests must outline the need for such a waiver, such as site constraints, soil characteristics, or similar engineering limitations. Cost shall not be considered cause for a waiver. The applicant will address the criteria below for consideration of a waiver approval:

- a. What exceptional circumstances to the site are evident that on-site or off-site stormwater management requirements cannot be met?
- b. What unnecessary hardship is being caused?
- c. How will denial of the waiver be inconsistent with the intent of the Ordinance?
- d. How will granting the waiver comply with the intent of the Ordinance?
- e. How are state and federal regulations still being met?

(2) Review of Waivers

The <administrator> will conduct a review of the request and will issue a decision within thirty (30) working days of receiving the request.

(3) Fee-in-Lieu Requirement

- a. If a Waiver is granted, the applicant must submit a fee in lieu of meeting stormwater requirements as determined by <local jurisdiction> for regional stormwater management projects.

(4) Appeal of Decision

Any person aggrieved by the decision of the (administrator) concerning a waiver request may appeal such decision in accordance with the <local jurisdiction> established process.

3.13 References

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Chapter 4. Stormwater Best Management Practices (BMPs)

4.1 Standard Stormwater BMP Design Sections

This chapter summarizes and outlines performance criteria for 13 stormwater best management practice (BMP) categories that include:

- Bioretention
- Permeable Pavements
- Infiltration
- Green Roofs
- Rainwater Harvesting
- Impervious Surface Disconnection
- Open Channel Systems
- Filtering Systems
- Storage Practices
- Ponds
- Stormwater Wetlands
- Tree Planting and Preservation
- Proprietary Practices

Following these criteria is the criteria to credit for stormwater benefit the use of conservation areas and open space preservation.

4.1.1 Format of Standard Stormwater BMP Design Sections

BMP performance criteria are based on several critical design factors to ensure effective and long-lived BMPs. For each BMP, the following factors are discussed:

- General Feasibility
- Conveyance
- Pretreatment
- Design and Sizing
- Landscaping
- Construction Sequencing
- Maintenance
- Stormwater Compliance Calculations

Design components that differ from these specifications, but meet their intent, may be included at <local jurisdiction>'s discretion.

4.1.2 Standard Nomenclature

In this chapter, and throughout the guidebook, the terms, *must* or *shall*, denote required aspects of BMPs or their design and implementation. The term, *should*, denotes a recommendation, however, justification may be necessary for design or implementation that does not correspond to certain recommendations.

4.2 Summary of BMP Stormwater Management Capabilities, Site Applicability, & Physical Feasibility

Stormwater management requirements for a given site vary based on the site's location, and minimum control requirements discussed in detail in Section 3.5.

4.2.1 Stormwater Retention & Water Quality Treatment

It is important to note that this Manual, and the associated compliance calculators, make a distinction between stormwater retention volume and stormwater water quality treatment. Not all BMPs achieve stormwater retention and/or water quality treatment equally, as was summarized in Table 3.3. The level to which a BMP provides stormwater retention and water quality treatment is provided in the BMP summary table of each BMP. The stormwater runoff reduction (SWRv) rates are expressed as a percentage of the storage volume provided by the BMP. Calculations for determining storage volume are included in each BMP’s specifications. Each BMP’s performance on the water quality parameters of total suspended solids, nitrogen and bacteria are also included in the BMP summary table. Note that many BMPs whose main purpose is water quality treatment typically do not have enough volume control to manage larger storm events.

4.2.2 Site Applicability

Certain BMPs are more appropriate than others in certain land uses. Table 4.1 describes the site applicability for each BMP for the following factors:

- Rural Use: This column indicates whether or not the stormwater management practice is typically suited for use in rural areas and on low-density development sites.
- Suburban Use: This column indicates whether or not the stormwater management practice is typically suited for use in suburban areas and on medium-density development sites.
- Urban Use: This column identifies the stormwater management practices that are typically suited for use in urban and ultra-urban areas where space is at a premium.
- Construction Cost: This column assesses the relative construction cost of each of the stormwater management practices.
- Maintenance: This column assesses the relative maintenance burden associated with each stormwater management practice. Note that all stormwater management practices require routine inspection and maintenance.

Table 4.1. Site applicability for BMPs.

BMP	Rural Use	Suburban Use	Urban Use	Construction Cost	Maintenance
Bioretention	Yes	Yes	Yes	Medium	Medium
Permeable Pavement	Maybe	Yes	Yes	High	High
Infiltration	Yes	Yes	Yes	Medium	Medium
Green Roof	Maybe	Yes	Yes	High	Low
Rainwater Harvesting	Yes	Yes	Yes	Medium	Medium
Disconnection	Yes	Yes	Maybe	Low	Low
Open Channels	Yes	Yes	No	Low-Medium	Medium
Filtration	Maybe	Yes	Yes	High	High
Dry Ponds	Yes	Yes	No	Low	Low
Wet Ponds	Yes	Yes	No	Low	Low
Stormwater Wetlands	Yes	Yes	No	Low	Medium

4.2.3 Site Conditions & Physical Feasibility

While some BMPs can be applied almost anywhere, others require specific conditions to be most effective. Physical feasibility refers to the physical site conditions necessary to effectively design and install a BMP. Table 4.2 includes the feasibility factors listed below.

- Contributing Drainage Area (CDA): Volume of water received by a practice can affect BMP performance. This column indicates the contributing drainage areas that typically apply for each BMP.
- Slope: This column describes the influence that site slope can have on the performance of the BMP. It indicates the maximum slope on which the BMP should be installed.
- Minimum Head: This column provides an estimate of the minimum amount of elevation difference needed within the BMP, from the inflow to the outflow, to allow for gravity operation.
- Minimum Depth to Seasonal High Water Table: This column indicates the minimum distance that should be provided between the bottom of the stormwater management practice and the top of the water table.
- Soils: This column describes the influence that the underlying soils (i.e., hydrologic soil groups) can have on the performance of the stormwater management practice.

Table 4.2. Feasibility limitations for BMPs.

BMP	Contributing Drainage Area	Slope	Minimum Head	Minimum Depth to Water Table	Soils
Bioretention	Up to 2.5 acres	Up to 5% ²	4 - 5 feet	0.5 feet	All soils ³
Permeable Pavement	Up to 5 times practice surface area	Up to 5%	1 – 4 feet	0.5 feet	All soils ³
Infiltration	Up to 2 acres	Up to 6% ²	2 feet	0.5 feet	Must drain within 72 hours
Green Roof	Green roof area + 100%	Up to 30% ⁴	N/A	N/A	N/A
Rainwater Harvesting	No limit	No limit	N/A	N/A	N/A
Disconnection	Up to 1,000 ft ² per downspout	Up to 5%	N/A	N/A	All soils
Open Channels	Up to 2.5 acres	Up to 4% ²	Varies	Varies	All soils
Filtration	Up to 5 acres	Up to 6%	2 – 10 feet	0.5 feet	All soils
Storage Practices	Varies	No limit	5 feet	0.5 feet	All soils
Ponds	Greater than 10 acres ¹	Up to 15%	6 – 8 feet	No limit	Slow-draining soils preferred
Stormwater Wetlands	Varies	Up to 8% ²	2 – 4 feet	No limit	Slow-draining soils preferred

¹ CDA can be smaller if practice intersects the water table.
² Check dams may be necessary to create sufficient ponding volume.
³ Slow-draining soils may require an underdrain.
⁴ Roof slope.

Irrigation from ponds is not included as a specific best management practice in this *Manual* but is included as Rainwater Harvesting (§4.5). Requirements and guidance for irrigation use of retained stormwater have been included in Hydrologic and Hydraulic Analysis (ARC requirements in §3.7.2); Ponds (§4.10); and Rainwater Harvesting Treatment and Management Requirements (Appendix J). The Rainwater Harvesting Calculator in Appendix K will be used to determine the SWRv credit for ponds used for irrigation, and then these ponds are entered in the Compliance Calculator in Appendix H as rainwater harvesting. Instructions for these entries are included in Appendix G Compliance Calculator Instructions.

4.3 Bioretention

Bioretention				
Definition: Practices that capture and store stormwater runoff and pass it through a filter bed of engineered filter media composed of sand, soil, and organic matter. Filtered runoff may be collected and returned to the conveyance system or allowed to infiltrate into the soil.				
Site Applicability		BMP Performance Summary		
Land Uses	Required Footprint	WQ Improvement: Moderate to High		
<ul style="list-style-type: none"> ▪ Urban ▪ Suburban ▪ Rural 	Small to Large	TSS ¹	Total N ¹ ,	Bacteria ^{1,2}
		85%–100%	75%–100%	80%–100%
		Runoff Reduction		
Construction Costs	Maintenance Burden	Volume		
Moderate	Moderate	High		
Maintenance Frequency:		SWRv		
Routine	Non-Routine	No Underdrain	IWS	Standard
Quarterly	Every 2–3 years	100% of Sv	75% of Sv	60%
Advantages/Benefits		Disadvantages/Limitation		
<ul style="list-style-type: none"> ▪ Easily incorporated into new development ▪ High community acceptance ▪ Good for small, highly paved drainage areas (i.e. parking lots) 		<ul style="list-style-type: none"> ▪ Maximum CDA is 1 to 2.5 acres ▪ Requires pretreatment to prevent clogging ▪ Requires detailed landscape planning ▪ Not appropriate for steep slopes 		
Components		Design considerations		
<ul style="list-style-type: none"> ▪ Pretreatment ▪ Conveyance system ▪ Ponding area ▪ Soils/Filter Media/Mulch ▪ Observation Well/Monitoring Port ▪ Plants 		<ul style="list-style-type: none"> ▪ Maximum ponding depth 18 inches ▪ Minimum filter media bed depth 18 inches ▪ Depth to seasonal high water table must be at least 6 inches below bottom of practice ▪ Underdrain system may be needed 		
Maintenance Activities				
<ul style="list-style-type: none"> ▪ Mow turf cover periodically ▪ Replace mulch as needed to maintain depth of mulch 		<ul style="list-style-type: none"> ▪ Replace plant material, as needed ▪ Replace soil if it becomes clogged ▪ Clean conveyance system(s) 		

¹Credited pollutant load removal

²In order to receive the full credit for bacteria removal a minimum media depth of 24" is required.

Bioretention areas, shallow depressional areas that are filled with an engineered soil media and are planted with trees, shrubs, and other herbaceous vegetation, are one of the most effective stormwater management practices that can be used to reduce post-construction stormwater runoff rates, volumes, and pollutant loads. They also provide a number of other benefits, including improved aesthetics, wildlife habitat, urban heat island mitigation, and improved air quality. See Figure 4.1 for an example image.

They are designed to capture and temporarily store stormwater runoff in the engineered soil media, where it is subjected to the hydrologic processes of evaporation and transpiration, before being conveyed back into the storm drain system through an underdrain or allowed to infiltrate into the surrounding soils. The engineered soil media is comprised of sand, soil, and organic matter.

Typically, bioretention systems are not designed to provide stormwater detention of larger storms (e.g., 2-, 10-, 25-year), but in some circumstances that may be possible. Bioretention practices should generally be combined with a separate facility to provide those controls.



Figure 4.1. Bioretention in parking lot (photo credit: Center for Watershed Protection, Inc.).

Definition. Practices that capture and store stormwater runoff and pass it through a filter bed of engineered filter media composed of sand, soil, and organic matter. Filtered runoff may be collected and returned to the conveyance system or allowed to infiltrate into the soil. Design variants include the following:

- B-1 Bioretention
- B-2 Streetscape bioretention
- B-3 Engineered tree pits
- B-4 Stormwater planters

B-5 Residential rain gardens (for single family homes)

There are three different bioretention design configurations:

- 1) **No Underdrain.** Practices that can infiltrate the design storm volume within 72 hours, and therefore need no underdrain (see Figure 4.2).
- 2) **Internal Water Storage (IWS).** Practices that include an infiltration sump/storage layer (see Figure 4.3) below the underdrain.
- 3) **Standard.** Practices with underdrains (see Figure 4.4).

The particular design configuration to be implemented on a site is typically dependent on specific site conditions and the characteristics of the underlying soils. These criteria are further discussed in this chapter.

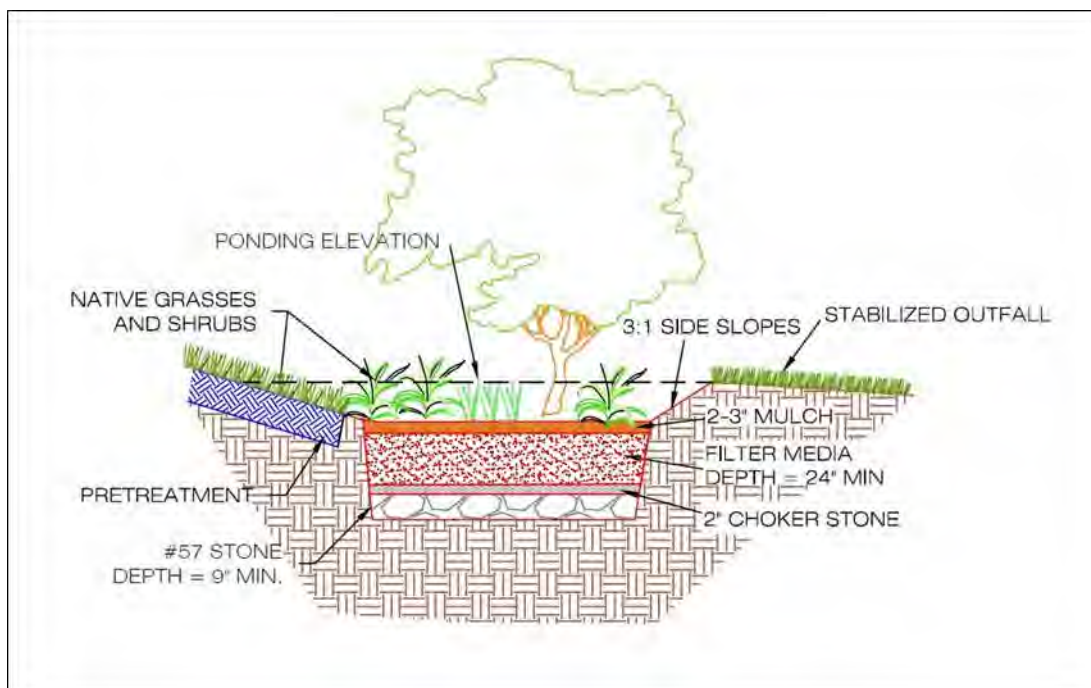


Figure 4.2. Example bioretention design without an underdrain.

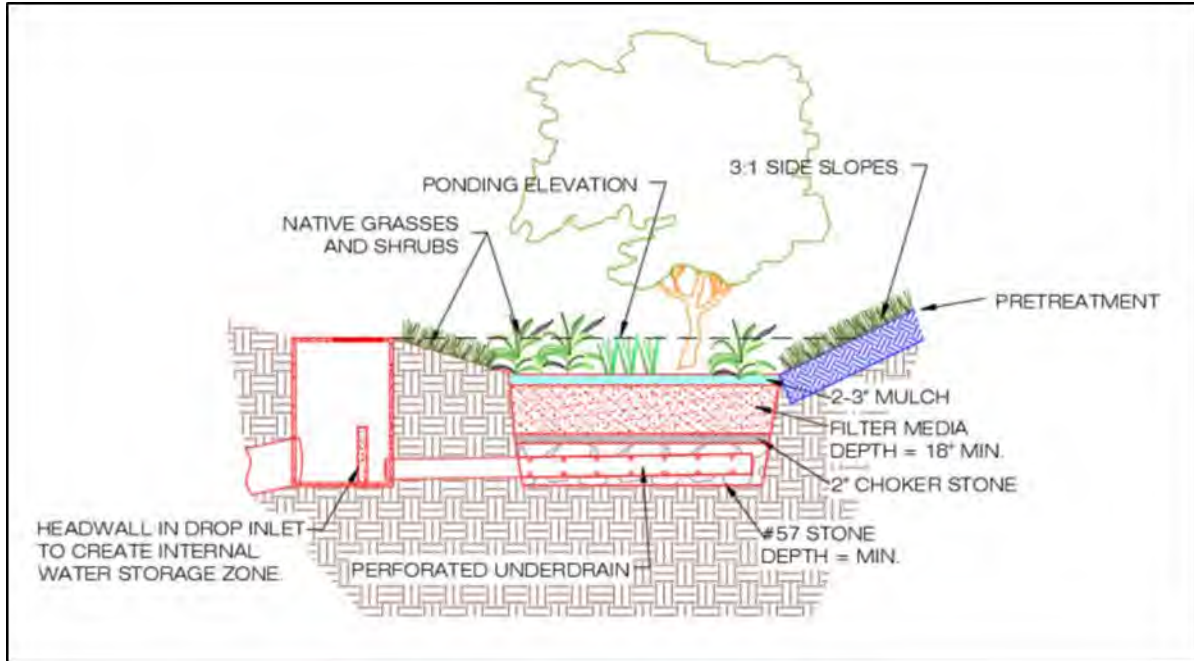


Figure 4.3. Example bioretention design with internal water storage (IWS).

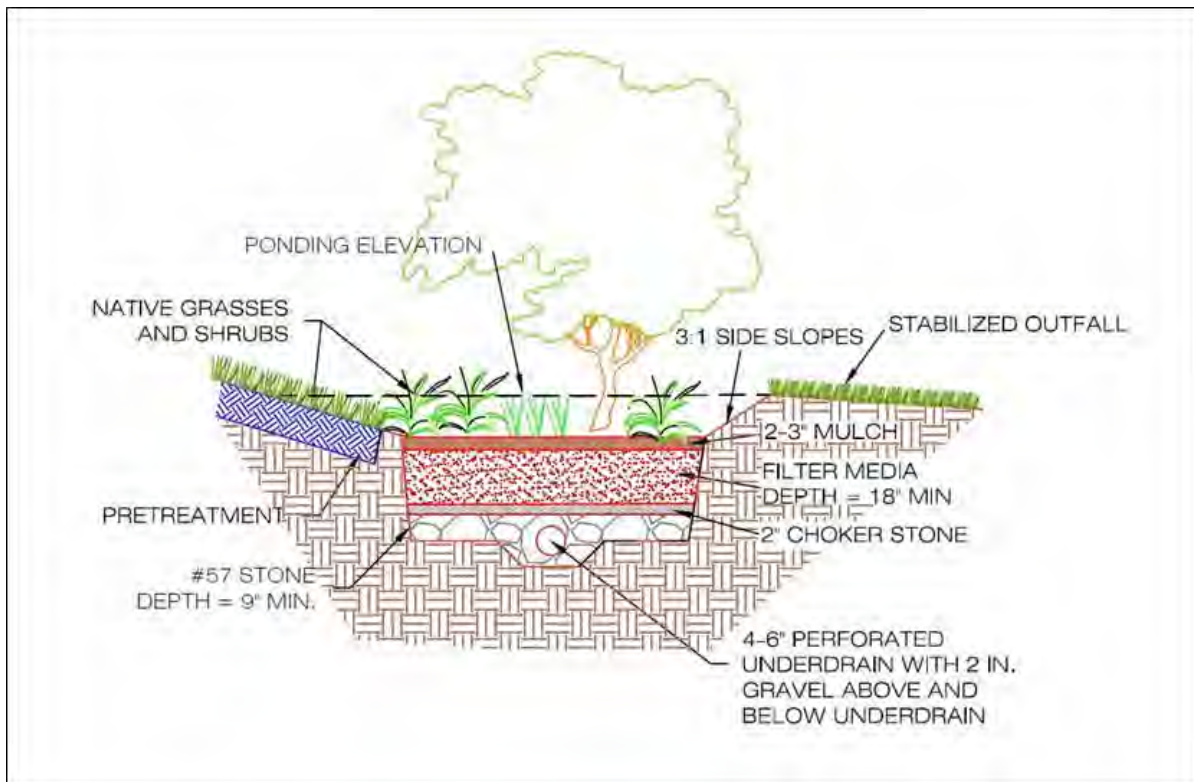


Figure 4.4. Example standard bioretention design.



Figure 4.5. Example streetscape bioretention.

4.3.1 Bioretention Feasibility Criteria

Bioretention can be applied in most soils or topography, since runoff simply percolates through an engineered soil bed and is infiltrated or returned to the stormwater system via an underdrain. Key constraints with bioretention include the following:

Required Space

Planners and designers can assess the feasibility of using bioretention facilities based on a simple relationship between the CDA and the corresponding bioretention surface area. The surface area is recommended to be approximately 3 to 6% of CDA, depending on the imperviousness of the CDA and the desired bioretention ponding depth.

Site Topography

Bioretention can be used for sites with a variety of topographic conditions, but it is best applied when the grade of the area immediately adjacent to the bioretention practice (within approximately 15 to 20 feet) is greater than 1% and less than 5%.

Available Hydraulic Head

Bioretention is fundamentally constrained by the invert elevation of the existing conveyance system to which the practice discharges (i.e., the bottom elevation needed to tie the underdrain from the bioretention area into the storm drain system). In general, 4 to 5 feet of elevation above this invert is

needed to accommodate the required ponding and filter media depths. If the practice does not include an underdrain or if an inverted or elevated underdrain design is used, less hydraulic head may be adequate.

Water Table

Bioretention must be separated from the water table to ensure that groundwater does not intersect the filter bed. Mixing can lead to possible groundwater contamination or failure of the bioretention facility. A separation distance of no less than 0.5 feet is required between the bottom of the excavated bioretention area and the seasonally high groundwater table.

Tidal Impacts

For systems with an underdrain, the underdrain should be located above the tidal mean high water elevation. For entirely infiltration-based systems, the bottom of the stone reservoir should be located above the mean high water elevation. Where this is not possible, portions of the practice below the tidal mean high water elevation cannot be included in the volume calculations. Also, salt-tolerant vegetation may be necessary in these areas.

Soils and Underdrains

Soil conditions do not typically constrain the use of bioretention, although they do determine whether an underdrain is needed. Underdrains may be required if the measured permeability of the underlying soils is less than 0.3 inches per hour. When designing a bioretention practice, designers must verify soil permeability by using the on-site soil investigation methods provided in Appendix B for Geotechnical Information Requirements for Underground BMPs. Impermeable soils will require an underdrain.

For fill soil locations, geotechnical investigations are required to determine if it is necessary to use an impermeable liner and underdrain.

Contributing Drainage Area

Bioretention cells work best with smaller CDAs, where it is easier to achieve flow distribution over the filter bed. The maximum CDA to a standard bioretention area (B-1) is 2.5 acres and can consist of up to 100% impervious cover. The CDA for smaller bioretention practices (B-2, B-3, B-4, and B-5) is a maximum of 1 acre. However, if hydraulic considerations are adequately addressed to manage the potentially large peak inflow of larger CDAs, such as off-line or low-flow diversions, or forebays, there may be case-by-case instances where the maximum CDAs can be adjusted. summarizes typical recommendations for bioretention CDAs.

Table 4.3. Maximum contributing drainage area (CDA) to bioretention.

Bioretention Type	Design Variants	Maximum CDA (acres of impervious cover)
Standard	B-1	2.5
Small-scale bioretention	B-2, B-3, B-4, and B-5	1.0

Pollutant Hotspot Land Uses

Bioretention may not be an appropriate stormwater management practice for certain pollutant-generating sites. In areas where higher pollutant loading is likely (i.e. oils and greases from fueling stations or vehicle storage areas, sediment from un-stabilized pervious areas, or other pollutants from

industrial processes), appropriate pretreatment, such as an oil- water separator or filtering device must be provided. These pretreatment facilities should be monitored and maintained frequently to avoid negative impacts to the bioretention area and subsequent water bodies.

On sites with existing contaminated soils, infiltration is not allowed. An impermeable bottom liner and an underdrain system must be employed when a bioretention area will receive untreated hotspot runoff, and the No Underdrain design configuration cannot be used.

Bioretention can still be used to treat parts of the site that are outside of the hotspot area. For instance, roof runoff can go to bioretention while vehicular maintenance areas would be treated by a more appropriate hotspot practice.

No Irrigation or Baseflow

The planned bioretention area should not receive baseflow, irrigation water, chlorinated wash-water or any other flows not related to stormwater. During the establishment period of the bioretention area, irrigation is allowed, however, to ensure plant survival. In addition, rain gardens or bioretention practices may be incorporated into the design of a Rainwater Harvesting System (See Section 4.7).

Setbacks

To avoid the risk of seepage, stormwater cannot flow from the bioretention area reservoir layer to the traditional pavement base layer, existing structure foundations, or future foundations which may be built on adjacent properties.

Bioretention areas should be located at least:

- 10 feet from building foundations*
- 10 feet from property lines
- 150 feet from private water supply wells
- 50 feet from septic systems

*For building foundations, where the 10-foot setback is not possible, an impermeable liner may be used along the sides and bottom of the bioretention area (extending from the surface to the bottom of the practice and outward to meet the 10-foot setback) to prevent seepage or foundation damage.

Proximity to Utilities

Designers should ensure that future tree canopy growth in the bioretention area will not interfere with existing overhead utility lines. When large site development is undertaken the expectation of achieving avoidance will be high. Conflicts may be commonplace on smaller sites and in the PROW. Consult with each utility company on recommended offsets, which will allow utility maintenance work with minimal disturbance to the bioretention system. Where conflicts cannot be avoided, follow these guidelines:

- Consider altering the location or sizing of the bioretention to avoid or minimize the utility conflict. Consider an alternate BMP type to avoid conflict.
- Use design features to mitigate the impacts of conflicts that may arise by allowing the bioretention and the utility to coexist. The bioretention design may need to incorporate impervious areas, through geotextiles or compaction, to protect utility crossings.
- Work with the utility to evaluate the relocation of the existing utility and install the optimum placement and sizing of the bioretention.

- If utility functionality, longevity, and vehicular access to manholes can be assured, accept the bioretention design and location with the existing utility. Incorporate into the bioretention design sufficient soil coverage over the utility or general clearances or other features such as an impermeable liner to assure all entities the conflict is limited to maintenance.

When accepting utility conflict into the bioretention location and design, it is understood the bioretention will be temporarily impacted during utility work but the utility owner will replace the bioretention or, alternatively, install a functionally comparable bioretention according to the specifications in the current version of this Manual. If the bioretention is located in the PROW, the bioretention restoration will also conform with the State of South Carolina Department of Transportation design specifications.

Minimizing External Impacts

Urban bioretention practices may be subject to higher public visibility, greater trash loads, pedestrian traffic, vandalism, and even vehicular loads. Designers should design these practices in ways that prevent, or at least minimize, such impacts. In addition, designers should clearly recognize the need to perform frequent landscaping maintenance to remove trash, check for clogging, and maintain vigorous vegetation. The urban landscape context may feature naturalized landscaping or a more formal design. When urban bioretention is used in sidewalk areas of high foot traffic, designers should not impede pedestrian movement or create a safety hazard. Designers may also install low fences, grates, or other measures to prevent damage from pedestrian short-cutting across the practices.

When bioretention will be included in public rights-of-way or spaces, design manuals and guidance developed by agencies or organizations other than *<local jurisdiction>* may also apply (e.g., State Department of Transportation).

Economic Considerations

Bioretention areas can be particularly cost effective when they are included in areas of the site already planned for landscaping.

4.3.2 Bioretention Conveyance Criteria

There are two basic design approaches for conveying runoff into, through, and around bioretention practices:

1. Off-line: Flow is split or diverted so that only the design storm or design flow enters the bioretention area. Larger flows bypass the bioretention treatment.
2. On-line: All runoff from the CDA flows into the practice. Flows that exceed the design capacity exit the practice via an overflow structure or weir.

If runoff is delivered by a storm drain pipe or is along the main conveyance system, the bioretention area should be designed off-line so that flows do not overwhelm or damage the practice.

Off-line Bioretention

Overflows are diverted from entering the bioretention cell. Optional diversion methods include the following:

- 1) Create an alternate flow path at the inflow point into the structure such that when the maximum ponding depth is reached, the incoming flow is diverted past the facility. In this case,

the higher flows do not pass over the filter bed and through the facility, and additional flow is able to enter as the ponding water filters through the filter media. With this design configuration, an overflow structure in the bioretention area is not required.

- 2) Utilize a low-flow diversion or flow splitter at the inlet to allow only the design storm volume (i.e., the SWRV) to enter the facility (calculations must be made to determine the peak flow from the 85th or 95th percentile storm). This may be achieved with a weir, curb opening, or orifice for the target flow, in combination with a bypass channel or pipe. Using a weir or curb opening helps minimize clogging and reduces the maintenance frequency. With this design configuration, an overflow structure in the bioretention area is required (see on-line bioretention below).

On-line Bioretention

An overflow structure must be incorporated into on-line designs to safely convey larger storms through the bioretention area (see Figure 4.6). The following criteria apply to overflow structures:

- 1) An overflow shall be provided within the practice to pass storms greater than the design storm storage to a stabilized water course. A portion of larger events may be managed by the bioretention area so long as the maximum depth of ponding in the bioretention cell does not exceed 18 inches.
- 2) The overflow device must convey runoff to a storm sewer, stream, or the existing stormwater conveyance infrastructure, such as curb and gutter or an existing channel.
- 3) Common overflow systems within bioretention practices consist of an inlet structure, where the top of the structure is placed at the maximum ponding depth of the bioretention area, which is typically 6 to 18 inches above the surface of the filter bed.
- 4) The overflow device should be scaled to the application. This may be a landscape grate or yard inlet for small practices or a commercial-type structure for larger installations.
- 5) Sufficient depth must be provided between the top of the overflow device and the top of the bioretention area to ensure that the 25-year storm can be safely conveyed through the overflow device.
- 6) The overflow associated with the 2- to 25-year design storms must be controlled so that velocities are non-erosive (generally less than 6 feet per second) at the outlet point, to prevent downstream erosion.

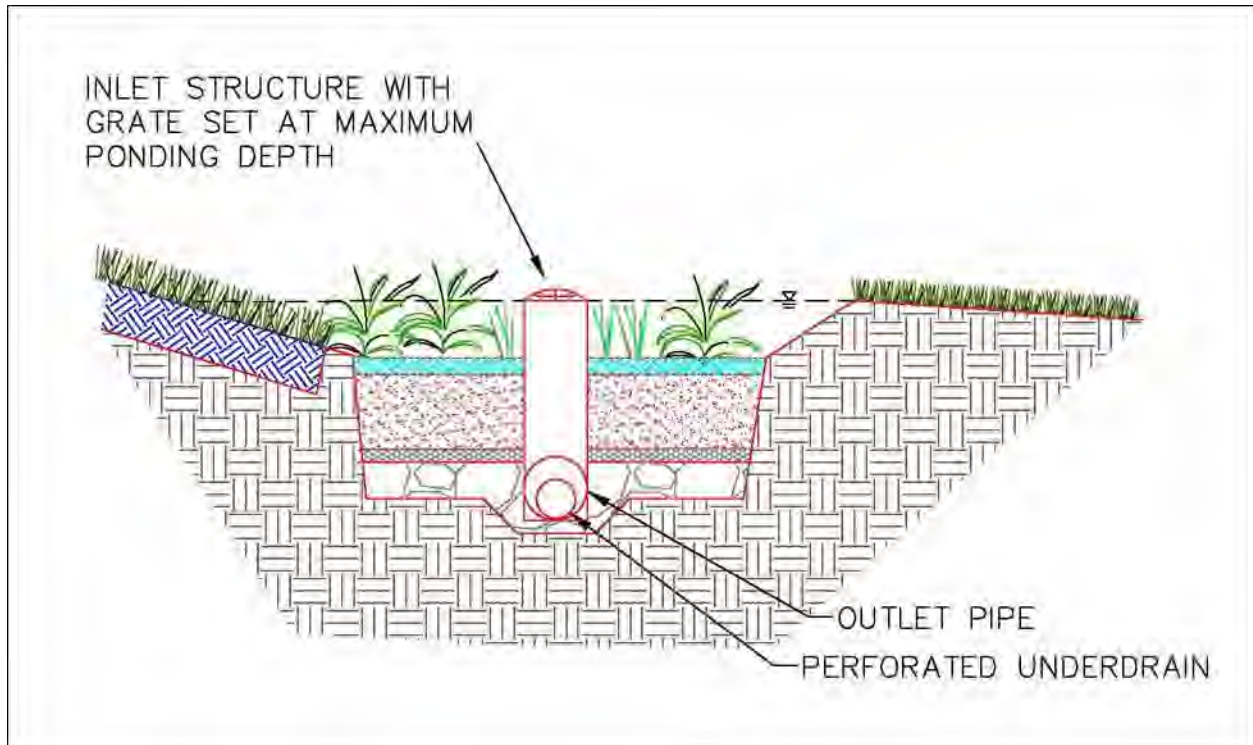


Figure 4.6. Example design of an on-line bioretention with an overflow structure.

4.3.3 Bioretention Pretreatment Criteria

Pretreatment of runoff entering bioretention areas is necessary to trap coarse sediment particles before they reach and prematurely clog the filter bed. Pretreatment measures must be designed to evenly spread runoff across the entire width of the bioretention area. Several pretreatment measures are feasible, depending on the type of the bioretention practice and whether it receives sheet flow, shallow concentrated flow, or deeper concentrated flows. The following are appropriate pretreatment options:

Standard Bioretention (B-1)

- 1) **Pretreatment Cells** (for channel flow). Similar to a forebay, this cell is located at piped inlets or curb cuts leading to the bioretention area and consists of an energy dissipator sized for the expected rates of discharge. It has a storage volume equivalent to at least 15% of the total storage volume (inclusive) with a recommended 2:1 length-to-width ratio. The cell may be formed by a wooden or stone check dam or an earthen or rock berm. Pretreatment cells do not need underlying engineered filter media, in contrast to the main bioretention cell. However, if the volume of the pretreatment cell will be included as part of the bioretention storage volume, the pretreatment cell must de-water between storm events. It cannot have a permanent ponded volume.
- 2) **Grass Filter Strips** (for sheet flow). Grass filter strips that are perpendicular to incoming sheet flow extend from the edge of pavement, with a slight drop at the pavement edge, to the bottom of the bioretention basin at a 5H:1V slope or flatter. Alternatively, if the bioretention basin has side slopes that are 3H:1V or flatter, a 5-foot grass filter strip can be used at a maximum 5% (20H:1V) slope.

- 3) **Stone Diaphragms** (for sheet flow). A stone diaphragm located at the edge of the pavement should be oriented perpendicular to the flow path to pretreat lateral runoff, with a 2- to 4-inch drop from the pavement edge to the top of the stone. The stone must be sized according to the expected rate of discharge.
- 4) **Gravel or Stone Flow Spreaders** (for concentrated flow). The gravel flow spreader is located at curb cuts, downspouts, or other concentrated inflow points, and should have a 2- to 4-inch elevation drop from a hard-edged surface into a gravel or stone diaphragm. The gravel must extend the entire width of the opening and create a level stone weir at the bottom or treatment elevation of the basin.
- 5) **Filter System** (see Section 4.10 Filtering Systems). If using a filter system as a pretreatment facility, the filter will not require a separate pretreatment facility.
- 6) **Innovative or Proprietary Structure**. An approved proprietary structure with demonstrated capability of reducing sediment and hydrocarbons may be used to provide pretreatment. Refer to Section 0 Proprietary Practices for information on approved proprietary structures.

Other pretreatment options may be appropriate, but they must trap coarse sediment particles and evenly spread runoff across the entire width of the bioretention area.

Small-Scale Bioretention (B-2, B-3, B-4, and B-5)

- **Leaf Screens**. A leaf screen serves as part of the gutter system to keep the heavy loading of organic debris from accumulating in the bioretention cell.
- **Pretreatment Cells** (for channel flow). Pretreatment cells are located above ground or covered by a manhole or grate. Pretreatment cells are atypical in small-scale bioretention and are not recommended for residential rain gardens (B-5).
- **Grass Filter Strips** (for sheet flow). Grass filter strips are applied on residential lots, where the lawn area can serve as a grass filter strip adjacent to a rain garden.
- **Stone Diaphragm** (for either sheet flow or concentrated flow). The stone diaphragm at the end of a downspout or other concentrated inflow point should run perpendicular to the flow path to promote settling.

Note: stone diaphragms are not recommended for school settings.

- **Trash Racks** (for either sheet flow or concentrated flow). Trash racks are located between the pretreatment cell and the main filter bed or across curb cuts to allow trash to collect in specific locations and make maintenance easier.

4.3.4 Bioretention Design Criteria

Design Geometry

Bioretention basins must be designed with an internal flow path geometry such that the treatment mechanisms provided by the bioretention are not bypassed or short-circuited. So that the bioretention area to have an acceptable internal geometry, the travel time from each inlet to the outlet should be maximized by locating the inlets and outlets as far apart as possible. In addition, incoming flow must be distributed as evenly as possible across the entire filter surface area.

Inlets and Energy Dissipation

Where appropriate, the inlet(s) to streetscape bioretention (B-2), engineered tree boxes (B-3), and stormwater planters (B-4) should be stabilized using No. 3 stone, splash block, river stone, or other acceptable energy dissipation measures. The following types of inlets are recommended:

- Downspouts to stone energy dissipators.
- Sheet flow over a depressed curb with a 3-inch drop.
- Curb cuts allowing runoff into the bioretention area.
- Covered drains that convey flows across sidewalks from the curb or downspouts.
- Grates or trench drains that capture runoff from a sidewalk or plaza area.
- Drop structures that appropriately dissipate water energy.

Inlets must be designed with sufficient width and slope to avoid unintended bypass. This is of particular concern for curb cuts on streetscape bioretention designs.

Ponding Depth

The recommended surface ponding depth is 6 to 12 inches. Minimum surface ponding depth is 3 inches (averaged over the surface area of the BMP). Ponding depths can be increased to a maximum of 18 inches. However, when higher ponding depths are utilized, the design must consider carefully issues such as safety, fencing requirements, aesthetics, the viability and survival of plants, and erosion and scour of side slopes. This is especially true where bioretention areas are built next to sidewalks or other areas where pedestrians or bicyclists travel. Shallower ponding depths (typically 6 to 12 inches) are recommended for streetscape bioretention (B-2), engineered tree boxes (B-3), and stormwater planters (B-4).

Side Slopes

Traditional bioretention areas (B-1) and residential rain gardens (B-5) should be constructed with side slopes of 3H:1V or flatter. In space-constrained areas, a drop curb design or a precast structure can be used to create a stable, vertical side wall. These drop curb designs should not exceed a vertical drop of more than 12 inches, unless safety precautions, such as railings, walls, grates, etc. are included.

Filter Media

The filter media of a bioretention practice consists of an engineered soil mixture that has been carefully blended to create a filter media that maintains long-term permeability while also providing enough nutrients to support plant growth. The final filter media shall consist of a well-blended mixture of medium to coarse **sand**, **loam soil**, and an **organic amendment** (compost). The sand maintains the desired permeability of the media while the limited amount of loam soil and organic amendments are considered adequate to help support initial plant growth. It is anticipated that the gradual increase of organic material through natural processes will continue to support plant growth without the need to add fertilizer, and the root structure of maturing plants and the biological activity of the media will maintain sufficient long-term permeability.

The following is the recommended composition of the three media ingredients:

- **Sand (Fine Aggregate).** Sand should consist of silica-based medium to coarse sand and be angular or round in shape. The materials shall not be derived from serpentine, shall be free of surface coatings or any other deleterious materials, and shall contain less than 0.5% mica by weight when tested with ASTM C295, Standard Guide for Petrographic Examination of Aggregates for Concrete.

ASTM C-33 concrete sand will typically meet the requirements for the sand to be used in filter media. However, some samples of ASTM C-33 sand may have too high a fraction of fine sand and silt- and clay-sized particles to meet the final filter media particle size distribution requirements. In general, coarser gradations of ASTM C-33 will better meet the filter media particle size distribution and hydraulic conductivity requirements.

Any other materials, such as manufactured sand, limestone-based sands, or crushed glass, shall meet the required particle size distribution (of final filter media mixture) and be demonstrated as adequately durable when tested by AASHTO T-103 or T-104.

- **Loam Soil.** Loam soil is generally defined as the combination of sand-sized material, fines (silt and clay), and any associated soil organic matter. Since the objective of the specification is to carefully establish the proper blend of these ingredients in the final filter media, the designer (or contractor or materials supplier) must carefully select the topsoil source material so as not exceed the amount of any one ingredient.

Generally, a natural loamy sand, sandy loam, or loam (per the USDA Textural Triangle) A-horizon topsoil free of subsoil, large stones, earth clods, sticks, stumps, clay lumps, roots, viable noxious weed seed, plant propagules, brush, or other objectionable, extraneous matter or debris is suitable for the loam soil source material.

- **Organic Amendments.** Organic amendments shall consist of stable, well-composted, natural, carbon-containing organic materials such as leaf mulch, peat moss, humus, or yard waste (consistent with the material specifications found in Appendix C Soil Compost Amendment Requirements). The material shall be free of debris such as plastics, metal, concrete, stones larger than ½ inch, larger branches and roots, and wood chips over 1 inch in length or diameter.

Complete Filter Media

The complete filter media shall consist of a pug milled or mechanically blended mix of the three source materials. Mixing the filter media on site with excavation or loading equipment is not sufficient to achieve the required blending. The resulting filter media must meet the following particle size composition:

- 80%–90% sand
- 10%–20% silt and clay
- Maximum 10% clay

The particle size analysis must be conducted on the mineral fraction only or following appropriate treatments to remove organic matter before particle size analysis. Note: The above percentages are based on weight rather than volume.

Additionally, the final filter media mix must either meet the grain size distribution indicated in Table 4.4, or have a saturated hydraulic conductivity of 2 to 6 inches per hour according to test procedure ASTM

D2434 when compacted (at 60% to 80% optimum moisture content) to a minimum of 86% of the maximum density as determined by AASHTO T 99 (ASTM, 2006).

Table 4.4. Filter media grain size distribution.

Sieve Type	Particle Size (mm)	Percent Passing (%)
-	8.0	100
No. 5	4.0	92–100
No. 10	2.0	72–100
No. 18	1.0	43–95
No. 35	0.5	20–65
No. 60	0.25	11–37
No. 140	0.105	10–25
No. 270	0.053	10–20
-	0.002	0–10

The filter media shall also meet the following criteria (see summary in Table 4.5):

- Organic content shall be between 3.0% and 5.0% by weight;
- pH shall be between 6.0 and 7.5;
- Cation exchange capacity (CEC) shall be a minimum of 5 meq/100g or cmol+/kg;
- Phosphorus content shall meet one of the following:
 - P-Index between 10 and 30;
 - 15 mg/kg Mehlich I Extraction;
 - 18 to 40 mg/kg Mehlich III Extraction; and
- Soluble salts shall be less than 500 ppm or less than 0.5 mmhos/cm.

Notes:

P-Index is an agronomic test used in North Carolina to indicate the potential for P leaching from soil. The test method has been revised to add P concentration to facilitate local lab testing. The value of the P-Index is the correlation between the CEC and P concentrations: higher CEC indicates greater adsorption sites within the media, thus increasing the ability to fix P within the soil, thereby allowing higher P concentrations without leaching. While P-Index may be a better overall representation of P, the test method may not be readily available.

Tests for organic content, CEC, soluble salts, and pH are referenced to be in accordance with Recommended Soil Testing Procedures from the Southeastern United States, Current Edition, Southern Cooperative Series Bulletin No. 419. Use the following tests from Southern Cooperative Series Bulletin No. 419:

- (a) Test for soil content by loss of weight on ignition
- (b) Test for soil CEC by exchangeable acidity method
- (c) Test for soluble salts shall be by the 1:2 (v:v) soil:water Extract Method
- (d) Test for pH by the SMP method

Table 4.5. Summary of filter media criteria for bioretention.

Filter Media Criterion	Description	Standard(s)
General Composition	Filter media must have the proper proportions of sand, loam soil, and organic amendments to promote plant growth, drain at the proper rate, and filter pollutants.	80%–90% sand; 10%–20% soil fines; maximum of 10% clay; and 3%–5% organic content Must meet final filter media grain size distribution OR have a saturated hydraulic conductivity of 2–6 inches per hour
Sand	Medium to coarse aggregate	Based on final filter media grain size distribution
Loam Soil	Loamy sand, sandy loam, or loam	USDA Textural Triangle
Organic Amendments	Stable, well-composted, natural, carbon-containing organic materials such as leaf mulch, peat moss, humus, or yard waste.	Appendix C
P-Index or Phosphorus (P) Content	Filter media with high P levels will export P through the media and potentially to downstream conveyances or receiving waters.	P-Index of 10–30 or P content = 5–15 mg/kg (Mehlich I) or 18–40 mg/kg (Mehlich III)
Cation Exchange Capacity (CEC)	The CEC is determined by the amount of soil fines and organic matter. Higher CEC will promote pollutant removal.	CEC > 5 milliequivalents per 100 grams
pH	Soil pH influences nutrient availability and microbial populations.	Between 6.0 and 7.5
Soluble Salts	Filter media with high levels of soluble salts can injure or kill plants.	Less than 500 ppm or less than 0.5 mmhos/cm.

In cases where greater removal of specific pollutants is desired, additives with documented pollutant removal benefits, such as water treatment residuals, alum, iron, or other materials, may be included in the filter media if accepted by *<local jurisdiction>*.

Filter Media Depth

The filter media bed depth must be a minimum of 18 inches for the No Underdrain or Standard designs. The media depth must be 24 inches or greater for the IWS design. **In order to receive the full credit for bacteria removal a minimum media depth of 24” is required.** The media depth must not exceed 6.0

feet. Turf, perennials, or shrubs should be used instead of trees to landscape shallower filter beds. See Table 4.7 and Table 4.8 for a list of recommended native plants.

Surface Cover

Mulch is the recommended surface cover material, but other materials may be substituted, as described below:

- **Mulch.** A 2- to 3-inch layer of mulch on the surface of the filter bed enhances plant survival, suppresses weed growth, pretreats runoff before it reaches the filter media, and prevents rapid evaporation of rainwater. Shredded hardwood bark mulch, aged for at least 6 months, is recommended/required for surface cover, as it retains a significant amount of pollutants and typically will not float away. The maximum depth of the mulch layer is 3 inches.
- **Alternative to Mulch Cover.** In some situations, designers may consider alternative surface covers, such as turf, native groundcover, erosion control matting (e.g., coir or jute matting), river stone, or pea gravel. The decision regarding the type of surface cover to use should be based on function, expected pedestrian traffic, cost, and maintenance. When alternative surface covers are used, methods to discourage pedestrian traffic should be considered. Stone or gravel are not recommended in parking lot applications, since they increase soil temperature and have low water-holding capacity.
- **Media for Turf Cover.** One adaptation suggested for use with turf cover is to design the filter media primarily as a sand filter with organic content only at the top. Compost, as specified in Appendix C Soil Compost Amendment Requirements, tilled into the top layers will provide organic content for the vegetative cover. If grass is the only vegetation, the ratio of organic matter in the filter media composition may be reduced.

Choking Layer

A 2- to 4-inch layer of choker stone (e.g., typically ASTM D448 No. 8 or No. 89 washed gravel) should be placed beneath the filter media and over the underdrain stone.

Geotextile

If the available head is limited, or the depth of the practice is a concern, geotextile fabric may be used in place of the choking layer. An appropriate geotextile fabric that complies with AASHTO M-288 Class 2, latest edition, requirements, and has a permeability of at least an order of magnitude (10 times) higher than the soil subgrade permeability must be used. Geotextile fabric may be used on the sides of bioretention areas as well.

Underdrains

Many bioretention designs will require an underdrain (see Section 4.3.1 Bioretention Feasibility Criteria). The underdrain should be a 4- or 6-inch perforated schedule 40 PVC pipe, or equivalent corrugated HDPE for small bioretention BMPs, with three or four rows of 3/8-inch perforations at 6 inches on center. The underdrain must be encased in a layer of clean, double washed ASTM D448 No.57 or smaller (No. 68, 8, or 89) stone. The maximum depth of the underdrain stone layer combined with the choking layer is 12 inches, and it cannot extend beyond the surface dimensions of the bioretention filter media. The underdrain must be sized so that the bioretention BMP fully drains within 72 hours or less.

Multiple underdrains may be necessary for bioretention areas wider than 40 feet, and each underdrain is recommended to be located no more than 20 feet from the next pipe or the edge of the bioretention.

For long and narrow applications, a single underdrain running the length of the bioretention is sufficient. Each underdrain must include a cleanout pipe (minimum 4 inches in diameter).

All bioretention practices should include at least one observation well and/or cleanout pipe (minimum 4 inches in diameter). The observation wells should be tied into any of the Ts or Ys in the underdrain system and must extend upward above the surface of the bioretention area.

Internal Water Storage (IWS)

In cases where limited head is a site constraint and the bioretention must be designed to be relatively shallow (e.g., depth to groundwater, relatively flat sites, or other factors), or where increased nitrogen removal is desired, an internal water storage design that creates an infiltration sump below the underdrain can be used. The internal water storage zone may be created by an upturned elbow in the underdrain, a weir in the outlet structure, or other means that create a permanently saturated depth above the underdrain. The internal water storage zone must be kept at least 12 inches below the surface of the bioretention area. For more information on this design consult North Carolina Stormwater Design Manual Chapter C-2. (NCDEQ, 2017)

Observation Wells

All bioretention practices must include at least one observation well consisting of a well-anchored, 4- to 6-inch diameter PVC pipe (see Figure 4.7). For standard and IWS bioretention designs, the non-perforated observation wells should be tied into any of the Ts or Ys in the underdrain system and must extend upward above the ponding level. These observation wells can also double as cleanouts. Observation wells for bioretention designs without underdrains should be perforated in the gravel layer only and also must extend upward to the top of ponding.

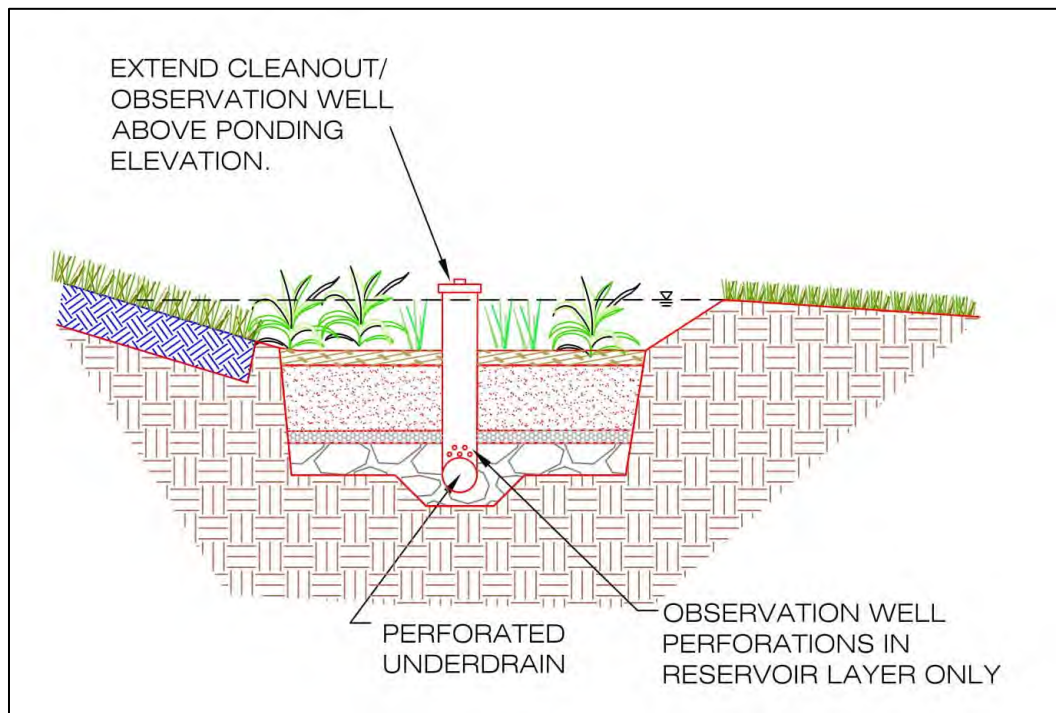


Figure 4.7. Example design of a bioretention with an observation well/cleanout device.

Underground Storage Layer (optional)

For IWS bioretention designs, an underground storage layer consisting of chambers, perforated pipe, stone, or other acceptable material can be incorporated below the filter media layer and underdrain to increase the storage for larger storm events. Unlike the underdrain stone layer, this storage layer can be extended beyond the surface dimensions of the bioretention filter media if additional storage volume is needed. The underground storage layer may be designed to provide detention for the 2- to 25-year, or 100-year storms, as needed. The depth and volume of the storage layer will depend on the target storage volumes needed to meet the applicable detention criteria. Suitable conveyance must also be provided to ensure that the storage is fully utilized without overflow of the bioretention area.

Impermeable Liner (optional)

An impermeable liner is not typically required, although it may be utilized for Standard designs in fill applications where deemed necessary by a geotechnical investigation, on sites with contaminated soils, or on the sides of the practice to protect adjacent structures from seepage. Use a PVC geomembrane liner or equivalent of an appropriate thickness (follow manufacturer's instructions for installation). Field seams must be sealed according to the liner manufacturer's specifications. A minimum 6-inch overlap of material is required at all seams.

Material Specifications

Recommended material specifications for bioretention areas are shown in Table 4. 6.

Table 4.6. Bioretention material specifications.

Material	Specification	Notes
Filter Media	<ul style="list-style-type: none"> ▪ See Table 4.5 and Table 4.6 	Minimum depth of 24 inches (18 inches for standard design). To account for settling/compaction, it is recommended that 110% of the plan volume be utilized.
Mulch Layer	Use aged, shredded hardwood bark mulch	Lay a 2- to 3-inch layer on the surface of the filter bed.
Alternative Surface Cover	Use river stone or pea gravel, coir and jute matting, or turf cover.	Lay a 2- to 3-inch layer of to suppress weed growth.
Topsoil for Turf Cover	Loamy sand or sandy loam texture, with less than 5% clay content, pH corrected to between 6 and 7, and an organic matter content of at least 2%.	3-inch tilled into surface layer.
Geotextile or Choking Layer	An appropriate geotextile fabric that complies with AASHTO M-288 Class 2, latest edition, requirements and has a permeability of at least an order of magnitude (10 times) higher than the soil subgrade permeability must be used	Can use in place of the choking layer where the depth of the practice is limited. Geotextile fabric may be used on the sides of bioretention areas as well.
	Lay a 2- to 4-inch layer of choker stone (e.g., typically No.8 or No.89 washed gravel) over the underdrain stone.	
Underdrain Stone	1-inch diameter stone must be double-washed and clean and free of all fines (e.g., ASTM D448 No. 57 or smaller stone).	At least 2 inches above and below the underdrain.
Storage Layer (optional)	To increase storage for larger storm events, chambers, perforated pipe, stone, or other acceptable material can be incorporated below the filter media layer.	
Impermeable Liner (optional)	Where appropriate, use a PVC Geomembrane liner or equivalent material of an appropriate thickness.	
Underdrains, Cleanouts, and Observation Wells	Use 4- or 6-inch rigid schedule 40 PVC pipe, or equivalent corrugated HDPE for small bioretention BMPs, with three or four rows of 3/8-inch perforations at 6 inches on center. Multiple underdrains may be necessary for bioretention areas wider than 40 feet, and each underdrain is recommended to be located no more than 20 feet from the next pipe or the edge of the bioretention.	Lay the perforated pipe under the length of the bioretention cell and install non-perforated pipe as needed to connect with the storm drain system or to daylight in a stabilized conveyance. Install T's and Y's as needed, depending on the underdrain configuration. Extend cleanout pipes to the surface of ponding.
Plant Materials	See Section 4.3.5 Bioretention Landscaping Criteria	Establish plant materials as specified in the landscaping plan and the recommended plant list.

Signage

Bioretention units in highly urbanized areas should be stenciled or otherwise permanently marked to designate it as a structural BMP. The stencil or plaque should indicate (1) its water quality purpose, (2) that it may pond briefly after a storm, and (3) that it is not to be disturbed except for required maintenance.

Specific Design Issues for Streetscape Bioretention (B-2)

Streetscape bioretention is installed in the road right-of-way either in the sidewalk area or in the road itself. In many cases, streetscape bioretention areas can also serve as traffic-calming or street-parking control devices. The basic design adaptation is to move the raised concrete curb closer to the street or in the street, and then create inlets or curb cuts that divert street runoff into depressed vegetated areas within the right-of-way. Roadway stability can be a design issue where streetscape bioretention practices are installed. Designers should consult design standards pertaining to roadway drainage. It may be necessary to provide an impermeable liner on the road-side of the bioretention area to keep water from saturating the road's sub-base. Streetscape bioretention in the PROW should comply with State Department of Transportation requirements, where applicable.

Specific Design Issues for Engineered Tree Boxes (B-3)

Engineered tree boxes are installed in the sidewalk zone near the street where urban street trees are normally installed (see Figure 4.8). The soil volume for the tree pit is increased and used to capture and treat stormwater. Treatment is increased by using a series of connected tree planting areas together in a row. The surface of the enlarged planting area may be mulch, grates, permeable pavers, or conventional pavement. The large and shared rooting space and a reliable water supply increase the growth and survival rates in this otherwise harsh planting environment. Engineered tree boxes in the PROW should comply with State Department of Transportation requirements, where applicable.

When designing engineered tree boxes, the following criteria may apply.

- Engineered tree box designs sometimes cover portions of the filter media with pervious pavers or cantilevered sidewalks (see Figure 4.9). In these situations, the following design considerations must be incorporated:
 - The filter media must be connected beneath the surface so that stormwater and tree roots can share this space.
 - As with all bioretention areas, a minimum surface ponding depth of 3 inches, averaged over the surface area of the bioretention area, is required. For example, if the additional surface area under the pavement doubles the overall surface area, then the ponding depth will need to be at least 6 inches.
 - Sand based structural soil (SBSS) may be considered as bioretention filter media if it meets the same phosphorus content limits. However, if the SBSS is to be compacted beyond the State Standards' maximum compaction for bioretention, it shall be assigned a porosity of 0.10. The State Standards call for bioretention soil to be compacted to 84% maximum dry density while SBSS is to be compacted to 93%.
- Installing an engineered tree pit grate over filter bed media is one possible solution to prevent pedestrian traffic and trash accumulation.

- Low, wrought iron fences can help restrict pedestrian traffic across the tree pit bed and serve as a protective barrier if there is a drop-off from the pavement to the micro-bioretentation cell.
- A removable grate may be used to allow the tree to grow through it.
- Each tree needs a minimum rootable soil volume as described in Section 4.12 Tree Planting and Preservation.
- See Section 4.14.2 Planting Trees for further guidance and requirements on tree planting.

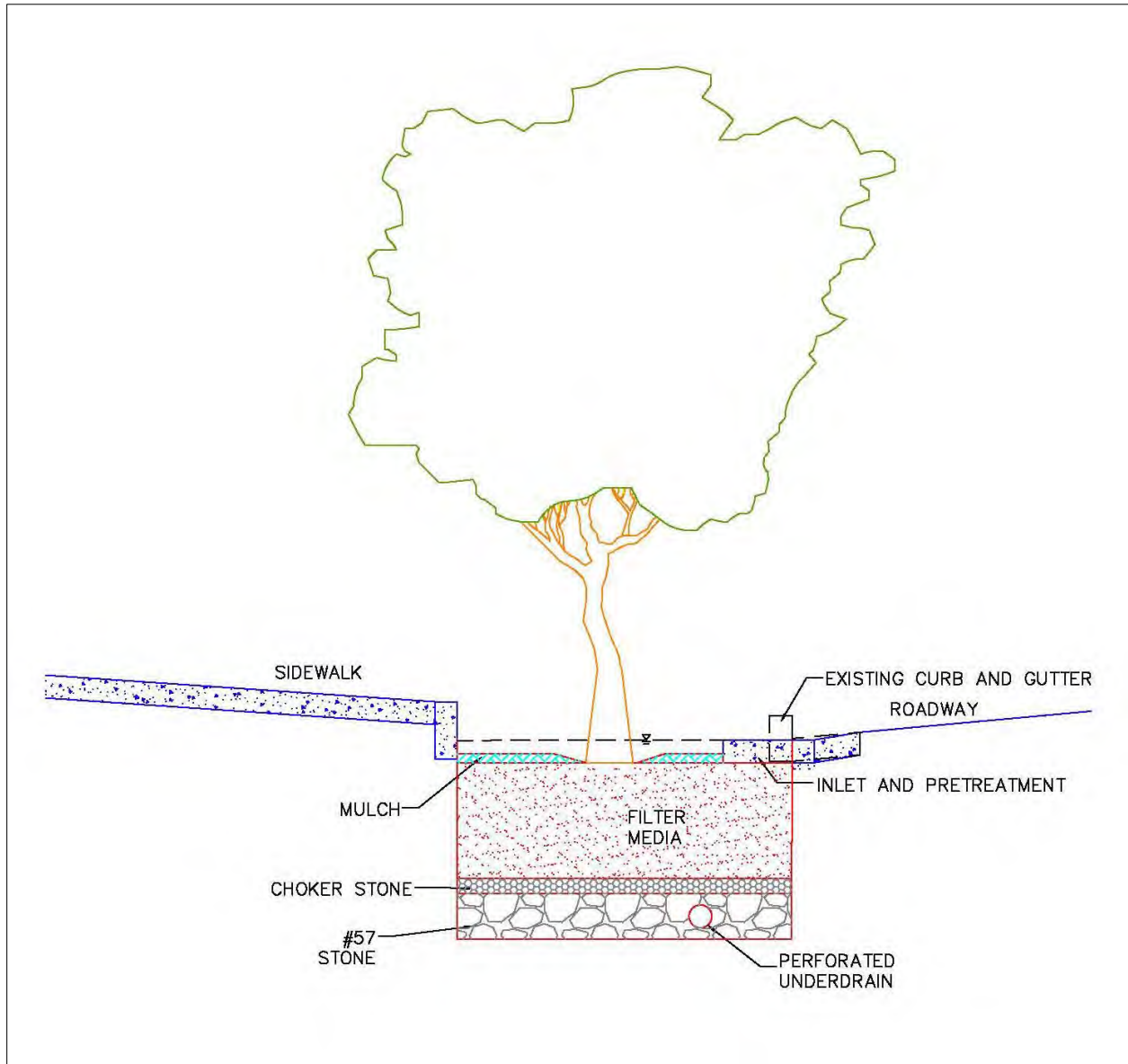


Figure 4.8. Example design of a tree box.

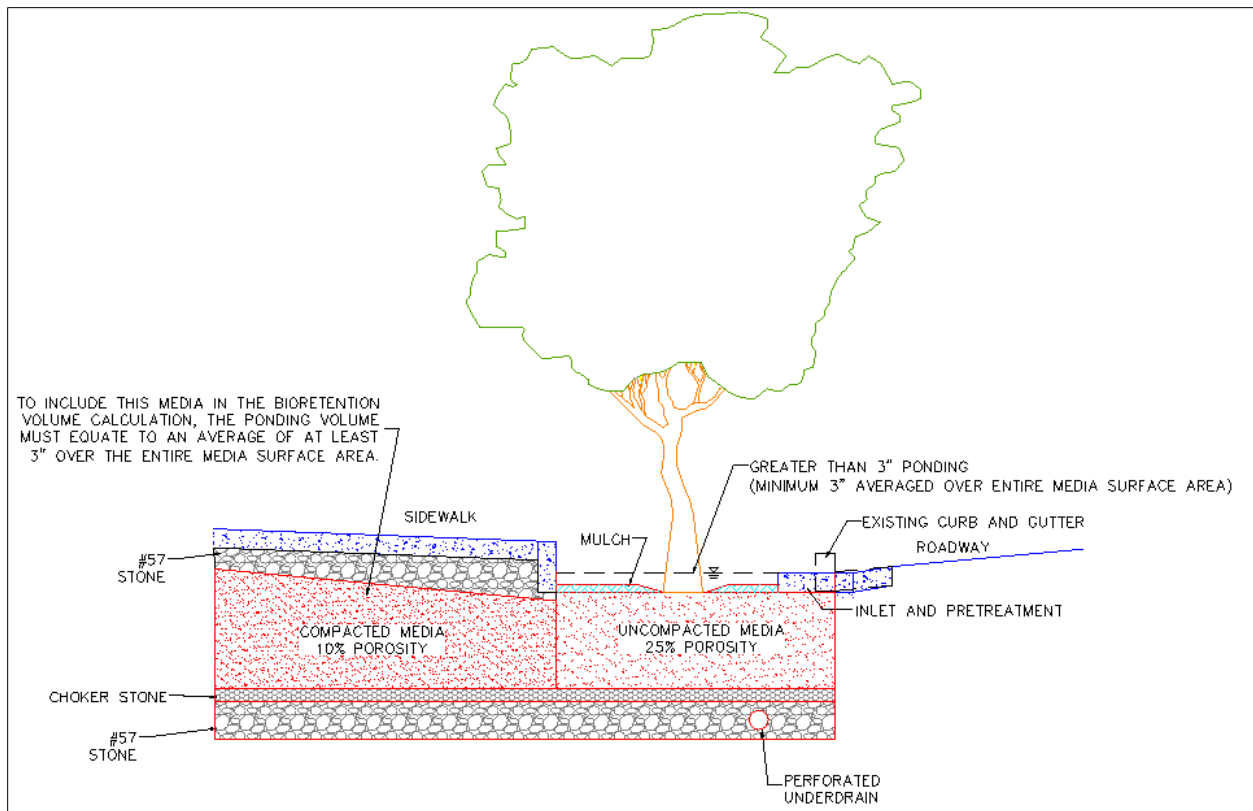


Figure 4.9. Example design of a tree box with compacted media extending below sidewalk.

Specific Design Issues for Stormwater Planters (B-4)

Stormwater planters are a useful option to disconnect and treat rooftop runoff, particularly in ultra-urban areas. Stormwater planters combine an aesthetic landscaping feature with a functional form of stormwater treatment. Stormwater planters generally receive runoff from adjacent rooftop downspouts and are landscaped with plants that tolerate periods of both drought and inundation. The two basic design variations for stormwater planters are the infiltration planter and the filter planter. A filter planter is illustrated in Figure 4.10.

An infiltration planter filters rooftop runoff through soil in the planter followed by infiltration into soils below the planter. Infiltration planters should be placed at least 10 feet away from a building to prevent possible flooding or basement seepage damage.

A filter planter does not allow for infiltration and is constructed with a watertight concrete shell or an impermeable liner on the bottom to prevent seepage. Since a filter planter is self-contained and does not infiltrate into the ground, it can be installed right next to a building. Runoff is captured and temporarily ponded above the planter bed. Overflow pipes are installed to discharge runoff when maximum ponding depths are exceeded, to avoid water spilling over the side of the planter. In addition, an underdrain is used to carry runoff to the storm sewer system.

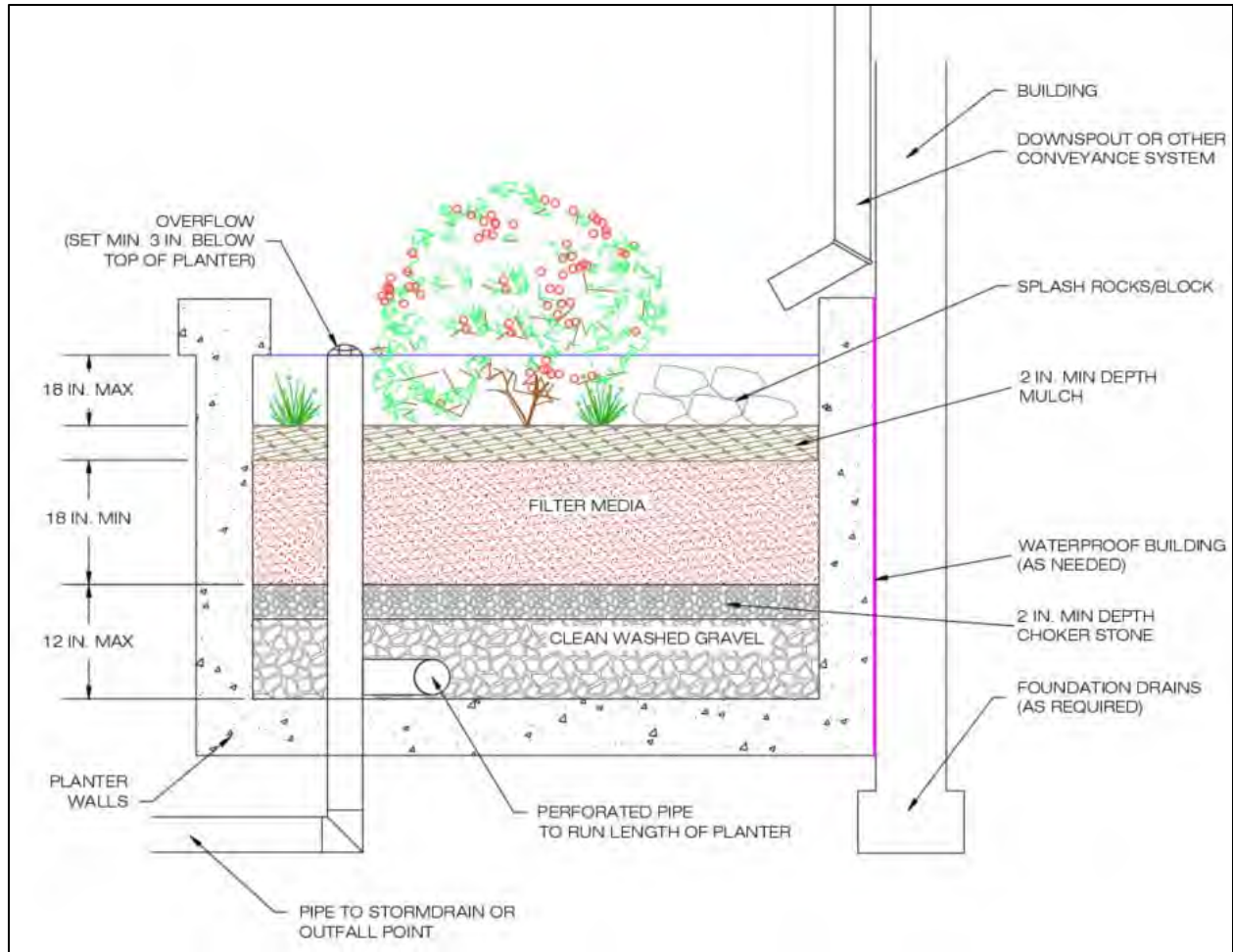


Figure 4.10. Example design of a stormwater planter (B-4).

Plant materials must be capable of withstanding moist and seasonally dry conditions. The planter can be constructed of stone, concrete, brick, wood, or other durable material. If treated wood is used, care should be taken so that trace metals and creosote do not leach out of the planter.

Specific Design Issues for Residential Rain Gardens (B-5)

For some residential applications, front, side, and/or rear yard bioretention may be an attractive option. This form of bioretention captures roof, lawn, and driveway runoff from low- to medium- density residential lots in a depressed area (i.e., 6 to 12 inches) between the home and the primary stormwater conveyance system (i.e., roadside ditch or pipe system).

BMP Sizing

Bioretention is typically sized to capture the SWR_v or larger design storm volumes in the surface ponding area, filter media, and gravel reservoir layers of the BMP.

Total storage volume of the BMP is calculated using Equation 4.1.

Equation 4.1. Bioretention storage volume.

$$S_v = SA_{\text{bottom}} \times [(d_{\text{media}} \times \eta_{\text{media}}) + (d_{\text{gravel}} \times \eta_{\text{gravel}})] + (SA_{\text{average}} \times d_{\text{ponding}})$$

Where:

- S_v = Total storage volume of bioretention (cubic feet)
- SA_{bottom} = Bottom surface area of bioretention (square feet)
- d_{media} = Depth of filter media, including mulch later (ft)
- η_{media} = Effective porosity of the filter media (typically 0.25)
- d_{gravel} = Depth of the underdrain and underground storage gravel layer, including choker stone (ft)
- η_{gravel} = Effective porosity of the gravel layer (typically 0.4)
- SA_{average} = Average surface area of the bioretention (square feet), where SA_{top} is the surface area of the top of the bioretention

$$SA_{\text{average}} = \frac{SA_{\text{bottom}} + SA_{\text{top}}}{2}$$

- d_{ponding} = Maximum ponding depth of bioretention (ft)

Equation 4.1 can be modified if the storage depths of the filter media, gravel layer, or ponded water vary in the actual design or with the addition of any surface or subsurface storage components (e.g., additional area of surface ponding, subsurface storage chambers, etc.). The maximum depth of ponding in the bioretention must not exceed 18 inches. If storage practices will be provided off-line or in series with the bioretention area, the storage practices should be sized using the guidance in Section 4.9 Storage Practices.

Note: In order to increase the storage volume of a bioretention area, the ponding surface area may be increased beyond the filter media surface area. However, the top surface area of the practice (i.e., at the top of the ponding elevation) may not be more than twice the size of the surface area of the filter media (SA_{bottom}).

For bioretention designs without an underdrain, the storage volume must infiltrate within 72 hours, as in Equation 4.2.

Equation 4.2. Bioretention infiltration rate check equation.

$$S_{v_{\text{infiltrate}}} = \frac{SA_{\text{bottom}}(K_{\text{sat}} \times t_d)}{12}$$

$S_{v_{\text{infiltrate}}}$ =	Storage volume that will infiltration within 72 hours (cubic feet)
SA_{bottom} =	Bottom surface area of bioretention (square feet)
K_{sat} =	Field-verified saturated hydraulic conductivity for the native soils (ft/day)
t_d =	Drawdown time (3 days)

If $S_{v_{\text{infiltrate}}}$ is greater than or equal to S_v , then the entire S_v will infiltrate within 72 hours. If it is not, the storage volume of the bioretention area should be reduced accordingly.

Bioretention can be designed to address, in whole or in part, the detention storage needed to comply with channel protection and/or flood control requirements. The Sv can be counted as part of the 2- to 25-year runoff volumes to satisfy stormwater quantity control requirements.

4.3.5 Bioretention Landscaping Criteria

Landscaping is critical to the performance and function of bioretention areas. Therefore, a landscaping plan shall be provided for bioretention areas.

Minimum plan elements include the proposed bioretention template to be used, delineation of planting areas, and the planting plan including the following:

- Common and botanical names of the plants used
- Size of planted materials
- Mature size of the plants
- Light requirements
- Maintenance requirements
- Source of planting stock
- Any other specifications
- Planting sequence

It is recommended that the planting plan be prepared by a qualified landscape architect professional (e.g., licensed professional landscape architect, certified horticulturalist) to tailor the planting plan to the site-specific conditions.

Native plant species are preferred over non-native species, but some ornamental species may be used for landscaping effect if they are not aggressive or invasive. Some popular native species that work well in bioretention areas and are commercially available can be found in Table 4.7 and Table 4.8.

The degree of landscape maintenance that can be provided will determine some of the planting choices for urban bioretention areas. Plant selection differs if the area will be frequently mowed, pruned, and weeded, in contrast to a site that will receive minimum annual maintenance. In areas where less maintenance will be provided and where trash accumulation in shrubbery or herbaceous plants is a concern, consider a “turf and trees” landscaping model where the turf is mowed along with other turf areas on the site. Spaces for herbaceous flowering plants can be included.

Table 4.7. Bioretention-appropriate plants: perennial and grass

Scientific Name	Common Name	Wetland Indicator ¹	Inundation Tolerance	Salt Tolerance	Notes
<i>Aletris farinosa</i>	White Colicroot	FAC	Moist soil	None	
<i>Andropogon gerardii</i>	Big Bluestem	FAC	No	Moderate	
<i>Aquilegia canadensis</i>	Wild Columbine	FACU	No	None	
<i>Asclepias incarnata</i>	Swamp Milkweed	OBL	Saturated	None	
<i>Asclepias lanceolata</i>	Red Milkweed	OBL	Wet soils	Moderate / brackish	
<i>Aster novae-angliae</i>	New England Aster	FACW	Moist soils, yes	Yes	
<i>Athyrium filix-femina</i>	Lady Fern	FAC	Moist to wet soils	None	
<i>Canna glauca</i>	Water Canna	OBL	Moist to wet soils	None	
<i>Canna flaccida</i>	Golden Canna	OBL	Moist to wet soils	None	
<i>Carex stricta</i>	Tussock Sedge	OBL	Saturated, 0-6"	None	
<i>Chasmanthium latifolium</i>	River Oats	FAC	Moist soils	None	
<i>Chelone glabra</i>	White Turtlehead	OBL	Moist to wet soils		
<i>Conoclinium coelestinum</i>	Blue Mistflower	FAC	Moist to Wet soils		
<i>Crinum americanum</i>	Southern Swamp Lily	OBL	Saturated		
<i>Dulichium arundinaceum</i>	Threeway Sedge	OBL	Saturated, shallow	None	
<i>Echinodorus cordifolius</i>	Creeping Burhead	OBL	Saturated, shallow		
<i>Equisetum hyemale</i>	Scouring Rush	FACW	Saturated, shallow		
<i>Eupatorium fistulosum</i>	Joe Pye Weed	FACW	Moist to Wet Soils		
<i>Geranium maculatum</i>	Spotted Geranium	FACU	Moist Soils		
<i>Helianthus angustifolius</i>	Swamp Sunflower, Narrowleaf Sunflower	FACW	Wet Soils		

Scientific Name	Common Name	Wetland Indicator ¹	Inundation Tolerance	Salt Tolerance	Notes
<i>Hibiscus coccineus</i>	Scarlet Swamp Hibiscus	OBL	Saturated, shallow		
<i>Hibiscus moscheutos</i>	Rose Mallow, Hibiscus	OBL	Saturated, shallow	Low	
<i>Hymenocallis caroliniana</i>	Spider Lily	OBL	Saturated, shallow	None	
<i>Iris versicolor</i>	Virginia Iris	OBL	Shallow	None	
<i>Juncus effuses</i>	Common Rush	OBL	Shallow <6"	Low	
<i>Liatris spicata</i>	Gayfeather, Blazing Star	FAC	Moist Soils	Low	
<i>Lobelia cardinalis</i>	Cardinal Flower	FACW	Moist to Wet Soils	None	
<i>Lobelia siphilitica</i>	Blue Lobelia	OBL	Moist to wet soils		
<i>Lysimachia ciliata</i>	Fringed Loosestrife	FACW	Moist to wet soils, seasonal flooding		
<i>Mimulus ringens</i>	Allegheny Monkeyflower	OBL	Saturated, shallow		
<i>Onoclea sensibilis</i>	Sensitive Fern	FACW	Moist to wet soils		
<i>Osmunda cinnamomea</i>	Cinnamon Fern	FACW	Moist to wet soils	Low	
<i>Osmunda spectabilis</i>	Royal Fern	OBL	Moist to wet soils	None	
<i>Orontium aquaticum</i>	Golden Club	OBL	Up to 10"		
<i>Panicum virgatum</i>	Switch Grass	FAC	Moist soil	Moderate	
<i>Peltandra virginica</i>	Green Arrow Arum	OBL	Shallow < 1'	Low (< 2 ppt)	
<i>Pontederia cordata</i>	Pickerelweed	OBL	Shallow < 1'	Low (< 3 ppt)	
<i>Physostegia virginiana</i>	Obedient Plant	FACW	Moist soil		
<i>Polygonatum biflorum</i>	Great Solomon's Seal	FACU	Moist soil		
<i>Rhynchospora colorata</i>	Starrush Whitetop	FACW	Saturated		
<i>Rudbeckia laciniata</i>	Cutleaf Coneflower	FACW	Moist soil	None	

Scientific Name	Common Name	Wetland Indicator ¹	Inundation Tolerance	Salt Tolerance	Notes
<i>Sagittaria latifolia</i>	Common Arrowhead, Duck Potato	OBL	Up to 2.0'	None	
<i>Saururus cernuus</i>	Lizard's Tail	OBL	Shallow < 4"	None	
<i>Schizachyrium scoparium</i>	Little Bluestem	FACU	Moist soil	None	
<i>Schoenoplectus tabernaemontani</i>	Softstem Bulrush	OBL	Wet soil to standing water	Fresh or Brackish	
<i>Solidago sempervirens</i>	Seaside Goldenrod	FACW	Yes	High	
<i>Sorghastrum nutans</i>	Indiangrass	FACU	Moist soil	Moderate	
<i>Spartina alterniflora</i>	Saltmarsh Cordgrass	OBL	Yes	High	
<i>Spartina bakeri</i>	Sand cordgrass	FACW	Moist to wet soils	Fresh - Saline	
<i>Spartina patens</i>	Saltmeadow Cordgrass	FACW	Wet soils	High	
<i>Thalia dealbata</i>	Powdery Alligator-flag	OBL	up to 1.5'	Yes	
<i>Tradescantia virginiana</i>	Virginia Spiderwort	FAC	Moist soils	None	
<i>Vernonia noveboracensis</i>	Ironweed	FACW	Moist soils	None	

1. Wetland Indicator Notes:

FAC = Facultative, equally likely to occur in wetlands or non-wetlands (estimated probability 34%–66%).

FACU = Facultative Upland, usually occurs in non-wetlands (estimated probability 67%–99%), but occasionally found on wetlands (estimated probability 1%–33%).

FACW = FACW Facultative Wetland, usually occurs in wetlands (estimated probability 67%–99%), but occasionally found in non-wetlands.

OBL = Obligate Wetland, occurs almost always (estimated probability 99%) under natural conditions in wetlands

Table 4.8. Bioretention-appropriate plants: shrubs and bushes

Scientific Name	Common Name	Wetland Indicator ¹	Inundation Tolerance	Salt Tolerance	Notes
<i>Baccharis halimifolia</i>	Groundsel Tree, Salt Myrtle	FAC	Wet soils	High	
<i>Callicarpa americana</i>	Beautyberry	FACU	Moist soils	None	
<i>Cephalanthus occidentalis</i>	Button Bush	OBL	Up to 3 ft	Low	
<i>Clethra alnifolia</i>	Summersweet Sweet Pepperbush	FACW	Moist to wet soils	None	
<i>Cyrilla racemiflora</i>	Swamp Titi	FACW	Moist to wet soils	Low	
<i>Hamamelis virginiana</i>	Witch Hazel	FACU	Moist to wet soils	None	
<i>Hypericum prolificum</i>	Shrubby St. John's Wort	FAC	Moist soils, flood tolerant	None	
<i>Ilex glabra</i>	Inkberry	FACW	Wet soils, flood tolerant	Moderate	
<i>Ilex verticillata</i>	Winterberry Holly	FACW	Moist to wet soils	None	
<i>Ilex vomitoria</i>	Yaupon Holly	FAC	Moist soils	Moderate	
<i>Itea virginica</i>	Virginia Sweetspire	FACW	Moist to wet soils	None	
<i>Kosteletzkya virginica</i>	Seashore Mallow	OBL	Moist to wet soils	Moderate	
<i>Lindera benzoin</i>	Spicebush	FACW	Seasonal inundation	None	
<i>Myrica cerifera</i>	Wax Myrtle	FAC	Moist to wet soils	Moderate	
<i>Photinia pyrifolia</i>	Red Chokeberry	FACW	Moist soils	Low	
<i>Rhododendron canescens</i>	Dwarf Azalea	FACW	Moist soils	None	
<i>Rhododendron viscosum</i>	Swamp Azalea	OBL	Wet soil	None	
<i>Rosa carolina</i>	Carolina Rose	FACU	Moist to wet soils	Moderate	
<i>Sabal minor</i>	Dwarf Palmetto	FACW	Moist to wet soils	None	
<i>Sambucus canadensis</i>	Elderberry	FACW	Moist to wet soils	None	

Scientific Name	Common Name	Wetland Indicator ¹	Inundation Tolerance	Salt Tolerance	Notes
<i>Serenoa repens</i>	Saw Palmetto	FACU	Occasionally wet	None	
<i>Vaccinium corymbosum</i>	Highbush Blueberry	FACW	Wet soil	High	
<i>Viburnum dentatum</i>	Arrowwood	FAC	Moist to wet	None	

1. Wetland Indicator Notes:

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FACU = Facultative Upland, usually occurs in non-wetlands (estimated probability 67%–99%), but occasionally found on wetlands (estimated probability 1%–33%).

FACW = FACW Facultative Wetland, usually occurs in wetlands (estimated probability 67%–99%), but occasionally found in non-wetlands.

OBL = Obligate Wetland, occurs almost always (estimated probability 99%) under natural conditions in wetlands.

Planting recommendations for bioretention facilities are as follows:

- The primary objective of the planting plan is to cover as much of the surface areas of the filter bed as quickly as possible. Herbaceous or ground cover layers are as or more important than more widely spaced trees and shrubs.
- Native plant species should be specified over non-native species.
- Plants should be selected based on a specified zone of hydric tolerance and must be capable of surviving both wet and dry conditions (“Wet footed” species should be planted near the center, whereas upland species do better planted near the edge).
- Woody vegetation should not be located at points of inflow; trees should not be planted directly above underdrains but should be located closer to the perimeter.
- Shrubs and herbaceous vegetation should generally be planted in clusters and at higher densities (i.e., 5 feet on-center and 1 to 1.5 feet on-center, respectively).
- If trees are part of the planting plan, a tree density of approximately one tree per 250 square feet (i.e., 15 feet on-center) is recommended.
- Designers should also remember that planting holes for trees must be at least 3 feet deep to provide enough soil volume for the root structure of mature trees. This applies even if the remaining filter media layer is shallower than 3 feet.
- Tree species should be those that are known to survive well in the compacted soils and the polluted air and water of an urban landscape.
- If trees are used, plant shade-tolerant ground covers within the drip line.

4.3.6 Bioretention Construction Sequence

Soil Erosion and Sediment Controls

The following soil erosion and sediment control guidelines must be followed during construction:

All bioretention areas must be fully protected by silt fence or construction fencing.

Bioretention areas intended to infiltrate runoff must remain outside the limits of disturbance during construction to prevent soil compaction by heavy equipment and loss of design infiltration rate.

- Where it is infeasible to keep the proposed bioretention areas outside of the limits of disturbance, there are several possible remedies for the impacted area. If excavation in the proposed bioretention area can be restricted, then the remediation can be achieved with deep tilling practices. This is only possible if in situ soils are not disturbed any deeper than 2 feet above the final design elevation of the bottom of the bioretention. In this case, when heavy equipment activity has ceased, the area is excavated to grade, and the impacted area must be tilled to a depth of 12 inches below the bottom of the bioretention.
- Alternatively, if it is infeasible to keep the proposed bioretention areas outside of the limits of disturbance, and excavation of the area cannot be restricted, then infiltration tests will be required prior to installation of the bioretention to ensure that the design infiltration rate is still present. If tests reveal the loss of design infiltration rates, then deep tilling practices may be used in an effort to restore those rates. In this case further testing must be done to establish design rates exist before the bioretention area can be installed.
- Finally, if it is infeasible to keep the proposed bioretention areas outside of the limits of disturbance, excavation of the area cannot be restricted, and infiltration tests reveal design rates cannot be restored, then a resubmission of the SWMP will be required.

Bioretention areas must be clearly marked on all construction documents and grading plans.

Large bioretention applications may be used as small sediment traps or basins during construction.

However, these must be accompanied by notes and graphic details on the soil erosion and sediment control plan specifying that:

- (1) the maximum excavation depth of the trap or basin at the construction stage must be at least 1 foot higher than the post-construction (final) invert (bottom of the facility), and
- (2) the facility must contain an underdrain.

The plan must also show the proper procedures for converting the temporary sediment control practice to a permanent bioretention BMP, including dewatering, cleanout, and stabilization.

Bioretention Installation

The following is a typical construction sequence to properly install a bioretention basin. These steps may be modified to reflect different bioretention applications or expected site conditions:

1. Stabilize Contributing Drainage Area

Construction of the bioretention area may only begin after the entire CDA has been stabilized with vegetation. It may be necessary to block certain curb or other inlets while the bioretention area is being constructed. The proposed site should be checked for existing utilities prior to any excavation.

2. Preconstruction Meeting

The designer, the installer, and *<local jurisdiction>* inspector must have a preconstruction meeting, checking the boundaries of the CDA and the actual inlet elevations to ensure they conform to original design. Since other contractors may be responsible for constructing portions of the site, it is quite common to find subtle differences in site grading, drainage and paving elevations that can produce hydraulically important differences for the proposed bioretention area. The designer should clearly communicate, in writing, any project changes determined during the preconstruction meeting to the installer and the inspector. Material certifications for aggregate, filter media, and any geotextiles must be submitted for approval to the inspector at the preconstruction meeting.

3. Install Soil Erosion and Sediment Control Measures to Protect the Bioretention

Temporary soil erosion and sediment controls (e.g., diversion dikes, reinforced silt fences) are needed during construction of the bioretention area to divert stormwater away from the bioretention area until it is completed. Special protection measures, such as erosion control fabrics, may be needed to protect vulnerable side slopes from erosion during the construction process.

4. Install Pretreatment Cells

Any pretreatment cells should be excavated first and then sealed to trap sediment.

5. Avoid Impact of Heavy Installation Equipment

Excavators or backhoes should work from the sides to excavate the bioretention area to its appropriate design depth and dimensions. Excavating equipment should have scoops with adequate reach so they do not have to sit inside the footprint of the bioretention area. Contractors should use a cell construction approach in larger bioretention basins, whereby the basin is split into 500- to 1,000-square foot temporary cells with a 10- to 15-foot earth bridge in between, so that cells can be excavated from the side.

6. Promote Infiltration Rate

It may be necessary to rip the bottom soils to a depth of 6 to 12 inches to promote greater infiltration.

7. Order of Materials

If using a geotextile fabric, place the fabric on the sides of the bioretention area with a 6-inch overlap on the sides. If a stone storage layer will be used, place the appropriate depth of No. 57 stone (clean, double washed) on the bottom, install the perforated underdrain pipe, pack No. 57 stone at least 2 inches above the underdrain pipe, and add the choking layer or appropriate geotextile layer as a filter between the underdrain and the filter media layer. If no stone storage layer is used, start with at least 2 inches of No. 57 stone on the bottom and proceed with the layering as described above.

8. Layered Installation of Media

Apply the media in 12-inch lifts until the desired top elevation of the bioretention area is achieved. Wait a few days to check for settlement and add additional media, as needed, to achieve the design elevation.

Note: The batch receipt confirming the source of the filter media must be submitted to the *<local jurisdiction>* inspector.

9. Prepare Filter Media for Plants

Prepare planting holes for any trees and shrubs, install the vegetation, and water accordingly. Install any temporary irrigation.

10. Planting

Install the plant materials as shown in the landscaping plan, and water them as needed.

11. Secure Surface Area

Place the surface cover (i.e., mulch, river stone, or turf) in both cells, depending on the design. If coir or jute matting will be used in lieu of mulch, the matting will need to be installed prior to planting (Step 10), and holes or slits will have to be cut in the matting to install the plants.

12. Inflows

If curb cuts or inlets are blocked during bioretention installation, unblock these after the CDA and side slopes have good vegetative cover. It is recommended that unblocking curb cuts and inlets take place after two to three storm events if the CDA includes newly installed asphalt, since new asphalt tends to produce a lot of fines and grit during the first several storms.

13. Final Inspection

Conduct the final construction inspection using a qualified professional, providing *<local jurisdiction>* with an as-built, then log the GPS coordinates for each bioretention facility, and submit them for entry into the maintenance tracking database.

14. Construction Supervision

Supervision during construction is recommended to ensure that the bioretention area is built in accordance with the approved design and this specification. Qualified individuals should use detailed inspection checklists that include sign-offs at critical stages of construction, to ensure that the contractor's interpretation of the plan is consistent with the designer's intentions.

Construction phase inspection checklist can be found in Appendix E Construction Inspection Checklists.

4.3.7 Bioretention Maintenance Criteria

When bioretention practices are installed, it is the owner's responsibility to ensure they, or those managing the practice:

- (1) be educated about their routine maintenance needs,
- (2) understand the long-term maintenance plan, and
- (3) be subject to a maintenance covenant or agreement, as described below.

Maintenance of bioretention areas should be integrated into routine landscape maintenance tasks. If landscaping contractors will be expected to perform maintenance, their contracts should contain specifics on unique bioretention landscaping needs, such as maintaining elevation differences needed for ponding, proper mulching, sediment and trash removal, and limited use of fertilizers and pesticides.

Maintenance tasks and frequency will vary depending on the size and location of the bioretention, the landscaping template chosen, and the type of surface cover in the practice. A generalized summary of common maintenance tasks and their frequency is provided in Table 4.9.

Table 4.9. Typical maintenance tasks for bioretention practices.

Frequency	Maintenance Tasks
Upon establishment	<ul style="list-style-type: none"> ▪ For the first 6 months following construction, the practice and CDA should be inspected at least twice after storm events that exceed 0.5 inch of rainfall. Conduct any needed repairs or stabilization. ▪ Inspectors should look for bare or eroding areas in the CDA or around the bioretention area and make sure they are immediately stabilized with grass cover. ▪ One-time, spot fertilization may be needed for initial plantings. ▪ Watering is needed once a week during the first 2 months, and then as needed during first growing season (April through October), depending on rainfall. ▪ Remove and replace dead plants. Up to 10% of the plant stock may die off in the first year, so construction contracts should include a care and replacement warranty to ensure that vegetation is properly established and survives during the first growing season following construction.
At least 4 times per year	<ul style="list-style-type: none"> ▪ Mow grass filter strips and bioretention with turf cover ▪ Check curb cuts and inlets for accumulated grit, leaves, and debris that may block inflow
Twice during growing season	<ul style="list-style-type: none"> ▪ Spot weed, remove trash, and rake the mulch
Annually	<ul style="list-style-type: none"> ▪ Conduct a maintenance inspection ▪ Supplement mulch in devoid areas to maintain a 3-inch layer ▪ Prune trees and shrubs ▪ Remove sediment in pretreatment cells and inflow points
Once every 2–3 years	<ul style="list-style-type: none"> ▪ Remove sediment in pretreatment cells and inflow points ▪ Remove and replace the mulch layer
As needed	<ul style="list-style-type: none"> ▪ Add reinforcement planting to maintain desired vegetation density ▪ Remove invasive plants using recommended control methods ▪ Remove any dead or diseased plants ▪ Stabilize the CDA to prevent erosion

Standing water is the most common problem outside of routine maintenance. If water remains on the surface for more than 72 hours after a storm, adjustments to the grading may be needed or underdrain repairs may be needed. The surface of the filter bed should also be checked for accumulated sediment or a fine crust that builds up after the first several storm events. There are several methods that can be used to rehabilitate the filter. These are listed below, starting with the simplest approach and ranging to more involved procedures (i.e., if the simpler actions do not solve the problem):

- Open the underdrain observation well or cleanout and pour in water to verify that the underdrains are functioning and not clogged or otherwise in need of repair. The purpose of this check is to see if there is standing water all the way down through the soil. If there is standing water on top, but not in the underdrain, then there is a clogged soil layer. If the underdrain and stand pipe indicates standing water, then the underdrain must be clogged and will need to be cleaned out.
- Remove accumulated sediment and till 2 to 3 inches of sand into the upper 6 to 12 inches of soil.

- Install sand wicks from 3 inches below the surface to the underdrain layer. This reduces the average concentration of fines in the media bed and promotes quicker drawdown times. Sand wicks can be installed by excavating or auguring (i.e., using a tree auger or similar tool) down to the top of the underdrain layer to create vertical columns that are then filled with a clean open-graded coarse sand material (e.g., ASTM C-33 concrete sand or similar approved sand mix for bioretention media). A sufficient number of wick drains of sufficient dimension should be installed to meet the design dewatering time for the facility.
- Remove and replace some or all of the filter media.

Maintenance Inspections

It is recommended that a qualified professional conduct a spring maintenance inspection and cleanup at each bioretention area. Maintenance inspections should include information about the inlets, the actual bioretention facility (sediment buildup, outlet conditions, etc.), and the state of vegetation (water stressed, dead, etc.) and are intended to highlight any issues that need or may need attention to maintain stormwater management functionality.

Maintenance inspection checklists for bioretention areas and the Maintenance Service Completion Inspection form can be found in Appendix F Maintenance Inspection Checklists.

Waste Material

Waste material from the repair, maintenance, or removal of a BMP or land cover shall be removed and disposed of in compliance with applicable local, state, and federal law.

4.3.8 Bioretention Stormwater Compliance Calculations

Bioretention performance varies depending on the design configuration of the system.

No Underdrain

Bioretention designs with no underdrain are credited with 100% retention for the storage volume (Sv) provided by the practice as well as 100% TSS, TN, and bacteria removal (Table 4.10).

Table 4.10. Retention and pollutant removal for bioretention practices without underdrains.

Retention	= 100%
TSS Removal	= 100%
TN Removal	= 100%
Bacteria Removal	= 100%

Internal Water Storage (IWS)

Bioretention designs with IWS are credited with 75% retention for the storage volume (Sv) provided by the practice as well as 85% TSS, 85% TN, and 80% bacteria removal (Table 4.11).

Table 4.11. Retention and pollutant removal for bioretention practices with IWS design.

Retention	= 75%
TSS Removal	= 85%
TN Removal	= 85%
Bacteria Removal	= 80%

Standard

Standard bioretention designs are credited with 60% retention for the storage volume (Sv) provided as well as 85% TSS, 75% TN, and 80% bacteria removal. (Table 4.12).

Table 4.12. Retention and pollutant removal for standard bioretention practices.

Retention	= 60%
TSS Removal	= 85%
TN Removal	= 75%
Bacteria Removal	= 80%

The practice must be sized using the guidance detailed in Section 4.1.4 Bioretention Design Criteria. Note: Additional retention can be achieved if trees are utilized as part of a bioretention area (see Section 4.14 Tree Planting and Preservation).

Bioretention also contributes to peak flow reduction. This contribution can be determined in several ways. One method is to subtract the storage volume (Sv) from the total runoff volume for the 2-year through the 100-year storm events. The resulting reduced runoff volumes can then be used to calculate a reduced NRCS CN for the site or SDA. The reduced NRCS CN can then be used to calculate peak flow rates for the various storm events. Other hydrologic modeling tools that employ different procedures may be used as well.

4.3.9 References

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4.4 Permeable Pavement Systems

Permeable Pavement Systems				
Definition: Paving systems that capture and temporarily store the SWRv by filtering runoff through voids in an alternative pavement surface into an underlying stone reservoir. Filtered runoff may be collected and returned to the conveyance system or allowed to partially (or fully) infiltrate into the soil.				
Site Applicability		BMP Performance Summary		
Land Uses	Required Footprint	WQ Improvement: Moderate to High		
<ul style="list-style-type: none"> ▪ Urban ▪ Suburban ▪ Rural 	Small	TSS ¹	Total N ¹	Bacteria ¹
		80-100%	45-100%	30-100%
		Runoff Reduction		
Construction Costs	Maintenance Burden	Volume		
High	High	Moderate		
Maintenance Frequency:		SWRv		
Routine	Non-Routine	Standard Design	Enhanced Design	
2-4 times per year	Every 2-3 years	30%	100%	
Advantages/Benefits		Disadvantages/Limitation		
<ul style="list-style-type: none"> ▪ Reduces runoff volume, attenuates peak runoff rate and outflow ▪ Reduces slick surfaces during rain ▪ Water quality enhancement from filtration of stormwater 		<ul style="list-style-type: none"> ▪ Sediment-laden runoff can clog pervious pavement, causing it to fail ▪ Incorrect installation practices can clog pores 		
Components		Design considerations		
<ul style="list-style-type: none"> ▪ Open graded pavement mix or pavers with open surfaces ▪ Bedding course ▪ Open-graded base material ▪ Underdrain (where required) ▪ Subgrade with minimal compaction 		<ul style="list-style-type: none"> ▪ Same basic considerations as any paved area ▪ Infiltration rate of native soil determines applicability and need for underdrain ▪ Depth to seasonal high water table must be at least 6 inches below bottom of practice ▪ Not appropriate for heavy or high traffic areas ▪ Accessibility, aesthetics, maintainability 		
Installation Considerations		Maintenance Activities		
<ul style="list-style-type: none"> ▪ Proper construction sequencing and installation is crucial to ensure proper functioning ▪ Subgrade cannot be overly compacted 		<ul style="list-style-type: none"> ▪ Vacuum or jet wash to increase pavement life and avoid clogging ▪ Ensure that contributing area is clear of debris and sediment. 		

¹Credited pollutant load removal

Permeable pavement systems represent alternative paving surfaces that capture and temporarily store the design volume by filtering runoff through voids in the pavement surface into an underlying stone reservoir (see Figure 4.11). Filtered runoff may be collected and returned to the conveyance system, or it may be allowed to infiltrate into the soil. Permeable pavement systems may also provide stormwater detention of larger storms (e.g., 2- to 25-year).

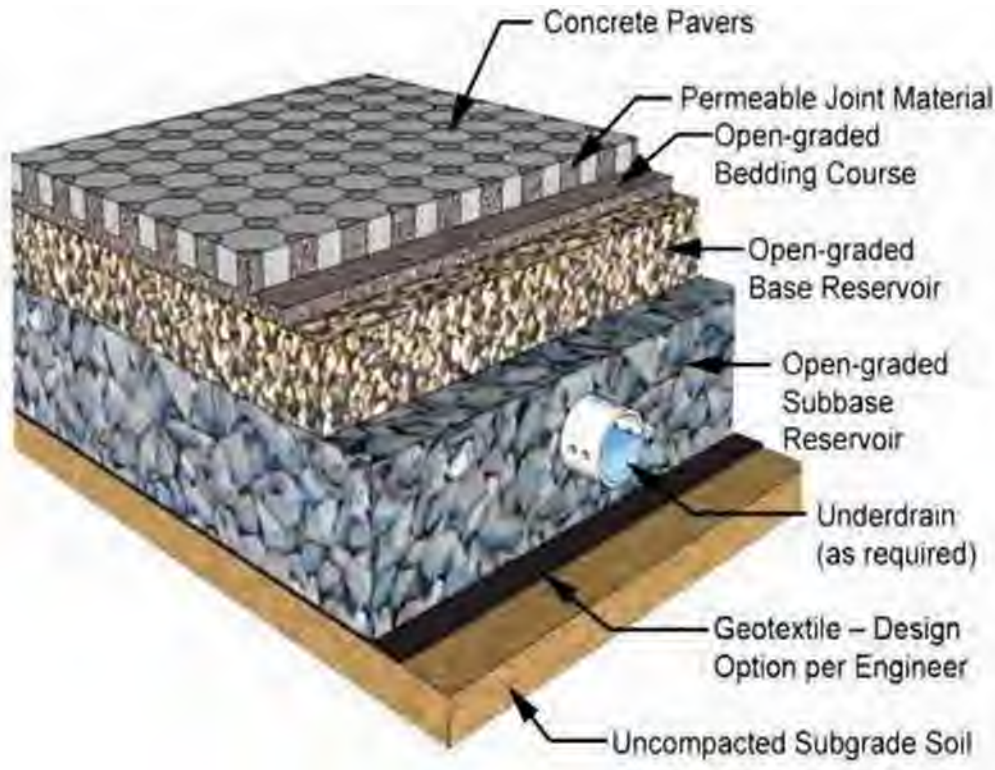


Figure 4.11. Cross-section of permeable pavement (source: ICPI).

Definition

This is a paving system that captures and temporarily stores the SWRV by filtering runoff through voids in an alternative pavement surface into an underlying stone reservoir. Filtered runoff may be collected and returned to the conveyance system or allowed to infiltrate into the soil.

Design variants include the following:

- P-1 Porous asphalt (PA)
- P-2 Pervious concrete (PC)
- P-3 Permeable pavers (PP)

Other surface material variations of permeable pavement that can be part of a permeable pavement system, such as porous rubber, plastic grid pavers, and synthetic turf systems are also encompassed in this section.

Porous Asphalt

Porous asphalt (also known as pervious asphalt) consists of a special open-graded surface course bound together by asphalt cement. The open-graded surface course in a typical porous asphalt installation is 3 to 7 inches thick and has a void ratio of between 15% and 20%. Porous asphalt is thought to have a limited ability to maintain its structure and permeability during hot summer months and, consequently, is currently not recommended for use in coastal South Carolina. If it is used on a development site in the coastal region, it should be carefully monitored and maintained over time.

Pervious Concrete

Pervious concrete (also known as porous concrete) is similar to conventional concrete in structure and form but consists of a special open-graded surface course, typically 4 to 8 inches thick, that is bound together with Portland cement. This open-graded surface course has a void ratio of 15% to 25% (conventional concrete pavement has a void ratio of between 3% and 5%), which gives it a high permeability that is often many times more than that of the underlying native soils, and allows rainwater and stormwater runoff to rapidly pass through it and into the underlying stone reservoir. Although this particular type of permeable pavement surface may not require an underlying base layer to support traffic loads, site planning and design teams may wish to provide it to increase the stormwater storage capacity provided by a pervious concrete system.

Permeable Pavers

Permeable pavers (PP) are solid structural units (e.g., blocks, bricks) that are installed in a way that provides regularly spaced openings through which stormwater runoff can rapidly pass through the pavement surface and into the underlying stone reservoir. The regularly spaced openings, which generally make up between 8% and 20% of the total pavement surface, are typically filled with pea gravel (i.e., ASTM D 448 Size No. 8, 3/8 inch to 1/8 inch). Typical PP systems consist of the pavers, a 1.5- to 3-inch thick fine gravel bedding layer and an underlying stone reservoir.

Design Configurations

There are two types of permeable pavement design configurations:

- **Standard Design**

Practice with a standard underdrain design and no infiltration sump or water quality filter (see Figure 4.12).

- **Enhanced Design**

Practice with underdrains that contain a water quality filter layer and an infiltration sump beneath the underdrain sized to drain the design storm in 48 hours (see Figure 4.13) or practices with no underdrains that can infiltrate the entire design storm volume in 48 hours (see Figure 4.14).

The particular design configuration to be implemented on a site is typically dependent on specific site conditions and the characteristics of the underlying soils. These criteria are further discussed below.

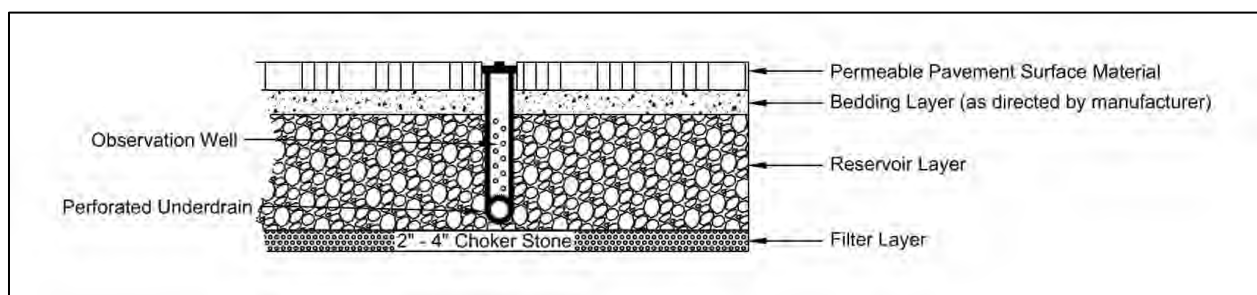


Figure 4.12. Cross-section of a standard permeable pavement design.

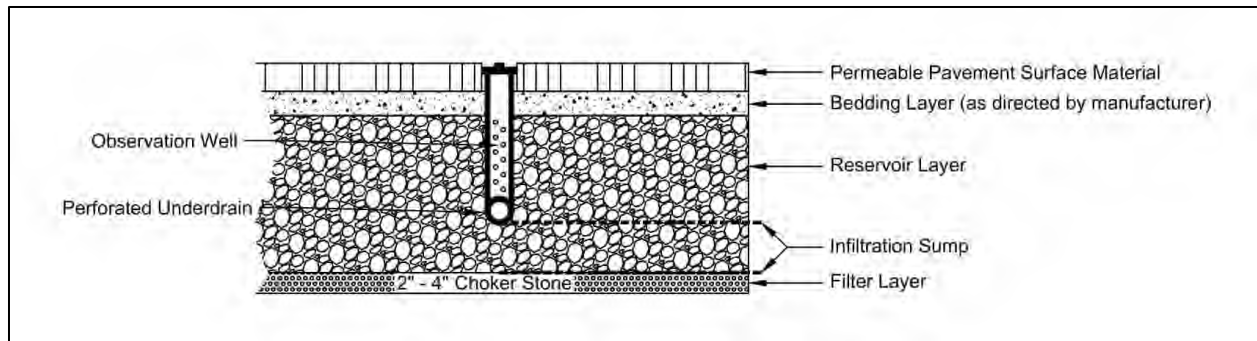


Figure 4.13. Cross-section of an enhanced permeable pavement design with an underdrain.

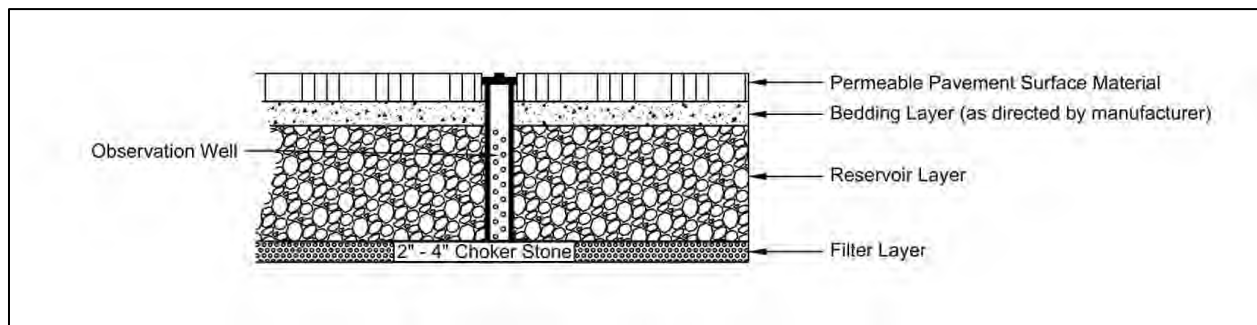


Figure 4.14. Cross-section of an enhanced permeable pavement design without an underdrain.

4.4.1 Permeable Pavement Feasibility Criteria

Since permeable pavement has a very high retention capability, it should always be considered as an alternative to conventional pavement. Permeable pavement is subject to the same feasibility constraints as most infiltration practices, as described below.

Required Space

A prime advantage of permeable pavement is that it does not normally require additional space at a new development or redevelopment site, which can be important for tight sites or areas where land prices are high.

Soils

Soil conditions do not typically constrain the use of permeable pavement, although they do determine whether an underdrain is needed. Underdrains may be required if the measured permeability of the underlying soils is less than 0.5 inches per hour (although utilization of an infiltration sump may still be feasible). When designing an infiltrating permeable pavement practice, designers must verify soil permeability by using the on-site soil investigation methods provided in Appendix B Geotechnical Information Requirements for Underground BMPs. Impermeable soils will require an underdrain.

In fill soil locations, geotechnical investigations are required to determine if the use of an impermeable liner and underdrain are necessary or if the use of an infiltration sump is permissible (see Section 4.4.4 Permeable Pavement Design Criteria).

Contributing Drainage Area

The portion of the CDA that does not include the permeable pavement may not exceed 5 times the surface area of the permeable pavement (2 times is recommended) and it should be as close to 100% impervious as possible to reduce sediment loading.

Pavement Surface Slope

Steep pavement surface slopes can reduce the stormwater storage capability of permeable pavement and may cause shifting of the pavement surface and base materials. The permeable pavement slope must be less than 5%. Designers may consider using a terraced design for permeable pavement in areas with steeper slopes (3%–5%). In all cases, designs must ensure that the slope of the pavement does not lead to flow occurring out of the stone reservoir layer onto lower portions of the pavement surface.

Minimum Hydraulic Head

The elevation difference needed for permeable pavement to function properly is generally nominal, although 1 to 4 feet of head from the pavement surface to the underdrain outlet is typically necessary. This value may vary based on several design factors, such as required storage depth and underdrain location.

Minimum Depth to Water Table

A high groundwater table may cause runoff to pond at the bottom of the permeable pavement system. Therefore, a minimum vertical distance of 0.5 feet (preferably 2 feet) must be provided between the bottom of the permeable pavement installation (i.e., the bottom invert of the reservoir layer) and the seasonal high water table.

Tidal Impacts

For systems with an underdrain, the underdrain should be located above the tidal mean high water elevation. For entirely infiltration-based systems, the bottom of the stone reservoir should be located above the mean high water elevation. Where this is not possible, portions of the practice below the tidal mean high water elevation cannot be included in the volume calculations.

Setbacks

To avoid the risk of seepage, stormwater cannot flow from the permeable pavement reservoir layer to the traditional pavement base layer, existing structure foundations, or future foundations which may be built on adjacent properties. Setbacks to structures and property lines must be at least 10 feet and adequate waterproofing protection must be provided for foundations and basements. Where the 10-foot setback is not possible, an impermeable liner may be used along the sides and bottom of the permeable pavement practice (extending from the surface to the bottom of the practice and outward to meet the 10-foot setback).

Proximity to Utilities

Interference with underground utilities should be avoided if possible. When large site development is undertaken the expectation of achieving avoidance will be high. Conflicts may be commonplace on smaller sites and in the public right-of-way (PROW). Consult with each utility company on recommended offsets, which will allow utility maintenance work with minimal disturbance to the permeable pavement. Permeable pavement in the public right-of-way (PROW) must conform with the State of South Carolina Department of Transportation design specifications. Where conflicts cannot be avoided, follow these guidelines:

- Consider altering the location or sizing of the permeable pavement to avoid or minimize the utility conflict. Consider an alternate BMP type to avoid conflict.
- Use design features to mitigate the impacts of conflicts that may arise by allowing the permeable pavement and the utility to coexist. The permeable pavement design may need to incorporate impervious areas, through geotextiles or compaction, to protect utility crossings.
- Work with the utility company to evaluate the relocation of the existing utility and install the optimum placement and sizing of the permeable pavement.
- If utility functionality, longevity, and vehicular access to manholes can be assured, accept the permeable pavement design and location with the existing utility. Design sufficient soil coverage over the utility or general clearances or other features, such as an impermeable liner, to assure all entities that the conflict is limited to maintenance.

When accepting utility conflict into the permeable pavement location and design, it is understood the permeable pavement will be temporarily impacted during utility work, but the utility owner will replace the permeable pavement or, alternatively, install functionally comparable permeable pavement according to the specifications in the current version of this guidebook. Restoration of permeable pavement that is located in the PROW will also conform with the State of South Carolina Department of Transportation design specifications.

Pollutant Hotspot Land Uses

Permeable pavement is not appropriate for certain pollutant-generating sites. In areas where higher pollutant loading is likely (i.e. oils and greases from fueling stations or vehicle storage areas, sediment from un-stabilized pervious areas, or other pollutants from industrial processes), appropriate pretreatment, such as an oil-water separator or filtering device must be provided, or the areas should be diverted from the permeable pavement.

On sites with existing contaminated soils, infiltration is not allowed. Permeable pavement areas must include an impermeable liner, and the Enhanced Design configuration cannot be used.

High Loading Situations

Permeable pavement is not intended to treat sites with high sediment or trash/debris loads, since such loads will cause the practice to clog and fail. Sites with considerable pervious area (e.g., newly established turf and landscaping) can be considered high loading sites and the pervious areas should be diverted if possible, from the permeable pavement area. If unavoidable, pretreatment measures, such as a gravel or a sod filter strip should be employed (see Section 4.4.3 Permeable Pavement Pretreatment Criteria).

High Speed Roads

Permeable pavement should not be used for high speed roads, although it has been successfully applied for low speed residential streets, parking lanes, and roadway shoulders.

Economic Considerations

Permeable pavement tends to be expensive relative to other practices, but when the cost of land and traditional paving are included in the calculations, permeable pavement becomes much more competitive. Permeable pavement is very space-efficient, since it combines a useful pavement surface with stormwater management for runoff and, in standard design configurations, water quality treatment.

4.4.2 Permeable Pavement Conveyance Criteria

Permeable pavement designs must include methods to convey larger storms (e.g., 2- to 25-year) to the storm drain system. Conveyance methods include the following:

- Place an overdrain—a horizontal perforated pipe near the top of the reservoir layer—to pass excess flows after water has filled the base.
- Increase the thickness of the top of the reservoir layer by as much as 6 inches to increase storage (i.e., create freeboard). The design computations used to size the reservoir layer often assume that no freeboard is present.
- Create underground detention within the reservoir layer of the permeable pavement system. Reservoir storage may be augmented by corrugated metal pipes, plastic or concrete arch structures, etc.
- Route overflows to another detention or conveyance system.
- Set the storm drain inlets flush with the elevation of the permeable pavement surface to effectively convey excess stormwater runoff past the system. The design should also make allowances for relief of unacceptable ponding depths during larger rainfall events.

4.4.3 Permeable Pavement Pretreatment Criteria

Pretreatment for most permeable pavement applications is not necessary. Additional pretreatment is recommended if the pavement receives runoff from adjacent pervious areas. For example, a gravel or sod filter strip can be placed adjacent to pervious (landscaped) areas to trap coarse sediment particles before they reach the pavement surface in order to reduce clogging.

4.4.4 Permeable Pavement Design Criteria

Type of Surface Pavement

The type of pavement should be selected based on a review of the pavement specifications and properties and designed according to the product manufacturer's recommendations.

Pavement Bottom Slope

For unlined designs, the bottom slope of a permeable pavement installation should be as flat as possible (i.e., 0% longitudinal and lateral slopes) to enable even distribution and infiltration of stormwater. On sloped sites, internal check dams or barriers, as shown in Figure 4.15 can be incorporated into the subsurface to encourage infiltration. Barriers may be constructed of concrete, earthen berms, impermeable membranes, or low permeability geotextile. In this type of design, the depth of the infiltration sump would be the depth behind the check dams. The depth and spacing of the barriers are dependent upon the underlying slope and the saturated hydraulic conductivity, as any water retained by the flow barriers must infiltrate within 48 hours. If an underdrain will be used in conjunction with the flow barriers, it can be installed over the top of the barriers, or parallel to the barriers with an underdrain in each cell.

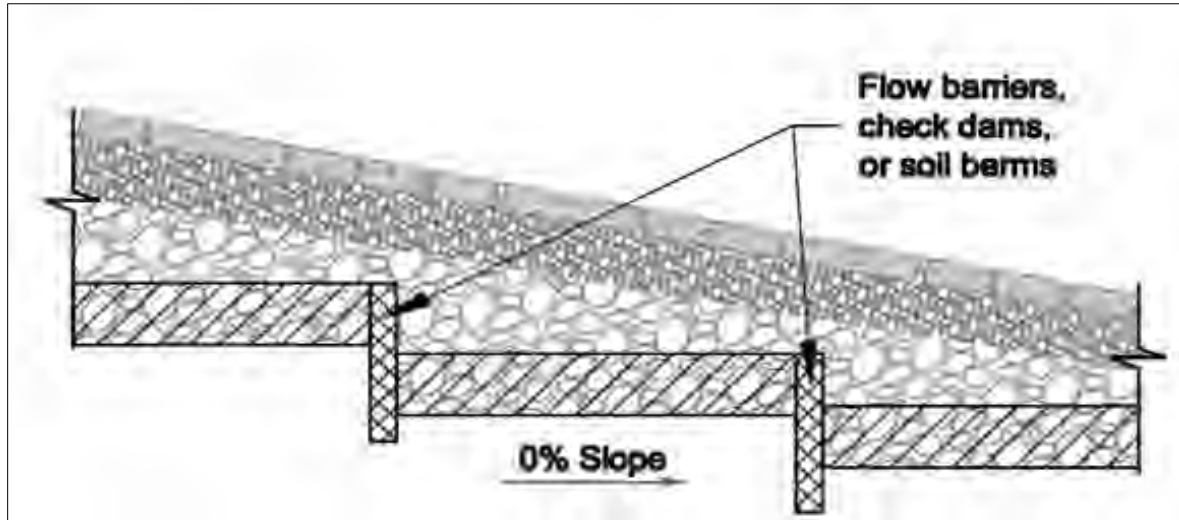


Figure 4.15. Use of flow barriers to encourage infiltration on sloped sites.

Internal Geometry and Drawdowns

- **Rapid Drawdown**

Permeable pavement must be designed so that the target storage volume is detained in the reservoir for as long as possible, 36 to 48 hours, before completely discharging through an underdrain. A minimum orifice size of 1 inch is recommended regardless of the calculated drawdown time.

Note: A 48-hour maximum drawdown time is utilized for permeable pavement rather than the 72-hour value used for other BMPs. This shorter drawdown time, in accordance with industry standards, is intended to ensure that the subgrade does not stay saturated for too long and cause problems with the pavement.

- **Infiltration Sump**

To promote greater retention for permeable pavement located on marginal soils, an infiltration sump can be installed to create a storage layer below the underdrain invert. This design configuration is discussed further below.

Reservoir Layer

The reservoir layer consists of the stone underneath the pavement section and above the bottom filter layer or underlying soils, including the optional infiltration sump. The total thickness of the reservoir layer is determined by runoff storage needs, the saturated hydraulic conductivity of in-situ soils, structural requirements of the pavement sub-base, depth to water table, and frost depth conditions (see Section 4.4.1 Permeable Pavement Feasibility Criteria). A geotechnical engineer should be consulted regarding the suitability of the soil subgrade.

- The reservoir below the permeable pavement surface should be composed of clean, double-washed stone aggregate and sized for both the storm event to be treated and the structural requirements of the expected traffic loading. Additional chamber structures may also be used to create larger storage volumes.
- The storage layer may consist of clean, double-washed No. 57 stone, although No. 2 stone is preferred because it provides additional structural stability. Other appropriate materials may be used if accepted by the <local jurisdiction>.

- The bottom of the reservoir layer should be completely flat so that runoff will be able to infiltrate evenly through the entire surface. The use of terracing and check dams is permissible.

Underdrains

Most permeable pavement designs will require an underdrain (see Section 4.4.1 Permeable Pavement Feasibility Criteria). Underdrains can also be used to keep detained stormwater from flooding permeable pavement during extreme rain events. Multiple underdrains are typically necessary for permeable pavement wider than 40 feet, and each underdrain is recommended to be located 20 feet or less from the next pipe or the edge of the permeable pavement. For long and narrow applications, a single underdrain running the length of the permeable pavement is sufficient. The underdrain should be perforated schedule 40 PVC pipe (corrugated HDPE may be used for smaller load-bearing applications), with three or four rows of 3/8-inch perforations at 6 inches on center. The underdrain must be encased in a layer of clean, double-washed No. 57 stone, with a minimum 2-inch cover over the top of the underdrain. The underdrain system must include a flow control to ensure that the reservoir layer drains slowly (within 36 to 48 hours).

- The underdrain outlet can be fitted with a flow-reduction orifice within a weir or other easily inspected and maintained configuration in the downstream manhole as a means of regulating the stormwater detention time. The minimum diameter of any orifice is 1 inch. The designer should verify that the volume will draw down completely within 36 to 48 hours.
- On infiltration designs, an underdrain(s) can be installed and capped at the downstream structure as an option for future use if maintenance observations indicate a reduction in the soil permeability.

Observation Wells

All permeable pavement practices must include observation wells. The observation well is used to observe the rate of drawdown within the reservoir layer following a storm event and to facilitate periodic inspection and maintenance. The observation well should consist of a well-anchored, perforated 4- to 6-inch diameter PVC pipe. There should be no perforation within 1 foot of the surface. If the permeable pavement has an underdrain, tie the observation well into any Ts or Ys in the underdrain system. The observation well should extend vertically to the bottom of the reservoir layer and extend upwards to be flush with the surface (or just under pavers) with a lockable cap.

Infiltration Sump (optional, required for enhanced designs with an underdrain)

For unlined permeable pavement systems, an optional upturned elbow or elevated underdrain configuration can be used to promote greater retention for permeable pavement located on marginal soils. The infiltration sump must be installed to create a storage layer below the underdrain or upturned elbow invert. The depth of this layer must be sized so that the design storm can infiltrate into the subsoils in a 48-hour period. The bottom of the infiltration sump must be at least 0.5 feet above the seasonally high water table. The inclusion of an infiltration sump is not permitted for designs with an impermeable liner. In fill soil locations, geotechnical investigations are required to determine if the use of an infiltration sump is permissible.

Filter Layer (optional)

To protect the bottom of the reservoir layer from intrusion by underlying soils, a filter layer can be used. The underlying native soils should be separated from the stone reservoir by a 2- to 4-inch layer of choker stone (e.g., No. 8).

Geotextile (optional)

Geotextile fabric is another option to protect the bottom of the reservoir layer from intrusion by underlying soils, although some practitioners recommend avoiding the use of fabric beneath permeable pavements since it may become a future plane of clogging within the system. Geotextile fabric is still recommended to protect the excavated sides of the reservoir layer, in order to prevent soil piping. An appropriate geotextile fabric that complies with AASHTO M-288 Class 2, latest edition, requirements and has a permeability of at least an order of magnitude higher (10 times) than the soil subgrade permeability must be used.

Impermeable Liner

An impermeable liner is not typically required, although it may be utilized in fill applications where deemed necessary by a geotechnical investigation, on sites with contaminated soils, or on the sides of the practice to protect adjacent structures from seepage. Use a PVC geomembrane liner or equivalent of an appropriate thickness (follow manufacturer’s instructions for installation). Field seams must be sealed according to the liner manufacturer’s specifications. A minimum 6-inch overlap of material is required at all seams.

Material Specifications

Permeable pavement material specifications vary according to the specific pavement product selected. A general comparison of different permeable pavements is provided in Table 4.13, but designers should consult manufacturer’s technical specifications for specific criteria and guidance. Table 4.14 provides general material specifications for the component structures installed beneath the permeable pavement. Note that the size of stone materials used in the reservoir and filter layers may differ depending on the type of surface material.

Table 4.13. Permeable pavement specifications for a variety of typical surface materials.

Material	Specification	Notes
Permeable Pavers (PP)	Void content, thickness, and compressive strength vary based on type and manufacturer Open void fill media: aggregate, topsoil and grass, coarse sand, etc.	Reservoir layer required to support the structural load.
Pervious Concrete (PC)	Void content: 15%–20% Thickness: Typically 4–8 inches Compressive strength: 2.8–28 MPa Open void fill media: None	May not require a reservoir layer to support the structural load, but a layer may be included to increase the storage or infiltration. Requires certified supplier and installer.
Porous Asphalt (PA)	Void content: 15%–20% Thickness: Typically 3–7 inches (depending on traffic load) Open void fill media: None	Reservoir layer required to support the structural load. Requires certified supplier and installer.

Table 4.14. Material specifications for typical layers beneath the surface of permeable pavements.

Material	Specification	Notes
Bedding Layer	PC: 3–4 inches of No. 57 stone if No. 2 stone is used for Reservoir Layer PA: 3–4 inches of No. 57 stone PP: Follow manufacturer specifications	ASTM D448 size No. 57 stone (i.e., 1/2 to 1 1/2 inches in size). Must be double-washed and clean and free of all fines.
Reservoir Layer	PC: No. 57 stone or No. 2 stone PA: No. 2 stone PP: Follow manufacturer specifications	ASTM D448 size No. 57 stone (i.e., 1/2 to 1 1/2 inches in size); No. 2 Stone (i.e., 3/4 to 3 inches in size). Depth is based on the pavement structural and hydraulic requirements. Must be double-washed and clean and free of all fines. Other appropriate materials may be used if accepted by <i><local jurisdiction></i> .
Underdrain	Use 4- to 6-inch diameter perforated PVC pipe (or equivalent corrugated HDPE may be used for smaller load-bearing applications), with 3 or 4 rows of 3/8-inch perforations at 6 inches on center. Perforated pipe installed for the full length of the permeable pavement cell, and non-perforated pipe, as needed, is used to connect with the storm drain system. T's and Y's should be installed as needed, depending on the underdrain configuration. Extend cleanout pipes to the surface.	
Infiltration Sump (optional)	An aggregate storage layer below the underdrain invert. The material specifications are the same as Reservoir Layer.	
Filter Layer (optional)	The underlying native soils should be separated from the stone reservoir by a 2- to 4-inch layer of choker stone (e.g., No. 8).	
Geotextile (optional)	Use an appropriate geotextile fabric for both sides and/or bottom that complies with AASHTO M-288 Class 2, latest edition, requirements and has a permeability of at least an order of magnitude higher than (10 times) the soil subgrade permeability. Low-permeability geotextile fabric may be used as a check dam material.	
Impermeable Liner (optional)	Where appropriate, use PVC geomembrane liner or equivalent.	
Observation Well	Use a perforated 4- to 6-inch vertical PVC pipe (AASHTO M-252) with a lockable cap, installed flush with the surface.	

Permeable Pavement Sizing

The thickness of the reservoir layer is determined by both a structural and hydraulic design analysis. The reservoir layer serves to retain stormwater and to support the design traffic loads for the pavement. Permeable pavement structural and hydraulic sizing criteria are discussed below.

Structural Design

If permeable pavement will be used in a parking lot or other setting that involves vehicles, the pavement surface must be able to support the maximum anticipated traffic load. The structural design process will vary according to the type of pavement selected, and the manufacturer's specific recommendations should be consulted. The thickness of the permeable pavement and reservoir layer must be sized to support structural loads and to temporarily store the design storm volume (i.e., the water quality,

channel protection, and/or flood control volumes). On most new development and redevelopment sites, the structural support requirements will dictate the depth of the underlying stone reservoir.

The structural design of permeable pavements involves consideration of four main site elements:

- Total traffic
- In situ soil strength
- Environmental elements
- Bedding and reservoir layer design

The resulting structural requirements may include the thickness of the pavement, filter, and reservoir layer. Designers should note that if the underlying soils have a low California Bearing Ratio (less than 4%), they may need to be compacted to at least 95% of the Standard Proctor Density, which may limit their use for infiltration.

Designers should determine structural design requirements by consulting transportation design guidance sources, such as the following:

- ASCE/T&DI/ICPI 68-18 Permeable Interlocking Concrete Pavement (2018)
- AASHTO Guide for Design of Pavement Structures (1993)
- AASHTO Supplement to the Guide for Design of Pavement Structures (1998)

Hydraulic Design. Permeable pavement is typically sized to store the SWRv or larger design storm volumes in the reservoir layer. The storage volume in the pavements must account for the underlying saturated hydraulic conductivity and outflow through any underdrains. The design storm should be routed through the pavement to accurately determine the required reservoir depth. The depth of the reservoir layer or infiltration sump needed to store the design storm can be determined by using Equation 4.3.

Equation 4.3. Reservoir layer or infiltration sump depth.

$$d_p = \frac{\left(\frac{P \times Rv_1 \times CDA}{A_p}\right) - (K_{sat} \times t_f)}{\eta_r}$$

Where:

- d_p = Depth of the reservoir layer, or depth of the infiltration sump for enhanced designs with underdrains (ft)
- P = Rainfall depth for the SWRv or other design storm (ft)
- Rv_1 = 0.95 (runoff coefficient for impervious cover)
- CDA = Total contributing drainage area, including permeable pavement surface area (square feet)
- A_p = Permeable pavement surface area (square feet)
- K_{sat} = Field-verified saturated hydraulic conductivity for subgrade soils (ft/day). If an impermeable liner is used in the design, then this value is 0
- t_f = Time to fill the reservoir layer (days; assume 2 hours or 0.083 day)

$$\eta_r = 0.4 \text{ (effective porosity for the reservoir layer)}$$

This equation makes the following design assumptions:

- The CDA does not contain pervious areas.
- If the subgrade will be compacted to meet structural design requirements of the pavement section, the measured saturated hydraulic conductivity shall be based on measurement of the subgrade soil subjected to the compaction requirements.

The depth of the reservoir layer cannot be less than the depth required to meet the pavement structural requirement. The depth of the reservoir layer may need to be increased to meet structural or larger storage requirements.

For infiltration designs without underdrains or designs with infiltration sumps, the captured volume must drain from the practice within 48 hours. Equation 4.4 can be used to determine the drawdown time in the reservoir layer or infiltration sump.

Equation 4.4. Drawdown time.

$$t_d = \frac{d_p \times \eta_r}{K_{sat}}$$

Where:

- t_d = Drawdown time (days)
- d_p = Depth of the reservoir layer, or depth of the infiltration sump for enhanced designs with underdrains (ft)
- η_r = 0.4 (effective porosity for the reservoir layer)
- K_{sat} = Field-verified saturated hydraulic conductivity for subgrade soils (ft/day). If an impermeable liner is used in the design, then this value is 0

For designs with underdrains, the captured volume must drain in 36-48 hours. The drawdown time should be determined using the hydrologic routing or modeling procedures used for detention systems with the depth and head adjusted for the porosity of the aggregate.

The total storage volume provided by the practice, S_v , should be determined using Equation 4.5.

Equation 4.5. Permeable pavement storage volume.

$$S_v = A_p [(d_p \times \eta_r) + K_{sat} \times t_f]$$

Where:

- S_v = Storage volume (cubic feet)
- d_p = Depth of the reservoir layer, or depth of the infiltration sump for enhanced designs with underdrains (ft)
- η_r = 0.4 (effective porosity for the reservoir layer)
- A_p = Permeable pavement surface area (square feet)

- K_{sat} = Field-verified saturated hydraulic conductivity for subgrade soils (ft/day). If an impermeable liner is used in the design, then this value is 0
- t_f = Time to fill the reservoir layer (days; assume 2 hours or 0.083 day)

Detention Storage Design

Permeable pavement can also be designed to address, in whole or in part, the detention storage for larger storm events. The designer can model various approaches by factoring in storage within the stone aggregate layer (including chamber structures that increase the available storage volume), expected infiltration, and any outlet structures used as part of the design. Routing calculations can also be used to provide a more accurate solution of the peak discharge and required storage volume.

Once runoff passes through the surface of the permeable pavement system, designers should calculate outflow pathways to handle subsurface flows. Subsurface flows can be regulated using underdrains, the volume of storage in the reservoir layer, the bed slope of the reservoir layer, and/or a control structure at the outlet (see Section 4.4.2 Permeable Pavement Conveyance Criteria).

4.4.5 Permeable Pavement Landscaping Criteria

Permeable pavement does not have any landscaping needs. However, large-scale permeable pavement applications should be carefully planned to integrate the typical landscaping features of a parking lot, such as trees and islands, in a manner that maximizes runoff treatment and minimizes the risk that sediment, mulch, grass clippings, leaves, and other plant matter will inadvertently clog the paving surface. Bioretention areas (see Section 4.3 Bioretention) may be a good design option to meet these landscaping goals.

4.4.6 Permeable Pavement Construction Sequence

Experience has shown that proper installation is critical to the effective operation of a permeable pavement system.

Soil Erosion and Sediment Controls

The following soil erosion and sediment control guidelines must be followed during construction:

- All permeable pavement areas must be fully protected from sediment intrusion by silt fence or construction fencing, particularly if they are intended to infiltrate runoff.
- Permeable pavement areas intended to infiltrate runoff must remain outside the limits of disturbance during construction to prevent soil compaction by heavy equipment and loss of design infiltration rate (unless the area has been determined to have a low California Bearing Ratio and will require compaction during the permeable pavement construction phase). Where it is infeasible to keep the proposed permeable pavement areas outside of the limits of disturbance, there are several possible remedies for the impacted area.
- If excavation in the proposed permeable pavement areas can be restricted, then remediation can be achieved with deep tilling practices. This is only possible if in situ soils are not disturbed any deeper than 2 feet above the final design elevation of the bottom of the aggregate reservoir course. In this case, when heavy equipment activity has ceased, the area is excavated to grade, and the impacted area must be tilled to a depth of 12 inches below the bottom of the reservoir layer.
- Alternatively, if it is infeasible to keep the proposed permeable pavement areas outside of the limits of disturbance, and excavation of the area cannot be restricted, then infiltration tests will

be required prior to installation of the permeable pavement to ensure that the design infiltration rate is still present. If tests reveal the loss of design infiltration rates, then deep tilling practices may be used in an effort to restore those rates. In this case, further testing must be done before the permeable pavement can be installed to establish that design rates have been achieved.

- Finally, if it is infeasible to keep the proposed permeable pavement areas outside of the limits of disturbance, excavation of the area cannot be restricted, and infiltration tests reveal design rates cannot be restored, then a resubmission of the SWMP will be required.
- Permeable pavement areas must be clearly marked on all construction documents and grading plans.
- During construction, care should be taken to avoid tracking sediments onto any permeable pavement surface to avoid post-construction clogging and long-term maintenance issues.
- Any area of the site intended ultimately to be a permeable pavement area with an infiltration component should not be used as the site of a temporary sediment trap or basin. If locating a temporary sediment trap or basin on an area intended for permeable pavement is unavoidable, the remedies are similar to those discussed for heavy equipment compaction.
- If it is possible, restrict the invert of the sediment trap or basin to at least 1 foot above the final design elevation of the bottom of the aggregate reservoir course of the proposed permeable pavement. Then remediation can be achieved with proper removal of trapped sediments and deep tilling practices.
- An alternate approach to deep tilling is to use an impermeable linear to protect the in situ soils from sedimentation while the sediment trap or basin is in use.
- In each case, all sediment deposits in the excavated area must be carefully removed prior to installing the sub-base, base, and surface materials. The plan must also show the proper procedures for converting the temporary sediment control practice to a permeable pavement BMP, including dewatering, cleanout, and stabilization.

Permeable Pavement Installation

The following is a typical construction sequence to properly install permeable pavement, which may need to be modified depending on the particular type of permeable pavement that is being installed.

1. Stabilize Contributing Drainage Area

Construction of the permeable pavement should only begin after the entire CDA has been stabilized. The proposed site should be checked for existing utilities prior to any excavation. Do not install the system in rain.

2. Install Soil Erosion and Sediment Control Measures for the Permeable Pavement

As noted above, temporary soil erosion and sediment controls are needed during installation to divert stormwater away from the permeable pavement area until it is completed. Special protection measures, such as erosion control fabrics, may be needed to protect vulnerable side slopes from erosion during the excavation process. The proposed permeable pavement area must be kept free from sediment during the entire construction process. Construction materials contaminated by sediment must be removed and replaced with clean material.

3. Minimize Impact of Heavy Installation Equipment

Where possible, excavators or backhoes should work from the sides to excavate the reservoir layer to its appropriate design depth and dimensions. For small pavement applications, excavating equipment should have arms with adequate extension so they do not have to work inside the footprint of the permeable pavement area (to avoid compaction). Contractors can utilize a cell construction approach,

whereby the proposed permeable pavement area is split into 500- to 1,000-square foot temporary cells with a 10- to 15-foot-wide earth bridge in between, so cells can be excavated from the side. Excavated material should be placed away from the open excavation so as to not jeopardize the stability of the side walls.

4. Promote Infiltration Rate

The native soils along the bottom of the permeable pavement system should be scarified or tilled to a depth of 3 to 4 inches prior to the placement of the filter layer or geotextile fabric. In large-scale paving applications with weak soils, the soil subgrade may need to be compacted to 95% of the Standard Proctor Density to achieve the desired load-bearing capacity.

Note: This may reduce or eliminate the infiltration function of the installation, and it must be addressed during hydrologic design.

5. Order of Materials

Geotextile fabric should be installed on the sides of the reservoir layer (and the bottom if the design calls for it). Geotextile fabric strips should overlap down-slope by a minimum of 2 feet and be secured a minimum of 4 feet beyond the edge of the excavation. Where the filter layer extends beyond the edge of the pavement (to convey runoff to the reservoir layer), install an additional layer of geotextile fabric 1 foot below the surface to prevent sediment from entering into the reservoir layer. Excess geotextile fabric should not be trimmed until the site is fully stabilized.

6. Install Base Material Components

Provide a minimum of 2 inches of aggregate above and below the underdrains. The up-gradient end of underdrains in the reservoir layer should be capped. Where an underdrain pipe is connected to a structure, there shall be no perforations within 1 foot of the structure. Ensure there are no perforations in clean-outs and observation wells within 1 foot of the surface.

7. Stone Media

Spread 6-inch lifts of the appropriate clean, double-washed stone aggregate (usually No. 2 or No. 57 stone). Place at least 4 inches of additional aggregate above the underdrain, and then compact it using a vibratory roller in static mode until there is no visible movement of the aggregate. Do not crush the aggregate with the roller.

8. Reservoir Media

Install the desired depth of the bedding layer, depending on the type of pavement, as indicated in Table 4.14.

9. Paving Media

Paving materials shall be installed in accordance with manufacturer or industry specifications for the particular type of pavement.

10. Installation of Porous Asphalt

The following has been excerpted from various documents, most notably Jackson (2007):

- Install porous asphalt pavement similarly to regular asphalt pavement. The pavement should be laid in a single lift over the filter course. The laying temperature should be between 230°F and 260°F, with a minimum air temperature of 50°F, to ensure the surface does not stiffen before compaction.
- Complete compaction of the surface course when the surface is cool enough to resist a 10-ton roller. One or two passes of the roller are required for proper compaction. More rolling could cause a reduction in the porosity of the pavement.

- The mixing plant must provide certification of the aggregate mix, abrasion loss factor, and asphalt content in the mix. Test the asphalt mix for its resistance to stripping by water using ASTM D1664. If the estimated coating area is not above 95%, additional anti-stripping agents must be added to the mix.
- Transport the mix to the site in a clean vehicle with smooth dump beds sprayed with a non-petroleum release agent. The mix shall be covered during transportation to control cooling.
- Test the full permeability of the pavement surface by application of clean water at a rate of at least 5 gallons per minute over the entire surface. All water must infiltrate directly, without puddle formation or surface runoff.
- Inspect the facility 18 to 30 hours after a significant rainfall (0.5 inch or greater) or artificial flooding to determine if the facility is draining properly.

11. Pervious Concrete Installation

The basic installation sequence for pervious concrete is outlined by the National Ready Mixed Concrete Association (NRMCA; NRMCA, 2004). Concrete installers are required to be certified by a recognized pervious concrete installers training program, such as the Pervious Concrete Contractor Certification Program offered by the NRMCA. The basic installation procedure is as follows:

- Drive the concrete truck as close to the project site as possible.
- Water the underlying aggregate (reservoir layer) before the concrete is placed, so the aggregate does not draw moisture from the freshly laid pervious concrete.
- After the concrete is placed, approximately 3/8 to 1/2 inches is struck off, using a vibratory screed. This is to allow for compaction of the concrete pavement.
- Compact the pavement with a steel pipe roller. Care should be taken to ensure over-compaction does not occur.
- Cut joints for the concrete to a depth of 1/4 inch.
- The curing process is very important for pervious concrete. Concrete installers should follow manufacturer specifications to the extent allowed by on-site conditions when curing pervious concrete. This typically requires covering the pavement with plastic sheeting within 20 minutes of the strike-off and may require keeping it covered for at least 7 days. Do not allow traffic on the pavement during the curing period.
- Remove the plastic sheeting only after the proper curing time. Inspect the facility 18 to 30 hours after a significant rainfall (0.5 inch or greater) or artificial flooding, to determine if the facility is draining properly.

12. Permeable Interlocking Concrete Paver Installation

The basic installation process is described in greater detail by Smith (2006):

- Place edge restraints for open-jointed pavement blocks before the bedding layer and pavement blocks are installed. Permeable interlocking concrete pavement systems require edge restraints to prevent vehicle loads from moving the paver blocks. Edge restraints may be standard curbs or gutter pans, or precast or cast-in-place reinforced concrete borders a minimum of 6 inches wide and 18 inches deep, constructed with Class A3 concrete. Edge restraints along the traffic side of a permeable pavement block system are recommended.

- Place the double-washed No. 57 stone in a single lift. Level the filter course and compact it into the reservoir course beneath with at least four passes of a 10-ton steel drum static roller until there is no visible movement. The first two passes are in vibratory mode, with the final two passes in static mode. The filter aggregate should be moist to facilitate movement into the reservoir course.
- Place and screed the bedding course material (typically No. 8 stone).
- Fill gaps at the edge of the paved areas with cut pavers or edge units. When cut pavers are needed, cut the pavers with a paver splitter or masonry saw. Cut pavers no smaller than 1/3 of the full unit size.
- Pavers may be placed by hand or with mechanical installers. Fill the joints and openings with stone. Joint openings must be filled with ASTM D448 No. 8 stone; although, No. 8P or No. 9 stone may be used where needed to fill narrower joints. Remove excess stones from the paver surface.
- Compact and seat the pavers into the bedding course with a minimum low-amplitude 5,000-pound-foot, 75- to 95-Hz plate compactor.
- Do not compact within 6 feet of the unrestrained edges of the pavers.
- The system must be thoroughly swept by a mechanical sweeper or vacuumed immediately after construction to remove any sediment or excess aggregate.
- Inspect the area for settlement. Any blocks that settle must be reset and re-inspected.
- Inspect the facility 18 to 30 hours after a significant rainfall (0.5 inch or greater) or artificial flooding to determine whether the facility is draining properly.

13. Construction Supervision

Supervision before, during, and after construction by a qualified professional is recommended to ensure permeable pavement is built in accordance with these specifications. ASTM test C1781 or C1701 must be performed to ensure initial pavement permeability of at least 6 inches per hour. Inspection checklists that require sign-offs by qualified individuals should be used at critical stages of construction to ensure the contractor's interpretation of the plan is consistent with the designer's intent.

Construction phase inspection checklist for permeable pavement practices can be found in Appendix E Construction Inspection Checklists.

Some common pitfalls can be avoided by careful construction supervision that focuses on the following key aspects of permeable pavement installation:

- Store materials in a protected area to keep them free from mud, dirt, and other foreign materials.
- The CDA should be stabilized prior to directing water to the permeable pavement area.
- Check the aggregate material to confirm it is clean and washed, meets specifications and is installed to the correct depth. Aggregate loads that do not meet the specifications or do not appear to be sufficiently washed may be rejected.
- Check elevations (i.e., the invert of the underdrain, inverts for the inflow, and outflow points) and the surface slope.

- Make sure the permeable pavement surface is even, runoff spreads evenly across it, and the storage bed drains within 48 hours.
- Ensure caps are placed on the upstream (but not the downstream) ends of the underdrains.
- Inspect the pretreatment structures (if applicable) to make sure they are properly installed and working effectively.
- Once the final construction inspection has been completed, log the GPS coordinates for each facility and submit them for entry into the BMP maintenance tracking database.

Runoff diversion structures are recommended to protect larger permeable pavement applications from early runoff-producing storms, particularly when up-gradient conventional asphalt areas drain to the permeable pavement. This can help reduce the input of fine particles often produced shortly after conventional asphalt is laid.

4.4.7 Permeable Pavement Maintenance Criteria

Maintenance is a required and crucial element to ensure the long-term performance of permeable pavement. The most frequently cited maintenance problem is surface clogging caused by organic matter and sediment. Periodic street sweeping will remove accumulated sediment and help prevent clogging; however, it is also critical to ensure that surrounding land areas remain stabilized.

The following tasks must be avoided on all permeable pavements:

- Sanding
- Resealing
- Resurfacing
- Power washing
- Storage of mulch or soil materials
- Construction staging on unprotected pavement

It is difficult to prescribe the specific types or frequency of maintenance tasks that are needed to maintain the hydrologic function of permeable pavement systems over time. The frequency of maintenance will depend largely on the pavement use, traffic loads, and the surrounding land use.

One preventative maintenance task for large-scale applications (e.g., parking lots) involves vacuum sweeping on a frequency consistent with the use and loadings encountered in the site. Many experts consider an annual, dry-weather sweeping in the spring months to be important. The contract for sweeping should specify that a vacuum sweeper be used that does not use water spray, since spraying may lead to subsurface clogging. Typical maintenance tasks are outlined in Table 4.15.

Table 4.15. Typical maintenance tasks for permeable pavement practices.

Frequency	Maintenance Tasks
After installation	<ul style="list-style-type: none"> ▪ For the first 6 months following construction, the practice and CDA should be inspected at least twice after storm events that exceed 0.5 inch of rainfall. Conduct any needed repairs or stabilization.
Once every 1–2 months during the growing season	<ul style="list-style-type: none"> ▪ Mow grass in grid paver applications (clippings should be removed from the pavement area).
As needed	<ul style="list-style-type: none"> ▪ Stabilize the CDA to prevent erosion. ▪ Remove any soil or sediment deposited on pavement. ▪ Replace or repair any pavement surfaces that are degenerating or spalling.
2–4 times per year (depending on use)	<ul style="list-style-type: none"> ▪ Mechanically sweep pavement with a standard street sweeper to prevent clogging.
Annually	<ul style="list-style-type: none"> ▪ Conduct a maintenance inspection ▪ Remove weeds as needed.
Once every 2–3 years	<ul style="list-style-type: none"> ▪ Remove any accumulated sediment in pretreatment cells and inflow points.
If clogged	<ul style="list-style-type: none"> ▪ Conduct maintenance using a regenerative street sweeper or a vacuum sweeper ▪ Replace any necessary joint material.

When permeable pavements are installed on private residential lots, homeowners will need to (1) be educated about their routine maintenance needs and (2) understand the long-term maintenance plan.

It is recommended that a qualified professional conduct a spring maintenance inspection and cleanup at each permeable pavement site, particularly at large-scale applications. Maintenance inspection checklists for permeable pavements and the Maintenance Service Completion Inspection form can be found in Appendix F Maintenance Inspection Checklists.

Waste Material

Waste material from the repair, maintenance, or removal of a BMP or land cover shall be removed and disposed of in compliance with applicable local, state, and federal law.

4.4.8 Permeable Pavement Stormwater Compliance Calculations

Permeable pavement retention credit varies depending on the design configuration of the system.

Enhanced Designs

These permeable pavement applications have an infiltration sump and water-quality filter, but no underdrain. Enhanced designs are credited with 100% retention for the storage volume (Sv) provided by the practice as well as 100% TSS, TN, and bacteria removal (Table 4.16).

Table 4.16. Retention and pollutant removal for enhanced permeable pavement practices.

Retention	= 100%
TSS Removal	= 100%
TN Removal	= 100%
Bacteria Removal	= 100%

Note: If using an infiltration sump design, only the volume stored in the sump can be counted as the Enhanced Design Storage Volume (Sv). Any volume stored in the practice above the sump is counted as a standard design. When using the SoLoCo Compliance Calculator, the Sv of the infiltration sump should be entered into the cell "Storage Volume Provided by BMP" in the Permeable Pavement – Enhanced row. Permeable Pavement – Standard should then be selected as the downstream practice. Next, in the Permeable Pavement - Standard row, the Sv provided above the infiltration sump should be entered into the cell "Storage Volume Provided by BMP."

Standard Designs

These permeable pavement applications have an underdrain, but no infiltration sump or water quality filter. Standard designs are credited with 30% retention for the storage volume (Sv) provided as well as 80% TSS, 45% TN, and 30% bacteria removal. (Table 4.17).

Table 4.17. Retention and pollutant removal for standard permeable pavement practices.

Retention	= 30%
TSS Removal	= 80%
TN Removal	= 45%
Bacteria Removal	= 30%

The practice must be sized using the guidance detailed in Section 4.2.4 Permeable Pavement Design Criteria.

Permeable pavement also contributes to peak flow reduction. This contribution can be determined in several ways. One method is to subtract the storage volume (Sv) achieved by the practice from the total runoff volumes for the 2-year through the 100-year storm events. The resulting reduced runoff volumes can then be used to calculate a reduced NRCS CN for the site or SDA. The reduced NRCS CN can then be used to calculate peak flow rates for the various storm events. Other hydrologic modeling tools that employ different procedures may be used as well.

4.4.9 References

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4.5 Infiltration Practices

Infiltration				
Definition: Practices that capture and temporarily store the design storm volume before allowing it to infiltrate into the soil over a three-day period.				
Site Applicability		BMP Performance Summary		
Land Uses	Required Footprint	WQ Improvement: Moderate to High		
<ul style="list-style-type: none"> ▪ Urban ▪ Suburban ▪ Rural 	Small	TSS ¹	Total N ¹	Bacteria ¹
		100%	100%	100%
		Runoff Reduction		
Construction Costs	Maintenance Burden	Volume		
Moderate	Moderate	High		
Maintenance Frequency:		SWRv		
Routine	Non-Routine	Basin	Trench	
Quarterly	Every 5-10 years	100%	100%	
Advantages/Benefits		Disadvantages/Limitation		
<ul style="list-style-type: none"> ▪ Excellent in impervious CDAs ▪ Helps restore pre-development hydrologic conditions through groundwater recharge ▪ Reduces runoff rates, volumes, and pollutant loads ▪ Attractive landscaping features ▪ Good for small sites with porous soils 		<ul style="list-style-type: none"> ▪ CDA should be less than 2 acres. ▪ Potential for groundwater contamination ▪ High clogging potential; ▪ Not for sites with fine soils (clays/silts) in CDA ▪ Geotechnical testing required 		
Components		Design considerations		
<ul style="list-style-type: none"> ▪ Pretreatment ▪ Conveyance system ▪ Ponding area ▪ Soils/Filter Media/Mulch ▪ Observation Well/Monitoring Port ▪ Plants 		<ul style="list-style-type: none"> ▪ Depth to seasonal high water table must be at least 6 inches below bottom of practice ▪ Must infiltrate within 72 hours 		
Maintenance Activities				
<ul style="list-style-type: none"> ▪ Inspect for clogging 		<ul style="list-style-type: none"> ▪ Replace soil/stone if it becomes clogged ▪ Clean conveyance system(s) 		

¹Credited pollutant load removal

Infiltration practices are suitable for use in residential and other urban areas where field measured soil infiltration rates are sufficient. To prevent possible groundwater contamination, infiltration must not be utilized at sites designated as stormwater hotspots. If properly designed, they can provide significant reductions in post-construction stormwater runoff rates, volumes, and pollutant loads on development sites (Figure 4.16)



Figure 4.16. Infiltration practice in median strip.

Definition

Practices that capture and temporarily store the design storm volume before allowing it to infiltrate into the soil over a three-day period. Infiltration practices use temporary surface or underground storage to allow incoming stormwater runoff to exfiltrate into underlying soils. Runoff first passes through multiple pretreatment mechanisms to trap sediment and organic matter before it reaches the practice. As the stormwater penetrates the underlying soil, chemical and physical adsorption processes remove pollutants. Infiltration practices are suitable for use in residential and other urban areas where field-verified saturated hydraulic conductivity is sufficient.

Design variants include the following:

- I-1 Infiltration trench
- I-2 Infiltration basin

Infiltration Trenches

Infiltration trenches are excavated trenches filled with stone. Stormwater runoff is captured and temporarily stored in the stone reservoir, where it is allowed to infiltrate into the surrounding and underlying native soils. Infiltration trenches can be used to “receive” stormwater runoff from contributing drainage areas of up to 2 acres in size and should only be used on development sites where sediment loads can be kept relatively low (see Figure 4.17 and Figure 4.18).

Infiltration Basins

Infiltration basins are shallow, landscaped excavations filled with an engineered soil mix. They are designed to capture and temporarily store stormwater runoff in the engineered soil mix, where it is subjected to the hydrologic processes of evaporation and transpiration, before being allowed to infiltrate into the surrounding soils. They are essentially non-underdrained bioretention areas and should also only be used on drainage areas up to 5 acres where sediment loads can be kept relatively low (Figure 4.19).

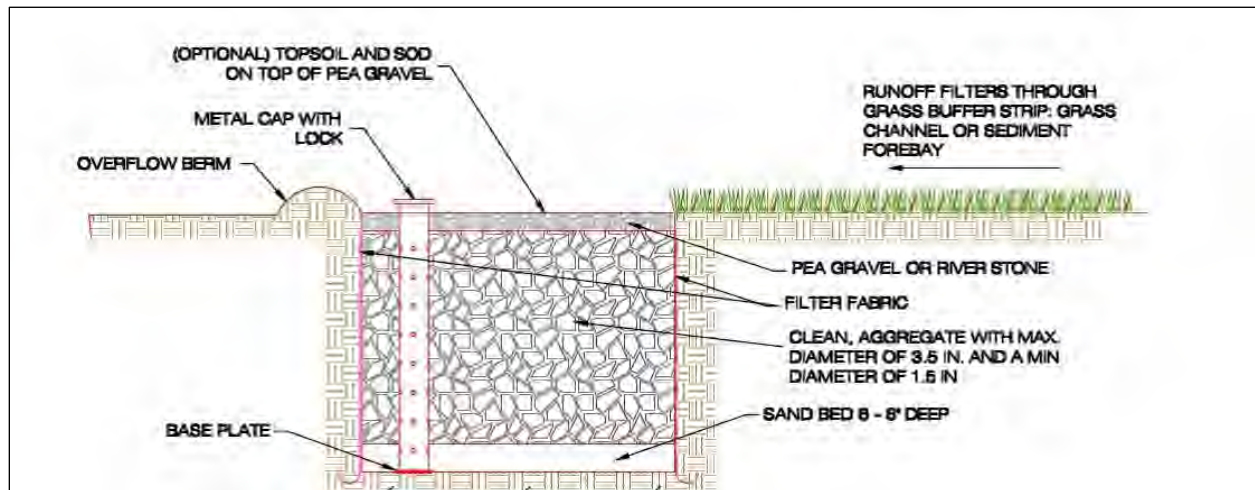


Figure 4.17. Example design of an infiltration trench.

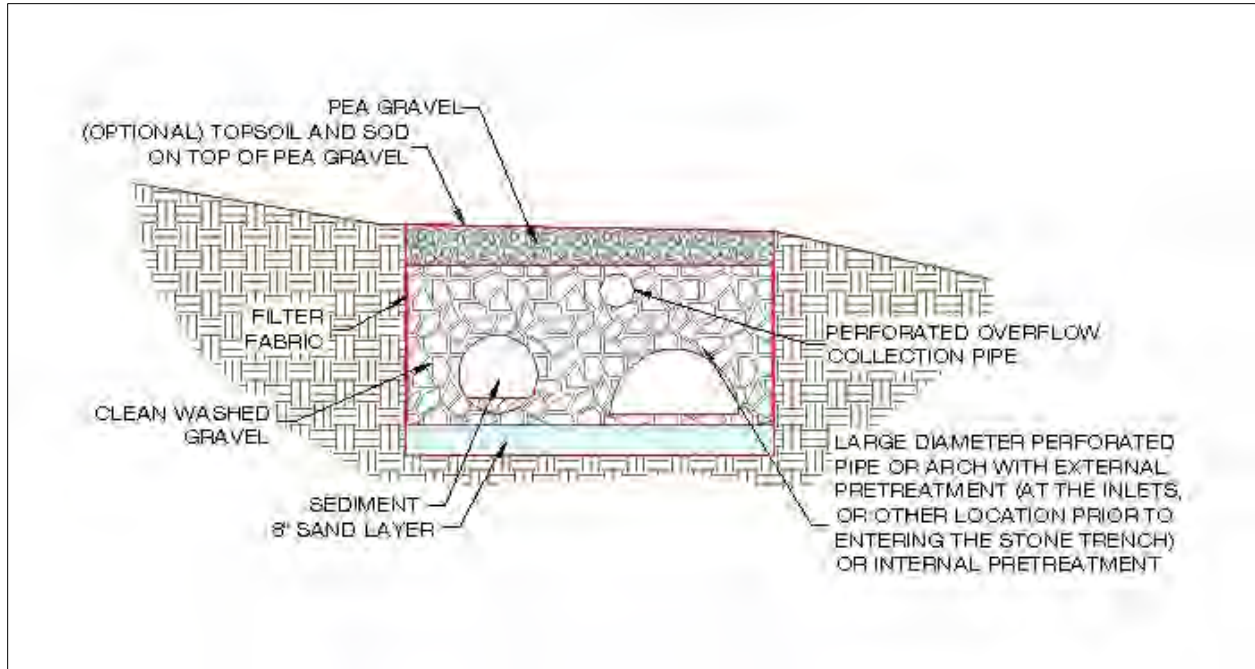


Figure 4.18. Example design of an infiltration practice with supplemental pipe storage.

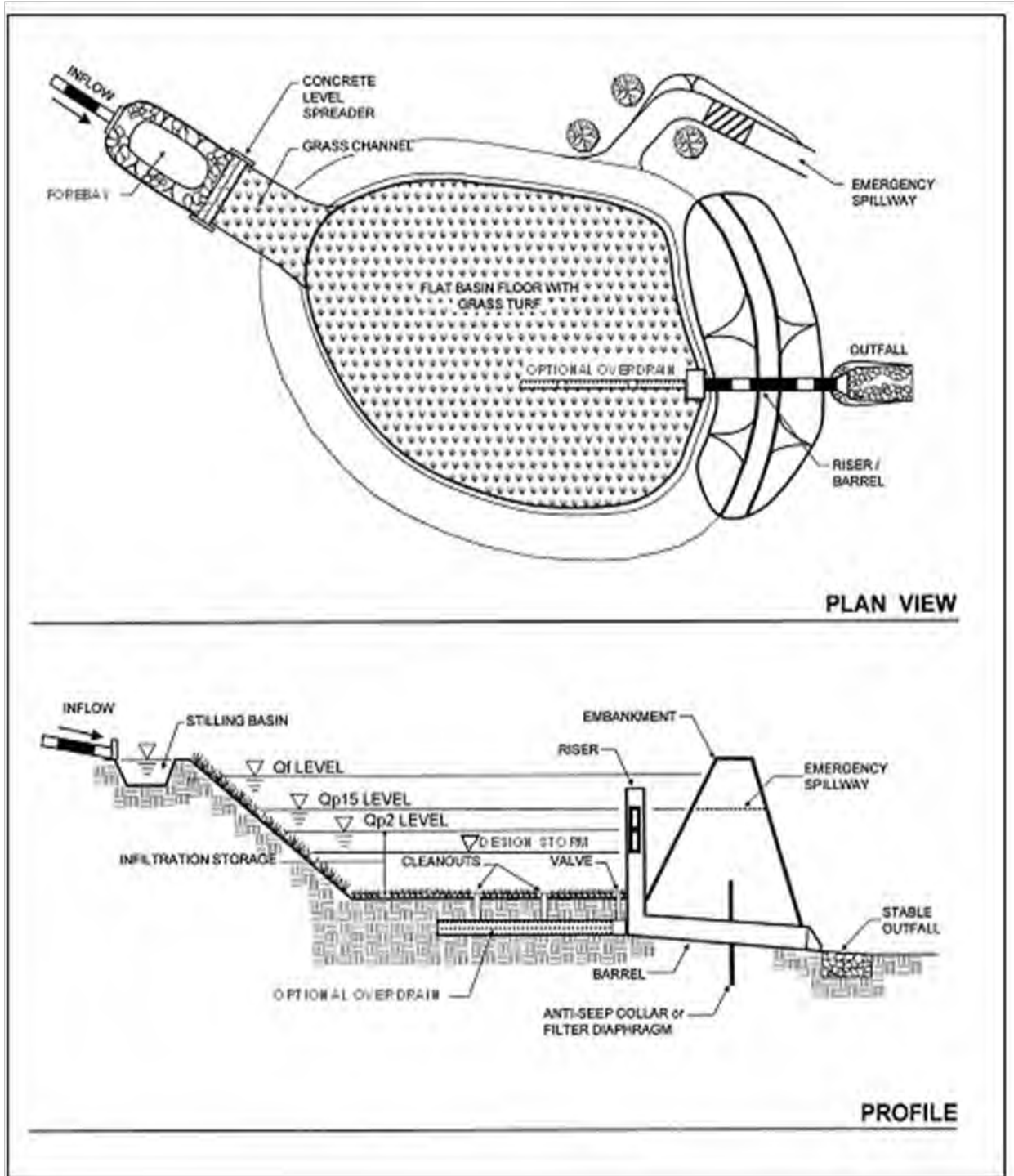


Figure 4.19. Example design of an infiltration basin.

4.5.1 Infiltration Feasibility Criteria

Infiltration practices have very high storage and retention capabilities when sited and designed appropriately. Designers should evaluate the range of soil properties during initial site layout and seek to configure the site to conserve and protect the soils with the greatest recharge and infiltration rates. In particular, areas of HSG A or B soils, shown on the U.S. Department of Agriculture's NRCS soil surveys, should be considered as primary locations for infiltration practices. Additional information about soil and infiltration are described in more detail later in this section. During initial design phases, designers should carefully identify and evaluate constraints on infiltration, as follows:

Underground Injection Control for Class V Wells

In order for an infiltration practice to avoid classification as a Class V well, which is subject to regulation under the Federal Underground Injection Control program, the practice must be wider than the practice is deep. If an infiltration practice is "deeper than its widest surface dimension" or if it includes an underground distribution system, then it will likely be considered a Class V injection well. Class V injection wells are subject to permit approval by the U.S. Environmental Protection Agency (EPA). For more information on Class V injection wells and stormwater management, designers should consult <https://www.epa.gov/sites/production/files/2015-10/documents/epamemoinfiltrationclassvwells.pdf> for EPA's clarification for stormwater infiltration.

Contributing Drainage Area

The maximum CDA to an individual infiltration practice should be less than 2 acres and as close to 100% impervious as possible. The design, pretreatment, and maintenance requirements will differ depending on the size of the infiltration practice.

Site Topography

The infiltration practice shall not be located on slopes greater than 6%, although check dams or other devices may be employed to reduce the effective slope of the practice. Further, unless slope stability calculations demonstrate otherwise, infiltration practices should be located a minimum horizontal distance of 200 feet from down-gradient slopes greater than 20%.

Minimum Hydraulic Head

Two or more feet of head may be needed to promote flow through infiltration practices.

Minimum Depth to Water Table

A minimum vertical distance of 0.5 feet must be provided between the bottom of the infiltration practice.

Tidal Impacts

The bottom of an infiltration practice should be located above the tidal mean high water elevation. Where this is not possible, portions of the practice below the tidal mean high water elevation cannot be included in the volume calculations.

Soils

Initially, soil infiltration rates can be estimated from NRCS soil data for feasibility purposes, but designers must verify soil permeability by using the on-site soil investigation methods provided in Appendix B Geotechnical Information Requirements for Underground BMPs for their design.

Use on Urban Fill Soils/Redevelopment Sites

Sites that have been previously graded or disturbed do not typically retain their original soil permeability due to compaction. Therefore, such sites are often not good candidates for infiltration practices unless the geotechnical investigation shows that a sufficient saturated hydraulic conductivity exists.

Dry Weather Flows

Infiltration practices should not be used on sites receiving regular dry-weather flows from sump pumps, irrigation water, chlorinated wash-water, or flows other than stormwater.

Setbacks

To avoid the risk of seepage, stormwater cannot flow from infiltration practices to traditional pavement base layer, existing structure foundations, or future foundations which may be built on adjacent properties. Setbacks to structures and property lines must be at least 10 feet and adequate waterproofing protection must be provided for foundations and basements. Where the 10-foot setback is not possible, an impermeable liner may be used along the sides and bottom of the infiltration area (extending from the surface to the bottom of the practice and outward to meet the 10-foot setback). Areas where the liner blocks infiltration should be excluded from surface area calculations for the practice. In locations where the surface soil consists of highly permeable soils with little separation of the infiltration trench or basin bottom, the extent of ground water mounding should be considered. Mounding can occur in areas where infiltrating water intersects a groundwater table and the rate of water entering the subsurface is greater than the rate at which water is conveyed away from the infiltration system (MPCA, 2019). Ground water mounding may impact building foundations, soil stability, underground utilities and potentially on-site treatment systems (septic leach beds).

All setbacks must be verified by a professional geotechnical engineer registered in the State of South Carolina.

Proximity to Utilities

Interference with underground utilities should be avoided, if possible. When large site development is undertaken the expectation of achieving avoidance will be high. Conflicts may be commonplace on smaller sites and in the PROW. Consult with each utility company on recommended offsets, which will allow utility maintenance work with minimal disturbance to the infiltration BMP. Infiltration BMPs in the PROW will also conform with the State of South Carolina Department of Transportation design specifications. Where conflicts cannot be avoided, follow these guidelines:

- Consider altering the location or sizing of the infiltration BMP to avoid or minimize the utility conflict. Consider an alternate BMP type to avoid conflict.
- Use design features to mitigate the impacts of conflicts that may arise by allowing the infiltration BMP and the utility to coexist. The infiltration BMP design may need to incorporate impervious areas, through geotextiles or compaction, to protect utility crossings. Other key design features may need to be moved, added, or deleted.
- Evaluate the relocation of the existing utility and install an optimally placed and sized infiltration BMP.
- If utility functionality, longevity and vehicular access to manholes can be assured, accept the infiltration BMP design and location with the existing utility. Incorporate into the infiltration BMP design sufficient soil coverage over the utility or general clearances or other features such as an impermeable linear to assure all entities the conflict is limited to maintenance.

Note: When accepting utility conflict into the infiltration BMP location and design, it is understood the infiltration BMP will be temporarily impacted during utility work. At the conclusion of this work, the utility owner will replace the infiltration BMP or, alternatively, install a functionally comparable infiltration BMP according to the specifications in the current version of this guidebook. If the infiltration BMP is located in the PROW the infiltration BMP restoration will also conform with the State of South Carolina Department of Transportation design specification.

Pollutant Hotspots and High Loading Situations

Infiltration practices are not intended to treat sites with high sediment or trash or debris loads, because such loads will cause the practice to clog and fail. Infiltration practices must be avoided at potential stormwater hotspots that pose a risk of groundwater contamination. In areas where higher pollutant loading is likely (i.e. oils and greases from fueling stations or vehicle storage areas, sediment from un-stabilized pervious areas, or other pollutants from industrial processes), appropriate pretreatment, such as an oil-water separator or filtering device must be provided. These pretreatment facilities should be monitored and maintained frequently to avoid negative impacts to the infiltration area and groundwater.

On sites with existing contaminated soils, infiltration is not allowed.

Economic Considerations

Infiltration practices do require a designated space on the site, which in space-constrained areas, may reduce available building space. However, infiltration practices have a relatively low construction cost, and high space efficiency. In some cases, they can even be incorporated into the detention design or landscaped areas

4.5.2 Infiltration Conveyance Criteria

The nature of the conveyance and overflow to an infiltration practice depends on the scale of infiltration and whether the facility is on-line or off-line. Where possible, conventional infiltration practices should be designed off-line to avoid damage from the erosive velocities of larger design storms. If runoff is delivered by a storm drain pipe or along the main conveyance system, the infiltration practice shall be designed as an off-line practice. Pretreatment shall be provided for storm drain pipes and conveyance systems discharging directly to infiltration systems.

Off-line Infiltration

Overflows can either be diverted from entering the infiltration practice or dealt with via an overflow inlet. Optional overflow methods include the following:

- Utilize a low-flow diversion or flow splitter at the inlet to allow only the design SWRV to enter the facility. This may be achieved with a weir or curb opening sized for the target flow, in combination with a bypass channel. Using a weir or curb opening helps minimize clogging and reduces the maintenance frequency (further guidance on determining the peak flow rate will be necessary in order to ensure proper design of the diversion structure).
- Use landscaping type inlets or standpipes with trash guards as overflow devices.

On-line Infiltration

An overflow structure must be incorporated into on-line designs to safely convey the 25-year storm through the infiltration area. Mechanisms such as elevated drop inlets and overflow weirs are examples of how to direct high flows to a non-erosive down-slope overflow channel, stabilized water course, or storm sewer system designed to convey the 25-year design storm.

4.5.3 Infiltration Pretreatment Criteria

Every infiltration system shall have pretreatment mechanisms to protect the long-term integrity of the infiltration rate. One of the following techniques must be installed to pretreat 100% of the inflow in every facility:

- Grass channel
- Grass filter strip (minimum 20 feet and only if sheet flow is established and maintained)
- Forebay or sump pit (must accommodate a minimum 15% of the design storm volume)
- Gravel diaphragm (minimum 1 foot deep and 2 feet wide and only if sheet flow is established and maintained)
- Filter system (see Section 4.10 Filtering Systems) If using a filter system as a pretreatment facility, the sand filter will not require its own separate pretreatment facility.
- A proprietary structure with demonstrated capability of reducing sediment and hydrocarbons may be used to provide pretreatment. Refer to Section 0 Proprietary Practices.

If the basin serves a CDA greater than 20,000 square feet, a forebay, sump pit, filter system, or proprietary practice must be used for pretreatment.

Exit velocities from the pretreatment chamber shall not be erosive (above 6 fps) during the 25-year design storm and flow from the pretreatment chamber should be evenly distributed across the width of the practice (e.g., using a level spreader).

4.5.4 Infiltration Design Criteria

Geometry

Where possible, an infiltration practice should be designed to be wider than it is deep, to avoid classification as a Class V injection well. For more information on Class V wells see <https://www.epa.gov/sites/production/files/2015-10/documents/epamemoinfiltrationclassvwells.pdf>

Practice Slope

The bottom of an infiltration practice should be flat (i.e., 0% longitudinal and lateral slopes) to enable even distribution and infiltration of stormwater.

Infiltration Basin Geometry

The maximum vertical depth to which runoff may be ponded over an infiltration basin is 24 inches. The side-slopes should be no steeper than 4H:1V.

Surface Cover (optional)

Designers may choose to install a layer of topsoil and grass above the infiltration practice.

Surface Stone

A 3-inch layer of clean, washed river stone or No. 8 or 89 stone should be installed over the stone layer.

Stone Layer

Stone layers must consist of clean, washed aggregate with a maximum diameter of 3.5 inches and a minimum diameter of 1.5 inches.

Observation Wells

All infiltration practices must include at least one observation well. The observation well is used to observe the rate of drawdown within the infiltration practice following a storm event and to facilitate periodic inspection and maintenance. The observation well should consist of a well-anchored, perforated 4- to 6-inch diameter PVC pipe. There should be no perforation within 1 foot of the surface. The observation well should extend vertically to the bottom of the stone layer and extend upward to the top of ponding.

Underground Storage (optional)

In the underground mode, runoff is stored in the voids of the stones and infiltrates into the underlying soil matrix. Perforated corrugated metal pipe, plastic pipe, concrete arch pipe, or comparable materials can be used in conjunction with the stone to increase the available temporary underground storage. In some instances, a combination of filtration and infiltration cells can be installed in the floor of a dry extended detention (ED) pond.

Overflow Collection Pipe (Overdrain)

An optional overflow collection pipe can be installed in the stone layer to convey collected runoff from larger storm events to a downstream conveyance system.

Trench Bottom

To protect the bottom of an infiltration trench from intrusion by underlying soils, a sand layer must be used. The underlying native soils must be separated from the stone layer by a 6- to 8-inch layer of coarse sand (e.g., ASTM C-33, 0.02–0.04 inches in diameter).

Geotextile Fabric

An appropriate geotextile fabric that complies with AASHTO M-288 Class 2, latest edition, requirements and has a permeability of at least an order of magnitude (10 times) higher than the soil subgrade permeability must be used. This layer should be applied only to the sides of the practice.

Material Specifications

Recommended material specifications for infiltration areas are shown in Table 4.18.

Table 4.18. Infiltration practice material specifications.

Material	Specification	Notes
Surface Layer (optional)	Topsoil and grass layer	
Surface Stone	Install a 3-inch layer of river stone or pea gravel.	Provides an attractive surface cover that can suppress weed growth.
Stone Layer	Clean, double-washed aggregate with a maximum diameter of 3.5 inches and a minimum diameter of 1.5 inches.	
Observation Well	Install a vertical 6-inch Schedule 40 PVC perforated pipe, with a lockable cap and anchor plate.	Install one per 50 feet of length of infiltration practice.
Overflow Collection Pipe (optional)	Use 4- or 6-inch rigid schedule 40 PVC pipe, with three or four rows of 3/8-inch perforations at 6 inches on center.	
Trench Bottom	Install a 6- to 8-inch sand layer (e.g., ASTM C-33, 0.02–0.04 inches in diameter)	
Geotextile Fabric (sides only)	An appropriate geotextile fabric that complies with AASHTO M-288 Class 2, latest edition, requirements and has a permeability of at least an order of magnitude (10 times) higher than the soil subgrade permeability must be used.	

Practice Sizing

The proper approach for designing infiltration practices is to avoid forcing a large amount of infiltration into a small area. Therefore, individual infiltration practices that are limited in size due to soil permeability and available space need not be sized to achieve the full design storm volume (SWR_v) for the CDA, as long as other stormwater treatment practices are applied at the site to meet the remainder of the design storm volume.

Several equations (see following page) are needed to size infiltration practices. The first equations establish the maximum depth of the infiltration practice, depending on whether it is a surface basin (Equation 4.6) or trench with an underground reservoir (Equation 4.7)

Equation 4.6. Maximum surface basin depth for infiltration basins.

$$d_{\max} = K_{\text{sat}} \times t_d$$

Equation 4.7. Maximum underground reservoir depth for infiltration trenches.

$$d_{\max} = \frac{(K_{\text{sat}} \times t_d)}{\eta_r}$$

Where:

- d_{\max} = Maximum depth of the infiltration practice (ft)
- K_{sat} = Field-verified saturated hydraulic conductivity for the native soils (ft/day)
- t_d = Maximum drawdown time (days, normally 3 days)
- η_r = Available porosity of the stone reservoir (assume 0.4)

These equations make the following design assumptions:

- **Stone Layer Porosity**
A porosity value of 0.4 shall be used in the design of stone reservoirs, although a larger value may be used if perforated corrugated metal pipe, plastic pipe, concrete arch pipe, or comparable materials are installed within the reservoir.
- **Rapid Drawdown**
Infiltration practices must be sized so that the design volume infiltrates within 72 hours, to prevent nuisance ponding conditions.

Designers should compare these results to the maximum allowable depths in Table 4.19 and use whichever value is less for the subsequent design.

Table 4.19. Maximum facility depth for infiltration practices.

Mode of Entry	Scale of Infiltration		
	Micro Infiltration (250–2,500 ft ²)	Small Scale Infiltration (2,500–20,000 ft ²)	Conventional Infiltration (20,000–100,000 ft ²)
Surface Basin	1.0	1.5	2.0
Underground Reservoir	3.0	5.0	varies

Once the maximum depth is known, calculate the surface area needed for an infiltration practice using Equation 4.8 or Equation 4.9.

Equation 4.8. Surface basin surface area for infiltration basins.

$$SA = \frac{\text{DesignStorm}}{d + (K_{\text{sat}} \times t_f)}$$

Equation 4.9. Underground reservoir surface area for infiltration trenches.

$$SA = \frac{\text{DesignStorm}}{(\eta_r \times d) + (0.5 \times K_{\text{sat}} \times t_f)}$$

Where:

SA = Surface area (square feet)

DesignStorm = SWRv or other design storm volume (e.g., portion of the SWRv; cubic feet)

η_r = Available porosity of the stone reservoir (assume 0.4)

d = Infiltration depth (feet; maximum depends on the scale of infiltration and the results of Equation 4.6 or Equation 4.7)

K_{sat} = Field-verified saturated hydraulic conductivity for the native soils (ft/day)

t_f = Time to fill the infiltration facility (days; typically 2 hours or 0.083 days)

The storage volume (Sv) captured by the infiltration practice is defined as the volume of water that is fully infiltrated through the practice (i.e., no overflow). Designers may choose to infiltrate less than the full design storm (SWRv). In this case, the design volume captured must be treated as the Sv of the

practice (see Section 4.5.4 Infiltration Design Criteria). S_v can be determined by rearranging Equation 4.8 and Equation 4.9 to yield Equation 4.10 and Equation 4.11.

Equation 4.10. Storage volume for surface basin area for infiltration basins.

$$S_v = SA \times [d + (K_{sat} \times t_f)]$$

Equation 4.11. Storage volume for underground reservoir surface area for infiltration trenches.

$$S_v = SA \times [(\eta_r \times d) + (K_{sat} \times t_f)]$$

Infiltration practices can also be designed to address, in whole or in part, the detention storage needed to comply with channel protection and/or flood control requirements. The designer can model various approaches by factoring in storage within the stone aggregate layer, any perforated corrugated metal pipe, plastic pipe, concrete arch pipe, or comparable materials installed within the reservoir, expected infiltration, and any outlet structures used as part of the design. Routing calculations can also be used to provide a more accurate solution of the peak discharge and required storage volume.

4.5.5 Infiltration Landscaping Criteria

Infiltration trenches can be effectively integrated into the site plan and aesthetically designed with adjacent native landscaping or turf cover, subject to the following additional design considerations:

- Infiltration practices should not be installed until all up-gradient construction is completed and pervious areas are stabilized with dense and healthy vegetation, unless the practice can be kept off-line so it receives no runoff until construction and stabilization is complete.
- Vegetation associated with the infiltration practice buffers should be regularly maintained to limit organic matter in the infiltration device and maintain enough vegetation to prevent soil erosion from occurring.

4.5.6 Infiltration Construction Sequence

Infiltration practices are particularly vulnerable to failure during the construction phase for two reasons. First, if the construction sequence is not followed correctly, construction sediment can clog the practice. Second, loading from heavy construction equipment can result in compaction of the soil, which can then reduce the soil's infiltration rate. For this reason, a careful construction sequence needs to be followed.

During site construction, the following protective measures are absolutely critical:

- All areas proposed for infiltration practices should be fully protected from sediment intrusion by silt fence or construction fencing, particularly if they are intended to infiltrate runoff.
- Avoid excessive compaction by preventing construction equipment and vehicles from traveling over the proposed location of the infiltration practice. To accomplish this, areas intended to infiltrate runoff must remain outside the limits of disturbance during construction.
- When this is unavoidable, there are several possible remedies for the impacted area.
 - If excavation at the impacted area can be restricted then remediation can be achieved with deep tilling practices. This is only possible if in situ soils are not disturbed below 2 feet above the final design elevation of the bottom of the infiltration practice. In this case, when heavy equipment activity has ceased, the area is excavated to grade, and the impacted area must be tilled a minimum of 12 inches below the bottom of the infiltration practice.

- Alternatively, if it is infeasible to keep the proposed infiltration practice outside of the limits of disturbance, and excavation of the area cannot be restricted, then infiltration tests will be required prior to installation of the infiltration practice to ensure that the design infiltration rate is still present. If tests reveal the loss of design infiltration rates then deep tilling practices may be used in an effort to restore those rates. In this case further testing must be done to establish design rates exist before the infiltration practice can be installed.
- Finally, if it is infeasible to keep the proposed permeable pavement areas outside of the limits of disturbance, excavation of the area cannot be restricted, and infiltration tests reveal design rates cannot be restored, then a resubmission of the SWMP will be required.
- Any area of the site intended ultimately to be an infiltration practice should not be used as the site of a temporary sediment trap or basin. If locating a sediment trap or basin on an area intended for infiltration is unavoidable, the remedies are similar to those discussed for heavy equipment compaction. If it is possible, restrict the invert of the sediment trap or basin to at least 2 feet above the final design elevation of the bottom of the proposed infiltration practice. Then remediation can be achieved with proper removal of trapped sediments and deep tilling practices. An alternate approach to deep tilling is to use an impermeable liner to protect the in situ soils from sedimentation while the sediment trap or basin is in use. In each case, all sediment deposits must be carefully removed prior to installing the infiltration practice.
- Keep the infiltration practice off-line until construction is complete. Prevent sediment from entering the infiltration site by using silt fence, diversion berms, or other means. In the soil erosion and sediment control plan, indicate the earliest time at which stormwater runoff may be directed to a conventional infiltration basin. The soil erosion and sediment control plan must also indicate the specific methods to be used to temporarily keep runoff from the infiltration site.
- Upland CDAs need to be completely stabilized with a well-established layer of vegetation prior to commencing excavation for an infiltration practice.

Infiltration Installation

The actual installation of an infiltration practice is done using the following steps:

1. Avoid Impact of Heavy Installation Equipment

Excavate the infiltration practice to the design dimensions from the side using a backhoe or excavator. The floor of the pit should be completely level, but equipment should be kept off the floor area to prevent soil compaction.

2. Hang Geotextile Walls

Install geotextile fabric on the trench sides. Large tree roots should be trimmed flush with the sides of infiltration trenches to prevent puncturing or tearing of the geotextile fabric during subsequent installation procedures. When laying out the geotextile, the width should include sufficient material to compensate for perimeter irregularities in the trench and for a 6-inch minimum overlap at the top of the trench. The geotextile fabric itself should be tucked under the sand layer on the bottom of the infiltration trench. Stones or other anchoring objects should be placed on the fabric at the trench sides, to keep the trench open during windy periods. Voids may occur between the fabric and the excavated sides of a trench. Natural soils should be placed in all voids, to ensure the fabric conforms smoothly to the sides of excavation.

3. Promote Infiltration Rate

Scarify the bottom of the infiltration practice and spread 6 inches of sand on the bottom as a filter layer.

4. Observation Wells

Anchor the observation well(s) and add stone to the practice in 1-foot lifts.

5. Stabilize Surrounding Area

Use sod, where applicable, to establish a dense turf cover for at least 10 feet around the sides of the infiltration practice, to reduce erosion and sloughing.

Construction Supervision

Supervision during construction is recommended to ensure that the infiltration practice is built in accordance with the approved design and this specification. Qualified individuals should use detailed inspection checklists to include sign-offs at critical stages of construction, to ensure that the contractor's interpretation of the plan is consistent with the designer's intentions.

4.5.7 Infiltration Maintenance Criteria

Maintenance is a crucial and required element that ensures the long-term performance of infiltration practices. The most frequently cited maintenance problem for infiltration practices is clogging of the stone layer by organic matter and sediment. The following design features can minimize the risk of clogging:

Stabilized CDA

Infiltration systems may not receive runoff until the entire CDA has been completely stabilized.

Observation Well

Infiltration practices must include an observation well to facilitate periodic inspection and maintenance. Design criteria must include an anchored 6-inch diameter perforated PVC pipe fitted with a lockable cap installed flush with the ground surface.

No Geotextile Fabric on Bottom

Avoid installing geotextile fabric along the bottom of infiltration practices. Experience has shown that geotextile fabric is prone to clogging. However, permeable geotextile fabric should be installed on the trench sides to prevent soil piping.

Direct Maintenance Access

Access must be provided to allow personnel and heavy equipment to perform atypical maintenance tasks, such as practice reconstruction or rehabilitation. While a turf cover is permissible for small-scale infiltration practices, the surface must never be covered by an impermeable material, such as asphalt or concrete.

Maintenance Inspections

Effective long-term operation of infiltration practices requires a dedicated and routine maintenance inspection schedule with clear guidelines and schedules, as shown in Table 4.20. Where possible, facility maintenance should be integrated into routine landscaping maintenance tasks.

Table 4.20. Typical maintenance activities for infiltration practices.

Schedule	Maintenance Activity
Quarterly	<ul style="list-style-type: none"> ▪ Ensure that the CDA, inlets, and facility surface are clear of debris. ▪ Ensure that the CDA is stabilized. Perform spot-reseeding if where needed. ▪ Remove sediment and oil/grease from inlets, pretreatment devices, flow diversion structures, and overflow structures. ▪ Repair undercut and eroded areas at inflow and outflow structures.
Semi-annual inspection	<ul style="list-style-type: none"> ▪ Check observation wells 3 days after a storm event in excess of 0.5 inch in depth. Standing water observed in the well after 3 days is a clear indication of clogging. ▪ Inspect pretreatment devices and diversion structures for sediment build-up and structural damage.
Annually	<ul style="list-style-type: none"> ▪ Clean out accumulated sediment from the pretreatment cell.
As needed	<ul style="list-style-type: none"> ▪ Replace pea gravel/topsoil and top surface geotextile fabric (when clogged). ▪ Mow vegetated filter strips as necessary and remove the clippings.

It is highly recommended that a qualified professional conduct annual site inspections for infiltration practices to ensure the practice performance and longevity of infiltration practices.

<local jurisdiction>'s maintenance inspection checklist for infiltration systems and the Maintenance Service Completion Inspection form can be found in Appendix F Maintenance Inspection Checklists.

Waste Material

Waste material from the repair, maintenance, or removal of a BMP or land cover shall be removed and disposed of in compliance with applicable local, state, and federal law.

4.5.8 Infiltration Stormwater Compliance Calculations

Infiltration practices are credited with 100% retention for the storage volume (Sv) provided by the practice as well as 100% TSS, TN, and bacteria removal (Table 4.21).

Table 4.21. Retention and pollutant removal for infiltration practices.

Retention	= 100%
TSS Removal	= 100%
TN Removal	= 100%
Bacteria Removal	= 100%

The practice must be sized using the guidance detailed in Section 4.3.4 Infiltration Design Criteria.

Infiltration practices also contribute to peak flow reduction. This contribution can be determined in several ways. One method is to subtract the storage volume (Sv) from the total runoff volume for the 2-year through the 100-year storm events. The resulting reduced runoff volumes can then be used to calculate a reduced NRCS CN for the site or SDA. The reduced NRCS CN can then be used to calculate

peak flow rates for the various storm events. Other hydrologic modeling tools that employ different procedures may be used as well.

4.5.9 References

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4.6 Green Roofs

Green Roofs				
Definition: Practices that capture and store rainfall in an engineered growing media installed over a waterproof membrane that is designed to support plant growth on the roof of a building or other structure.				
Site Applicability		BMP Performance Summary		
Land Uses	Required Footprint	WQ Improvement: Moderate to High		
<ul style="list-style-type: none"> ▪ Urban ▪ Suburban 	Small	TSS ¹	Total N ¹	Bacteria ¹
		100%	100%	100%
		Runoff Reduction		
Construction Costs	Maintenance Burden	Volume		
High	Low	High		
Maintenance Frequency:		SWRv		
Routine	Non-Routine	100% of Sv		
Semi-annually	As needed			
Advantages/Benefits		Disadvantages/Limitation		
<ul style="list-style-type: none"> ▪ Reduces runoff volume and pollutant loads ▪ Energy savings: keep buildings cool, prolongs roof life ▪ Possible amenity space for public or users ▪ Sound absorption ▪ Life cycle costs comparable to traditional roof 		<ul style="list-style-type: none"> ▪ For retrofits, strengthening structure may be required ▪ If roof leaks occur, may be harder to trace ▪ Design and installation require specialized knowledge ▪ Typically applied on flat roofs (1%–2% pitch) ▪ Installation costs higher than for traditional roof 		
Components		Design considerations		
<ul style="list-style-type: none"> ▪ Vegetation that thrives in rooftop climate. ▪ Engineered planting medium (not soil). ▪ Containment (Modular systems - plant containers; Non-modular systems - barriers at roof perimeter/drainage structures). ▪ Drainage layer, sometimes with built-in water reservoirs. ▪ Water proofing layer or roof membrane with root repellent. 		<ul style="list-style-type: none"> ▪ Good waterproofing material and installation are essential. ▪ Materials used must be lightweight. ▪ Building structure must be able to support saturated weight. ▪ Roofs with moderate to flat slopes are most appropriate. Maximum roof slope of 30%. 		
Maintenance Activities				
<ul style="list-style-type: none"> ▪ Watering and fertilization until well-established ▪ Occasional weeding 		<ul style="list-style-type: none"> ▪ Inspection for proper drainage and plant health ▪ Ordinary life cycle roof replacement 		

¹Credited pollutant load removal

Green roofs are practices that capture and store rainfall in an engineered growing media that is designed to support plant growth (see Figure 4.20). A portion of the captured rainfall evaporates or is taken up by plants, which helps reduce runoff volumes, peak runoff rates, and pollutant loads on development sites. Green roofs typically contain a layered system of roofing, which is designed to support plant growth and retain water for plant uptake while preventing ponding on the roof surface. The roofs are designed so that water drains vertically through the media and then horizontally along a waterproofing layer towards the outlet. Extensive green roofs are designed to have minimal maintenance requirements. Plant species are selected so that the roof does not need supplemental irrigation or fertilization after vegetation is initially established.

Green roofs are typically not designed to provide stormwater detention of larger storms (e.g., 2 - 25-year) although some intensive green roof systems may be designed to meet these criteria. Green roof designs should generally be combined with a separate facility to provide large storm controls.



Figure 4.20. Green roof (photo: Center for Watershed Protection, Inc.)

Definition

Practices that capture and store rainfall in an engineered growing media installed over a waterproof membrane that is designed to support plant growth on the roof of a building or other structure. A portion of the captured rainfall evaporates or is taken up by plants, which helps reduce runoff volumes, peak runoff rates, and pollutant loads on development sites. Green roofs typically contain a layered system of roofing, which is designed to support plant growth and retain water for plant uptake while preventing ponding on the roof surface. The roofs are designed so that water drains vertically through the media and then horizontally along a waterproofing layer towards the outlet. Plant species are selected so that the roof does not need supplemental irrigation and requires minimal, infrequent fertilization after vegetation is initially established.

Design variants include extensive and intensive green roofs.

- G-1 Extensive green roofs have a much shallower growing media layer that typically ranges from 3 to 8 inches thick and are designed to have minimal maintenance requirements.
- G-2 Intensive green roofs have a growing media layer that typically ranges from 8 to 48 inches thick.

Green roofs are typically not designed to provide stormwater detention of larger storms (e.g., 2 - 25-year) although some intensive green roof systems may be designed to meet these criteria. Most green roof designs shall generally be combined with a separate facility to provide large storm controls.

This specification is intended for situations where the primary design objective of the green roof is stormwater management and, unless specified otherwise, addresses the design of extensive roof systems. While rooftop practices such as urban agriculture may provide some retention, their primary design objective is not stormwater management and is not addressed in this specification.

4.6.1 Green Roof Feasibility Criteria

Green roofs are ideal for use on commercial, institutional, municipal, and multi-family residential buildings. They are particularly well-suited for use on ultra-urban development and redevelopment sites. Key constraints with green roofs include the following:

Structural Capacity of the Roof

When designing a green roof, designers must not only consider the stormwater storage capacity of the green roof but also its structural capacity to support the weight of the additional water. A conventional rooftop should typically be designed to support an additional 15 to 30 pounds per square foot (psf) for an extensive green roof. As a result, a structural engineer, architect, or other qualified professional should be involved with all green roof designs to ensure that the building has enough structural capacity to support a green roof. See Section 4.6.4 Green Roof Design Criteria for more information on structural design considerations.

Hurricane-Prone Areas

As South Carolina is subject to hurricanes, some may be concerned about the durability of green roofs in high winds. Having good vegetative cover and root growth in the growing media is the most effective way to reduce wind erosion of the media during high winds. New green roofs where the plants have not yet deeply rooted are the most susceptible to plant damage and media blow-off in a hurricane. Therefore, it is best to install a green roof three or more months prior to hurricane season, to allow enough time for the plants to be established.

Roof Pitch

Green roof storage volume is maximized on relatively flat roofs (a pitch of 1% to 2%). Some pitch is needed to promote positive drainage and prevent ponding and/or saturation of the growing media. Green roofs can be installed on rooftops with slopes up to 30% if baffles, grids, or strips are used to prevent slippage of the media. These baffles must be designed to ensure the roof provides adequate storage for the design storm. Slopes greater than 30% would be considered a green wall, which is not specifically identified as a stormwater BMP. Green walls can be used to receive cistern discharge (calculations are necessary to determine demand).

Roof Access

Adequate, permanent access to the roof must be available to deliver construction materials and perform routine maintenance. A temporary ladder is not sufficient for access to the roof. Roof access can be achieved either by an interior stairway through a penthouse or by an alternating tread device with a roof hatch or trap door not less than 16 square feet in area and with a minimum dimension of 24 inches (NVRC, 2007). Designers should also consider how they will get construction materials up to the roof (e.g., by elevator or crane) and how the roof structure can accommodate material stockpiles and equipment loads. If material and equipment storage is required, rooftop storage areas must be identified and clearly marked based on structural load capacity of the roof.

Roof Type

Green roofs can be applied to most roof surfaces. Certain roof materials, such as exposed treated wood and uncoated galvanized metal, may not be appropriate for green rooftops due to pollutant leaching through the media (Clark et al., 2008).

Setbacks

Green roofs should not be located near rooftop electrical and HVAC systems. A 2-foot-wide vegetation-free zone is recommended along the perimeter of the roof with a 1-foot vegetation-free zone around all roof penetrations, to act as a firebreak. The 2-foot setback may be relaxed for small or low green roof applications where parapets have been properly designed.

Contributing Drainage Area

It is recommended that the contributing drainage area (CDA) to a green roof be limited to the green roof itself. In cases where there will be additional CDA, the designer must provide sufficient design detail showing distribution of this additional runoff throughout the green roof area to prevent erosion or overloading of the roof growing media with the use of level spreaders, splash pads, perforated piping, or other flow dissipation techniques. The absolute maximum CDA to a green roof shall be no more than 100% larger than the area of the green roof (e.g., a 1,000-square-foot green roof can have no more than 1,000 square feet of additional impervious cover draining to it).

Local Building Codes

The green roof design must comply with the local building codes with respect to roof drains and emergency overflow devices. Additionally, a structural engineer should certify that the design complies with structural building codes. For green roofs installed on historic buildings or in historic districts, consult local building codes and architectural review criteria to determine if any special requirements exist for green roof design or maintenance.

Additionally, a State of South Carolina registered structural engineer must certify that the design complies with State building structural codes. This is true for new construction as well as retrofit projects.

Economic Considerations

Green roofs tend to be one of the most expensive BMPs on a per cubic foot captured basis. However, a green roof allows stormwater management to be achieved in otherwise unused space, a major benefit in space-constrained locations. Further, green roofs provide many other non-stormwater services with economic benefits, including increased insulation and roof life expectancy

4.6.2 Green Roof Conveyance Criteria

The green roof drainage layer (refer to Section 4.4.4 Green Roof Design Criteria) must convey flow from under the growing media directly to an outlet or overflow system such as a traditional rooftop downspout drainage system. The green roof drainage layer must be adequate to convey the volume of stormwater equal to the flow capacity of the overflow or downspout system without backing water up onto the rooftop or into the green roof media. Roof drains immediately adjacent to the growing media should be boxed and protected by flashing extending at least 3 inches above the growing media to prevent clogging. However, an adequate number of roof drains that are not immediately adjacent to the growing media must be provided so as to allow the roof to drain without 3 inches of ponding above the growing media.

4.6.3 Green Roof Pretreatment Criteria

Pretreatment is not necessary for green roofs.

4.6.4 Green Roof Design Criteria

Structural Capacity of the Roof

Green roofs can be limited by the additional weight of the fully saturated soil and plants, in terms of the physical capacity of the roof to bear structural loads. The designer shall consult with a licensed structural engineer to ensure that the building will be able to support the additional live and dead structural load and to determine the maximum depth of the green roof system and any needed structural reinforcement. Typically, the green roof manufacturer can provide specific background specifications and information on their product for planning and design.

In most cases, fully saturated extensive green roofs have loads of about 15 to 30 pounds per square foot, which is fairly similar to traditional new rooftops (12 to 15 pounds per square foot) that have a waterproofing layer anchored with stone ballast. For a discussion of green roof structural design issues, consult Chapter 9 in Weiler and Scholz-Barth (2009) and ASTM E2397 / E2397M-15, Standard Practice for Determination of Dead Loads and Live Loads Associated with Vegetative (Green) Roof Systems (ASTM, 2015).

Functional Elements of a Green Roof System

A green roof is composed of up to nine different systems or layers that combine to protect the roof and maintain a vigorous cover (see Figure 4.21).

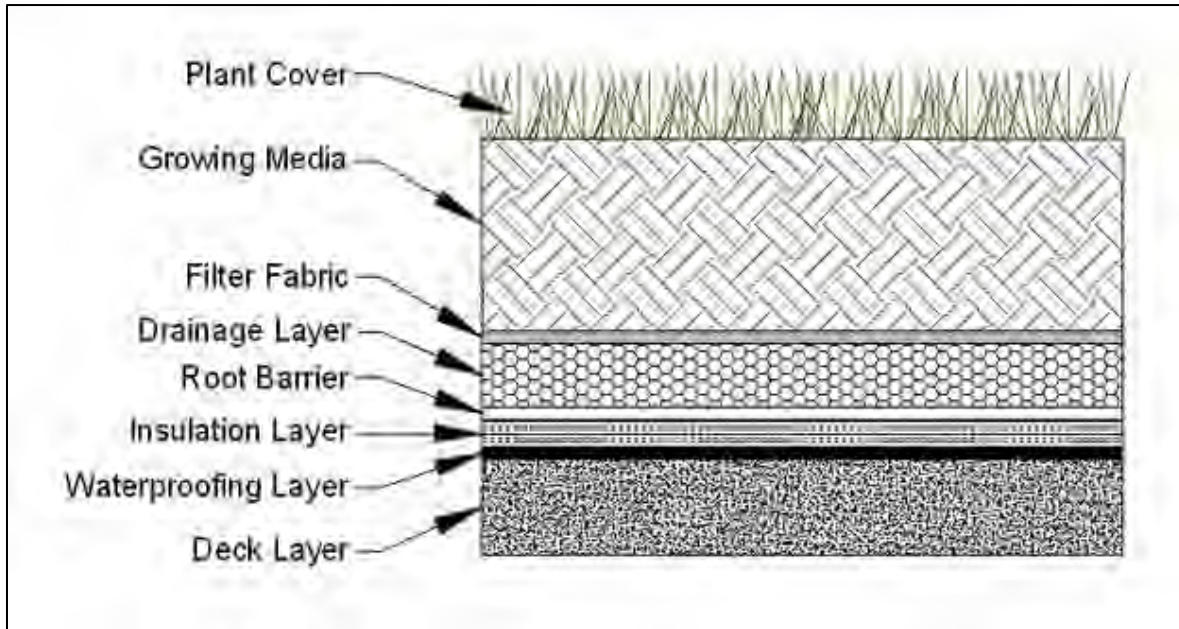


Figure 4.21. Green roof layers (note: the relative placement of various layers may vary depending on the type and design of the green roof system).

The design layers include the following:

Deck Layer. The roof deck layer is the foundation of a green roof. It may be composed of concrete, wood, metal, plastic, gypsum, or a composite material. The type of deck material determines the strength, load bearing capacity, longevity, and potential need for insulation in the green roof system.

Leak Detection System (optional). Leak detection systems are often installed above the deck layer to identify leaks, minimize leak damage through timely detection, and locate leak locations. Electric Field Vector Mapping (EFVM®) or other leak detection techniques are strongly recommended as part of the green roof installation process. In the case of EFVM, the deck material must be conductive. If it is not, an additional conductive medium may need to be added on top of the deck. Other leak detection systems may require additional materials between the deck layer and the waterproofing layer.

Waterproofing Layer. All green roof systems must include an effective and reliable waterproofing layer to prevent water damage through the deck layer. A wide range of waterproofing materials can be used, including hot applied rubberized asphalt, built up bitumen, modified bitumen, thermoplastic membranes, polyvinyl chloride (PVC), thermoplastic olefin membrane (TPO), and elastomeric membranes (EPDM) (see Weiler and Scholz-Barth, 2009, and Snodgrass and Snodgrass, 2006). The waterproofing layer must be 100% waterproof and have an expected life span as long as any other element of the green roof system. The waterproofing material may be loose laid or bonded (recommended). If loose laid, overlapping and additional construction techniques should be used to avoid water migration.

Insulation Layer. Many green rooftops contain an insulation layer, usually located above, but sometimes below, the waterproofing layer. The insulation increases the energy efficiency of the building and/or protects the roof deck (particularly for metal roofs). According to Snodgrass and Snodgrass (2006), the trend is to install insulation on the outside of the building, in part to avoid mildew problems. The

designer should consider the use of open or closed cell insulation depending on whether the insulation layer is above or below the waterproofing layer (and thus exposed to wetness), with closed cell insulation recommended for use above the waterproofing layer.

Root Barrier. Another layer of a green roof system, which can be either above or below the insulation layer depending on the system, is a root barrier that protects the waterproofing membrane from root penetration. A wide range of root barrier options are described in Weiler and Scholz-Barth (2009). Chemical root barriers or physical root barriers that have been impregnated with pesticides, metals, or other chemicals that could leach into stormwater runoff must be avoided in systems where the root barrier layer will come in contact with water or allow water to pass through the barrier.

Drainage Layer and Drainage System. A drainage layer is placed between the root barrier and the growing media to quickly remove excess water from the vegetation root zone. The selection and thickness of the drainage layer type is an important design decision that is governed by the desired stormwater storage capacity, the required conveyance capacity, and the structural capacity of the rooftop. The effective depth of the drainage layer is generally 0.25–1.5 inches thick for extensive green roof system and increases for intensive designs. The drainage layer should consist of synthetic or inorganic materials (e.g., 1–2-inch layer of clean, washed granular material (ASTM D448 size No. 8 stone or lightweight granular mix), high density polyethylene (HDPE)) that are capable of retaining water and providing efficient drainage (ASTM, 2017). A wide range of prefabricated water cups or plastic modules can be used, as well as a traditional system of protected roof drains, conductors, and roof leaders. ASTM E2396 and E2398 can be used to evaluate alternative material specifications (ASTM E2396, 2015 and ASTM E2398, 2015).

Root-Permeable Filter Fabric. A semi-permeable needled polypropylene filter fabric is normally placed between the drainage layer and the growing media to prevent the media from migrating into the drainage layer and clogging it. The filter fabric must not impede the downward migration of water into the drainage layer.

Growing Media. The next layer in an extensive green roof is the growing media, which is typically 3–8 inches deep. The recommended growing media for extensive green roofs is typically composed of approximately 70%–80% lightweight inorganic materials, such as expanded slates, shales or clays; pumice; scoria; or other similar materials. The media must contain no more than 30% organic matter, normally well-aged compost (see Appendix C Soil Compost Amendment Requirements). The percentage of organic matter should be limited, since it can leach nutrients into the runoff from the roof and clog the permeable filter fabric. It is advisable to mix the media in a batch facility prior to delivery to the roof. Manufacturer's specifications should be followed for all proprietary roof systems. More information on growing media can be found in Weiler and Scholz-Barth (2009) and Snodgrass and Snodgrass (2006).

The composition of growing media for intensive green roofs may be different (although the organic material limit still applies), and it is often much greater in depth (e.g., 8–48 inches). If trees are included in the green roof planting plan, the growing media must be sufficient to provide enough soil volume for the root structure of mature trees.

Plant Cover. The top layer of an extensive green roof typically consists of plants that are slow-growing, shallow-rooted, perennial, and succulent. These plants are chosen for their ability to withstand harsh conditions at the roof surface. Guidance on selecting the appropriate green roof plants can often be provided by green roof manufacturers and can also be found in Snodgrass and Snodgrass (2006). A mix of base ground covers (usually *Sedum* species) and accent plants can be used to

enhance the visual amenity value of a green roof. See Section 4.6.4 Green Roof Design Criteria for additional plant information. The design must provide for temporary, manual, and/or permanent irrigation or watering systems, depending on the green roof system and types of plants. For most applications, some type of watering system should be accessible for initial establishment or drought periods. The use of water efficient designs and/or use of non-potable sources are strongly encouraged.

Material Specifications

Standard specifications for North American green roofs continue to evolve, and no universal material specifications exist that cover the wide range of roof types and system components currently available. The ASTM has recently issued several overarching green roof standards, which are described and referenced in Table 4.22 below.

Designers and reviewers should also fully understand manufacturer specifications for each system component, particularly if they choose to install proprietary “complete” green roof systems or modules.

Table 4.22. Extensive Green Roof Material Specifications

Material	Specification
Roof	Structural capacity must conform to ASTM E2397, <i>Standard Practice for Determination of Dead Loads and Live Loads Associated with Vegetative (Green) Roof Systems</i> . In addition, use standard test methods ASTM E2398, <i>Standard Test Method for Water Capture and Media Retention of Geocomposite Drain Layers for Vegetated (Green) Roof Systems</i> and ASTM E2399, <i>Standard Test Method for Maximum Media Density for Dead Load Analysis of Vegetative (Green) Roof Systems</i> .
Leak Detection System	Optional system to detect and locate leaks in the waterproof membrane.
Waterproof Membrane	See Chapter 6 of Weiler and Scholz-Barth (2009) for waterproofing options that are designed to convey water horizontally across the roof surface to drains or gutter. This layer may sometimes act as a root barrier.
Root Barrier	Impermeable liner that impedes root penetration of the membrane.
Drainage Layer	Depth of the drainage layer is generally 0.25–1.5 inches thick for extensive designs. The drainage layer should consist of synthetic or inorganic materials (e.g., gravel, HDPE, etc.) that are capable of retaining water and providing efficient drainage. A wide range of prefabricated water cups or plastic modules can be used, as well as a traditional system of protected roof drains, conductors, and roof leaders. Designers should consult the material specifications as outlined in ASTM E2396 and E2398. Roof drains and emergency overflow must be designed in accordance with the local construction codes.

Material	Specification
Filter Fabric	<p>Generally, needle-punched, non-woven, polypropylene geotextile, with the following qualities:</p> <ul style="list-style-type: none"> ▪ Strong enough and adequate puncture resistance to withstand stresses of installing other layers of the green roof. Density as per ASTM D3776 ≥ 8 oz/yd². Puncture resistance as per ASTM D4833 ≥ 130 lb. These values can be reduced with submission of a Product Data Sheet and other documentation that demonstrates applicability for the intended use. ▪ Adequate tensile strength and tear resistance for long-term performance. ▪ Allows a good flow of water to the drainage layer. Apparent Opening Size, as per ASTM D4751, of $\geq 0.06\text{mm} \leq 0.2\text{mm}$, with other values based on Product Data Sheet and other documentation as noted above. ▪ Allows at least fine roots to penetrate. ▪ Adequate resistance to soil borne chemicals or microbial growth both during construction and after completion since the fabric will be in contact with moisture and possibly fertilizer compounds.
Growth Media	<p>70%–80% lightweight inorganic materials and a maximum of 30% organic matter (e.g., well-aged compost). Material makeup of the growing media must be provided. Media must provide sufficient nutrient and water holding capacity to support the proposed plant materials. Determine acceptable saturated water permeability using ASTM E2396. An acceptable emerging industry practice combines the drainage layer with the growing media layer.</p>
Plant Materials	<p><i>Sedum</i>, herbaceous plants, and perennial grasses that are shallow-rooted, low maintenance, and tolerant of full and direct sunlight, drought, wind, and frost. See ASTM E2400, <i>Standard Guide for Selection, Installation, and Maintenance of Plants for Green Roof Systems</i>.</p>

Solar Panels and Other Structures

Occasionally, structures such as solar panels or HVAC systems must be installed above a green roof. These structures can be incorporated into a green roof design with no adverse effects to the retention credit assigned to the green roof if specific design requirements for runoff disbursement, maintenance access, and sun/wind exposure are incorporated, including the following:

- Structures above the green roof must be no more than 6.5 feet wide.
- Structures must have a minimum 3-foot separation between them.
- The lower edge of the structure must be at least 1 foot above the top of the green roof, and the upper edge must be at least 2.5 feet above the top of the green roof. This allows for at least a 15-degree tilt. For flatter installations, the lower edge would need to be raised to ensure that the 2.5-foot minimum for the upper edge is met.

These design requirements are illustrated in Figure 4.22.

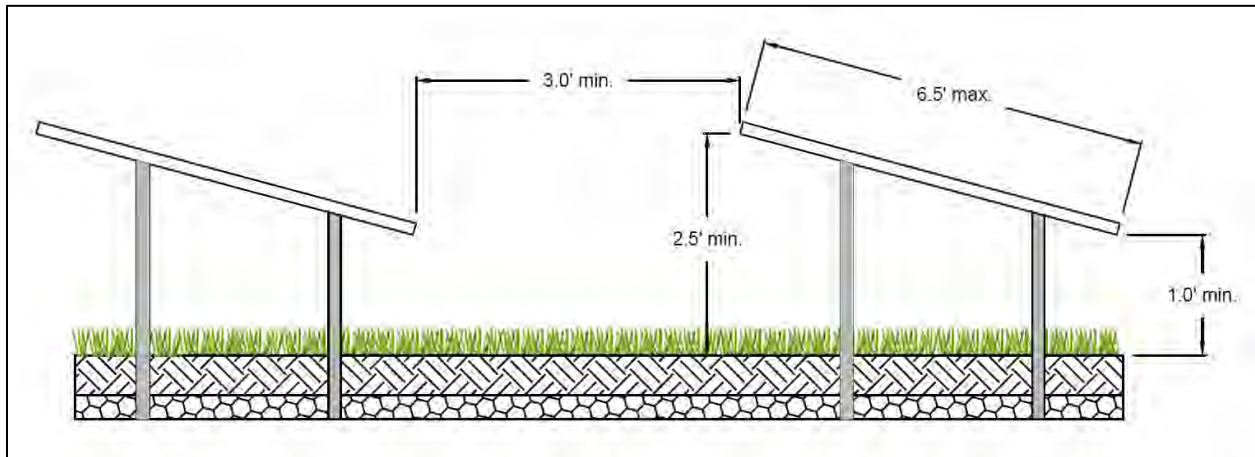


Figure 4.22. Design requirements for structures constructed above green roofs.

Green Roof Sizing

Green roof areas can be designed to capture the entire Stormwater Retention Volume (SWR_v). In some cases, they could be designed to capture larger design storm volumes as well. The required size of a green roof will depend on several factors, including maximum water retention of the growing media and the underlying drainage and storage layer materials, if present (e.g., prefabricated water cups or plastic modules). As maximum water retention can vary significantly between green roof products, verification of this value must be included with the Stormwater Management Plan (SWMP). Verification shall be provided by an ASTM-certified lab using the methods described by ASTM tests E2396, E2397, E2398, or E2399, as appropriate. In the absence of laboratory test results, the baseline default values must be used. Equation 4.12 below shall be used to determine the storage volume retained by a green roof.

Equation 4.12. Storage Volume for Green Roofs

$$S_v = \frac{SA \times [(d \times MWR_1) + (DL \times MWR_2)]}{12} \times IF$$

Where:

- S_v = green roof storage volume (ft³)
- S_A = green roof area (ft²)
- d = media depth (in.) (minimum 3 in.)
- MWR₁ = verified media maximum water retention (use 0.10 as a baseline default in the absence of verification data)
- DL = drainage layer depth (in.) (if the drainage layer is combined with the media layer, then this value is 0)
- MWR₂ = verified drainage layer maximum water retention (use 0.0 as a baseline default in the absence of verification data)
- IF = irrigation factor (0.5 for irrigated green roofs, 1.0 for unirrigated green roofs)

The appropriate S_v can then be compared to the required SWR_v for the entire rooftop area (including all conventional roof areas) to determine the portion of the design storm captured.

Green roofs can have dramatic rate attenuation effects on larger storm events and may be used, in part, to manage a portion of the 2- to 25-year events. Designers can model various approaches by factoring in storage within the drainage layer. Routing calculations can also be used to provide a more accurate solution of the peak discharge and required storage volume.

4.6.5 Green Roof Landscaping Criteria

Plant selection, landscaping, and maintenance are critical to the performance and function of green roofs. Therefore, a landscaping plan shall be provided for green roofs.

A planting plan must be prepared for a green roof by a landscape architect, botanist, or other professional experienced with green roofs and submitted with the SWMP.

Plant selection for green roofs is an integral design consideration, which is governed by local climate and design objectives. The primary ground cover for most green roof installations is a hardy, low-growing succulent, such as *Sedum*, *Delosperma*, *Talinum*, *Semperivum*, or *Hieracium* that is matched to the local climate conditions and can tolerate the difficult growing conditions found on building rooftops (Snodgrass and Snodgrass, 2006).

A list of some common green roof plant species that work well in the can South Lowcountry region be found in Table 4.23 below.

Table 4.23. Ground Covers Appropriate for Green Roofs in the State of South Carolina

Plant	Light	Moisture Requirement	Notes
<i>Delosperma cooperii</i>	Full Sun	Dry	Pink flowers; grows rapidly
<i>Delosperma 'Kelaidis'</i>	Full Sun	Dry	Salmon flowers; grows rapidly
<i>Delosperma nubigenum 'Basutoland'</i>	Full Sun	Moist-Dry	Yellow flowers; very hardy
<i>Sedum album</i>	Full Sun	Dry	White flowers; hardy
<i>Sedum lanceolatum</i>	Full Sun	Dry	Yellow flowers; native to U.S.
<i>Sedum oreganum</i>	Part Shade	Moist	Yellow flowers; native to U.S.
<i>Sedum stoloniferum</i>	Sun	Moist	Pink flowers; drought tolerant
<i>Sedum telephiodes</i>	Sun	Dry	Blue green foliage; native to region
<i>Sedum ternatum</i>	Part Shade	Dry-Moist	White flowers; grows in shade
<i>Talinum calycinum</i>	Sun	Dry	Pink flowers; self-sows

Note: Designers should choose species based on shade tolerance, ability to sow or not, foliage height, and spreading rate. See Snodgrass and Snodgrass (2006) for a definitive list of green roof plants, including accent plants.

- Plant choices can be much more diverse for deeper intensive green roof systems. Herbs, forbs, grasses, shrubs, and even trees can be used, but designers should understand they may have higher watering, weeding, and landscape maintenance requirements.
- The species and layout of the planting plan must reflect the location of the building, in terms of its height, exposure to wind, heat stress, orientation to the sun, and impacts from surrounding buildings. Wind scour and solar burning have been observed on green roof installations that failed to adequately account for neighboring building heights and surrounding window reflectivity. In addition, plants must be selected that are fire resistant and able to withstand heat, cold, and high winds.
- Designers should also match species to the expected rooting depth of the growing media, which can also provide enough lateral growth to stabilize the growing media surface. The planting plan should usually include several accent plants to provide diversity and seasonal color. For a comprehensive resource on green roof plant selection, consult Snodgrass and Snodgrass (2006).
- It is also important to note that most green roof plant species will not be native to the Chesapeake Bay watershed (which contrasts with native plant recommendations for other stormwater practices, such as bioretention and constructed wetlands).
- Given the limited number of green roof plant nurseries in the region, it may be necessary for designers to order plants 6 to 12 months prior to the expected planting date. It is also advisable to have plant materials contract grown.
- Plants can be established using cuttings, plugs, mats, and, more rarely, containers. Several vendors also sell mats, rolls, or proprietary green roof planting modules. For the pros and cons of each method, see Snodgrass and Snodgrass (2006). To achieve 50% coverage after 1 year and 80% coverage after 2 years, the recommended minimum spacing for succulent plantings is 2 plugs per square foot and 10 pounds per 100 square feet.
- When planting cuttings, plugs, and mats, the planting window extends from the spring to early fall; although, it is important to allow plants to root thoroughly before the first killing frost. Green roof manufacturers and plant suppliers may provide guidance on planting windows as well as winter care. Proper planting and care may also be required for plant warranty eligibility.
- When appropriate species are selected, most green roofs will not require supplemental irrigation, except for temporary irrigation during drought or initial establishment. The use of water-efficient designs and/or use of non-potable sources is strongly encouraged. Permanent irrigation of extensive roof designs is prohibited. For intensive roofs, permanent irrigation may be included. However, permanent irrigation can adversely impact the rainfall retention capacity of the green roof. For this reason, soil moisture monitors are a required part of the irrigation system for all irrigated green roofs, and the calculated storage volume for green roofs with permanent irrigation must be reduced by 50%.
- The goal for green roof systems designed for stormwater management is to establish a full and vigorous cover of low-maintenance vegetation that is self-sustaining (not requiring fertilizer inputs) and requires minimal mowing, trimming, and weeding.

The green roof design should include non-vegetated walkways (e.g., paver blocks) to allow for easy access to the roof for weeding and making spot repairs (see Section 4.6.4 Green Roof Design Criteria).

4.6.6 Green Roof Construction Sequence

Green Roof Installation

Given the diversity of extensive vegetated roof designs, there is no typical step-by-step construction sequence for proper installation. The following general construction considerations are noted:

- Construct the roof deck with the appropriate slope and material.
- Install the waterproofing method, according to manufacturer's specifications.
- Conduct electric field vector mapping (EVFM[®]) or flood testing to ensure the system is watertight. Where possible, EVFM[®] is strongly recommended over the flood test, but not all impermeable membranes and deck systems are compatible with this method. Problems have been noted with the use of EVFM on black ethylene propylene diene terpolymer (EPDM) and with aluminized protective coatings commonly used in conjunction with modified bituminous membranes. If EVFM[®] or other leak detection systems are not possible, a flood test should be performed instead. The flood test is done by placing at least 2 inches of water over the membrane for 48 hours to confirm the integrity of the waterproofing system.
- Add additional system components (e.g., insulation, root barrier, drainage layer and interior drainage system, and filter fabric) per the manufacturer's specifications, taking care not to damage the waterproofing. Any damage occurring must be reported immediately. Drain collars and protective flashing should be installed to ensure free flow of excess stormwater.
- The growing media should be mixed prior to delivery to the site. Media must be spread evenly over the filter fabric surface as required by the manufacturer. If a delay between the installation of the growing media and the plants is required, adequate efforts must be taken to secure the growing media from erosion and the seeding of weeds. The growing media must be covered and anchored in place until planting. Sheets of exterior grade plywood can also be laid over the growing media to accommodate foot or wheelbarrow traffic. Foot traffic and equipment traffic should be limited over the growing media to reduce compaction beyond manufacturer's recommendations.
- The growing media should be moistened prior to planting, and then planted with the ground cover and other plant materials, per the planting plan or in accordance with ASTM E2400 (2015). Plants should be watered immediately after installation and routinely during establishment.
- It generally takes 2 to 3 growing seasons to fully establish the vegetated roof. The growing medium should contain enough organic matter to support plants for the first growing season, so initial fertilization is not required. Extensive green roofs may require supplemental irrigation during the first few months of establishment. Hand weeding is also critical in the first 2 years (see Table 10.1 of Weiler & Scholz-Barth (2009) for a photo guide of common rooftop weeds).
- Most construction contracts should contain a care and replacement warranty that specifies at least 50% coverage after 1 year and 80% coverage after 2 years for plugs and cuttings, and 90% coverage after 1 year for *Sedum* carpet/tile.

Construction Supervision

Supervision during construction is recommended to ensure that the vegetated roof is built in accordance with these specifications. Inspection checklists should be used that include sign-offs by qualified individuals at critical stages of construction and confirm that the contractor's interpretation of the plan is consistent with the intent of the designer and/or manufacturer.

An experienced installer should be retained to construct the vegetated roof system. The vegetated roof should be constructed in sections for easier inspection and maintenance access to the membrane and roof drains. Careful construction supervision/inspection is needed throughout the installation of a vegetated roof, as follows:

- During placement of the waterproofing layer, to ensure that it is properly installed and watertight.
- During placement of the drainage layer and drainage system.
- During placement of the growing media, to confirm that it meets the specifications and is applied to the correct depth (certification for vendor or source should be provided).
- Upon installation of plants, to ensure they conform to the planting plan (certification from vendor or source should be provided).
- Before issuing use and occupancy approvals.
- At the end of the first or second growing season to ensure desired surface cover specified in the Care and Replacement Warranty has been achieved.

Construction phase inspection checklist for green roof practices can be found in Appendix E Construction Inspection Checklists.

4.6.7 Green Roof Maintenance Criteria

Maintenance Inspections

A green roof should be inspected by a qualified professional twice a year during the growing season to assess vegetative cover and to look for leaks, drainage problems, and any rooftop structural concerns (see Table 4.24). In addition, the green roof should be hand weeded to remove invasive or volunteer plants, and plants and/or media should be added to repair bare areas (refer to ASTM E2400; ASTM, 2015).

If a roof leak is suspected, it is advisable to perform an electric leak survey (e.g., EVFM[®]), if applicable, to pinpoint the exact location, make localized repairs, and then reestablish system components and ground cover.

The use of herbicides, insecticides, and fungicides should be avoided, since their presence could hasten degradation of some waterproofing membranes. Check with the membrane manufacturer for approval and warranty information. Also, power washing and other exterior maintenance operations should be avoided so that cleaning agents and other chemicals do not harm the green roof plant communities.

Fertilization is generally not recommended due to the potential for leaching of nutrients from the green roof. Supplemental fertilization may be required following the first growing season, but only if plants show signs of nutrient deficiencies and a media test indicates a specific deficiency. Addressing this issue with the holder of the vegetation warranty is recommended. If fertilizer is to be applied, it must be a slow-release type, rather than liquid or gaseous form.

Maintenance inspection checklist for green roofs and the Maintenance Service Completion Inspection form can be found in Appendix F Maintenance Inspection Checklists.

Table 4.24. Typical Maintenance Activities Associated with Green Roofs

Schedule (following construction)	Activity
As needed or As required by manufacturer	<ul style="list-style-type: none"> ▪ Water to promote plant growth and survival. ▪ Inspect the green roof and replace any dead or dying vegetation.
Semi-annually	<ul style="list-style-type: none"> ▪ Inspect the waterproof membrane for leaks and cracks. ▪ Weed to remove invasive plants and tree seedlings (do not dig or use pointed tools where there is potential to harm the root barrier or waterproof membrane). ▪ Inspect roof drains, scuppers, and gutters to ensure they are not overgrown and have not accumulated organic matter deposits. Remove any accumulated organic matter or debris. ▪ Inspect the green roof for dead, dying, or invasive vegetation. Plant replacement vegetation as needed.

Waste Material

Waste material from the repair, maintenance, or removal of a BMP or land cover shall be removed and disposed of in compliance with applicable local, state, and federal law.

4.6.8 Green Roof Stormwater Compliance Calculations

Green roofs are credited with 100% retention for the storage volume (Sv) provided by the practice as well as 100% TSS, TN, and bacteria removal (see Table 4.25).

Table 4.25. Retention and pollutant removal of green roofs.

Retention	= 100%
TSS Removal	= 100%
TN Removal	= 100%
Bacteria Removal	= 100%

The practice must be designed using the guidance detailed in Section 4.4.4 Green Roof Design Criteria.

Green roofs also contribute to peak flow reduction. This contribution can be determined in several ways. One method is to subtract the storage volume (Sv) from the total runoff volume for the design storms. The resulting reduced runoff volumes can then be used to calculate a reduced Natural Resource Conservation Service (NRCS) curve number (CN) for the site or site drainage area (SDA). The reduced NRCS CN can then be used to calculate peak flow rates for the various storm events. Other hydrologic modeling tools that employ different procedures may be used as well.

4.6.9 References

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4.7 Rainwater Harvesting

Rainwater Harvesting				
Definition: Rainwater harvesting systems store rainfall and release it for future use. Rainwater that falls on a rooftop or other impervious surface is collected and conveyed into an above- or below-ground tank (also referred to as a cistern) or settling pond, where it is stored for non-potable uses.				
Site Applicability		BMP Performance Summary		
Land Uses	Required Footprint	WQ Improvement: Moderate to High		
<ul style="list-style-type: none"> ▪ Urban ▪ Suburban ▪ Rural 	Small	TSS ¹	Total N ¹	Bacteria ¹
		Varies*	Varies*	Varies*
		Runoff Reduction		
Construction Costs	Maintenance Burden	Volume		
Low to Moderate	Moderate	Varies*		
Maintenance Frequency:		SWRv		
Routine	Non-Routine	100% of Available Storage Volume		
Quarterly	Every 3 years			
Advantages/Benefits		Disadvantages/Limitation		
<ul style="list-style-type: none"> ▪ Reduces runoff rates and volume ▪ Can provide for/supplement irrigation needs 		<ul style="list-style-type: none"> ▪ Stored water must be used on regular basis to maintain capacity ▪ Stagnant water can breed mosquitos 		
Components		Design considerations		
<ul style="list-style-type: none"> ▪ Pretreatment ▪ Conveyance ▪ First flush diverter ▪ Cistern (storage tank) ▪ Overflow ▪ Low water cutoff 		<ul style="list-style-type: none"> ▪ Plumbing codes (for indoor tanks) ▪ Size based on CDA, local rainfall patterns, and projected harvest rainwater demand ▪ Location and elevation of cistern ▪ Tank manufacturer's specifications ▪ Irrigation system and application rates 		
Maintenance Activities				
<ul style="list-style-type: none"> ▪ Inspect/clean pretreatment devices and first flush diverts ▪ Clear gutter/downspouts 		<ul style="list-style-type: none"> ▪ Inspect and clean storage tank ▪ Maintenance log required 		

¹Credited pollutant load removal

*Varies according to rainwater harvesting storage capacity and demand

Rainwater harvesting systems store rainfall for future, non-potable water uses and on-site stormwater disposal/infiltration. By providing a reliable and renewable source of water to end users, rainwater harvesting systems can also have environmental and economic benefits beyond stormwater management (e.g. increased water conservation, water supply during drought and mandatory municipal water supply restrictions, decreased demand on municipal or groundwater supply, decreased water costs for the end-user, potential for increased groundwater recharge, supply of water post storm/hurricane in case of failed municipal infrastructure etc.).

Definition

Rainwater harvesting systems store rainfall and release it for future use. Rainwater that falls on a rooftop or other impervious surface is collected and conveyed into an above- or below-ground tank (also referred to as a cistern) or settling pond where it is stored for non-potable uses or for on-site disposal or infiltration as stormwater. Cisterns can be sized for commercial as well as residential purposes (see Figure 4.23). Residential cisterns are commonly called rain barrels.



Figure 4.23. Example cistern application (photo: Marty Morganello).

The design includes the following:

R-1 Rainwater harvesting for non-potable uses

Non-potable uses of harvested rainwater may include the following:

- Landscape irrigation,
- Exterior washing (e.g., car washes, building facades, sidewalks, street sweepers, and fire trucks),
- Flushing of toilets and urinals,
- Fire suppression (e.g., sprinkler systems),
- Supply for cooling towers, evaporative coolers, fluid coolers, and chillers,
- Supplemental water for closed loop systems and steam boilers,
- Replenishment of water features and water fountains,
- Distribution to a green wall or living wall system, and
- Laundry.

Rainwater stored in a settling pond may only be used for landscape irrigation. Pond design criteria in Section 4.10 and landscaping criteria of Section 4.5.5 shall be followed.

The seven primary components of an enclosed rainwater harvesting system are discussed in detail in Section 4.5.4 Rainwater Harvesting Design Criteria. Some are depicted in Figure 4. 25 . The components include the following:

- CDA surface,
- Collection and conveyance system (e.g., gutter and downspouts; number 1 in Figure 4.24)
- Pretreatment, including prescreening and first flush diverters (number 2 in Figure 4.24)
- Cistern (no number, but depicted in Figure 4.24)
- Water quality treatment (as required by Appendix J Rainwater Harvesting Treatment and Management Requirements)
- Distribution system
- Overflow, filter path, or secondary stormwater retention practice (number 8 in Figure 4.24)

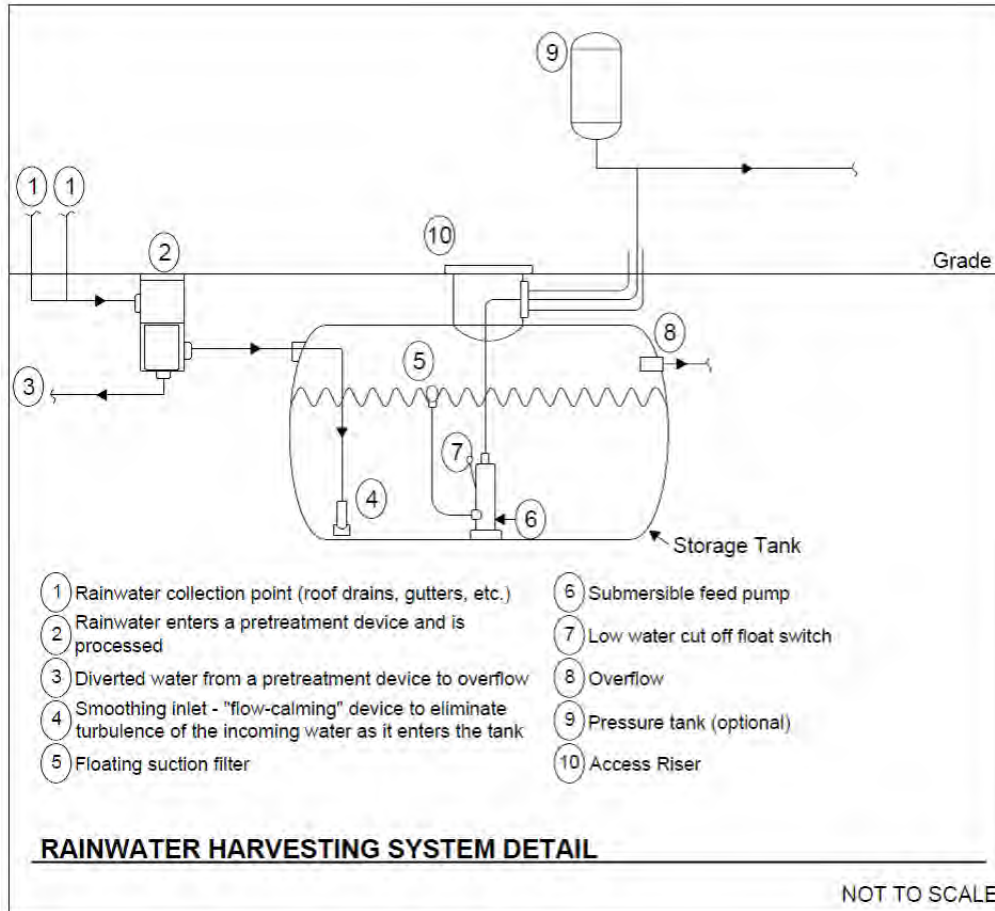


Figure 4.24. Example of a rainwater harvesting system detail.

4.7.1 Rainwater Harvesting Feasibility Criteria

Several site-specific features influence how rainwater harvesting systems are designed and/or utilized. The following are key considerations for rainwater harvesting feasibility. They are not comprehensive or conclusive; rather, they are recommendations to consider during the planning process to incorporate rainwater harvesting systems into the site design.

Plumbing Code

Designers and plan reviewers should consult with local construction codes to determine the allowable indoor uses and required treatment for harvested rainwater. This specification does not address indoor plumbing or disinfection issues. Designers and plan reviewers should refer to the 2012 Uniform Plumbing Code - Chapter 17 Non-potable Rainwater Catchment Systems, or local plumbing codes, as applicable.

Mechanical, Electrical, Plumbing

For systems that call for indoor use of harvested rainwater, the seal of a mechanical, electrical, and plumbing engineer is required.

Water Use

When rainwater harvesting will be used, the requirements in Appendix J Rainwater Harvesting Treatment and Management Requirements must be followed. This will outline the design assumptions and provide water quality end use standards.

Available Space

Adequate space is needed to house the cistern and any overflow. Space limitations are rarely a concern with rainwater harvesting systems if they are considered during the initial building design and site layout of a residential or commercial development. Cisterns can be placed underground, indoors, adjacent to buildings, and on rooftops that are structurally designed to support the added weight. Designers can work with architects and landscape architects to creatively site the cisterns. Underground utilities or other obstructions should always be identified prior to final determination of the cistern location.

Site Topography

Site topography and cistern location should be considered as they relate to every inlet and outlet invert elevation in the rainwater harvesting system.

The final invert of the cistern outlet pipe at the discharge point must match the invert of the receiving mechanism (e.g., natural channel, storm drain system) and be sufficiently sloped to adequately convey this overflow. The elevation drops associated with the various components of a rainwater harvesting system and the resulting invert elevations should be considered early in the design, to ensure that the rainwater harvesting system is feasible for the particular site.

Site topography and cistern location will also affect pumping requirements. Locating cisterns in low areas will make it easier to get water into the cisterns; however, it will increase the amount of pumping needed to distribute the harvested rainwater back into the building or to irrigated areas situated on higher ground. Conversely, placing cisterns at higher elevations may require larger diameter pipes with smaller slopes but will generally reduce the amount of pumping needed for distribution. It is often best to locate a cistern close to the building or SDA, to limit the amount of pipe needed.

Available Hydraulic Head

The required hydraulic head depends on the intended use of the water. For residential landscaping uses, the cistern may be sited up-gradient of the landscaping areas or on a raised stand. Pumps are commonly used to convey stored rainwater to the end use to provide the required head. When the water is being routed from the cistern to the inside of a building for non-potable use, often a pump is used to feed a much smaller pressure tank inside the building, which then serves the internal water demands. Cisterns can also use gravity to accomplish indoor residential uses (e.g., laundry) that do not require high water pressure.

Water Table

Underground storage tanks are most appropriate in areas where the tank can be buried above the water table. The tank should be located in a manner that does not subject it to flooding. In areas where the tank is to be buried partially below the water table, special design features must be employed, such as sufficiently securing the tank (to keep it from floating) and conducting buoyancy calculations when the tank is empty. The tank may need to be secured appropriately with fasteners or weighted to avoid uplift buoyancy. The combined weight of the tank and hold-down ballast must meet or exceed the buoyancy force of the cistern. The cistern must also be installed according to the cistern manufacturer's specifications.

Soils

Cisterns should only be placed on native soils or on fill in accordance with the manufacturer's guidelines. The bearing capacity of the soil upon which the cistern will be placed must be considered, as full cisterns can be very heavy. This is particularly important for above-ground cisterns, as significant settling could

cause the cistern to lean or in some cases to potentially topple. A sufficient aggregate, or concrete foundation, may be appropriate depending on the soils and cistern characteristics. Where the installation requires a foundation, the foundation must be designed to support the cistern's weight when the cistern is full, consistent with the bearing capacity of the soil and good engineering practice. The pH of the soil should also be considered in relation to its interaction with the cistern material.

Proximity of Underground Utilities

All underground utilities must be taken into consideration during the design of underground rainwater harvesting systems, treating all of the rainwater harvesting system components and storm drains as typical stormwater facilities and pipes. The underground utilities must be marked and avoided during the installation of underground cisterns and piping associated with the system.

Contributing Drainage Area

The CDA to the cistern is the area draining to the cistern. Rooftop surfaces are what typically make up the CDA, but paved areas can be used with appropriate treatment (oil/water separators and/or debris excluders).

Contributing Drainage Area Material

The quality of the harvested rainwater will vary according to the roof material or CDA over which it flows. Water harvested from certain types of rooftops and CDAs, such as asphalt sealcoats, tar and gravel, painted roofs, galvanized metal roofs, sheet metal, or any material that may contain asbestos may leach trace metals and other toxic compounds. In general, harvesting rainwater from such surfaces should be avoided. If harvesting from a sealed or painted roof surface is desired, it is recommended that the sealant or paint be certified for such purposes to the NSF International NSF Protocol P151 standard.

Water Quality of Rainwater

Designers should also note that the pH of rainfall in the State tends to be acidic (ranging from 4.5 to 5.0), which may result in leaching of metals from roof surfaces, cistern lining, or water laterals, to interior connections. Once rainfall leaves rooftop surfaces, pH levels tend to be slightly higher, ranging from 5.5 to 6.0. Limestone or other materials may be added in the cistern to buffer acidity, if desired.

Pollutant Hotspot Land Uses

Harvesting rainwater can be an effective method to prevent contamination of rooftop runoff that would result from its mixing with ground-level runoff from a stormwater hotspot operation.

Setbacks from Buildings

Cistern overflow devices must be designed to avoid causing ponding or soil saturation within 10 feet of building foundations. While most systems are generally sited underground and more than 10 feet laterally from the building foundation wall, some cisterns are incorporated into the basement of a building or underground parking areas. In any case, cisterns must be designed to be watertight to prevent water damage when placed near building foundations.

Vehicle Loading

Whenever possible, underground rainwater harvesting systems should be placed in areas without vehicle traffic or other heavy loading, such as deep earth fill. If site constraints dictate otherwise, systems must be designed to support the loads to which they will be subjected.

Feasibility

Rainwater harvesting systems are very well suited to the warm environment of South Carolina and may help to relieve some of the pressure on drinking water aquifers, if applied on a wide scale. In areas with a high-water table, above ground installations will often be more appropriate.

Economic Considerations

Rainwater harvesting systems can provide cost savings by replacing or augmenting municipal water supply needs.

4.7.2 Rainwater Harvesting Conveyance Criteria

Collection and Conveyance

The collection and conveyance systems consist of the gutters, downspouts, and pipes that channel rainfall into cisterns. Gutters and downspouts should be designed as they would for a building without a rainwater harvesting system.

Pipes, which connect downspouts to the cistern, should be at a minimum slope of 1.5% and sized/ designed to convey the intended design storm, as specified above. In some cases, a steeper slope and larger sizes may be recommended and/or necessary to convey the required runoff, depending on the design objective and design storm intensity. Gutters and downspouts should be kept clean and free of debris and rust.

Overflow

An overflow mechanism must be included in the rainwater harvesting system design in order to handle an individual storm event or multiple storms in succession that exceed the capacity of the cistern. The overflow pipe(s) must have a capacity greater than or equal to the inflow pipe(s) and have a diameter and slope sufficient to drain the cistern while maintaining an adequate freeboard height. The overflow pipe(s) must be screened to prevent access to the cistern by small mammals and birds and must include a backflow preventer if it connects directly to the combined sewer or storm sewer. All overflow from the system must be directed to an acceptable flow path that will not cause erosion during a 2-year storm event.

4.7.3 Rainwater Harvesting Pretreatment Criteria

Prefiltration is required to keep sediment, leaves, contaminants, and other debris from the system. Leaf screens and gutter guards meet the minimal requirement for prefiltration of small systems, although direct water filtration is preferred. The purpose of prefiltration is to significantly cut down on maintenance by preventing organic buildup in the cistern, thereby decreasing microbial food sources.

Various pretreatment devices are described below. In addition to the initial first flush diversion, filters have an associated efficiency curve that estimates the percentage of rooftop runoff that will be conveyed through the filter to the cistern. If filters are not sized properly, a large portion of the rooftop runoff may be diverted and not conveyed to the cistern at all. A design intensity of 1 inch per hour (for design storm = SWRV) must be used for the purposes of sizing pre-cistern conveyance and filter components. This design intensity captures a significant portion of the total rainfall during a large majority of rainfall events (NOAA, 2004). If the system will be used for channel and flood protection, the 2- to 25-year storm intensities must be used for the design of the conveyance and pretreatment portion of the system. The Appendix K Rainwater Harvesting Storage Volume Calculator, discussed in Section 4.5.4 Rainwater Harvesting Design Criteria, allows for input of variable filter efficiency rates for the

design storm. To meet the requirements to manage the 2- to 25-year storms, a minimum filter efficiency of 90% must be met.

- **First Flush Diverters.** First flush diverters (see Figure 4.25) direct the initial pulse of rainfall away from the cistern. While leaf screens effectively remove larger debris such as leaves, twigs, and blooms from harvested rainwater, first flush diverters can be used to remove smaller contaminants such as dust, pollen, and bird and rodent feces.
- **Leaf Screens.** Leaf screens are mesh screens installed over either the gutter or downspout to separate leaves and other large debris from rooftop runoff. Leaf screens must be regularly cleaned to be effective; if not maintained, they can become clogged and prevent rainwater from flowing into the cisterns. Built-up debris can also harbor bacterial growth within gutters or downspouts (Texas Water Development Board, 2005).
- **Roof Washers.** Roof washers are placed just ahead of cisterns and are used to filter small debris from harvested rainwater (see Figure 4.26). Roof washers consist of a cistern, usually between 25 and 50 gallons in size, with leaf strainers and a filter with openings as small as 30 microns. The filter functions to remove very small particulate matter from harvested rainwater. All roof washers must be cleaned on a regular basis.
- **Hydrodynamic Separator.** For large-scale applications, hydrodynamic separators and other devices can be used to filter rainwater from larger CDAs.

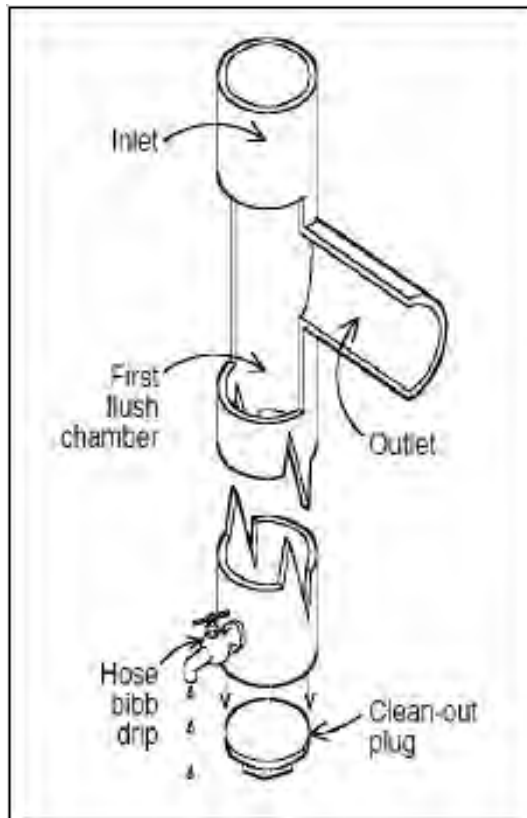


Figure 4.25. Diagram of a first flush diverter (photo: Texas Water Development Board, 2005).

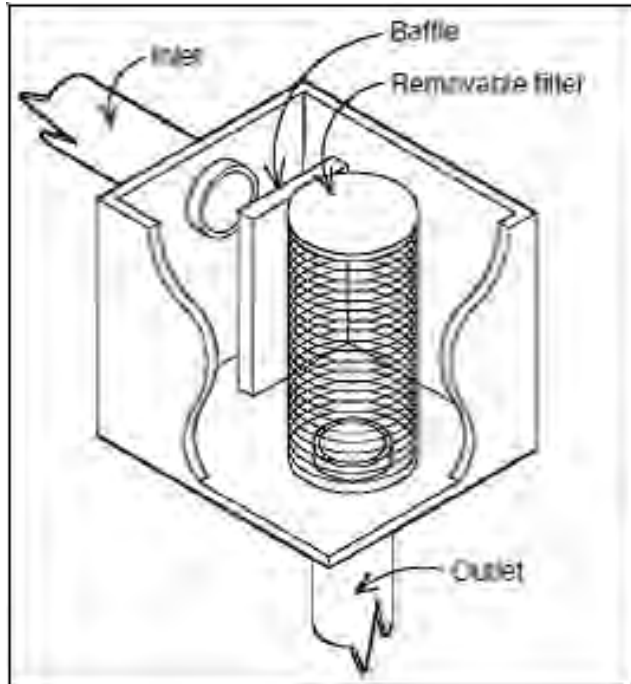


Figure 4.26. Diagram of a roof washer (photo: Texas Water Development Board, 2005).

4.7.4 Rainwater Harvesting Design Criteria

System Components: Seven primary components of a rainwater harvesting system require special considerations:

- CDA or CDA surface
- Collection and conveyance system (i.e., gutter and downspouts)
- Cisterns (Storage Tank)
- Pretreatment, including prescreening and first flush diverters
- Water quality treatment (as described in Appendix J Rainwater Harvesting Treatment and Management Requirements)
- Distribution systems
- Overflow, filter path, or secondary stormwater retention practice

The system components are discussed below:

CDA Surface

When considering CDA surfaces, smooth, non-porous materials will drain more efficiently. Slow drainage of the CDA leads to poor rinsing and a prolonged first flush, which can decrease water quality.

Rainwater can also be harvested from other impervious surfaces, such as parking lots and driveways; however, this practice requires more extensive pretreatment and treatment prior to use.

Collection and Conveyance System

See Section 4.7.2 Rainwater Harvesting Conveyance Criteria.

Pretreatment

See Section 4.7.3 Rainwater Harvesting Pretreatment Criteria.

Cisterns (Storage Tank)

Also known as the storage tank, the cistern is the most important and typically the most expensive component of a rainwater harvesting system. Cistern capacities generally range from 250 to 30,000 gallons, but they can be as large as 100,000 gallons or more for larger projects. Multiple cisterns can be placed adjacent to each other and connected with pipes to balance water levels and to tailor the storage volume needed. Typical rainwater harvesting system capacities for residential use range from 1,500 to 5,000 gallons. Cistern volumes are calculated to meet the water demand and stormwater storage volume retention objectives, as described further below in this specification.

While many of the graphics and photos in this specification depict cisterns with a cylindrical shape, the cisterns can be made of many materials and configured in various shapes, depending on the type used and the site conditions where the cisterns will be installed. For example, configurations can be rectangular, L-shaped, or step vertically to match the topography of a site. The following factors should be considered when designing a rainwater harvesting system and selecting a cistern:

- Aboveground cisterns should be ultraviolet and impact resistant.
- Underground cisterns must be designed to support the overlying sediment and any other anticipated loads (e.g., vehicles, pedestrian traffic).
- Underground rainwater harvesting systems must have a standard size manhole or equivalent opening to allow access for cleaning, inspection, and maintenance purposes. The access opening must be installed in such a way as to prevent surface- or groundwater from entering through the top of any fittings, and it must be secured/locked to prevent unwanted entry. Confined space safety precautions/requirements should be observed during cleaning, inspection, and maintenance.
- All rainwater harvesting systems must be sealed using a water-safe, non-toxic substance.
- Rainwater harvesting systems may be ordered from a manufacturer or can be constructed on site from a variety of materials. Table 4. 26 compares the advantages and disadvantages of different cistern materials.
- Cisterns must be opaque or otherwise protected from direct sunlight to inhibit growth of algae, and they must be screened to discourage mosquito breeding.
- Dead storage below the outlet to the distribution system and an air gap at the top of the cistern must be included in the total cistern volume. For gravity-fed systems, a minimum of 6 inches of dead storage must be provided. For systems using a pump, the dead storage depth will be based on the pump specifications.
- Any hookup to a municipal backup water supply must have a backflow prevention device to keep municipal water separate from stored rainwater; this may include incorporating an air gap to separate the two supplies.

Table 4.26. Advantages and Disadvantages of Typical Cistern Materials

Cistern Material	Advantages	Disadvantages
Fiberglass	Commercially available, alterable and moveable; durable with little maintenance; light weight; integral fittings (no leaks); broad application	Must be installed on smooth, solid, level footing; pressure proof for below-ground installation; expensive in smaller sizes
Polyethylene	Commercially available, alterable, moveable, affordable; available in wide range of sizes; can install above or below ground; little maintenance; broad application	Can be UV-degradable; must be painted or tinted for above-ground installations; pressure-proof for below-ground installation
Modular Storage	Can modify to topography; can alter footprint and create various shapes to fit site; relatively inexpensive	Longevity may be less than other materials; higher risk of puncturing of watertight membrane during construction
Plastic Barrels	Commercially available; inexpensive	Low storage capacity (20–50 gallons); limited application
Galvanized Steel	Commercially available, alterable, and moveable; available in a range of sizes; film develops inside to prevent corrosion	Possible external corrosion and rust; must be lined for potable use; can only install above ground; soil pH may limit underground applications
Steel Drums	Commercially available, alterable, and moveable	Small storage capacity; prone to corrosion, and rust can lead to leaching of metals; verify prior to reuse for toxics; water pH and soil pH may also limit applications
FerroConcrete	Durable and immovable; suitable for above or below ground installations; neutralizes acid rain	Potential to crack and leak; expensive
Cast-in-Place Concrete	Durable, immovable, and versatile; suitable for above or below ground installations; neutralizes acid rain	Potential to crack and leak; permanent; will need to provide adequate platform and design for placement in clay soils
Stone or Concrete Block	Durable and immovable; keeps water cool in summer months	Difficult to maintain; expensive to build

Source: Cabell Brand Center, 2007; Cabell Brand Center, 2009

- **Water Quality Treatment**

Depending upon the collection surface, method of dispersal, and proposed use for the harvested rainwater, a water quality treatment device may be required. Treatment requirements are described in Appendix J Rainwater Harvesting Treatment and Management Requirements.

- **Distribution Systems**

Most distribution systems require a pump to convey harvested rainwater from the cistern to its final destination, whether inside the building, an automated irrigation system, or gradually discharged to a secondary stormwater treatment practice. The rainwater harvesting system should be equipped with an appropriately sized pump that produces sufficient pressure for all end-uses.

The typical pump and pressure tank arrangement consists of a multi-stage, centrifugal pump, which draws water out of the cistern and sends it into the pressure tank, where it is stored for distribution. Some systems will not require this two-tank arrangement (e.g., low-pressure and gravel systems). When water is drawn out of the pressure tank, the pump activates to supply additional water to the distribution system. The backflow preventer is required to separate harvested rainwater from the main potable water distribution lines.

A drain plug or cleanout sump must be installed to allow the system to be completely emptied, if needed. Above-ground outdoor pipes must be insulated or heat-wrapped to prevent freezing and ensure uninterrupted operation during winter if winter use is planned.

- **Overflow**

See Section 4.7.2 Rainwater Harvesting Conveyance Criteria.

Rainwater Harvesting Material Specifications

The basic material specifications for rainwater harvesting systems are presented in Table 4.27. Designers should consult with experienced rainwater harvesting system and irrigation installers on the choice of recommended manufacturers of prefabricated cisterns and other system components.

Table 4.27. Design Specifications for Rainwater Harvesting Systems

Item	Specification
Gutters and Downspouts	<p>Materials commonly used for gutters and downspouts include polyvinylchloride (PVC) pipe, vinyl, aluminum, and galvanized steel. Lead must not be used as gutter and downspout solder, since rainwater can dissolve the lead and contaminate the water supply.</p> <ul style="list-style-type: none"> ▪ The length of gutters and downspouts is determined by the size and layout of the catchment and the location of the cisterns. ▪ Include needed bends and tees.
Pretreatment	<p>At least one of the following (all rainwater to pass through pretreatment):</p> <ul style="list-style-type: none"> ▪ First flush diverter ▪ Hydrodynamic separator ▪ Roof washer ▪ Leaf and mosquito screen (1 mm mesh size)
Cisterns	<ul style="list-style-type: none"> ▪ Materials used to construct cisterns must be structurally sound. ▪ Cisterns should be constructed in areas of the site where soils can support the load associated with stored water. ▪ Cisterns must be watertight and sealed using a water-safe, non-toxic substance. ▪ Cisterns must be opaque or otherwise shielded to prevent the growth of algae. ▪ The size of the rainwater harvesting system(s) is determined through design calculations.

Note: This table does not address indoor systems or pumps.

Design Objectives and System Configuration

Rainwater harvesting systems can have many design variations that meet user demand and stormwater objectives. This specification provides a design framework to achieve the SWRv objectives that are required to comply with the regulations, and it adheres to the following concepts:

- Give preference to use of rainwater as a resource to meet on-site demand or in conjunction with other stormwater retention practices.
- Reduce peak flow by achieving volume reduction and temporary storage of runoff.

Based on these concepts, this specification focuses on system design configurations that harvest rainwater for internal building uses, seasonal irrigation, and other activities, such as cooling tower use and vehicle washing. While harvested rainwater will be in year-round demand for many internal building uses, some other uses will have varied demand depending on the time of year (e.g., cooling towers and seasonal irrigation). Thus, a lower retention volume is assigned to a type of use that has reduced demand.

Design Objectives & Cistern Design Set-Ups

Prefabricated rainwater harvesting cisterns typically range in size from 250 to over 30,000 gallons. Three basic cistern designs meet the various rainwater harvesting system configurations in this section.

Cistern Design 1. The first cistern set-up (Figure 4.27) maximizes the available storage volume to meet the desired level of stormwater retention. This layout also maximizes the storage that can be used to meet a demand. An emergency overflow exists near the top of the cistern as the only gravity release outlet device (not including the pump, manway, or inlets). It should be noted that it is possible to address 2- to 25-year storm volumes with this cistern configuration, but the primary purpose is to address the smaller SWRv design storm.

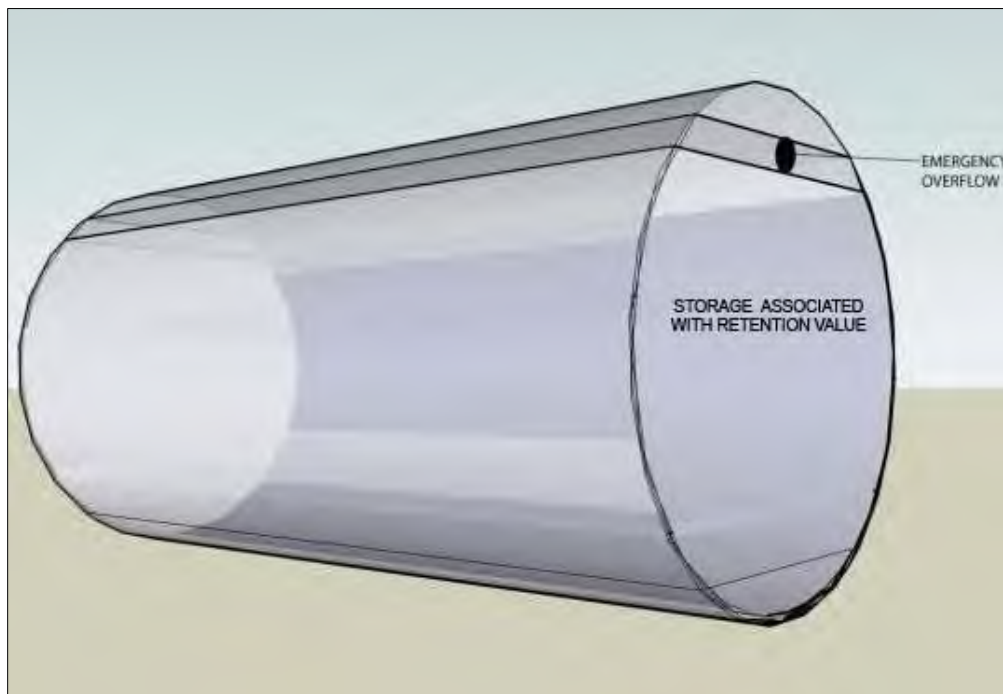


Figure 4.27. Cistern Design 1: Storage associated with the design storm volume only.

Cistern Design 2. The second cistern set-up (Figure 4.28) uses cistern storage to meet the SWRv retention objectives and also uses additional detention volume to meet some or all of the 2- to 25-year storm volume requirements. An orifice outlet is provided at the top of the design storage for the SWRv level, and an emergency overflow is located at the top of the detention volume level.

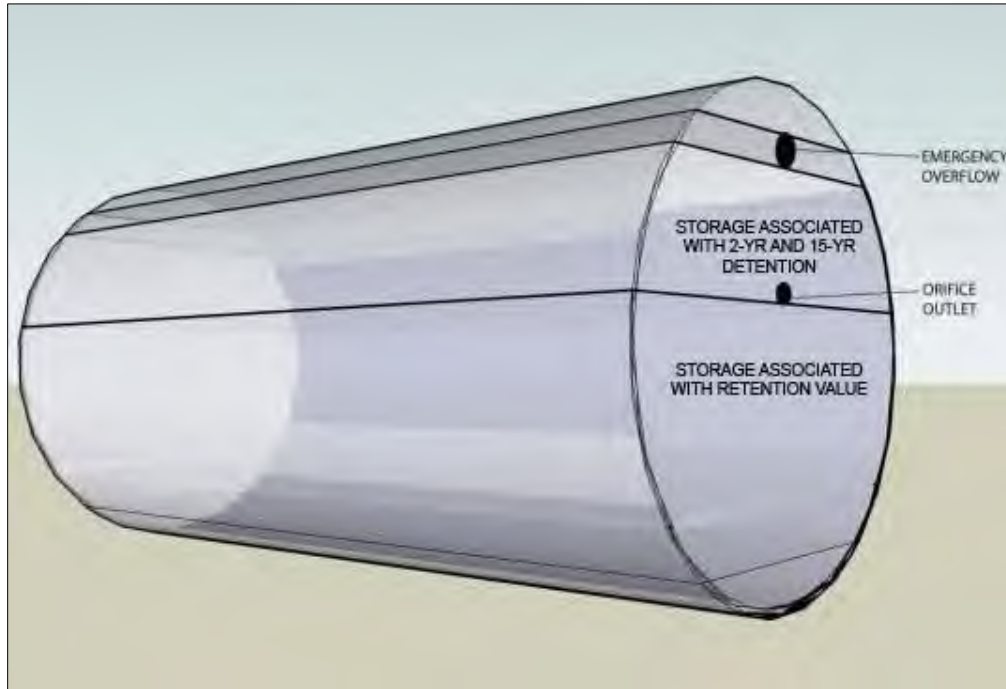


Figure 4.28. Cistern Design 2: Storage associated with design storm, channel protection, and flood volume.

Cistern Design 3. The third cistern set-up (Figure 4.29) creates a constant drawdown within the system. The small orifice at the bottom of the cistern needs to be routed to an appropriately designed secondary practice (i.e., bioretention, stormwater infiltration) that will allow the rainwater to be treated and allow for groundwater recharge over time. The release must not be discharged to a receiving channel or storm drain without treatment, and maximum specified drawdown rates from this constant drawdown should be adhered to, since the primary function of the system is not intended to be detention.

While a small orifice is shown at the bottom of the cistern in Figure 4.29, the orifice could be replaced with a pump that would serve the same purpose, conveying a limited amount of water to a secondary practice on a routine basis.

For this design, the secondary practice must be considered a component of the rainwater harvesting system with regard to the storage volume calculated in the General Retention Compliance Calculator in Appendix H. In other words, the storage volume associated with the secondary practice must not be included as a separate BMP because the secondary practice is an integral part of a rainwater harvesting system with a constant drawdown.

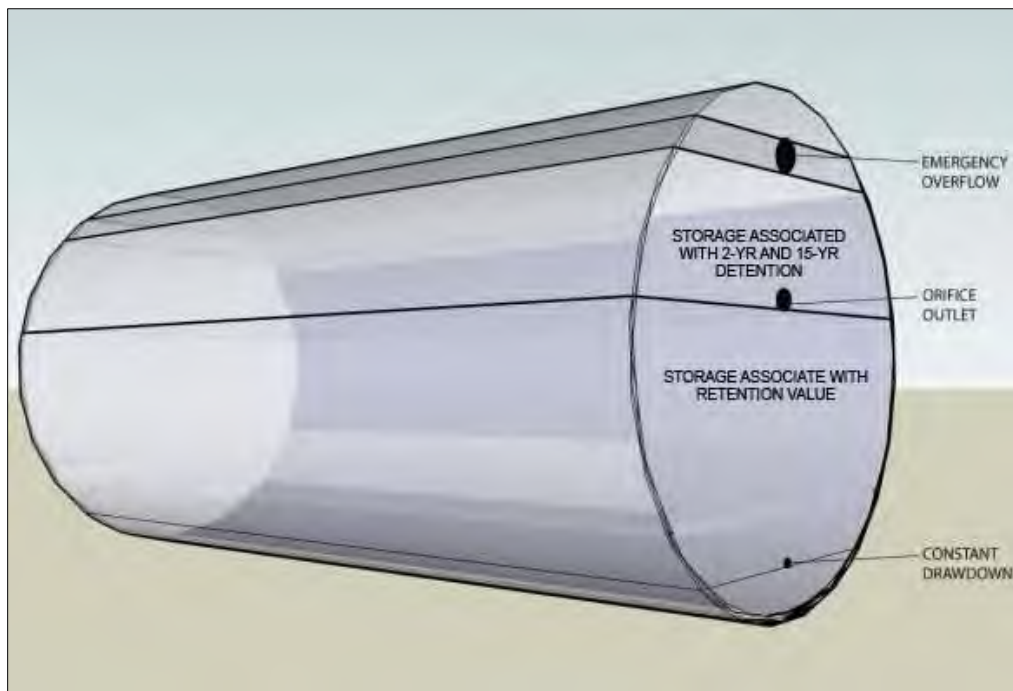


Figure 4.29. Cistern Design 3: Constant drawdown version where storage is associated with design storm, channel protection, and flood volume.

Sizing of Rainwater Harvesting Systems

The rainwater harvesting cistern sizing criteria presented in this section were developed using a spreadsheet model that used best estimates of indoor and outdoor water demand, long-term rainfall data, and CDA capture area data (Forasté 2011). The Rainwater Harvesting Storage Volume Calculator in Appendix J1 is used for cistern sizing guidance and to quantify the available storage volume achieved. This storage volume value is required for input into the General Retention Compliance Calculator and is part of the submission of a SWMP using rainwater harvesting systems for compliance. A secondary objective of the spreadsheet is to increase the beneficial uses of the stored stormwater, treating it as a valuable natural resource.

Rainwater Harvesting Storage Volume Calculator

The design specification provided in this section is follows the Rainwater Harvesting Storage Volume Calculator Appendix J1. The spreadsheet uses daily rainfall data from January 1, 2007 to December 31, 2019 to model performance parameters of the cistern under varying CDAs, demands on the system and cistern size.

The size of ponds used for irrigation, their irrigation area and characteristics of soil and land use can be entered in the calculator to determine stormwater volume retained. The runoff that reaches the cistern each day is added to the water level that existed in the cistern the previous day, with all of the total demands subtracted on a daily basis. If any overflow is realized, the volume is quantified and recorded. If the cistern runs dry (reaches the cut-off volume level), then the volume in the cistern is fixed at the low level. A summary of the water balance for the system is provided below.

Incremental Design Volumes within Cistern

Rainwater cistern sizing is determined by accounting for varying precipitation levels, captured CDA runoff, first flush diversion (through filters) and filter efficiency, low water cut-off volume, dynamic water levels at the beginning of various storms, storage needed for the design storm (permanent storage), storage needed for 2- to 25-year volume (temporary detention storage), seasonal and year-round demand use and objectives, overflow volume, and freeboard volumes above high water levels during very large storms. See Figure 4. 30 for a graphical representation of these various incremental design volumes.

The design specification described in this section does not provide guidance for sizing larger storms, but rather provides guidance on sizing for the 85th and 95th percentile design storms.

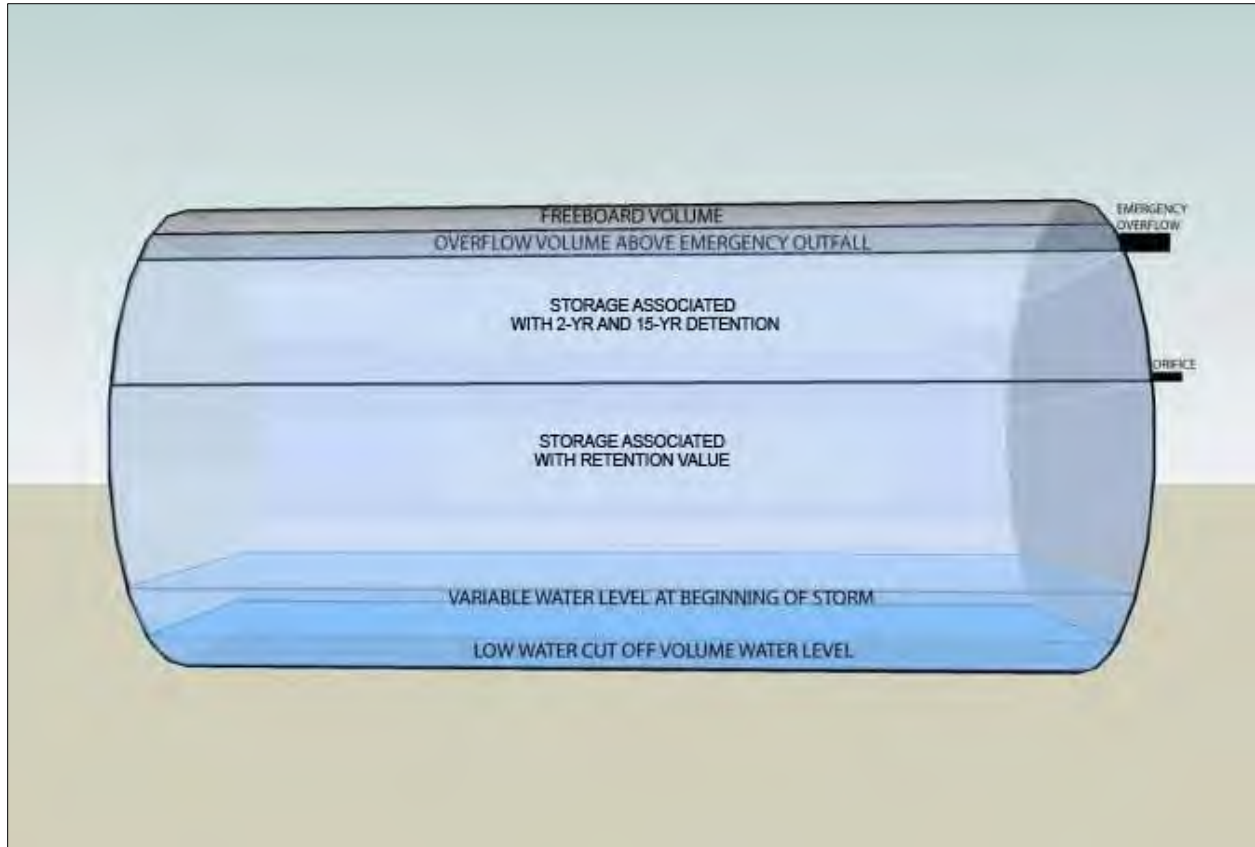


Figure 4.30. Incremental design volumes associated with cistern sizing.

The “Average Available Storage Volume” is the average storage within the cistern that is modeled and available to retain rainfall. While the SWRV will remain the same for a specific CDA, the “Average Available Storage Volume” is dependent on demand and cistern volume. It is the available space in the cistern between the average level at the beginning of a storm and the orifice outflow.

Water Contribution

- **Precipitation**
The volume of water contributing to the rainwater harvesting system is a function of the rainfall and CDA, as defined by the designer.
- **Municipal Backup (optional)**
In some cases, the designer may choose to install a municipal backup water supply to supplement cistern levels. Note that municipal backups may also be connected post-cistern (i.e., a connection is made to the non-potable water line that is used for pumping water from the cistern for reuse), thereby not contributing any additional volume to the cistern. Municipal backup designs that supply water directly to the cistern are not accounted for in the Rainwater Harvesting Storage Volume Calculator.

Water Losses

- **Contributing Drainage Area Runoff Coefficient**
The CDA is assumed to convey 95% of the rainfall that lands on its surface (i.e., $Rv = 0.95$).
- **First Flush Diversion**
The first 0.02 to 0.06 inches of rainfall that is directed to filters is diverted from the system in order to prevent clogging it with debris. This value is assumed to be contained within the filter efficiency rate.
- **Filter Efficiency**
It is assumed that, after the first flush diversion and loss of water due to filter inefficiencies, the remainder of the design storm will be captured successfully. For the 85th or 95th percentile storms, a minimum of 95% of the runoff should be conveyed into the cistern. The minimum values are included as the filter efficiencies in the Rainwater Harvesting Storage Volume Calculator, although they can be altered (increased) if appropriate. The Rainwater Harvesting Storage Volume Calculator applies these filter efficiencies, or interpolated values, to the daily rainfall record to determine the volume of runoff that reaches the cistern. For the purposes of selecting an appropriately sized filter, a rainfall intensity of 1 inch per hour shall be used when the design storm is the SWRv. The appropriate rainfall intensity values for the 2- to 25-year storms shall be used when designing for larger storm events.
- **Drawdown (Storage Volume)**
This is the stored water within the cistern that is reused or directed to a secondary stormwater practice. It is the volume of runoff that is reduced from the CDA. This is the water loss that translates into the achievable storage volume retention.

Overflow

For the purposes of addressing the SWRv (not for addressing larger storm volumes), orifice outlets for both detention and emergency overflows are treated the same. This is the volume of water that may be lost during large storm events or successive precipitation events.

Storage Volume Results

The Rainwater Harvesting Storage Volume Calculator determines the average daily volume of water in the cistern for a range of cistern sizes. From this value, the available storage volume for the 85th and 95th percentile storm can be calculated; it is simply the difference between the cistern size and the average daily volume. The available storage volume for the selected cistern size should be used as an input to the General Retention Compliance Calculator. Similarly, the pond used for irrigation stormwater volume is entered in the General Retention Compliance Calculator in the rainwater harvesting row rather than the stormwater pond row to produce runoff reduction and pollutant removal credit with the other BMPs for the stormwater plan.

- **Available Storage Volume (Sv)**
The volume available for storage of the 85th and 95th percentile storm is calculated for multiple sizes of cisterns. A trade-off curve plots these results, which allows for a comparison of the retention achieved versus cistern size. While larger cisterns yield more retention, they are more expensive. The curve helps the user to choose the appropriate cistern size, based on the design objectives and site needs.

- **Overflow Volume**

The volume of the overflows resulting from the 85th or 95th percentile precipitation event is also reported in this sheet. The overflow volume is also plotted to illustrate the effects of cistern size on overflow volume. An example chart is shown in Figure 4.31. The effect of diminishing returns is clear. Beyond a cistern size of 9,000 gallons, the overflow volume drops to zero. So, while the available storage continues to increase, the 85th or 95th percentile storm is entirely retained, and no additional retention will be possible.

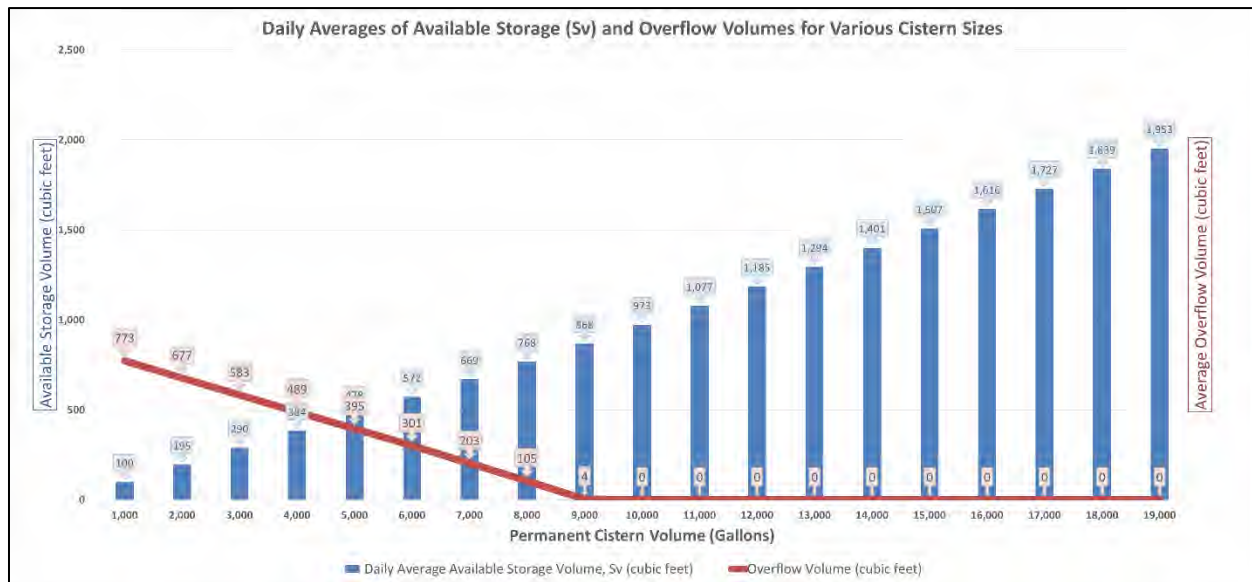


Figure 4.31. Example of graph showing Average Available Storage Volume and Overflow Volume for an example cistern design.

Results from the Rainwater Harvesting Storage Volume Calculator to be Transferred to the Compliance Calculator

There are two results from the Rainwater Harvesting Storage Volume Calculator that are to be transferred to the Compliance Calculator as follows:

- **Contributing Drainage Area**

Enter the CDA that was used in the Rainwater Harvesting Storage Volume Calculator into the appropriate columns in the “Rainwater Harvesting” row of the Compliance Calculator BMP sheet.

- **Available Storage Volume**

Once a cistern has been selected, enter the Available Storage Volume (ft³) associated with that cistern into the Compliance Calculator column called “Storage Volume Provided by BMP” in the “Rainwater Harvesting” row of the BMP sheet.

Completing the Sizing Design of the Cistern

The total size of the cistern is the sum of the following four volume components:

- **Low Water Cutoff Volume (Included)**

A dead storage area must be included so the pump will not run the cistern dry. This volume is included in the Rainwater Harvesting Storage Volume Calculator’s modeled volume.

- **Cistern Storage Associated with Design Volume (Included)**
This is the cistern design volume from the Rainwater Harvesting Storage Volume Calculator.
- **Adding Channel Protection and Flood Volumes (Optional)**
Additional detention volume may be added above and beyond the cistern storage associated with the design storm volumes for the 2- to 25-year events. Typical routing software programs may be used to design for this additional volume.
- **Adding Overflow and Freeboard Volumes (Required)**
An additional volume above the emergency overflow must be provided in order for the cistern to allow very large storms to pass. Above this overflow water level, there will be an associated freeboard volume that should account for at least 5% of the overall cistern size. Sufficient freeboard must be verified for large storms, and these volumes must be included in the overall size of the cistern.

4.7.5 Rainwater Harvesting Landscaping Criteria

If the harvested water is to be used for irrigation, the design plan elements must include the proposed delineation of planting areas to be irrigated, the planting plan, and quantification of the expected water demand. The default water demand for irrigation is 1.0 inches per week over the area to be irrigated during the months of May through October only. Justification must be provided if larger volumes are to be used.

4.7.6 Rainwater Harvesting Construction Sequence

Installation

It is advisable to have a single contractor to install the rainwater harvesting system, outdoor irrigation system, and secondary retention practices. The contractor should be familiar with rainwater harvesting system sizing, installation, and placement. A licensed plumber is required to install the rainwater harvesting system components to the plumbing system.

A standard construction sequence for proper rainwater harvesting system installation is provided below. This can be modified to reflect different rainwater harvesting system applications or expected site conditions.

1. Choose the cistern location on the site.
2. Route all downspouts or pipes to prescreening devices and first flush diverters.
3. Properly install the cistern.
4. Install the pump (if needed) and piping to end uses (indoor, outdoor irrigation, or cistern dewatering release).
5. Route all pipes to the cistern.
6. Stormwater must not be diverted to the rainwater harvesting system until the overflow filter path has been stabilized with vegetation.

Construction Supervision

The following items should be inspected by a qualified professional in the mechanical, electrical, or plumbing fields prior to final sign-off and acceptance of a rainwater harvesting system:

- Rooftop area matches plans
- Diversion system is properly sized and installed
- Pretreatment system is installed

- Mosquito screens are installed on all openings
- Overflow device is directed as shown on plans
- Rainwater harvesting system foundation is constructed as shown on plans
- Catchment area and overflow area are stabilized
- Secondary stormwater treatment practice(s) is installed as shown on plans
- System commissioning

Construction phase inspection checklist for rainwater harvesting practices and the Stormwater Facility Leak Test form can be found in Appendix E Construction Inspection Checklists.

4.7.7 Rainwater Harvesting Maintenance Criteria

Maintenance Inspections

Periodic inspections and maintenance shall be conducted for each system by a qualified professional.

Maintenance inspection checklists for rainwater harvesting systems and the Maintenance Service Completion Inspection form can be found in Appendix F Maintenance Inspection Checklists.

Maintenance Schedule

Maintenance requirements for rainwater harvesting systems vary according to use. Systems that are used to provide supplemental irrigation water have relatively low maintenance requirements, while systems designed for indoor uses have much higher maintenance requirements. Table 4.28 describes routine maintenance tasks necessary to keep rainwater harvesting systems in working condition. It is recommended that maintenance tasks be performed by an "Inspector Specialist," certified by the American Rainwater Catchment Association. Maintenance tasks must be documented and substantially comply with the maintenance responsibilities outlined in the maintenance agreement.

Table 4.28. Typical Maintenance Tasks for Rainwater Harvesting Systems

Responsible Person	Frequency	Activity
Owner	Four times a year	Inspect and clean prescreening devices and first flush diverters
	Twice a year	Keep gutters and downspouts free of leaves and other debris
	Once a year	<ul style="list-style-type: none"> ▪ Inspect and clean storage cistern lids, paying special attention to vents and screens on inflow and outflow spigots. Check mosquito screens and patch holes or gaps immediately ▪ Inspect condition of overflow pipes, overflow filter path, and/or secondary stormwater treatment practices
	Every third year	Clear overhanging vegetation and trees over roof surface
Qualified Third-Party Inspector	According to Manufacturer	Inspect water quality devices
	As indicated in Appendix J Rainwater Harvesting Treatment and Management Requirements	Field verification and data logs must be available at all times and semiannual reports must be uploaded to the SW database annually.
	Every third year	<ul style="list-style-type: none"> ▪ Inspect cistern for sediment buildup ▪ Check integrity of backflow preventer ▪ Inspect structural integrity of cistern, pump, pipe and electrical system ▪ Replace damaged or defective system components

Mosquitoes

In some situations, poorly designed rainwater harvesting systems can create habitat suitable for mosquito breeding. Designers must provide screens on above- and below-ground cisterns to prevent mosquitoes and other insects from entering the cisterns. If screening is not sufficient in deterring mosquitoes, dunks or pellets containing larvicide can be added to cisterns when water is intended for landscaping use.

Waste Material

Waste material from the repair, maintenance, or removal of a BMP or land cover shall be removed and disposed of in compliance with applicable local, state, and federal law.

4.7.8 Rainwater Harvesting Stormwater Compliance Calculations

Rainwater harvesting practices are credited with 100% retention for the average available storage volume (Sv) available in the cistern as well as 100% TSS, TN, and bacteria removal (see Table 4.29). This average available storage volume is determined by using the Rainwater Harvesting Storage Volume Calculator, as described in Section 4.5.4 Rainwater Harvesting Design Criteria.

Table 4.29. Rainwater Harvesting Retention and Pollutant Removal

Retention	= 100%
TSS Removal	= 100%
TN Removal	= 100%
Bacteria Removal	= 100%

Rainwater harvesting practices also contribute to peak flow reduction. This contribution can be determined in several ways. One method is to subtract the storage volume from the total runoff volume for the 2-year through the 100-year storm events. The resulting reduced runoff volumes can then be used to calculate a reduced NRCS CN for the site or SDA. The reduced NRCS CN can then be used to calculate peak flow rates for the various storm events. Other hydrologic modeling tools that employ different procedures may be used as well.

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4.8 Impervious Surface Disconnection

Impervious Surface Disconnection				
Definition: This strategy involves managing runoff close to its source by directing it from rooftops and other impervious surfaces to pervious areas.				
Site Applicability		BMP Performance Summary		
Land Uses	Required Footprint	WQ Improvement: Moderate to High		
<ul style="list-style-type: none"> ▪ Suburban ▪ Rural 	Small	TSS ¹	Total N ¹	Bacteria ¹
		80%	40%	40%
		Runoff Reduction		
Construction Costs	Maintenance Burden	Volume		
Low	Low	Low		
Maintenance Frequency:		SWRv		
Routine	Non-Routine	40%		
At least annually	As needed			
Advantages/Benefits		Disadvantages/Limitation		
<ul style="list-style-type: none"> ▪ Low cost construction and maintenance ▪ Reduces runoff volume ▪ Helps restore pre-development hydrologic conditions 		<ul style="list-style-type: none"> ▪ Only applicable to small drainage areas ▪ Difficult to apply to treatment trains ▪ Requires pervious receiving area 		
Components		Design considerations		
<ul style="list-style-type: none"> ▪ Conveyance ▪ Receiving area ▪ Vegetation ▪ Receiving soils 		<ul style="list-style-type: none"> ▪ Maximum CDA of 1,000 ft² per disconnection ▪ Disconnection area should be at least 35 feet long and 10 feet wide. ▪ Slope of receiving area should be < 2% (with turf reinforcement, <5%) ▪ Building setback for areas with < 1% slope 		
Maintenance Activities				
<ul style="list-style-type: none"> ▪ Typical lawn/landscaping maintenance 		<ul style="list-style-type: none"> ▪ Ensure receiving area remains uncompacted and pervious 		

¹Credited pollutant load removal

In this practice, runoff from a rooftop or other small impervious surface is directed to a pervious surface or small practice to provide infiltration, filtering, or reuse (Figure 4.32)



Figure 4.32. Rooftop disconnection (photo: Center for Watershed Protection, Inc.)

Definition

This strategy involves managing runoff close to its source by directing it from rooftops and other impervious surfaces to pervious areas. Disconnection practices can be used to reduce the volume of runoff that enters the combined or separate sewer systems. Applicable practices include the following:

- D-1 Disconnection to pervious areas with the compacted cover designation
- D-2 Disconnection to conservation areas

Disconnection practices reduce a portion of the SWRV. In order to fully meet retention requirements, , disconnection practices must be combined with additional practices.

4.8.1 Impervious Surface Disconnection Feasibility Criteria

Impervious surface disconnections are ideal for use on commercial, institutional, municipal, multi-family residential, and single-family residential buildings. Key constraints with impervious surface disconnections include available space, soil permeability, and soil compaction. These and other feasibility criteria are described below and summarized in Table 4. 30.

- **Contributing Drainage Area.** For rooftop impervious areas, the maximum impervious area treated cannot exceed 1,000 square feet per disconnection. For impervious areas other than rooftop, the longest contributing impervious area flow path cannot exceed 75 feet.
- **Sizing.** The available disconnection area must be at least 10 feet wide and 35 feet long. For sheet flow from impervious areas, the disconnection area must be as wide as the area draining to it.
- **Site Topography.** Disconnection is best applied when the grade of the receiving pervious area is less than 2%, or less than 5% with turf reinforcement. The slope of the receiving areas must be graded away from any building foundations. Turf reinforcement may include erosion control matting or other appropriate reinforcing materials that are confirmed by the designer to be erosion resistant for the specific characteristics and flow rates anticipated at each individual application, and acceptable to the plan-approving authority.

- **Soils.** Impervious surface disconnection can be used on any post-construction hydrologic soil group (HSG). The disconnection area must be kept well-vegetated with minimal bare spots—at least 95% soil cover.
- **Building Setbacks.** If the grade of the receiving area is less than 1%, downspouts must be extended 5 feet away from building.

Discharge Across Property Lines. Disconnection areas must be designed such that runoff is not directed across property lines toward other sites.

Economic Considerations. Disconnection is one of the least expensive BMPs available.

Table 4.30. Feasibility Criteria for Disconnection

Design Factor	Disconnection Design
Contributing Drainage Area	1,000 square feet per rooftop disconnection. For impervious areas other than rooftop, the longest contributing impervious area flow path cannot exceed 75 feet.
Sizing	The available disconnection area must be at least 10 feet wide and 35 feet long. For sheet flow from impervious areas, the disconnection area must be as wide as the area draining to it.
Site Topography	Grade of the receiving pervious area is less than 2%, or less than 5% with turf reinforcement. The slope of the receiving areas must be graded away from any building foundations.
Soils	Impervious surface disconnection can be used on any post-construction HSG. The disconnection area must be kept well-vegetated with minimal bare spots.
Building Setbacks	5 feet away from building if the grade of the receiving area is less than 1%.

4.8.2 Impervious Surface Disconnection Conveyance Criteria

Receiving areas in disconnection practices (D-1, D-2, and D-3) require a design that safely conveys the 2- to 25-year storm events over the receiving area without causing erosion. In some applications, erosion control matting or other appropriate reinforcing materials may be needed to control flow rates anticipated for these larger design storms.

4.8.3 Impervious Surface Disconnection Pretreatment Criteria

Pretreatment is not needed for impervious surface disconnection.

4.8.4 Impervious Surface Disconnection Design Criteria

If the feasibility criteria presented in Section 4.6.1 are met for a disconnection area, the storage volume is equal to the SWRV for the impervious area draining to it. The disconnection area itself should be considered Compacted Cover or Open Space rather than BMP area and should not be considered as part of the contributing drainage area to the impervious surface disconnection.

The following additional design criteria apply to Disconnection to Conservation Areas:

- **(D-2) Disconnection to a Conservation Area.** Disconnection area cannot include regulated wetlands and buffer areas.

- Inflow must be conveyed via sheet flow or via a level spreader.
- If inflow is conveyed via a level spreader, the maximum flow path is 150 feet, and the level spreader must be designed with an appropriate width as specified below.

Level Spreaders. A level spreader can be used to disperse or “spread” concentrated flow thinly over a vegetated or forested area to promote greater runoff infiltration in the receiving area. A level spreader consists of a permanent linear structure constructed at a 0% grade that transects the slope. The influent concentrated runoff must be spread over an area wide enough area so that erosion of the receiving area does not result. Detailed information on the design and function of level spreaders can be found in Hathaway and Hunt (2006) and NCDWQ (2010).

The minimum required width of the level spreader is

- 13 linear feet per each 1 cubic foot/second of inflow if the receiving conservation area has a minimum 90% ground cover
- 40 linear feet per 1 cubic foot/second of inflow if the receiving conservation area is forested

4.8.5 Impervious Surface Disconnection Landscaping Criteria

All receiving disconnection areas must be stabilized to prevent erosion or transport of sediment to receiving practices or drainage systems according to the Erosion and Sediment Control seeding and vegetation requirements. Designers must ensure that the maximum flow velocities do not exceed the acceptable values for the selected grass species and the specific site slope.

4.8.6 Impervious Surface Disconnection Construction Sequence

Construction Sequence for Disconnection to Pervious Areas. For disconnection to a pervious area, the pervious area can be within the limits of disturbance (LOD) during construction. The following procedures should be followed during construction:

- Before site work begins, the receiving pervious disconnection area boundaries should be clearly marked.
- Construction traffic in the disconnection area should be limited to avoid compaction. The material stockpile area shall not be located in the disconnection area.
- Construction runoff should be directed away from the proposed disconnection area, using perimeter silt fence, or, preferably, a diversion dike.
- If existing topsoil is stripped during grading, it shall be stockpiled for later use.
- The disconnection area may require light grading to achieve desired elevations and slopes. This should be done with tracked vehicles to prevent compaction.
- Topsoil and or compost amendments should be incorporated evenly across the disconnection area, stabilized with seed, and protected by biodegradable erosion control matting or blankets.
- Stormwater must not be diverted into any topsoil or compost amended areas until the area is stabilized (establishment of 95% or greater groundcover).

Construction Sequence for Disconnection to Conservation Areas. For disconnection to a conservation area, the conservation area must be fully protected during the construction stage of development and kept outside the LOD on the soil erosion and sediment control plan.

- No staging, parking, clearing, grading, or heavy equipment access is allowed in the conservation area except temporary disturbances associated with incidental utility construction, restoration operations, or management of nuisance vegetation. Incidental utility construction includes protecting existing utilities, removing abandoned utilities, rearranging service lines, temporarily rearranging utilities, and adjusting utility appurtenances.
- Any conservation areas shall be protected by super silt fence, chain link fence, orange safety fence, or other measures to prevent sediment discharge consistent with soil erosion and sediment control standards and specifications.
- The LOD must be clearly shown on all construction drawings and identified and protected in the field by acceptable signage, silt fence or other protective barrier.
- If a level spreader is to be used in the design, construction of the level spreader shall not commence until the CDA has been stabilized and perimeter soil erosion and sediment control measures have been removed and cleaned out. Stormwater must not be diverted into the disconnection area until the level spreader is installed and stabilized.

Construction Supervision. Construction supervision is recommended to ensure compliance with design standards. A qualified professional should evaluate the performance of the disconnection after the first significant rainfall event to look for evidence of gullies, outflanking, undercutting, or sparse vegetative cover. Spot repairs should be made as needed.

Construction phase inspection checklist for impervious cover disconnection can be found in Appendix E Construction Inspection Checklists.

4.8.7 Impervious Surface Disconnection Maintenance Criteria

Maintenance of disconnected downspouts usually involves regular lawn or landscaping maintenance in the filter path from the roof to the street. In some cases, runoff from a disconnection may be directed to a more natural, undisturbed setting (i.e., where lot grading and clearing is “fingerprinted” and the proposed filter path is protected). Typical maintenance activities include erosion control of the receiving area and ensuring the receiving area remains uncompacted and pervious.

Maintenance inspection checklists for disconnection can be found in Appendix F Maintenance Inspection Checklists.

Waste Material. Waste material from the repair, maintenance, or removal of a BMP or land cover shall be removed and disposed of in compliance with applicable local, state, and federal law.

4.8.8 Impervious Surface Disconnection Stormwater Compliance Calculations

Disconnection practices are credited with 40% retention for the SWRV as well as 80% TSS, 40% TN, and 40% bacteria removal (see Table 4.31).

Table 4.31. Disconnection Retention and Pollutant Removal

Retention	= 40%
TSS Removal	= 80%
TN Removal	= 40%
Bacteria Removal	= 40%

Impervious surface disconnection also contributes to peak flow reduction. This contribution can be determined in several ways. One method is to subtract the storage volume from the total runoff volume for the 2- to 25-year, and 100-year storms. The resulting reduced runoff volumes can then be used to calculate a reduced NRCS CN for the site or SDA. The reduced NRCS CN can then be used to calculate peak flow rates for the various storm events. Other hydrologic modeling tools that employ different procedures may be used as well.

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Virginia DCR Stormwater Design Specification No. 1: Rooftop (Impervious Surface) Disconnection Version 1.8. 2010.

4.9 Open Channel Systems

Open Channel Systems						
Definition: Vegetated open channels that are designed to capture and treat or convey the design storm volume (SWRv).						
Site Applicability		BMP Performance Summary				
Land Uses	Required Footprint	WQ Improvement: Moderate to High				
<ul style="list-style-type: none"> ▪ Suburban ▪ Rural 	Moderate	TSS ¹	Total N ¹	Bacteria ¹		
		50-80%	25-70%	30-80%		
		Runoff Reduction				
Construction Costs	Maintenance Burden	Volume				
Low	Low	Low				
Maintenance Frequency:		SWRv				
Routine	Non-Routine	O-1a	O-1b	O-2	O-3	O-4
Quarterly	Every 10-15 years	10%	20%	60%	0%	0%
Advantages/Benefits		Disadvantages/Limitation				
<ul style="list-style-type: none"> ▪ Less expensive than curb and gutter ▪ Relatively low maintenance requirements ▪ Provides pretreatment if used as part of runoff conveyance system ▪ Provides partial infiltration of runoff in some soils ▪ Good for small drainage areas 		<ul style="list-style-type: none"> ▪ Must be carefully designed to achieve low flow rates in the channel (< 1.0 ft/s) ▪ May re-suspend sediment ▪ May not be acceptable for some areas because of standing water in channel 				
Components		Design considerations				
<ul style="list-style-type: none"> ▪ Channel geometry ▪ Dense vegetation ▪ Check dams, as needed) 		<ul style="list-style-type: none"> ▪ Maximum drainage area of 2.5 acres ▪ Slopes (<4% unless using O-4) ▪ Runoff velocities must be non-erosive ▪ Vegetation must withstand both relatively high velocity flows and wet/dry periods. 				
Maintenance Activities						
<ul style="list-style-type: none"> ▪ Mow grass to 3 or 4 inches high ▪ Inspect for, and correct, formation of rills and gullies 		<ul style="list-style-type: none"> ▪ Clean out sediment accumulation in channel ▪ Ensure that vegetation remains well established 				

¹Credited pollutant load removal

Often found along roadsides, parking lots, and property boundaries, open channels can provide stormwater conveyance, capture and/or treatment (Figure 4.33). One of the most visible stormwater BMPs, they are often part of stormwater conveyance systems.



Figure 4.33. Open channel (photo: Center for Watershed Protection, Inc.)

Definition. Vegetated open channels that are designed to capture and treat or convey the design storm volume (SWR_v). Design variants include the following:

- O-1 Grass channels
- O-2 Dry swales/bioswales
- O-3 Wet swales
- O-4 Regenerative stormwater conveyance (RSC)

Open channel systems shall not be designed to provide stormwater detention except under extremely unusual conditions. Open channel systems must generally be combined with a separate facility to meet detention requirements.

Grass channels (O-1) can provide a modest amount of runoff filtering and volume attenuation within the stormwater conveyance system resulting in the delivery of less runoff and pollutants than a traditional system of curb and gutter, storm drain inlets, and pipes (see Figure 4.34). The performance of grass channels will vary depending on the underlying soil permeability. Grass channels, however, are not capable of providing the same stormwater functions as dry swales as they lack the storage volume associated with the engineered filter media. Their retention performance can be boosted when compost amendments are added to the bottom of the swale (see Appendix C Soil Compost Amendment Requirements). Grass channels are a preferable alternative to both curb and gutter and storm drains as a stormwater conveyance system, where development density, topography, and soils permit.

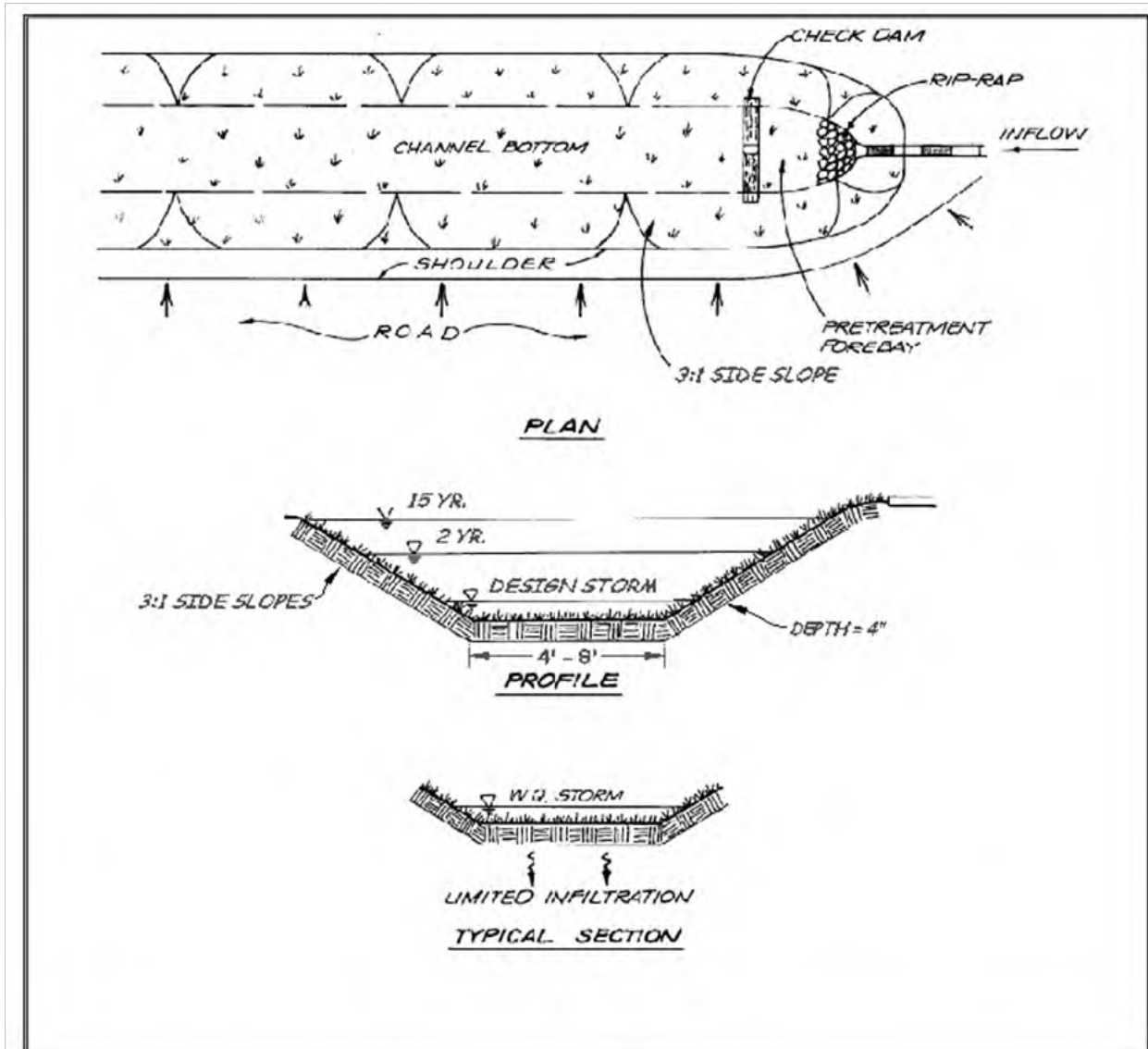


Figure 4.34. Grass channel typical plan, profile, and section views (O-1).

Dry swales (O-2), also known as bioswales, are essentially bioretention cells that are shallower, configured as linear channels, and covered with turf or other surface material (other than mulch and ornamental plants; see Figure 4.35. Example of a dry swale/bioswale (O-2).). The dry swale is a soil filter system that temporarily stores and then filters the desired design storm volume. Dry swales rely on a premixed filter media below the channel that is identical to that used for bioretention. In most cases, the runoff treated by the filter media flows into an underdrain, which conveys treated runoff back to the conveyance system further downstream. The underdrain system consists of a perforated pipe within a gravel layer on the bottom of the swale, beneath the filter media. However, if soils are permeable, runoff infiltrates into underlying soils and the dry swale can be designed without an underdrain as if it were an enhanced bioretention. In either case, check dams should be constructed to encourage ponding (see Site Topography). Dry swales may appear as simple grass channels with the same shape and turf cover, while others may have more elaborate landscaping. Swales can be planted with turf grass, tall meadow grasses, decorative herbaceous cover, or trees.

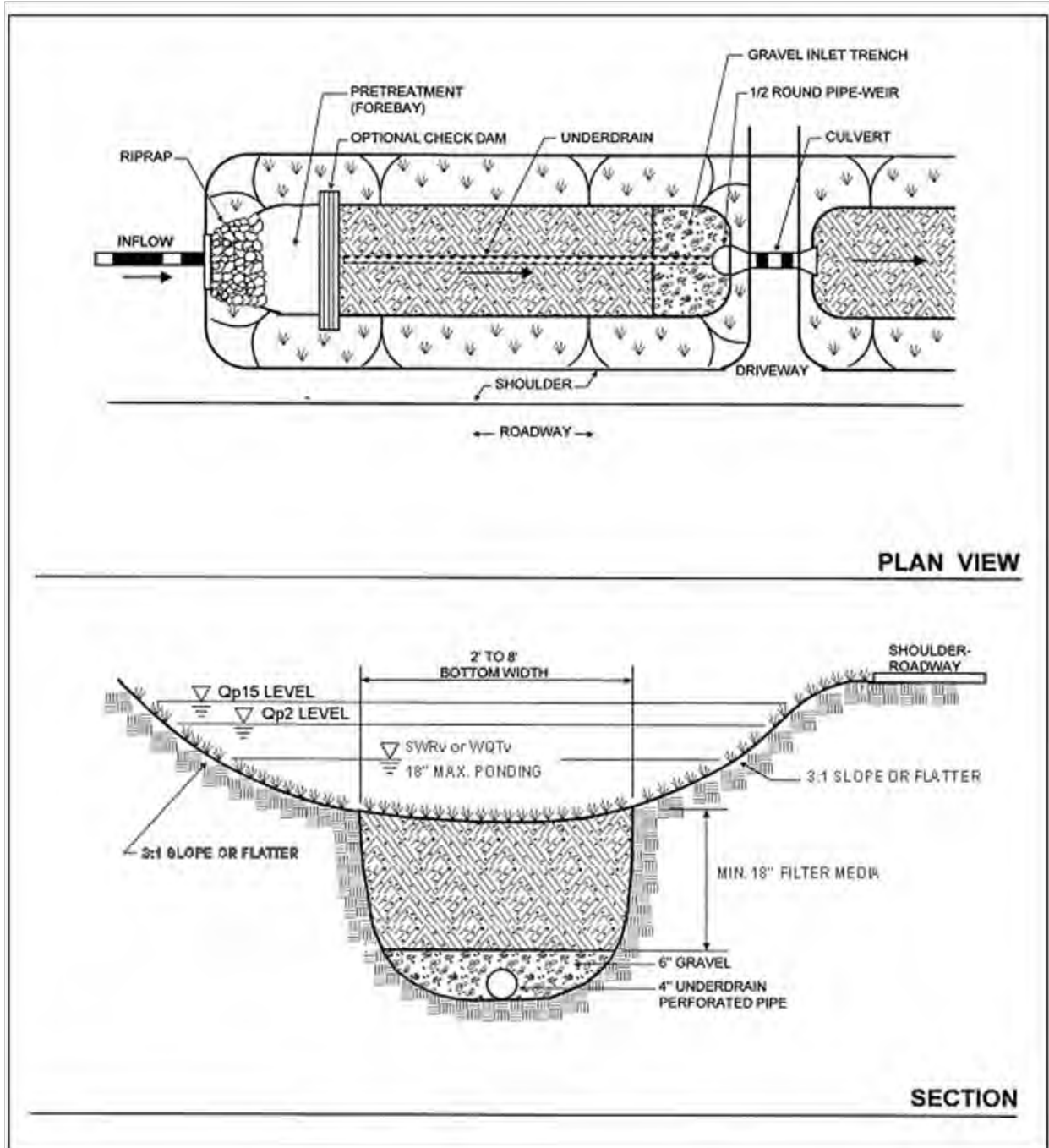


Figure 4.35. Example of a dry swale/bioswale (O-2).

Wet swales (O-3) can provide a modest amount of runoff filtering within the conveyance (see Figure 4.36). These linear wetland cells often intercept shallow groundwater to maintain a wetland plant community. The saturated soil and wetland vegetation provide an ideal environment for gravitational settling, biological uptake, and microbial activity. On-line or off-line cells are formed within the channel to create saturated soil or shallow standing water conditions (typically less than 6 inches deep).

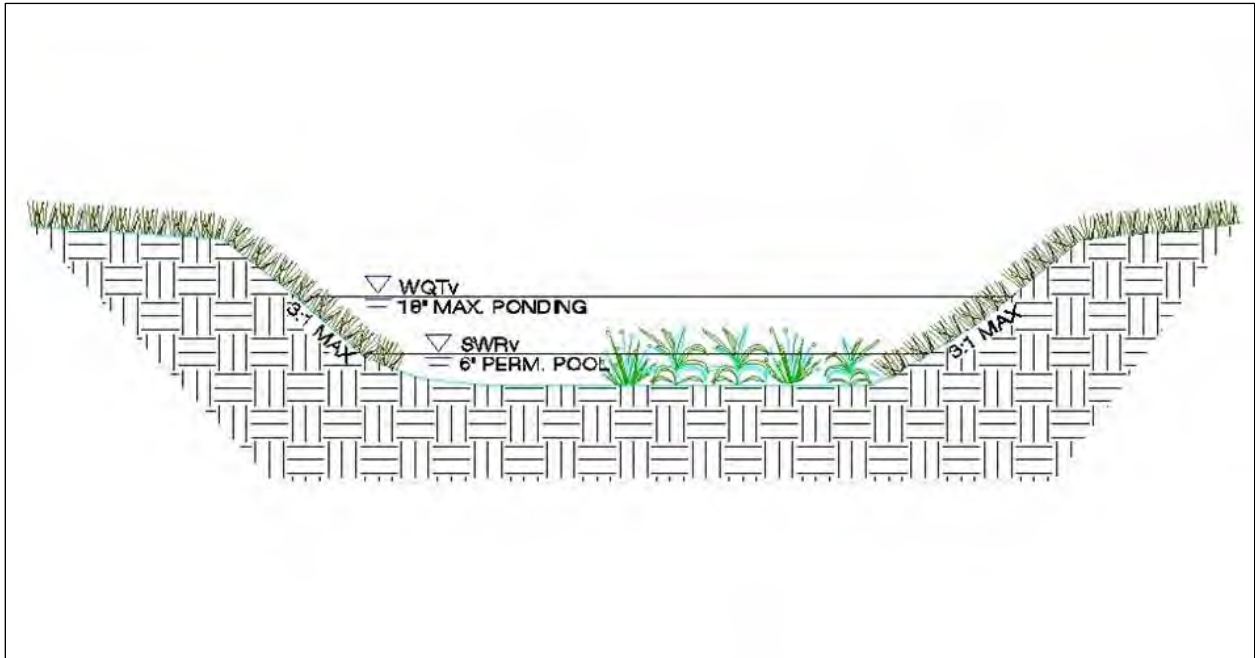


Figure 4.36. Example of a wet swale (O-3).

Regenerative Stormwater Conveyance (O-4). RSC is a unique conveyance practice that can be used in locations where other conveyance practices are infeasible, or as a restoration practice for eroded or degraded outfalls and drainage channels (Figure 4.37). RSC utilizes a series of shallow aquatic pools, riffle weir grade controls, native vegetation and underlying sand and woodchip beds to treat, detain, and convey storm flow. It can be used in places where grades make traditional stormwater practices difficult to implement. Because of the regional topography and waters of the state limitations, RSC Systems will have limited application in the Southern Lowcountry. RSC Systems combine features and treatment benefits of Swales, Infiltration, Filtering and Wetland practices. In addition, they are designed to convey flows associated with larger storm events in a non-erosive manner, which results in a reduction of channel erosion impacts commonly encountered at conventional stormwater outfalls and headwater stream channels.

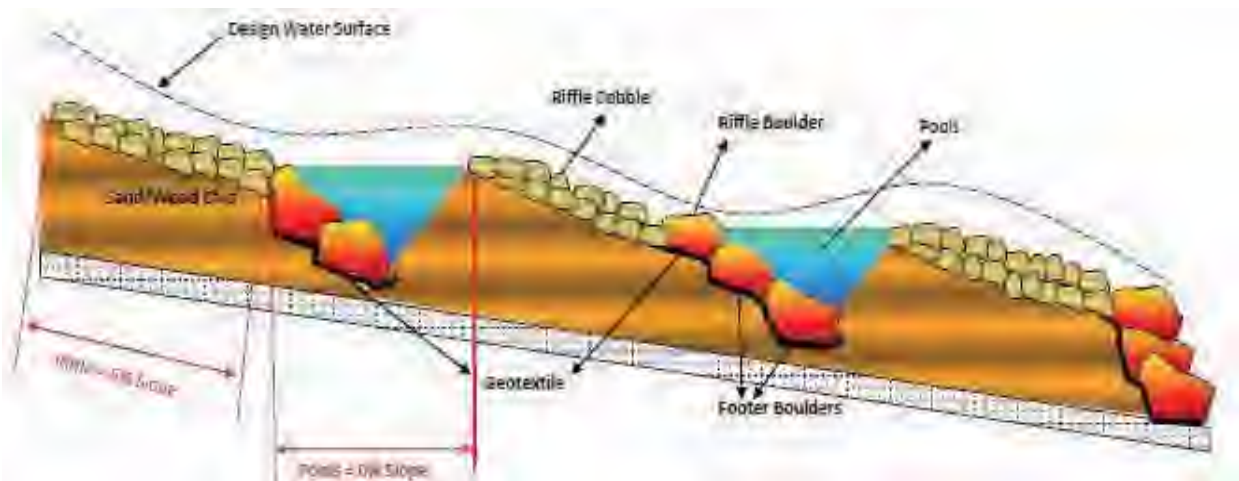


Figure 4.37. Example of Regenerative Stormwater Conveyance (O-4).

4.9.1 Open Channel Feasibility Criteria

Open channel systems are primarily applicable for land uses, such as roads, highways, and residential development. Some key feasibility issues for open channels include the following:

Contributing Drainage Area. The maximum CDA to an open channel should be 2.5 acres, preferably less. When open channels treat and convey runoff from CDAs greater than 2.5 acres, the velocity and flow depth through the channel often becomes too great to treat runoff or prevent erosion in the channel. The design criteria for maximum channel velocity and depth are applied along the entire length (see Section 4.9.4 Open Channel Design Criteria). Dry Swales should be approximately 3%–10% of the size of the CDA, depending on the amount of impervious cover. Wet swale footprints usually cover about 5%–15% of their CDA.

Available Space. Open channel footprints can fit into relatively narrow corridors between utilities, roads, parking areas, or other site constraints. Grass channels can be incorporated into linear development applications (e.g., roadways) by utilizing the footprint typically required for an open section drainage feature. The footprint required will likely be greater than that of a typical conveyance channel. However, the benefit of the retention may reduce the footprint requirements for stormwater management elsewhere on the development site.

Site Topography. Grass channels and wet swales should be used on sites with longitudinal slopes of less than 4%. Check dams can be used to reduce the effective slope of the channel and lengthen the contact

time to enhance filtering and/or infiltration. Longitudinal slopes of less than 2% are ideal and may eliminate the need for check dams. However, channels designed with longitudinal slopes of less than 1% should be monitored carefully during construction to ensure a continuous grade so as to avoid flat areas with pockets of standing water.

For dry swales, check dams will be necessary regardless of the longitudinal slope to create the necessary ponding volume.

Land Uses. Open channels can be used in residential, commercial, or institutional development settings.

When open channels are used for both conveyance and water quality treatment, they should be applied only in linear configurations parallel to the contributing impervious cover, such as roads and small parking areas. The linear nature of open channels makes them well-suited to treat highway or low- and medium-density residential road runoff, if there is adequate right-of-way width and distance between driveways. Typical applications of open channels include the following, as long as CDA limitations and design criteria can be met:

- Within a roadway or bicycle path right-of-way;
- Along the margins of small parking lots;
- Oriented from the roof (downspout discharge) to the street;
- Disconnecting small impervious areas; and
- Used to treat the managed turf areas of parkland, sports fields, golf courses, and other turf-intensive land uses, or to treat CDAs with both impervious and managed turf cover (such as residential streets and yards).

Open channels are not recommended when residential density exceeds more than four (4) dwelling units per acre, due to a lack of available land and the frequency of driveway crossings along the channel.

Open channels can also provide pretreatment for other stormwater treatment practices.

Available Hydraulic Head. A minimum amount of hydraulic head is needed to implement open channels in order to ensure positive drainage and conveyance through the channel. The hydraulic head for wet swales and grass channels is measured as the elevation difference between the channel inflow and outflow point. The hydraulic head for dry swales is measured as the elevation difference between the inflow point and the storm drain invert (unless an infiltration-based design will be used). Dry swales typically require 3 to 5 feet of hydraulic head since they have both a filter bed and underdrain.

Hydraulic Capacity. Open channels are typically designed as on-line practices that must be designed with enough capacity to (1) convey runoff from the 25-year design storm at non-erosive velocities, and (2) contain the 25-year flow within the banks of the swale. This means that the swale's surface dimensions are more often determined by the need to pass the 25-year storm events, which can be a constraint in the siting of open channels within existing rights-of-way (e.g., constrained by sidewalks).

Depth to Water Table. The bottom of dry swales and grass channels must be at least 0.5 feet above the seasonally high groundwater table, to ensure that groundwater does not intersect the filter bed, since this could lead to groundwater contamination or practice failure. It is permissible for wet swales to intersect the water table.

Soils. Soil conditions do not constrain the use of open channels, although they do dictate some design considerations:

- Dry swales in soils with low infiltration rates may need an underdrain. Designers must verify site-specific soil permeability at the proposed location using the methods for on-site soil investigation presented in Appendix B Geotechnical Information Requirements for Underground BMPs to eliminate the requirements for a dry swale underdrain.
- Grass channels situated on low-permeability soils may incorporate compost amendments to improve performance (see Appendix C Soil Compost Amendment Requirements).
- Wet swales work best on the more impermeable HSG C or D soils.
- At infill soil locations, geotechnical investigations are required to determine if the use of an impermeable liner and underdrain are necessary for open channel designs.

Utilities. Typically, utilities can cross linear channels if they are specially protected (e.g., double-casing). Interference with underground utilities should be avoided, if possible. When large site development is undertaken, the expectation of achieving avoidance will be high. Conflicts may be commonplace on smaller sites and in the PROW. Where conflicts cannot be avoided, these guidelines shall be followed:

- Consult with each utility company on recommended offsets that will allow utility maintenance work with minimal disturbance to the BMP.
- Whenever possible, coordinate with utility companies to allow them to replace or relocate their aging infrastructure while BMPs are being implemented.
- BMP and utility conflicts will be a common occurrence in PROW projects. However, the standard solution to utility conflict should be the acceptance of conflict provided sufficient soil coverage over the utility can be assured.
- Additionally, when accepting utility conflict into the BMP design, it is understood that the BMP will be temporarily impacted during utility maintenance but restored to its original condition.

Avoidance of Irrigation or Baseflow. Open channels should be located so as to avoid inputs of springs, irrigation systems, chlorinated wash-water, or other dry weather flows.

Setbacks. To avoid the risk of seepage, stormwater cannot flow from the open channel reservoir layer or via baseflow to the traditional pavement base layer, existing structure foundations, or future foundations which may be built on adjacent properties. Open channels should be set back at least 10 feet down-gradient from building foundations and property lines, 50 feet from septic system fields and 150 feet from public or private drinking water wells. The 10-foot building setback may be relaxed if an impermeable building liner is installed.

Pollutant Hotspot Land Use. In areas where higher pollutant loading is likely (i.e. oils and greases from fueling stations or vehicle storage areas, sediment from un-stabilized pervious areas, or other pollutants from industrial processes), appropriate pretreatment, such as an oil-water separator or filtering device must be provided. These pretreatment facilities should be monitored and maintained frequently to avoid negative impacts to the channel and subsequent water bodies.

Runoff from hotspot land uses must not be treated with infiltrating dry swales due to the potential interaction with the water table and the risk that hydrocarbons, trace metals, and other toxic pollutants could migrate into the groundwater. An impermeable liner must be used for filtration of hotspot runoff for dry swales.

Grass channels can typically be used to convey runoff from stormwater hotspots, but they do not qualify as a hotspot treatment mechanism. Wet swales are not recommended to treat stormwater hotspots, due to the potential interaction with the water table and the risk that hydrocarbons, trace metals, and other toxic pollutants could migrate into the groundwater.

On sites with existing contaminated soils, infiltration is not allowed; dry and wet swales on these hotspots must include an impermeable liner.

Feasibility. Open channels are ideally suited to the Southern Lowcountry environment, since open channel drainage is often the norm due to the flat topography. Depending on underlying soil and other characteristics, however, a specific open channel option may be the most appropriate. For example, the wet swale design option is most suited to areas with elevated groundwater tables, while dry swales and grassed channels are best suited for sandy soils of the coastal plain.

Economic Considerations. While most open channel designs provide relatively small water quality credits when compared with other stormwater practices, they nevertheless provide greater quality benefits than traditional conveyance designs, such as curb and gutter.

4.9.2 Open Channel Conveyance Criteria

The bottom width and slope of a grass channel must be designed such that the velocity of flow from the design storm provides a minimum hydraulic residence time (average travel time for a particle of water through a waterbody) of 9 minutes for the peak flows from the SWRv or design storm. Check dams may be used to achieve the needed retention volume, as well as to reduce the flow velocity. Check dams must be spaced based on channel slope and ponding requirements, consistent with the criteria in Section 4.7.4 Open Channel Design Criteria.

Open channels must also convey the 25-year storm at non-erosive velocities (generally less than 6 feet per second) for the soil and vegetative cover provided. The final designed channel shall provide 6 inches minimum freeboard above the designated water surface profile of the channel. The analysis must evaluate the flow profile through the channel at normal depth, as well as the flow depth over top of the check dams.

RSC systems are typically designed to convey larger storm events, up to and including the 100- year storm event.

4.9.3 Open Channel Pretreatment Criteria

Pretreatment is required for open channels to dissipate energy, trap sediments, and slow down the runoff velocity.

The selection of a pretreatment method depends on whether the channel will experience sheet flow or concentrated flow. Several options are as follows:

- **Check Dams (channel flow).** These energy dissipation devices are acceptable as pretreatment on small open channels with CDAs of less than 1 acre. The most common form is the use of wooden or stone check dams. The pretreatment volume stored must be 15% of the design volume.
- **Tree Check Dams (channel flow).** These are street tree mounds that are placed within the bottom of grass channels up to an elevation of 9 to 12 inches above the channel invert. One side has a gravel or river stone bypass to allow runoff to percolate through (Cappiella et al, 2006). The pretreatment volume stored must be 15% of the design volume.
- **Grass Filter Strip (sheet flow).** Grass filter strips extend from the edge of the pavement to the bottom of the open channel at a slope of 5H:1V or flatter. Alternatively, provide a combined 5 feet of grass filter strip at a maximum 5% (20H:1V) cross slope and 3H:1V or flatter side slopes on the open channel.
- **Gravel or Stone Diaphragm (sheet flow).** The gravel diaphragm is located at the edge of the pavement or the edge of the roadway shoulder and extends the length of the channel to pretreat lateral runoff. This requires a 2- to 4-inch elevation drop from a hard-edged surface into a gravel or stone diaphragm. The stone must be sized according to the expected rate of discharge.
- **Gravel or Stone Flow Spreaders (concentrated flow).** The gravel flow spreader is located at curb cuts, downspouts, or other concentrated inflow points, and should have a 2- to 4-inch elevation drop from a hard-edged surface into a gravel or stone diaphragm. The gravel should extend the entire width of the opening and create a level stone weir at the bottom or treatment elevation of the channel.
- **Initial Sediment Forebay (channel flow).** This grassed cell is located at the upper end of the open channel segment with a recommended 2:1 length to width ratio and a storage volume equivalent to at least 15% of the total design storm volume. If the volume of the forebay will be included as part of the dry swale storage volume, the forebay must de-water between storm events. It cannot have a permanent ponded volume.

4.9.4 Open Channel Design Criteria

Channel Geometry. Design guidance regarding the geometry and layout of open channels is provided below:

- Open channels should generally be aligned adjacent to and the same length as the CDA identified for treatment.
- Open channels should be designed with a trapezoidal or parabolic cross section. A parabolic shape is preferred for aesthetic, maintenance, and hydraulic reasons.
- The bottom width of the channel should be between 4 to 8 feet wide to ensure that an adequate surface area exists along the bottom of the swale for filtering. If a channel will be wider than 8 feet, the designer must incorporate benches, check dams, level spreaders, or multi-level cross sections to prevent braiding and erosion along the channel bottom.
- Open-channel side slopes should be no steeper than 3H:1V for ease of mowing and routine maintenance. Flatter slopes are encouraged, where adequate space is available, to enhance pretreatment of sheet flows entering the channel.
- RSC has several specific geometry requirements, which are outlined in RSC Sizing below.

Check dams. Check dams may be used for pretreatment, to break up slopes, and to increase the hydraulic residence time in the channel. Design requirements for check dams are as follows:

- Check dams should be spaced based on the channel slope, as needed to increase residence time, provide design storm storage volume, or any additional volume attenuation requirements. In typical spacing, the ponded water at a downhill check dam should not touch the toe of the upstream check dam. More frequent spacing may be desirable in dry swales to increase the ponding volume.
- The maximum desired check dam height is 12 inches, for maintenance purposes. However, for some sites, a maximum of 18 inches can be allowed, with additional design elements to ensure the stability of the check dam and the adjacent and underlying soils.
- Armoring may be needed at the downstream toe of the check dam to prevent erosion.
- Check dams must be firmly anchored into the side-slopes to prevent outflanking; check dams must also be anchored into the channel bottom so as to prevent hydrostatic head from pushing out the underlying soils.
- Check dams must be designed with a center weir sized to pass the channel design storm peak flow (25-year storm event for man-made channels).
- For grass channels, each check dam must have a weep hole, or similar drainage feature, so it can dewater after storms. This is not appropriate for dry swales.
- Check dams should be composed of wood, concrete, stone, compacted soil, or other non-erodible material, or should be configured with elevated driveway culverts.
- Individual channel segments formed by check dams or driveways should generally be at least 25 to 40 feet in length.

Check dams for grass channels must be spaced to reduce the effective slope to less than 2%, as indicated in Table 4.32.

Table 4.32. Typical Check Dam Spacing to Achieve Effective Channel Slope

Channel Longitudinal Slope (%)	Check Dam Spacing to Achieve Effective Slope ^{a, b, c}	
	Effective Slope of 2% (ft)	Effective Slope of 0%–1% (ft)
0.5	–	
1.0	–	
1.5	–	67–200
2.0	–	50–100
2.5	200	40–67
3.0	100	33–50
3.5	67	30–40
4.0	50	25–33
4.5 ^d	40	20–30
5.0 ^d	40	20–30

-
- ^a All check dams require a stone energy dissipator at the downstream toe.
- ^b Check dams require weep holes at the channel invert. Swales with slopes less than 2% will require multiple weep holes (at least 3) in each check dam.
- ^c Assumed check dam height is 12 inches. The spacing dimension is half of the above distances if a 6-inch check dam is used.
- ^d Open channels with slopes greater than 4% require special design considerations, such as drop structures to accommodate greater than 12-inch high check dams (and therefore a flatter effective slope), in order to ensure non-erosive flows.

Ponding Depth. Check dams must be used in dry swales to create ponding cells along the length of the channel. The maximum ponding depth in a dry swale must not exceed 18 inches. Minimum surface ponding depth is 3 inches (averaged over the surface area of the open channel). In order to increase the ponding depth, it may be necessary or desirable to space check dams more frequently than is shown in Table 4.32.

Dry Swale Filter Media. Dry swales require replacement of native soils with a prepared filter media. The filter media provides adequate drainage, supports plant growth, and facilitates pollutant removal within the dry swale. At least 18 inches of filter media must be added above the choker stone layer (and no more than 6 feet) to create an acceptable filter. The recipe for the filter media is identical to that used for bioretention and is provided in Section 4.1 Bioretention. The batch receipt confirming the source of the filter media must be submitted to the *<local jurisdiction>* inspector. One acceptable design adaptation is to use 100% sand for the first 18 inches of the filter and add a combination of topsoil and compost, as specified in Appendix C Soil Compost Amendment Requirements, for the top 4 inches, where turf cover will be maintained.

Dry Swale Drawdown. Dry swales must be designed so that the desired design storm volume is completely filtered within 72 hours, using the equations specified in Section 4.7.6 Open Channel Construction Sequence.

Dry Swale Underdrain. Some dry swale designs will not use an underdrain (where soil infiltration rates meet minimum standards). See Section 4.9.1 Open Channel Feasibility Criteria for more details. When underdrains are necessary, they should have a minimum diameter of 4 to 6 inches and be encased in a 12-inch deep gravel bed. Two layers of stone should be used. A choker stone layer, consisting of No. 8 or No. 89 stone at least 3 inches deep, must be installed immediately below the filter media. Below the choker stone layer, the underdrain must be encased (a minimum of 2 inches above and below the underdrain) in a layer of clean, double-washed ASTM D448 No.57 or smaller (No. 68, 8, or 89) stone. The maximum depth of the underdrain stone layer combined with the choking layer is 12 inches, and it cannot extend beyond the surface dimensions of the dry swale filter media.

Impermeable Liner. An impermeable liner is not typically required, although it may be utilized in fill applications where deemed necessary by a geotechnical investigation, on sites with contaminated soils, or on the sides of the practice to protect adjacent structures from seepage. Use a PVC geomembrane liner or an equivalent of an appropriate thickness (follow manufacturer's instructions for installation). Field seams must be sealed according to the liner manufacturer's specifications. A minimum 6-inch overlap of material is required at all seams.

Dry Swale Observation Well. A dry swale must include well-anchored, 4- to 6-inch diameter PVC pipe observation wells along the length of the swale. For a dry swale with an underdrain, the wells should be

tied into any Ts or Ys in the underdrain system and must extend upward above the surface of the ponding. These observation wells may double as clean outs. For an infiltrating dry swale, the observation well should be perforated in the gravel layer only.

Grass Channel Material Specifications. The basic material specifications for grass channels are outlined in Table 4.33.

Table 4.33. Grass Channel Material Specifications

Component	Specification
Grass	<p>A dense cover of water-tolerant, erosion-resistant grass. The selection of an appropriate species or mixture of species is based on several factors including climate, soil type, topography, and sun or shade tolerance.</p> <p>Grass species should have the following characteristics:</p> <ul style="list-style-type: none"> ▪ A deep root system to resist scouring; ▪ A high stem density with well-branched top growth; ▪ Water-tolerance; ▪ Resistance to being flattened by runoff; ▪ An ability to recover growth following inundation; and
Check Dams	<p>Check dams should be constructed of a non-erodible material such as wood, gabions, riprap, or concrete.</p> <p>Wood used for check dams should consist of pressure-treated logs or timbers or water-resistant tree species such as cedar, hemlock, swamp oak, or locust.</p> <p>Computation of check dam material is necessary, based on the surface area and depth used in the design computations.</p>
Diaphragm	<p>Pea gravel used to construct pretreatment diaphragms must consist of washed, open-graded, coarse aggregate between 3 and 10 mm in diameter.</p>
Erosion Control Fabric	<p>Where flow velocities dictate, biodegradable erosion control netting or mats that are durable enough to last at least two growing seasons must be used.</p>

Dry Swale Material Specifications. For additional material specifications pertaining to dry swales, designers should consult Section 4.1.4 Bioretention Design Criteria and Table 4.34.

Table 4.34. Dry Swale Material Specifications

Material	Specification	Notes
Filter Media Composition	Filter Media to contain: <input type="checkbox"/> 80%–90% sand <input type="checkbox"/> 10%–20% soil fines <input type="checkbox"/> Maximum 10% clay <input type="checkbox"/> 3%–5% organic matter	To account for settling/compaction, it is recommended that 110% of the plan volume be utilized.
Filter Media Testing	P content = 5 to 15 mg/kg (Mehlich I) or 18 to 40 mg/kg (Mehlich III) CEC > 5 milliequivalents per 100 grams	See Section 4.3.4 Bioretention, for additional filter media information.
Geotextile	Geotextile fabric meeting the following specifications: <input type="checkbox"/> AASHTO M-288 Class 2, latest edition <input type="checkbox"/> Has a permeability of at least an order of magnitude (10 times) higher than the soil subgrade permeability. <input type="checkbox"/> Apply along sides of the filter media only and do not apply along the swale bottom.	
Choking Layer	A 2- to 4-inch layer of choker stone (typically No. 8 or No. 89 washed gravel) laid above the underdrain stone.	
Underdrain Stone Layer	Stone must be double-washed and clean and free of all fines (ASTM D448 No. 57 or smaller stone).	
Underdrains and Cleanouts	4-inch or 6-inch rigid schedule 40 PVC pipe, with 3 or 4 rows of 3/8-inch perforations at 6 inches on center.	Install perforated pipe for the full length of the dry swale cell. Use non-perforated pipe, as needed, to connect with the storm drain system.
Observation Wells	4-inch or 6-inch rigid schedule 40 PVC pipe	For dry swales with underdrains, tie the non-perforated observation well to the underdrain via T or Y connection. This observation well can double as a cleanout. For dry swales without an underdrain, the pipe should only be perforated in the gravel layer. The observation wells should extend to the top of ponding.
Impermeable Liner	Where appropriate, use a PVC geomembrane liner or equivalent.	
Vegetation	Plant species as specified on the landscaping plan.	
Check Dams	Use non-erosive material, such as wood, gabions, riprap, or concrete. Wood used for check dams should consist of pressure-treated logs or timbers, or water-resistant tree species, such as cedar, hemlock, swamp oak, or locust.	
Erosion Control Fabric	Where flow velocities dictate, use woven biodegradable erosion control fabric or mats (EC2) that are durable enough to last at least 2 growing seasons.	

RSC Material Specifications. RSC has several design elements that are unique to this practice. The practice includes riffle and pool segments, underlain with a sand/ wood chip bed, and with a top dressing of compost and plant material. Table 4.35 outlines the materials needed for this practice.

Table 4.35. Regenerative Stormwater Conveyance System Material Specifications

Material	Specification
Footer Boulders	Should have a natural appearance and be equivalent in size to Class 3 Rip Rap (average diameter 26.4 inches)
Cobble	Should have a natural appearance and a minimum diameter of 6"
Sand/ Woodchip Bed	The sand component of the sand/wood chip bed should meet the AASHTO- M-6 or ASTM-C-33, 0.02 inches to 0.04 inches in size. Sand shall be a silica-based coarse aggregate. Substitutions such as Diabase and Gray-stone (AASHTO) #10 are not acceptable. No calcium carbonate or dolomitic sand substitutions are acceptable. No "rock dust" can be used for sand. Locally-approved pulverized glass may be substituted if the local authority undertakes testing to verify compliance with the particle size specification. No art glass shall be used for a pulverized glass material. For woodchips, use aged, shredded hardwood chips/mulch. The woodchips should be added to the sand mix, approximately 20 percent by volume, to increase the organic content and promote plant growth and sustainability.
Choker Stone	The choker stone layer between the sand bed and the bank run gravel should be clean, washed #8 or #78 stone.
Bank Run Gravel	The bank run gravel layer that is placed beneath and above the sand bed/choker stone layers should be constructed using clean, washed # 5 or # 57 coarse aggregate.
Compost	The compost used as a top dressing over the RSC System should consist of a 100% organic compost, with a pH of between 6.0 and 7.0, a moisture content of between 30 and 55%, and a particle size of 0.25 inches or less. (See Appendix C for compost specifications)
Wood Chips	The wood chips used within the sand bed should consist of double-shredded or double-ground hardwood mulch that is free of dyes, chromated copper arsenate and other preservatives.
Plant Materials	Plants should be native species, appropriate to the planting/wetness zone where they are located.

Wet Swale Design Issues. The following criteria apply to the design of wet swales:

- The average normal pool depth (dry weather) throughout the swale must be 6 inches or less.
- The maximum temporary ponding depth in any single wet swale cell must not exceed 18 inches at the most downstream point (e.g., at a check dam or driveway culvert).
- Check dams should be spaced as needed to maintain the effective longitudinal slope.
- Individual wet swale segments formed by check dams or driveways should generally be at least 25 to 40 feet in length.

- Wet swale side slopes should be no steeper than 4H:1V to enable wetland plant growth. Flatter slopes are encouraged where adequate space is available, to enhance pretreatment of sheet flows entering the channel. Under no circumstances are side slopes to steeper than 3H:1V.

Grass Channel Enhancement using Compost Soil Amendments. Soil compost amendments serve to increase the retention capability of a grass channel. The following design criteria apply when compost amendments are used:

- The compost-amended strip must extend over the length and width of the channel bottom, and the compost must be incorporated to a depth as outlined in Appendix C Soil Compost Amendment Requirements.
- For grass channels on steep slopes, it may be necessary to install a protective biodegradable erosion control mat to protect the compost-amended soils. Care must be taken to consider the erosive characteristics of the amended soils when selecting an appropriate erosion control mat.

Grass Channel Sizing. Unlike other BMPs, grass channels are designed based on a peak rate of flow. Designers must demonstrate channel conveyance and treatment capacity in accordance with the following guidelines:

- Hydraulic capacity should be verified using Manning's Equation or an accepted equivalent method, such as erodibility factors and vegetal retardance.
- The flow depth for the peak flow generated by the SWRV must be maintained at 4 inches or less.
- Manning's "n" value for grass channels is 0.2 for flow depths up to 4 inches, decreasing to 0.03 at a depth of 12 inches and above, which would apply to the 2- to 25-year storms if an on-line application (Haan et. al, 1994).
- Peak flow rates for the 25-year frequency storm must be non-erosive, in accordance with Table 4. 37 (see Section 4.9.5 Open Channel Landscaping Criteria), or subject to a site-specific analysis of the channel lining material and vegetation; and the 25-year peak flow rate must be contained within the channel banks (with a minimum of 6 inches of freeboard).
- Calculations for peak flow depth and velocity must reflect any increase in flow along the length of the channel, as appropriate. If a single flow is used, the flow at the outlet must be used.
- The hydraulic residence time (e.g., the average travel time for a particle of water through a waterbody) must be a minimum of 9 minutes for the peak flows from the SWRV or design storm (Mar et al., 1982; Barrett et al., 1998; Washington State Department of Ecology, 2005). If flow enters the swale at several locations, a 9-minute minimum hydraulic residence time must be demonstrated for each entry point, using Equation 4.13 through Equation 4.17.

The bottom width of the grass channel is therefore sized to maintain the appropriate flow geometry as follows:

Equation 4.13 Manning's Equation

$$V = \left(\frac{1.49}{n}\right) \times D^{2/3} \times S^{1/2}$$

Where:

- V = flow velocity (ft/s)
- n = roughness coefficient (0.2, or as appropriate)
- D = flow depth (ft) (Note: D approximates hydraulic radius for shallow flows)
- S = channel slope (ft/ft)

Equation 4.14 Continuity Equation

$$Q = V \times (W + 3 \times D) \times D$$

Where:

- Q = design storm peak flow rate (cfs)
 - V = design storm flow velocity (ft/s)
 - W = channel bottom width (ft)
 - D = flow depth (ft)
- (Note: Channel width (W) plus 3 times the depth (D) represents the average width of a trapezoidal channel with 3H:1V side slopes. Average width multiplied by depth equals the cross-sectional flow area.)

Combining Equation 4.13 and Equation 4.14, and rewriting them provides a solution for the minimum width (Equation 4.15):

Equation 4.15 Minimum Width

$$W = \frac{n \times Q}{1.49 \times D^{5/3} \times S^{1/2}} - (3 \times D)$$

Where:

- W = channel bottom width (ft)
- n = roughness coefficient (0.2, or as appropriate)
- Q = design storm peak flow rate (cfs)
- D = flow depth (ft)
- S = channel slope (ft/ft)

Equation 4.16 provides the corresponding velocity:

Equation 4.16 Corresponding Velocity

$$V = \frac{Q}{(W + 3 \times D) \times D}$$

Where:

- V = design storm flow velocity (ft/s)
- Q = design storm peak flow rate (cfs)
- W = channel bottom width (ft)
- D = flow depth (ft)

The width, slope, or Manning's "n" value can be adjusted to provide an appropriate channel design for the site conditions. However, if a higher density of grass is used to increase the Manning's "n" value and decrease the resulting channel width, it is important to provide material specifications and construction oversight to ensure that the denser vegetation is actually established. Equation 4.17 can then be used to ensure adequate hydraulic residence time.

Equation 4.17 Grass Channel Length for Hydraulic Residence Time of 9 minutes (540 seconds)

$$L = 540 \times V$$

Where:

- L = minimum swale length (ft)
- V = flow velocity (ft/s)

The storage volume (S_v) provided by the grass channel is equal to the total runoff from the design storm (typically SWR_v) used to size the channel (conveyed at a depth of 4 inches or less), as shown in Equation 4.18.

Equation 4.18 Grass Channel Storage Volume

$$S_v = DesignStorm$$

Where:

- S_v = total storage volume of grass channel (ft³)
- $DesignStorm$ = SWR_v or other design storm volume (ft³)
(e.g., portion of the SWR_v)

Dry Swale Sizing. Dry swales are typically sized to capture the SWR_v or larger design storm volumes in the surface ponding area, filter media, and gravel reservoir layers of the dry swale.

Total storage volume of the BMP is calculated using Equation 4.19.

Equation 4.19 Dry Swale Storage Volume

$$S_v = SA_{bottom} \times [(d_{media} \times \eta_{media}) + (d_{gravel} \times \eta_{gravel})] + (SA_{average} \times d_{ponding})$$

Where:

S_v	=	total storage volume of dry swale (ft ³)
SA_{bottom}	=	bottom surface area of dry swale (ft ²)
d_{media}	=	depth of the filter media, including mulch layer (ft)
η_{media}	=	effective porosity of the filter media (typically 0.25)
d_{gravel}	=	depth of the underdrain and underground storage gravel layer, including choker stone (ft)
η_{gravel}	=	effective porosity of the gravel layer (typically 0.4)
$SA_{average}$	=	average surface area of the dry swale (ft ²) typically, where SA_{top} is the top surface area of dry swale,
		$SA_{average} = \frac{SA_{bottom} + SA_{top}}{2}$
$d_{ponding}$	=	the maximum ponding depth of the dry swale (ft)

Equation 4.19 can be modified if the storage depths of the filter media, gravel layer, or ponded water vary in the actual design or with the addition of any surface or subsurface storage components (e.g., additional area of surface ponding, subsurface storage chambers, etc.). The maximum depth of ponding in the dry swale must not exceed 18 inches. If storage practices will be provided off-line or in series with the dry swale, the storage practices should be sized using the guidance in Section 0 Storage Practices.

Dry swales can be designed to address, in whole or in part, the detention storage needed to comply with channel protection and/or flood control requirements. The S_v can be counted as part of the 2- to 25-year runoff volumes to satisfy stormwater quantity control requirements.

Note: To increase the storage volume of a dry swale, the ponding surface area may be increased beyond the filter media surface area. However, the top surface of the BMP (at the top of the ponding elevation) may not be more than twice the size of surface area of the filter media (SA_{bottom}).

Wet Swale Sizing. Wet swales can be designed to capture and treat the SWR_v remaining from any upstream stormwater retention practices. The storage volume is made up of the temporary and permanent storage created within each wet swale cell. This includes the permanent pool volume and up to 12 inches of temporary storage created by check dams or other design features that has 24 hours extended detention.

The storage volume (S_v) of the practice is equal to the volume provided by the pond permanent pool plus the 24-hour extended detention (ED) volume provided by the practice (Equation 4.20). The total S_v cannot exceed the design SWR_v.

Equation 4.20 Wet Swale Storage Volume

$$S_v = \text{Pond permanent pool volume} + 24 \text{ hour ED volume}$$

RSC Sizing. RSC design is an iterative process in which the channel is sized to convey the 100-year storm event, using Manning's equation for parabolic channels as described in detail by Anne Arundel County, MD (2011). The following description provides an overview of this process, but designers should consult Anne Arundel County (2011) or the latest design variation for RSC for additional design guidelines. The

Anne Arundel County guidance can be found at
<http://www.aacounty.org/DPW/Watershed/StepPoolStorm-Conveyance.cfm>.

Some key RSC sizing considerations include the following:

- One control structure and pool (riffle-pool) combination is needed for each foot of elevation difference along the channel.
- The length of each grade control structure or pool is determined by Equation 4.21

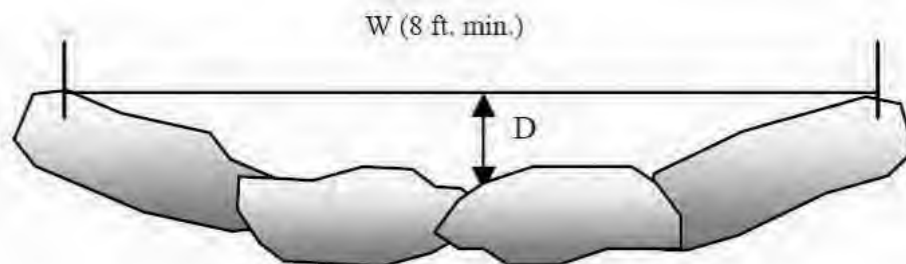
Equation 4.21 Riffle Pool Length

$$L_{pool} = \frac{L_{riffle}}{(Elevation\ Change) \times 2}$$

Where:

L_{pool}	=	surface length of each pool (ft)
L_{riffle}	=	total length of riffle pool (ft)
$Elevation\ Change$	=	difference in elevation between pool and bottom pool (ft)

- In areas with steep slopes (10% or greater) the length of the pool or riffle may be small (<10'). In these locations, cascades may be needed as a part of the system design.
- The minimum width of grade control structures should be 8 ft and the width should be equal to 10 times the channel depth (Figure 4.38).
- The depth of flow in the riffle sections should be less than 4 inches.
- Cobbles in the riffle section should be sized so that the velocity of the 100-year storm is non-erosive (Table 4.36).



Riffle Section through Boulder



Riffle Section through Cobble

Figure 4.38. Typical Width and Depth of Riffle Sections (Anne Arundel County, 2011).

Table 4.36. Maximum Allowable Velocity

Cobble size (in)		Allowable velocity (ft/s)
4		5.8
5		6.4
6		6.9
7		7.4
8		7.9
9		8.4
10		8.8
11		9.2
12		9.6
15		10.4

- Pools should be between 1.5 and 3 feet deep, and equal to the width of the riffle sections.
- The RSC system is underlain with a sand bed with a 1–5 foot depth and a width between 4 and 14 feet.
- The downstream edge of the riffle should incorporate a series of boulders in a parabolic shape.
- Place a cobble apron below the riffle section to allow for a stable transition between the riffle section and the downstream pools when the pools are dry. The cobble apron should be approximately 5 feet wide and 3 feet long.

The total Sv in the RSC system (available for water quality treatment) is determined by Equation 4.22.

Equation 4.22 RSC Systems Storage Volume

$$Sv = V_{pool} + V_{sandbed}$$

Where:

- Sv = total storage volume of RSC system (ft³)
- V_{pool} = volume in pools (ft³)
- V_{sandbed} = volume in sand bed (ft³), use effective porosity of 0.25

4.9.5 Open Channel Landscaping Criteria

All open channels must be stabilized to prevent erosion or transport of sediment to receiving practices or drainage systems. There are several types of grasses appropriate for dry open channels (grass channels and dry swales). These are listed in Table 4.37. Designers should choose plant species that can withstand both wet and dry periods and relatively high velocity flows for planting within the channel. Designers should ensure that the maximum flow velocities do not exceed the values listed in the table for the selected grass species and the specific site slope. For more information on stabilization seeding, see the Charleston County Stabilization Specifications.

Table 4.37. Recommended Vegetation for Open Channels

Vegetation Type	Slope (%)	Maximum Velocity (ft/s)	
		Erosion Resistant Soil	Easily Eroded Soil
Bermuda Grass	0–5	8	6
	5–10	7	5
	>10	6	4
Kentucky Bluegrass	0–5	7	5
	5–10	6	4
	>10	5	3
Tall Fescue Grass Mixture	0–5	6	4
	5–10	4	3
Annual and Perennial Rye	0–5	4	3
Sod		4	3

Source: USDA, TP-61, 1954; Roanoke Virginia, Stormwater Design Manual, 2008

Wet swales should be planted with grass and wetland plant species that can withstand both wet and dry periods as well as relatively high velocity flows within the channel. For a list of wetland plant species suitable for use in wet swales, refer to the wetland planting guidance and plant lists provided in Section 0 Stormwater Wetlands.

Landscape design shall specify proper grass species based on site-specific soils and hydric conditions present along the channel.

Open channels should be seeded at such a density to achieve a 90% vegetated cover after the second growing season. Taller and denser grasses are preferable, although the species is less important than good stabilization and dense vegetative cover.

Grass channels should be seeded and not sodded. Seeding establishes deeper roots and sod may have muck soil that is not conducive to infiltration. Grass channels should be protected by a biodegradable erosion control fabric to provide immediate stabilization of the channel bed and banks.

4.9.6 Open Channel Construction Sequence

Design Notes. Channel invert and tops of banks are to be shown in plan and profile views. A cross sectional view of each configuration and completed limits of grading must be shown for proposed channels. For proposed channels, the transition at the entrance and outfall is to be clearly shown on plan and profile views.

Open Channel Installation. The following is a typical construction sequence to properly install open channels, although steps may be modified to reflect different site conditions or design variations. Grass channels should be installed at a time of year that is best to establish turf cover without irrigation. For more specific information on the installation of wet swales, designers should consult the construction criteria outlined in Section 0 Stormwater Wetlands.

- 1. Protection During Site Construction.** Ideally, open channels should remain outside the limits of disturbance during construction to prevent soil compaction by heavy equipment. However, this is seldom practical, given that the channels are a key part of the drainage system at most sites. In these

cases, temporary soil erosion and sediment controls such as dikes, silt fences, and other erosion control measures should be integrated into the swale design throughout the construction sequence. Specifically, barriers should be installed at key check dam locations, and erosion control fabric should be used to protect the channel. Dry swales that lack underdrains (and rely on infiltration) must be fully protected by silt fence or construction fencing to prevent compaction by heavy equipment during construction.

2. Installation. Installation may only begin after the entire CDA has been stabilized with vegetation. Any accumulation of sediments that does occur within the channel must be removed during the final stages of grading to achieve the design cross section. Soil erosion and sediment controls for construction of the channel must be installed as specified in the soil erosion and sediment control plan. Stormwater flows must not be permitted into the channel until the bottom and side slopes are fully stabilized.

3. Grading. Grade the grass channel to the final dimensions shown on the plan. Excavators or backhoes should work from the sides to grade and excavate the open channels to the appropriate design dimensions. Excavating equipment should have scoops with adequate reach so they do not have to sit inside the footprint of the open channel area. If constructing a dry swale, the bottom of the swale should be ripped, rototilled or otherwise scarified to promote greater infiltration.

4. Placing Stone Layer (for dry swales). If constructing a dry swale, place an acceptable geotextile fabric on the underground (excavated) sides of the dry swale with a minimum 6-inch overlap. Place the stone needed for storage layer over the filter bed. Add the perforated underdrain pipe. Add the remaining stone jacket, and then pack No. 57 stone (clean, double-washed) to 3 inches above the top of the underdrain, and then add 3 inches of pea gravel as a filter layer. Add the filter media in 12-inch lifts until the desired top elevation of the dry swale is achieved. Water thoroughly and add additional media as needed where settlement has occurred.

5. Add Amendments (optional, for grass channels). Add soil amendments as needed. Till the bottom of the grass channel to a depth of 1 foot and incorporate compost amendments according to Appendix C Soil Compost Amendment Requirements.

6. Install Check Dams. Install check dams, driveway culverts and internal pretreatment features as shown on the plan. Fill material used to construct check dams should be placed in 8- to 12-inch lifts and compacted to prevent settlement. The top of each check dam must be constructed level at the design elevation.

7. Hydro-seed. Hydro-seed the bottom and banks of the open channel, and peg in erosion control fabric or blanket where needed. After initial planting, a biodegradable erosion control fabric should be used, conforming the South Carolina BMP Handbook (SDHEC, 2005).

8. Plant. Plant landscaping materials as shown in the landscaping plan, and water them weekly during the first 2 months. The construction contract should include a care and replacement warranty to ensure that vegetation is properly established and survives during the first growing season following construction.

9. Final Inspection. A qualified professional should conduct the final construction inspection and develop a punch list for facility acceptance.

Open Channel Construction Supervision. Supervision during construction is recommended to ensure that the open channel is built in accordance with these specifications.

Construction phase inspection checklist is available in Appendix E Construction Inspection Checklists.

Some common pitfalls can be avoided by careful construction supervision that focuses on the following key aspects of dry swale installation:

- Make sure the desired coverage of turf or erosion control fabric has been achieved following construction, both on the channel beds and their contributing side-slopes.
- Inspect check dams and pretreatment structures to make sure they are at correct elevations, are properly installed, and are working effectively.
- For dry swale designs:
 - Check the filter media to confirm that it meets specifications and is installed to the correct depth.
 - Check elevations, such as the invert of the underdrain, inverts for the inflow and outflow points, and the ponding depth provided between the surface of the filter bed and the overflow structure.
 - Ensure that caps are placed on the upstream (but not the downstream) ends of the underdrains.
 - Check that outfall protection/energy dissipation measures at concentrated inflow and outflow points are stable.

The real test of an open channel occurs after its first big storm. The post-storm inspection should focus on whether the desired sheetflow, shallow concentrated flows or fully concentrated flows assumed in the plan actually occur in the field. Minor adjustments are normally needed as part of this post-storm inspection (e.g., spot reseeding, gully repair, added armoring at inlets, or realignment of outfalls and check dams). Also, a qualified professional should check that dry swale practices drain completely within the 72-hour drawdown period.

4.9.7 Open Channel Maintenance Criteria

Maintenance is a crucial and required element that ensures the long-term performance of open channels. Once established, grass channels have minimal maintenance needs outside of the spring cleanup, regular mowing, repair of check dams, and other measures to maintain the hydraulic efficiency of the channel and a dense, healthy grass cover. Dry swale designs may require regular pruning and management of trees and shrubs. The surface of dry swale filter beds can become clogged with fine sediment over time, but this can be alleviated through core aeration or deep tilling of the filter bed. Additional effort may be needed to repair check dams, stabilize inlet points, and remove deposited sediment from pretreatment cells. Table 4.38 provides a schedule of typical maintenance activities required for open channels.

Table 4.38. Typical Maintenance Activities and Schedule for Open Channels

Schedule	Maintenance Activity
As needed	<ul style="list-style-type: none"> ▪ Mow grass channels and dry swales during the growing season to maintain grass heights in the 4- to 6-inch range.
Quarterly	<ul style="list-style-type: none"> ▪ Ensure that the CDA, inlets, and facility surface are clear of debris. ▪ Ensure that the CDA is stabilized. Perform spot-reseeding if where needed. ▪ Remove accumulated sediment and oil/grease from inlets, pretreatment devices, flow diversion structures, and overflow structures. ▪ Repair undercut and eroded areas at inflow and outflow structures.
Annual inspection	<ul style="list-style-type: none"> ▪ Add reinforcement planting to maintain 90% turf cover. Reseed areas of dead vegetation. ▪ Remove any accumulated sand or sediment deposits behind check dams. ▪ Inspect upstream and downstream of check dams for evidence of undercutting or erosion. Remove trash or blockages at weep holes. ▪ Examine channel bottom for evidence of erosion, braiding, excessive ponding, or dead grass. ▪ Check inflow points for clogging and remove any sediment. ▪ Inspect side slopes and grass filter strips for evidence of any rill or gully erosion and repair. ▪ Look for any bare soil or sediment sources in the CDA and stabilize immediately.

Maintenance Inspections. Annual inspections by a qualified professional are used to trigger maintenance operations, such as sediment removal, spot revegetation, and inlet stabilization. Maintenance inspection checklists for disconnection and the Maintenance Service Completion Inspection form can be found in Appendix F Maintenance Inspection Checklists.

Waste Material. Waste material from the repair, maintenance, or removal of a BMP or land cover shall be removed and disposed of in compliance with applicable local, state, and federal law.

4.9.8 Open Channel Stormwater Compliance Calculations

Grass channels are credited with 10% retention for the storage volume (Sv) provided by the practice as well as 50% TSS, 25% TN, and 30% bacteria removal (see Table 4.39).

Table 4.39. Grass Channel Retention and Pollutant Removal

Retention	= 10%
TSS Removal	= 50%
TN Removal	= 25%
Bacteria Removal	= 30%

Grass channels with amended soils are credited with 20% retention for the storage volume (Sv) provided by the practice as well as 50% TSS, 35% TN, and 30% bacteria removal (Table 4.40).

Table 4.40. Grass Channel on Amended Soils Retention and Pollutant Removal

Retention	= 20%
TSS Removal	= 50%
TN Removal	= 35%
Bacteria Removal	= 30%

Dry swales are credited with 60% retention for the storage volume (Sv) provided by the practice as well as 85% TSS, 70% TN, and 80% bacteria removal (Table 4.41).

Table 4.41. Dry Swale Retention and Pollutant Removal

Retention	= 60%
TSS Removal	= 85%
TN Removal	= 70%
Bacteria Removal	= 80%

Wet Swales are credited with 0% retention, but they do receive 80% TSS, 25% TN, and 60% bacteria removal for the storage volume (Sv) provided by the practice (Table 4.42).

Table 4.42. Wet Swale Retention and Pollutant Removal

Retention	= 0%
TSS Removal	= 80%
TN Removal	= 25%
Bacteria Removal	= 60%

RSCs are credited with 0% retention, but they do receive 80% TSS, 40% TN, and 80% bacteria removal for the storage volume (Sv) provided by the practice (Table 4.43).

Table 4.43. RSC Retention and Pollutant Removal

Retention	= 0%
TSS Removal	= 80%
TN Removal	= 40%
Bacteria Removal	= 80%

All practices must be sized using the guidance detailed in Section 4.7.4 Open Channel Design Criteria.

Open channels also contribute to peak flow reduction. This contribution can be determined in several ways. One method is to subtract the storage volume from the total runoff volume for the 2-year through the 50-year storm events. The resulting reduced runoff volumes can then be used to calculate a reduced NRCS CN for the site or SDA. The reduced NRCS CN can then be used to calculate peak flow rates for the various storm events. Other hydrologic modeling tools that employ different procedures may be used as well.

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4.10 Filtering Systems

Filtering Systems				
Definition: Practices that capture and temporarily store the design storm volume and pass it through a filter bed of sand media. Filtered runoff may be collected and returned to the conveyance system or allowed to partially infiltrate into the soil.				
Site Applicability		BMP Performance Summary		
Land Uses	Required Footprint	WQ Improvement: Moderate to High		
<ul style="list-style-type: none"> ▪ Urban ▪ Suburban 	Small	TSS ¹	Total N ¹	Bacteria ¹
		80%	30%	80%
		Runoff Reductions		
Construction Costs	Maintenance Burden	Volume		
High	High	Low		
Maintenance Frequency:		SWRv		
Routine	Non-Routine	0%		
At least annually	Every 5 years			
Advantages/Benefits		Disadvantages/Limitation		
<ul style="list-style-type: none"> ▪ Applicable to small drainage areas ▪ Good for highly impervious areas ▪ Good for water quality retrofits to existing developments 		<ul style="list-style-type: none"> ▪ High maintenance burden ▪ Not recommended for areas with high sediment content in stormwater or clay/silt runoff areas ▪ Relatively costly ▪ Possible odor problems, if not maintained ▪ Limited volume and rate control 		
Components		Design considerations		
<ul style="list-style-type: none"> ▪ Conveyance ▪ Pretreatment ▪ Sand bed (or Filtration) chamber ▪ Spillway/outlet system(s) ▪ Liner, as needed 		<ul style="list-style-type: none"> ▪ Typically requires 2 to 10 feet of head ▪ Maximum CDA of 2-5 acres ▪ Must drain within 40 hours ▪ In karst areas, watertight structure required ▪ Maintenance access 		
Maintenance Activities				
<ul style="list-style-type: none"> ▪ Inspect for clogging—rake first inch of sand ▪ Remove sediment from pretreatment areas 		<ul style="list-style-type: none"> ▪ Replace filter media as needed ▪ Clean spillway/outlet system(s) 		

¹Credited pollutant load removal

Stormwater filters are a useful practice to treat stormwater runoff from small, highly impervious sites. Stormwater filters capture, temporarily store, and treat stormwater runoff by passing it through an engineered filter media, collecting the filtered water in an underdrain, and then returning it back to the storm drainage system. Stormwater filters are a versatile option because they consume very little surface land and have few site restrictions. They provide moderate pollutant removal performance at small sites where space is limited.

Definition. Practices that capture and temporarily store the design storm volume and pass it through a filter bed of sand media. Filtered runoff may be collected and returned to the conveyance system or allowed to partially infiltrate into the soil. Design variants include the following:

- F-1 Nonstructural sand filter
- F-2 Surface sand filter
- F-3 Three-chamber underground sand filter
- F-4 Perimeter sand filter

Filters have no retention capability, so designers should consider using up-gradient retention practices, which have the effect of decreasing the design storm volume and size of the filtering practices. Filtering practices are also suitable to provide special treatment at designated stormwater hotspots.

Filtering systems are typically not designed to provide stormwater detention, but they may be in some circumstances. Filtering practices are generally combined with separate facilities to provide this type of control. However, the three-chamber underground sand filter can be modified by expanding the first (or settling) chamber, or by adding an extra chamber between the filter chamber and the clear well chamber to handle the detention volume, which is subsequently discharged at a predetermined rate through an orifice and weir combination.

A nonstructural or surface sand filter is depicted in Figure 4.39, while Figure 4.40 through Figure 4.45 depict three-chamber underground sand filters.

Perimeter sand filters (Figure 4.46) are enclosed stormwater management practices that are typically located just below grade in a trench along the perimeter of parking lot, driveway, or other impervious surface. Perimeter sand filters consist of a pretreatment forebay and a filter bed chamber. Stormwater runoff is conveyed into a perimeter sand filter through grate inlets located directly above the system

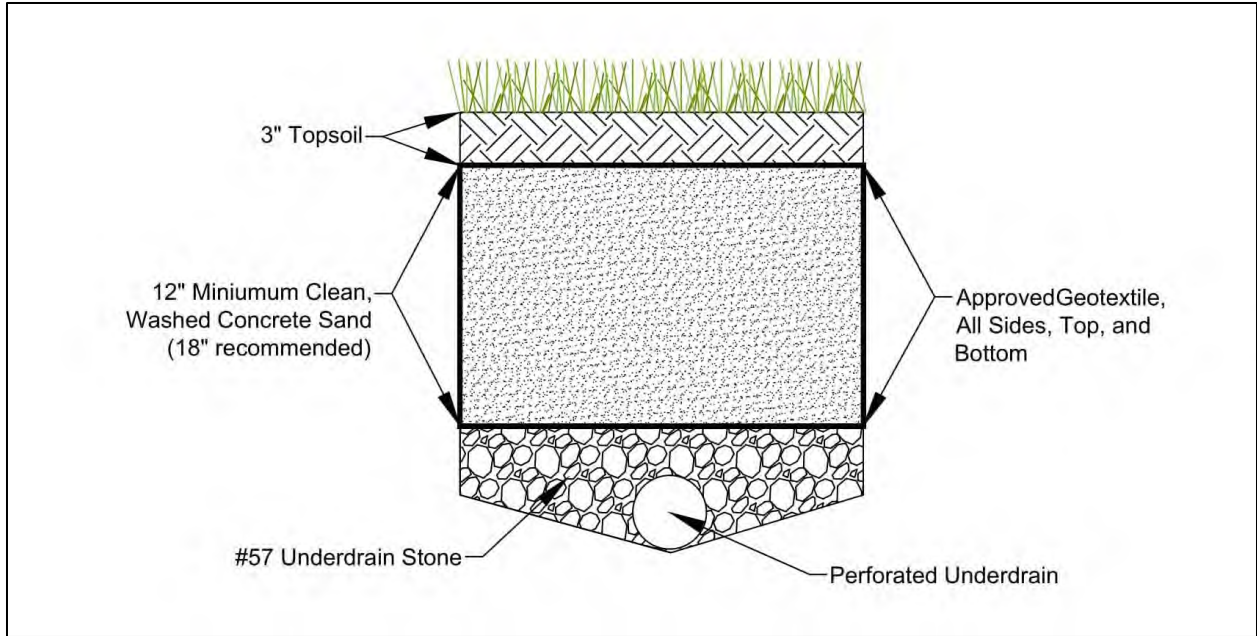


Figure 4.39. Typical schematic for a nonstructural or surface sand filter (note: material specifications are found in Table 4.44).

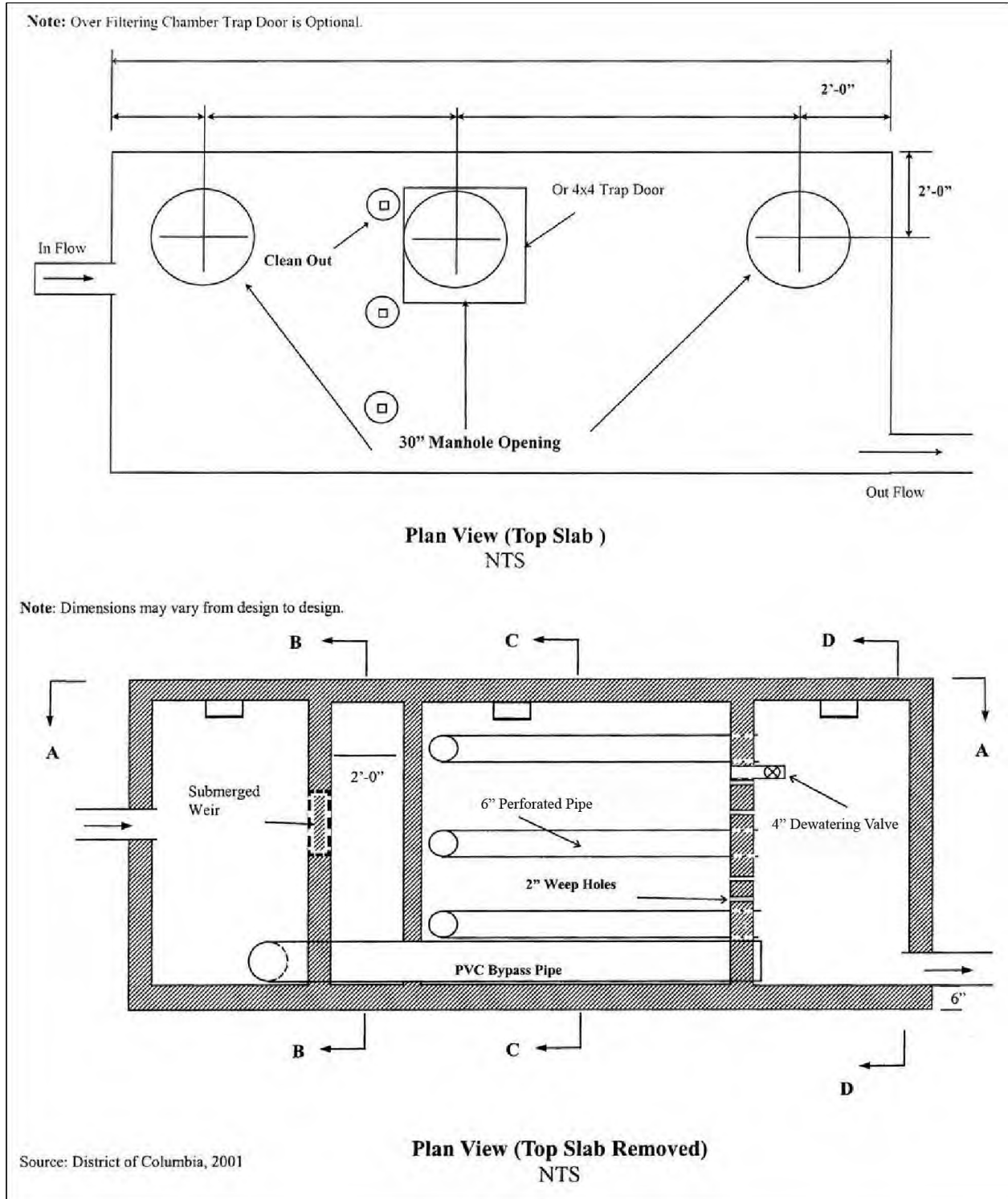


Figure 4.40. Example of a three-chamber underground sand filter (F-3) for separate sewer options. Part A. Note: material specifications are indicated in Table 4.44.

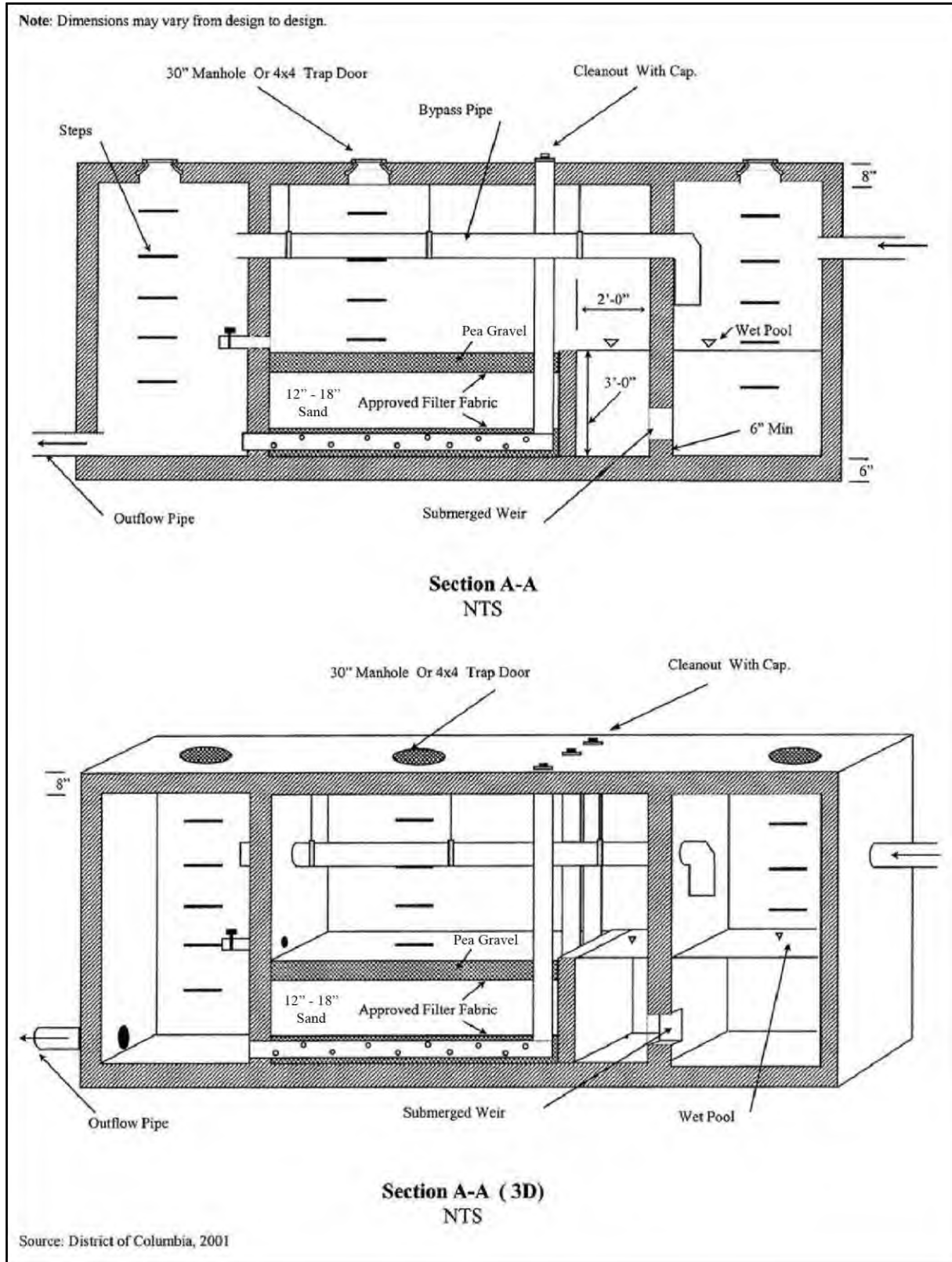


Figure 4.41. Example of a three-chamber underground sand filter (F-3) for separate sewer areas. Part B. Note: material specifications are indicated in Table 4.44.

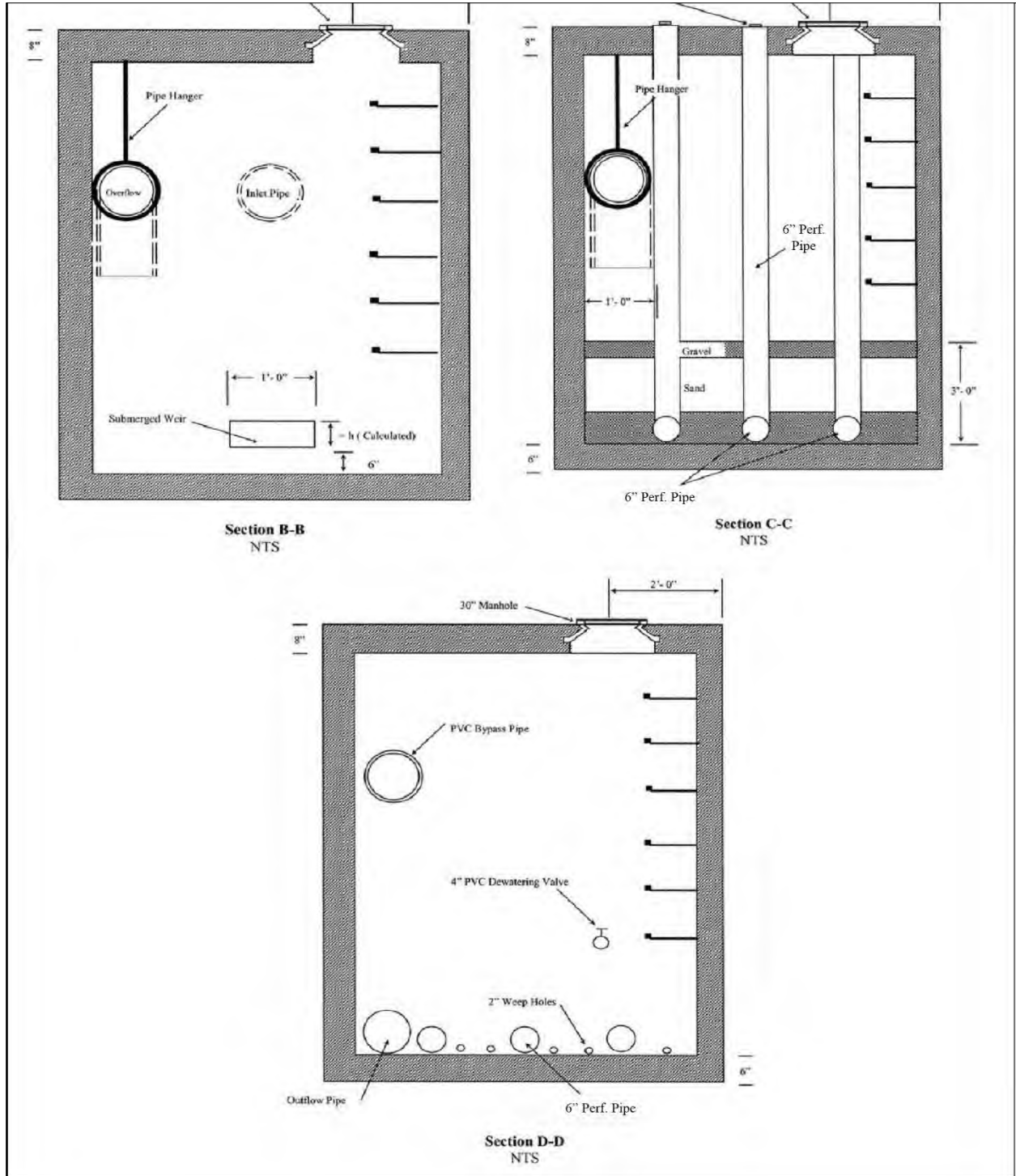


Figure 4.42. Example of a three-chamber underground sand filter (F-3) for separate sewer areas. Part C. Note: material specifications are indicated in Table 4.44.

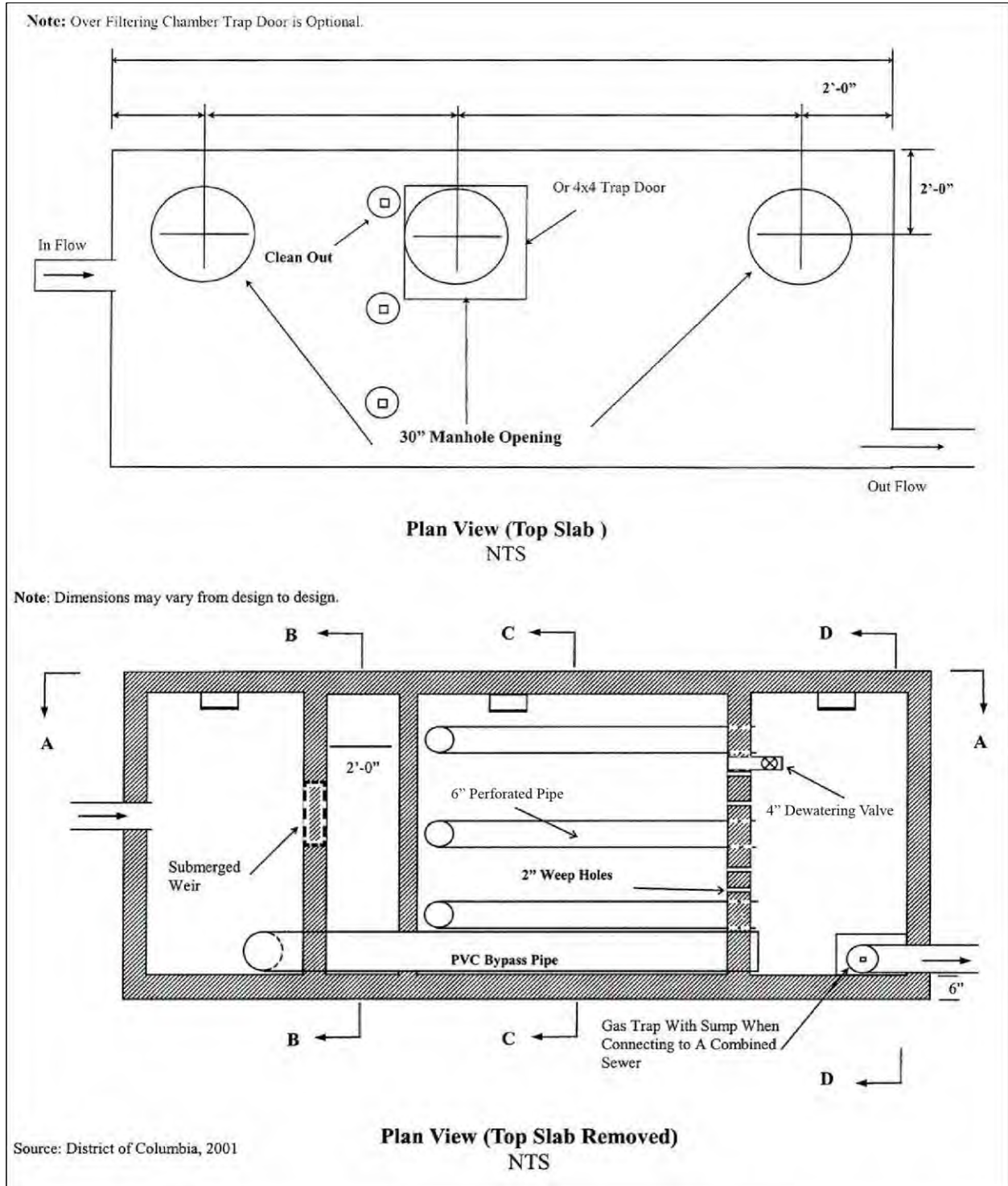


Figure 4.43. Example of a three-chamber underground sand filter (F-3) for combined sewer areas. Part A. Note: Material specifications are indicated in Table 4.44.

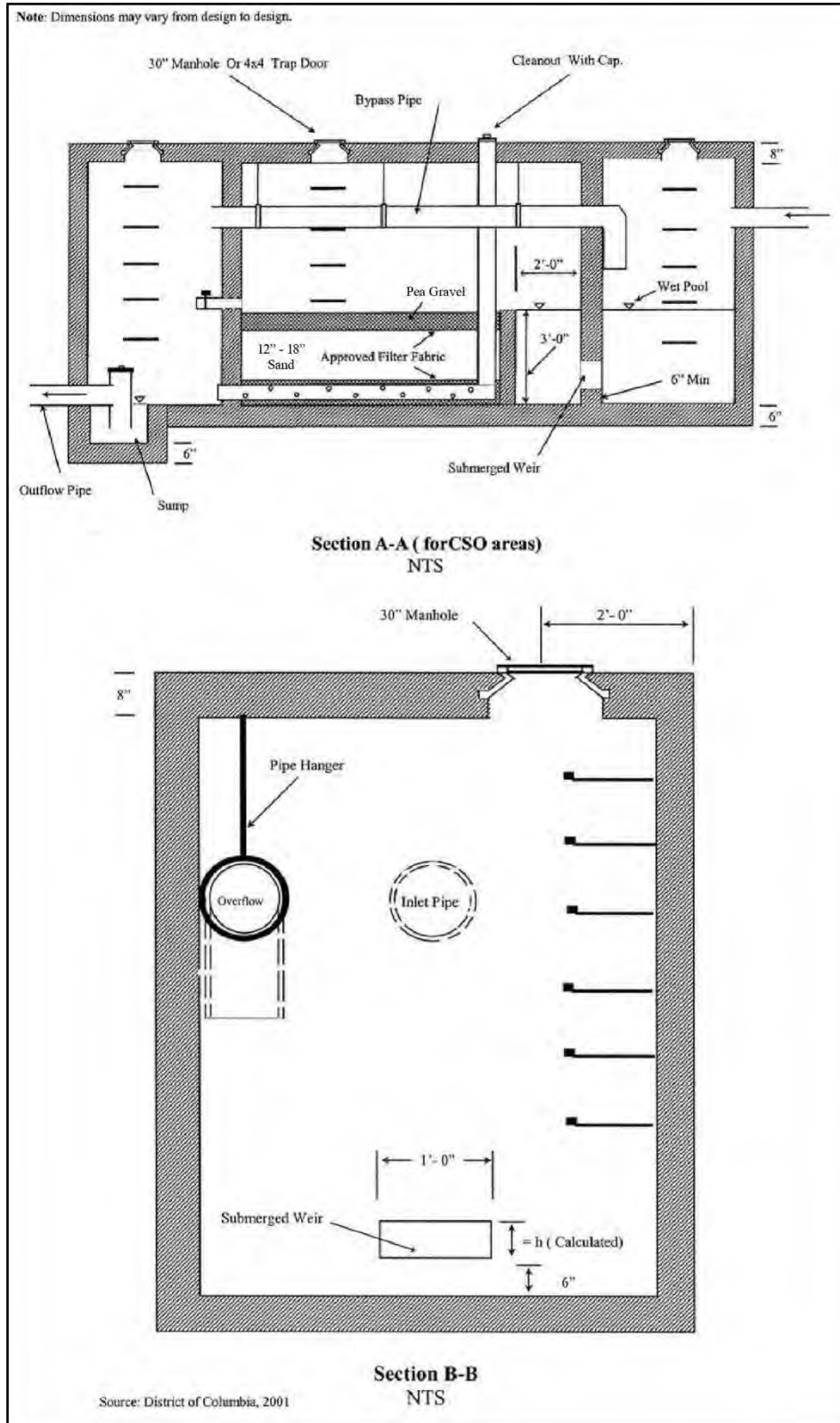


Figure 4.44. Example of a three-chamber underground sand filter (F-3) for combined sewer areas. Part B. Note: Material specifications are indicated in Table 4.44.

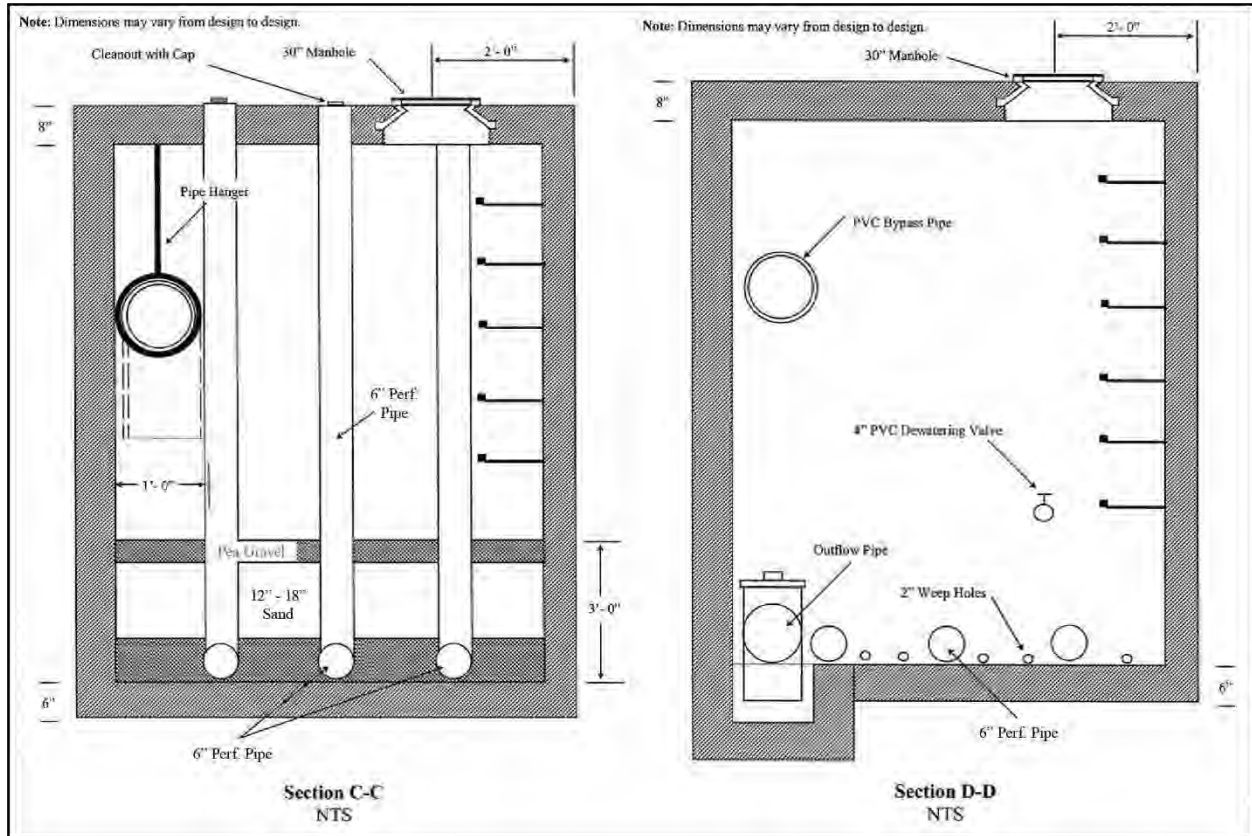


Figure 4.45. Example of a three-chamber underground sand filter (F-3) for combined sewer areas. Part C. Note: Material specifications are indicated in Table 4.44.

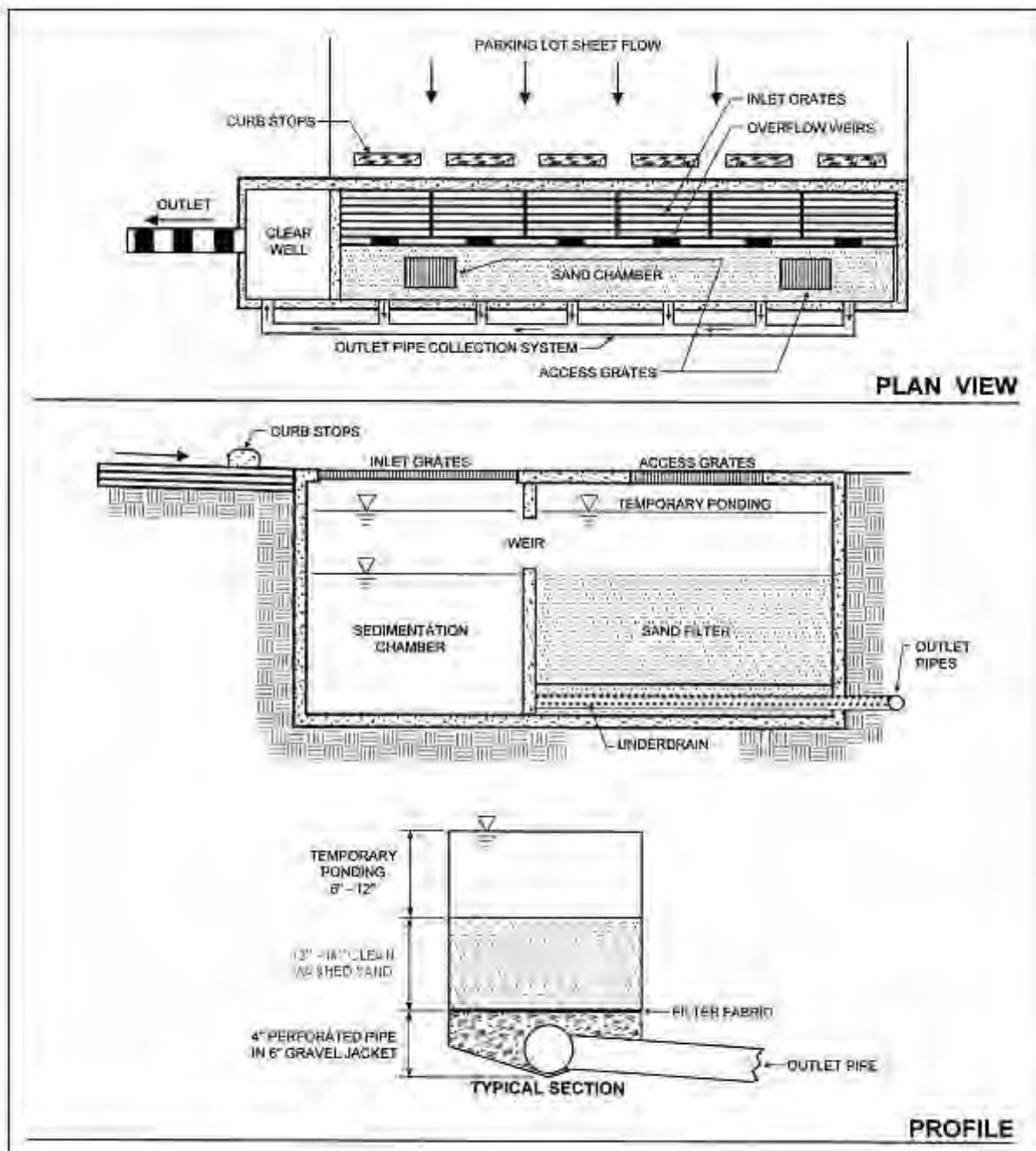


Figure 4.46. Example of a perimeter sand filter (F-4). Note: material specifications are indicated in Table 4.44.

4.10.1 Filtering System Feasibility Criteria

Stormwater filters can be applied to most types of urban land. They are not always cost-effective, given their high unit cost and small area served, but there are situations where they may clearly be the best option for stormwater treatment (e.g., hotspot runoff treatment, small parking lots, ultra-urban areas, etc.). The following criteria apply to filtering practices:

Available Hydraulic Head. The principal design constraint for stormwater filters is available hydraulic head, which is defined as the vertical distance between the top elevation of the filter and the bottom elevation of the existing storm drain system that receives its discharge. The head required for stormwater filters ranges from 2 to 10 feet, depending on the design variant. It is difficult to employ filters in extremely flat terrain, since they require gravity flow through the filter. The only exception is the perimeter sand filter, which can be applied at sites with as little as 2 feet of head.

Depth to Water Table. The designer must assure a standard separation distance of at least 0.5 feet between the groundwater table and the bottom invert of the filtering practice.

Contributing Drainage Area. Filters are best applied on small sites where the CDA is as close to 100% impervious as possible to reduce the risk that eroded sediment will clog the filter. If the CDA is pervious, then the vegetation must be dense and stable. Turf is acceptable (see Section 4.10.5 Filtering Landscaping Criteria). A maximum CDA of 5 acres is recommended for surface sand filters, and a maximum CDA of 2 acres is recommended for perimeter or underground filters. Filters have been used on larger CDAs in the past, but greater clogging problems have typically resulted.

Space Required. The amount of space required for a filter practice depends on the design variant selected. Surface sand filters typically consume about 2%–3% of the CDA, while perimeter sand filters typically consume less than 1%. Underground stormwater filters generally consume no surface area except their manholes.

Land Use. As noted above, filters are particularly well suited to treat runoff from stormwater hotspots and smaller parking lots. Other applications include redevelopment of commercial sites or when existing parking lots are renovated or expanded. Filters can work on most commercial, industrial, institutional, or municipal sites and can be located underground if surface area is not available.

Site Topography. Filters shall not be located on slopes greater than 6%.

Utilities. All utilities shall have a minimum 5-foot, horizontal clearance from the filtering practice.

Facility Access. All filtering systems shall be located in areas where they are accessible for inspection and for maintenance (by vacuum trucks).

Soils. Soil conditions do not constrain the use of filters. At least one soil boring must be taken at a low point within the footprint of the proposed filtering practice to establish the water table and evaluate soil suitability. A geotechnical investigation is required for all underground stormwater BMPs, including underground filtering systems. Geotechnical testing requirements are outlined in Appendix B Geotechnical Information Requirements for Underground BMPs.

Setbacks. Filters should be set back at least 10 feet from the property line, and the bottom of the practice should be separated from groundwater by at least 0.5 feet.

Economic Considerations. Perimeter sand filters are expensive relative to other treatment practices, but may be the only option to treat small hotspot drainage areas.

4.10.2 Filtering System Conveyance Criteria

Most filtering practices are designed as off-line systems so that all flows enter the filter storage chamber until it reaches capacity, at which point larger flows are then diverted or bypassed around the filter to an

outlet chamber and are not treated. Runoff from larger storm events must be bypassed using an overflow structure or a flow splitter. Claytor and Schueler (1996) and ARC (2001) provide design guidance for flow splitters for filtering practices.

Some underground filters will be designed and constructed as on-line BMPs. In these cases, designers must indicate how the device will safely pass larger storm events (e.g., the 25-year event) to a stabilized water course without resuspending or flushing previously trapped material.

All stormwater filters must be designed to drain or dewater within 40 hours (1.67 days) after a storm event to reduce the potential for nuisance conditions.

4.10.3 Filtering System Pretreatment Criteria

Adequate pretreatment is needed to prevent premature filter clogging and ensure filter longevity. Dry or wet pretreatment shall be provided prior to filter media. Pretreatment devices are subject to the following criteria:

- Sedimentation chambers are typically used for pretreatment to capture coarse sediment particles before they reach the filter bed.
- Sedimentation chambers may be wet or dry but must be sized to accommodate at least 25% of the total design storm volume (inclusive).
- Sediment chambers should be designed as level spreaders such that inflows to the filter bed have near zero velocity and spread runoff evenly across the bed.
- Non-structural and surface sand filters may use alternative pretreatment measures, such as a grass filter strip, forebay, gravel diaphragm, check dam, level spreader, or a combination of these. The grass filter strip must be a minimum length of 15 feet and have a slope of 3% or less. The check dam may be wooden or concrete and must be installed so that it extends only 2 inches above the filter strip and has lateral slots to allow runoff to be evenly distributed across the filter surface. Alternative pretreatment measures must contain a non-erosive flow path that distributes the flow evenly over the filter surface. If a forebay is used, it must be designed to accommodate at least 25% of the total design storm volume (inclusive).

4.10.4 Filtering System Design Criteria

Detention time. All filter systems must be designed to drain the design storm volume from the filter chamber within 40 hours (1.67 days) after each rainfall event.

Structural Requirements. If a filter will be located underground or experience traffic loads, a licensed structural engineer must certify the structural integrity of the design.

Geometry. Filters are gravity flow systems that normally require 2 to 5 feet of driving head to push the water through the filter media through the entire maintenance cycle; therefore, sufficient vertical clearance between the inverts of the inflow and outflow pipes is required.

Type of Filter Media. The normal filter media consists of clean, washed AASHTO M-6/ASTM C-33 medium aggregate concrete sand with individual grains 0.02 to 0.04 inches in diameter.

Depth of Filter Media. The depth of the filter media plays a role in how quickly stormwater moves through the filter bed and how well it removes pollutants. The recommended filter bed depth is 18

inches. An absolute minimum filter bed depth of 12 inches above underdrains is required; although, designers should note that specifying the minimum depth of 12 inches will incur a more intensive maintenance schedule and possibly result in costlier maintenance.

Underdrain and Liner. Stormwater filters are normally designed with an impermeable liner and underdrain system that meet the criteria provided in Table 4. 44 below.

Underdrain Stone. The underdrain should be covered by a minimum 6-inch gravel layer consisting of clean, double washed No. 57 stone.

Type of Filter. There are several design variations of the basic filter that enable designers to use filters at challenging sites or to improve pollutant removal rates. The choice of which filter design to apply depends on available space, hydraulic head, and the level of pollutant removal desired. In ultra-urban situations where surface space is at a premium, underground sand filters are often the only design that can be used. Surface and perimeter filters are often a more economical choice when adequate surface area is available. The most common design variants include the following:

- **Non-Structural Sand Filter (F-1).** The non-structural sand filter is applied to sites less than 2 acres in size and is very similar to a bioretention practice (see Section 4.3 Bioretention), with the following exceptions:
 - The bottom is lined with an impermeable liner and always has an underdrain.
 - The surface cover is sand, turf, or pea gravel.
 - The filter media is 100% sand.
 - The filter surface is not planted with trees, shrubs, or herbaceous materials.
 - The filter has two cells, with a dry or wet sedimentation chamber preceding the sand filter bed.
 - The non-structural sand filter is the least expensive filter option for treating hotspot runoff. The use of bioretention areas is generally preferred at most other sites.
- **Surface Sand Filter (F-2).** The surface sand filter is designed with both the filter bed and sediment chamber located at ground level. The most common filter media is sand; however, a peat/sand mixture may be used to increase the removal efficiency of the system. In most cases, the filter chambers are created using precast or cast-in-place concrete. Surface sand filters are normally designed to be off-line facilities, so that only the desired design volume is directed to the filter for treatment. However, in some cases they can be installed on the bottom of a dry pond (see Section 4.11 Storage Practices).
- **Underground Sand Filter.** The underground sand filter is modified to install the filtering components underground and is often designed with an internal flow splitter or overflow device that bypasses runoff from larger stormwater events around the filter. Underground sand filters are expensive to construct, but they consume very little space and are well suited to ultra-urban areas.
- **Three-Chamber Underground Sand Filter (F-3).** The three-chamber underground sand filter is a gravity flow system. The facility may be precast or cast-in-place. The first chamber acts as a pretreatment facility removing any floating organic material such as oil, grease, and tree leaves. It should have a submerged orifice leading to a second chamber, and it should be designed to minimize the energy of incoming stormwater before the flow enters the second chamber (i.e., filtering or processing chamber).

The second chamber is the filtering or processing chamber. It should contain the filter material consisting of gravel and sand and should be situated behind a weir. Along the bottom of the

structure should be a subsurface drainage system consisting of a parallel perforated PVC pipe system in a stone bed. A dewatering valve should be installed at the top of the filter layer for safety release in cases of emergency. A bypass pipe crossing the second chamber to carry overflow from the first chamber to the third chamber is required.

The third chamber is the discharge chamber. It should also receive the overflow from the first chamber through the bypass pipe when the storage volume is exceeded.

Water enters the first chamber of the system by gravity or by pumping. This chamber removes most of the heavy solid particles, floatable trash, leaves, and hydrocarbons. Then the water flows to the second chamber and enters the filter layer by overtopping a weir. The filtered stormwater is then picked up by the subsurface drainage system that empties it into the third chamber.

Whenever there is insufficient hydraulic head for a three-chamber underground sand filter, a well pump may be used to discharge the effluent from the third chamber into the receiving storm or combined sewer. For three-chamber sand filters in combined-sewer areas, a water trap shall be provided in the third chamber to prevent the back flow of odorous gas.

- **Perimeter Sand Filter (F-4).** The perimeter sand filter also includes the basic design elements of a sediment chamber and a filter bed. The perimeter sand filter typically consists of two parallel trenches connected by a series of overflow weir notches at the top of the partitioning wall, which allows water to enter the second trench as sheet flow. The first trench is a pretreatment chamber removing heavy sediment particles and debris. The second trench consists of the sand filter layer. A subsurface drainage pipe must be installed at the bottom of the second chamber to facilitate the filtering process and convey filter water into a receiving system.

In this design, flow enters the system through grates, usually at the edge of a parking lot. The perimeter sand filter is usually designed as an on-line practice (i.e., all flows enter the system), but larger events bypass treatment by entering an overflow chamber. One major advantage of the perimeter sand filter design is that it requires little hydraulic head and is therefore a good option for sites with low topographic relief.

Surface Cover. The surface cover for non-structural and surface sand filters should consist of a 3-inch layer of topsoil on top of the sand layer. The surface may also have pea gravel inlets in the topsoil layer to promote filtration. The pea gravel may be located where sheet flow enters the filter, around the margins of the filter bed, or at locations in the middle of the filter bed.

Underground sand filters should have a pea gravel or No. 57 stone layer on top of the sand layer. This gravel layer helps to prevent bio-fouling or blinding of the sand surface.

Maintenance Reduction Features. The following maintenance issues should be addressed during filter design to reduce future maintenance problems:

- **Observation Wells and Cleanouts.** Non-structural and surface sand filters must include an observation well consisting of a 6-inch diameter non-perforated PVC pipe fitted with a lockable cap. It should be installed flush with the ground surface to facilitate periodic inspection and maintenance. In most cases, a cleanout pipe will be tied into the end of all underdrain pipe runs. The portion of the cleanout pipe/observation well in the underdrain layer should be perforated. At least one cleanout pipe must be provided for every 2,000 square feet of filter surface area.

- **Access.** Good maintenance access is needed to allow crews to perform regular inspections and maintenance activities. “Sufficient access” is operationally defined as the ability to get a vacuum truck or similar equipment close enough to the sedimentation chamber and filter to enable cleanouts. Direct maintenance access shall be provided to the pretreatment area and the filter bed. For underground structures, sufficient headroom for maintenance should be provided. A minimum head space of 5 feet above the filter is recommended for maintenance of the structure. However, if 5 feet of headroom is not available, manhole access must be installed.
- **Manhole Access (for underground filters).** Access to the headbox and clearwell of Underground Filters must be provided by manholes at least 30 inches in diameter, along with steps to the areas where maintenance will occur.
- **Visibility.** Stormwater filters should be clearly visible at the site so inspectors and maintenance crews can easily find them. Adequate signs or markings must be provided at manhole access points for Underground Filters.
- **Confined Space Issues.** Underground filters are often classified as a confined space. Consequently, special OSHA rules apply, and training may be needed to protect the workers that access them. These procedures often involve training about confined space entry, venting, and the use of gas probes.

Filter Material Specifications. The basic material specifications for filtering practices that utilize sand as a filter media are outlined in Table 4.44.

Table 4.44. Filtering Practice Material Specifications

Material	Specification
Surface Cover	Non-structural and surface sand filters: 3-inch layer of topsoil on top of the sand layer. The surface may also have pea gravel inlets in the topsoil layer to promote filtration. Underground sand filters: Clean, double-washed pea gravel or No. 57 stone on top of the sand layer.
Sand	Clean AASHTO M-6/ASTM C-33 medium aggregate concrete sand with a particle size range of 0.02–0.04 inches in diameter.
Choker Stone and/or Geotextile/Filter Fabric	For choker stone, a 2- to 4-inch layer of choker stone (e.g., typically ASTM D448 No. 8 or No. 89 washed gravel) should be placed between the sand layer and the underdrain stone. Alternatively, if available head is limited, an appropriate geotextile fabric that meets AASHTO M-288 Class 2, latest edition, requirements may be used. The geotextile fabric must have a flow rate of > 125 gpm/ft ² (ASTM D4491) and an Apparent Opening Size (AOS) equivalent to a US No. 70 or No. 80 sieve.
Underdrain/Perforated Pipe	4- or 6-inch perforated schedule 40 PVC pipe, with three or four rows of 3/8-inch perforations at 6 inches on center.
Underdrain Stone	Use No. 57 stone or the ASTM equivalent (1-inch maximum).
Impermeable Liner	Where appropriate, use a PVC Geomembrane liner or equivalent.

Filter Sizing. Filtering devices are sized to accommodate a specified design storm volume (typically SWRv). The volume to be treated by the device is a function of the storage depth above the filter and the surface area of the filter. The storage volume is the volume of ponding above the filter. For a given design volume, Equation 4.23 is used to determine the required filter surface area.

Equation 4.23 Minimum Filter Surface Area for Filtering Practices

$$SA_{filter} = \frac{DesignVolume \times d_f}{k \times (h_{avg} + d_f) \times t_d}$$

Where:

SA_{filter}	=	area of the filter surface (ft ²)
$DesignVolume$	=	design storm volume, typically the SWRv (ft ³)
d_f	=	filter media depth (thickness) (ft), with a minimum of 1 ft
k	=	coefficient of permeability (ft/day) (3.5 ft/day for partially clogged sand)
h_f	=	height of water above the filter bed (ft), with a maximum of 5 ft
h_{avg}	=	average height of water above the filter bed (ft), one half of the filter height (h_f)
t_d	=	allowable drawdown time (1.67 days)

The coefficient of permeability (ft/day) is intended to reflect the worst-case situation (i.e., the condition of the sand media at the point in its operational life where it is in need of replacement or maintenance). Filtering practices are therefore sized to function within the desired constraints at the end of the media's operational life cycle.

The entire filter treatment system, including pretreatment, shall temporarily hold at least 50% of the design storm volume prior to filtration (see Equation 4.24). This reduced volume takes into account the varying filtration rate of the water through the media, as a function of a gradually declining hydraulic head.

Equation 4.24 Required Ponding Volume for Filtering Practices

$$V_{ponding} = 0.50 \times DesignVolume$$

Where:

$V_{ponding}$	=	storage volume required prior to filtration (ft ³)
$DesignVolume$	=	design storm volume, typically the SWRv (ft ³)

The total storage volume for the practice (S_v) can be determined using Equation 4. 25 below.

Equation 4.25 Storage Volume for Filtering Practices

$$Sv = 2.0 \times V_{ponding}$$

Where:

Sv = total storage volume for the practice (ft³)
 $V_{ponding}$ = storage volume required prior to filtration (ft³)

4.10.5 Filtering System Landscaping Criteria

A dense and vigorous vegetative cover shall be established over the contributing pervious drainage areas before runoff can be accepted into the facility. Filtering practices should be incorporated into site landscaping to increase their aesthetics and public appeal.

Surface filters (e.g., surface and non-structural sand filters) can have a grass cover to aid in pollutant adsorption. The grass should be capable of withstanding frequent periods of inundation and drought.

4.10.6 Filtering System Construction Sequence

Soil Erosion and Sediment Control. No runoff shall be allowed to enter the filter system prior to completion of all construction activities, including revegetation and final site stabilization. Construction runoff shall be treated in separate sedimentation basins and routed to bypass the filter system. Should construction runoff enter the filter system prior to final site stabilization, all contaminated materials must be removed and replaced with new clean filter materials before a regulatory inspector approves its completion. The approved soil erosion and sediment control plan shall include specific measures to provide for the protection of the filter system before the final stabilization of the site.

Filter Installation. The following is the typical construction sequence to properly install a structural sand filter. This sequence can be modified to reflect different filter designs, site conditions, and the size, complexity, and configuration of the proposed filtering application.

1. Stabilize Contributing Drainage Area

Filtering practices should only be constructed after the CDA to the facility is completely stabilized, so sediment from the CDA does not flow into and clog the filter. If the proposed filtering area is used as a sediment trap or basin during the construction phase, the construction notes should clearly specify that, after site construction is complete, the sediment control facility will be dewatered, dredged, and regraded to design dimensions for the post-construction filter.

2. Install Soil Erosion and Sediment Control Measures for the Filtering Practice

Stormwater should be diverted around filtering practices as they are being constructed. This is usually not difficult to accomplish for off-line filtering practices. It is extremely important to keep runoff and eroded sediment away from the filter throughout the construction process. Silt fence or other sediment controls should be installed around the perimeter of the filter, and erosion control fabric may be needed during construction on exposed side-slopes with gradients exceeding 4H:1V. Exposed soils in the vicinity of the filtering practice should be rapidly stabilized by hydro-seed, sod, mulch, or other method.

3. Assemble Construction Materials on Site

Inspect construction materials to ensure they conform to design specifications and prepare any staging areas.

4. Clear and Strip

Bring the project area to the desired subgrade.

5. Excavate and Grade

Survey to achieve the appropriate elevation and designed contours for the bottom and side slopes of the filtering practice.

6. Install Filter Structure

Install filter structure in design location and check all design elevations (i.e., concrete vaults for surface, underground, and perimeter sand filters). Upon completion of the filter structure shell, inlets and outlets must be temporarily plugged and the structure filled with water to the brim to demonstrate water tightness. Maximum allowable leakage is 5% of the water volume in a 24-hour period. See Appendix E Construction Inspection Checklists for the Stormwater Facility Leak Test form. If the structure fails the test, repairs must be performed to make the structure watertight before any sand is placed into it.

7. Install Base Material Components

Install the gravel, underdrains, and choker layers of the filter.

8. Install Top Sand Component

Spread sand across filter bed in 1-foot lifts up to the design elevation. Backhoes or other equipment can deliver the sand from outside the filter structure. Sand should be manually raked. Clean water is then added until the sedimentation chamber and filter bed are completely full. The facility is then allowed to drain, hydraulically compacting the sand layers. After 48 hours of drying, refill the structure to the final top elevation of the filter bed.

9. Install Surface Layer (Surface Sand Filters only)

Add a 3-inch topsoil layer and pea gravel inlets and immediately seed with the permanent grass species. The grass should be watered, and the facility should not be switched on-line until a vigorous grass cover has become established.

10. Stabilize Surrounding Areas

Stabilize exposed soils on the perimeter of the structure with temporary seed mixtures appropriate for a buffer. All areas above the normal pool should be permanently stabilized by hydroseed, sod, or seeding and mulch.

11. Final Inspection. Conduct the final construction inspection

Multiple construction inspections by a qualified professional are critical to ensure that stormwater filters are properly constructed. Inspections are recommended during the following stages of construction:

- Initial site preparation, including installation of soil erosion and sediment control measures;
- Excavation/grading to design dimensions and elevations;
- Installation of the filter structure, including the water tightness test;
- Installation of the underdrain and filter bed;
- Check that turf cover is vigorous enough to switch the facility on-line; and

- Final inspection after a rainfall event to ensure that it drains properly and all pipe connections are watertight. Develop a punch list for facility acceptance. Log the filtering practice’s GPS coordinates and submit them for entry into the BMP maintenance tracking database.

Construction phase inspection checklist for filters and the Stormwater Facility Leak Test form can be found in Appendix E Construction Inspection Checklists.

4.10.7 Filtering System Maintenance Criteria

Maintenance of filters is required and involves several routine maintenance tasks, which are outlined in Table 4.45. A cleanup should be scheduled at least once a year to remove trash and floatables that accumulate in the pretreatment cells and filter bed. Frequent sediment cleanouts in the dry and wet sedimentation chambers are recommended every 1 to 3 years to maintain the function and performance of the filter. If the filter treats runoff from a stormwater hotspot, crews may need to test the filter bed media before disposing of the media and trapped pollutants. Petroleum hydrocarbon contaminated sand or filter cloth must be disposed of according to State solid waste disposal regulations. Testing is not needed if the filter does not receive runoff from a designated stormwater hotspot, in which case the media can be safely disposed of in a landfill.

Table 4.45. Typical Annual Maintenance Activities for Filtering Practices

Frequency	Maintenance Tasks
At least 4 times per growing season	<ul style="list-style-type: none"> ▪ Mow grass filter strips and perimeter turf around surface sand filters. Maximum grass heights should be less than 12 inches.
2 times per year (may be more or less frequently depending on land use)	<ul style="list-style-type: none"> ▪ Check to see if sediment accumulation in the sedimentation chamber has exceeded 6 inches. If so, schedule a cleanout.
Annually	<ul style="list-style-type: none"> ▪ Conduct inspection and cleanup. ▪ Dig a small test pit in the filter bed to determine whether the first 3 inches of sand are visibly discolored and need replacement. ▪ Check to see if inlets and flow splitters are clear of debris and are operating properly. ▪ Check concrete structures and outlets for any evidence of spalling, joint failure, leakage, corrosion, etc. ▪ Ensure that the filter bed is level and remove trash and debris from the filter bed. Sand or gravel covers should be raked to a depth of 3 inches.
Every 5 years	<ul style="list-style-type: none"> ▪ Replace top sand layer. ▪ Till or aerate surface to improve infiltration/grass cover.
As needed	<ul style="list-style-type: none"> ▪ Remove blockages and obstructions from inflows. Trash collected on the grates protecting the inlets shall be removed regularly to ensure the inflow capacity of the BMP is preserved. ▪ Stabilize CDA and side-slopes to prevent erosion. Filters with a turf cover should have 95% vegetative cover.
Upon failure	<ul style="list-style-type: none"> ▪ Corrective maintenance is required any time the sedimentation basin and sediment trap do not draw down completely after 72 hours (i.e., no standing water is allowed).

Maintenance Inspections. Regular inspections by a qualified professional are critical to schedule sediment removal operations, replace filter media, and relieve any surface clogging. Frequent

inspections are especially needed for underground and perimeter filters, since they are out of sight and can be easily forgotten. Depending on the level of traffic or the particular land use, a filter system may either become clogged within a few months of normal rainfall or could possibly last several years with only routine maintenance. Maintenance inspections should be conducted within 24 hours following a storm that exceeds 0.5 inch of rainfall, to evaluate the condition and performance of the filtering practice.

Note: Without regular maintenance, reconditioning sand filters can be very expensive.

Maintenance inspection checklists for filters and the Maintenance Service Completion Inspection form can be found in Appendix F Maintenance Inspection Checklists.

Waste Material. Waste material from the repair, maintenance, or removal of a BMP or land cover shall be removed and disposed of in compliance with applicable local, state, and federal law.

4.10.8 Filtering System Stormwater Compliance Calculations

Filtering practices are credited with 0% retention, but they do receive 80% TSS, 30% TN, and 80% bacteria removal for the storage volume (Sv) provided by the (Table 4.46).

Table 4.46. Filter Retention and Pollutant Removal

Retention	= 0%
TSS Removal	= 80%
TN Removal	= 30%
Bacteria Removal	= 80%

The practice must be sized using the guidance detailed in Section 4.8.4 Filtering Design Criteria.

4.10.9 References

ASTM D448-12(2017), Standard Classification for Sizes of Aggregate for Road and Bridge Construction, ASTM International, West Conshohocken, PA, 2017, www.astm.org

ASTM D4491 / D4491M-17, Standard Test Methods for Water Permeability of Geotextiles by Permittivity, ASTM International, West Conshohocken, PA, 2017, www.astm.org

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Van Truong, Hung. 1993. Application of the Washington D.C. Sand Filter Water for Urban Runoff Control. Draft Report. Washington D.C. Environmental Regulations Administration. Washington, D.C. (30+ pages).

Virginia DCR Stormwater Design Specification No. 12: Filtering Practices Version 1.7. 2010.

4.11 Storage Practices

Storage Practices				
Definition: Practices that are explicitly designed to provide stormwater detention (2- to 25-year, and/or flood control).				
Site Applicability		BMP Performance Summary		
Land Uses	Required Footprint	WQ Improvement: Low		
<ul style="list-style-type: none"> ▪ Urban ▪ Suburban ▪ Rural 	Medium	TSS ¹	Total N ¹	Bacteria ¹
		60%	10%	60%
		Runoff Reduction		
Construction Costs	Maintenance Burden	Volume		
Moderate	Low	Low		
Maintenance Frequency:		SWRv		
Routine	Non-Routine	0%		
Quarterly	Every 10–15 years			
Advantages/Benefits		Disadvantages/Limitation		
<ul style="list-style-type: none"> ▪ Flood control ▪ Typically less costly than stormwater (wet) ponds for equivalent flood storage ▪ Provides recreational and other open space opportunities between storm runoff events 		<ul style="list-style-type: none"> ▪ Minimal water quality treatment ▪ Best suited to large CDAs (at least 10 acres) ▪ Tends to re-suspend sediment 		
Components		Design considerations		
<ul style="list-style-type: none"> ▪ Conveyance ▪ Inlets/outlets ▪ Forebay ▪ Ponding area with available storage ▪ Micropool ▪ Spillway system(s) ▪ Liners, as needed 		<ul style="list-style-type: none"> ▪ Depth to seasonal high water table must be at least 6 inches below bottom of practice ▪ Drawdown of 24 to 48 hours ▪ Shallow pond with large surface area performs better than deep pond of same volume ▪ Maintenance access 		
Maintenance Activities				
<ul style="list-style-type: none"> ▪ Remove debris (inlets/outlets/basin surface) ▪ Remove sediment buildup ▪ Repair and revegetate eroded areas. 		<ul style="list-style-type: none"> ▪ Perform structural repairs to inlet and outlets. ▪ Mow unwanted vegetation 		

¹Credited pollutant load removal

Storage practices are a common BMP used to temporarily detain runoff to reduce peak flows (Figure 4.47).



Figure 4.47. Dry Extended Detention Pond (Photo: Center for Watershed Protection, Inc.)

Definition. Storage practices are explicitly designed to provide stormwater detention (2- to 25-year, and/or flood control). Design variants include the following:

- S-1 Underground detention vaults and tanks
- S-2 Dry detention ponds
- S-3 Rooftop storage
- S-4 Stone storage under permeable pavement or other BMPs

Detention vaults are box-shaped underground stormwater storage facilities typically constructed with reinforced concrete. Detention tanks are underground storage facilities typically constructed with large diameter concrete or plastic pipe (see Figure 4.44). Both serve as an alternative to surface dry detention for stormwater quantity control, particularly for space-limited areas where there is not adequate land for a dry detention basin or multi-purpose detention area. Prefabricated concrete vaults are available from commercial vendors. In addition, several pipe manufacturers have developed packaged detention systems.

Dry detention ponds are widely applicable for most land uses and are best suited for larger SDAs. An outlet structure restricts stormwater flow, so it backs up and is stored within the basin (see Figure 4.45). The temporary ponding reduces the maximum peak discharge to the downstream channel, thereby reducing the effective shear stress on the bed and banks of the receiving stream.

Storage practices do not receive any stormwater retention or treatment volume and should be considered only for management of larger storm events. Storage practices are not considered an acceptable practice to meet the SWRV. Storage practices must be combined with a separate facility to meet these requirements. Upland practices can be used to satisfy some, or all, of the stormwater retention requirements at many sites, which can help to reduce the footprint and volume of storage practices.

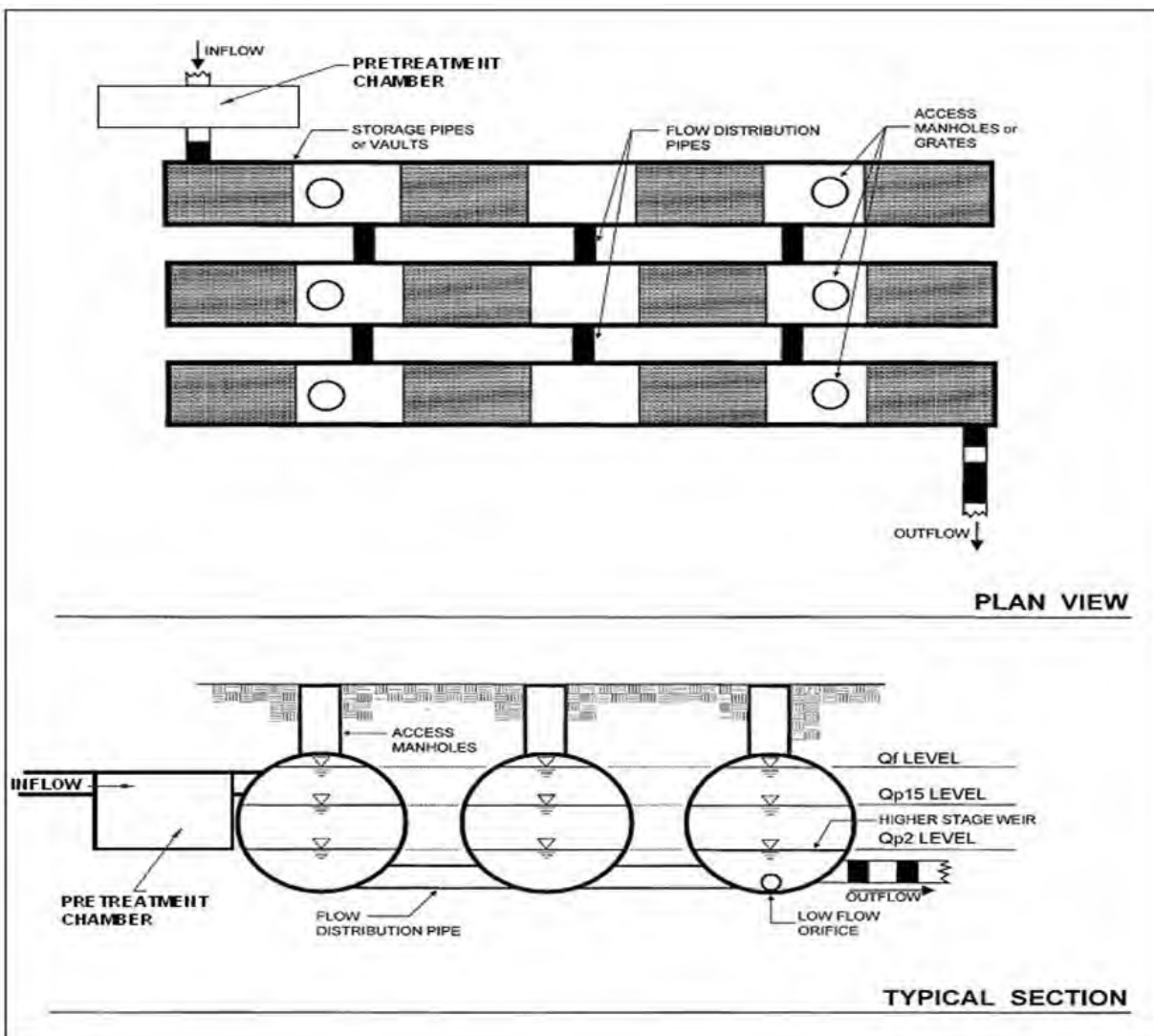


Figure 4.45 Example of an underground detention vault and/or tank (S-1).

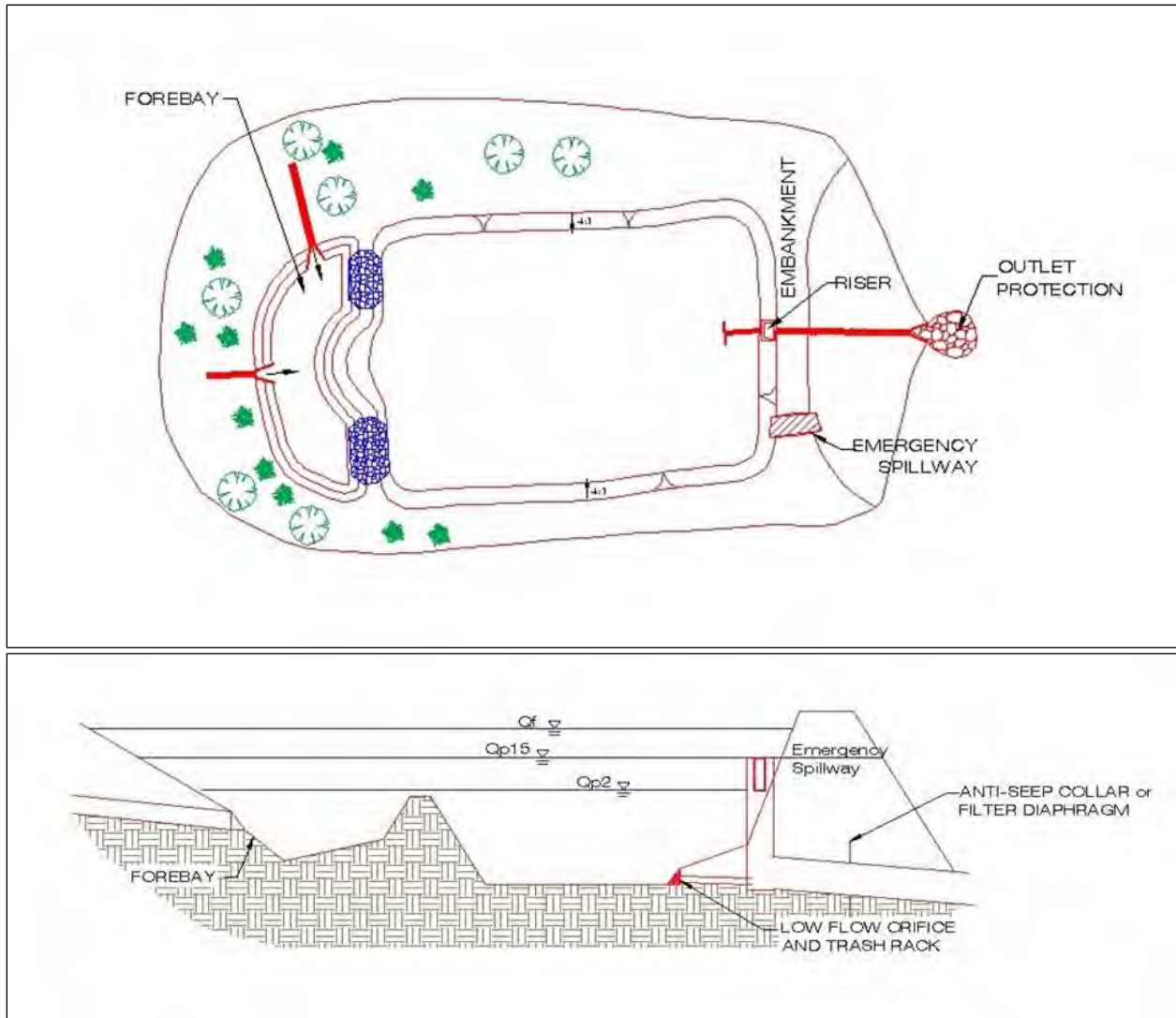


Figure 4.46 Example of a dry detention pond (S-2).

4.11.1 Storage Feasibility Criteria

The following feasibility issues need to be evaluated when storage practices are considered as the final practice in a treatment train:

Space Required. A typical storage practice requires a footprint of 1%–3% of its CDA, depending on the depth of the pond or storage vault (i.e., the deeper the practice, the smaller footprint needed).

Contributing Drainage Area. A CDA of at least 10 acres is preferred for dry ponds in order to keep the required orifice size from becoming a maintenance problem. Designers should be aware that small “pocket” ponds will typically (1) have very small orifices that will be prone to clogging, (2) experience fluctuating water levels such that proper stabilization with vegetation is very difficult, and (3) generate more significant maintenance problems.

Underground detention systems can be located downstream of other structural stormwater controls providing treatment of the design storm. For treatment train designs where upland practices are utilized for treatment of the SWRv, designers can use a site-adjusted Rv or NRCS CN that reflects the volume

reduction of upland practices and likely reduce the size and cost of detention (see Storage Practice Sizing in Section 4.8.4 Storage Design Criteria).

The maximum CDA to be served by a single underground detention vault or tank is 25 acres.

Available Hydraulic Head. The depth of a storage practice is usually determined by the amount of hydraulic head available at the site (dimension between the surface drainage and the bottom elevation of the site). The bottom elevation is normally the invert of the existing downstream conveyance system to which the storage practice discharges. Depending on the size of the development and the available surface area of the basin, as much as 6 to 8 feet of hydraulic head may be needed for a dry detention practice to function properly for storage. An underground storage practice will require sufficient head room to facilitate maintenance—at least 5 feet depending on the design configuration.

Setbacks. Setbacks to structures and property lines must be at least 10 feet, and adequate waterproofing protection must be provided for foundations and basements.

Depth to Water Table. Dry ponds are not allowed if the water table will be within 0.5 feet of the floor of the pond. For underground detention vaults and tanks, an anti-flotation analysis is required to check for buoyancy problems in high water table areas.

Tidal Impacts. The outlet of a dry detention practice should be located above the tidal mean high water elevation. In tidally impacted areas, detention practices may have minimal benefit, and re-questing a variance for detention requirements may be an option.

Tailwater Conditions. The flow depth in the receiving channel should be considered when determining outlet elevations and discharge rates from the dry detention practice. Design tailwater condition elevation shall be supported by a reasonable resource and/or analysis. For direct discharges to tidal waters, a king tide evaluation shall accompany the tailwater condition evaluation.

Soils. The permeability of soils is seldom a design constraint for storage practices. Soil infiltration tests should be conducted at proposed dry pond sites to estimate infiltration rates and patterns, which can be significant in HSG A soils and some group B soils. Infiltration through the bottom of the pond is typically encouraged unless it may potentially migrate laterally thorough a soil layer and impair the integrity of the embankment or other structure.

Structural Stability. Underground detention vaults and tanks must meet structural requirements for overburden support and traffic loading if appropriate as verified by shop drawings signed by an appropriately licensed professional.

Geotechnical Tests. At least one soil boring must be taken at a low point within the footprint of any proposed storage practice to establish the water table elevations and evaluate soil suitability. A geotechnical investigation is required for all underground BMPs, including underground storage systems. Geotechnical testing requirements are outlined in Appendix B Geotechnical Information Requirements for Underground BMPs.

Utilities. For a dry pond system, no utility lines shall be permitted to cross any part of the embankment where the design water depth is greater than 2 feet. Typically, utilities require a minimum 5-foot horizontal clearance from storage facilities.

Perennial Streams. Locating dry ponds on perennial streams will require both a Section 401 and Section 404 permit from the appropriate state or federal regulatory agency.

Economic Considerations. Underground detention can be expensive, but often allows for greater use of a development site. Dry detention ponds are generally inexpensive to construct and maintain. Depending upon the type of development, dry detention practices may be required to treat a larger volume of water than other BMPs. Dry detention practices must store 1 inch of runoff from the site, whereas infiltration practices and other BMPs must capture 1 inch of runoff from only the impervious cover on a site.

4.11.2 Storage Conveyance Criteria

Designers must use accepted hydrologic and hydraulic routing calculations to determine the required storage volume and an appropriate outlet design for storage practices. See Section 3.7.2 Hydrologic and Hydraulic Analysis for a summary of acceptable hydrologic methodologies and models.

For management of the 2-year storm, a control structure with a trash rack designed to release the required predevelopment Q_{p2} must be provided. Ideally, the channel protection orifice should have a minimum diameter of 3 inches in order to pass minor trash and debris. However, where smaller orifices are required, the orifice must be adequately protected from clogging by an acceptable external trash rack.

As an alternative, the orifice diameter may be reduced if internal orifice protection is used (i.e., a perforated vertical stand pipe with 0.5-inch orifices or slots that are protected by wirecloth and a stone filtering jacket). Adjustable gate valves, weir manholes, and other structures designed for simple maintenance can also be used to achieve this equivalent diameter.

For overbank flood protection, an additional outlet is sized for 2- to 25-year frequency storm event control and can consist of a weir, orifice, outlet pipe, combination outlet, or other acceptable control structure.

Riprap, plunge pools or pads, or other energy dissipators are to be placed at the end of the outlet to prevent scouring and erosion and to provide a non-erosive velocity of flow from the structure to a water course. The design must specify an outfall that will be stable for the 25-year design storm event. The channel immediately below the storage practice outfall must be modified to prevent erosion. This is typically done by calculating channel velocities and flow depths, then placing appropriately sized riprap, over geotextile fabric, which can reduce flow velocities from the principal spillway to non-erosive levels (3.5 to 5.0 feet per second depending on the channel lining material). The storage practice geometry and outfall design may need to be altered in order to yield adequate channel velocities and flow.

Flared pipe sections that discharge at or near the stream invert or into a step pool arrangement should be used at the spillway outlet. An outfall analysis shall be included in the SWMP showing discharge velocities down to the nearest downstream water course. Where indicated, the developer/contractor must secure an off-site drainage easement for any improvements to the downstream channel.

When the discharge is to a manmade pipe or channel system, the system must be adequate to convey the required design storm peak discharge.

If discharge daylight to a channel with dry weather flow, care should be taken to minimize tree clearing along the downstream channel, and to reestablish a forested riparian zone in the shortest possible distance. Excessive use of riprap should be avoided.

The final release rate of the facility shall be modified if any increase in flooding or stream channel erosion would result at a downstream structure, highway, or natural point of restricted streamflow.

The following **additional** conveyance criteria apply to underground detention or ponds:

- **High Flow Bypass (underground detention).** An internal or external high flow bypass or overflow must be included in underground detention designs to safely pass the extreme flood flow.
- **Primary Spillway (dry ponds).** The primary spillway shall be designed with acceptable anti-flotation, anti-vortex, and trash rack devices. The spillway must generally be accessible from dry land. When reinforced concrete pipe is used for the principal spillway to increase its longevity, “O”-ring gaskets (ASTM C361) must be used to create watertight joints, and they should be inspected during installation.
- **Avoid Outlet Clogging (dry ponds).** The risk of clogging in outlet pipes with small orifices can be reduced by the following:
 - Providing a micropool at the outlet structure. For more information on micropool extended detention ponds see Section 4.12 Ponds.
 - Installing a trash rack to screen the low-flow orifice.
 - Using a perforated pipe under a gravel blanket with an orifice control at the end in the riser structure.
- **Emergency Spillway (dry ponds).** Dry ponds must be constructed with overflow capacity to safely pass the 100-year design storm event through either the primary spillway or a vegetated or armored emergency spillway unless waived by *<local jurisdiction>*.
- **Inlet Protection (dry ponds).** Inflow points into dry pond systems must be stabilized to ensure that non-erosive conditions exist during storm events up to the overbank flood event (i.e., the 25-year storm event).

4.11.3 Storage Pretreatment Criteria

Dry Pond Pretreatment Forebay. A forebay must be located at each major inlet to a dry pond to trap sediment and preserve the capacity of the main treatment cell. The following criteria apply to dry pond forebay design:

- A major inlet is defined as an individual storm drain inlet pipe or open channel serving at least 10% of the storage practice’s CDA.
- The forebay consists of a separate cell, formed by an acceptable barrier (e.g., an earthen berm, concrete weir, gabion baskets, etc.).
- The forebay shall be sized to contain 0.1 inches per impervious acre of contributing drainage. The relative size of individual forebays should be proportional to the percentage of the total inflow to the dry pond.

- The forebay should be designed in such a manner that it acts as a level spreader to distribute runoff evenly across the entire bottom surface area of the main storage cell.
- Exit velocities from the forebay shall be non-erosive or an armored overflow shall be provided. Non-erosive velocities are 4 feet per second for the 2-year event and 6 feet per second for the 25-year event.
- The bottom of the forebay may be hardened (e.g., concrete, asphalt, or grouted riprap) in order to make sediment removal easier.
- Direct maintenance access for appropriate equipment shall be provided to the each forebay.

Underground Detention Pretreatment. A pretreatment structure to capture sediment, coarse trash, and debris must be placed upstream of any inflow points to underground detention. A separate sediment sump or vault chamber sized to capture 0.1 inches per impervious acre of contributing drainage, or a proprietary structure with demonstrated capability of removing sediment and trash, should be provided at the inlet for underground detention systems that are in a treatment train with off-line water quality treatment structural controls. Refer to Section 0 Proprietary Practices for information on approved proprietary practices.

4.11.4 Storage Design Criteria

Dry Pond Internal Design Features. The following apply to dry pond design:

- **No Pilot Channels.** Dry ponds shall not have a low-flow pilot channel, but instead must be constructed in a manner whereby flows are evenly distributed across the pond bottom, to avoid scour, promote attenuation and, where possible, infiltration.
- **Internal Slope.** The maximum longitudinal slope through the pond should be approximately 0.5%–1%.
- **Side Slopes.** Side slopes within the dry pond should generally have a gradient of 3H:1V to 4H:1V. The mild slopes promote better establishment and growth of vegetation and provide for easier maintenance and a more natural appearance. Ponds with side slopes steeper than 5H:1V must be fenced and include a lockable gate.
- **Long Flow Path.** Dry pond designs should have an irregular shape and a long flow path distance from inlet to outlet to increase water residence time, treatment pathways, pond performance, and to eliminate short-cutting. In terms of flow path geometry, there are two design considerations: (1) the overall flow path through the pond, and (2) the length of the shortest flow path (Hirschman et al., 2009):

The overall flow path can be represented as the length-to-width ratio OR the flow path ratio. These ratios must be at least 2L:1W (3L:1W preferred). Internal berms, baffles, or topography can be used to extend flow paths and/or create multiple pond cells.

The shortest flow path represents the distance from the closest inlet to the outlet. The ratio of the shortest flow to the overall length must be at least 0.4. In some cases—due to site geometry, storm sewer infrastructure, or other factors—some inlets may not be able to meet these ratios. However, the CDA served by these “closer” inlets must constitute no more than 20% of the total CDA.

Top of Bank. Dry ponds shall be provided with a 20-ft maintenance access at the top of bank with a maximum cross slope of 48:1.

Safety Features. The following safety features must be considered for storage practices:

- The underground spillway access must be designed and constructed to prevent access by small children.
- End walls above pipe outfalls greater than 48 inches in diameter must be fenced at the top of the wall to prevent a falling hazard.
- Storage practices must incorporate an additional 1 foot of freeboard above the emergency spillway, or 2 feet of freeboard if design has no emergency spillway, for the 100-year storm.
- The emergency spillway must be located so that downstream structures will not be impacted by spillway discharges
- Underground maintenance access should be locked at all times.

Maintenance Access. All storage practices shall be designed so as to be accessible to annual maintenance. Unless waived by *<local jurisdiction>*, a 5H:1V slope and 15-foot-wide entrance ramp is required for maintenance access to dry ponds. Adequate maintenance access must also be provided for all underground detention systems. Access must be provided over the inlet pipe and outflow structure with access steps. Access openings can consist of a standard 30-inch diameter frame, grate and solid cover, a hinged door, or removable panel. Removable panels must be designed with sufficient support so they cannot fall through the opening into the vault when removed.

Outlets. Trash racks shall be provided for low-flow pipes and for risers not having anti-vortex devices.

To reduce maintenance problems for small orifices, a standpipe design can be used that includes a smaller inner standpipe with the required orifice size, surrounded by a larger standpipe with multiple openings, and a gravel jacket surrounding the larger standpipe. This design will reduce the likelihood of the orifice being clogged by sediment.

Detention Vault and Tank Materials. Underground stormwater detention structures shall be composed of materials as approved by *<local jurisdiction>*. All construction joints and pipe joints shall be soil-tight. Cast-in-place wall sections must be designed as retaining walls. The maximum depth from finished grade to the vault invert is 20 feet. The minimum pipe diameter for underground detention tanks is 24 inches unless otherwise approved by *<local jurisdiction>*. Manufacturer's specifications should be consulted for underground detention structures.

Anti-floatation Analysis for Underground Detention. Anti-floatation analysis is required to check for buoyancy problems in high water table areas. Anchors shall be designed to counter the pipe and structure buoyancy by at least a 1.2 factor of safety.

Storage Practice Sizing. Storage facilities should be sized to control peak flow rates from the 2- to 25-year frequency storm event or other design storm. Design calculations must ensure that the post-development peak discharge does not exceed the predevelopment peak discharge. See Section 3.7.2 Hydrologic and Hydraulic Analysis for a summary of acceptable hydrologic methodologies and models.

For treatment train designs where upland practices are utilized for treatment of the SWRV, designers can use a site-adjusted Rv or NRCS CN that reflects the volume reduction of upland practices to compute the 2- 50-year frequency storm event that must be treated by the storage practice.

4.11.5 Storage Landscaping Criteria

No landscaping criteria apply to underground storage practices.

For dry ponds, a landscaping plan must be provided that indicates the methods used to establish and maintain vegetative coverage within the dry pond. Minimum elements of a plan include the following:

- Delineation of pondscaping zones within the pond.
- Selection of corresponding plant species.
- The planting plan.
- The sequence for preparing the wetland bed, if one is incorporated with the dry pond (including soil amendments, if needed).
- Sources of native plant material.
- The planting plan should allow the pond to mature into a native forest in the right places, but yet keep mowable turf along the embankment and all access areas. The wooded wetland concept proposed by Capiella et al. (2005) may be a good option for many dry ponds.
- Woody vegetation may not be planted or allowed to grow within 15 feet of the toe of the embankment nor within 25 feet from the principal spillway structure.

4.11.6 Storage Construction Sequence

Construction of underground storage systems must be in accordance with manufacturer's specifications. All runoff into the system should be blocked until the site is stabilized. The system must be inspected and cleaned of sediment after the site is stabilized.

The following is a typical construction sequence to properly install a dry pond. The steps may be modified to reflect different dry pond designs, site conditions, and the size, complexity, and configuration of the proposed facility.

1. Use of Dry Pond for Soil Erosion and Sediment Control. A dry pond may serve as a sediment basin during project construction. Installation of the permanent riser should be initiated during the construction phase, and design elevations should be set with final cleanout of the sediment basin and conversion to the post-construction dry pond in mind. The bottom elevation of the dry pond should be lower than the bottom elevation of the temporary sediment basin. Appropriate procedures must be implemented to prevent discharge of turbid waters when the basin is being converted into a dry pond.

2. Stabilize the Contributing Drainage Area. Dry ponds should only be constructed after the CDA to the pond is completely stabilized. If the propose dry pond site will be used as a sediment trap or basin during the construction phase, the construction notes must clearly indicate that the facility will be dewatered, dredged, and regraded to design dimensions after the original site construction is complete.

3. Assemble Construction Materials on Site. Inspect construction materials to ensure they conform to design specifications and prepare any staging areas.

4. Clear and Grade. Bring the project area to the desired subgrade.

5. Soil Erosion and Sediment Controls. Install soil erosion and sediment control measures prior to construction, including temporary stormwater diversion practices. All areas surrounding the pond that are graded or denuded during construction must be planted with turf grass, native plantings, or other approved methods of soil stabilization.

6. Install the Spillway Pipe. Ensure the top invert of the spillway pipe is set to design elevation.

7. Install the Riser or Outflow Structure. Once riser and outflow structures are installed, ensure the top invert of the overflow weir is constructed level and at the design elevation.

8. Construct the Embankment and any Internal Berms. Construct the embankment and berms in 8- to 12-inch lifts and compact the lifts with appropriate equipment.

9. Excavate and Grade. Survey to achieve the appropriate elevation and designed contours for the bottom and side slopes of the dry pond.

10. Construct the Emergency Spillway. The emergency spillway must be constructed in cut or structurally stabilized soils.

11. Install Outlet Pipes. The installation of outlet pipes must include a downstream riprap protection apron.

12. Stabilize Exposed Soils. All areas above the normal pool elevation should be permanently stabilized by hydroseeding or seeding over straw.

13. Dry Pond Construction Supervision. Ongoing construction supervision is recommended to ensure that stormwater ponds are properly constructed. Supervision/inspection is recommended during the following stages of construction:

- Preconstruction meeting
- Initial site preparation including the installation of soil erosion and sediment control measures
- Excavation/Grading (interim and final elevations)
- Installation of the embankment, the riser/primary spillway, and the outlet structure
- Implementation of the pondscaping plan and vegetative stabilization
- Immediately seed or install vegetated ground cover upon completion of sloping and grading of each storage practice, where applicable, within a project.
- Inspect within two weeks to ensure vegetation is in fact holding banks and slopes in place.
- Prior to completion of project, mechanically remove erosion deposition from ponds that occurred during the project. Criteria should be based on erosion of designed bank slopes and loss of storage capacity.
- Final inspection (develop a punch list for facility acceptance)

Construction phase inspection checklist for storage practices and the Stormwater Facility Leak Test form can be found in Appendix E Construction Inspection Checklists.

If the dry pond has a permanent pool, then to facilitate maintenance the contractor should measure the actual constructed dry pond depth at three areas within the permanent pool (forebay, mid-pond, and at the riser), and they should mark and geo-reference them on an as-built drawing. This simple data set will enable maintenance inspectors to determine pond sediment deposition rates in order to schedule sediment cleanouts.

4.11.7 Storage Maintenance Criteria

Typical maintenance activities for storage practices are outlined in Table 4.47. Maintenance requirements for underground storage facilities will generally require quarterly visual inspections from the manhole access points by a qualified professional to verify that there is no standing water or excessive sediment buildup. Entry into the system for a full inspection of the system components (pipe or vault joints, general structural soundness, etc.) should be conducted annually. Confined space entry credentials are typically required for this inspection.

Table 4.47. Typical Maintenance Activities for Storage Practices.

Schedule	Maintenance Activity
As needed	<ul style="list-style-type: none"> ▪ Water dry pond side slopes to promote vegetation growth and survival.
Quarterly	<ul style="list-style-type: none"> ▪ Remove sediment and oil/grease from inlets, pretreatment devices, flow diversion structures, storage practices, and overflow structures. ▪ Ensure that the CDA, inlets, and facility surface are clear of debris. ▪ Ensure that the CDA is stabilized. Perform spot-reseeding where needed. ▪ Repair undercut and eroded areas at inflow and outflow structures.
Annual inspection	<ul style="list-style-type: none"> ▪ Measure sediment accumulation levels in forebay. Remove sediment when 50% of the forebay capacity has been lost. ▪ Inspect the condition of stormwater inlets for material damage, erosion or undercutting. Repair as necessary. ▪ Inspect the banks of upstream and downstream channels for evidence of sloughing, animal burrows, boggy areas, woody growth, or gully erosion that may undermine pond embankment integrity. ▪ Inspect outfall channels for erosion, undercutting, riprap displacement, woody growth, etc. ▪ Inspect condition of principal spillway and riser for evidence of spalling, joint failure, leakage, corrosion, etc. ▪ Inspect condition of all trash racks, reverse sloped pipes, or flashboard risers for evidence of clogging, leakage, debris accumulation, etc. ▪ Inspect maintenance access to ensure it is free of debris or woody vegetation and check to see whether valves, manholes, and locks can be opened and operated. ▪ Inspect internal and external side slopes of dry ponds for evidence of sparse vegetative cover, erosion, or slumping, and make needed repairs immediately. ▪ Monitor the growth of wetlands, trees and shrubs planted in dry ponds. Remove invasive species and replant vegetation where necessary to ensure dense coverage.

Maintenance of storage practices is driven by annual inspections that evaluate the condition and performance of the storage practice. Based on inspection results, specific maintenance tasks will be triggered.

Maintenance inspection checklists for extended detention ponds and the Maintenance Service Completion Inspection form can be found in Appendix F Maintenance Inspection Checklists.

Waste Material. Waste material from the repair, maintenance, or removal of a BMP or land cover shall be removed and disposed of in compliance with applicable local, state, and federal law.

4.11.8 Storage Stormwater Compliance Calculations

Storage practices are credited with 0% retention, but they do receive 80% TSS, 30% TN, and 80% bacteria removal for the SWRv (Table 4.48).

Table 4.48. Storage Retention and Pollutant Removal

Retention	= 0%
TSS Removal	= 60%
TN Removal	= 10%
Bacteria Removal	= 60%

4.11.9 References

ASTM C361-16, Standard Specification for Reinforced Concrete Low-Head Pressure Pipe, ASTM International, West Conshohocken, PA, 2016, www.astm.org

Cappiella, K., Schueler, T., and T. Wright. 2005. Urban Watershed Forestry Manual. Part 1: Methods for Increasing Forest Cover in a Watershed. NA-TP-04-05. USDA Forest Service, Northeastern Area State and Private Forestry. Newtown Square, PA.

City of Austin. 1988. Design Guidelines for Water Quality Control Basins. City of Austin Environmental and Conservation Services Department, Environmental Resources Management Division. Austin, TX.

Hirschman, D., L. Woodworth and S. Drescher. 2009. Technical Report: Stormwater BMPs in Virginia’s James River Basin: An Assessment of Field Conditions & Programs. Center for Watershed Protection. Ellicott City, MD.

Virginia DCR Stormwater Design Specification No. 15: Extended Detention (ED) Pond Version 1.8. 2010.

4.12 Ponds

Ponds				
Definition: Stormwater storage practices that consist of a combination of a permanent pool, micropool, or shallow marsh that promote a good environment for gravitational settling, biological uptake, and microbial activity.				
Site Applicability		BMP Performance Summary		
Land Uses	Required Footprint	WQ Improvement: Moderate to High		
<ul style="list-style-type: none"> ▪ Urban ▪ Suburban ▪ Rural 	Medium	TSS ¹	Total N ¹	Bacteria ¹
		80%	30%	60%
		Runoff Reductions		
Construction Costs	Maintenance Burden	Volume		
Moderate	Moderate	Low		
Maintenance Frequency:		SWRv		
Routine	Non-Routine	0%		
At least annually	Every 5–7 years			
Advantages/Benefits		Disadvantages/Limitation		
<ul style="list-style-type: none"> ▪ Moderate to high pollutant removal ▪ Can be designed as a multi-functional BMP ▪ Cost effective ▪ Good for sites with high water table and/or poorly drained soils ▪ Wildlife habitat potential ▪ High community acceptance when integrated into a development 		<ul style="list-style-type: none"> ▪ Requires large amount of flat land (1-3% of CDA) ▪ Must be properly designed, installed, and maintained to avoid nuisance problems ▪ Routine sediment cleanout may be needed ▪ Potential for thermal impacts downstream 		
Components		Design considerations		
<ul style="list-style-type: none"> ▪ Conveyance ▪ Forebay ▪ Ponding area with available storage ▪ Micropool ▪ Spillway system(s) ▪ Liners, as needed 		<ul style="list-style-type: none"> ▪ CDA of at least 10 acres and slopes <15% ▪ Use CN adjustment factor ARC III for CDA that are irrigated with harvested rainwater ▪ Minimum length to width ratio = 3:1 ▪ Maximum depth of permanent pool = 8' ▪ 3:1 side slopes or flatter around pond perimeter 		
Maintenance Activities				
<ul style="list-style-type: none"> ▪ Remove debris from inlet and outlet structures ▪ Maintain side slopes/remove invasive vegetation 		<ul style="list-style-type: none"> ▪ Monitor sediment accumulation and remove periodically 		

¹Credited pollutant load removal

Stormwater ponds are widely applicable for most land uses and are best suited for larger drainage areas (Figure 4.47); however, they should be considered for use after all other upland retention opportunities have been exhausted and there is still a remaining treatment volume or runoff from larger storms (i.e., 2- to 25-year or flood control events) to manage.

Stormwater ponds receive no retention credit and should be considered mainly for management of larger storm events. Stormwater ponds have both community and environmental concerns (see Section 4.12.1 Pond Feasibility Criteria) that should be considered before choosing stormwater ponds as the appropriate stormwater practice on site.



Figure 4.47 Wet Pond (photo: Denise Sanger)

Definition. Stormwater ponds are stormwater storage practices that consist of a combination of a permanent pool, micropool, or shallow marsh that promote a good environment for gravitational settling, biological uptake, and microbial activity. Ponds are best suited for larger SDAs. Runoff from each new storm enters the pond and partially displaces pool water from previous storms. The pool also acts as a barrier to resuspension of sediments and other pollutants deposited during prior storms. When sized properly, stormwater ponds have a residence time that ranges from many days to several weeks, which allows numerous pollutant removal mechanisms to operate. Stormwater ponds can also provide storage above the permanent pool to help meet stormwater management requirements for larger storms. Design variants include the following (see Figure 4. 47 and Figure 4. 48):

- C-1 Micropool extended detention pond
- C-2 Wet pond
- C-3 Wet extended detention pond

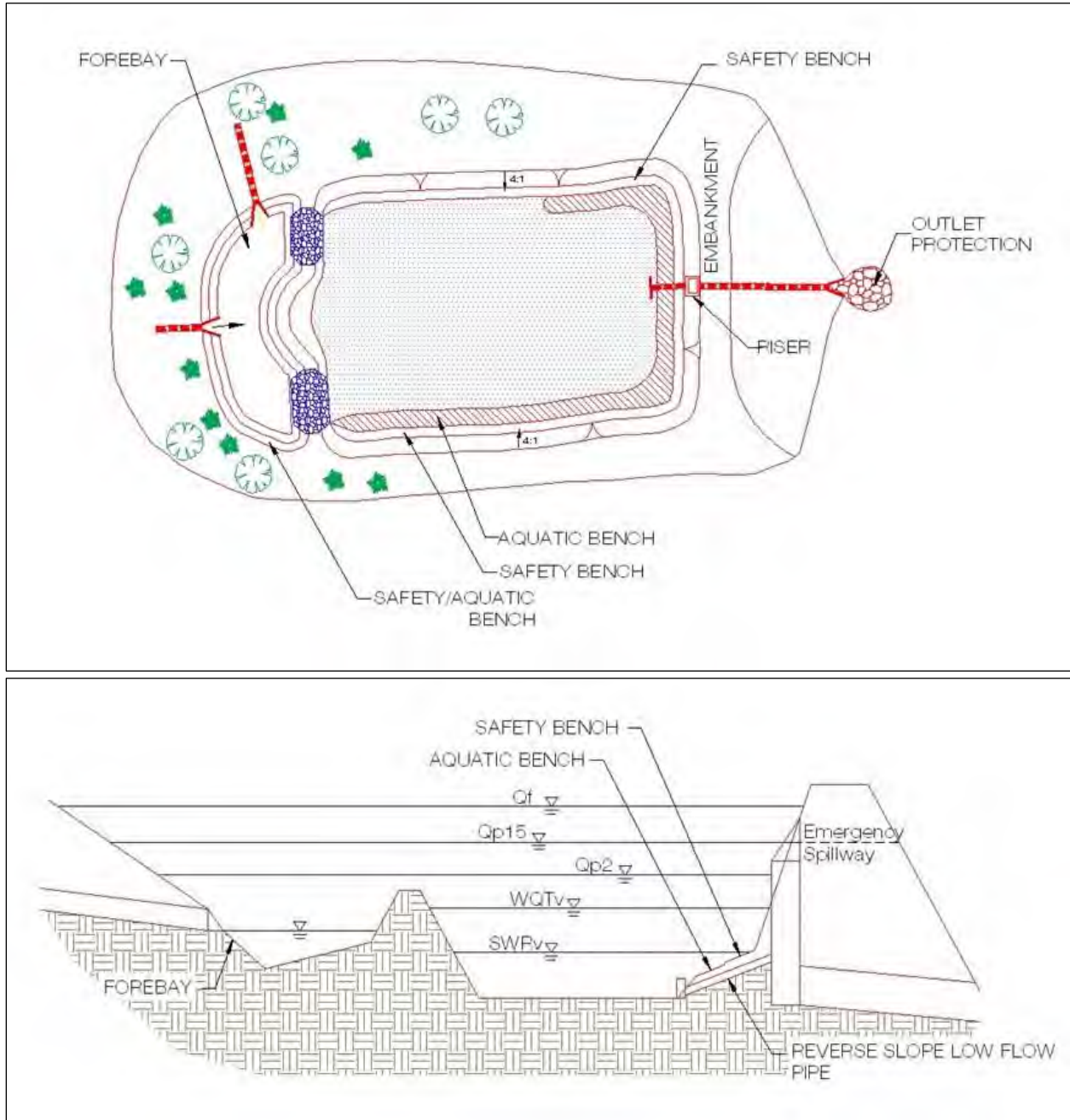


Figure 4.48 Design schematics for a wet pond (C-2).

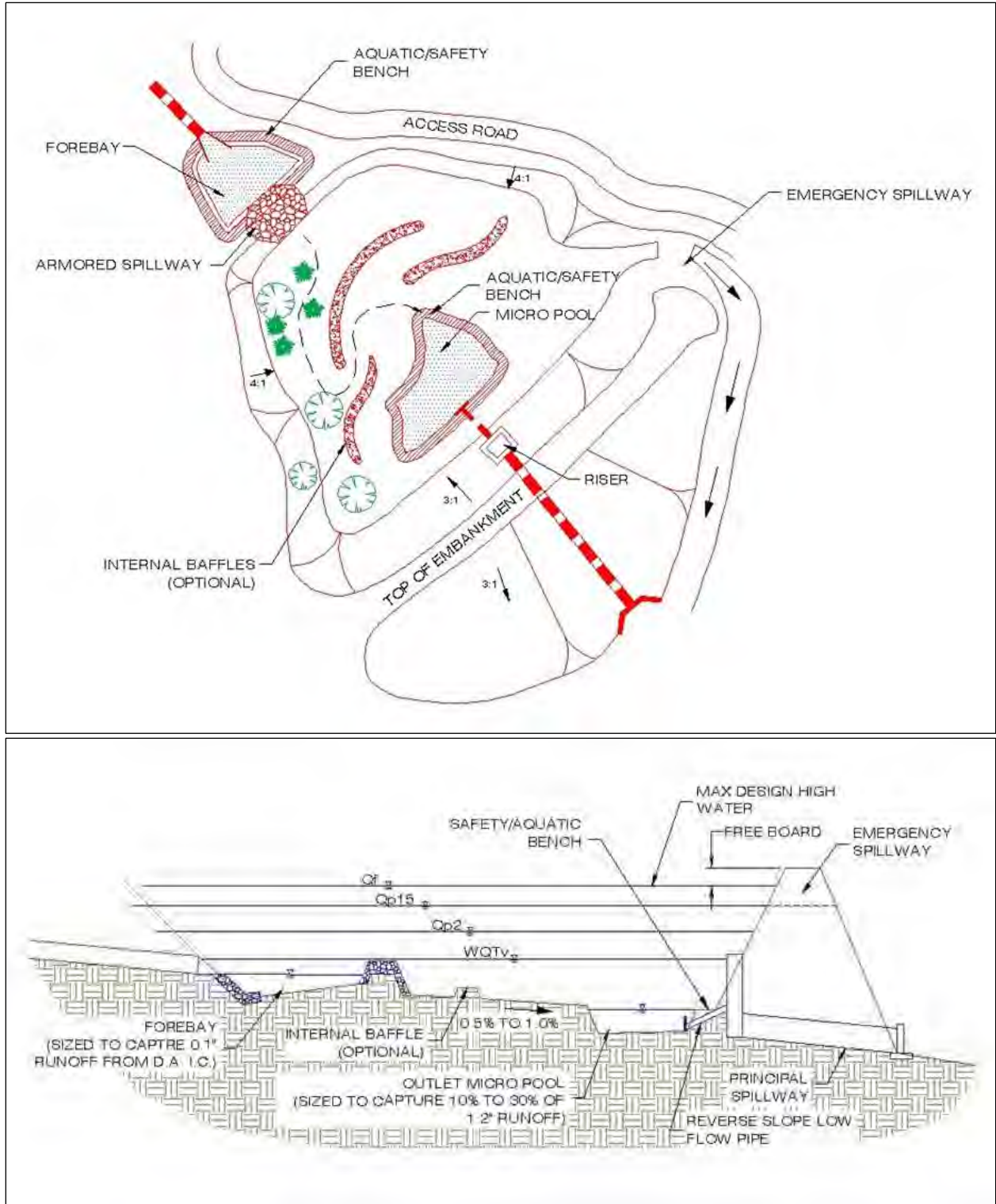


Figure 4.49 Typical extended detention pond (C-3) details.

4.12.1 Pond Feasibility Criteria

The following feasibility issues need to be considered when ponds are considered a final stormwater management practice of the treatment train.

Adequate Water Balance. Wet ponds must have enough water supplied from groundwater, runoff, or baseflow so that the wet pools will not draw down by more than 2 feet after a 30-day summer drought. A simple water balance calculation must be performed using the Equation 4.27 in Section 4.10.4 Pond Design Criteria.

Contributing Drainage Area. A CDA of 10 to 25 acres is typically recommended for ponds to maintain constant water elevations. Ponds can still function with CDAs less than 10 acres, but designers should be aware that these “pocket” ponds will be prone to clogging, experience fluctuating water levels, and generate more nuisance conditions.

Space Requirements. The surface area of a pond will normally be at least 1%–3% of its CDA, depending on the pond’s depth.

Site Topography. Ponds are best applied when the grade of contributing slopes is less than 15%.

Available Hydraulic Head. The depth of a pond is usually determined by the hydraulic head available on the site. The bottom elevation is normally the invert of the existing downstream conveyance system to which the pond discharges. Typically, a minimum of 6 to 8 feet of head are needed to hold the wet pool and any additional large storm storage or overflow capacity for a pond to function.

Setbacks. Setbacks to structures and property lines must be at least 10 feet and adequate waterproofing protection must be provided for foundations and basements.

Proximity to Utilities. For an open pond system, no utility lines shall be permitted to cross any part of the embankment of a wet pool.

Depth to Water Table. The depth to the groundwater table is not a major constraint for stormwater ponds because a high water table can help maintain wetland conditions. However, groundwater inputs can also reduce the pollutant removal rates of ponds. Further, if the water table is close to the surface, it may make excavation difficult and expensive.

Tailwater Conditions. The flow depth in the receiving channel should be considered when determining outlet elevations and discharge rates from wet pond. Design tailwater condition elevation shall be supported by a reasonable resource and/or analysis. For direct discharges to tidal waters, a king tide evaluation shall accompany the tailwater condition evaluation.

Soils. Highly permeable soils will make it difficult to maintain a healthy permanent pool. Soil infiltration tests need to be conducted at proposed pond sites to determine the need for a pond liner or other method to ensure a constant water surface elevation. Underlying soils of HSG C or D should be adequate to maintain a permanent pool. Most HSG A soils and some HSG B soils will require a liner (see Table 3.42). Geotechnical tests should be conducted to determine the saturated hydraulic conductivity and other subsurface properties of the soils beneath the proposed pond.

Use of or Discharges to Natural Wetlands. Ponds cannot be located within State waters, including wetlands, without obtaining a Section 404 permit or other permissions from the appropriate state or

federal regulatory agency. In addition, the designer should investigate the wetland status of adjacent areas to determine if the discharge from the pond will change the hydroperiod of a downstream natural wetland (see Cappiella et al., 2006, for guidance on minimizing stormwater discharges to existing wetlands).

Perennial Streams. Locating ponds on perennial streams will require both US Army COE permits under Clean Water Act Section 401 and Section 404 or other permissions from the appropriate state or federal regulatory agency.

Economic Considerations. Wet detention ponds tend to have low construction costs and low space demands (in terms of the land area needed to treat a given volume of water) relative to other LID practices. In addition, the soil excavated to construct ponds can be used as fill, which is often needed for construction on low-lying coastal areas.

Community and Environmental Concerns. Ponds can generate the following community and environmental concerns that need to be addressed during design:

- **Aesthetic Issues.** Many residents feel that ponds are an attractive landscape feature, promote a greater sense of community and are an attractive habitat for fish and wildlife. Designers should note that these benefits are often diminished where ponds are under-sized or have small CDAs.
- **Existing Forests.** Construction of a pond may involve extensive clearing of existing forest cover. Designers can expect a great deal of neighborhood opposition if they do not make a concerted effort to save mature trees during pond design and construction. Consideration of Better Site Design Principles is implicit with permitting decisions related to clearing of existing forest cover.
- **Safety Risk.** Pond safety is an important community concern, since both young children and adults have perished by drowning in ponds through a variety of accidents, including falling through thin ice cover. Gentle side slopes and safety benches should be provided to avoid potentially dangerous drop-offs, especially where ponds are located near residential areas.
- **Pollutant Concerns.** Ponds collect and store water and sediment to increase residence time that will increase the likelihood for contaminated water and sediments to be neutralized. However, poorly sized, maintained, and/or functioning ponds can export contaminated sediments and/or water to receiving waterbodies (Mallin, 2000; Mallin et al., 2001; Messersmith, 2007). Further, designers are cautioned that recent research on ponds has shown that some ponds can be hotspots or incubators for algae that generate harmful algal blooms (HABs).
- **Mosquito Risk.** Mosquitoes are not a major problem for larger ponds (Santana et al., 1994; Ladd and Frankenburg, 2003; Hunt et al., 2005). However, fluctuating water levels in smaller or under-sized ponds could pose some risk for mosquito breeding. Mosquito problems can be minimized through simple design features and maintenance operations described in MSSC (2005).
- **Geese and Waterfowl.** Ponds with extensive turf and shallow shorelines can attract nuisance populations of resident geese and other waterfowl, whose droppings add to the nutrient and bacteria loads, thus reducing the removal efficiency for those pollutants. Several design and landscaping features can make ponds much less attractive to geese (see Schueler, 1992).

4.12.2 Pond Conveyance Criteria

Internal Slope. The longitudinal slope of the pond bottom should be at least 0.5% to facilitate maintenance.

Primary Spillway. The spillway shall be designed with acceptable anti-flotation, anti-vortex and trash rack devices. The spillway must generally be accessible from dry land. When reinforced concrete pipe is used for the principal spillway to increase its longevity, “O-ring” gaskets (ASTM C361) shall be used to create watertight joints.

Non-Clogging Low-Flow Orifice. A low-flow orifice must be provided that is adequately protected from clogging by either an acceptable external trash rack or by internal orifice protection that may allow for smaller diameters. Orifices less than 3 inches in diameter may require extra attention during design to minimize the potential for clogging.

- One option is a submerged reverse-slope pipe that extends downward from the riser to an inflow point 1 foot below the normal pool elevation.
- Alternative methods must employ a broad crested rectangular V-notch (or proportional) weir, protected by a half-round CMP that extends at least 12 inches below the normal pool elevation.

Emergency Spillway. Ponds must be constructed with overflow capacity to pass the 100-year design storm event through either the primary spillway or a vegetated or armored emergency spillway unless waived by *<local jurisdiction>*.

Adequate Outfall Protection. The design must specify an outfall that will be stable for the 25-year design storm event. The channel immediately below the pond outfall must be modified to prevent erosion and conform to natural dimensions in the shortest possible distance. This is typically done by placing appropriately sized riprap over geotextile fabric, which can reduce flow velocities from the principal spillway to non-erosive levels (3.5 to 5.0 feet per second) depending on the channel lining material. Flared pipe sections, which discharge at or near the stream invert or into a step pool arrangement, should be used at the spillway outlet.

When the discharge is to a manmade pipe or channel system, the system must be adequate to convey the required design storm peak discharge.

If a pond daylights to a channel with dry weather flow, care should be taken to minimize tree clearing along the downstream channel, and to reestablish a forested riparian zone in the shortest possible distance. Excessive use of riprap should be avoided.

The final release rate of the facility shall be modified if any increase in flooding or stream channel erosion would result at a downstream structure, highway, or natural point of restricted streamflow.

Inlet Protection. Inflow points into the pond must be stabilized to ensure that non-erosive conditions exist during storm events up to the overbank flood event (i.e., the 25-year storm event). Inlet pipe inverts should generally be located at or slightly below the permanent pool elevation. A forebay shall be provided at each inflow location, unless the inlet is submerged or inflow provides less than 10% of the total design storm inflow to the pond.

Dam Safety Permits. The designer must verify whether or not Dam Safety permits or approvals are required for the embankment.

4.12.3 Pond Pretreatment Criteria

Sediment forebays are considered to be an integral design feature to maintain the longevity of all ponds. A forebay must be located at each major inlet to trap sediment and preserve the capacity of the main treatment cell. The following criteria apply to forebay design:

- A major inlet is defined as an individual storm drain inlet pipe or open channel serving at least 10% of the pond's CDA.
- The forebay consists of a separate cell, formed by an acceptable barrier (e.g., an earthen berm, concrete weir, gabion baskets, etc.).
- The forebay should be between 4 and 6 feet deep and must be equipped with a variable width aquatic bench for safety purposes. The aquatic bench should be 4 to 6 feet wide at a depth of 1 to 2 feet below the water surface. Small forebays may require alternate geometry to achieve the goals of pretreatment and safety within a small area.
- The forebay shall be sized to contain 0.1 inches of runoff from the contributing drainage impervious area. The relative size of individual forebays should be proportional to the percentage of the total inflow to the pond.
- The bottom of the forebay may be hardened (e.g., with concrete, asphalt, or grouted riprap) to make sediment removal easier.
- The forebay must be equipped with a metered rod in the center of the pool (as measured lengthwise along the low-flow water travel path) for long-term monitoring of sediment accumulation.
- Exit velocities from the forebay shall be non-erosive or an armored overflow shall be provided. Non-erosive velocities are 4 feet per second for the 2-year event, and 6 feet per second for the 25-year event.
- Direct maintenance access for appropriate equipment shall be provided to each forebay.
- Designers of ponds that are used for irrigation should be mindful of pretreatment provisions that help prevent irrigation system pluggages and operational issues.

4.12.4 Pond Design Criteria

Pond Storage Design. The pond permanent pool must be sized to store a volume equivalent to the SWRV. Volume storage may be provided in multiple cells. Performance is enhanced when multiple treatment pathways are provided by using multiple cells, longer flowpaths, high surface area to volume ratios, complex microtopography, and/or redundant treatment methods (combinations of pool, ED, and marsh). Volume storage below the permanent pool is not considered in the detention calculations.

Pond Geometry. Pond designs should have an irregular shape and a long flow path from inlet to outlet to increase water residence time and pond performance. The minimum length to width ratio (i.e., length relative to width) for ponds is 1.5:1. Greater flowpaths and irregular shapes are recommended. Internal berms, baffles, or vegetated peninsulas can be used to extend flow paths and/or create multiple pond cells.

Permanent Pool Depth. The maximum depth of the permanent pool should not generally exceed 8 feet unless the pond is designed for multiple uses.

Micropool. A micropool is a 3- to 6-foot-deep pool used to protect the low-flow pipe from clogging and to prevent sediment resuspension. For micropool extended detention ponds, the micropool shall be designed to hold at least 10%–25% of the 85th or 95th percentile storm event.

Side Slopes. Side slopes for ponds should generally have a gradient no steeper than 3H:1V. Mild slopes promote better establishment and growth of vegetation and provide for easier maintenance and a more natural appearance.

Maximum Extended Detention Levels. The total storage, including any ponding for larger flooding events (100-year storm) should not extend more than 5 feet above the pond permanent pool unless specific design enhancements to ensure side slope stability, safety, and maintenance are identified and approved.

Top of Bank. Storm ponds shall be provided with a 20-ft maintenance access at the top of bank with a maximum cross slope of 48:1.

Stormwater Pond Benches. The perimeter of all pool areas greater than 4 feet in depth must be surrounded by two benches, as follows:

- **Safety Bench.** This is a flat bench located just outside of the perimeter of the permanent pool to allow for maintenance access and reduce safety risks. Except when the stormwater pond side slopes are 5H:1V or flatter, provide a safety bench that generally extends 8 to 15 feet outward from the normal water edge to the toe of the stormwater pond side slope. The maximum slope of the safety bench is 5%.
- **Aquatic Bench.** This is a shallow area just inside the perimeter of the normal pool that promotes growth of aquatic and wetland plants. The bench also serves as a safety feature, reduces shoreline erosion, and conceals floatable trash. Incorporate an aquatic bench that generally extends up to 10 feet inward from the normal shoreline, has an irregular configuration, and extends a maximum depth of 18 inches below the normal pool water surface elevation.

Liners. When a stormwater pond is located over highly permeable soils, a liner may be needed to sustain a permanent pool of water. If geotechnical tests confirm the need for a liner, acceptable options include the following:

1. a clay liner following the specifications outlined in Table 4.49;
2. a 30-mil- poly-liner;
3. bentonite;
4. use of chemical additives; or
5. an engineering design, as approved on a case-by-case basis by *<local jurisdiction>*.

A clay liner must have a minimum thickness of 12 inches with an additional 12-inch layer of compacted soil above it, and it must meet the specifications outlined in Table 4.49. Other synthetic liners can be used if the designer can supply supporting documentation that the material will achieve the required performance.

Table 4.49. Clay Liner Specifications

Property	Test Method	Unit	Specification
Permeability	ASTM D2434	cm/s	1×10^{-6}
Plasticity Index of Clay	ASTM D4318	%	Not less than 15
Liquid Limit of Clay	ASTM D2216	%	Not less than 30
Clay Particles Passing	ASTM D422	%	Not less than 30
Clay Compaction	ASTM D2216	%	95% of standard proctor density

Source: VA DCR (1999)

Required Geotechnical Testing. Soil borings must be taken below the proposed embankment, in the vicinity of the proposed outlet area, and in at least two locations within the proposed pond treatment area. Soil boring data is needed to (1) determine the physical characteristics of the excavated material, (2) determine its adequacy for use as structural fill or spoil, (3) provide data for structural designs of the outlet works (e.g., bearing capacity and buoyancy), (4) determine compaction/composition needs for the embankment, (5) determine the depth to groundwater and (6) evaluate potential infiltration losses (and the potential need for a liner).

Non-clogging Low-Flow (Extended Detention) Orifice. The low-flow ED orifice shall be adequately protected from clogging by an acceptable external trash rack. The preferred method is a submerged reverse-slope pipe that extends downward from the riser to an inflow point 1 foot below the normal pool elevation. Alternative methods are to employ a broad crested rectangular, V-notch, or proportional weir, protected by a half-round CMP that extends at least 12 inches below the normal pool.

Riser in Embankment. The riser should be located within the embankment for maintenance access, safety, and aesthetics. Access to the riser is to be provided by lockable manhole covers and manhole steps within easy reach of valves and other controls. The principal spillway opening can be "fenced" with pipe or rebar at 8-inch intervals for safety purposes.

Trash Racks. Trash racks shall be provided for low-flow pipes and for riser openings not having anti-vortex devices.

Pond Drain. Ponds should have a drainpipe that can completely or partially drain the permanent pool. In cases where a low-level drain is not feasible (such as in an excavated pond), a pump well must be provided to accommodate a temporary pump intake when needed to drain the pond.

- The drain pipe must have an upturned elbow or protected intake within the pond to help keep it clear of sediment deposition, and a diameter capable of draining the pond within 24 hours.
- The pond drain must be equipped with an adjustable valve located within the riser, where it will not be normally inundated and can be operated in a safe manner.

Care must be exercised during pond drawdowns to prevent downstream discharge of sediments or anoxic water and rapid drawdown. The approving authority shall be notified before draining a pond.

Safety Features.

- The principal spillway opening must be designed and constructed to prevent access by small children.
- End walls above pipe outfalls greater than 48 inches in diameter must be fenced to prevent a falling hazard.
- Storage practices must incorporate an additional 1 foot of freeboard above the emergency spillway, or 2 feet of freeboard if design has no emergency spillway, for the 100-year storm.
- The emergency spillway must be located so that downstream structures will not be impacted by spillway discharges.
- Both the safety bench and the aquatic bench should be landscaped with vegetation that hinders or prevents access to the pool.
- Warning signs prohibiting swimming must be posted.
- Where permitted, fencing of the perimeter of ponds is discouraged. The preferred method to reduce risk is to manage the contours of the stormwater pond to eliminate drop-offs or other safety hazards. Fencing is required at or above the maximum water surface elevation in the rare situations when the pond slope is a vertical wall.
- Side slopes to the pond shall not be steeper than 3H:1V, and shall terminate on a 15-foot-wide safety bench. Both the safety bench and the aquatic bench may be landscaped to prevent access to the pool. The bench requirement may be waived if slopes are 4H:1V or flatter.

Maintenance Reduction Features. Many maintenance issues can be addressed through well designed access. All ponds must be designed for annual maintenance. Good access is needed so crews can remove sediments, make repairs, and preserve pond-treatment capacity. Design for the following:

- Adequate maintenance access must extend to the forebay, safety bench, riser, and outlet structure and must have sufficient area to allow vehicles to turn around.
 - The riser should be located within the embankment for maintenance access, safety, and aesthetics. Access to the riser should be provided by lockable manhole covers and manhole steps within easy reach of valves and other controls.
 - Access roads must (1) be constructed of load-bearing materials or be built to withstand the expected frequency of use, (2) have a minimum width of 20 feet, and (3) have a profile grade that does not exceed 5H:1V.
 - A maintenance right-of-way or easement must extend to the stormwater pond from a public or private road.
 - No permanent structures (mechanical, electrical, phone, fences) or landscaping are allowed within the 20' pond maintenance access easement.
- **Material Specifications.** ED ponds are generally constructed with materials obtained on site, except for the plant materials, inflow and outflow devices (e.g., piping and riser materials), possibly stone for inlet and outlet stabilization, and geotextile fabric for lining banks or berms.
 - **Pond Sizing.** Stormwater ponds can be designed to capture and treat the remaining stormwater discharged from upstream practices from the design storm (SWR_v). Additionally, stormwater ponds may be sized to control peak flow rates from the 2- to 25-year frequency storm event or other design storms as required. Design calculations must ensure that the post-development peak

discharge does not exceed the predevelopment peak discharge. See Section 3.7.2 Hydrologic and Hydraulic Analysis and Appendix I for a summary of acceptable hydrologic methodologies and models.

For treatment train designs where upland practices are utilized for treatment of the SWRv, designers can use a site-adjusted Rv or NRSC CN that reflects the volume reduction of upland practices to compute the 2- 50-year frequency storm event that must be treated by the stormwater pond.

The pond permanent pool must be sized to store a volume equivalent to the SWRv or design volume.

The storage volume (Sv) of the practice is equal to the volume provided by the pond permanent pool (Equation 4. 26). The total Sv cannot exceed the design SWRv.

Equation 4.26 Pond Storage Volume

$$Sv = \text{Pond permanent pool volume}$$

- **Water Balance Testing.** A water balance calculation is recommended to document that sufficient inflows to wet ponds and wet ED ponds exist to compensate for combined infiltration and evapotranspiration losses during a 30-day summer drought without creating unacceptable drawdowns (see Equation 4.27, adapted from Hunt et al., 2007). The recommended minimum pool depth to avoid nuisance conditions may vary; however, it is generally recommended that the water balance maintain a minimum 24-inch reservoir.

Equation 4.27 Water Balance Equation for Acceptable Water Depth in a Wet Pond

$$DP > ET + INF + RES - MB$$

Where:

- DP* = average design depth of the permanent pool (in.)
- ET* = summer evapotranspiration rate (in.) (assume 8 in.)
- INF* = monthly infiltration loss (assume 7.2 inches at 0.01 in./hour)
- RES* = reservoir of water for a factor of safety (assume 24 in.)
- MB* = measured baseflow rate to the pond, if any convert to pond-inches (in.)

Design factors that will alter this equation are the measurements of seasonal base flow and infiltration rate. The use of a liner could eliminate or greatly reduce the influence of infiltration. Similarly, land use changes in the upstream watershed could alter the base flow conditions over time (e.g., urbanization and increased impervious cover).

Translating the baseflow to inches refers to the depth within the pond. Therefore, Equation 4. 28 can be used to convert the baseflow, measured in cubic feet per second (cfs), to pond-inches:

Equation 4.28 Baseflow Conversion

$$Pond - inches = \frac{MB \times 2.592 \times 10^6 \times 12}{SA}$$

Where:

<i>Pond – inches</i>	=	depth within the pond (in,)
<i>MB</i>	=	measured baseflow rate to the pond (cfs)
2.592×10^6	=	conversion factor, converting cfs to ft ³ /month
12	=	conversion factor, converting feet to inches
<i>SA</i>	=	surface area of pond (ft ²)

4.12.5 Pond Landscaping Criteria

Pond Benches. The perimeter of all deep pool areas (4 feet or greater in depth) must be surrounded by two benches:

- A safety bench that extends 8 to 15 feet outward from the normal water edge to the toe of the pond side slope. The maximum slope of the safety bench shall be 6%.
- An aquatic bench that extends up to 10 feet inward from the normal shoreline and has a maximum depth of 18 inches below the normal pool water surface elevation.

Landscaping and Planting Plan. A landscaping plan must be provided that indicates the methods used to establish and maintain vegetative coverage in the pond and its buffer (see Section 4.3.5 Bioretention Landscaping Criteria for extended landscaping and planting details). Minimum elements of a landscaping plan include the following:

- Delineation of pondscape zones within both the pond and buffer.
- Selection of corresponding plant species.
- The planting plan.
- The sequence for preparing the wetland benches (including soil amendments, if needed).
- Sources of native plant material.
- The landscaping plan should provide elements that promote diverse wildlife and waterfowl use within the stormwater wetland and buffers.
- Woody vegetation may not be planted or allowed to grow within 15 feet of the toe of the embankment nor within 25 feet from the principal spillway structure.
- A vegetated buffer should be provided that extends at least 25 feet outward from the maximum water surface elevation of the pond. Permanent structures (e.g., buildings) should not be constructed within the buffer area. Existing trees should be preserved in the buffer area during construction.
- The soils in the stormwater buffer area are often severely compacted during the construction process, to ensure stability. The density of these compacted soils can be so great that it effectively prevents root penetration and, therefore, may lead to premature mortality or loss of vigor. As a rule of thumb, planting holes should be three times deeper and wider than the diameter of the root ball for bare root and ball-and-burlap stock, and five times deeper and wider for container-grown stock.

- Avoid species that require full shade or are prone to wind damage. Extra mulching around the base of trees and shrubs is strongly recommended as a means of conserving moisture and suppressing weeds.

For more guidance on planting trees and shrubs in pond buffers, consult Cappiella et al. (2006).

4.12.6 Pond Construction Sequence

The following is a typical construction sequence to properly install a stormwater pond. The steps may be modified to reflect different pond designs; site conditions; and the size, complexity and configuration of the proposed facility.

1. Use of Ponds for Soil Erosion and Sediment Control. A pond may serve as a sediment basin during project construction. If this is done, the volume should be based on the more stringent sizing rule (soil erosion and sediment control requirement versus storage volume requirement). Installation of the permanent riser should be initiated during the construction phase, and design elevations should be set with final cleanout of the sediment basin and conversion to the post-construction pond in mind. The bottom elevation of the pond should be lower than the bottom elevation of the temporary sediment basin. Appropriate procedures must be implemented to prevent discharge of turbid waters when the basin is being converted into a pond.

Approval from *<local jurisdiction>* must be obtained before any sediment pond can be used as for stormwater management.

2. Stabilize the Contributing Drainage Area. Ponds should only be constructed after the CDA to the pond is completely stabilized. If the proposed pond site will be used as a sediment trap or basin during the construction phase, the construction notes should clearly indicate that the facility will be de-watered, dredged, and regraded to design dimensions after the original site construction is complete.

3. Assemble Construction Materials on Site. Inspect construction materials to ensure they conform to design specifications and prepare any staging areas.

4. Clear and Strip. Bring the project area to the desired subgrade.

5. Soil Erosion and Sediment Controls. Install soil erosion and sediment control measures prior to construction, including temporary de-watering devices and stormwater diversion practices. All areas surrounding the pond that are graded or denuded during construction must be planted with turf grass, native plantings, or other approved methods of soil stabilization.

6. Excavate the Core Trench and Install the Spillway Pipe.

7. Install the Riser or Outflow Structure. Once riser and outflow structures are installed ensure the top invert of the overflow weir is constructed level at the design elevation.

8. Construct the Embankment and any Internal Berms. These features must be installed in 8- to 12-inch lifts; compact the lifts with appropriate equipment.

9. Excavate and Grade. Survey to achieve the appropriate elevation and designed contours for the bottom and side slopes of the pond.

10. Construct the Emergency Spillway. The emergency spillway must be constructed in cut or structurally stabilized soils.

11. Install Outlet Pipes. The installation of outlet pipes must include a downstream riprap protection apron.

12. Stabilize Exposed Soils. Use temporary seed mixtures appropriate for the pond buffer to stabilize the exposed soils. All areas above the normal pool elevation must be permanently stabilized by hydroseeding or seeding over straw.

13. Plant the Pond Buffer Area. Establish the planting areas according to the pondscaping plan (see Section 4.12.5 Pond Landscaping Criteria).

Construction Supervision. Supervision during construction is recommended to ensure that stormwater ponds are properly constructed, especially during the following stages of construction:

- Preconstruction meeting
- Initial site preparation including the installation of soil erosion and sediment control measures
- Excavation/Grading (interim and final elevations)
- Installation of the embankment, the riser/primary spillway, and the outlet structure
- Implementation of the pondscaping plan and vegetative stabilization
- Immediately seed or install vegetated ground cover upon completion of sloping and grading of each stormwater pond within a project.
- Inspect within two weeks to insure vegetation is in fact holding banks and slopes in place.
- Prior to completion of project, mechanically remove erosion deposition from ponds that occurred during the project. Criteria should be based on erosion of designed bank slopes and loss of storage capacity.
- Final inspection (develop a punch list for facility acceptance)

Construction phase inspection checklist for ponds can be found in Appendix E Construction Inspection Checklists.

To facilitate maintenance, contractors should measure the actual constructed pond depth at three areas within the permanent pool (forebay, mid-pond and at the riser), and they should mark and geo-reference them on an as-built drawing. This simple data set will enable maintenance inspectors to determine pond sediment deposition rates in order to schedule sediment cleanouts.

4.12.7 Pond Maintenance Criteria

Maintenance is needed so stormwater ponds continue to operate as designed on a long-term basis. Ponds normally have fewer routine maintenance requirements than other stormwater control measures. Stormwater pond maintenance activities vary regarding the level of effort and expertise required to perform them. Routine stormwater pond maintenance, such as mowing and removing debris and trash, is needed several times each year (see Table 4.50). More significant maintenance (e.g., removing accumulated sediment) is needed less frequently but requires more skilled labor and special equipment. Inspection and repair of critical structural features (e.g., embankments and risers) needs to be performed by a qualified professional (e.g., a structural engineer) who has experience in the construction, inspection, and repair of these features.

Table 4.50. Pond Maintenance Tasks and Frequency.

Frequency	Maintenance Items
During establishment, as needed (first year)	<ul style="list-style-type: none"> ▪ Inspect the site at least twice after storm events that exceed a 1/2 inch of rainfall. ▪ Plant the aquatic benches with emergent wetland species, following the planting recommendations contained in Section 4.11.6 Stormwater Wetland Landscaping Criteria. ▪ Stabilize any bare or eroding areas in the CDA or around the pond buffer. ▪ Water trees and shrubs planted in the pond buffer during the first growing season. In general, consider watering every 3 days for first month, and then weekly during the remainder of the first growing season (April through October), depending on rainfall.
Quarterly or after major storms (>1 inch of rainfall)	<ul style="list-style-type: none"> ▪ Mowing (twice a year) ▪ Remove debris and blockages ▪ Repair undercut, eroded, and bare soil areas
Twice a year	<ul style="list-style-type: none"> ▪ Mowing of the buffer and pond embankment
Annually	<ul style="list-style-type: none"> ▪ Shoreline cleanup to remove trash, debris, and floatables ▪ A full maintenance inspection ▪ Open up the riser to access and test the valves ▪ Repair broken mechanical components, if needed
Once—during the second year following construction	<ul style="list-style-type: none"> ▪ Pond buffer and aquatic bench reinforcement plantings
Every 5 to 7 years	<ul style="list-style-type: none"> ▪ Forebay sediment removal
From 5 to 25 years	<ul style="list-style-type: none"> ▪ Repair pipes, the riser, and spillway, as needed

Sediment removal in the pond pretreatment forebay should occur every 5 to 7 years or after 50% of total forebay capacity has been lost. The designer should also check to see whether removed sediments can be spoiled on site or must be hauled away. Sediments excavated from ponds are not usually considered toxic or hazardous. They can be safely disposed of by either land application or land filling. Sediment testing may be needed prior to sediment disposal if the pond serves a pollutant hotspot land use, as the sediment could be potentially toxic or hazardous (Weinstein et al., 2008). In lieu of local regulations for sediment testing, the parameters in Table 4.51 may be used.

Table 4.51. Ceiling Levels Governing Management of Accumulated Sediment¹

Parameter	Ceiling Level (ppm or mg/kg)
Total Arsenic	8
Total Cadmium	10
Total Chromium	100
Total Lead	250
pH	Less than 5 or greater than 10 standard units
Electrical Conductivity	8 deciSiemens/meter (dS/m) at 25°C
¹ Excerpt from Wisconsin Administrative Code NR 528.03, Table 2	

Maintenance Plans. Maintenance plans must clearly outline how vegetation in the pond and its buffer will be managed or harvested in the future. Periodic mowing of the stormwater buffer is only required along maintenance rights-of-way and the embankment. The remaining buffer can be managed as a meadow (mowing every other year) or forest. The maintenance plan should schedule a shoreline cleanup at least once a year to remove trash and floatables. For information on chemical control methods for aquatic plants, consult Clemson’s fact sheet entitled “Aquatic Weed Control Overview” available online at <http://www.clemson.edu/extension/hgic/plants/other/landscaping/hgic1714.html>.

Maintenance Inspections. Maintenance of a pond is driven by annual inspections by a qualified professional who evaluates the condition and performance of the pond. Based on inspection results, specific maintenance tasks will be triggered.

Maintenance inspection checklist for stormwater ponds and the Maintenance Service Completion Inspection form can be found in Appendix F Maintenance Inspection Checklists.

Waste Material. Waste material from the repair, maintenance, or removal of a BMP or land cover shall be removed and disposed of in compliance with applicable local, state, and federal law. However, sediment testing may be needed prior to sediment disposal because sediments excavated from ponds could be contaminated.

4.12.8 Pond Stormwater Compliance Calculations

Stormwater ponds are credited with 0% retention, but they do receive 80% TSS, 30% TN, and 60% bacteria removal for the storage volume (Sv) provided by in the permanent pool (Table 4.52).

Table 4.52. Pond Retention and Pollutant Removal

Retention	= 0%
TSS Removal	= 80%
TN Removal	= 30%
Bacteria Removal	= 60%

4.12.9 References

ASTM C361-16, Standard Specification for Reinforced Concrete Low-Head Pressure Pipe, ASTM International, West Conshohocken, PA, 2016, www.astm.org

ASTM D2216-10, Standard Test Methods for Laboratory Determination of Water (Moisture) Content of Soil and Rock by Mass, ASTM International, West Conshohocken, PA, 2010, www.astm.org

ASTM D2434-68(2006), Standard Test Method for Permeability of Granular Soils (Constant Head) (Withdrawn 2015), ASTM International, West Conshohocken, PA, 2006, www.astm.org

ASTM D4318-17, Standard Test Methods for Liquid Limit, Plastic Limit, and Plasticity Index of Soils, ASTM International, West Conshohocken, PA, 2017, www.astm.org

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4.13 Stormwater Wetlands

Stormwater Wetlands				
Definition: Practices that create shallow marsh areas to treat urban stormwater, which often incorporate small permanent pools and/or extended detention storage. Stormwater wetlands are explicitly designed to provide stormwater detention for larger storms (2- to 25-year, or flood control events) above the design storm (SWRv) storage.				
Site Applicability		BMP Performance Summary		
Land Uses	Required Footprint	WQ Improvement: Moderate to High		
<ul style="list-style-type: none"> ▪ Urban ▪ Suburban ▪ Rural 	Medium	TSS ¹	Total N ¹	Bacteria ¹
		80%	25%	60%
		Runoff Reduction		
Construction Costs	Maintenance Burden	Volume		
Moderate	Moderate	Low		
Maintenance Frequency:		SWRv		
Routine	Non-Routine	0%		
At least annually	Every 2 years			
Advantages/Benefits		Disadvantages/Limitation		
<ul style="list-style-type: none"> ▪ High removal of typical stormwater pollutants ▪ Provides habitat for wildlife ▪ Attractive when integrated into site development ▪ Good for sites with high water table and/or poorly drained soils 		<ul style="list-style-type: none"> ▪ Requires large amount of flat land (3% of CDA) ▪ Must be properly designed, installed, and maintained to avoid nuisance problems ▪ Needs constant source of water ▪ Routine sediment cleanout may be needed ▪ Potential for thermal impacts downstream 		
Components		Design considerations		
<ul style="list-style-type: none"> ▪ Conveyance ▪ Forebay ▪ Deep ponding area ▪ High marsh and transition zones ▪ Micropool ▪ Spillway system(s) 		<ul style="list-style-type: none"> ▪ CDA must be large enough to sustain permanent water level ▪ Flow path through the wetland system should be at least 2L:1W ▪ 25% of pool depth should be 18-48 inches ▪ Water balance must be maintained 		
Maintenance Activities				
<ul style="list-style-type: none"> ▪ Reinforce plantings as needed ▪ Remove accumulated sediments ▪ Remove invasive vegetation 		<ul style="list-style-type: none"> ▪ Thin/harvest vegetation every 2 years on embankments and access areas; elsewhere every 5–10 years 		

¹Credited pollutant load removal

Stormwater wetlands, sometimes called constructed wetlands, are shallow depressions that receive stormwater inputs for water quality treatment. Runoff from each new storm displaces runoff from previous storms, and the long residence time allows multiple pollutant removal processes to operate. The wetland environment provides an ideal environment for gravitational settling, biological uptake, and microbial activity. Wetlands include various design adaptations to allow them to be applied in specific settings. For example, some designs incorporate trees within the wetland area.

Stormwater wetlands should be considered for use after all other upland retention opportunities have been exhausted and there is still a remaining treatment volume or runoff from larger storms (i.e., 2- to 25-year or flood control events) to manage. Stormwater wetlands receive no stormwater retention credit and should be considered mainly for management of larger storm events. Stormwater wetlands have both community and environmental concerns (see Section 4.13.1 Stormwater Wetland Feasibility Criteria) that should be considered before choosing stormwater ponds for the appropriate stormwater practice on site.



Figure 4.50 Stormwater Wetland at Carolina Forest Recreation Center, Myrtle Beach (photo: Kathryn Ellis).

Definition. Practices that create shallow marsh areas to treat urban stormwater, which often incorporate small permanent pools and/or extended detention storage. Stormwater wetlands are explicitly designed to provide stormwater detention for larger storms (2 – 25-year, or flood control events) above the design storm (SWRv) storage. Wetlands are typically less than 1 foot deep (although they have greater depths at the forebay and in micropools) and possess variable microtopography to promote dense and diverse wetland cover. Design variants include the following:

W-1 Shallow wetland

W-2 Extended detention shallow wetland

Several stormwater wetland design features are illustrated in Figure 4. 48 through Figure 4. 52.

Note: All of the pond performance criteria presented in Section 4.10 Ponds also apply to the design of stormwater wetlands. Additional criteria that govern the geometry and establishment of created wetlands are presented in this section.

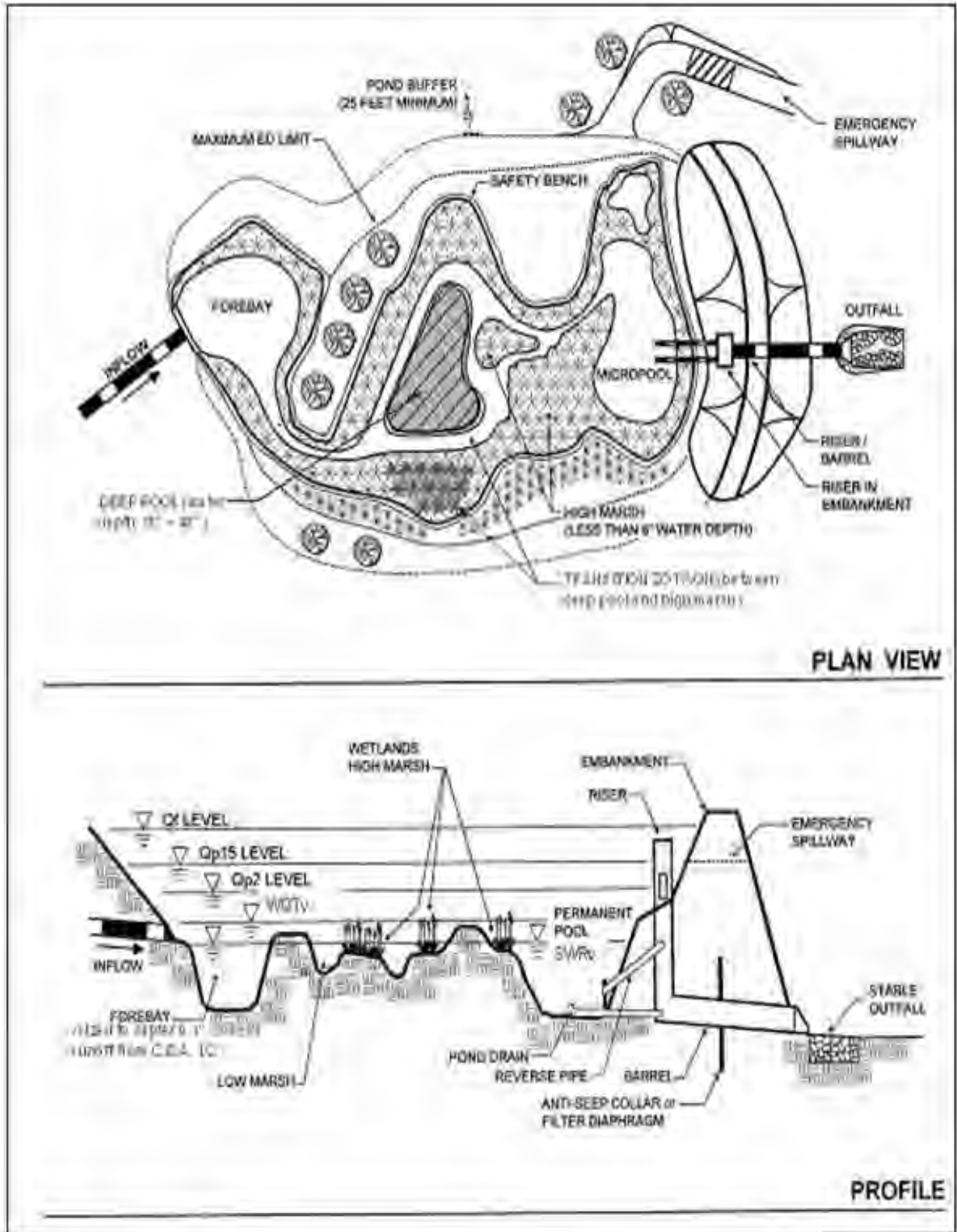


Figure 4.51 Example of extended detention shallow wetland.

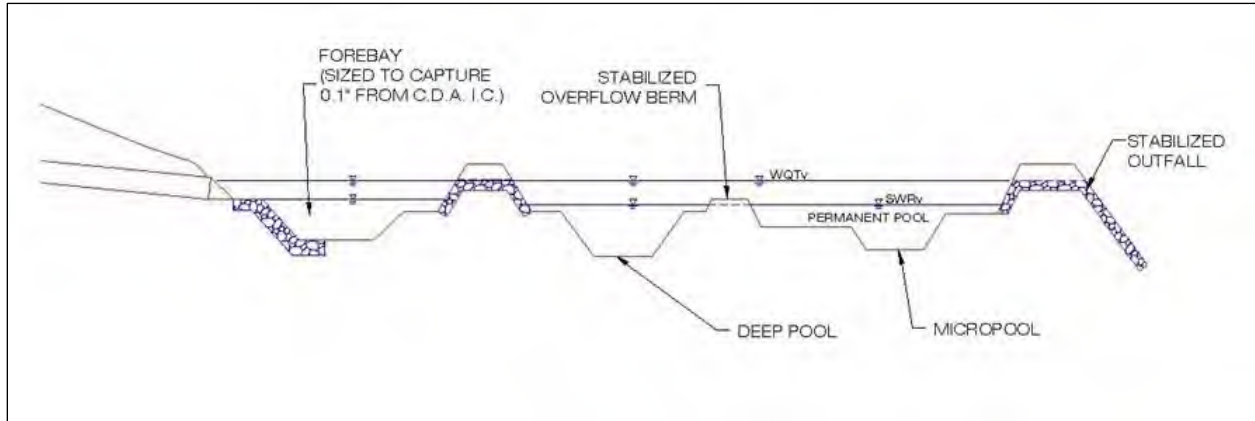


Figure 4.52 Cross section of a typical stormwater wetland.

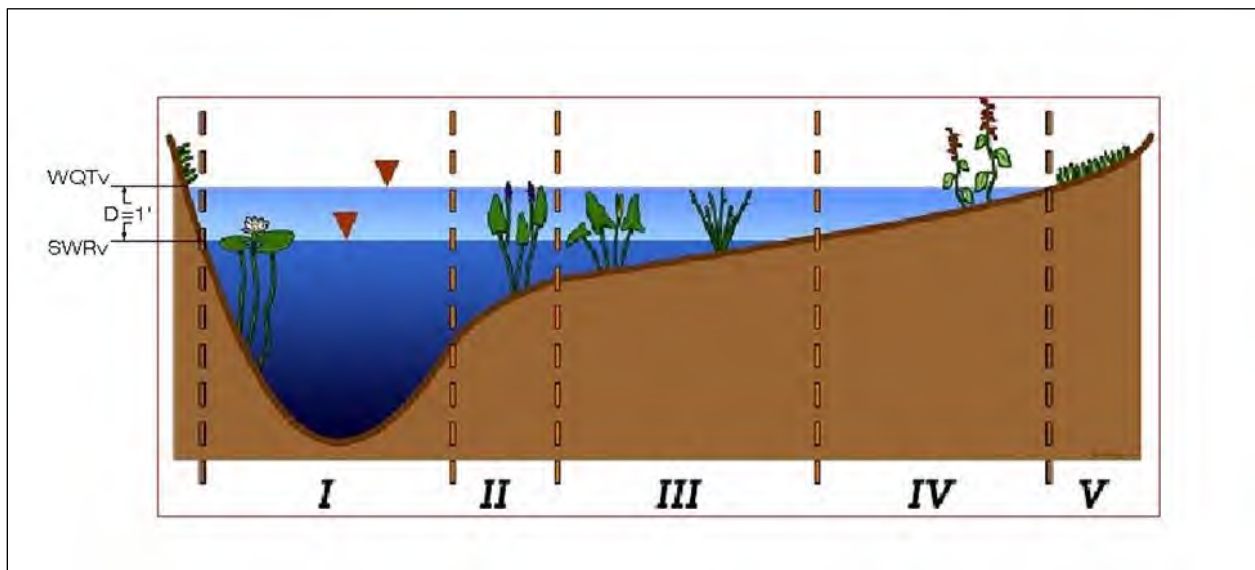


Figure 4.53 Interior wetland zones. Adapted from Hunt et al. (2007).

- (I) Deep Pool (depth -48 to -18 inches),
- (II) Transition Zone (depth -18 to -6 inches),
- (III and IV) High Marsh Zone (depth -6 to +6 inches),
- (IV) Temporary Inundation Area, and
- (V) Upper Bank

4.13.1 Stormwater Wetland Feasibility Criteria

Constructed wetland designs are subject to the following site constraints:

Adequate Water Balance. Stormwater wetlands must have enough water supplied from groundwater, runoff, or baseflow so that the permanent pools will not draw down by more than 2 feet after a 30-day summer drought. A simple water balance calculation must be performed using the equation provided in Section 4.11.4 Stormwater Wetland Design Criteria.

Contributing Drainage Area. The CDA must be large enough to sustain a permanent water level within the stormwater wetland. If the only source of wetland hydrology is stormwater runoff, then several dozen acres of CDA are typically needed to maintain constant water elevations. Smaller CDAs are acceptable if the bottom of the stormwater wetland intercepts the groundwater table or if the designer or approving agency is willing to accept periodic wetland drawdown.

Space Requirements. Constructed wetlands normally require a footprint that takes up about 3% of the CDA, depending on the average depth of the wetland and the extent of its deep pool features.

Site Topography. Stormwater wetlands are best applied when the grade of contributing slopes is less than 8%.

Steep Slopes. A modification of the constructed wetland (and linear wetland or wet swale system) is the regenerative stormwater conveyance (RSC) or step pool storm conveyance channel. The RSC can be used to bring stormwater down steeper grades through a series of step pools. This can serve to bring stormwater down outfalls where steep drops on the edge of the tidal receiving system can create design challenges. A description of this practice is provided in Section 4.7 Open Channel Systems. For more detailed information on RSC systems, designers can consult Maryland's Anne Arundel County Design Specifications, available at <http://www.aacounty.org/departments/public-works/wprp/watershed-assessment-and-planning/step-pool-conveyance-systems/index.html>

Available Hydraulic Head. The depth of a constructed wetland is usually constrained by the hydraulic head available on the site. The bottom elevation is fixed by the elevation of the existing downstream conveyance system to which the wetland will ultimately discharge. Because constructed wetlands are typically shallow, the amount of head needed (usually a minimum of 2 to 4 feet) is typically less than for wet ponds.

Setbacks. Setbacks to structures and property lines must be at least 10 feet and adequate waterproofing protection must be provided for foundations and basements.

Depth to Water Table. The depth to the groundwater table is not a major constraint for constructed wetlands, since a high water table can help maintain wetland conditions. However, designers should keep in mind that high groundwater inputs may increase excavation costs (refer to Section 0 Ponds).

Soils. Soil tests should be conducted to determine the saturated hydraulic conductivity and other subsurface properties of the soils underlying the proposed stormwater wetland. Highly permeable soils will make it difficult to maintain a healthy permanent pool. Underlying soils of HSG C or D should be adequate to maintain a permanent pool. Most HSG A soils and some HSG B soils will require a liner (see Table 4.49 in Section 4.10 Ponds).

Use of or Discharges to Natural Wetlands. Constructed wetlands may not be located within jurisdictional waters, including wetlands, without obtaining a Section 404 permit from the appropriate federal regulatory agency. In addition, designer should investigate the status of adjacent wetlands to determine if the discharge from the constructed wetland will change the hydroperiod of a downstream natural wetland. See Cappiella et al. (2006) for guidance on minimizing stormwater discharges to existing wetlands.

Regulatory Status. Constructed wetlands built for the express purpose of stormwater treatment are generally not considered jurisdictional wetlands, but designers should check with their wetland regulatory authorities to ensure the status.

Perennial Streams. Locating a constructed wetland along or within a perennial stream will require both Section 401 and Section 404 permits from the state or federal regulatory authority.

Economic Considerations. If space is available, wetlands can be a very cost-effective stormwater practice.

Community and Environmental Concerns. In addition to the community and environmental concerns that exist for stormwater ponds, the following must be addressed during design of stormwater wetlands:

Aesthetics and Habitat. Constructed wetlands can create wildlife habitat and can also become an attractive community feature. Designers should think carefully about how the wetland plant community will evolve over time, since the future plant community seldom resembles the one initially planted.

Existing Forests. Given the large footprint of a constructed wetland, there is a strong chance that the construction process may result in extensive tree clearing. The designer should preserve mature trees during the facility layout and may consider creating a wooded wetland (see Cappiella et al., 2006).

Safety Risk. Constructed wetlands are safer than other types of ponds, although forebays and micropools must be designed with aquatic benches to reduce safety risks.

Mosquito Risk. Mosquito control can be a concern for stormwater wetlands if they are under-sized or have a small CDA. Deepwater zones serve to keep mosquito populations in check by providing habitat for fish and other pond life that prey on mosquito larvae. Few mosquito problems are reported for well-designed, properly sized, and frequently maintained constructed wetlands; however, no design can eliminate them completely. Simple precautions can be taken to minimize mosquito breeding habitat within constructed wetlands (e.g., constant inflows, benches that create habitat for natural predators, and constant pool elevations—MSC, 2005).

4.13.2 Stormwater Wetland Conveyance Criteria

The slope profile within individual stormwater wetland cells should generally be flat from inlet to outlet (adjusting for microtopography). The recommended maximum elevation drop between wetland cells is 1 foot or less.

Since most constructed wetlands are on-line facilities, they need to be designed to safely pass the maximum design storm (e.g., the 25-year and 100-year design storms). While the ponding depths for the more frequent 2-year storm are limited in order to avoid adverse impacts to the planting pallet, the overflow for the less frequent 25-100-year storms must likewise be carefully designed to minimize the depth of ponding. A maximum depth of 4 feet over the wetland pool is recommended.

While many options are available for setting the normal pool elevation, it is strongly recommended that removable flashboard risers be used, given their greater operational flexibility to adjust water levels following construction (see Hunt et al., 2007). Also, a weir can be designed to accommodate passage of the larger storm flows at relatively low ponding depths.

4.13.3 Stormwater Wetland Pretreatment Criteria

Sediment regulation is critical to sustain stormwater wetlands. Consequently, a forebay shall be located at the inlet and a micropool shall be located at the outlet. A micropool is a 3- to 6-foot-deep pool used to protect the low-flow pipe from clogging and to prevent sediment resuspension. Forebays are designed in the same manner as stormwater ponds (see Section 4.12.3 Pond Pretreatment Criteria). The design of forebays should consider the possibility of heavy trash loads from public areas.

4.13.4 Stormwater Wetland Design Criteria

Internal Design Geometry. Research and experience have shown that the internal design geometry and depth zones are critical in maintaining the pollutant removal capability and plant diversity of stormwater wetlands. Stormwater wetland performance is enhanced when the wetland has multiple cells, longer flowpaths, and a high ratio of surface area to volume. Whenever possible, constructed wetlands should be irregularly shaped with long, sinuous flow paths. The following design elements are required for stormwater wetlands:

Multiple-Cell Wetlands. Stormwater wetlands can be divided into at least four internal sub-cells of different elevations: the forebay, a micro-pool outlet, and two additional cells. Cells can be formed by sand berms (anchored by rock at each end), back-filled coir fiber logs, or forested peninsulas (extending as wedges across 95% of the wetland width). The vegetative target is to ultimately achieve a 50-50 mix of emergent and forested wetland vegetation within all four cells.

The first cell (the forebay) is deeper and is used to receive runoff from the pond cell or the inflow from a pipe or open channel and distribute it as sheetflow into successive wetland cells. The surface elevation of the second cell is the normal pool elevation. It may contain a forested island or a sand wedge channel to promote flows into the third cell, which is 3 to 6 inches lower than the normal pool elevation. The purpose of the wetland cells is to create an alternating sequence of aerobic and anaerobic conditions to maximize pollutant removal. The fourth wetland cell is located at the discharge point and serves as a micro-pool with an outlet structure or weir.

Extended Detention Ponding Depth. When extended detention is provided for management of larger storm events, the total ED volume shall not comprise more than 50% of the total volume stored by the stormwater wetland, and its maximum water surface elevation shall not extend more than 3 feet above the normal pool.

Deep Pools. Approximately 25% of the stormwater surface area must be provided in at least three deeper pools—located at the inlet (forebay), center, and outlet (micropool) of the wetland—with each pool having a depth of from 18 to 48 inches. Refer to the sizing based on water balance below for additional guidance on the minimum depth of the deep pools.

High Marsh Zone. Approximately 70% of the stormwater wetland surface area must exist in the high marsh zone (-6 inches to +6 inches, relative to the normal pool elevation).

Transition Zone. The low marsh zone is no longer an acceptable wetland zone, and is only allowed as a short transition zone from the deeper pools to the high marsh zone (-6 to -18 inches below the normal pool elevation). In general, this transition zone should have a maximum slope of 5H:1V (or preferably flatter) from the deep pool to the high marsh zone. It is advisable to install biodegradable erosion control fabrics or similar materials during construction to prevent erosion or slumping of this transition zone.

Flow Path. In terms of the flow path, there are two design objectives:

- The overall flow path through the stormwater wetland can be represented as the length-to-width ratio OR the flow path ratio. A minimum overall flow path of 2:1 must be provided across the stormwater wetland.
- The shortest flow path represents the distance from the closest inlet to the outlet. The ratio of the shortest flow path to the overall length must be at least 0.5. In some cases—due to site geometry, storm sewer infrastructure, or other factors—some inlets may not be able to meet these ratios. However, the CDA served by these “closer” inlets must constitute no more than 20% of the total CDA.

Side Slopes. Side slopes for the stormwater wetland should generally have gradients of 4H:1V or flatter. These mild slopes promote better establishment and growth of the wetland vegetation. They also contribute to easier maintenance and a more natural appearance.

Micro-Topographic Features. Stormwater wetlands must have internal structures that create variable micro-topography, which is defined as a mix of above-pool vegetation, shallow pools, and deep pools that promote dense and diverse vegetative cover.

Stormwater Wetland Material Specifications. Stormwater wetlands are generally constructed with materials obtained on site, except for the plant materials, inflow and outflow devices (e.g., piping and riser materials), possibly stone for inlet and outlet stabilization, and geotextile fabric for lining banks or berms. Plant stock should be nursery grown, unless otherwise approved (e.g. by the local regulatory authority), and must be healthy and vigorous native species free from defects, decay, disfiguring roots, sun-scald, injuries, abrasions, diseases, insects, pests, and all forms of infestations or objectionable disfigurements, as determined during the local plan review.

Stormwater Wetland Sizing. Stormwater wetlands can be designed to capture and treat the remaining stormwater discharged from upstream practices from the design storm (SWR_v). Additionally, stormwater wetlands can be sized to control peak flow rates from the 2- 50-year frequency storm event or other design storm. Design calculations must ensure that the post-development peak discharge does not exceed the predevelopment peak discharge. See Section 3.7.2 Hydrologic and Hydraulic Analysis for a summary of acceptable hydrologic methodologies and models.

For treatment train designs where upland practices are utilized for treatment of the SWR_v, designers can use a site-adjusted R_v or NRCS CN that reflects the volume reduction of upland practices to compute the 2- 50-year frequency storm event that must be treated by the stormwater wetland.

The wetland permanent pools (volume stored in deep pools and pool depths) must be sized to store a volume equivalent to the SWR_v or design volume.

The storage volume (S_v) of the practice is equal to the volume provided by the wetland permanent pool (Equation 4.29). The total S_v cannot exceed the SWR_v.

Equation 4.29 Stormwater Wetland Storage Volume

$$S_v = \text{Stormwater wetland permanent pool volume}$$

Sizing for Minimum Pool Depth. Initially, it is recommended that there be no minimum CDA requirement for the system, although it may be necessary to calculate a water balance for the wet pond cell when its CDA is less than 10 acres (Refer to Section 4.10 Ponds).

Similarly, if the hydrology for the constructed wetland is not supplied by groundwater or dry weather flow inputs, a simple water balance calculation must be performed, using Equation 4.30 (Hunt et al., 2007), to assure the deep pools will not go completely dry during a 30-day summer drought.

Equation 4.30 Water Balance for Acceptable Water Depth in a Stormwater Wetland

$$DP = \left(RF_m \times EF \times \frac{WS}{WL} \right) - (ET - INF - RES)$$

Where:

<i>DP</i>	=	depth of pool (in.)
<i>RF_m</i>	=	monthly rainfall during drought (in.)
<i>EF</i>	=	fraction of rainfall that enters the stormwater wetland (in.) (CDA × Rv)
<i>WS/WL</i>	=	ratio of contributing drainage area to stormwater wetland surface area
<i>ET</i>	=	summer evapotranspiration rate (in.) (assume 8 in.)
<i>INF</i>	=	monthly infiltration loss (assume 7.2 inches at 0.01 in./hr)
<i>RES</i>	=	reservoir of water for a factor of safety (assume 6 in.)

Using Equation 4.30, setting the groundwater and (dry weather) base flow to zero and assuming a worst-case summer rainfall of 0 inches, the minimum depth of the pool calculates as follows (Equation 4.31):

Equation 4.31 Minimum Depth of the Permanent Pool

$$DP = RF_m - ET - INF - RES = 21.2$$

Where:

<i>DP</i>	=	depth of pool (in.)
<i>RF_m</i>	=	monthly rainfall during drought (in.)
<i>ET</i>	=	summer evapotranspiration rate (in.) (assume 8 in.)
<i>INF</i>	=	monthly infiltration loss (assume 7.2 inches at 0.01 in./hr)
<i>RES</i>	=	reservoir of water for a factor of safety (assume 6 in.)

Therefore, unless there is other input, such as base flow or groundwater, the minimum depth of the pool should be at least 22 inches (rather than the 18-inch minimum depth noted in Section 4.11.4 Stormwater Wetland Design Criteria).

4.13.5 Stormwater Wetland Construction Sequence

The construction sequence for stormwater wetlands depends on site conditions, design complexity, and the size and configuration of the proposed facility. The following two-stage construction sequence is recommended for installing an on-line stormwater wetland facility and establishing vigorous plant cover.

Stage 1 Construction Sequence: Wetland Facility Construction.

1. Stabilize Contributing Drainage Area. Stormwater wetlands should only be constructed after the CDA to the wetland is completely stabilized. If the proposed stormwater wetland site will be used as a sediment trap or basin during the construction phase, the construction notes must clearly indicate that

the facility will be de-watered, dredged, and re-graded to design dimensions after the original site construction is complete.

2. Assemble Construction Materials on Site. Inspect construction materials to ensure they conform to design specifications and prepare any staging areas.

3. Clear and Strip. Bring the project area to the desired subgrade.

4. Install Soil Erosion and Sediment Control Measures prior to construction, including sediment basins and stormwater diversion practices. All areas surrounding the stormwater wetland that are graded or denuded during construction of the wetland are to be planted with turf grass, native plant materials, or other approved methods of soil stabilization. Grass sod is preferred over seed to reduce seed colonization of the stormwater wetland. During construction, the stormwater wetland must be separated from the CDA so that no sediment flows into the wetland areas. In some cases, a phased or staged soil erosion and sediment control plan may be necessary to divert flow around the stormwater wetland area until installation and stabilization are complete.

5. Excavate the Core Trench for the Embankment and Install the Spillway Pipe.

6. Install the Riser or Outflow Structure and ensure that the top invert of the overflow weir is constructed level and at the proper design elevation (flashboard risers are strongly recommended by Hunt et al., 2007).

7. Construct the Embankment and any Internal Berms in 8- to 12-inch lifts and compact them with appropriate equipment.

8. Excavate and Grade. Survey to achieve the appropriate elevation and designed contours for the bottom and side slopes of the stormwater wetland. This is normally done by “roughing up” the interim elevations with a skid loader or other similar equipment to achieve the desired topography across the wetland. Spot surveys should be made to ensure that the interim elevations are 3 to 6 inches below the final elevations for the wetland.

9. Install Micro-Topographic Features and Soil Amendments within the stormwater wetland area. Since most stormwater wetlands are excavated to deep sub-soils, they often lack the nutrients and organic matter needed to support vigorous growth of wetland plants. It is therefore essential to add sand, compost, topsoil, or wetland mulch to all depth zones in the stormwater wetland. The importance of soil amendments in excavated stormwater wetlands cannot be over-emphasized; poor survival and future wetland coverage are likely if soil amendments are not added. The planting soil should be a high organic content loam or sandy loam, placed by mechanical methods, and spread by hand. Planting soil depth should be at least 4 inches for shallow wetlands. No machinery should be allowed to traverse over the planting soil during or after construction. Planting soil should be tamped as directed in the design specifications, but it should not be overly compacted. After the planting soil is placed, it should be saturated and allowed to settle for at least one week prior to installation of plant materials.

10. Construct the Emergency Spillway in cut or structurally stabilized soils.

11. Install Outlet Pipes. The installation of outlet pipes must include a downstream riprap protection apron.

12. Stabilize Exposed Soils with temporary seed mixtures appropriate for a wetland environment. All wetland features above the normal pool elevation should be temporarily stabilized by hydro-seeding or seeding over straw.

Stage 2 Construction Sequence: Establishing the Wetland Vegetation.

1. Finalize the Stormwater Wetland Landscaping Plan. At this stage the engineer, landscape architect, and wetland expert work jointly to refine the initial wetland landscaping plan after the stormwater wetland has been constructed. Several weeks of standing time is needed so that the designer can more precisely predict the following:

- Where the inundation zones are located in and around the stormwater wetland; and
- Whether the final grade and wetland microtopography will persist over time.

This allows the designer to select appropriate species and additional soil amendments, based on field confirmation of soils properties and the actual depths and inundation frequencies occurring within the stormwater wetland.

2. Open Up the Stormwater Wetland Connection. Once the final grades are attained, the pond and/or CDA connection should be opened to allow the wetland cell to fill up to the normal pool elevation. Gradually inundate the stormwater wetland to avoid erosion of unplanted features. Inundation must occur in stages so that deep pool and high marsh plant materials can be placed effectively and safely. Wetland planting areas should be at least partially inundated during planting to promote plant survivability.

3. Measure and Stake Planting Depths at the onset of the planting season. Depths in the stormwater wetland should be measured to the nearest inch to confirm the original planting depths of the planting zone. At this time, it may be necessary to modify the plan to reflect altered depths or a change in the availability of wetland plant stock. Surveyed planting zones should be marked on the as-built or design plan, and their locations should also be identified in the field, using stakes or flags.

4. Propagate the Stormwater Wetland. Two techniques are used in combination to propagate the emergent community over the wetland bed:

5. Initial Planting of Container-Grown Wetland Plant Stock. The transplanting window extends from early March through May. Planting after these dates can decrease the chance of survival, since emergent wetland plants need a full growing season to build the root reserves needed to get through the winter. It is recommended that plants be ordered at least 6 months in advance to ensure the availability and on-time delivery of desired species.

6. Broadcasting Wetland Seed Mixes. The higher wetland elevations should be established by broadcasting wetland seed mixes to establish diverse emergent wetlands. Seeding of switchgrass or wetland seed mixes as a ground cover is recommended for all zones above 3 inches below the normal pool elevation. Hand broadcasting or hydroseeding can be used to spread seed, depending on the size of the wetland cell.

7. Install Goose Protection to Protect Newly Planted or Newly Growing Vegetation. This is particularly critical for newly established emergent and herbaceous plants, as predation by Canada geese can quickly decimate wetland vegetation. Goose protection can consist of netting, webbing, or string installed in a crisscross pattern over the surface area of the stormwater wetland, above the level of the emergent plants.

8. Plant the Stormwater Wetland Fringe and Buffer Area. This zone generally extends from 1 to 3 feet above the normal pool elevation (from the shoreline fringe to about half of the maximum water surface elevation for the 2-year storm). Consequently, plants in this zone are infrequently inundated (5 to 10 times per year) and must be able to tolerate both wet and dry periods.

Construction Supervision. Supervision during construction is recommended to ensure that stormwater wetlands are properly constructed and established. Multiple site visits and inspections by a qualified professional are recommended during the following stages of the stormwater wetland construction process:

- Preconstruction meeting
- Initial site preparation including the installation of soil erosion and sediment control measures
- Excavation/Grading (interim and final elevations)
- Installation of the embankment, the riser/primary spillway, and the outlet structure
- Implementation of the pondscaping plan and vegetative stabilization
- Immediately seed or install vegetated ground cover upon completion of sloping and grading, where applicable, of each stormwater wetland within a project.
- Inspect within two weeks to ensure vegetation is in fact holding banks and slopes in place.
- Prior to completion of project, mechanically remove erosion deposition from ponds that occurred during the project. Criteria should be based on erosion of designed bank slopes and loss of storage capacity.
- Final inspection (develop a punch list for facility acceptance)

Construction inspection checklist for Stormwater Wetlands can be found in Appendix E Construction Inspection Checklists.

4.13.6 Stormwater Wetland Landscaping Criteria

An initial stormwater wetland landscaping plan is required for any stormwater wetland and should be jointly developed by the engineer and a wetlands expert or experienced landscape architect. The plan should outline a detailed schedule for the care, maintenance, and possible reinforcement of vegetation in the wetland and its buffer for up to 10 years after the original planting.

The plan should outline a realistic, long-term planting strategy to establish and maintain desired wetland vegetation. The plan should indicate how wetland plants will be established within each inundation zone (e.g., wetland plants, seed-mixes, volunteer colonization, and tree and shrub stock) and whether soil amendments are needed to get plants started. At a minimum, the plan should contain the following:

- Plan view(s) with topography at a contour interval of no more than 1 foot and spot elevations throughout the cell showing the stormwater wetland configuration, different planting zones (e.g., high marsh, deep water, upland), microtopography, grades, site preparation, and construction sequence.
- A plant schedule and planting plan specifying emergent, perennial, shrub and tree species, quantity of each species, stock size, type of root stock to be installed, and spacing. To the degree possible, the species list for the constructed wetland should contain plants found in similar local wetlands.

The following general guidance is provided:

- **Use Native Species Where Possible.** Table 4.53 provides a list of common native shrub and tree species and Table 4.54 provides a list of common native emergent, submergent, and perimeter plant species, all of which have proven to do well in stormwater wetlands in the mid-Atlantic region and are generally available from most commercial nurseries. Other native species can be used that appear in state-wide plant lists. The use of native species is strongly encouraged, but in some cases,

non-native ornamental species may be added as long as they are not invasive. Invasive species such as cattails (*Typha latifolia*), common reed (*Phragmites australis*), and purple loosestrife (*Lythrum salicaria*) must not be planted.

- **Match Plants to Inundation Zones.** The various plant species shown in Table 4.53 and Table 4.54 should be matched to the appropriate inundation zone. The first four inundation zones are particularly applicable to stormwater wetlands, as follows:

Zone 1 -6 inches to -12 inches below the normal pool elevation

Zone 2 -6 inches to the normal pool elevation

Zone 3 From the normal pool elevation to +12 inches above

Zone 4 +12 inches to +36 inches above the normal pool elevation (i.e., above ED Zone)

Note: The Low Marsh Zone (-6 to -18 inches below the normal pool elevation) has been dropped since experience has shown that few emergent wetland plants flourish in this deeper zone.

- **Aggressive Colonizers.** To add diversity to the stormwater wetland, five to seven species of emergent wetland plants should be planted, using at least four emergent species designated as aggressive colonizers (shown in bold in Table 4.54). No more than 25% of the high marsh wetland surface area needs to be planted. If the appropriate planting depths are achieved, the entire stormwater wetland should be colonized within 3 years. Individual plants should be planted 18 inches on center within each single species “cluster.”
- **Suitable Tree Species.** The major shift in stormwater wetland design is to integrate trees and shrubs into the design, in tree islands, peninsulas, and fringe buffer areas. Deeper-rooted trees and shrubs that can extend to the stormwater wetland’s local water table are important for creating a mixed wetland community. Table 4. 53 above presents some recommended tree and shrub species for different inundation zones. A good planting strategy includes varying the size and age of the plant stock to promote a diverse structure. Using locally grown container or bare root stock is usually the most successful approach if planting in the spring. It is recommended that buffer planting areas be over-planted with a small stock of fast-growing successional species to achieve quick canopy closure and shade out invasive plant species. Trees may be planted in clusters to share rooting space on compacted wetland side-slopes. Planting holes should be amended with compost (a 2:1 ratio of loose soil to compost) prior to planting.
- **Pre- and Post-Nursery Care.** Plants should be kept in containers of water or moist coverings to protect their root systems and keep them moist when in transporting them to the planting location. As much as 6 to 9 months of lead time may be needed to fill orders for wetland plant stock from aquatic plant nurseries. Consult local regulatory authorities for information on area suppliers.

Table 4.53. Popular, Versatile, and Available Native Trees and Shrubs for Stormwater Wetlands

Shrubs		Trees	
Common and <i>Scientific</i> Names	Zone ¹	Common and <i>Scientific</i> Names	Zone ¹
Button Bush (<i>Cephalanthus occidentalis</i>)	2, 3	Atlantic White Cedar (<i>Chamaecyparis thyoides</i>)	2, 3
Common Winterberry (<i>Ilex verticillata</i>)	3, 4	Bald Cypress (<i>Taxodium distichum</i>)	2, 3
Elderberry (<i>Sambucus canadensis</i>)	3	Black Willow (<i>Salix nigra</i>)	3, 4
Indigo Bush (<i>Amorpha fruticosa</i>)	3	Box Elder (<i>Acer Negundo</i>)	2, 3
Inkberry (<i>Ilex glabra</i>)	2, 3	Green Ash (<i>Fraxinus pennsylvanica</i>)	3, 4
Smooth Alder (<i>Alnus serrulata</i>)	2, 3	Grey Birch (<i>Betula populifolia</i>)	3, 4
Spicebush (<i>Lindera benzoin</i>)	3, 4	Red Maple (<i>Acer rubrum</i>)	3, 4
Swamp Azalea (<i>Azalea viscosum</i>)	2, 3	River Birch (<i>Betula nigra</i>)	3, 4
Swamp Rose (<i>Rosa palustris</i>)	2, 3	Swamp Tupelo (<i>Nyssa biflora</i>)	2, 3
Sweet Pepperbush (<i>Clethra ainifolia</i>)	2, 3	Sweetbay Magnolia (<i>Magnolia virginiana</i>)	3, 4
		Sweetgum (<i>Liquidambar styraciflua</i>)	3, 4
		Sycamore (<i>Platanus occidentalis</i>)	3, 4
		Water Oak (<i>Quercus nigra</i>)	3, 4
		Willow Oak (<i>Quercus phellos</i>)	3,4

¹Zone 1: -6 to -12 inches below the normal pool elevation

Zone 2: -6 inches to the normal pool elevation

Zone 3: From the normal pool elevation to +12 inches

Zone 4: +12 to +36 inches; above ED zone

Source: Virginia DCR Stormwater Design Specification No. 13: Constructed Wetlands Version 1.8. 2010.

Table 4.54. Popular, Versatile, and Available Native Emergent and Submergent Vegetation for Stormwater Wetlands

Plant	Zone ¹	Form	Inundation Tolerance	Wildlife Value	Notes
Arrow Arum (<i>Peltandra virginica</i>)	2	Emergent	Up to 1 ft	High; berries are eaten by wood ducks	Full sun to partial shade
Broad-Leaf Arrowhead (Duck Potato) (<i>Sagittaria latifolia</i>)	2	Emergent	Up to 1 ft	Moderate; tubers and seeds eaten by ducks	Aggressive colonizer
Blueflag Iris* (<i>Iris versicolor</i>)	2, 3	Emergent	Up to 6 in.	Limited	Full sun (to flower) to partial shade
Broomsedge (<i>Andropogon virginianus</i>)	2, 3	Perimeter	Up to 3 in.	High; songbirds and browsers; winter food and cover	Tolerant of fluctuating water levels and partial shade
Bulltongue Arrowhead (<i>Sagittaria lancifolia</i>)	2, 3	Emergent	0 to 24 in.	Waterfowl, small mammals	Full sun to partial shade
Burreed (<i>Sparganium americanum</i>)	2, 3	Emergent	0 to 6 in.	Waterfowl, small mammals	Full sun to partial shade
Cardinal Flower* (<i>Lobelia cardinalis</i>)	3	Perimeter	Periodic inundation	Attracts hummingbirds	Full sun to partial shade
Common Rush (<i>Juncus spp.</i>)	2, 3	Emergent	Up to 12 in.	Moderate; small mammals, waterfowl, songbirds	Full sun to partial shade
Common Three Square (<i>Scirpus pungens</i>)	2	Emergent	Up to 6 in.	High; seeds, cover, waterfowl, songbirds	Fast colonizer; can tolerate periods of dryness; full sun; high metal removal
Duckweed (<i>Lemna sp.</i>)	1, 2	Submergent / Emergent	Yes	High; food for waterfowl and fish	May biomagnify metals beyond concentrations found in the water
Joe Pye Weed (<i>Eupatorium purpureum</i>)	2, 3	Emergent	Drier than other Joe-Pye Weeds; dry to moist areas; periodic inundation	Butterflies, songbirds, insects	Tolerates all light conditions
Lizard's Tail (<i>Saururus cernus</i>)	2	Emergent	Up to 1 ft	Low; except for wood ducks	Rapid growth; shade-tolerant
Marsh Hibiscus (<i>Hibiscus moscheutos</i>)	2, 3	Emergent	Up to 3 in.	Low; nectar	Full sun; can tolerate periodic dryness

Plant	Zone ¹	Form	Inundation Tolerance	Wildlife Value	Notes
Pickereelweed (<i>Pontederia cordata</i>)	2, 3	Emergent	Up to 1 ft	Moderate; ducks, nectar for butterflies	Full sun to partial shade
Pond Weed (<i>Potamogeton pectinatus</i>)	1	Submergent	Yes	Extremely high; waterfowl, marsh and shore birds	Removes heavy metals from the water
Rice Cutgrass (<i>Leersia oryzoides</i>)	2, 3	Emergent	Up to 3 in.	High; food and cover	Prefers full sun, although tolerant of shade; shoreline stabilization
Sedges (<i>Carex spp.</i>)	2, 3	Emergent	Up to 3 in.	High; waterfowl, songbirds	Wetland and upland species
Softstem Bulrush (<i>Scirpus validus</i>)	2, 3	Emergent	Up to 2 ft	Moderate; good cover and food	Full sun; aggressive colonizer; high pollutant removal
Smartweed (<i>Polygonum spp.</i>)	2	Emergent	Up to 1 ft	High; waterfowl, songbirds; seeds and cover	Fast colonizer; avoid weedy aliens, such as <i>P. Perfoliatum</i>
Spatterdock (<i>Nuphar luteum</i>)	2	Emergent	Up to 1.5 ft	Moderate for food, but High for cover	Fast colonizer; tolerant of varying water levels
Switchgrass (<i>Panicum virgatum</i>)	2, 3, 4	Perimeter	Up to 3 in.	High; seeds, cover; waterfowl, songbirds	Tolerates wet/dry conditions
Sweet Flag* (<i>Acorus calamus</i>)	2, 3	Perimeter	Up to 3 in.	Low; tolerant of dry periods	Tolerates acidic conditions; not a rapid colonizer
Waterweed (<i>Elodea canadensis</i>)	1	Submergent	Yes	Low	Good water oxygenator; high nutrient, copper, manganese, and chromium removal
Wild celery (<i>Valisneria americana</i>)	1	Submergent	Yes	High; food for waterfowl; habitat for fish and invertebrates	Tolerant of murkey water and high nutrient loads
Wild Rice (<i>Zizania aquatica</i>)	2	Emergent	Up to 1 ft	High; food, birds	Prefers full sun
Woolgrass Bulrush (<i>Scirpus cyperinus</i>)	3, 4	Emergent	Yes	High: waterfowl, small mammals	Fresh tidal and non-tidal, swamps, forested wetlands, meadows, ditches

Aggressive colonizers are shown in bold type

¹ Zone 1: -6 to -12 inches below the normal pool elevation

Zone 2: -6 inches to the normal pool elevation

Zone 3: From the normal pool elevation to +12 inches

Zone 4: +12 to +36 inches; above ED zone

*Not a major colonizer, but adds color

Source: Virginia DCR Stormwater Design Specification No. 13: Constructed Wetlands Version 1.8. 2010.

4.13.7 Stormwater Wetland Maintenance Criteria

Successful establishment of constructed wetland areas requires that the following tasks be undertaken in the first 2 years:

- **Initial Inspections.** During the first 6 months following construction, the site should be inspected by a qualified professional at least twice after storm events that exceed 0.5 inch of rainfall.
- **Spot Reseeding.** Inspections should include looking for bare or eroding areas in the CDA or around the wetland buffer and make sure they are immediately stabilized with grass cover.
- **Watering.** Trees planted in the buffer and on wetland islands and peninsulas need watering during the first growing season. In general, consider watering every 3 days for first month, and then weekly during the first growing season (April through October), depending on rainfall.
- **Reinforcement Plantings.** Regardless of the care taken during the initial planting of the stormwater wetland and buffer, it is probable that some areas will remain unvegetated and some species will not survive. Poor survival can result from many unforeseen factors, such as predation, poor quality plant stock, water level changes, and drought. Thus, it is advisable to budget for an additional round of reinforcement planting after one or two growing seasons. Construction contracts should include a care and replacement warranty extending at least two growing seasons after initial planting, to selectively replant portions of the stormwater wetland that fail to fill in or survive. If a minimum coverage of 50% is not achieved in the planted wetland zones after the second growing season, a reinforcement planting will be required.

Managing vegetation is an important ongoing maintenance task at every constructed wetland and for each inundation zone. Following the design criteria above should result in a reduced need for regular mowing of the embankment and access roads. Vegetation within the stormwater wetland, however, will require some annual maintenance.

Designers should expect significant changes in wetland species composition to occur over time. Inspections should carefully track changes in wetland plant species distribution over time. Invasive plants should be dealt with as soon as they begin to colonize the stormwater wetland. As a general rule, control of undesirable invasive species (e.g., cattails and Phragmites) should commence when their coverage exceeds more than 15% of a wetland cell area. Although the application of herbicides is not recommended, some types (e.g., Glyphosate) have been used to control cattails with some success. Extended periods of dewatering may also work, since early manual removal provides only short-term relief from invasive species. While it is difficult to exclude invasive species completely from stormwater wetlands, their ability to take over the entire wetland can be reduced if the designer creates a wide range of depth zones and a complex internal structure within the wetland.

- For more information on invasive plants, consult the South Carolina Exotic Pest Plant Council. Resources are available online at <http://www.se-eppc.org/southcarolina/invasivePlants.cfm>.
- For more information related to chemical control methods for aquatic plants, please review the fact sheet “Aquatic Weed Control Overview” provided by Clemson’s Cooperative Extension Service and available online at <http://www.clemson.edu/extension/hgic/plants/other/landscaping/hgic1714.html>.

Thinning or harvesting of excess forest growth may be periodically needed to guide the forested stormwater wetland into a more mature state. Vegetation may need to be harvested periodically if the

constructed wetland becomes overgrown. Thinning or harvesting operations should be scheduled to occur approximately 5 and 10 years after the initial stormwater wetland construction. Removal of woody species on or near the embankment and maintenance access areas should be conducted every 2 years.

Designers should refer to Section 4.10.7 Pond Maintenance Criteria for additional maintenance responsibilities associated with stormwater wetlands. Ideally, maintenance of constructed wetlands should be driven by annual inspections by a qualified professional that evaluates the condition and performance of the stormwater wetland. Based on inspection results, specific maintenance tasks will be triggered.

Maintenance inspection checklist for stormwater wetlands and the Maintenance Service Completion Inspection form can be found in Appendix F Maintenance Inspection Checklists.

Waste Material. Waste material from the repair, maintenance, or removal of a BMP or land cover shall be removed and disposed of in compliance with applicable local, state, and federal law.

4.13.8 Stormwater Wetland Stormwater Compliance Calculations

Stormwater wetlands are credited with 0% retention, but they do receive 80% TSS, 30% TN, and 60% bacteria removal for the storage volume (Sv) provided by in the permanent pool (Table 4.55).

Table 4.55. Stormwater Wetland Retention and Pollutant Removal

Retention	= 0%
TSS Removal	= 80%
TN Removal	= 25%
Bacteria Removal	= 60%

4.13.9 References

Atlanta Regional Commission (ARC). 2001. Georgia Stormwater Management Manual, First Edition.
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Cappiella, K., T. Schueler and T. Wright. 2006. Urban Watershed Forestry Manual: Part 2: Conserving and Planting Trees at Development Sites. USDA Forest Service. Center for Watershed Protection. Ellicott City, MD.

Hunt, W., M. Burchell, J. Wright and K. Bass. 2007. "Stormwater Wetland Design Update: Zones, Vegetation, Soil and Outlet Guidance." Urban Waterways. North Carolina State Cooperative Extension Service. Raleigh, NC.

Minnesota Stormwater Steering Committee (MSSC). 2005. Minnesota Stormwater Manual. Emmons & Oliver Resources, Inc. Minnesota Pollution Control Agency. St. Paul, MN.

Virginia DCR Stormwater Design Specification No. 13: Constructed Wetlands Version 1.8. 2010.

4.14 Tree Planting & Preservation

Tree Planting and Preservation							
Definition: Existing trees can be preserved or new trees can be planted to reduce stormwater runoff.							
Site Applicability			BMP Performance Summary				
Land Uses		Required Footprint	WQ Improvement: Moderate to High				
<ul style="list-style-type: none"> ▪ Urban ▪ Suburban ▪ Rural 		Small	TSS ¹	Total N ¹		Bacteria ¹	
			N/A	N/A		N/A	
			Runoff Reductions				
Construction Costs		Maintenance Burden	Volume				
Low		Low	Low				
Maintenance Frequency:			SWR _v *				
Routine		Non-Routine	T-1 Small	T-1 Large	T-2 Small	T-2 Large	T-2 Special
At least annually		Every 10–15 years	5 ft ³	10 ft ³	10 ft ³	20 ft ³	30 ft ³
Advantages/Benefits			Disadvantages/Limitation				
<ul style="list-style-type: none"> ▪ High community acceptance ▪ Relatively low maintenance requirements ▪ Increases property value ▪ Easily incorporated with other practices ▪ Excellent for soils 			<ul style="list-style-type: none"> ▪ Preserved trees must be protected during construction ▪ Must be within LOD ▪ Must maintain tree health 				
Components			Design considerations				
<ul style="list-style-type: none"> ▪ Inventory of existing trees ▪ Identification of trees to preserve or plant ▪ Preference for Special trees ▪ Average tree spread 			<ul style="list-style-type: none"> ▪ Inventory of existing trees ▪ Identification of trees to preserve or plant ▪ Preference for Special trees ▪ Slope-steep slopes must be terraced/benched ▪ Maintenance access 				
Maintenance Activities							
<ul style="list-style-type: none"> ▪ If staked during establishment, remove stakes within 1 year of planting 			<ul style="list-style-type: none"> ▪ Maintain appropriate mulch cover ▪ Ensure tree health 				

¹Credited pollutant load removal

*Per planted/preserved tree

Easily combined with other practices, tree planting and preservation provide stormwater interception, beauty, and shade, thereby increasing aesthetics and property values.



Figure 4.54 Tree Planting and Preservation in Bioretention (photo: Center for Watershed Protection, Inc.).

Definition. Existing trees can be preserved or new trees can be planted to reduce stormwater runoff. The design includes the following:

- T-1 Tree planting
- T-2 Tree preservation

Tree canopy can intercept a significant amount of rainfall before it becomes runoff, particularly if the tree canopy covers impervious surfaces, as in the case of street trees. Through the processes of evapotranspiration and nutrient uptake, trees—even when located on a development site—have the capacity to reduce stormwater runoff volumes and improve water quality. Further, through root growth, trees can improve the infiltration capacity of the soils in which they grow.

Both tree planting and tree preservation can contribute to stormwater management on a site. Note that retention credit is available for preserved trees only when they are within the limits of disturbance of a project. Preserved trees outside of the limits of disturbance may offer an opportunity for additional retention when they constitute an area of natural cover and stormwater is conveyed to that area.

4.14.1 Preserving Existing Trees during Construction

The preferred method for increasing tree cover at a development site is to preserve existing trees during construction, particularly where mature trees are present. Existing trees are preserved during construction through a four-step process:

1. Inventory existing trees.
2. Identify trees to preserve.
3. Protect trees and soil during construction.
4. Protect trees after construction.

Inventory Existing Trees. An inventory of existing trees and forested areas at the development site must be conducted before any site design, clearing, or construction takes place, as specified by the DDOT UFD. The inventory must be conducted by one of the following landscape professionals:

- South Carolina Licensed Forester
- South Carolina Licensed Tree Expert
- South Carolina Experienced Forester
- South Carolina Licensed Landscape Architect
- International Society of Arboriculture (ISA) Certified Arborist

The inventory must include a survey of existing trees and determine their size, species, condition, and ecological value. Locations of trees and forest stands must be recorded.

Identify Trees to Preserve. From the tree inventory, individual trees can be identified for preservation and protection during site development. Preserved trees fall into three categories of retention credit: tree species with an average mature spread less than or equal to 40 feet (“small” trees) receive 10 cubic feet of retention credit; trees species with an average mature spread greater than or equal to 40 feet (“large” trees) receive 20 cubic feet of retention credit; and trees with an existing diameter greater than 14” (“Special” trees) receive 30 cubic feet of retention credit, regardless of mature spread size. Additional selection criteria may include tree species, size, condition, and location (see Table 4.56).

Table 4.56. Selecting Priority Trees and Forests for Preservation

Selection Criteria	Examples of Priority Tree and Forests to Conserve
Species	<ul style="list-style-type: none"> ▪ Rare, threatened, or endangered species ▪ Specimen trees ▪ High quality tree species (e.g., white oaks and sycamores because they are structurally strong and live longer than trees such as silver maple and cottonwood) ▪ Species that are tolerant of specific site conditions and soils
Size	<ul style="list-style-type: none"> ▪ Trees over a specified diameter at breast height (DBH) or other size measurement ▪ Trees designated as national, state, or local champions ▪ Contiguous forest stands
Condition	<ul style="list-style-type: none"> ▪ Healthy trees that are structurally sound in “fair” or better condition ▪ High quality forest stands with high forest structural diversity
Location	<ul style="list-style-type: none"> ▪ Trees located where they will provide direct benefits at the site (e.g., shading, privacy, windbreak, buffer from adjacent land use) ▪ Forest stands that are connected to off-site forests that create wildlife habitat and corridors ▪ Trees located in protected natural areas such as floodplains, stream buffers, wetlands, erodible soils, critical habitat areas, and steep slopes. ▪ Forest stands that are connected to off-site non-forested natural areas or protected land (e.g., has potential to provide wildlife habitat)

Trees selected for preservation and protection must be clearly marked both on construction drawings and at the actual site. Flagging or fencing is typically used to protect trees at the construction site. Areas of trees to preserve should be marked on the site map and walked during preconstruction meetings.

Protect Trees and Soil During Construction. Physical barriers must be properly installed around the Critical Root Zone (CRZ) of trees to be preserved. The CRZ shall be determined by a landscape professional from the above list, and in general is equal to 1.5 feet of tree protection (radius of circle) for every 1 inch in tree diameter. For example, a 10-inch diameter tree would have a CRZ radius extending 15 feet from the tree. The barriers must be maintained and enforced throughout the construction process. Tree protection barriers include highly visible, well-anchored temporary protection devices, such as 6-foot-tall chain link fencing.

All protection devices must remain in place throughout construction.

When excavation is proposed immediately adjacent to the CRZ, roots must first be pruned at the edge of the excavation with a trenching machine, vibratory knife or rock saw to a depth of 18 inches.

Protect Trees After Construction. Maintenance covenants, as described below, are required to ensure that preserved trees are protected.

4.14.2 Planting Trees

Considerations at Development Sites. New development sites provide many opportunities to plant new trees. Planting trees at development sites is done in three steps:

1. Select tree species.
2. Evaluate and improve planting sites.
3. Plant and maintain trees.

Tree Species. Planted trees fall into two categories of retention: tree species with an average mature spread less than or equal to 40 feet (“small” trees) receive 5 cubic feet of retention and trees species with an average mature spread greater than or equal to 40 feet (“large” trees) receive 10 cubic feet of retention. Trees to be planted must have a minimum caliper size of 1.5 inches.

Planting Sites. Ideal planting sites within a development are those that create interception opportunities around impervious surfaces. These include areas along pathways, roads, islands and median strips, and parking lot interiors and perimeters. Other areas of a development site may benefit from planting trees (including stream valleys and floodplains, areas adjacent to existing forest, steep slopes, and portions of the site where trees would provide buffers, screening, noise reduction, or shading).

It is important to evaluate and record the conditions, such as soil type, soil pH, soil compaction, and the hydrology of proposed planting sites to ensure they are suitable for planting. These evaluations provide a basis for species selection and determination of the need for any special site preparation techniques.

A minimum of 1,500 cubic feet of rootable soil volume must be provided per large tree. In planting arrangements that allow for shared rooting space amongst multiple trees, a minimum of 1,000 cubic feet of rootable soil volume must be provided for each large tree. Rootable soil volume must be within 3 feet of the surface.

Smaller trees with an average mature spread of less than or equal to 40 feet must have a minimum of 600 cubic feet of rootable soil volume. In planting arrangements that permit shared rooting space amongst multiple trees, a minimum of 400 cubic feet of rootable soil volume must be provided for each tree. Rootable soil volume must be within 3 feet of the surface.

Site characteristics determine what tree species will flourish there and whether any of the conditions, such as soils, can be improved through the addition of compost or other amendments. Table 4.57 presents methods for addressing common constraints to urban tree planting.

Table 4.57. Methods for Addressing Urban Planting Constraints

Potential Impact	Potential Resolution
Limited Soil Volume	<ul style="list-style-type: none"> ▪ Provide 1,500 cubic feet of rootable soil volume per large tree (greater than or equal to 40-foot spread) and 600 cubic feet of rootable soil volume per small tree (less than or equal to 40-foot spread). This soil must be within 3 feet of the surface. • Use planting arrangements that allow shared rooting space. A minimum of 1,000 cubic feet of rootable soil volume must be provided for each tree in shared rooting space arrangements. A minimum of 400 cubic feet of rootable soil volume must be provided for each small tree in shared rooting arrangements.
Poor Soil Quality	<ul style="list-style-type: none"> ▪ Test soil and perform appropriate restoration. ▪ Select species tolerant of soil pH, compaction, drainage, etc. ▪ Replace very poor soils if necessary.
Air Pollution	<ul style="list-style-type: none"> ▪ Select species tolerant of air pollutants.
Damage from Lawnmowers	<ul style="list-style-type: none"> ▪ Use mulch to protect trees.
Damage from Vandalism	<ul style="list-style-type: none"> ▪ Use tree cages or benches to protect trees. ▪ Select species with inconspicuous bark or thorns. ▪ Install lighting nearby to discourage vandalism.
Damage from Vehicles	<ul style="list-style-type: none"> ▪ Provide adequate setbacks between vehicle parking stalls and trees.
Damage from animals such as deer, rodents, rabbits, and other herbivores	<ul style="list-style-type: none"> ▪ Use protective fencing or chemical retardants.
Exposure to pollutants in stormwater runoff	<ul style="list-style-type: none"> ▪ Select species that are tolerant of specific pollutants, such as oils and metals.
Soil moisture extremes	<ul style="list-style-type: none"> ▪ Select species that are tolerant of inundation or drought. ▪ Install underdrains if necessary. ▪ Select appropriate backfill soil and mix thoroughly with site soil. ▪ Improve soil drainage with amendments and tillage if needed.
Increased temperature	<ul style="list-style-type: none"> ▪ Select drought tolerant species.
Increased wind	<ul style="list-style-type: none"> ▪ Select drought tolerant species.
Abundant populations of invasive species	<ul style="list-style-type: none"> ▪ Control invasive species prior to planting. ▪ Continually monitor for and remove invasive species.
Conflict with infrastructure	<ul style="list-style-type: none"> ▪ Design the site to keep trees and infrastructure separate. ▪ Provide appropriate setbacks from infrastructure. ▪ Select appropriate species for planting near infrastructure. ▪ Use alternative materials to reduce conflict.
Disease or insect infestation	<ul style="list-style-type: none"> ▪ Select resistant species

Planting trees at development sites requires prudent species selection, a maintenance plan, and careful planning to avoid impacts from nearby infrastructure, runoff, vehicles or other urban elements.

Trees Along Streets and in Parking Lots. When considering a location for planting, clear lines of sight must be provided, as well as safe travel surfaces, and overhead clearance for pedestrians and vehicles.

Also, ensure enough soil volume for healthy tree growth. Usable soil must be uncompacted and may not be covered by impervious material. Having at least a 6-foot-wide planting strip or locating sidewalks between the trees and street allows more rooting space for trees in adjacent property.

Select tree species that are drought tolerant, can grow in poor or compacted soils, and are tolerant to typical urban pollutants (oil and grease, metals, and chlorides). Additionally, select species that do not produce excessive fruits, nuts, or leaf litter, that have fall color, spring flowers or some other aesthetic benefit, and can be limbed up to 6 feet to provide pedestrian and vehicle traffic underneath.

Planting Techniques. Prepare a hole no deeper than the root ball or mass but two to three times wider than the spread of the root ball or mass. The majority of the roots on a newly planted tree will develop in the top 12 inches of soil and spread out laterally. There are some additional considerations depending on the type of plant material being used (Table 4.58).

Table 4.58. Tree Planting Techniques

Plant Material	Planting Technique	Planting Season
Bare root	Hand plant	Spring or fall when tree is dormant
Container grown	Hand plant or use mechanical planting tools (e.g., auger)	Spring or fall, summer if irrigated
Balled and burlapped	Use backhoe (or other specialized equipment) or hand plant	Spring or fall

Sources: Palone and Todd (1998), WSAHGP (2002)

One of the most important planting guidelines is to make sure the tree is not planted too deeply. The root collar, the lowest few inches of trunk just above its junction with the roots (often indicated by a flare), should be exposed. Trees planted too deeply have buried root collars, and are weakened, stressed, and predisposed to pests and disease. Trees planted too deeply can also form adventitious roots (roots that form from non-root tissue) near the soil surface in an attempt to compensate for the lack of available oxygen to buried roots. Adventitious roots are not usually large enough to provide support for a large tree and may eventually lead to collapse. ISA (2005) provides additional guidance on how to avoid planting too deeply. It is generally better to plant the tree a little high, that is, with the base of the trunk flare 2 to 3 inches above the soil, rather than at or below the original growing level.

Proper handling during planting is essential to avoid prolonged transplant shock and ensure a healthy future for new trees and shrubs. Trees should always be handled by the root ball or container, never by the trunk. Specifications for planting a tree are illustrated in Figure 4.55. Trees must be watered well after planting.

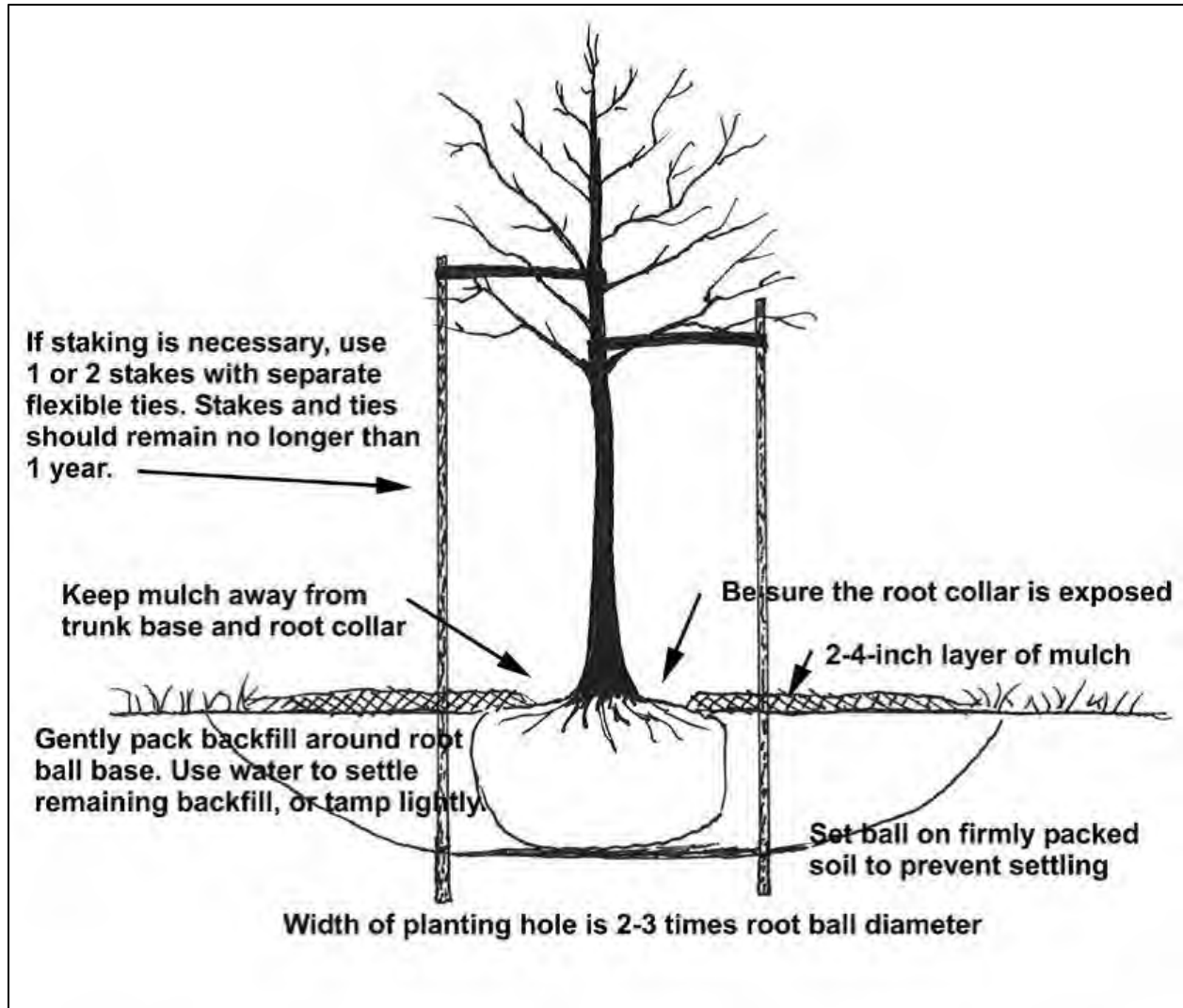


Figure 4.55. Tree planting guidelines. Adapted from Flott, 2004 and ISA, 2003b.

Steep slopes require additional measures to ensure planting success and reduce erosion, especially if the slope receives stormwater runoff from upland land uses. Depending on the steepness of the slope and the runoff volume, rill or gully erosion may occur on these slopes, requiring a twofold approach: controlling the stormwater and stabilizing the slope.

Erosion control blankets are recommended to temporarily stabilize soil on slopes until vegetation is established. Erosion control fabrics come in a variety of weights and types and should be combined with vegetation establishment such as seeding. Other options for stabilizing slopes include applying compost or bark mulch, plastic sheeting, or sodding.

Trees will add stability to slopes because of their deep roots, provided they are not planted by digging rows of pits across a slope. Required maintenance will include mowing (if slopes are not too steep) and establishing cover on bare or eroded areas.

Planting methods for slopes steeper than 3H:1V involve creating a level planting space on the slope (see Figure 4.56). A terrace can be dug into the slope in the shape of a step by cutting into the existing slope

and using the excavated soil as fill to create the step area. A low soil berm (or rock berm) can be formed at the front edge of each step or terrace to slow the flow of water. Trees can also be planted in clusters on slopes (using the above method) to limit potential for desiccation. Staggering tree placement and mulching will prevent water from running straight downhill.

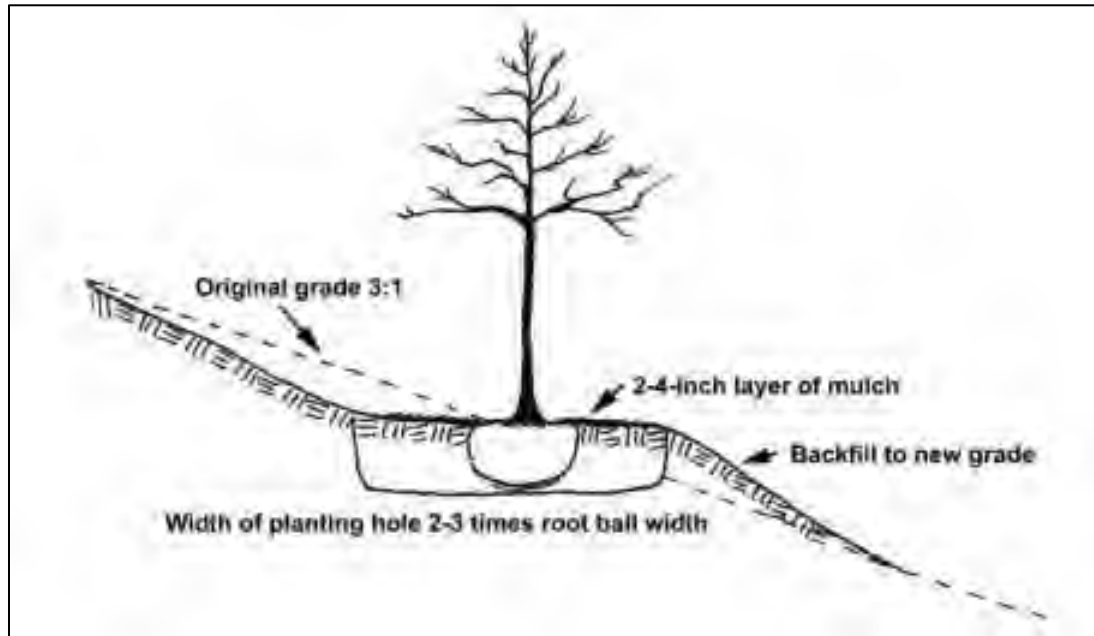


Figure 4.56 Trees planted on steep slopes require a constructed level planting surface.

Post-Planting Tree Protection

Mulching: Once the tree has been properly planted, 2 to 4 inches (maximum) of organic mulch must be spread over the soil surface out to the drip line (the outermost circumference of the tree canopy) of the tree. A mulch-free area, 2 to 3 inches wide at the base of the tree, must be provided to avoid moist bark conditions and prevent decay

If planting a cluster of trees, mulch the entire planting area, ensuring a 2- to 3-inch wide mulch free area at the base of each tree.

Slow-decomposing organic mulches, such as shredded bark, compost, leaf mulch, or wood chips provide many added benefits for trees. Mulch that contains a combination of chips, leaves, bark, and twigs is ideal for reforestation sites. Grass clippings and sawdust are not recommended as mulches because they decompose rapidly and require frequent application, resulting in reduced benefits.

For well-drained sites, up to 4 inches of mulch may be applied. For poorly drained sites, a thinner layer of mulch should be applied. Mulch should never be more than 4 inches deep or applied right next to the tree trunk; however, a common sight in many landscaped areas is the “mulch volcano.” This over-mulching technique can cause oxygen and moisture-level problems, and decay of the living bark at the base of the tree.

Staking: Studies have shown that trees will establish more quickly and develop stronger trunk and root systems if they are not staked at the time of planting. Staking for support may be necessary only for top-heavy trees or at sites where vandalism or windy exposure are a concern.

If staking is necessary for support, two stakes used in conjunction with a wide flexible tie material will hold the tree upright, provide flexibility, and minimize injury to the trunk. To prevent damage to the root ball, stakes should be placed in undisturbed soil beyond the outer edges of the root ball.

Perhaps the most important part of staking is its removal. Over time, guy wires (or other tie material) can cut into the growing trunk bark and interfere with the movement of water and nutrients within the tree. Staking material should be removed within 1 year of planting.

4.14.3 Tree Inspection Criteria

An initial inspection by a qualified professional must be done to ensure the tree has been planted, watered, and protected correctly with locations flagged if appropriate. For newly planted trees, transplant shock is common and causes stress on the tree. For this reason, newly planted trees must be inspected more frequently than established trees. The time it takes for a tree to become established varies with the size at planting, species, stock, and site conditions, but generally, trees should be inspected every few months during the first 3 years after planting, to identify problems and implement repairs or modify maintenance strategies.

After the first 3 years, annual inspections are sufficient to check for problems. Trees must also be inspected after major storm events for any damage that may have occurred. The inspection should take only a few minutes per tree, but prompt action on any problems encountered results in healthier, stronger trees. Inspections should include an assessment of overall tree health, an assessment of survival rate of the species planted, cause of mortality, if maintenance is required, insect or disease problems, tree protection adjustment, and weed control condition.

Construction inspection checklist for tree planting and preservation can be found in Appendix E Construction Inspection Checklists.

4.14.4 Tree Maintenance Criteria

Water newly planted trees regularly (at least once a week) during the first growing season. Water trees less frequently (about once a month) during the next two growing seasons. After 3 growing seasons, water trees only during drought. The exact watering frequency will vary for each tree and site.

A general horticultural rule of thumb is that trees need 1 inch of rainfall per week during the growing season. This means new trees need a minimum of 25 gallons of water a week to stay alive (<http://caseytrees.org/get-involved/water/>). Water trees deeply and slowly near the roots. Light, frequent watering of the entire plant can encourage roots to grow at the surface. Soaker hoses and drip irrigation work best for deep watering of trees. It is recommended that slow leak watering bags or tree buckets are installed to make watering easier and more effective. Continue watering until mid-fall, tapering off during lower temperatures.

Pruning is usually not needed for newly planted trees but may be beneficial for tree structure. If necessary, prune only dead, diseased, broken or crossing branches at planting. As the tree grows, lower branches may be pruned to provide clearance above the ground, or to remove dead or damaged limbs.

Maintenance inspection checklist for tree planting and preservation and the Maintenance Service Completion Inspection form can be found in Appendix F Maintenance Inspection Checklists.

Waste Material. Waste material from the repair, maintenance, or removal of a BMP or land cover shall be removed and disposed of in compliance with applicable local, state, and federal law.

4.14.5 Tree Stormwater Compliance Calculations

Trees receive retention credit, but are not credited with additional TSS, TN, and bacteria removal (Table 4.59). To ensure appropriate stormwater benefits associated with proposed tree preservation or planting, all trees receiving retention credit must be properly maintained until redevelopment of the area occurs. If trees die, they must be replaced with a tree of similar mature spread no longer than 6 months from time of death in an appropriate location.

Preserved trees located within a site’s limits of disturbance (LOD) that meet the requirements described above receive a retention credit of 10, 20, or 30 cubic feet each, depending upon the size of the mature spread of the tree and whether the tree is designated as a Special Tree (greater than 14” diameter). Note: To receive the preserved tree retention credit, trees must be left undisturbed in their original location. Trees that are removed and replanted are not considered preserved trees.

Planted trees that meet the requirements described above receive a retention credit of 5 or 10 cubic feet each, depending upon the size of the mature spread of the tree. Note: Trees planted as part of another BMP, such as a bioretention area, also receive the 5 or 10 cubic foot retention credit. Retention credits are shown in Table 4.59 below.

Table 4.59. T-1 Preserved and Planted Tree Retention

Tree Type	Retention Credit
Planted Tree – Small	5 cf per tree
Planted Tree – Large	10 cf per tree
Preserved Tree – Small	10 cf per tree
Preserved Tree – Large	20 cf per tree
Preserved Tree – Special	30 cf per tree

Trees also contribute to peak flow reduction. This contribution can be determined in several ways. One method is to subtract the retention credit from the total runoff volume for the 2- to 25-year, and 100-year storms. The resulting reduced runoff volumes can then be used to calculate a reduced NRCS CN for the site or SDA. The reduced NRCS CN can then be used to calculate peak flow rates for the various storm events. Other hydrologic modeling tools that employ different procedures may be used as well.

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4.15 Proprietary Practices

Proprietary Practices				
Definition: Manufactured stormwater treatment practices that utilize settling, filtration, absorptive/adsorptive materials, vortex separation, vegetative components, and/or other appropriate technology to manage the impacts stormwater runoff. Performance varies based on manufacturer's design.				
Site Applicability		BMP Performance Summary		
Land Uses	Required Footprint	WQ Improvement: Moderate to High		
<ul style="list-style-type: none"> ▪ Urban ▪ Suburban ▪ Rural 	Small	TSS ¹	Total N ¹	Bacteria ¹
		Varies*	Varies*	Varies*
		Runoff Reductions		
Construction Costs	Maintenance Burden	Volume		
Moderate	Moderate	Varies*		
Maintenance Frequency:		SWRv		
Routine	Non-Routine	Refer to Device Manufacturers Specifications		
At least annually	Variable			
Advantages/Benefits		Disadvantages/Limitation		
<ul style="list-style-type: none"> ▪ On- or off-line treatment ▪ Useful in challenging stormwater site designs ▪ Water quality treatment 		<ul style="list-style-type: none"> ▪ Devices can be costly ▪ Most devices do not provide retention 		
Components		Design considerations		
<ul style="list-style-type: none"> ▪ Pretreatment ▪ Conveyance ▪ Bypass mechanism 		<ul style="list-style-type: none"> ▪ Must safely overflow or bypass flow from 2- to 25-year design storms. ▪ Manufacturer's specifications ▪ Adequate maintenance access required 		
Maintenance Activities				
<ul style="list-style-type: none"> ▪ Based on manufacturer's specifications 		<ul style="list-style-type: none"> ▪ Routine inspection for proper function 		

¹Credited pollutant load removal

*Varies according to proprietary practice

Definition. Proprietary practices are manufactured stormwater treatment practices that utilize settling, filtration, absorptive/adsorptive materials, vortex separation, vegetative components, and/or other appropriate technology to manage the impacts stormwater runoff. The design includes the following:

M-1 Proprietary practices

Proprietary practices may be used to achieve treatment compliance, provided they have been approved by the State and meet the performance criteria outlined in this specification. Historically, proprietary practices do not provide retention volume. A proprietary practice will not be valued for retention volume unless the practice can demonstrate the occurrence of retention processes.

4.15.1 Proprietary Practice Feasibility Criteria

Individual proprietary practices will have different site constraints and limitations. Manufacturer's specifications should be consulted to ensure that proprietary practices are feasible for application on a site-by-site basis.

4.15.2 Proprietary Practice Conveyance Criteria

All proprietary practices must be designed to safely overflow or bypass flows from larger storm events to downstream drainage systems. The overflow associated with the 2- to 25-year design storms must be controlled so that velocities are non-erosive at the outlet point (i.e., to prevent downstream erosion).

Manufactured treatment devices may be constructed on-line or off-line. On-line systems receive upstream runoff from all storms, providing runoff treatment for the stormwater quality design storm and conveying the runoff from larger storms through an overflow. In off-line devices, most, or all, of the runoff from storms larger than the stormwater quality design storm bypass the device through an upstream diversion or other mechanism.

4.15.3 Proprietary Practice Pretreatment Criteria

Individual proprietary practices may require pretreatment or may be appropriate for use as pretreatment devices. Manufacturer's specifications should be consulted to determine the device-specific pretreatment requirements.

4.15.4 Proprietary Practice Design Criteria

The basic design parameters for a proprietary practice will depend on the techniques it employs to control stormwater runoff and remove particulate and dissolved pollutants from runoff. In general, the design of devices that treat runoff with no significant storage and flow rate attenuation must be based upon the peak design flow rate. However, devices that do provide storage and flow rate attenuation must be based, at a minimum, on the design storm runoff volume and, in some instances, on a routing of the design runoff hydrograph. Hydrologic design is discussed further in Appendix I Hydrology and Hydraulics Design Requirements.

Proprietary practices approval is contingent on adherence to the New Jersey Department of Environmental Protection Certification (NJDEP) protocols and testing. The NJDEP Certification Process includes details of the verification process and the required data submittals for determination of proprietary practice performance. The current NJDEP version should be followed and is included in the References below.

Adequate maintenance access must be provided for all proprietary practice systems. Access, with access steps, as applicable, must be provided for the inlet pipe, outflow structure, and over any other functional components.

4.15.5 Proprietary Practice Landscaping Criteria

Proprietary devices may or may not require landscaping considerations. Manufacturer's specifications should be consulted to determine any landscaping requirements for the device.

4.15.6 Proprietary Practice Construction Sequence

The construction and installation of individual proprietary practices will vary based on the specific proprietary practice. Manufacturer's specifications should be consulted to determine the device specific construction sequencing requirements.

Construction inspection checklist for generic structural BMPs can be found in Appendix E Construction Inspection Checklists.

4.15.7 Proprietary Practice Maintenance Criteria

In order to ensure effective and long-term performance of a proprietary practice, regular maintenance tasks and inspections are required.

All proprietary practices should be inspected by a qualified professional and maintained in accordance with the manufacturer's instructions and/or recommendations and any maintenance requirements associated with the device's verification by *<Local jurisdiction>*.

Maintenance inspection checklist for generic structural BMPs and the Maintenance Service Completion Inspection form can be found in Appendix F Maintenance Inspection Checklists.

Waste Material. Waste material from the repair, maintenance, or removal of a BMP or land cover shall be removed and disposed of in compliance with applicable local, state, and federal law.

4.15.8 Proprietary Practice Stormwater Compliance Calculations

Proprietary practices receive retention credit when explicitly approved by the *<local jurisdiction>*. Pollutant removal (TSS EMC reduction) may be awarded for specific practices provided they meet the performance criteria outlined in Section 4.13.4 Proprietary Practice Design Criteria.

4.15.9 References

The National Environmental Laboratory Accreditation Conference (NELAC) Institute (TNI) Available at: <http://www.nelac-institute.org/>

New Jersey Corporation for Advanced Technology (NJCAT) Technology Verification Program and Testing Protocols available at: <http://www.njcat.org/>

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4.16 Conservation Area

If a site includes a Conservation Area which is protected under a conservation easement or equivalent form of protection, a portion of the conservation area may be “removed” from the site for the purposes of calculating the stormwater retention volume (SWRv). There are four scenarios that could qualify for a conservation area credit.

4.16.1 Scenario 1: Natural Conservation Area

Scenario 1 is applicable if a portion of the post-developed area is left in its natural condition and protected, in perpetuity, by a conservation easement or equivalent form of protection. If this scenario is applicable, subtract 100% of the protected natural area from the total site area when calculating the SWRv.

4.16.2 Scenario 2: Reforestation/Revegetation

Scenario 2 is applicable if a portion of the post-developed area employs site reforestation/revegetation and is protected, in perpetuity, by a conservation easement or equivalent form of protection. If this application is used alone, subtract 50% of the reforested/revegetated area from the total site area when calculating the SWRv.

4.16.3 Scenario 3: Soil Restoration

Scenario 3 is applicable if a portion of the post-developed area employs soil restoration and is protected, in perpetuity, by a conservation easement or equivalent form of protection. If this application is used alone, subtract 50% of the soil restoration area from the total site area when calculating the SWRv.

4.16.4 Scenario 4: Reforestation/Revegetation & Soil Restoration

Scenario 4 is applicable if the same portion of the post-developed area employs site reforestation/revegetation as well as soil restoration and is protected, in perpetuity, by a conservation easement or equivalent form of protection, subtract 100% of the acres of development with restored soils in a reforested and revegetated area from the total site area when calculating the SWRv.

Chapter 5. Erosion & Sediment Control

Sedimentation involves three basic geologic processes: erosion, transportation, and deposition. These are natural geologic phenomena; however, land development activities may initiate severe, highly undesirable and damaging alterations in the natural sedimentation cycle by drastically accelerating the erosion and transportation process. Receiving waters are the final destination for sediment transport and deposition. However, natural streams and lakes are not capable of handling the excessive sediments created by this accelerated cycle. Therefore, excessive sediment loads result in turbid waters and heavy deposition over the substrate. The impact of these events directly affects the propagation of aquatic life, which relies on clear substrates and water to feed and reproduce. Sediment-laden waters affect human activities through the degradation of waters used for aquatic recreation and sport fishing and complicate water treatment processes. Consequently, minimizing the occurrence of erosion and effective control of sediment transport is imperative to all.

5.1 Sedimentation Cycle

Soil erosion is usually caused by the impact force of raindrops and by the sheer stress of runoff flowing in rills and streams. Raindrops falling on bare or sparsely vegetated soil detach soil particles; runoff, in the form of sheet flow along the ground, picks up and carries these particles to surface waters. As the runoff gains velocity and concentration, it detaches more soil particles, cuts deeper rills and gullies into the surface of the soil, and adds to its own sediment load. Coalescing rivulets produce streams which have a larger volume and usually an increased velocity. These increasing streams have a greater capacity to remove sediment and transport it downstream. The further the runoff runs uncontrolled, the greater its erosive force and the greater the resulting damage. As the distance and volume of uncontrolled flow increase, the control becomes increasingly difficult. At some point, the energy in the stream dissipates to level that can no longer support the transport of the sediment. At this time, the sediment falls out of the water column and deposits. Over time the sediment will either be incorporated into the substrate or be re-suspended for further transport.

5.2 Factors Influencing Erosion

The erosion potential of a site is principally determined by the soil type, vegetative cover, topography, climate, and season. These factors contribute to the detachment of soil particles and their transport off-site.

- **Soil Type** – Erodibility, the amount of energy needed to break down soil structure, is dependent on soil composition and texture. Soils with high erodibility require less energy to detach soil particles.
- **Vegetative Cover** – Vegetation shields soils from the impact energy of raindrops and traps suspended sediment from runoff.
- **Topography** – Steeper and longer slopes generate runoff with more velocity and energy to erode and transport more sediment.
- **Climate** – Rainfall frequency and intensity cumulatively contribute energy in the form of raindrop impact and runoff volume to detach and transport soil particles.
- **Season** – Seasonal variations in wind, temperature, humidity, and rainfall may create more ideal conditions for erosion.

5.3 Concepts of Erosion & Sediment Control

Principles of erosion and sedimentation control are based on minimizing the effects of the soil and climatologic factors just discussed. None of the following concepts provide a singular solution for controlling

those factors, nor can they all be performed at every site. However, the integration of as many concepts as possible provides the most effective erosion and sedimentation control:

- A. Compatible Site Planning
 - Minimize development within sensitive areas (e.g. highly erosive soils).
 - Limit the length and steepness of the designed slopes.
 - Maintain natural vegetative cover when possible.
- B. Disturbed Areas Reduction
 - Minimize the extent of the disturbed area and the duration of exposure.
 - Phase or stage development so that only the areas that are actively being developed are disturbed.
 - Minimize large or critical area grading during the season of maximum erosion potential.
- C. Disturbed Areas Protection
 - Complete grading as quickly as possible.
 - Establish permanent vegetation as soon as possible on disturbed areas.
 - Divert runoff from disturbed areas.
- D. Sediment Retention within Site Boundaries
 - Filter runoff as it flows from a disturbed area.
 - Impound sediment-laden runoff temporarily so that the soil particles are deposited onsite.

The NPDES Phase II storm water regulations enacted by the Clean Water Act of 1972 and promulgated by Stormwater Phase II Final Rule (1999) require that any activity disturbing an acre or greater of land, or a smaller project part of a larger common plan for development or sale, obtain NPDES construction permit coverage. This regulation differs somewhat from the South Carolina state regulations relating to areas of disturbance. Any land disturbing activity in the *<local jurisdiction>* that meets the aforementioned criteria of one acre or more of disturbance will need to will comply with the state process for permitting. Application and issuance of an approved permit under the South Carolina state regulations for erosion and sedimentation control will meet the requirements for coverage under NPDES Phase II as well (DHEC, 2012).

5.4 General Criteria

All construction site activities must adhere the SCDHEC General Permit SC0010000 for Large and Small Site Construction Activities. In addition, the *<local jurisdiction>* will require as a minimum, implementation of the following construction site BMPs:

Single Family Development, not part of a larger common plan of development:

1. Silt Fencing buried a minimum of 6 inches below disturbed grade, where applicable;
2. In areas where more than two feet of fill material has been placed or in areas adjacent to all wetlands, silt fencing meeting the requirements of SCDOT must be used;
3. Temporary gravel driveways a minimum of 15 feet by 10 feet, where applicable; and
4. Sediment barriers surrounding all catch basins or drop inlets on site and sediment socks on all catch basins or drop inlets adjoining to the site.

Single Family and Multi-Family Development, part of a larger common plan of development, and Non-residential Development:

1. Silt Fencing buried a minimum of 6 inches below disturbed grade;
2. Temporary gravel driveways a minimum of 15 feet by 10 feet;
3. Sediment barriers surrounding all catch basins or drop inlets on site and sediment socks on all catch basins or drop inlets adjoining to the site;
4. Flow dissipation devices, such as check dams, in all swales and ditches;
5. Temporary stabilization shall be placed within 7 days after construction activity is complete unless construction activity is going to resume within 21 days;
6. Floating pump suction for all temporary or permanent ponds or pumping of excavations;
7. Discharge velocities shall be reduced to provide non-erosive flows from dewatering for all temporary or permanent ponds or pumping of excavations;
8. No more than 25 Nephelometric turbidity units (NTU) difference between upstream and downstream monitoring sites for surface water(s) receiving stormwater discharge(s). Stormwater discharge(s) not directly received by a surface water shall have a value of no more than 25 NTU's.
9. Site inspections must be performed by a *<local jurisdiction>* qualified individual. Copies of inspection reports shall be provided to the *<local jurisdiction>* within 7 days of inspection;
10. Temporary stockpile areas and appropriate BMPs to be identified on plans; and
11. Two rows of silt fence are required between land disturbing activities and adjacent wetlands.

5.5 References

South Carolina Department of Health and Environmental Control (DHEC). 2012. NPDES General Permit for Stormwater Discharges from Construction Activities SCR100000. Retrieved from: <https://www.scdhec.gov/sites/default/files/docs/Environment/docs/CGP-permit.pdf>

Chapter 6. Enforcement & Violations

[Section Reserved for <local jurisdiction> requirements]

Appendix A. Southern Lowcountry Post Construction Stormwater Ordinance

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Post-Construction Stormwater Management Ordinance for the Southern Lowcountry Region

Description: This ordinance addresses post-construction stormwater management in the Southern Lowcountry Region, defined as the jurisdictional boundaries of Beaufort County, Jasper County, City of Beaufort, Town of Bluffton, City of Hardeeville, and Town of Port Royal. The ordinance establishes requirements for stormwater plans that are to be submitted before land development, redevelopment or major substantial improvement commences. The plans document how post-construction stormwater runoff quality and quantity will be effectively managed according to performance criteria described in the Ordinance and Southern Lowcountry Design Manual. Guidelines for inspection, maintenance, and violations are also included and these requirements are hereby incorporated herein. The ordinance incorporates by reference the *Southern Lowcountry Stormwater Design Manual* and technical specifications for stormwater system design.

Formatting Notes: Summary boxes precede many sections of the ordinance and provide a descriptive overview and regulatory intent of the section. Language that is italicized in brackets may be altered or removed to suit the needs of the local jurisdiction. Language italicized in sharp brackets should be changed to match the terminology used by the local jurisdiction or to include data specific to the jurisdiction.

Section A1. General Provisions

1.1. Findings of Fact

It is hereby determined that:

- 1) Land development or redevelopment activities can alter the hydrologic response of local watersheds by increasing:
 - a. stormwater runoff rates, volumes, and pollutant loads;
 - b. flooding;
 - c. channel erosion;
 - d. pollutant transport and deposition in rivers and streams, wetlands, and estuaries;
 - e. fluctuations in salinity concentrations and productivity in estuaries; and
 - f. beach contamination and subsequent serious threats to human health.
- 2) Land development or redevelopment activities can alter the hydrologic response of local watersheds, increasing stormwater runoff rates and volumes, and, consequently, decreasing the amount of rainfall that is available to recharge shallow groundwater aquifers;
- 3) Without proper mitigation in place, some discharges which end up in stormwater management systems are not stormwater discharges and can carry with them harmful metals and other contaminants;
- 4) The negative impacts of land development or redevelopment activities on local aquatic resources can adversely affect the health, safety and general welfare of the general public;
- 5) The negative impacts of land development or redevelopment can be controlled and minimized through the regulation of stormwater runoff rates, volumes, and pollutant loads on development and redevelopment sites;

- 6) Communities within the *Southern Lowcountry* Region are required to comply with a number of State and Federal regulations that require the adverse impacts of stormwater runoff rates, volumes and pollutant loads to be controlled and minimized;
- 7) Therefore, the *<local jurisdiction>* has determined that it is in the public interest to control and minimize the adverse impacts of land development or redevelopment activities and has established this set of stormwater management provisions to regulate post-construction stormwater runoff rates, volumes and pollutant loads on development and redevelopment sites.

1.2. Purpose and Intent

The purpose of this ordinance is to protect and maintain the integrity of local aquatic resources, and, consequently, the health, safety and welfare of the general public, by establishing minimum stormwater management provisions that control and minimize the adverse impacts of land development or redevelopment activities. This ordinance seeks to meet that purpose through the following objectives:

- 1) Establish decision-making processes surrounding land development or redevelopment activities that protect the integrity of local aquatic resources;
- 2) Establish minimum post-development stormwater management standards and design criteria in the *Southern Lowcountry Stormwater Design Manual* that will reduce flooding, channel erosion, and pollutant transport and deposition in local aquatic resources;
- 3) Establish minimum post-development stormwater management standards and design criteria in the *Southern Lowcountry Stormwater Design Manual* that will help preserve existing hydrologic conditions on development and redevelopment sites;
- 4) Establish design criteria in the *Southern Lowcountry Stormwater Design Manual* for structural and nonstructural stormwater management practices that can be used to meet the minimum post-development stormwater management standards and design criteria;
- 5) Establish that Better Site Design (BSD) and site planning has been incorporated, documented, and presented in the development/redevelopment design process.
- 6) Maintain structural and nonstructural stormwater management practices to ensure that they continue to function as designed and pose no threat to public safety; and,
- 7) Streamline administrative procedures for the submission, review, approval and disapproval of stormwater management plans and for the inspection of approved land development projects.
- 8) If any of the stormwater management standards, as defined in this Ordinance and in the *Southern Lowcountry Stormwater Design Manual* cannot be attained on the site (due to impractical site characteristics or constraints), a Maximum Extent Practicable analysis shall be prepared and submitted by the applicant for review, discussion, and ultimate approval of the jurisdiction. Any uncontrolled post-development stormwater quantity or quality volume shall be intercepted and treated in one or more off-site stormwater management practices or a fee-in-lieu shall be required.
- 9) The stormwater management practices of approved plans shall provide volume control and at least an eighty (80) percent reduction in total suspended solids loads, thirty (30) percent reduction of total nitrogen load, and sixty (60) percent reduction in bacteria load.

1.3. Applicability and Exemptions

- 1) This ordinance shall be applicable to any new development or redevelopment activity that meets one or more of the following criteria, unless exempt pursuant to Section 1.3.2 below:
 - a. New development that involves the creation of 5,000 square feet of impervious surface or that involves other land disturbing activities of one acre or more.
 - b. Redevelopment that involves the creation, addition or replacement of 5,000 square feet or more of impervious surface or that involves other land disturbing activities of one acre or more.
 - c. New development or redevelopment, regardless of size, that is part of a larger common plan of development, even though multiple, separate and distinct land disturbing activities may take place at different times and on different schedules.
 - d. A major substantial improvement of an existing property.
- 2) The following activities are exempt from this ordinance:
 - a. Any maintenance, alteration, renewal, or improvement as approved by *<local jurisdiction>* which does not alter existing drainage pattern, does not result in change or adverse impact on adjacent property, or create adverse environmental or water quality impacts, and does not increase the temperature, rate, quality, or volume or location of stormwater runoff discharge.
 - b. Projects that are exclusively for agricultural or silvicultural activities within areas zoned for these agricultural and silvicultural uses;
 - c. Agricultural activity not involving relocation of drainage canals;
 - d. Redevelopment that constitutes the replacement of the original square footage of impervious cover and original acreage of other land development activity when the original development is wholly or partially lost due to natural disaster or other acts of God occurring after *<date of adoption>*; and,
 - e. Work by agencies or property owners required to mitigate emergency flooding conditions. If possible, emergency work should be approved by the duly appointed officials in charge of emergency preparedness or emergency relief. Property owners performing emergency work will be responsible for any damage or injury to persons or property caused by their unauthorized actions. Property owners will stabilize the site of the emergency work within 60 days, or as soon as reasonable, following the end of the emergency period.

1.4. Designation of Ordinance Administrator

The *<administrator>* is hereby appointed to administer and implement the provisions of this ordinance.

1.5. Compatibility with Other Regulations

This ordinance is not intended to interfere with, modify or repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this ordinance should be considered minimum requirements, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

1.6. Severability

If the provisions of any section, subsection, paragraph, subdivision, or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

1.7. Stormwater Management Manual

The <local jurisdiction> will utilize the standards, criteria, and information presented in the latest edition of the *Southern Lowcountry Stormwater Design Manual or applicable addendums, appendices, technical memorandums, and/or applicable revisions that may be directly applied* for the proper implementation of this ordinance. This Manual may be updated and expanded periodically, based on improvements in science, engineering, monitoring, local experience, and state or federal water quality requirements.

The procedures and standards set forth in this Stormwater Management Ordinance, and the policies, procedures, and design data specified in the *Southern Lowcountry Stormwater Design Manual* provide the minimum standards to be adhered to by land development and redevelopment activities under the jurisdiction of <local jurisdiction>.

The *Southern Lowcountry Stormwater Design Manual* identifies Special Watershed Protection Areas that have standards and criteria specific to land development or redevelopment in the areas.

Section A2. Definitions

“Administrator” means the person appointed by each jurisdiction to execute the requirements of this Ordinance and Stormwater Design Manual.

“Applicant” means a property owner or other responsible person who has submitted an application for a post-development stormwater management permit.

“Best management practice” (BMP) — Structural or non-structural practice that minimizes the impact of stormwater runoff on receiving waterbodies and other environmental resources, especially by reducing runoff volume and the pollutant loads carried in that runoff.

“Better Site Design” means site design techniques that can be used during the site design process to minimize the creation of new impervious cover and reduce a site’s impact on the watershed. Better site design techniques include reduced clearing and grading limits, roadway lengths and widths, and parking lot and building footprints.

“Better Site Planning” means site planning techniques that can be used during the site planning process to protect and conserve natural areas that are critical in preserving pre-development site hydrology and reducing a site’s impact on the watershed. Better site planning techniques include conserving significant stands of trees and other vegetation, natural drainage features, and riparian buffers.

“Building” means any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal, or property, and occupying more than 100 square feet of area.

“Channel” means a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

“Dedication” means the deliberate appropriation of property by its owner for general public use.

“Detention” means the temporary storage of stormwater runoff in a stormwater management practice for the purpose of controlling the peak discharge.

“Developer” means a person who undertakes land development or redevelopment activities.

“Development” is a term that means the physical improvement of land by land disturbing activities or construction of infrastructure, buildings and structures allowed through site plan, development plan or subdivision approval.

“Drainage Easement” means an easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.

“Easement” means a legal right granted by a land owner to a grantee allowing the use of private land for conveyance or treatment of stormwater runoff and access to stormwater management practices.

“Erosion and Sedimentation Control Plan” means a plan that is designed to minimize the accelerated erosion and sediment runoff at a site during land development or redevelopment activities.

“Evapotranspiration” means the loss of water to the atmosphere by both evaporation and transpiration, through the uptake of water by plants.

“Existing Conditions” means land use and land cover conditions at the time of a land development or redevelopment permit application.

“Extreme Flood Protection” means measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

“Fee-in-lieu” means a payment collected by approval of a local jurisdiction as an alternative to meeting the requirements of onsite stormwater control facilities.

“Flooding” means a volume of surface water that is too great to be confined within the banks or walls of a conveyance or stream channel and that overflows onto adjacent lands.

“Greenspace” or **“Open Space”** means permanently protected areas of the site that are preserved in a natural state.

“Hydrologic Soil Group (HSG)” means a Natural Resource Conservation Service classification system in which soils are categorized into four runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and produce much more runoff.

“Impaired Waters” means those streams, rivers and lakes that currently do not meet their designated use classification and associated water quality standards and as identified in the Clean Water Act Section 303(d) list by the South Carolina Department of Health and Environmental Control.

“Impervious Cover” means a surface composed of any material that impedes or prevents the passive, natural infiltration of water into soil. Impervious surfaces include, but are not limited to, rooftops, buildings, streets, roads, and compacted stone or gravel, except those designed specifically to provide active, engineered infiltration.

“Infill Development” means land development that occurs within designated areas based on local land use, watershed, and/or utility plans where the surrounding area is generally developed, and where the site or area is either vacant or has previously been used for another purpose.

“Infiltration” means the process of percolating stormwater runoff into the subsoil.

“Infiltration Practice” means any stormwater management practice designed to provide active, engineered infiltration of retained water to the subsurface. These stormwater management practices may be above or below grade.

“Inspection and Maintenance Agreement and Covenant” means a written agreement and covenant providing for the long-term inspection and maintenance of stormwater management facilities and practices on a site or with respect to a land development or redevelopment project, which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a development project.

“Land Development” means any change in land cover, including, but not limited to, clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, filling, and paving, that alters the hydrologic response of local watersheds.

“Land Development Activities” means those actions or activities that comprise, facilitate, or result in land development.

“Land Development Project” means a discrete land development undertaking.

“Larger Common Plan of Development” means a common plan for development or sale. It identifies a site where multiple separate and distinct construction activities (areas of disturbance) are occurring on contiguous areas. Such sites may have one operator or owner or several operators and owners. Construction activities may take place at different times on different schedules, in separate stages, and/or in separate phases, and/or in combination with other construction activities. Each developer, operator or owner for each site or project determined to be a part of a larger common plan of development are subject to land development approval and permitting requirements as defined herein and the Southern Lowcountry Design Manual.

“Low Impact Development” means small-scale, distributed stormwater management practices that can be used during the site design process to replicate existing hydrologic conditions, help offset the creation of new impervious cover, and reduce a site’s impact on the watershed.

“Major Substantial Improvement” is a renovation or addition to a structure that meets both of the following cost and size thresholds: a) construction costs for the building renovation/addition are greater than or equal to 50% of the pre-project assessed value of the structure as developed using current Building Valuation Data of the International Code Council, and b) combined footprint of structure(s) exceeding the cost threshold and any land disturbance is greater than or equal to 5,000 square feet.

“Maximum Extent Practicable (MEP)” refers to the extent of efforts to comply with local post-construction stormwater management requirements. Elements of MEP indicate serious intent to comply and include selecting and implementing design elements to address site restrictions. Maximum extent practicable is defined as the following:

- Proponents of redevelopment projects have made all reasonable efforts to meet the applicable *Southern Lowcountry Stormwater Design Manual*;
- They have made a complete evaluation of possible stormwater management measures including environmentally sensitive site design that minimize land disturbance and impervious surfaces, low impact development techniques, and stormwater best management practices (BMPs); and,

- If not in full compliance with the applicable Standards, they are implementing the highest practicable level of stormwater management.

“New Development” means a land development activity on a previously undeveloped site.

“Nonpoint Source Pollution” means a form of water pollution that does not originate from a discrete point, such as a sewage treatment plant or industrial discharge, but involves the transport of pollutants, such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, nutrients, organic materials, and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff and leaching. Nonpoint source pollution is a by-product of land use practices, such as agriculture, silviculture, mining, construction, subsurface disposal, suburban and urban runoff.

“Nonstructural Stormwater Management Practice” or **“Nonstructural Practice”** means any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits and includes, but is not limited to, riparian buffers, open and greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.

“Off-Site Facility” means a stormwater management facility located outside the boundaries of the site.

“On-Site Facility” means a stormwater management facility located within the boundaries of the site.

“Overbank Flood Protection” means measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain) and that are intended to protect downstream properties from flooding for the 2-year through 25-year frequency storm events.

“Owner” means the legal or beneficial owner of a site, including, but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm, or corporation in control of the site.

“Permit” means the permit issued by the <local jurisdiction> to the applicant, which is required for undertaking any land development or redevelopment activity.

“Person” means, except to the extent exempted from this ordinance, any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body, or any other legal entity.

“Post-development” refers to the time period or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development or redevelopment activity on a site.

“Pre-development” refers to the time period or the conditions that exist, on a site prior to land development. For the purpose of determining pre-development surface runoff conditions, it is assumed that predevelopment is meadow conditions.

“Project” means a land development or redevelopment project.

“Recharge” means the replenishment of groundwater aquifers.

“Redevelopment” means a change to previously existing, improved property, including but not limited to the building of structures, filling, grading, paving, or excavating, but excluding ordinary maintenance

activities, remodeling of buildings on the existing footprint, resurfacing of paved areas, and exterior changes or improvements that do not materially increase or concentrate stormwater runoff or cause additional nonpoint source pollution..

“Regional Stormwater Management Facility” or **“Regional Facility”** means stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the individual properties may assist in the financing of the facility and the requirement for on-site controls in the contributing drainage area is either eliminated or reduced.

“Riparian Buffer” means an area of land at or near a streambank, wetland, or waterbody that has intrinsic water quality value due to the ecological and biological processes it performs or is otherwise sensitive to changes which may result in significant degradation of water quality.

“Runoff” means stormwater runoff.

“Runoff Reduction” means the total annual runoff volume reduced through canopy interception, soil infiltration, evaporation, transpiration, rainwater harvesting, engineered filtration, or extended filtration.

“Site” means the parcel of land being developed, or the portion thereof on which the land development or redevelopment project is located.

“Special Watershed Protection Area” means a watershed or drainage catchment designated by the <local jurisdiction> to provide specific stormwater management requirements beyond those established in the *Southern Lowcountry Stormwater Design Manual* for the general three watershed protection areas of the Southern Lowcountry.

“Stop Work Order” means an administrative order that requires development activity on a site to be stopped. The extent of the stop work order is determined by the <local jurisdiction> and is identified in accompanying details of each Order.

“Stormwater Hotspot” means an area where land use or activities generate highly contaminated runoff with concentrations of pollutants in excess of those typically found in stormwater runoff. The following operations are examples of, but not limited to, stormwater hot spots in this ordinance: car washes, industrial sites, auto repair shops, parking garages, vehicle fueling and storage areas, golf courses, marinas, and transportation equipment repair facilities.

“Stormwater Management Practice” means structural and nonstructural practices that control stormwater runoff and provide for or enhance stormwater quantity and/or quality control or other stormwater management benefits.

“Stormwater Management” means the collection, conveyance, storage, treatment, and disposal of stormwater runoff in a manner intended to prevent increased flood damage, streambank channel erosion, habitat degradation, and water quality degradation and to enhance and promote the public health, safety, and general welfare.

“Stormwater Management Facility” means any infrastructure that controls or conveys stormwater runoff.

“Stormwater Management Plan” means a document describing how existing runoff characteristics will be affected by a land development or redevelopment project and containing measures for complying with the provisions of this ordinance.

“Stormwater Management System” means the entire set of structural and nonstructural stormwater management practices that are used to capture, convey, and control the quantity and quality of the stormwater runoff.

“Stormwater Retrofit” means a stormwater management practice designed for an existing development site that previously had either no stormwater management practice in place or a practice inadequate to meet the requirements of the *Southern Lowcountry Stormwater Design Manual*.

“Stormwater Runoff” means the flow of surface water resulting from precipitation.

“Structural Stormwater Management Practice” means a structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release, or the velocity of flow of such runoff.

“Subdivision” means the division of a parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, transfer of ownership, or land development or redevelopment, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

“Violation” means to transgress conditions of a permit, development plan, maintenance agreement, or local or state statutes.

“Watercourse” means a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

“Watershed Management Plan” means a document, usually developed cooperatively by government agencies and other stakeholders, to protect, restore, and/or otherwise manage the water resources within a particular watershed or subwatershed. The plan commonly identifies threats, sources of impairment, institutional issues, and technical and programmatic solutions or projects to protect and/or restore water resources.

“Watershed Protection Area” means a watershed or drainage catchment designated in the *Southern Lowcountry Stormwater Design Manual* with specific stormwater management requirements that are intended to enhance the quality of development, protect and enhance stormwater quality and management, protect aquatic resources from the negative impacts of land development process, address water quality impairments or a total maximum daily load, as identified by the South Carolina Department of Health and Environmental Control (DHEC), or address localized flooding issues.

Section A3. Permit Procedures and Requirements

3.1 Permit Application Requirements

No owner or developer shall perform any land development or redevelopment activity without first meeting the requirements of this ordinance and the *Southern Lowcountry Stormwater Design Manual* and having been issued a permit from the <local jurisdiction>. Unless specifically exempted by this ordinance, any owner or developer proposing a land development or redevelopment activity shall submit to the <local jurisdiction> a permit application and accompanying items as dictated in the *Southern Lowcountry Stormwater Design Manual* and <local jurisdiction> for that purpose.

The <Administrators> shall use the criteria, and information, including technical specifications and standards, in the *Southern Lowcountry Stormwater Design Manual* as the basis for decisions about

stormwater plans and about the design, implementation and performance of structural and non-structural stormwater systems. The *Southern Lowcountry Stormwater Design Manual* standards shall describe in detail how post-development stormwater runoff will be controlled and managed, the design of all stormwater facilities and practices, the components of a project plan necessary to meet the requirements of this Ordinance and post-construction maintenance and inspection requirements.

3.2 Maximum Extent Practical Guidelines and Process

Maximum extent practicable, or "MEP," is the language of the Clean Water Act that sets the standards to evaluate efforts pursued to achieve pollution reduction to the waters of the United States. It is the determination of this Ordinance that all proposed development and redevelopment sites meet the requirements of the Southern Lowcountry Stormwater Design Manual to achieve reduction of pollution to the waters of the Southern Lowcountry. If it is technically infeasible to do so, the applicant shall document and provide such information to *<local authority>* for review. Information provided shall demonstrate how a combination of several iterations of Better Site Design and post development stormwater management design scenarios fail to meet the minimum requirements of the Southern Lowcountry Stormwater Design Manual and justification of their determination of infeasibility. Cost is not a viable justification.

The MEP process defined by the Southern Lowcountry Stormwater Design Manual shall be the basis of submittals for plan approval under this Ordinance. The MEP submittal must provide documentable evidence of the process the applicant has performed that demonstrates the restrictions to the use and implementation of BMPs to meet the requirements of this Manual in whole or in part. The consideration for a waiver of this Ordinance's requirements will rely on the MEP submittal and *<Administrator>* review.

3.3 Performance Bonds

Bonding for the cost of stormwater facilities approved for the proposed development shall be provided in accordance with the *<local jurisdiction>* performance bond and permit issuance process. The *<local jurisdiction>* shall require from the developer a surety or cash bond, irrevocable letter of credit, or other means of security acceptable to the *<local jurisdiction>* prior to the issuance of any building, grading and/or stormwater permit for any land development, redevelopment or major substantial improvement activity requiring a permanent stormwater management system. The bond required in this Section shall include provisions relative to forfeiture for failure to complete work specified in the approved stormwater management design plan, compliance with all of the provisions of this ordinance, other applicable laws and regulations, and any time limitations.

3.4 Waivers

Individuals seeking a waiver from the requirements of this Ordinance may submit to the *(administrator)* a request for a waiver in accordance with the Southern Lowcountry Stormwater Design Manual.

3.5 Fee-in-Lieu

A fee-in-lieu process shall be established by *<local jurisdiction>* for development projects when none or only partial stormwater requirements can be met. The intent of the fee-in-lieu is to perform or construct future stormwater management BMP projects to mitigate impacts resulting from the development

project. The fee-in-lieu may apply in both a waiver and non-waiver development and redevelopment review process.

Section A4. Post-Construction Stormwater Management Criteria

All development and redevelopment sites shall utilize structural and nonstructural stormwater management practices to control and minimize the increased stormwater runoff rates, volumes, and pollutant loads caused by land development in accordance with the criteria presented in the *Southern Lowcountry Stormwater Design Manual*.

For structural and nonstructural stormwater management practices not included in the *Southern Lowcountry Stormwater Design Manual*, or for which pollutant removal and runoff reduction rates have not been provided, the effectiveness of the structural or nonstructural stormwater management practice must be documented through prior studies, literature reviews, or other means and receive approval from the <local jurisdiction> before being included in the design of a stormwater management system. In addition, if the site is located in a Watershed Protection Area or a Special Watershed Protection Area the <local jurisdiction> may impose additional requirements as deemed necessary, which are located in the *Southern Lowcountry Stormwater Design Manual*.

4.1 Stormwater Volume Control

Some portion of the stormwater runoff generated on a development or redevelopment site shall be captured and retained, reused, or otherwise reduced in order to preserve and/or replicate pre-development site hydrology, recharge shallow groundwater aquifers, promote baseflow to on-site and downstream aquatic resources, and minimize the water quality impacts of land development. Applicants shall follow the runoff reduction, peak flow and extreme flood requirements in the *Southern Lowcountry Stormwater Design Manual*.

4.2 Stormwater Conveyance Systems

Stormwater conveyance systems, which may include but are not limited to culverts, stormwater drainage pipes, catch basins, drop inlets, junction boxes, headwalls, gutters, swales, channels, ditches, and energy dissipaters, shall be provided when necessary for the protection of public right-of-way and private properties adjoining development and redevelopment sites and/or public right-of-ways. Applicants shall consult the latest edition of the *Southern Lowcountry Stormwater Design Manual* for guidance on the design and specification of stormwater conveyance systems.

4.3 Structural Stormwater Management Practices

All structural stormwater management practices shall be selected, designed, constructed, and maintained in accordance with the standards, criteria, and information presented in the latest edition of the *Southern Lowcountry Stormwater Design Manual* and any relevant addenda.

Section A5. Construction of Stormwater Management Systems

The <local jurisdiction> is authorized under this Ordinance to require performance bonds for construction of stormwater management systems, as detailed in the *Southern Lowcountry Stormwater Design Manual*.

The <local jurisdiction> is authorized under this Ordinance to perform construction inspections including, but not limited to, preconstruction, preclearing, and construction sequence inspections as detailed in the *Southern Lowcountry Stormwater Design Manual*.

The <local jurisdiction> is authorized under this Ordinance to perform final construction inspections and require “as built” plans for all permanent stormwater management practices as detailed in the *Southern Lowcountry Stormwater Design Manual*.

Section A6. Ongoing Inspection and Maintenance of Stormwater Management Systems

The <local jurisdiction> is authorized under this Ordinance to perform and require ongoing inspections and maintenance of stormwater management systems as detailed in the *Southern Lowcountry Stormwater Design Manual*.

Section A7. Violations, Enforcement, and Penalties

The <local jurisdiction> is authorized under this Ordinance to enforce the provisions of this ordinance as described in <local jurisdiction> violations, enforcement and penalties process. Any action or inaction that violates the provisions of this ordinance or the requirements of an approved stormwater management design plan, stormwater management inspection and maintenance agreement and plan, or permit may be subject to the enforcement actions. Any such action or inaction that is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief.

Appendix B: Infiltration Testing and Geotechnical Requirements

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B.1 General Notes Pertinent to All Geotechnical Testing

A geotechnical report is required for all underground stormwater best management practices (BMPs), including infiltration-based practices, filtering systems, and storage practices, as well as stormwater ponds and wetlands. The following must be taken into account when producing this report.

- Testing is to be conducted at the direction of a qualified professional. This professional shall either be a registered professional engineer, soils scientist, or geologist and must be licensed in the State.
- Soil boring or test pit information is to be obtained from at least one location on the site. Additional borings or test pits are required within the proposed BMP facility under three conditions: (1) when the soils or slopes vary appreciably from the findings in the initial boring or test pit, (2) when the groundwater level is found to be significantly higher than the initial boring or test pit indicated, and (3) when the groundwater level may adversely affect the performance of the proposed BMP facilities. However, the location, number, and depth of borings or test pits shall be determined by a qualified professional, and be sufficient to accurately characterize the site soil conditions.
- Log any indications of water saturation to include both perched and groundwater table levels; include descriptions of soils that are mottled or gleyed. Depth to the groundwater table (with 24-hour readings) must be included in the boring logs/geotechnical report.
- Laboratory testing must include grain size analysis. Additional tests such as liquid limit and plastic limit tests, consolidation tests, shear tests and permeability tests may be necessary where foundation soils or slopes are potentially unstable based on the discretion of the qualified professional.
- The geotechnical report must include soil descriptions from each boring or test pit, and the laboratory test results for grain size. Based upon the proposed development, the geotechnical report may also include evaluation of settlement, bearing capacity and slope stability of soils supporting the proposed structures.
- All soil profile descriptions should provide enough detail to identify the boundary and elevations of any problem (boundary/restrictions) conditions such as fills and seepage zones, type and depth of rock, etc.

In addition to the testing requirements described above, infiltration tests must be performed for all BMPs in which infiltration will be relied upon, including permeable pavement systems, bioretention, infiltration, and dry swales. Specific requirements for infiltration testing are discussed below.

B.2 Initial Feasibility Assessment

The feasibility assessment is conducted to determine whether full-scale infiltration testing is necessary, screen unsuitable sites, and reduce testing costs. However, a designer or landowner may opt to skip the initial feasibility assessment at his or her discretion and begin with soil borings.

The initial feasibility assessment typically involves existing data, such as the following:

- On-site septic percolation testing, which can establish historic percolation rates, water table, and/or depth to bedrock. Percolation tests are different than tests for coefficient of permeability or infiltration rate;
- Previous geotechnical reports prepared for the site or adjacent properties; or
- Natural Resources Conservation Service (NRCS) Soil Mapping.

If the results of initial feasibility assessment show that a suitable infiltration rate (typically greater than 0.5 inches per hour) is possible or probable, then test pits must be dug or soil borings drilled to determine the saturated hydraulic conductivity (K_{sat}).

B.3 Test Pit/Boring Requirements for Infiltration Tests

- Excavate a test pit or drill a standard soil boring to a depth of 2 feet below the proposed BMP bottom.
- Do not construct, maintain or abandon a well in a manner that may create a point source or non-point source of pollutants to waters of the State, impair the beneficial uses of waters of the State, or pose a hazard to public health and safety or the environment.
- Determine depth to groundwater table if within 2 feet of proposed bottom.
- Determine Unified Soil Classification System (USCS) and/or United States Department of Agriculture (USDA) textures at the proposed bottom to 2 feet below the bottom of the BMP.
- Determine depth to bedrock (if within 2 feet of proposed bottom).
- Include the soil description in all soil horizons. Perform the infiltration test at the proposed bottom of the practice. If any of the soil horizons below the proposed bottom of the infiltration practice (within 2 feet) appear to be a confining layer, additional infiltration tests must be performed on this layer (or layers), following the procedure described below.
- The location of the test pits or borings shall correspond to the BMP locations; a map or plan that clearly and accurately indicates the locations(s) of the test pits or soil borings must be provided with the geotechnical report.

Table 1 indicates the number of test pits or soil borings and subsequent infiltration tests that must be performed per BMP. In cases where multiple BMPs are proposed in 1 area with generally uniform conditions, a circular shape that fully encompasses all of the BMPs may be substituted for the “area of practice” that determines the number of required infiltration tests.

Table 1. Number of Infiltration Tests Required per BMP.

Area of Practice (ft ²)	Minimum Number of Test Pits/Soil Borings
< 1,000	1
1,000–1,999	2
2,000–9,999	3
≥ 10,000	Add 1 test pit/soil boring for each additional 10,000 ft ² of BMP.

When one test pit or boring is required, it must be located as near to the testing area as possible. When more than one test pit or boring is necessary for a single BMP or area, the pit or boring locations must be equally spaced throughout the proposed area, as directed by the qualified professional. The reported saturated hydraulic conductivity for a BMP shall be the median or geometric mean (area-weighted average) of the observed results from the soil boring/test pit locations.

B.4 Infiltration Testing Requirements

The following tests are acceptable for use in determining soil infiltration rates. The geotechnical report shall include a detailed description of the test method and published source references:

- 1) Constant Head Bore-Hole Infiltration Tests (also referred to as bore-hole permeameter tests and constant-head well permeameter tests). These types of tests determine saturated hydraulic conductivity (coefficient of permeability) by measuring the rate of water flow to a borehole. Analytical solutions utilize principles of Darcy's Law, borehole geometry, and head (or multiple heads) of water in determining saturated hydraulic characteristics. Where the soil characteristics meet all of the above described requirements for infiltration BMPs, the hydraulic gradient element of Darcy's Law is often estimated as 1 for determining infiltration rate.

One published standard developed by the United States Bureau of Reclamation for this method is USBR 7300-89. Some of the commercially available equipment is listed below:

- Aardvark Permeameter
 - Amozemeter
 - Guelph Permeameter
 - Johnson Permeameter
- 2) Testing Requirements for Infiltration, Bioretention, and Sand Filter Subsoils, as modified below. The data obtained from this infiltration testing procedure shall be used to calculate the saturated hydraulic conductivity (see Section B.5 Saturated Hydraulic Conductivity Calculations).
 - a. Install solid casing in the boring or test pit to the proposed BMP bottom or other required test depth (i.e. confining layer encountered within 2 feet below the BMP bottom). When installing casing, drive the casing between 3 to 5 inches below the test surface to promote a good casing-to-soil seal.
 - b. Remove any smeared, soiled surfaces, and provide a natural soil interface into which water may infiltrate. Remove all loose material from the casing. At the tester's/registered professional's discretion, a 2-inch layer of coarse sand or fine gravel may be placed to protect the bottom from scouring and sediment. Fill the casing with clean, potable water 24 inches above the test surface (24 inches of head), and allow to presoak for 24 hours.

- c. Protect the open borehole with suitable cover such as a sanitary well cap and steel plate with surrounding sandbags to prevent the introduction of surface water runoff, trash, debris, and other pollutants.
- d. Twenty-four hours later, refill the casing with approximately 24 inches of clean water (24 inches of head), and monitor the water level for 1 hour, recording the depth of water at the beginning and end of the test.
- e. Repeat step 4 (filling the casing each time) three additional times, for a total of four observations. At the registered professional's discretion, the saturated hydraulic conductivity calculations may be performed based on the values recorded during the average of the four readings or the last observation. The testing interval can be increased at the discretion of the registered professional.

All soil borings and test pits shall be properly backfilled after conclusion of the tests. A person shall not construct, maintain or abandon a well in a manner that may create a point source or non-point source of pollutants to waters of the State, impair the beneficial uses of waters of the State, or pose a hazard to public health and safety or the environment. To prevent a soil boring from becoming a conduit for stormwater or other contaminants to enter groundwater and create a low-permeability seal against vertical fluid migration, follow these steps:

- 1) Use a positive displacement technique, inject a sodium-based bentonite slurry through a tremie pipe at least 1 inch in diameter starting at the bottom of the borehole. The slurry shall be composed of 2 pounds of sodium-based bentonite powder to 1 gallon of water.
- 2) If the borehole is too narrow to accommodate a tremie pipe or the borehole is less than 10 feet deep, slowly place uncoated, medium-sized, sodium-based bentonite chips in the borehole to create a 2-foot lift of chips measured from the bottom of the borehole.
- 3) Tamp down the bentonite chips to prevent bridging.
- 4) Using a ratio of 1 gallon of water to 12.5 pounds of bentonite chips, add potable water to the borehole and allow 15 to 30 minutes to elapse to ensure proper hydration of the bentonite chips.
- 5) Adjust these instructions as necessary in accordance with the manufacturer's instructions, providing that the resulting seal will have an effective hydraulic conductivity of no more than 1×10^{-7} cm/s.
- 6) The process should be repeated until the boring is filled 1 to 2 feet from the ground surface.
- 7) The remainder of the borehole should be backfilled with material to match the surrounding cover and must not include the use of a coal-tar product.

Further details are provided in SCDHEC Regulations R.61-71, Well Standards.

Note: If the infiltration testing procedure reveals smells or visual indications of soil or groundwater contamination then the boring or test hole must be filled in accordance with wellhead protection best practices, unless laboratory analysis determines groundwater or soil is not contaminated.

B.5 Saturated Hydraulic Conductivity Calculations

To convert the field infiltration measurements to a saturated hydraulic conductivity value (K_{sat}), the following calculations must be performed.

$$K_{sat} = \frac{\pi D}{11(t_2 - t_1)} \times \ln(H_1/H_2)$$

where:

- K_{sat} = saturated hydraulic conductivity (in/hr)
- D = casing diameter (in) (minimum 4 inches)
- t_2 = recorded end time of test (hr)
- t_1 = recorded beginning time of test (hr)
- H_1 = head in casing measured at time t_1 (ft)
- H_2 = head in casing measured at time t_2 (ft)

This equation was adapted by the U.S. Bureau of Reclamation in 1975 from Lambe and Whitman, 1969.

B.6 Infiltration Restrictions

If a Phase I Environmental Site Assessment identifies a Recognized Environmental Concern at a site indicating that site contamination is likely or present; or if DHEC is aware of upgradient or downgradient contaminant plumes, the presence of a brownfield or historic hotspot use, such as any of the following current or previous uses, then an impermeable liner must be used for BMPs, and infiltration is prohibited.

- Leaking underground storage tank (LUST),
- Above ground storage tanks (AST),
- Gas stations,
- Vehicle maintenance or repair facility,
- Dry cleaner,
- Transformer sub-station,
- Waste transfer or holding facility,
- Print shop,
- Chemical storage warehouse,
- Illicit hazardous wastes generator,
- Greenhouse with unlined floor,
- Septic system,
- Cement or asphalt plant, or
- Dump or landfill.

If an ASTM Phase II Environmental Site Assessment is performed based on a DHEC-approved workplan and DHEC reviews the results and determines that stormwater infiltration BMPs may impact on-site contamination by the following means, then an impermeable liner must be used for BMPs, and infiltration is prohibited.

- Spreading of contamination vertically or horizontally at the site,
- Increasing on-site groundwater contamination by leaching contaminants from the soil,

- Causing or enhancing contaminant migration to go offsite,
- Interfering with contaminant remedial activities,
- Decreasing or reversing the natural degradation of contaminants, or
- Causing a pollutant discharge to a surface water body.

If DHEC concludes there is no evidence of a Recognized Environmental Concern based on ASTM Phase I and II Environmental Site, and there is no current site use that could result in the foreseeable creation of a Recognized Environmental Concern, then impermeable liners are not required, and infiltration is not restricted.

Appendix C: Soil Compost Amendment Requirements

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C.1 Introduction

Soil amendment (also called soil restoration) is a technique applied after construction to deeply till compacted soils and restore their porosity by amending them with compost. These soil amendments can be used to enhance the performance of impervious cover disconnections and grass channels.

C.2 Physical Feasibility and Design Applications

Amended soils are suitable for any pervious area where soils have been or will be compacted by the grading and construction process. They are particularly well suited when existing soils have low infiltration rates (HSG C and D) and when the pervious area will be used to filter runoff (downspout disconnections and grass channels). The area or strip of amended soils should be hydraulically connected to the stormwater conveyance system. Soil restoration is recommended for sites that will experience mass grading of more than a foot of cut and fill across the site.

Compost amendments are not recommended where any of the following exists:

- Existing soils have high infiltration rates (e.g., HSG A and B), although compost amendments may be needed at mass-graded B soils in order to maintain infiltration rates.
- The water table or bedrock is located within 1.5 feet of the soil surface.
- Slopes exceed 10% (compost can be used on slopes exceeding 10% as long as proper soil erosion and sediment control measures are included in the plan).
- Existing soils are saturated or seasonally wet.
- They would harm roots of existing trees (keep amendments outside the tree drip line).
- The downhill slope runs toward an existing or proposed building foundation.

- Areas that will be used for snow storage.

C.3 Design Criteria

C.3.1 Performance

When Used in Conjunction with Other Practices. As referenced in several of the Chapter 4 Stormwater Best Management Practices (BMPs) specifications, soil compost amendments can be used to enhance the performance of allied practices by improving runoff infiltration. The specifications for each of these practices contain design criteria for how compost amendments can be incorporated into those designs:

- Impermeable Surface Disconnection – See Section 4.6 Impervious Surface Disconnection.
- Grass Channels – See Section 4.7 Open Channel Systems.

C.3.2 Soil Testing

Soil tests are required during two stages of the compost amendment process. The first testing is done to ascertain preconstruction soil properties at proposed amendment areas. The initial testing is used to determine soil properties to a depth 1 foot below the proposed amendment area, with respect to bulk density, pH, salts, and soil nutrients. These tests should be conducted every 5,000 square feet and are used to characterize potential drainage problems and determine what, if any, further soil amendments are needed.

The second soil test is taken at least 1 week after the compost has been incorporated into the soils. This soil analysis should be conducted by a reputable laboratory to determine whether any further nutritional requirements, pH adjustment, and organic matter adjustments are necessary for plant growth. This soil analysis must be done in conjunction with the final construction inspection to ensure tilling or subsoiling has achieved design depths.

C.3.3 Determining Depth of Compost Incorporation

The depth of compost amendment is based on the relationship of the surface area of the soil amendment to the contributing area of impervious cover that it receives. Table C.1 presents some general guidance derived from soil modeling by Holman-Dodds (2004) that evaluates the required depth to which compost must be incorporated. Some adjustments to the recommended incorporation depth were made to reflect alternative recommendations of Roa Espinosa (2006), Balousek (2003), Chollak and Rosenfeld (1998), and others.

Table 1 indicates the number of test pits or soil borings and subsequent infiltration tests that must be performed per BMP. In cases where multiple BMPs are proposed in 1 area with generally uniform conditions, a circular shape that fully encompasses all of the BMPs may be substituted for the “area of practice” that determines the number of required infiltration tests.

Table 1. Method to Determine Compost and Incorporation Depths.

Ratio of Area of Contributing Impervious Cover to Soil Amendment ^a (IC/SA)	Compost Depth ^b (in.)	Incorporation Depth (in.)	Incorporation Method
0.5	3 ^c	12 ^c	Tiller
0.75	4 ^c	18 ^c	Subsoiler
1.0 ^d	6 ^c	24 ^c	Subsoiler

^a IC = contrib. impervious cover (ft²) and SA = surface area of compost amendment (ft²)

^b Average depth of compost added

^c Lower end for B soils, higher end for C/D soils

^d In general, IC/SA ratios greater than 1 should be avoided

Once the area and depth of the compost amendments are known, the designer can estimate the total amount of compost needed, using an estimator developed by TCC, (1997):

$$C = A \times D \times 0.0031$$

where:

- C = compost needed (yd³)
 A = area of soil amended (ft²)
 D = depth of compost added (in)

C.3.4 Compost Specifications

The basic material specifications for compost amendments are outlined below:

- Compost shall be derived from plant material and provided by a member of the U.S. Composting Seal of Testing Assurance (STA) program. See <https://compostingcouncil.org/> for a list of local providers.
- Alternative specifications and/or certifications, such as Clemson University or the US Department of Agriculture, may be substituted, as authorized by <local jurisdiction>. In all cases, compost material must meet standards for chemical contamination and pathogen limits pertaining to source materials, as well as reasonable limits on phosphorus and nitrogen content to avoid excessive leaching of nutrients.
- The compost shall be the result of the biological degradation and transformation of plant-derived materials under conditions that promote anaerobic decomposition. The material shall be well composted, free of viable weed seeds, and stable with regard to oxygen consumption and carbon dioxide generation. The compost shall have a moisture content that has no visible free water or dust produced when handling the material. It shall meet the following criteria, as reported by the U.S. Composting Council STA Compost Technical Data Sheet provided by the vendor:
 - a. 100% of the material must pass through a half-inch screen
 - b. The pH of the material shall be between 6 and 8
 - c. Manufactured inlet material (plastic, concrete, ceramics, metal, etc.) shall be less than 1.0% by weight
 - d. The organic matter shall be between 35%–65%
 - e. Soluble salt content shall be less than 6.0 mmhos/cm
 - f. Maturity must be greater than 80%
 - g. Stability shall be 7 or less
 - h. Carbon/nitrogen ratio shall be less than 25:1
 - i. Trace metal test result must equal “pass”
 - j. The compost must have a dry bulk density ranging from 40–50 lb/ft³

C.4 Construction Sequence

The construction sequence for compost amendments differs depending whether the practice will be applied to a large area or a narrow filter strip, such as in a rooftop disconnection or grass channel. For larger areas, a typical construction sequence is as follows:

- 1) **Soil Erosion and Sediment Control.** When areas of compost amendments exceed 2,500 square feet install soil erosion and sediment control measures, such as silt fences, are required to secure the area until the surface is stabilized by vegetation.
- 2) **Deep Till.** Deep till to a depth of 12 to 18 inches after the final building lots have been graded prior to the addition of compost.
- 3) **Dry Conditions.** Wait for dry conditions at the site prior to incorporating compost.
- 4) **Compost.** Incorporate the required compost depth (as indicated in Table 1) into the tilled soil using the appropriate equipment. Level the site. Seeds or sod are required to establish a vigorous grass cover. To help the grass grow quickly, lime or irrigation is recommended.
- 5) **Vegetation.** Ensure surface area is stabilized with vegetation.
- 6) **Construction Inspection.** Construction inspection by a qualified professional involves digging a test pit to verify the depth of amended soil and scarification. A rod penetrometer should be used to establish the depth of uncompacted soil at a minimum of 1 location per 10,000 square feet.

C.5 Maintenance

C.5.1 First-Year Maintenance Operations

In order to ensure the success of soil compost amendments, the following tasks must be undertaken in the first year following soil restoration:

- **Initial inspections.** For the first 6 months following the incorporation of soil amendments, the site should be inspected by a qualified professional at least once after each storm event that exceeds 1/2-inch of rainfall.
- **Spot Reseeding.** Inspectors should look for bare or eroding areas in the contributing drainage area (CDA) or around the soil restoration area and make sure they are immediately stabilized with grass cover.
- **Fertilization.** Depending on the amended soils test, a one-time, spot fertilization may be needed in the fall after the first growing season to increase plant vigor.
- **Watering.** Water once every 3 days for the first month, and then weekly during the first year (April through October), depending on rainfall.

C.5.2 Ongoing Maintenance

There are no major ongoing maintenance needs associated with soil compost amendments, although the owners may want to de-thatch the turf every few years to increase permeability. The owner should also be aware that there are maintenance tasks needed for filter strips, grass channels, and reforestation areas. The maintenance inspection checklist for an area of Soil Compost Amendments can be accessed in Appendix F Maintenance Inspection Forms.

C.5.3 Maintenance Agreement

A Maintenance Agreement that includes all maintenance responsibilities to ensure the continued stormwater performance for the BMP is required. The Maintenance Agreement specifies the property owner's primary maintenance responsibilities and authorizes the <local jurisdiction> staff to access the property for inspection or corrective action in the event the proper maintenance is not performed. The Maintenance Agreement is attached to the deed of the property as attached to the land. It is to be recorded in the Register of Deeds in the County office. Maintenance responsibilities on government properties must be defined through a partnership agreement or a memorandum of understanding.

C.6 References

Balusek. 2003. Quantifying decreases in stormwater runoff from deep-tilling, chisel-planting and compost amendments. Dane County, WA, Land Conservation Department. Madison, Wisconsin.

Chollak, T. & P. Rosenfeld. 1998. Guidelines for Landscaping with Compost-Amended Soils. City of Redmond Public Works. Redmond, WA. Available online at:
<http://www.redmond.gov/common/pages/UserFile.aspx?fileId=14766>

The Composting Council (TCC). 1997. Development of a Landscape Architect Specification for Compost Utilization. Alexandria, VA. Retrieved from: <http://infohouse.p2ric.org/ref/13/12551.pdf>

Holman-Dodds, L. 2004. Chapter 6. Assessing Infiltration-Based Stormwater Practices. PhD Dissertation. Department of Hydroscience and Engineering. University of Iowa. Iowa City, IA.

Low Impact Development Center. 2003. Guideline for Soil Amendments.

Roa-Espinosa. 2006. An Introduction to Soil Compaction and the Subsoiling Practice. Technical Note. Dane County, WA, Land Conservation Department. Madison, Wisconsin

Appendix D: Design Checklist

D.1 Design Checklist

This checklist serves as a guide for the consultant in the preparation and for the reviewer in the evaluation of a Stormwater Management Plan (SWMP). Any questions regarding items contained herein should be referred to the <local jurisdiction>. Applicable page number or section in the Southern Lowcountry Stormwater Design Manual is included for reference.

NOTE: PLANS SUBMITTED WITHOUT A COMPLETED CHECKLIST MAY BE RETURNED WITHOUT REVIEW

Site/Project Name:	_____	Date:	_____
Consultant:	_____	Applicant:	_____
Phone Number:	_____	Phone Number:	_____
Email Address:	_____	Email Address:	_____

Conceptual Plan or Final Plan

Consultant: Please complete the checklist below by indicating one of the following symbols in each box in the Consultant column:

C = Completed; X = Not Applicable; O = outstanding, needs to address

	Consultant	Reviewer
A. Narrative Information		
1. Cover Sheet with a blank space measuring 7 inches wide by 9.5 inches high. The blank space must be located 1 inch below the top edge and 1 inch from the left edge of the page		
2. Site development plan and stormwater management narrative		
3. Assess potential application of green infrastructure practices in the form of better site planning and design techniques. Low impact development practice should be used to the maximum extent practicable during the creation of a stormwater management concept plan. A demonstration of better site planning is required. The following site information and practices shall be considered: <ul style="list-style-type: none"> a. Soil type (from Soil Study); b. Depth of ground water on site; c. Whether the type of development proposed is a hotspot as defined by the Ordinance and Design Manual and address how this influences the concept proposal; d. Protection of primary and secondary conservation areas; e. Reduced clearing and grading limits; f. Reduced roadway lengths and widths; g. Reduced parking lot and building footprints to minimize impervious surface; h. Soil restoration; i. Site reforestation/revegetation; j. Impervious area disconnection; 		

k. Green roof; and l. Permeable pavement		
4. Stormwater Pollution Prevention Plan (SWPPP) or Erosion and Sediment Control narrative (for projects disturbing over an acre)		
5. Information regarding the mitigation of any off-site impacts anticipated as a result of the proposed development		
6. Construction specifications		
B. Site Plan		
1. Standard drawing size (24 x 36 inches)		
2. A plan showing property boundaries and the complete address of the property		
3. Lot number or property identification number designation (if applicable)		
4. Property lines (include longitude and latitude)		
5. Location of easements (if applicable)		
6. A legend identifying all symbols used on the plan		
7. Location and size of existing and proposed utilities (including gas lines, sanitary lines, telephone lines or poles, electric utilities and water mains), structures, roads, and other paved areas		
8. Existing and proposed topographic contours		
9. Show drainage patterns, property ridge line(s) and building finish elevation on the grading plan.		
10. Material and equipment staging areas and parking areas		
11. Clearly note on plans: <ul style="list-style-type: none"> - A right-of-way permit shall be obtained prior to performing construction activity in the <local jurisdiction> right-of-way - Chlorinated disinfected water shall not be discharged into the stormwater system - Call before you dig note and number 		
12. Soil information for design purposes		
13. Area(s) of soil disturbance		
14. Site drainage area(s) (SDAs) within the limits of disturbance (LOD) and contributing to the LOD		
15. Contributing drainage area (CDA) to each BMP		
16. Location(s) of BMPs, marked with the BMP ID Numbers to agree with the BMP design summary list		
17. Delineation of existing and proposed land covers corresponding to the hydrology calculations supporting the plans.		
18. Site fingerprint map of the location of existing stream(s), wetlands, or other natural features within the project area; tree and vegetation survey; and preservation area(s)		
19. All plans and profiles must be drawn at a scale of 1 in. = 10 ft, 1 in. = 20 ft, 1 in. = 30 ft, 1 in. = 40 ft, 1 in. = 50 ft, or 1 in. = 100 ft. Although, 1 in. = 10 ft, 1 in. = 20 ft, and 1 in. = 30 ft, are the most commonly used scales. Vertical scale for profiles must be 1 in. = 2 ft, 1 in. = 4 ft, 1 in. = 5 ft, or 1 in. = 10 ft		

20. Drafting media that yield first- or second-generation, reproducible drawings with a minimum letter size of No. 4 (1/8 inch)		
21. Applicable flood boundaries and FEMA map identification number for sites lying wholly or partially within the 100-year floodplain		
C. Design and As-Built Certification		
1. Statement and seal by a registered professional engineer licensed in the State of South Carolina that the site design, land covers, and design of the BMPs conform to engineering principles applicable to the treatment and disposal of stormwater pollutants		
2. Submission one set of the As-Built drawings sealed by a registered professional engineer licensed in the State of South Carolina within 21 days after completion of construction of the site, all BMPs, land covers, and stormwater conveyances.		
3. For a project consisting entirely of work in the public right-of-way (PROW), the submission of a Record Drawing certified by an officer of the project contracting company is acceptable if it details the as-built construction of the BMP and related stormwater infrastructure.		
D. Maintenance of Stormwater BMPs		
1. BMP maintenance access easements shall not be located on pipe easements.		
2. A minimum 20' wide maintenance access easement is provided around stormwater detention ponds and from publicly accessible road has been provided.		
3. A maintenance plan that identifies routine and long-term maintenance needs and a maintenance schedule		
4. For major regulated projects, a declaration of covenants stating the owner's specific maintenance responsibilities identified in the maintenance plan and maintenance schedule. These must be exhibits recorded with the property deed at the Recorder of Deeds.		
5. For applicants using Rainwater Harvesting, submission of third-party testing of end-use water quality may be required at equipment commissioning.		
E. Stormwater Retention Volume Computations		
1. Calculation(s) of the required SWRv for the entire site within the LOD and each SDA within the LOD		
2. Calculation(s) for each proposed BMP demonstrating retention value towards SWRv in accordance with Chapters 2 and 4 Stormwater Best Management Practices (BMPs)		
3. For Rainwater Harvesting BMP, calculations demonstrating the annual water balance as determined using the Rainwater Harvesting Retention Calculator		
4. For proprietary and non-proprietary BMPs outside Chapter 4, complete documentation defined in Chapter 4.15		
F. Pre/Post-Development Hydrologic Computations		
1. A summary of soil conditions and field data		

2. Pre- and post-project curve number summary table		
3. Pre and post construction peak flow summary table for the 2, 10, 25, 50 and the 100-year 24-hour storm events for each SDA within the project's LOD		
4. Flow control structure elevations		
G. Hydraulic Computations		
1. Existing and proposed SDA must be delineated on separate plans with the flow paths used for calculation of the times of concentration		
2. Hydraulic capacity and flow velocity for drainage conveyances, including ditches, swales, pipes, inlets, and gutters.		
3. Plan profiles for all open conveyances and pipelines, with energy and hydraulic gradients for the 25-year and 100-year, 24-hour storms		
4. The proposed development layout including the following:		
a) Location and design of BMP(s) on site, marked with the BMP ID Numbers		
b) A list of design assumptions (e.g., design basis, 2 through 25-year return periods)		
c) The boundary of the CDA to the BMP		
d) Schedule of structures (a listing of the structures, details, or elevations including inverts)		
e) Manhole to manhole listing of pipe size, pipe type, slope, computed velocity, and computed flow rate (i.e., a storm drain pipe schedule)		
5. Demonstrate downstream conveyance system capacity for the development.		
H. Erosion and Sediment Control Plans		
1. Provide erosion and sediment control drawings and detail sheets required by the CSWPPP		
2. Show dewatering setup to ensure no negative off-site impacts result from the discharge		
3. Provide erosion and sediment control inspection forms required by the CSWPPP		
I. Supporting Documentation (written report)		
1. Pre- and Post-development curve number selection		
2. Time of concentration calculation		
3. Travel time calculation		
4. Hydrologic computations supporting peak discharges assumed for each SDA within the project's LOD for the 2-, 10-, 25-, and 50-year, 24-hour storm events		
5. Provide downstream and surrounding neighborhood area analysis to identify any existing capacity shortfalls or flooding based on the 10% rule.		
6. Document off-site stormwater volume where required.		
7. Document the 8-steps of the MEP process in Chapter 3.8.		

8. SCDHEC's Construction Stormwater Pollution Prevention Plan (C-SWPPP)		
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The engineering features of all stormwater best management practices (BMPs), stormwater infrastructure, and land covers (collectively the "Facility") have been designed/examined by me and found to be in conformity with the standard of care applicable to the treatment and disposal of stormwater pollutants. The Facility has been designed in accordance with the specification required under Town of Bluffton Unified Development Ordinance and Southern Lowcountry Design Manual.

Seal	Signed	Date

License Number:		Expiration Date:	
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Appendix E: Construction Stormwater Inspection Form

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E.1 Post Construction Inspection Report

1

E.1 Post Construction Inspection Report

<Local Jurisdiction> Stormwater Department
Inspection Report

Inspection Type: POST CONSTRUCTION		Inspection Date:	
Inspection ID:		Inspector:	
Inspection Results:		Inspector Comments:	
Owner:		Property Information:	
PASS/FAIL Checklist Items			
Control is active	Pass	Built within specifications	Pass
Notes:		Notes:	
Sediment depth acceptable	Pass	Maintenance Required	Pass
Notes:		Notes:	
Requires Repairs	Pass	Structural Damage	Pass
Notes:		Notes:	
Standing Water	Pass	Erosion Problem	Pass
Notes:		Notes:	
Operator attending Inspection	Pass	Days / Months since last routine maintenance cleaning	Pass
Notes:		Notes:	
BMP O&M plan on file with party responsible for maintenance	Pass	Where is the BMP O&M plan stored	Pass
Notes:		Notes:	
Are maintenance records available for audit	Pass	Where are maintenance records stored	Pass
Notes:		Notes:	
Standing water	Pass	Water depth (in inches) in BMP	Pass
Notes:		Notes:	
Is water depth low	Pass	Is water depth normal / typical for the BMP	Pass
Notes:		Notes:	

Appendix E: Construction Stormwater Inspection Form

Is water depth above the outlet pipe	Pass	Standing water causing problems	Pass
<i>Notes:</i>		<i>Notes:</i>	
If answer to question PC20 is Yes, explain	Pass	List types of pollutants captured in BMP	Pass
<i>Notes:</i>		<i>Notes:</i>	
Is Trash Collection minimal	Pass	Is Trash Collection typical	Pass
<i>Notes:</i>		<i>Notes:</i>	
Is Trash Collection Unacceptably High	Pass	Comments on Trash Collection	Pass
<i>Notes:</i>		<i>Notes:</i>	
Sediment depth (in inches) on inlet side of BMP	Pass	Sediment depth (in inches) on outlet side of BMP	Pass
<i>Notes:</i>		<i>Notes:</i>	
Sediment level low / little accumulation	Pass	Sediment level typical for the BMP	Pass
<i>Notes:</i>		<i>Notes:</i>	
Sediment level excessive	Pass	Comments on Sediment	Pass
<i>Notes:</i>		<i>Notes:</i>	
Filter media	Pass	If answer to question PC33 is Fail, explain	Pass
<i>Notes:</i>		<i>Notes:</i>	
Repairs needed to Structures/pipes/basin slopes/headwalls/inlets/pavers/etc	Pass	Lid/Grate need repair	Pass
<i>Notes:</i>		<i>Notes:</i>	
Trash Racks need repair	Pass	Baffle Plates need repair	Pass
<i>Notes:</i>		<i>Notes:</i>	
Vegetation needed	Pass	Mowing / pruning of vegetation needed	Pass
<i>Notes:</i>		<i>Notes:</i>	
If answer to any of questions PC35 to PC40 is Fail, explain	Pass	Pollutants/erosion in downstream conveyance	Pass
<i>Notes:</i>		<i>Notes:</i>	
If answer to question PC42 is Fail, explain	Pass	Signs of vandalism	Pass
<i>Notes:</i>		<i>Notes:</i>	
If answer to question PC44 is FAIL, explain in comments	Pass	BMP needs NO maintenance on a shorter schedule	Pass
<i>Notes:</i>		<i>Notes:</i>	
BMP needs NO maintenance on a longer schedule	Pass	If answer to either question PC46 or PC47 is FAIL, explain in comments	Pass
<i>Notes:</i>		<i>Notes:</i>	
Additional inspection report specific to BMP attached with this inspection	Pass	The monitoring equipment needs NO repair	Pass
<i>Notes:</i>		<i>Notes:</i>	

Appendix E: Construction Stormwater Inspection Form

If answer to either question PC49 or PC50 is FAIL, explain in comments	Pass	Closed all lids, grates, etc. and secure the site at the end of inspection	Pass
<i>Notes:</i>		<i>Notes:</i>	

Inspectors Signature _____

**Infiltration/Filtration/Bioretention/Dry Swale Practice
Maintenance Inspection Checklist**

Party Responsible for Maintenance: _____ **Practice ID:** _____

Contact: _____ **Location:** _____

Phone Number: _____ **GPS Coordinates:** _____

E-mail: _____ **Inspector(s):** _____

Mailing Address: _____

Date: _____ **Time:** _____

<i>Key Questions</i>		
Item	X	Comments
1. Type of practice (check all that apply)		
a. Bioretention	<input type="checkbox"/>	
b. Dry Swale	<input type="checkbox"/>	
d. Residential Rain Garden	<input type="checkbox"/>	
e. Infiltration Practice	<input type="checkbox"/>	
f. Filtration Practice	<input type="checkbox"/>	
2. For Bioretention		
a. Standard Design	<input type="checkbox"/>	
b. Enhanced Design	<input type="checkbox"/>	
3. Practice Location		
a. Open to Surface	<input type="checkbox"/>	
b. Underground	<input type="checkbox"/>	
4. Filtration Media		
a. No filtration media (e.g., stone reservoir only)	<input type="checkbox"/>	
b. Sand	<input type="checkbox"/>	
c. Bioretention Soil Mix	<input type="checkbox"/>	
d. Peat	<input type="checkbox"/>	
e. Other	<input type="checkbox"/>	
5. Hydraulic configuration		
a. On-line	<input type="checkbox"/>	
b. Off-line	<input type="checkbox"/>	
6. Type of pretreatment		
a. Separate pretreatment cell	<input type="checkbox"/>	
b. Sedimentation chamber/manhole	<input type="checkbox"/>	
c. Grass channel	<input type="checkbox"/>	
d. Grass filter strip	<input type="checkbox"/>	
e. Gravel or stone flow spreader	<input type="checkbox"/>	
f. Gravel diaphragm	<input type="checkbox"/>	
g. Other	<input type="checkbox"/>	Type of pretreatment:
7. If designed for infiltration (i.e., no underdrain OR infiltration sump below underdrain):		
a. Soil boring logs and infiltration testing report provided	<input type="checkbox"/>	
b. Field-measured infiltration rate of at least 0.5 in/hr (preferred 1-4 in/hr)	<input type="checkbox"/>	Field-measured rate:

**Infiltration/Filtration/Bioretention/Dry Swale Practice
Maintenance Inspection Checklist**

A. Contributing Drainage Area						
0 = Good condition. Well maintained, no action required.						
1 = Moderate condition. Adequately maintained, routine maintenance needed.						
2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.						
3 = Serious condition. Immediate need for repair or replacement.						
<input type="checkbox"/>	Inspected					
<input type="checkbox"/>	Not Inspected					
	Item				Comments	
1.	Excessive trash/debris	0	1	2	3	N/A
2.	Bare/exposed soil	0	1	2	3	N/A
3.	Evidence of erosion	0	1	2	3	N/A
4.	Excessive landscape waste/yard clippings	0	1	2	3	N/A

B. Pretreatment						
0 = Good condition. Well maintained, no action required.						
1 = Moderate condition. Adequately maintained, routine maintenance needed.						
2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.						
3 = Serious condition. Immediate need for repair or replacement.						
<input type="checkbox"/>	Inspected					
<input type="checkbox"/>	Not Inspected					
	Item					Comments
1.	Maintenance access to pretreatment facility	0	1	2	3	N/A
2.	Excessive trash/debris/sediment	0	1	2	3	N/A
3.	Evidence of standing water	0	1	2	3	N/A
	a. Ponding	<input type="checkbox"/>				
	b. Noticeable odors	<input type="checkbox"/>				
	c. Water stains	<input type="checkbox"/>				
	d. Presence of algae or floating aquatic vegetation	<input type="checkbox"/>				
4.	Evidence of clogging	0	1	2	3	N/A
5.	Dead vegetation/exposed soil	0	1	2	3	N/A
6.	Evidence of erosion	0	1	2	3	N/A

C. Inlets						
0 = Good condition. Well maintained, no action required.						
1 = Moderate condition. Adequately maintained, routine maintenance needed.						
2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.						
3 = Serious condition. Immediate need for repair or replacement.						
<input type="checkbox"/>	Inspected					
<input type="checkbox"/>	Not Inspected					
	Item					Comments
1.	Inlets provide stable conveyance into practice	0	1	2	3	N/A
2.	Excessive trash/debris/sediment accumulation at inlet	0	1	2	3	N/A
3.	Evidence of erosion at/around inlet	0	1	2	3	N/A

**Infiltration/Filtration/Bioretention/Dry Swale Practice
Maintenance Inspection Checklist**

D. Practice					
0 = Good condition. Well maintained, no action required.					
1 = Moderate condition. Adequately maintained, routine maintenance needed.					
2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.					
3 = Serious condition. Immediate need for repair or replacement.					
<input type="checkbox"/>	Inspected				
<input type="checkbox"/>	Not Inspected				
	Item				Comments
1.	Maintenance access	0	1	2	3 N/A
2.	Condition of structural components	0	1	2	3 N/A
3.	Condition of hydraulic control components	0	1	2	3 N/A
4.	Excessive trash/debris/sediment	0	1	2	3 N/A
5.	Evidence of erosion	0	1	2	3 N/A
6.	Evidence of oil/chemical accumulation	0	1	2	3 N/A
7.	Evidence of standing water:	0	1	2	3 N/A
	a. Ponding	<input type="checkbox"/>			
	b. Noticeable odors	<input type="checkbox"/>			
	c. Water stains	<input type="checkbox"/>			
	d. Presence of algae or floating aquatic vegetation	<input type="checkbox"/>			
8.	Underdrain system (if equipped)	0	1	2	3 N/A
	a. Broken	<input type="checkbox"/>			
	b. Clogged	<input type="checkbox"/>			
9.	Vegetation	0	1	2	3 N/A
	a. Plant composition consistent with approved plans	<input type="checkbox"/>			
	b. Presence of invasive species/weeds	<input type="checkbox"/>			
	c. Dead vegetation/exposed soil	<input type="checkbox"/>			

E. Outlets					
0 = Good condition. Well maintained, no action required.					
1 = Moderate condition. Adequately maintained, routine maintenance needed.					
2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.					
3 = Serious condition. Immediate need for repair or replacement.					
<input type="checkbox"/>	Inspected				
<input type="checkbox"/>	Not Inspected				
	Item				Comments
1.	Outlets provide stable conveyance out of practice	0	1	2	3 N/A
2.	Excessive trash/debris/sediment accumulation at outlet	0	1	2	3 N/A
3.	Evidence of erosion at/around outlet	0	1	2	3 N/A
<input type="checkbox"/>	Inspected				
<input type="checkbox"/>	Not Inspected				

**Infiltration/Filtration/Bioretenion/Dry Swale Practice
Maintenance Inspection Checklist**

F. Miscellaneous

- 0 = Good condition. Well maintained, no action required.
- 1 = Moderate condition. Adequately maintained, routine maintenance needed.
- 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
- 3 = Serious condition. Immediate need for repair or replacement.

Item	0	1	2	3	N/A	Comments
1. Complaints from local residents	0	1	2	3	N/A	
2. Mosquito proliferation	0	1	2	3	N/A	
3. Encroachment on practice or easement by buildings or other structures	0	1	2	3	N/A	

Inspector's Summary:

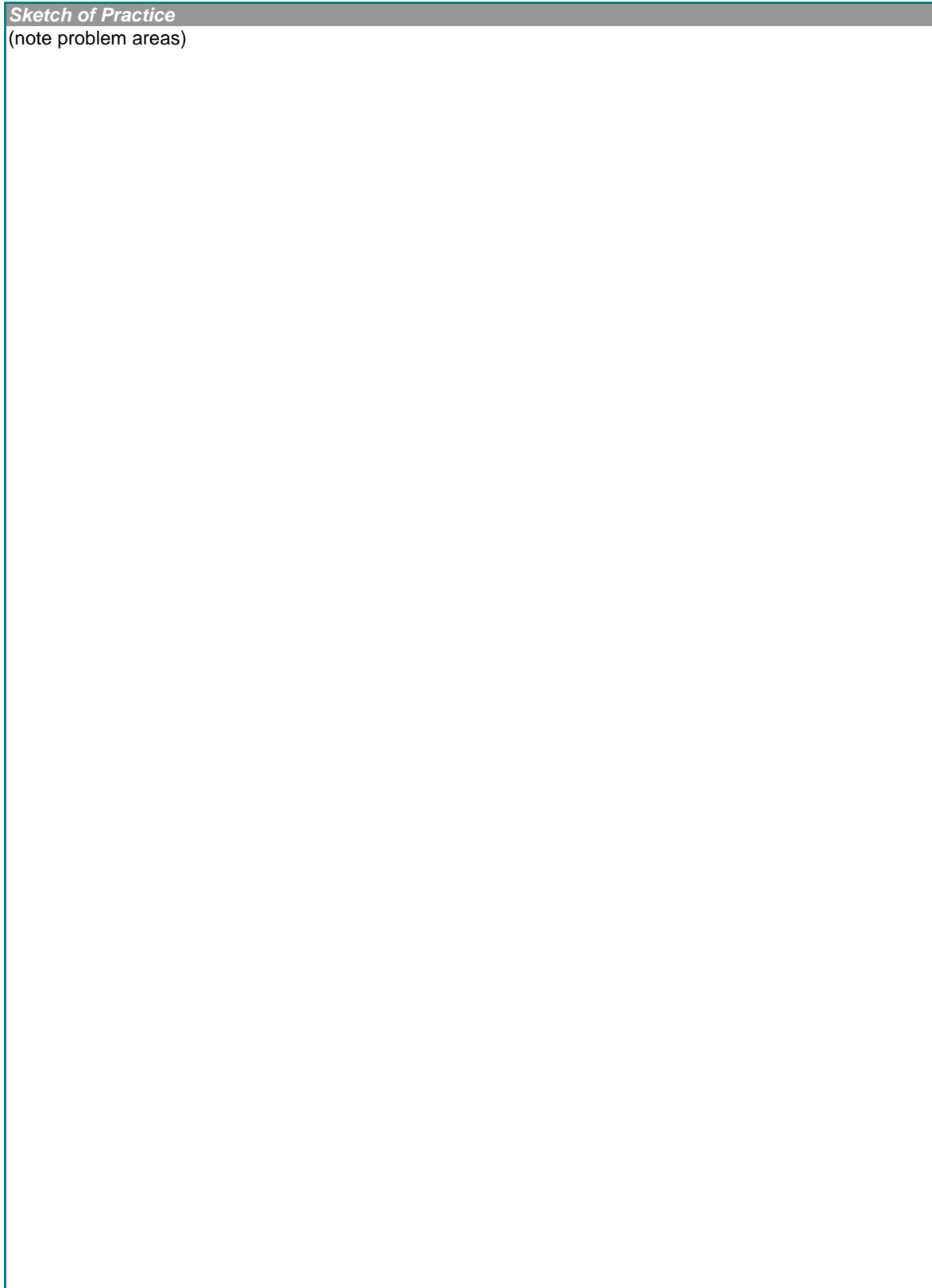
Photographs

Photo ID	Description
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
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**Infiltration/Filtration/Bioretention/Dry Swale Practice
Maintenance Inspection Checklist**

Sketch of Practice

(note problem areas)



**Permeable Pavement
Maintenance Inspection Checklist**

Party Responsible for Maintenance: _____ **Practice ID:** _____

Contact: _____ **Location:** _____

Phone Number: _____ **GPS Coordinates:** _____

E-mail: _____ **Inspector(s):** _____

Mailing Address: _____

Date: _____ **Time:** _____

<i>Key Questions</i>		
Item	X	Comments
1. Type of practice (check all that apply)		
a. Standard design	<input type="checkbox"/>	
b. Infiltration design	<input type="checkbox"/>	
c. Infiltration sump design	<input type="checkbox"/>	
2. Pavement Type		
a. Pervious concrete	<input type="checkbox"/>	
b. Porous asphalt	<input type="checkbox"/>	
c. Concrete grid pavers	<input type="checkbox"/>	
d. Permeable interlocking concrete pavers	<input type="checkbox"/>	
e. Other:	<input type="checkbox"/>	
3. External drainage area?		
a. Yes	<input type="checkbox"/>	Ratio:
b. No	<input type="checkbox"/>	
4. Pretreatment (if landscaped/turf areas in drainage area)		
a. Yes	<input type="checkbox"/>	Type:
b. No	<input type="checkbox"/>	
5. If designed for infiltration (e.g., no underdrain OR infiltration sump below underdrain):		
b. Soil boring logs and infiltration testing report provided	<input type="checkbox"/>	
c. Field-measured infiltration rate indicated	<input type="checkbox"/>	Field-measured rate:

A. Contributing Drainage Area					
0 = Good condition. Well maintained, no action required.					
1 = Moderate condition. Adequately maintained, routine maintenance needed.					
2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.					
3 = Serious condition. Immediate need for repair or replacement.					
<input type="checkbox"/>	Inspected				
<input type="checkbox"/>	Not Inspected				
Item					Comments
1. Excessive trash/debris	0	1	2	3	N/A
2. Bare/exposed soil	0	1	2	3	N/A
3. Evidence of erosion	0	1	2	3	N/A
4. Excessive landscape waste/yard clippings	0	1	2	3	N/A
5. Excessive grit, sand, or other clogging agents on upgradient pavement that drains onto permeable pavement	0	1	2	3	N/A

B. Pretreatment (if applicable to landscaped/turf drainage area)

**Permeable Pavement
Maintenance Inspection Checklist**

0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

<input type="checkbox"/>	Inspected							
<input type="checkbox"/>	Not Inspected							
		Item						Comments
1.	Maintenance access to pretreatment facility	0	1	2	3	N/A		
2.	Excessive trash/debris/sediment	0	1	2	3	N/A		
3.	Evidence of standing water							
a.	Ponding	0	1	2	3	N/A		
b.	Noticeable odors	0	1	2	3	N/A		
c.	Water stains	0	1	2	3	N/A		
d.	Presence of algae or floating aquatic vegetation	0	1	2	3	N/A		
4.	Evidence of clogging	0	1	2	3	N/A		
5.	Dead vegetation/exposed soil	0	1	2	3	N/A		
6.	Evidence of erosion	0	1	2	3	N/A		

C. Evidence of Materials Storage or Resurfacing of Permeable Pavement								
0 = Good condition. Well maintained, no action required.								
1 = Moderate condition. Adequately maintained, routine maintenance needed.								
2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.								
3 = Serious condition. Immediate need for repair or replacement.								
<input type="checkbox"/>	Inspected							
<input type="checkbox"/>	Not Inspected							
		Item						Comments
1.	Evidence of storage of sand, mulch, soil, construction staging, power washing, or other activities that can clog pavement	0	1	2	3	N/A		
2.	Evidence of resealing or resurfacing of permeable pavement surface	0	1	2	3	N/A		

**Permeable Pavement
Maintenance Inspection Checklist**

D. Practice

0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

<input type="checkbox"/>	Inspected					
<input type="checkbox"/>	Not Inspected					
Item		Comments				
1.	Maintenance access to practice	0	1	2	3	N/A
2.	Condition of structural components	0	1	2	3	N/A
3.	Condition of hydraulic control components	0	1	2	3	N/A
4.	Excessive trash/debris/sediment on pavement surface	0	1	2	3	N/A
5.	Evidence of damaged pavers and/or cracked/broken surface	0	1	2	3	N/A
6.	Evidence of oil/chemical accumulation	0	1	2	3	N/A
7.	Evidence of clogging:	<input type="checkbox"/>				
a.	Ponding/water standing in observation wells	0	1	2	3	N/A
b.	Noticeable odors	0	1	2	3	N/A
c.	Water stains	0	1	2	3	N/A
8.	Underdrain system (if equipped)	0	1	2	3	N/A
a.	Broken	0	1	2	3	N/A
b.	Clogged	0	1	2	3	N/A
9.	Vegetation (e.g., grass in grid pavers) if present	0	1	2	3	N/A
a.	Grass or vegetation needs mowing or maintenance	0	1	2	3	N/A
b.	Excessive growth of weeds	0	1	2	3	N/A
c.	Dead vegetation	0	1	2	3	N/A

E. Miscellaneous

0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

<input type="checkbox"/>	Inspected					
<input type="checkbox"/>	Not Inspected					
Item		Comments				
1.	Complaints from local residents	0	1	2	3	N/A
2.	Spring clean-up conducted?	0	1	2	3	N/A
3.	Vacuum sweeping without water spray (2 -- 4 time annually)	0	1	2	3	N/A
4.	Encroachment on practice or easement by buildings or other structures	0	1	2	3	N/A

**Permeable Pavement
Maintenance Inspection Checklist**

Inspector's Summary:

Photographs

Photo ID	Description
1.	
2.	
3.	
4.	
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6.	
7.	
8.	
9.	
10.	

Sketch of Practice

(note problem areas)

**Permeable Pavement
Maintenance Inspection Checklist**



**Green Roof
Maintenance Inspection Checklist**

Party Responsible for Maintenance: _____
Contact: _____
Phone Number: _____
E-mail: _____
Mailing Address: _____

Practice ID: _____
Location: _____
GPS Coordinates: _____
Inspector(s): _____

Date: _____ **Time:** _____

<i>Key Questions</i>		
Item	X	Comments
1. Type of vegetated roof (check all that apply)		
a. Extensive - shallow soil	<input type="checkbox"/>	
b. Intensive - deep soil	<input type="checkbox"/>	
c. Other	<input type="checkbox"/>	Type: _____
2. Type of plant cover (check all that apply)		
a. Sedums	<input type="checkbox"/>	
b. Shrubs	<input type="checkbox"/>	
c. Trees	<input type="checkbox"/>	
d. Other	<input type="checkbox"/>	Type: _____

A. Practice						
0 = Good condition. Well maintained, no action required.						
1 = Moderate condition. Adequately maintained, routine maintenance needed.						
2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.						
3 = Serious condition. Immediate need for repair or replacement.						
<input type="checkbox"/>	Inspected					
<input type="checkbox"/>	Not Inspected					
Item	0	1	2	3	N/A	Comments
1. Maintenance access to practice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. Condition of structural components	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3. Condition of hydraulic control components	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Excessive trash/debris/sediment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Evidence of leaking in waterproof	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Evidence of perforated root barrier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Evidence of standing water:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
a. Ponding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. Noticeable odors	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. Water stains	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. Presence of algae	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Roof drain system	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
a. Broken	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. Clogged	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Vegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
a. Plant composition consistent with approved plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
b. Presence of invasive species/weeds	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
c. Plants appear nutrient deficient	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
d. Evidence of birds/pests removing plants	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
e. Dead/sparse vegetation soil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

**Green Roof
Maintenance Inspection Checklist**

B. Outlets						
0 = Good condition. Well maintained, no action required.						
1 = Moderate condition. Adequately maintained, routine maintenance needed.						
2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.						
3 = Serious condition. Immediate need for repair or replacement.						
<input type="checkbox"/>	Inspected					
<input type="checkbox"/>	Not Inspected					
	Item				Comments	
1.	Roof drain conveyance is clogged	0	1	2	3	N/A
2.	Excessive trash/debris/sediment accumulation at roof drain outlets	0	1	2	3	N/A
3.	Evidence of erosion at/around outlet	0	1	2	3	N/A

C. Miscellaneous						
0 = Good condition. Well maintained, no action required.						
1 = Moderate condition. Adequately maintained, routine maintenance needed.						
2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.						
3 = Serious condition. Immediate need for repair or replacement.						
<input type="checkbox"/>	Inspected					
<input type="checkbox"/>	Not Inspected					
	Item				Comments	
1.	Complaints from local residents	0	1	2	3	N/A
2.	Mosquito proliferation	0	1	2	3	N/A

Inspector's Summary:

Photographs	
Photo ID	Description
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

**Green Roof
Maintenance Inspection Checklist**

Sketch of Practice
(note problem areas)

A large empty rectangular box with a thin teal border, intended for a sketch of practice. The box is mostly empty, with only the text 'Sketch of Practice (note problem areas)' at the top left corner.

**Rainwater Harvesting
Maintenance Inspection Checklist**

Party Responsible for Maintenance: _____ **Practice ID:** _____

Contact: _____ **Location:** _____

Phone Number: _____ **GPS Coordinates:** _____

E-mail: _____ **Inspector(s):** _____

Mailing Address: _____

Date: _____ **Time:** _____

A. Contributing Drainage Area (Roof Area)
 0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

Inspected
 Not Inspected

	Item					Comments
1.	Excessive leaves and debris in gutters/downspouts	0	1	2	3	N/A
2.	Other materials/debris on roof surface (e.g., excessive bird droppings)	0	1	2	3	N/A
3.	Clear overhanging trees/vegetation over roof surface	0	1	2	3	N/A

B. Pretreatment
 0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

Inspected
 Not Inspected

	Item					Comments
1.	Maintenance access to pretreatment facility	0	1	2	3	N/A
2.	Check first flush diverters/filters for proper functioning (e.g., not bypassing too much water). Clean debris from filter screens	0	1	2	3	N/A Sediment marker reading:

C. Inlets
 0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

Inspected
 Not Inspected

	Item					Comments
1.	Check all conveyances into tank; remove debris; check for clogging	0	1	2	3	N/A
2.	Patch any holes or gaps.	0	1	2	3	N/A

**Rainwater Harvesting
Maintenance Inspection Checklist**

D. Tank or Cistern

0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

<input type="checkbox"/>	Inspected						
<input type="checkbox"/>	Not Inspected						
Item		Comments					
1.	Maintenance access to practice	0	1	2	3	N/A	
2.	Check storage tank lids	0	1	2	3	N/A	
	a. Vents and screens on inflow/outflow spigots	0	1	2	3	N/A	
	b. Lids in place, properly secured	0	1	2	3	N/A	
3.	Overflow pipes & downstream flow path	0	1	2	3	N/A	Cause:
	a. Debris/clogging in overflow pipes	0	1	2	3	N/A	Cause:
	b. Erosion, excessive debris, clogging of flow path	0	1	2	3	N/A	Cause:
	c. Condition of downstream secondary runoff reduction practice (see applicable checklist)	0	1	2	3	N/A	Cause:
4.	Sediment build-up in tank	0	1	2	3	N/A	
5.	Backflow preventer	0	1	2	3	N/A	
6.	Structural integrity	0	1	2	3	N/A	
	a. Tank and foundation	0	1	2	3	N/A	
	b. Pump and pump housing	0	1	2	3	N/A	
	c. Pipes	0	1	2	3	N/A	
	d. Electrical system and housing	0	1	2	3	N/A	
7.	Water Quality Devices	0	1	2	3	N/A	
8.	Mosquitos	0	1	2	3	N/A	
	a. Mosquito screens; check gaps and holes	0	1	2	3	N/A	
	b. Evidence of mosquito larvae in tank or manholes	0	1	2	3	N/A	

E. Miscellaneous

0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

<input type="checkbox"/>	Inspected						
<input type="checkbox"/>	Not Inspected						
Item		Comments					
1.	Complaints from local residents	0	1	2	3	N/A	
2.	Mosquito proliferation	0	1	2	3	N/A	
3.	Encroachment on practice or easement by buildings or other structures	0	1	2	3	N/A	
4.	Adequate safety signage	0	1	2	3	N/A	

**Rainwater Harvesting
Maintenance Inspection Checklist**

Inspector's Summary:

Photographs

Photo ID	Description
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

Sketch of Practice

(note problem areas)

**Rainwater Harvesting
Maintenance Inspection Checklist**



**Impervious Surface Disconnection
Maintenance Inspection Checklist**

Party Responsible for Maintenance: _____

Practice ID: _____

Contact: _____

Location: _____

Phone Number: _____

GPS Coordinates: _____

E-mail: _____

Inspector(s): _____

Mailing Address: _____

Date: _____ **Time:** _____

<i>Key Questions</i>		
Item	X	Comments
1. Type of impervious area disconnected		
a. Rooftop	<input type="checkbox"/>	
b. Parking	<input type="checkbox"/>	
c. Other	<input type="checkbox"/>	
2. Type of disconnection surface		
a. Managed turf areas	<input type="checkbox"/>	
b. Forest cover or preserved open space	<input type="checkbox"/>	
c. Soil compost amended filter path	<input type="checkbox"/>	
3. Type of forest cover or open space (if applicable)		
a. Forest	<input type="checkbox"/>	
b. Meadow/Brush	<input type="checkbox"/>	
c. Other	<input type="checkbox"/>	
4. Vegetative Cover Condition		
a. Good	<input type="checkbox"/>	
b. Average	<input type="checkbox"/>	
c. Poor	<input type="checkbox"/>	
5. Meets width/length requirement	<input type="checkbox"/>	

A. Contributing Drainage Area	
0 = Good condition. Well maintained, no action required.	
1 = Moderate condition. Adequately maintained, routine maintenance needed.	
2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.	
3 = Serious condition. Immediate need for repair or replacement.	
<input type="checkbox"/>	Inspected
<input type="checkbox"/>	Not Inspected
Item	Comments
1. Excessive trash/debris	0 1 2 3 N/A
2. Excessive landscape waste/yard clippings	0 1 2 3 N/A

Impervious Surface Disconnection Maintenance Inspection Checklist

B. Inflow Points

- 0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

<input type="checkbox"/>	Inspected					
<input type="checkbox"/>	Not Inspected					
Item		Comments				
1.	Inflow points (e.g. downspouts, curb cuts, edge of pavement, level spreader) provide stable conveyance into practice	0	1	2	3	N/A
2.	Runoff enters pervious area as sheet flow	0	1	2	3	N/A
3.	Excessive trash/debris/sediment	0	1	2	3	N/A
4.	Evidence of erosion at/around inflow points	0	1	2	3	N/A
5.	Level spreader functional, if applicable	0	1	2	3	N/A

C. Practice (Pervious Area Receiving Runoff)

- 0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

<input type="checkbox"/>	Inspected					
<input type="checkbox"/>	Not Inspected					
Item		Comments				
1.	Maintenance access to area	0	1	2	3	N/A
2.	Downspouts or surface impervious area drains to the receiving pervious area (doesn't bypass)	0	1	2	3	N/A
3.	Receiving pervious areas retain dimensions as shown on plans and are in good	0	1	2	3	N/A
4.	Excessive trash/debris/sediment	0	1	2	3	N/A
5.	Evidence of standing water:	0	1	2	3	N/A
	a. Ponding	<input type="checkbox"/>				
	b. Noticeable odors	<input type="checkbox"/>				
	c. Water stains	<input type="checkbox"/>				
	d. Presence of algae or floating aquatic vegetation	<input type="checkbox"/>				
6.	Evidence of erosion	0	1	2	3	N/A
7.	Evidence of oil/chemical accumulation	0	1	2	3	N/A
8.	Vegetation	0	1	2	3	N/A
	a. Plant composition consistent with approved plans	0	1	2	3	N/A
	b. Presence of invasive species/weeds	0	1	2	3	N/A
	c. Dead vegetation/exposed soil	0	1	2	3	N/A
	d. Disturbance to natural vegetation or excessive maintenance (e.g. mowing, tree cutting)	0	1	2	3	N/A
	e. Restoration planting survival, if	0	1	2	3	N/A
9.	Conservation area signs (if applicable)	0	1	2	3	N/A
10.	Level spreader (if applicable)	0	1	2	3	N/A

D. Miscellaneous

**Impervious Surface Disconnection
Maintenance Inspection Checklist**

Sketch of Practice

(note problem areas)

**Impervious Surface Disconnection
Maintenance Inspection Checklist**



**Dry Detention Practices
Maintenance Inspection Checklist**

Party Responsible for Maintenance: _____ **Practice ID:** _____

Contact: _____ **Location:** _____

Phone Number: _____ **GPS Coordinates:** _____

E-mail: _____ **Inspector(s):** _____

Mailing Address: _____

Date: _____ **Time:** _____

<i>Key Questions</i>		
Item	X	Comments
1. Type of detention practice		
a. Dry Pond	<input type="checkbox"/>	
b. Underground Detention Vault and/or Tank	<input type="checkbox"/>	
c. Other	<input type="checkbox"/>	Type: _____

A. Contributing Drainage Area						
0 = Good condition. Well maintained, no action required.						
1 = Moderate condition. Adequately maintained, routine maintenance needed.						
2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.						
3 = Serious condition. Immediate need for repair or replacement.						
<input type="checkbox"/>	Inspected					
<input type="checkbox"/>	Not Inspected					
Item	0	1	2	3	N/A	Comments
1. Excessive trash/debris						
2. Bare/exposed soil						
3. Evidence of erosion						
4. Excessive landscape waste/yard clippings						
5. Oils, greases, paints and other harmful substances disposed of in drainage area.						

B. Forebay/Pretreatment						
0 = Good condition. Well maintained, no action required.						
1 = Moderate condition. Adequately maintained, routine maintenance needed.						
2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.						
3 = Serious condition. Immediate need for repair or replacement.						
<input type="checkbox"/>	Inspected					
<input type="checkbox"/>	Not Inspected					
Item	0	1	2	3	N/A	Comments
1. Maintenance access to pretreatment facility						
2. Excessive trash/debris accumulation						
3. Excessive sediment accumulation						Sediment marker reading: _____
4. Evidence of clogging						
5. Dead vegetation/exposed soil						
6. Evidence of erosion						

**Dry Detention Practices
Maintenance Inspection Checklist**

C. Inlets
 0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

<input type="checkbox"/>	Inspected	
<input type="checkbox"/>	Not Inspected	
Item		Comments
1.	Inlets provide stable conveyance into	0 1 2 3 N/A
2.	Excessive trash/debris/sediment accumulation at inlet	0 1 2 3 N/A
3.	Evidence of erosion at/around inlet	0 1 2 3 N/A
4.	Damaged pipes or components	0 1 2 3 N/A
5.	Inflow hindered by soil height, build up of sediment and/or grass	0 1 2 3 N/A

D. Practice
 0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

<input type="checkbox"/>	Inspected	
<input type="checkbox"/>	Not Inspected	
Item		Comments
1.	Maintenance access to practice	0 1 2 3 N/A
2.	Sediment accumulation	0 1 2 3 N/A
3.	Abnormally high or low water levels	0 1 2 3 N/A Cause:
4.	Evidence of pollution/hotspot runoff	0 1 2 3 N/A Cause:
5.	Berm(s)/embankment(s)	0 1 2 3 N/A
	a. Cracking, bulging, or sloughing	0 1 2 3 N/A
	b. Soft spots or sinkholes	0 1 2 3 N/A
	c. Evidence of erosion/bare spots	0 1 2 3 N/A
	d. Evidence of animal burrows	0 1 2 3 N/A
	e. Presence of woody vegetation	0 1 2 3 N/A
6.	Riser/outlet	0 1 2 3 N/A Type of riser:
	a. Maintenance access to riser	0 1 2 3 N/A
	b. Structural condition of riser	0 1 2 3 N/A
	c. Condition of joints	0 1 2 3 N/A
	d. Trash/debris accumulation	0 1 2 3 N/A
	e. Woody growth within 5 ft. of outlet	0 1 2 3 N/A
	f. Emergency spillway eroding or failing	0 1 2 3 N/A
7.	Low flow orifice	0 1 2 3 N/A
	a. Trash/debris accumulation	0 1 2 3 N/A
	b. Adjustable control valve accessible and operational	0 1 2 3 N/A
9.	Vegetation	0 1 2 3 N/A
	a. Plant composition consistent with approved plans	0 1 2 3 N/A
	b. Presence of invasive species/weeds	0 1 2 3 N/A
	c. Dead vegetation/exposed soil	0 1 2 3 N/A
	d. Reinforcement planting recommended	<input type="checkbox"/>

**Dry Detention Practices
Maintenance Inspection Checklist**

E. Outlets						
0 = Good condition. Well maintained, no action required.						
1 = Moderate condition. Adequately maintained, routine maintenance needed.						
2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.						
3 = Serious condition. Immediate need for repair or replacement.						
<input type="checkbox"/>	Inspected					
<input type="checkbox"/>	Not Inspected					
	Item				Comments	
1.	Outlets provide stable conveyance out of practice	0	1	2	3	N/A
2.	Excessive trash/debris/sediment accumulation at outlet	0	1	2	3	N/A
3.	Evidence of erosion at/around outlet/outfall	0	1	2	3	N/A
4.	Evidence of leaking/clogging of trash racks or reversed slope pipes	0	1	2	3	N/A

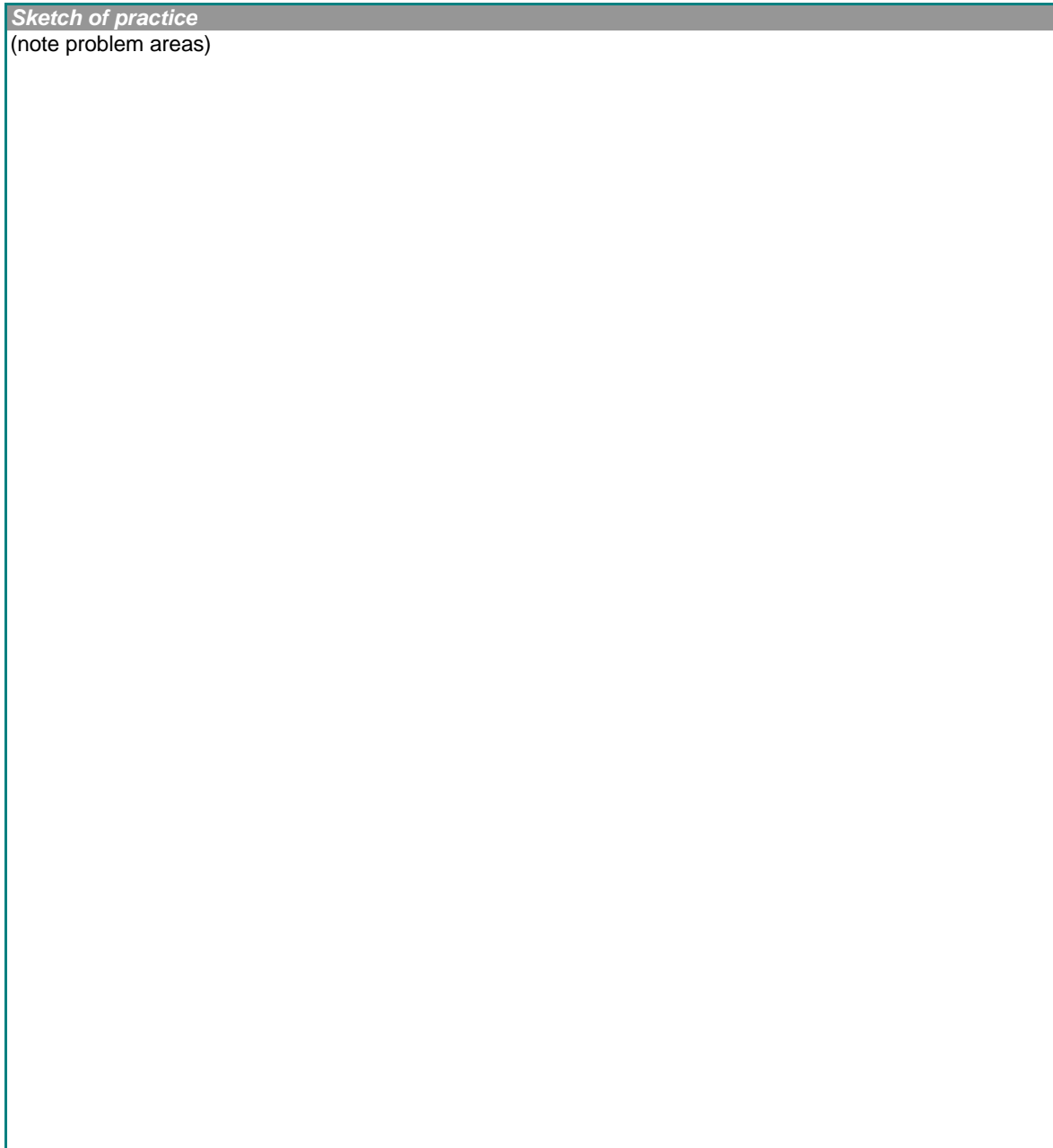
F. Miscellaneous						
0 = Good condition. Well maintained, no action required.						
1 = Moderate condition. Adequately maintained, routine maintenance needed.						
2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.						
3 = Serious condition. Immediate need for repair or replacement.						
<input type="checkbox"/>	Inspected					
<input type="checkbox"/>	Not Inspected					
	Item				Comments	
1.	Complaints from local residents	0	1	2	3	N/A
2.	Mosquito proliferation	0	1	2	3	N/A
3.	Encroachment on practice or easement by buildings or other structures	0	1	2	3	N/A
4.	Adequate safety signage	0	1	2	3	N/A

Inspector's Summary:					

**Dry Detention Practices
Maintenance Inspection Checklist**

<i>Photographs</i>	
Photo ID	Description
1.	
2.	
3.	
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10.	

Sketch of practice
(note problem areas)



**Stormwater Wet Pond/Wetland
Maintenance Inspection Checklist**

Party Responsible for Maintenance: _____ **Practice ID:** _____

Contact: _____ **Location:** _____

Phone Number: _____ **GPS Coordinates:** _____

E-mail: _____ **Inspector(s):** _____

Mailing Address: _____

Date: _____ **Time:** _____

<i>Key Questions</i>		
Item	X	Comments
1. Type of stormwater practice (check all that apply)		
a. Stormwater wetland basin	<input type="checkbox"/>	
b. Stormwater multi-cell wetland or pond/wetland combination	<input type="checkbox"/>	
c. Subsurface gravel wetland	<input type="checkbox"/>	
d. Wet pond	<input type="checkbox"/>	
d. Other	<input type="checkbox"/>	Type: _____
2. Type of pretreatment facility (check all that apply) <i>Pretreatment must be provided</i>		
a. Sediment forebay	<input type="checkbox"/>	
b. Other	<input type="checkbox"/>	Type: _____

A. Contributing Drainage Area						
0 = Good condition. Well maintained, no action required.						
1 = Moderate condition. Adequately maintained, routine maintenance needed.						
2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.						
3 = Serious condition. Immediate need for repair or replacement.						
<input type="checkbox"/>	Inspected					
<input type="checkbox"/>	Not Inspected					
Item						Comments
1. Excessive trash/debris	0	1	2	3	N/A	
2. Bare/exposed soil	0	1	2	3	N/A	
3. Evidence of erosion	0	1	2	3	N/A	
4. Excessive landscape waste/yard clippings	0	1	2	3	N/A	
5. Oils, greases, paints and other harmful substances disposed of in drainage area.	0	1	2	3	N/A	

**Stormwater Wet Pond/Wetland
Maintenance Inspection Checklist**

B. Pretreatment

0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

<input type="checkbox"/>	Inspected							
<input type="checkbox"/>	Not Inspected							
		Item						Comments
1.	Maintenance access to pretreatment facility	0	1	2	3	N/A		
2.	Excessive trash/debris accumulation	0	1	2	3	N/A		
3.	Excessive sediment accumulation	0	1	2	3	N/A	Sediment marker reading:	
4.	Evidence of clogging	0	1	2	3	N/A		
5.	Dead vegetation/exposed soil	0	1	2	3	N/A		
6.	Evidence of erosion	0	1	2	3	N/A		

C. Inlets

0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

<input type="checkbox"/>	Inspected							
<input type="checkbox"/>	Not Inspected							
		Item						Comments
1.	Inlets provide stable conveyance into	0	1	2	3	N/A		
2.	Excessive trash/debris/sediment accumulation at inlet	0	1	2	3	N/A		
3.	Evidence of erosion at/around inlet	0	1	2	3	N/A		
4.	Damaged pipes or components	0	1	2	3	N/A		
5.	Inflow hindered by soil height, build up of sediment and/or grass	0	1	2	3	N/A		
6.	Asphalt/concrete crumbling at inlets	0	1	2	3	N/A		

**Stormwater Wet Pond/Wetland
Maintenance Inspection Checklist**

D. Practice

0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

<input type="checkbox"/>	Inspected								
<input type="checkbox"/>	Not Inspected								
Item		Comments							
1.	Maintenance access to practice	0	1	2	3	N/A			
2.	Sediment accumulation	0	1	2	3	N/A			
	Bathymetric study recommended	<input type="checkbox"/>							
3.	Abnormally high or low water levels	0	1	2	3	N/A	Cause:		
4.	Evidence of pollution/hotspot runoff	0	1	2	3	N/A	Cause:		
5.	Berm(s)/embankment(s)	0	1	2	3	N/A			
	a. Cracking, bulging, or sloughing	0	1	2	3	N/A			
	b. Soft spots or sinkholes	0	1	2	3	N/A			
	c. Evidence of erosion/bare spots	0	1	2	3	N/A			
	d. Evidence of animal burrows	0	1	2	3	N/A			
	e. Presence of woody vegetation	0	1	2	3	N/A			
6.	Riser/outlet	0	1	2	3	N/A	Type of riser:		
	a. Maintenance access to riser	0	1	2	3	N/A			
	b. Structural condition of riser	0	1	2	3	N/A			
	c. Condition of joints	0	1	2	3	N/A			
	d. Trash/debris accumulation	0	1	2	3	N/A			
	e. Woody growth within 5 ft. of outlet	0	1	2	3	N/A			
	f. Emergency spillway eroding, or failing	0	1	2	3	N/A			
7.	Low flow orifice	0	1	2	3	N/A			
	a. Trash/debris accumulation	0	1	2	3	N/A			
	b. Adjustable control valve accessible and operational	0	1	2	3	N/A			
8.	Pond drain (underdrain) system (if applicable)	0	1	2	3	N/A			
	a. Broken	0	1	2	3	N/A			
	b. Clogged	0	1	2	3	N/A			
	c. Adjustable control valve accessible and operational	0	1	2	3	N/A			
9.	Vegetation	0	1	2	3	N/A			
	a. Plant composition consistent with approved plans	0	1	2	3	N/A			
	b. Presence of invasive species/weeds	0	1	2	3	N/A			
	c. Dead vegetation/exposed soil	0	1	2	3	N/A			
	d. Reinforcement planting recommended	<input type="checkbox"/>							

**Stormwater Wet Pond/Wetland
Maintenance Inspection Checklist**

E. Outlets

0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

<input type="checkbox"/>	Inspected						
<input type="checkbox"/>	Not Inspected						
Item							Comments
1.	Outlets provide stable conveyance out of practice	0	1	2	3	N/A	
2.	Excessive trash/debris/sediment accumulation at outlet	0	1	2	3	N/A	
3.	Evidence of erosion at/around outlet/outfall	0	1	2	3	N/A	
4.	Evidence of polluted water being released – discoloration, odor, staining, etc.	0	1	2	3	N/A	

F. Miscellaneous

0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

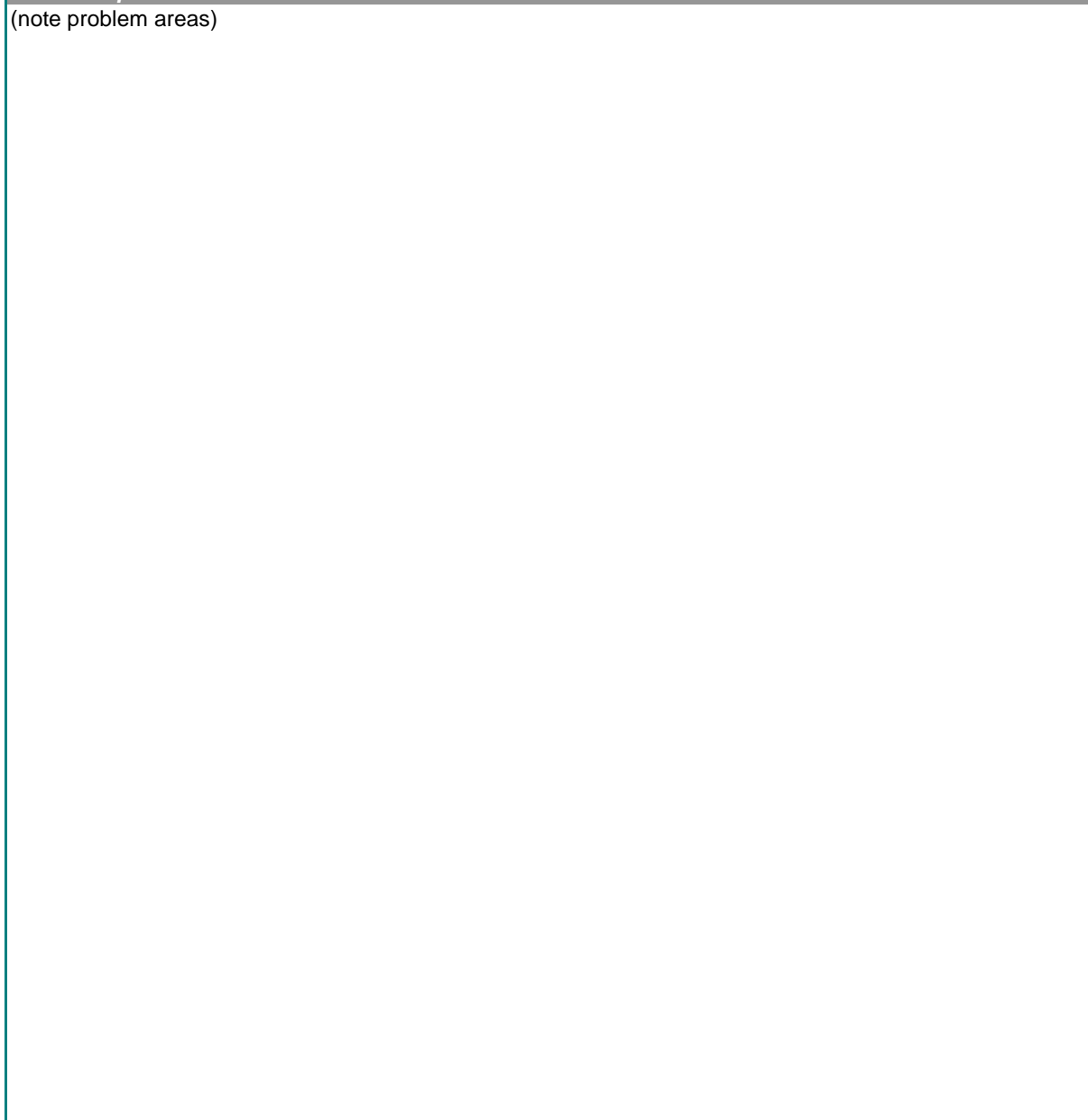
<input type="checkbox"/>	Inspected						
<input type="checkbox"/>	Not Inspected						
Item							Comments
1.	Complaints from local residents	0	1	2	3	N/A	
2.	Mosquito proliferation	0	1	2	3	N/A	
3.	Encroachment on practice or easement by buildings or other structures	0	1	2	3	N/A	
4.	Adequate safety signage	0	1	2	3	N/A	

Inspector's Summary:

**Stormwater Wet Pond/Wetland
Maintenance Inspection Checklist**

<i>Photographs</i>	
Photo ID	Description
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

Sketch of practice
(note problem areas)



**Stormwater Wet Pond/Wetland
Maintenance Inspection Checklist**



**Grass Swale
Maintenance Inspection Checklist**

Party Responsible for Maintenance: _____ **Practice ID:** _____

Contact: _____ **Location:** _____

Phone Number: _____ **GPS Coordinates:** _____

E-mail: _____ **Inspector(s):** _____

Mailing Address: _____

Date: _____ **Time:** _____

A. Contributing Drainage Area
 0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

Inspected
 Not Inspected

	Item						Comments
1.	Excessive trash/debris	0	1	2	3	N/A	
2.	Bare/exposed soil	0	1	2	3	N/A	
3.	Evidence of erosion	0	1	2	3	N/A	
4.	Excessive landscape waste/yard clippings	0	1	2	3	N/A	
5.	Impervious area added	0	1	2	3	N/A	

B. Inflow Points
 0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

Inspected
 Not Inspected

	Item						Comments
1.	Inflow points (e.g. curb cuts, edge of pavement, pipes) provide stable conveyance into the channel	0	1	2	3	N/A	
2.	Excessive trash/debris/sediment accumulation at inflow points	0	1	2	3	N/A	
3.	Evidence of erosion at/around inflow points	0	1	2	3	N/A	

**Grass Swale
Maintenance Inspection Checklist**

C. Practice (Grass Swale)

0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

<input type="checkbox"/>	Inspected							
<input type="checkbox"/>	Not Inspected							
		Item						Comments
1.	Swale remains vegetated; no concrete, rip-rap, or other lining has been added	0	1	2	3	N/A		
2.	Grade ensures positive flow	0	1	2	3	N/A		
3.	Evidence of erosion	0	1	2	3	N/A		
4.	Sediment accumulation	0	1	2	3	N/A		
5.	Excessive trash/debris accumulation	0	1	2	3	N/A		
6.	Evidence of oil/chemical accumulation	0	1	2	3	N/A		
7.	Vegetation condition	0	1	2	3	N/A		
	a. Mowing as needed to maintain 4"-6" grass height.	0	1	2	3	N/A		
	b. 90% turf cover in practice.	0	1	2	3	N/A		
8.	Check dams in place	0	1	2	3	N/A		
9.	Signs of erosion around or under check dams	0	1	2	3	N/A		

D. Miscellaneous

0 = Good condition. Well maintained, no action required.
 1 = Moderate condition. Adequately maintained, routine maintenance needed.
 2 = Degraded condition. Poorly maintained, routine maintenance and repair needed.
 3 = Serious condition. Immediate need for repair or replacement.

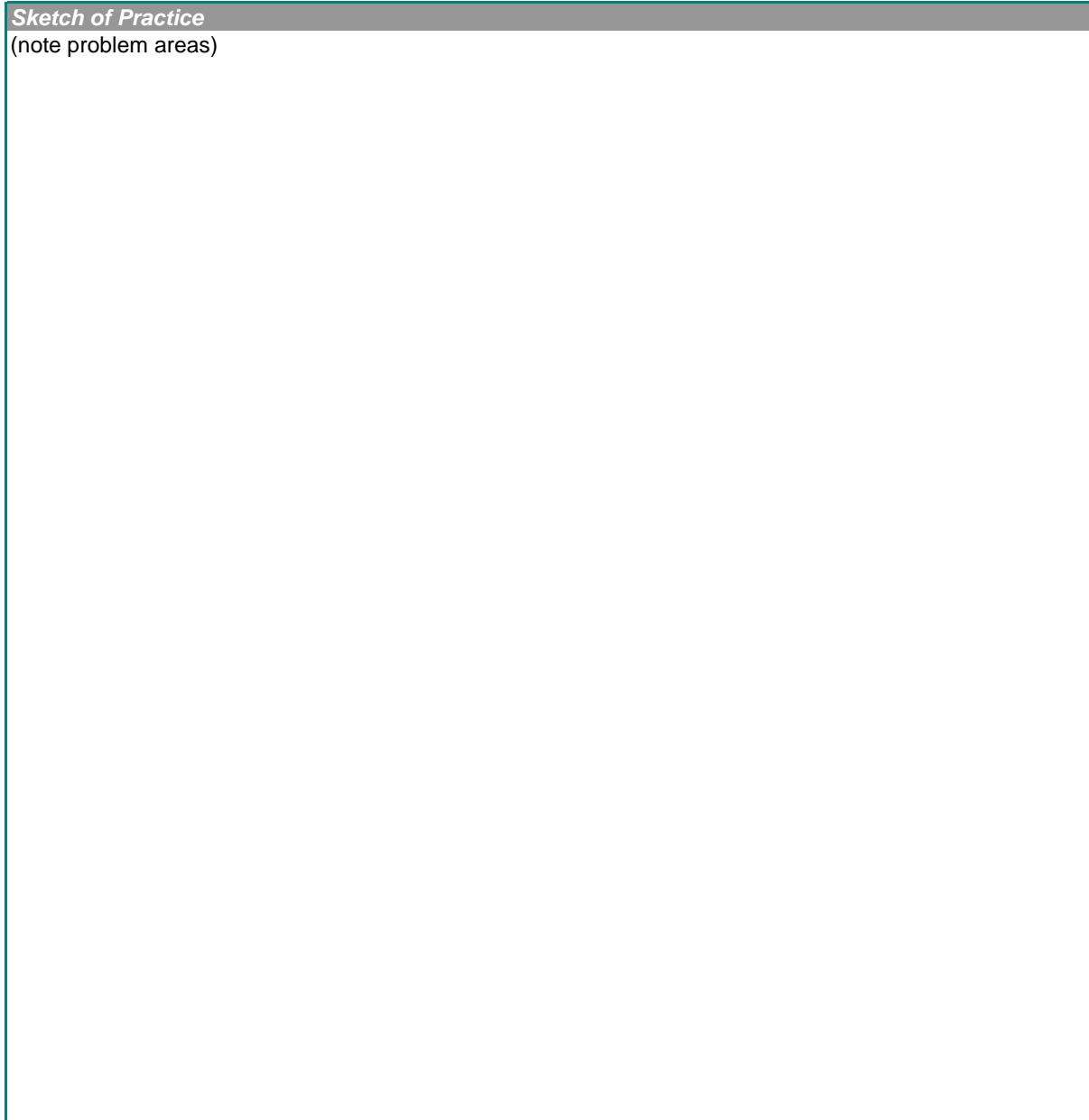
<input type="checkbox"/>	Inspected							
<input type="checkbox"/>	Not Inspected							
		Item						Comments
1.	Complaints from local residents	0	1	2	3	N/A		
2.	Mosquito breeding	0	1	2	3	N/A		
3.	Encroachments (e.g. filling, fences, obstructions, etc.)	0	1	2	3	N/A		

Inspector's Summary:

**Grass Swale
Maintenance Inspection Checklist**

<i>Photographs</i>	
Photo ID	Description
1.	
2.	
3.	
4.	
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10.	

Sketch of Practice
(note problem areas)



**Grass Swale
Maintenance Inspection Checklist**

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Appendix G: Compliance Calculator Spreadsheet Instructions

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G.1 Introduction.....	1
G.2 Compliance Calculator Spreadsheet Guidance	1

G.1 Introduction

The compliance calculator spreadsheet (Appendix H) was created to allow a designer to quickly analyze multiple LID options and check them against the watershed area’s water quality design requirements. As is clear from the specifications, each LID BMP has different design requirements, equations, and standards that determine its effectiveness. Depending upon the site, it can become difficult to determine which BMP(s) best meets the requirements. With the compliance calculator, it is easier to examine different combinations of BMPs in order to find the best option or set of options. The compliance calculator is also to be used by the plan reviewer to quickly verify the compliance status of a plan.

It is important to note that the compliance calculator is not a model, and while it can be used as a design tool, it does not replace the needed efforts of a competent designer. The numbers in the spreadsheet don’t guarantee that a BMP meets the specifications, is appropriate for its location, or is generally well-designed.

G.2 Compliance Calculator Spreadsheet Guidance

The following guidance explains how to use each of the worksheets in the compliance calculator spreadsheet (Appendix H).

Note: All cells highlighted in blue are user input cells. Cells highlighted in gray are calculation cells, and cells highlighted in yellow are constant values that generally should not be changed.

Site Data Sheet

1. Enter the name of the proposed project on **line 9**.
2. Enter the pre-development land cover areas (in acres) of forest/open space cover, turf cover, impervious cover and BMP cover for the site for Natural Resource Conservation Service (NRCS) soil types A, B, C, and D in cells C24-C27, E24-E27, G24-G27, and I24-I27, respectively.
3. Verify/enter the NRCS runoff curve numbers for each land use/soil type combination in cells D24-D27, F24-F27, H24-H27, and J24-J27. Default values have already been included in these cells, but they can be changed if necessary.
4. Enter the post-development land cover areas (in acres) of forest cover/open space, turf cover, impervious cover and BMP cover on the site for Natural Resource Conservation Service (NRCS) soil types A, B, C, and D in cells C34-C37, E34-E37, G34-G37, and I34-I37, respectively.
5. Verify/enter the NRCS runoff curve numbers for each land use/soil type combination in cells D34-D37, F34-F37, H34-H37, and J34-J37. As with the pre-development entries, default values have already been included in these cells, but they can be changed if necessary.

BMP Sheet

1. Apply BMPs to the drainage area to address the required water quality volume by indicating the area in square feet (sf) of forest cover, turf cover, and impervious cover to be treated by a given BMP in **Columns B, C, and D**. This will likely be an iterative process. The available BMPs include the following:
 - Bioretention – No Underdrain
 - Bioretention - IWS
 - Bioretention - Standard
 - Permeable Pavement - Enhanced
 - Permeable Pavement - Standard
 - Infiltration
 - Green Roof
 - Green Roof – Irrigated
 - Rainwater Harvesting
 - Impervious Surface Disconnection
 - Grass Channel
 - Grass Channel – Amended Soils
 - Dry Swale
 - Wet Swale
 - Regenerative Stormwater Conveyance (RSC)
 - Filtering Systems
 - Storage Practices
 - Stormwater Ponds
 - Stormwater Wetlands
 - Proprietary Practice
 - Planted Tree
 - Preserved Tree
2. Enter the BMP's surface area (sf) in Column E and storage volume (cf) in Column F.
3. If a Stormwater Pond is used for irrigation the contributing drainage area and storage volume (determined from the Rainwater Harvesting Calculator) are entered in the Rainwater Harvesting cells B24, C24, D24, E24 and F24, respectively. The Stormwater Pond row remains empty unless there are other ponds used that are not used for irrigation.
4. If other Rainwater Harvesting BMPs are used, the Rainwater Harvesting Calculator is used to determine the contributing drainage area and storage volume inputs to the BMP worksheet.
5. The volume from direct drainage to the BMP is calculated and reported in **Column E**. Note that the total disturbed area is reflected as the sum of impervious cover (**Column D**), turf cover (**Column C**) and forest/open space cover (**Column B**) draining to the practice.
6. If more than one BMP will be employed in series, any overflow from upstream BMPs will be accounted for in **Column M**.

7. The total volume captured by the practice (V_{CAP}) is reported in **Column N** and is equal to the following:

$$V_{CAP} = \text{Minimum}(Sv, V_{US} + V_{DD})$$

Where:

- WQV_{CAP} = Water Quality Volume captured by the practice (cf) (**Column N**)
- Sv = Storage Volume (cf) (**Column F**)
- V_{US} = Volume of runoff from upstream practice (cf) (**Column M**)
- V_{DD} = Volume of runoff from direct discharge (cf) (**Column L**)

8. The Runoff Reduction or Pollutant Removal Efficiency (%) for each BMP (from Table 2.3) is reported in **Columns H-K**.
9. The Water Quality Volume Credited is calculated in **Column O**, and is equal to the following:

$$WQv_{CR} = \text{Minimum of } (Sv \times CR, V_{CAP})$$

Where:

- WQV_{CR} = Water Quality Volume Credited (cf)
- Sv = Storage Volume (cf) (**Column F**)
- CR = Credit (fraction)
- V_{CAP} = Volume Captured by the Practice (cf) (**Column N**)

10. The Remaining Water Quality Volume (**Column P**) is calculated as:

$$WQv_R = V_{US} + V_{DD} - WQv_{CR}$$

Where:

- WQV_R = Water Quality Volume Remaining (cf) (**Column O**)
- V_{US} = Volume from Upstream Practices (cf) (**Column M**)
- V_{DD} = Volume from Direct Drainage (cf) (**Column L**)

11. Any runoff volume remaining can be directed to a downstream BMP by selecting a practice from the pull-down menu in **Column G**. Selecting a BMP from the menu will automatically direct the runoff volume remaining to **Column M (volume from upstream practices)** for the appropriate BMP.
12. Planted Trees. Input the number of planted and preserved trees of each size class in cells F38-F42 (retention values correspond to Table 4.62 and 4.63 in design manual).
13. The Target Retention Volume (WQV_T) is reported in **Cell B49**, from corresponding **Cell C42** on the **Site Data Tab**.
14. The Water Quality Volume Provided (WQV_P), is calculated in **Cell C49** as a combination of the retention values for all BMPs and trees (Cells O17-O42)
15. The fraction of target achieved (either by practice or by the entire site as appropriate) is calculated in **Cells F31-F35**). The % of target achieved is calculated as follows:

$$T = \text{Minimum of } \left(\frac{WQv_P}{WQv_T}, 1 \right)$$

Where:

- T = Treatment (fraction)

WQV_P = Water Quality Volume Provided (cf)
 WQV_T = Water Quality Volume Target (cf)

16. Cells **D49, 52, 54, 58, and 61** determine if the site target has been reached as follows:

- Overall Retention Goal
 - Target Retention Volume
- General Stormwater Management Watershed Area Minimum Requirements
 - Target Retention Volume (1.16 in storm)
 - Target TSS Removal
 - Target Nitrogen Removal
 - Target Bacteria Removal
- Savannah River Special Watershed Protection Area Minimum Requirements
 - Target Retention Volume (1.16 in storm)
 - Target TSS Removal
 - Target Nitrogen Removal
 - Target Bacteria Removal

Channel and Flood Protection

This sheet assists with calculation of Adjusted Curve Numbers that can be used to calculate peak flows associated with the 2- to 100-year storm events.

17. Enter the appropriate depths for the 2-year, 10-year, 25-year and 100-year 24-hour storms (as provided in Table 2.4) on **Line 5**.
18. The Total Site Area (from the **Site Data** Tab), is reported in **Cell C7**.
19. Detention Storage Volume (cf) is calculated in **Cell C8**, and refers to the total storage provided in all LID practices using the following equation:

$$V_{DS} = \sum_{LID\ BMPs} Sv_{BMP} \cdot IRD_{BMP}$$

Where:

- V_{DS} = Volume in Site Detention Storage (cf)
 S_{V_{BMP}} = Storage Volume Provided in Each BMP (cf)
 (from **Column F** of the **BMPs** Tab)
 IR_{D_{BMP}} = Infiltration, Retention or Detention Credit for Each BMP
 (from **Column J** of the **BMPs** Tab)

Note that, while other practices such as ponds provide detention, it is assumed that design engineers will explicitly account for this detention in a Pond Routing program.

20. As indicated in the Site Data sheet, each cover type is associated with a NRCS curve number. **Cells D15–G22** show the pre-development land cover areas and curve numbers that were indicated on the Site Data Sheet. Using these curve numbers, a weighted curve number is calculated in **cell G24**.
21. **Cells D29–G36** show the post-development land cover areas and curve numbers that were indicated on the Site Data Sheet. Using these curve numbers, a weighted curve number is calculated in **cell G38**.
22. Using NRCS methodology, **Line 42** calculates the pre-development runoff volume (inches) for the various storm events.

Potential Abstraction

$$S = \frac{1000}{(CN - 10)}$$

Where:

$$S = \text{potential abstraction (in.)}$$

$$CN = \text{weighted curve number}$$

Runoff Volume

$$Q = \frac{(P - 0.2 \cdot S)^2}{(P + 0.8 \cdot S)}$$

Where:

$$Q = \text{runoff volume (in.)}$$

$$P = \text{precipitation depth for a given 24-hour storm (in.)}$$

$$S = \text{potential abstraction (in.)}$$

23. **Line 43** calculates the post-development runoff volume based solely on land cover (without regard to the BMPs selected on the BMP sheet). **Line 44** then subtracts the runoff reduction volume provided by BMPs, from **Cell C8**.
24. Based upon the reduced runoff volumes calculated in line 44, the spreadsheet then calculates corresponding reduced curve numbers for each storm event. This Adjusted Curve Number is reported on **Line 45**.
25. **Line 46** compares the pre-development runoff volume in line 42 with the post-development (with BMPs) runoff volume in line 44. If the post-development volume (with BMPs) is less than or equal to the pre-development volume for a given storm event, then it is assumed that detention will not be required. If the post-development volume (with BMPs) is greater than the pre-development volume for a given storm event, then detention will be necessary, and the Adjusted Curve Numbers from line 45 should be used to calculate the post-development peak runoff rates.

Southern Low Country Stormwater Compliance Calculator

Site Drainage Area 1

Indicate Post-Development Land Cover and Runoff Curve Numbers in the Site's Disturbed

	Area (square feet)		
Cover Type	Soil Type A	Soil Type B	Soil Type C
Forest Cover/Open Space			
Turf Cover			
Impervious Cover			
BMP			
Total	0	0	0

BMPs

	Contributing Drainage Area		
	Forest Cover Draining to BMP	Turf Cover Draining to BMP	Impervious Cover Draining to BMP
	Area (square feet)	Area (square feet)	Area (square feet)
Bioretention - No Underdrain			
Bioretention - IWS			
Bioretention - Standard			
Permeable Pavement - Enhanced			
Permeable Pavement - Standard			
Infiltration			
Green Roof			
Rainwater Harvesting			
Impervious Surface Disconnection			
Grass Channel			
Grass Channel - Amended Soils			
Dry Swale			
Wet Swale			
RSC			
Filtering Systems			
Storage Practices			
Stormwater Ponds			

Stormwater Wetlands			
Proprietary Practice			
Planted Tree - Small			
Planted Tree - Large			
Preserved Tree - Small			
Preserved Tree - Large			
Preserved Tree - Special			
Totals	0.00	0.00	0.00

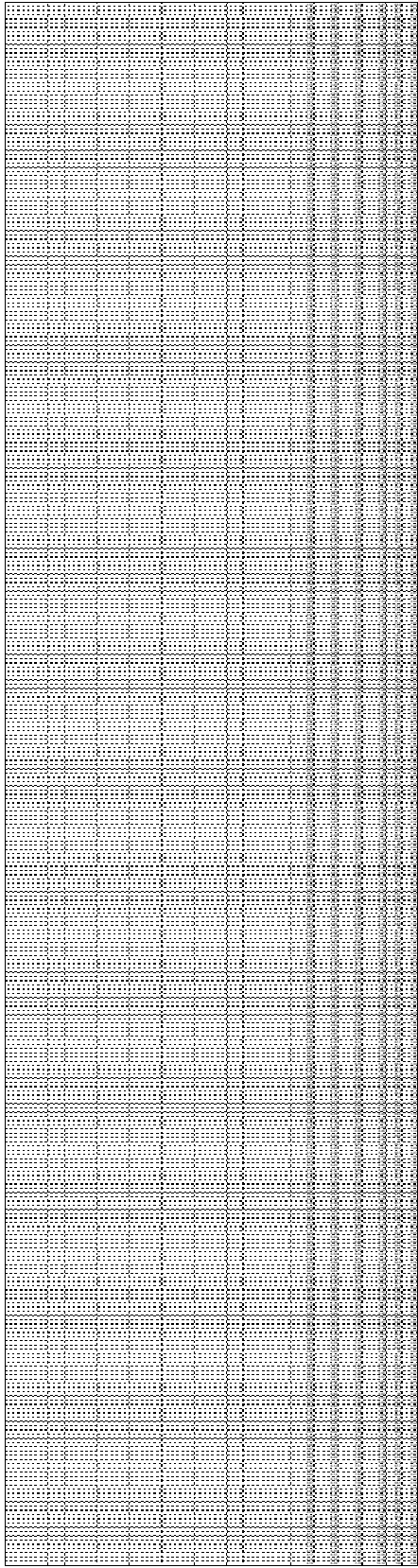
d Area						
feet)						
Soil Type D	Total	% Cover	Rv			
	0	0%	0			
	0	0%	0			
	0	0%	0.95			
	0	0%	0.95			
0	0	0%	0			

BMP Surface Area Area (square feet)	Storage Volume Provided by BMP (cubic feet)	Downstream BMP	Water Quality Credits			
			Runoff Reduction	TSS % Removal	Total N % Removal	Bacteria % Removal
			100%	100%	100%	100%
			75%	85%	85%	80%
			60%	85%	75%	80%
			100%	100%	100%	100%
			30%	80%	45%	30%
			100%	100%	100%	100%
			100%	100%	100%	100%
			100%	100%	100%	100%
			40%	80%	40%	40%
			10%	50%	25%	30%
			20%	50%	35%	30%
			60%	85%	70%	80%
			0%	80%	25%	60%
			0%	80%	40%	80%
			0%	80%	30%	80%
			0%	60%	10%	60%
			0%	80%	30%	60%

			0%	80%	25%	60%
Input Number of Trees						
			5 cf/tree	N/A	N/A	N/A
			10 cf/tree	N/A	N/A	N/A
			10 cf/tree	N/A	N/A	N/A
			20 cf/tree	N/A	N/A	N/A
			30 cf/tree	N/A	N/A	N/A
	0.00					

0	0	0	0
0	0	0	0
N/A	N/A	N/A	0
N/A	N/A	N/A	0
N/A	N/A	N/A	0
N/A	N/A	N/A	0
N/A	N/A	N/A	0

GENERAL INFORMATION		PROJECT INFORMATION		FINANCIAL INFORMATION	
NO.	DESCRIPTION	NO.	DESCRIPTION	NO.	DESCRIPTION
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100	...	100	...	100	...



Watershed Protection Area	Design Storm
General Stormwater Management Watershed Area	1.16
Savannah River Special Watershed Protection Area	1.16
Bacteria and Shellfish Special Watershed Protection Area	1.95

0%
100%

0%
80%

Appendix I: General Design Criteria and Guidelines

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I.1 Hydrology and Runoff Determination

I.1.1 Acceptable Hydrologic Methods and Models

The following are the acceptable methodologies and computer models for estimating runoff hydrographs before and after development. These methods are used to predict the runoff response from given rainfall information and site surface characteristic conditions. The design storm frequencies used in all of the hydrologic engineering calculations will be based on design storms required in this guidebook unless circumstances make consideration of another storm intensity criterion appropriate:

- Rational Method (limited to sites under 10 acres)
- Urban Hydrology for Small Watersheds TR-55 (TR-55)
- Storage-Indication Routing
- HEC-1, WinTR-55, TR-20, and SWMM Computer Models

These methods are given as valid in principle and are applicable to most stormwater management design situations in the Southern Lowcountry. Other methods may be used when the Southern Lowcountry reviewing authority approves their application.

Note: Of the above methods, TR-55 and SWMM allow for the easiest correlation of the benefits of retention BMPs used to meet the stormwater retention volume (SWRv) with peak flow detention requirements and are therefore strongly recommended.

The following conditions shall be assumed when developing predevelopment, pre-project, and post-development hydrology, as applicable:

- For new development sites the runoff conditions shall be computed independent of existing developed land uses and conditions and shall be based on “Meadow in good condition” or better, assuming good hydrologic conditions and land with grass cover (NEH, 2004).
- For infill and redevelopment sites the predeveloped condition is the condition at the time of project submittal.
- Post-development conditions shall be computed for future land use assuming good hydrologic and appropriate land use conditions. If an NRCS CN Method-based approach, such as TR-55, is used, this curve number (CN) may be reduced based upon the application of retention BMPs, as indicated in the General Retention Compliance Calculator (Appendix H). This CN reduction will reduce the required detention volume for a site, but it should not be used to reduce the size of conveyance infrastructure.
- The rainfall intensity - duration - frequency curve should be determined from the most recent version of the Hydrometeorological Design Studies Center’s Precipitation Frequency Data Server (NOAA Atlas 14, Volume 2).
- Predevelopment Time of Concentration (T_c) shall be based on the sum total of computed or estimated overland flow time and travel in natural swales, streams, creeks and rivers, but never less than 6 minutes.
- Post-development Time of Concentration shall be based on the sum total of the inlet time and travel time in improved channels or storm drains but shall not be less than 6 minutes.
- Site drainage areas exceeding 10 acres that are heterogeneous with respect to land use, soils, RCN or Time of Concentration (T_c) shall require a separate hydrologic analysis for each sub-area.
- Hydrologic soil groups (HSGs) approved for use in the <local jurisdiction> are contained in the US Department of Agriculture Web Soil Survey. Where the HSG is not available through the Soil Survey due to the listed soil type being “Urban Soils” or similar, an HSG of C shall be used.

I.1.1.1 Urban Hydrology for Small Watersheds TR-55

Chapter 6 of Urban Hydrology for Small Watersheds TR-55, Storage Volume for Detention Basins, or TR-55 shortcut procedure, is based on average storage and routing effects for many structures and can be used for multistage outflow devices. Refer to TR-55 for more detailed discussions and limitations.

Information Needed

To calculate the required storage volume using TR-55, the predevelopment hydrology, along with the post-development hydrology for the 2, 10 and 25-year, 24-hour storm events are needed. The predevelopment hydrology is based on natural conditions (meadow) and will determine the site’s predevelopment peak rate of discharge, or allowable release rate, q_0 .

The post-development hydrology may be determined using the reduced CNs calculated in the General Retention Compliance Calculator or more detailed routing calculations. This will determine the site’s post-development peak rate of discharge, or inflow for the 2, 10 and 25-year, 24-hour storm events, and the site’s post-developed runoff in inches. Note that this method does not require a hydrograph. Once the above parameters are known, the TR-55 Manual can be used to approximate the storage volume required for each design storm.

Procedure

- 1) Determine the peak development inflows, q_i , and the allowable release rates, q_0 , from the hydrology for the appropriate design storm.

Using the ratio of the allowable release rate (q_o) to the peak developed inflow (q_i)—or q_o/q_i —for the design storms, use Figure 1 to obtain the ratio of storage volume (V_S) to runoff volume (V_R)—for Type III storms.

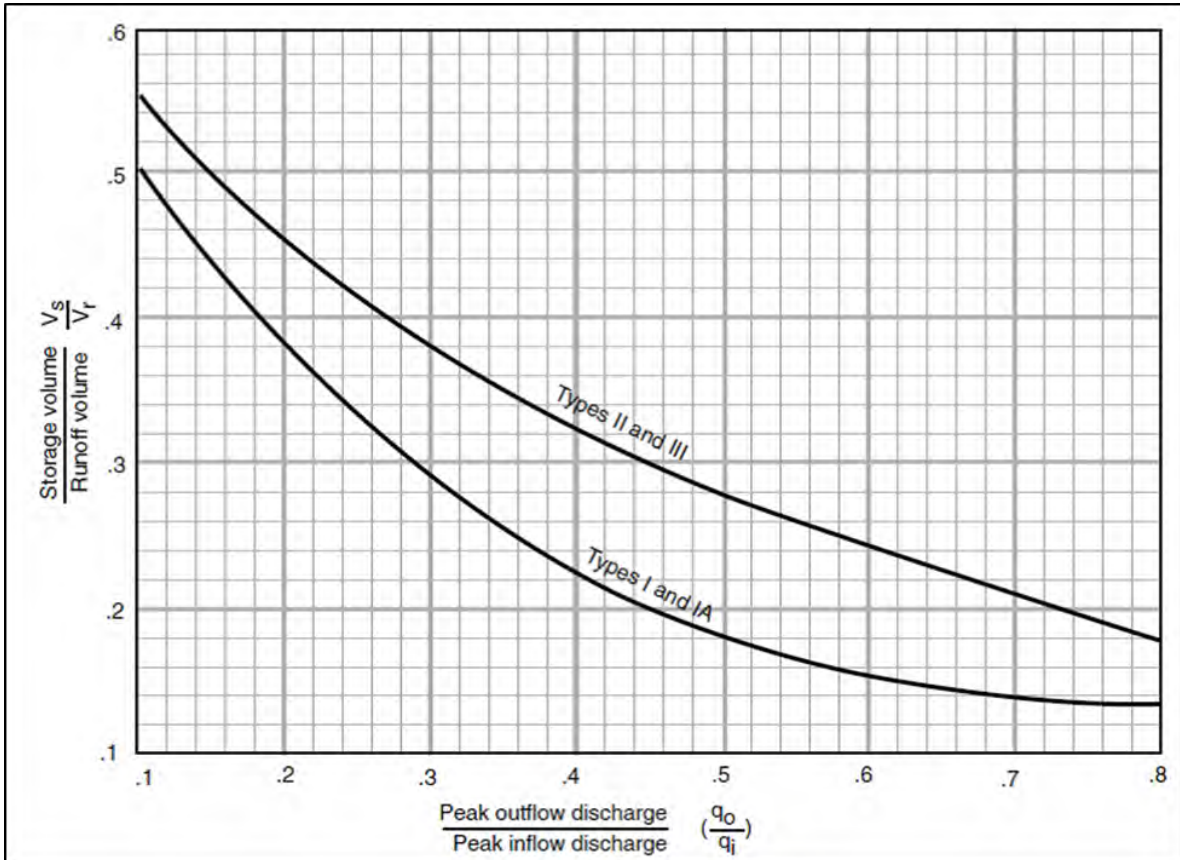


Figure 1. Approximate detention basin routing for rainfall Types I, IA, II, and III.

- 2) Determine the runoff volume V_R .

$$V_R = \frac{Q}{12} \times SDA$$

where:

- V_R = post-development runoff for the design storm (ft^3)
- Q = post-development runoff for the design storm (in)
- 12 = conversion factor (inches to feet)
- SDA = site drainage area (ft^2)

- 3) Multiply the V_S/V_R ratios from Step 1 by the runoff volume (V_R) from Step 2 to determine the required storage volumes (V_S) in acre-feet.

$$\left(\frac{V_S}{V_R}\right) V_R = V_S$$

The design procedure presented above may be used with Urban Hydrology for Small Watersheds TR-55 Worksheet 6a. The worksheet includes an area to plot the stage-storage curve, from which actual elevations corresponding to the required storage volumes can be derived. The characteristics of the stage-storage curve are dependent upon the topography of the proposed storage practice and the outlet structure, and it may be best developed using a spreadsheet or appropriate hydraulics software.

Limitations

This routing method is less accurate as the q_o/q_i ratio approaches the limits shown in Figure 1. The curves in Figure 1 depend on the relationship between available storage, outflow device, inflow volume, and shape of the inflow hydrograph. When storage volume (V_s) required is small, the shape of the outflow hydrograph is sensitive to the rate of the inflow hydrograph. Conversely, when V_s is large, the inflow hydrograph shape has little effect on the outflow hydrograph. In such instances, the outflow hydrograph is controlled by the hydraulics of the outflow device and the procedure therefore yields consistent results. When the peak outflow discharge (q_o) approaches the peak inflow discharge (q_i) parameters that affect the rate of rise of a hydrograph, such as rainfall volume, CN, and Time of Concentration, become especially significant.

The procedure should not be used to perform final design if an error in storage of 25% cannot be tolerated. Figure 1 is biased to prevent under-sizing of outflow devices, but it may significantly overestimate the required storage capacity. More detailed hydrograph development and storage indication routing will often pay for itself through reduced construction costs.

I.1.1.2 Storage-Indication Routing

Storage-Indication Routing may be used to analyze storage detention practices. This approach requires that the inflow hydrograph be developed through one of the methods listed in this appendix (TR-55, WinTR-55, SWMM, etc.), as well as the required maximum outflow, q_o . Using the stage-discharge relationship for a given combination outlet devices, the detention volume necessary to achieve the maximum outflows can be determined.

I.1.1.3 HEC-1, WinTR-55, TR-20, ICPR and SWMM Computer Models

If the application of the above computer models is needed, the complete input data file and print-out will be submitted with the Stormwater Management Plans (SWMPs). Submission of SWMPs shall include the following computer model documentation:

- For all computer models, supporting computations prepared for the data input file shall be submitted with the SWMPs.
- Inflow-outflow hydrographs shall be computed for each design storm presented graphically and submitted for all plans.
- Schematic (node) diagrams must be provided for all routings.

I.1.2 Stormwater Volume Peak Discharge

The peak rate of discharge for individual design storms may be required for several different components of water quality BMP design. While the primary design and sizing factor for most stormwater retention BMPs is the design Stormwater Retention Volume (SWRV), several design elements will require a peak rate of discharge for specified design storms. The design and sizing of pretreatment cells, level spreaders, by-pass diversion structures, overflow riser structures, grass swales

and water quality swale geometry, etc. all require a peak rate of discharge in order to ensure non-erosive conditions and flow capacity.

The peak rate of discharge from an SDA can be calculated from any one of several calculation methods discussed in this appendix. The two most commonly used methods of computing peak discharges for peak runoff calculations and drainage system design are NRCS TR-55 CN methods (NRCS TR-55, 1986) and the Rational Formula. The Rational Formula is limited to 10 acre drainage areas. It is highly sensitive to the Time of Concentration and rainfall intensity, and therefore should only be used with reliable Intensity-Duration-Frequency (IDF) curves or tables for the rainfall depth and region of interest (Claytor & Schueler, 1996).

The NRCS CN methods are very useful for characterizing complex sub-watersheds and SDAs and estimating the peak discharge from large storms (greater than 2 inches), but it can significantly underestimate the discharge from small storm events (Claytor and Schueler, 1996). Since the SWRv is based on smaller storm events, this underestimation of peak discharge can lead to undersized diversion and overflow structures, potentially bypassing a significant volume of the design SWRv around the retention practice. Undersized overflow structures and outlet channels can cause erosion of the BMP conveyance features that can lead to costly and frequent maintenance.

In order to maintain consistency and accuracy, the following Modified CN Method is recommended to calculate the peak discharge for the SWRv rain event. The method utilizes the Small Storm Hydrology Method (Pitt, 1994) and NRCS Graphical Peak Discharge Method (USDA, 1986) to provide an adjusted CN that is more reflective of the runoff volume from impervious areas within the SDA. The design rainfall is a NRCS Type III distribution, so the method incorporates the peak rainfall intensities common in the eastern United States, and the time of concentration is computed using the method outlined in TR-55.

The following steps describe how to calculate the SWRv peak rate of discharge (q_{pSWRv}) for the 85th percentile rain (1.16-inch) event.

1) Calculate the adjusted CN for the site or contributing drainage area (CDA).

The following equation is derived from the NRCS CN Method and is described in detail in the National Engineering Handbook Part 630 Chapter 10: Estimation of Direct Runoff from Storm Rainfall and NRCS TR-55 Chapter 2: Estimating Runoff:

$$CN = \frac{1,000}{10 + 5P + 10Q_a - 10(Q_a^2 + 1.25Q_aP)^{0.5}}$$

where:

CN = adjusted curve number

P = rainfall (in, 1.16 or 1.95 in)

Q_a = runoff volume (watershed inches), equal to SWRv/SDA

Note: When using hydraulic/hydrologic model for sizing a retention BMP or calculating the SWRv peak discharge, designers must use this modified CN for the CDA to generate runoff equal to the SWRv for the design rainfall event.

2) Compute the site drainage area's time of concentration (T_c).

TR-55 Chapter 3: Time of Concentration and Travel Time provides a detailed procedure for computing the T_c .

3) Calculate the stormwater retention volume peak discharge (q_{pSWRV}).

The q_{pSWRV} is computed using the following equation and the procedures outlined in TR-55, Chapter 4: Graphical Peak Discharge Method. Designers can also use WinTR-55 or an equivalent TR-55 spreadsheet to compute q_{pSWRV} :

- Read initial abstraction (I_a) from TR-55 Table 4.1 or calculate using $I_a = 200/CN - 2$
- Compute I_a/P ($P = 1.16$)
- Read the Unit Peak Discharge (q_u) from Exhibit 4-II using T_c and I_a/P
- Compute the q_{pSWRV} peak discharge:

$$q_{pSWRV} = q_u \times A \times Q_a$$

where:

- q_{pSWRV} = stormwater retention volume peak discharge (ft³/sec)
 q_u = unit peak discharge (ft³/sec/mi²/in)
 A = site drainage area (mi²)
 Q_a = runoff volume (watershed inches), equal to SWRV/SDA

This procedure is for computing the peak flow rate for the 85th and 95th percentile rainfall events. Calculations of peak discharge from larger storm events for the design of drainage systems, culverts, etc., should use published CNs and computational procedures.

I.2 Storm Sewer Collection System**I.2.1 Introduction**

The focus of *the Southern Lowcountry Stormwater Design Manual* is to define standards and specifications for design, construction and maintenance of BMPs required to meet post construction stormwater performance objectives. Design of the conveyance of stormwater runoff within the public right-of-way (PROW) must follow the current requirements in SCDOT's Requirements for Hydraulic Studies, Part 2 Requirements for Roadway Drainage (SCDOT, 2009). These are incorporated by reference with the following notes pertinent to the <local jurisdiction>.

I.2.2 Clearance with Other Utilities

- All proposed and existing utilities crossing or parallel to designed storm sewer systems must be shown on the plan and profile.
- Storm drain and utility crossings must not have less than a 45-degree angle between them.
- Minimum vertical and horizontal clearances, wall to wall, must be provided between storm drainage lines and other utilities as defined by the Beaufort-Jasper Water & Sewer Authority.

I.2.3 Pipe Systems

- The pipe sizes used for any part of the storm drainage system within the PROW must be designed in accordance with the current requirements in SCDOT's Requirements for Hydraulic Studies, Part 2 Requirements for Roadway Drainage. (SCDOT, 2009)

- The material and installation of the storm drain for any part of public storm sewer must be designed in accordance with the current requirements in SCDOT's Requirements for Hydraulic Studies, Part 2 Requirements for Roadway Drainage (SCDOT, 2009). An exception to the SCDOT list is spiral ribbed aluminum pipe (SRAP), which is not an acceptable pipe material for brackish waters. Materials shall be RCP, CAAP, HDPE or HP Storm per AASHTO standards for H20/H25 loading and installation per ASTM/AASHTO standards. Durability must be 100 years or greater per SCDOT standards.
- An alternative overflow path for the 100-year storm is to be shown on the plan view if the path is not directly over the pipe. Where applicable, proposed grading must ensure that overflow will be into attenuation facilities designed to control the 100-year storm.
- A pipe schedule tabulating pipe length by diameter and class is to be included on the drawings. Public and private systems must be shown separately.
- Profiles of the proposed storm drains must be shown on the drawings and indicate size, type, and class of pipe, percent grade, existing ground and proposed ground over the proposed system, and invert elevations at both ends of each pipe run. Pipe elevations and grades must be set to avoid hydrostatic surcharge during design conditions. Where hydrostatic surcharge greater than 1-foot of head cannot be avoided, a rubber gasket pipe is to be specified.

I.2.4 Hydraulic Grade Line

The existing grade line and proposed 25- and 100-year hydraulic grade lines (HGL) must be clearly indicated on the system profiles and identified with the initials HGL on the line and identified in the legend key. This grade line must take into consideration pipe and channel friction losses, computing structures losses, tailwater conditions and entrance losses. All pipe systems must be designed so that they will operate without building up a surcharged hydrostatic head under design flow conditions. It is recommended that the HGL be no more than 1 foot above the pipe crown. If pipes have a HGL more than 1 foot above the pipe crown, rubber gaskets are required. The 100-year HGL must not overtop the 6" curb of ingress/egress routes that would isolate interior parcels in the extreme flood event.

If the structural stormwater BMP discharges into a storm sewer, a detailed HGL analysis of the system including the receiving system must be submitted with the final Stormwater Management Plans (SWMPs) for 100-year storm event. Provide documentation supporting safe passage of the 100-yr post-development flow downstream and an analysis of the surrounding neighborhood area to identify any existing capacity shortfalls or drainage blockages based on the 10% rule in Section 3.8.

I.3 Open Channels

- Calculations must be provided for all channels, streams, ditches, swales, etc., including a typical section of each reach and a plan view with reach locations. In the case of existing natural streams/swales, a field survey of the stream (swale) cross sections may be required prior to the final approval.
- The final designed channel must safely pass the 100-yr storm event.
- If the base flow exists for a long period of time or velocities are more than 5 feet per second in earth and sodded channel linings, gabion or riprap protection must be provided at the intersection of the inverts and side slopes of the channels unless it can be demonstrated that the final bank and vegetation are sufficiently erosion-resistant to withstand the designed flows, and the channel will stay within the floodplain easement throughout the project life.

- Channel inverts and tops of bank are to be shown in plan and profile views.
- For a designed channel, a cross section view of each configuration must be shown.
- For proposed channels, a final grading plan must be provided.
- The limits of a recorded 100-year floodplain easement or surface water easement sufficient to convey the 100-year flow must be shown.
- The minimum 25-foot horizontal clearance between a residential structure and 100-year floodplain must be indicated in the plan.
- For designed channels, transition at the entrance and outfall is to be clearly shown on the site plan and profile views.

I.4 References

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Appendix J: Rainwater Harvesting Treatment and Management Requirements

This Appendix is provided as an example of requirements necessary for approval of use of reclaimed rainwater in non-potable water systems. It is not intended to regulate water retained by another BMP for use in irrigation and to meet stormwater retention volume requirements.

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J.1 Rainwater Harvesting Treatment and Management Requirements

J.1.1 Introduction

The majority of the information and requirements provided herein are excerpted from the 2017 Water Environment and Reuse Foundation Report: Risk-Based Framework for the Development of Public Health Guidance for Decentralized Non-Potable Water Systems (DNWS Report), and much of the text is directly quoted. In some cases, text from this report has been modified to conform to the Stormwater Design Manual and <local jurisdiction> review and inspection procedures.

The purpose of this appendix is to provide information and guidance through a risk-based framework to help designers and <local jurisdiction> ensure that all rainwater harvesting systems are adequately protective of public health. This appendix identifies pathogen reduction targets that must be met and various treatment systems that can be used to meet the targets, as well as volatile organic compound (VOC) limits that must be achieved storage and distribution management considerations, operation and maintenance as well as long-term monitoring and reporting requirements are also discussed.

J.1.2 Pathogen Reduction Targets

Risk-based pathogen reduction targets have been developed based on analysis of potential human health risks associated with exposure to microbial hazards, and are based on a “10⁻⁴ Per Person per Year Benchmark.” This means that the agreed-upon “tolerable” risk level is a probability of infection of 1 in 10,000 people per year. Pathogen reduction targets are expressed in terms of the 95th percentile Log₁₀ Reduction Target (LRT). LRTs were developed for each source water and end use addressed in this appendix based on attaining the “tolerable” infection risk. If a system can maintain this level of treatment performance at all times, then the predicted probability of infection across the population will be less than the 1 in 10,000 benchmark for each pathogen 95% of the time.

The LRT for each non-potable use scenario is presented in Table 1 for healthy adults (values are based on the DNWS Report, although additional uses have been added). A rainwater harvesting system must maintain this level of treatment performance at all times for all three pathogen types: viruses, protozoa, and bacteria. When both general runoff and roof runoff (as defined below in Table 1) are combined, the reduction targets for general runoff shall apply. Similarly, when multiple uses are proposed, the highest reduction targets shall apply.

Table 1. Ninety-fifth percentile log₁₀ pathogen reduction targets (LRT) to meet infection ppy benchmarks for healthy adults.

Water Source and Use	Log ₁₀ Reduction Targets for 10 ⁻⁴ Per Person Per Year Benchmarks		
	Enteric Viruses	Parasitic Protozoa	Enteric Bacteria
General Runoff ^a			
Cooling Towers ^b	–	–	–
Irrigation	5.0	4.5	4.0
Indoor Use	5.5	5.5	5.0
Roof Runoff ^c			
Cooling Towers ^b	–	–	–
Irrigation	N/A	Limited data available	3.5
Indoor Use	N/A	Limited data available	3.5
a. For the purposes of this appendix, general runoff means precipitation runoff from rain or snowmelt events that flows over land and/or impervious surfaces (e.g., streets, sidewalks, and parking lots). It also includes runoff from roofs or parking garages with frequent public access.			
b. The pathogen risks associated with cooling towers and other uses in which there is no public exposure can be controlled by post-treatment management practices rather than initial treatment. The reason is that greater microbial risks from this use is likely to result from not controlling the growth of water-based pathogens (e.g., Legionella pneumophila, Pseudomonas aeruginosa, and non-tuberculous mycobacteria) that may proliferate in stagnant piped water. Management practices are discussed in Section J.1.7 Storage and Distribution Management Practices.			
c. Roof runoff means precipitation from a rain event that is collected directly from a roof surface not subject to frequent public access.			

The non-potable uses and LRTs included in Table 1 assume that human contact with the harvested water will be infrequent, and ingestion unintentional. Uses where frequent human contact with the harvested water is intended, like fountains or splash pads, will be considered similar to swimming pools, and must meet the standards defined by the <local jurisdiction>. The remaining sections in this appendix only cover non-potable uses with infrequent human contact. Treatment and monitoring procedures for frequent contact uses will be reviewed on a case-by-case basis.

Treatment Process

A well-established and accepted concept in modern drinking water and water reuse practices is to attribute the log₁₀ reduction of pathogen groups to specific technologies that are operated within defined limits, coupled with appropriate control points to demonstrate the proper performance of the technology. This is referred to as the log₁₀ reduction value (LRV) and can be compared directly to the LRTs described in Section J.1.2 above. Various treatment processes and treatment trains can be used to obtain the LRT for each pathogen for a given combination of source water and end use. Sections J.1.5 and J.1.6 discuss a range of treatment processes and provide LRVs for each process.

J.1.3 Filtration

The removal of particulate matter, including pathogens, by size exclusion is of interest because filters can serve as a barrier to pathogens in water. Filtration is especially important because pathogens can be shielded by or embedded in particulate matter, reducing the effectiveness of subsequent disinfection processes. Typical values for pathogen group log₁₀ reduction by filtration processes are summarized in Table 2.

Table 2. Typical values for pathogen reduction using filtration processes.

Barrier	Typical Log ₁₀ Reduction Values		
	Virus	Protozoa	Bacteria
Slow sand filter	2	4	2
Dual media filter with coagulant	1	2	1
Cartridge/bag filter (5-10 microns)	0	0	0
Cartridge/bag filter (3 microns or less)	0	3	0
Cartridge/bag filter (1 micron)	0	4	0
Diatomaceous earth	1	4	2
Microfilter	1	6	6
Ultrafilter or Nanofilter	6	6	6
Reverse osmosis	6	6	6

J.1.4 Disinfection

Processes for pathogen inactivation include disinfection by chlorine, peracetic acid, ozone, ultraviolet (UV) radiation, advanced oxidation, and pasteurization. Particles in water can inhibit effective disinfection through shading (in the case of UV) and shielding embedded pathogens. Larger particles may require more time for a disinfecting agent to penetrate the particle and reach an embedded pathogen; therefore, for any disinfectant to be effective, particles larger than 10 microns must be removed.

Typical values for the inactivation of pathogens for disinfection processes in filtered water are given in Table 3, Table 4, and

Table 5. These values serve as a guide to the relative effectiveness of different disinfection technologies and are not for a specific microorganism.

Table 3. Typical values for various levels of the inactivation of enteric virus in filtered secondary effluent with selected disinfection processes.

Disinfectant	Unit ^b	Dose for Corresponding Log ₁₀ Reduction Value			
		1 Log ₁₀	2 Log ₁₀	3 Log ₁₀	4 Log ₁₀
Free chlorine	mg•min/L	–	1.5–1.8	2.2–2.6	3.0–3.5
Chloramine ^a	mg•min/L	–	370–400	550–600	750–800
Peracetic acid	mg•min/L	NA	NA	NA	NA
Ozone	mg•min/L	–	0.25–0.30	0.35–0.45	0.50–0.60
Ultraviolet radiation	mJ/cm ²	50–60	90–110	140–150	180–200
Advanced oxidation	mJ/cm ²	10–20	50–60	70–80	110–130
Pasteurization (60°C)	Second	140	280	420	560
a. Due to interferences with chloro-organic compounds, when chloramine is used as a disinfectant, log ₁₀ reductions can only be used if the actual dosage of monochloramine is known, not just the amount of combined chlorine.					
b. mg•min/L = Milligram-minutes per liter					
c. mJ/cm ² = Millijoules per square centimeter.					

Table 4. Typical values for various levels of the inactivation of parasitic protozoa in filtered secondary effluent with selected disinfection processes.

Disinfectant	Unit ^b	Dose for Corresponding Log ₁₀ Reduction Value			
		1 Log ₁₀	2 Log ₁₀	3 Log ₁₀	4 Log ₁₀
Free chlorine	mg•min/L	2,000–2,600	NA	NA	NA
Chloramine ^a	mg•min/L	NA	NA	NA	NA
Peracetic acid	mg•min/L	NA	NA	NA	NA
Ozone	mg•min/L	4.0–4.5	8.0–8.5	12–13	NA
Ultraviolet radiation	mJ/cm ²	2–3	5–6	11–12	20–25
Advanced oxidation	mJ/cm ²	2–3	5–6	10–12	20–25
Pasteurization (60°C)	Second	30	60	90	120
a. Due to interferences with chloro-organic compounds, when chloramine is used as a disinfectant, log ₁₀ reductions can only be used if the actual dosage of monochloramine is known, not just the amount of combined chlorine.					
b. mg•min/L = Milligram-minutes per liter.					
c. mJ/cm ² = Millijoules per square centimeter.					

Table 5. Typical values for various levels of the inactivation of enteric bacteria in filtered secondary effluent with selected disinfection processes.

Disinfectant	Unit ^b	Dose for Corresponding Log ₁₀ Reduction Value			
		1 Log ₁₀	2 Log ₁₀	3 Log ₁₀	4 Log ₁₀
Free chlorine	mg•min/L	0.4–0.6	0.8–1.2	1.2–1.8	1.6–2.4
Chloramine ^a	mg•min/L	50–70	95–150	140–220	200–300
Peracetic acid	mg•min/L	10–25	40–60	75–125	150–200
Ozone	mg•min/L	0.005–0.01	0.01–0.02	0.02–0.03	0.03–0.04
Ultraviolet radiation	mJ/cm ²	10–15	20–30	30–45	40–60
Advanced oxidation	mJ/cm ²	4–6	6–8	8–10	10–12
Pasteurization (60°C)	Second	50	100	150	200
a. Due to interferences with chloro-organic compounds, when chloramine is used as a disinfectant, log ₁₀ reductions can only be used if the actual dosage of monochloramine is known, not just the amount of combined chlorine.					
b. mg•min/L = Milligram-minutes per liter.					
c. mJ/cm ² = Millijoules per square centimeter.					

J.1.5 Treatment Trains

Most non-potable water systems use a number of unit processes in series to accomplish treatment, known commonly as the “multiple barrier” approach. Multiple barriers are used to improve the reliability of a treatment approach through process redundancy, robustness, and resiliency. When multiple treatment barriers are used to achieve the pathogen LRT, the contribution from each barrier is cumulative; therefore, a reduction in performance by one process is mitigated by other processes in the treatment train.

In addition to these treatment barriers, operational and management barriers are used to ensure that systems are in place to respond to non-routine operation. Treatment barriers can be monitored using sensors and instrumentation for continuous process monitoring. An important ability is to take the treatment train offline automatically in the event of process malfunction.

If each barrier in a treatment train is independent, the LRVs for each process in the treatment train can be added together to obtain the overall treatment train LRV.

J.1.6 Volatile Organic Compounds

For rainwater harvesting systems that use general runoff from vehicular access areas as a source and will have some level of public exposure risk, the treated water must be tested for the presence of volatile organic compounds (VOCs); however, this does not apply when the water will be used for cooling towers or other “no public exposure” uses. The test must be performed by the system operator prior to commissioning of the system (see Commissioning) and prior to subsequent <local jurisdiction> maintenance inspections (see Operational Monitoring and Reporting). VOC levels must be below the maximums indicated in Table 6. If any VOC levels exceed these limits, the rainwater harvesting system must not be utilized until the problem is satisfactorily addressed, and a successful test has been performed. VOC limit exceedances may be addressed through source controls or through provision of additional treatment devices.

Table 6. Volatile organic compound maximum concentrations.

VOC	Maximum Concentration (mg/L) ^a
Benzene	0.1
Carbon Tetrachloride	0.5
1,2-Dichlorobenzene	5.4
1,4-Dichlorobenzene	5.4
1,1 Dichloroethane	14.4
1,2 Dichloroethane	0.1
1,1-Dichloroethylene	0.1
cis-1,2-Dichloroethylene	28.4
trans-1,2-Dichloroethylene	28.4
Dichloromethane	3.1
1,2-Dichloropropane	12.6
1,3-Dichloropropene	0.2
Ethylbenzene	15.6
Methyl-tert-butyl ether	5.2
Monochlorobenzene	1.7
Styrene	7.7
1,1,2,2-Tetrachloroethane	0.3
Tetrachloroethylene	6.1
Toluene	6.8
1,2,4-Trichlorobenzene	1.4
1,1,1-Trichloroethane	68.2
1,1,2-Trichloroethane	1.6
Trichloroethylene	4.8
Trichlorofluoromethane	201.1
1,1,2-Trichloro-1,2,2-Trifluoroethane	272.9
Vinyl Chloride	0.1
Xylenes	15.6
a. Values determined by the San Francisco Department of Public Health based on U.S. Occupational Safety and Health Administration Permissible Exposure Limits for 8-hour inhalation exposures to selected VOCs.	

J.1.7 Storage and Distribution Management Practices

To achieve the desired objectives of public health protection, treated water must be properly stored and distributed to prevent compromising the quality of water after treatment. For example, opportunistic pathogens like Legionella could grow in the distribution system, sewage could contaminate treated water, or lead and copper (which cause toxicity) could leach from piping. Producing adequate quality non-potable water that meets all the pathogen control criteria set forth in this appendix is the first step in ensuring proper public health protection. The final step in quality control is to manage properly 1) storage and distribution systems and 2) the uses of non-potable water.

In rainwater harvesting systems, neither significant/routine ingestion nor direct contact with the treated water product is typically anticipated due to limited exposures to non-potable water. Nevertheless, the occurrence of aerosol inhalation and indirect contact requires the careful management of DNW system storage and distribution systems to control exposures to non-tuberculous mycobacterial and Legionella pathogens. For example, even clean drinking water may allow biofilm growth of Legionella (aerosol pathogen risk) if the water temperature is between 25°C and 45°C and stagnates, resulting in the presence of minimal residual chlorine.

A number of approaches are available to control microbial regrowth in distribution systems, each with varying benefits and drawbacks that depend on the characteristics and use of the system. Below are some recommended approaches for controlling microbial growth in distribution systems:

- **Producing non-potable water low in carbonaceous material and nutrient content**
The primary energy source for pathogen regrowth is organic carbon measured as assimilable organic carbon, biodegradable dissolved organic carbon, total organic carbon, and other essential nutrients, including nitrogen (N), phosphorous (P), and iron (Fe); therefore, the primary means to reduce the regrowth potential of pathogens is to provide highly treated water. Reducing the potential for regrowth is more important in large-scale buildings or neighborhood/district-scale projects where there will be more residence time (creating more opportunities for regrowth) in distribution systems that supply non-potable water.
- **Producing highly disinfected non-potable water**
Low concentrations of microbes resulting from filtration and advanced means of disinfection have a reduced potential for regrowth if organic carbon levels are low. Otherwise, there may be a need for a residual disinfectant to manage growth in larger community systems that produce aerosols. Post-treatment disinfection with UV radiation is a recommended means of disinfection that does not increase levels of assimilable organic carbon or biodegradable dissolved organic carbon.
- **Using non-reactive, biologically stable materials of construction**
Avoid the use of corrosive materials or organic materials that tend to protect microorganisms from disinfection and enhance the regrowth environment by the adsorption of organic compounds.
- **Maintaining a residual disinfectant**
Different disinfectants offer advantages and disadvantages to overall water quality and system management. In general, a higher disinfectant residual provides lower regrowth. Many design and operation considerations are available for each specific system. It is recommended that a free chlorine residual of 0.2 milligrams per liter (mg/L) or monochloramine residual of 2 to 3 mg/L be maintained at or near the point of use to control microbial growth. Chloramine provides a better residual duration as compared to chlorine. Various combinations of UV,

chlorine, chloramine, ozone, and hydrogen peroxide are beneficial for specific disinfection goals. Periodic shock treatments with disinfectants and continuous disinfection looping of reservoirs help reduce the potential for regrowth and manage issues with biofilms. Stagnation resulting from dead zones or prolonged periods of zero-flow or low flow that create long residence times and allow disinfectants to dissipate and sediments to deposit result in improved conditions for regrowth and should be avoided.

- **Cleaning storage tanks**

The required frequency of storage tank cleaning varies depending upon the quality of water stored, detention time in storage, temperature of the water, and nature of the tank. Tanks that are open to the atmosphere require more frequent cleaning.

- **Flushing the distribution system**

The required frequency of distribution system flushing varies depending upon the quality of water transmitted, detention time in the distribution system, temperature of the water, and nature of the distribution system components. Periodic flushing is a good means of both removing sediments and scouring pipe walls. System design must include means for easily flushing pipes as part of routine maintenance.

- **Controlling temperature**

Avoid the storage and distribution of non-potable water within 20°C to 45°C to reduce the potential for pathogen regrowth. Otherwise, consider a disinfection residual or point-of-use system, particularly if aerosols are generated.

The rainwater harvesting system designer and Person Responsible for Maintenance each should review published guidelines for the management of Legionella in distribution systems and implement as appropriate for each specific system. In particular, ANSI/ASHRAE Standard 188-2015 Legionellosis: Risk Management for Building Water Systems (2015) provides guidance on stormwater best management practices (BMPs) for both potable and non-potable water systems. It addresses management program responsibilities, system design, risk analysis, control mechanisms, monitoring, confirmation, and documentation. Although the ASHRAE Standard targets legionellosis, its rationales and approaches are applicable to all pathogens and health risks identified in this appendix.

J.1.8 Commissioning

In the process of initializing a rainwater harvesting system, the system must be evaluated for leaks in the storage unit and the performance of the components of the treatment and distribution system. A commissioning report of the evaluation is required at the initial startup of the system and anytime the system is brought back online after cleaning, flushing, and/or a hiatus of use (e.g., winter shutdown).

J.1.9 Operational Monitoring and Reporting

The Person Responsible for Maintenance, as identified in the Stormwater Management Plan (SWMP), must maintain the rainwater harvesting system in good working condition and assure adequate treatment of the harvested rainwater. All systems, with the exception of those installed in single-family homes, shall include continuous monitoring systems that are capable of determining if the rainwater harvesting system is operating within the design specification, and if all system components of the rainwater harvesting system are functional.

Data logs from continuous monitoring systems must be kept on file and produced upon request from <local jurisdiction>. In addition, annual reports must be generated that identify the following:

- Significant maintenance activities;
- Treatment modifications;
- Outages and malfunctions (including reasons and durations); and
- Steps taken to mitigate or eliminate recurrence of outages and malfunctions.

If there is a change of personnel—Person Responsible for Maintenance—it is the responsibility, within 15 business days, of the owner of the rainwater harvesting system or her/his agent to update the <local jurisdiction> with the name and contact information of the new personnel.

An operation and maintenance manual that includes a schematic drawing of the system, standard operating procedures for the system, and maintenance schedule(s), as well as commissioning reports, field verification reports, and annual reports must be on site and produced upon request from <local jurisdiction>.

J.1.10 Field Verification

Field verification is a performance confirmation of a rainwater harvesting system. It can be accomplished by physically observing the collection, storage, and distribution system, and the treatment process components. It can also be conducted using challenge testing, including surrogate microorganisms and/or other non-biological surrogates and typically involves manual collection of water samples for microbial analysis to check system performance in achieving LRTs. While not specifically required, <local jurisdiction> construction or maintenance inspections may include field verification testing to ensure that the rainwater harvesting system is achieving its LRTs, and that operational monitoring and control systems are functional.

J.1.11 Design Report

A design report must be submitted with each rainwater harvesting system that includes, at a minimum, the following:

- Pathogen log₁₀ reduction target
- Proposed treatment process and associated log₁₀ reduction value
- Proposed storage and distribution management practices
- Identification of the Person Responsible for Maintenance
 - Operation and Maintenance Manual
- Reliability analysis that identifies the following:
 - How the equipment used to monitor treatment, operations, and water quality enables determination of whether the system is working as planned.
 - How the monitoring and controls of the system will enable the operator or automatic controls to intervene in the event of the production of off-specification water.
 - Remedies and provisions for operation disruption (e.g., power failures, vandalism, and excessive source contamination)
 - Unauthorized access limitations for the rainwater harvesting and distribution system.

J.1.12 Treatment Design Examples

Example 1: Rooftop Runoff for Landscape Irrigation

1) Identify the \log_{10} reduction targets for the reference pathogen groups.

Since the roof will not allow frequent public access, the water source qualifies as roof runoff rather than general runoff. No LRT is provided for enteric bacteria or parasitic protozoa, but an LRT of 3.5 is defined for enteric bacteria.

2) Select a treatment process to achieve the \log_{10} reduction target.

An ozone system with a CT value (the product of concentration and contact time) of 0.04 mg • min/L can achieve 4- \log_{10} reduction of enteric bacteria. However, as all disinfection processes require removal of particles 10 microns or larger, a 10-micron cartridge filter or similar device will also be necessary (see Figure 1).

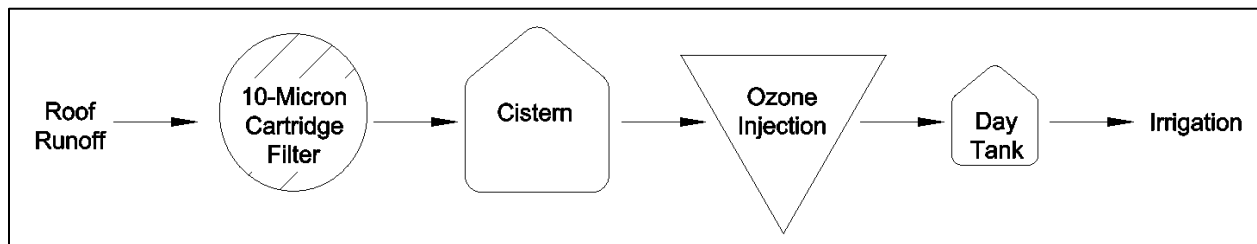


Figure 1. Example 1 treatment schematic.

Alternative treatment trains that also could meet the required LRT include the following:

- Microfiltration (i.e., 6- \log_{10} reduction of bacteria).
- Sand filter with an equivalent effluent particle size distribution of 10 microns, followed by UV radiation with a dose of 40 to 60 mJ/cm² (i.e., 4- \log_{10} inactivation of bacteria).
- Cartridge filtration (10 microns), followed by chlorination with free chlorine with a CT value of 1.6 to 2.4 mg•min/L (i.e., 4- \log_{10} inactivation of bacteria).

3) Determine storage and distribution management practices.

For non-potable water systems, consider the chemical characteristics of roof runoff and storage conditions, as follows:

- Due to its high purity, roof runoff may result in the corrosion of components and fixtures of the metallic distribution system. If any metallic pipe, fittings, solder, or fixtures are used that may be subject to corrosion from contact with aggressive water, then modify the water system or add a corrosion inhibitor to the non-potable water supply.
- If the temperature of water in the non-potable water distribution system exceeds 25°C (which is a condition that could promote the growth of opportunistic pathogens like Legionella), then maintain a free chlorine residual of 0.2 milligrams per liter (mg/L) or chloramine residual of 0.5 mg/L at or near the point of use.

4) Identify maintenance and monitoring requirements and schedule of activities.

These will vary based on the specific equipment and devices included in each design.

5) Submit design report and SWMP.

Example 2: General Runoff for Indoor Use**1) Identify the \log_{10} reduction targets for the reference pathogen groups.**

The proposed rainwater harvesting system will capture runoff from two different areas on a rooftop. The first area will have no public access, but the second area includes a patio area that is designed for public access. The combined water from the two areas is therefore considered “general runoff,” and will need to be treated accordingly. The LRT for both enteric viruses and protozoa is 5.5, and the LRT for enteric bacteria is 5.0.

2) Select a treatment process to achieve the \log_{10} reduction target.

An ultrafiltration system can achieve 6- \log_{10} reduction of viruses, protozoa, and bacteria (see Figure 2).

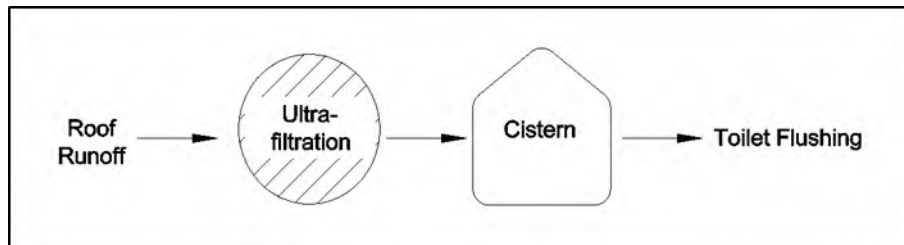


Figure 2. Example 2 treatment schematic.

The only alternative processes that can also meet the required LRTs are nanofiltration and reverse osmosis.

3) Determine storage and distribution management practices.

For non-potable water systems, consider the chemical characteristics of roof runoff and storage conditions, as follows:

- Due to its high purity, roof runoff may result in the corrosion of components and fixtures of the metallic distribution system. If any metallic pipe, fittings, solder, or fixtures are used that may be subject to corrosion from contact with aggressive water, then modify the water system or add a corrosion inhibitor to the non-potable water supply.
- If the temperature of water in the non-potable water distribution system exceeds 25°C (which is a condition that could promote the growth of opportunistic pathogens like Legionella), then maintain a free chlorine residual of 0.2 milligrams per liter (mg/L) or chloramine residual of 0.5 mg/L at or near the point of use.

4) Identify maintenance and monitoring requirements and schedule of activities.

These will vary based on the specific equipment and devices included in each design.

5) Submit design report and SWMP.

Example 3: Roof Runoff for Cooling Towers

1) Identify the log₁₀ reduction targets for the reference pathogen groups.

As there is not public exposure to the harvested rainwater, there are not initial treatment requirements. Chlorination may still be required to control the growth of opportunistic pathogens however (see Step 2).

2) Determine storage and distribution management practices.

For non-potable water systems, consider the chemical characteristics of roof runoff and storage conditions, as follows:


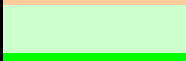


- Due to its high purity, roof runoff may result in the corrosion of components and fixtures of the metallic distribution system. If any metallic pipe, fittings, solder, or fixtures are used that may be subject to corrosion from contact with aggressive water, then modify the water system or add a corrosion inhibitor to the non-potable water supply.
- If the temperature of water in the non-potable water distribution system exceeds 25°C (which is a condition that could promote the growth of opportunistic pathogens like Legionella), then maintain a free chlorine residual of 0.2 milligrams per liter (mg/L) or chloramine residual of 0.5 mg/L at or near the point of use.

3) Identify maintenance and monitoring requirements and schedule of activities.

These will vary based on the specific equipment and devices included in each design.

4) Submit design report and SWMP.

J.2 Rainwater Harvesting Storage Volume Calculator Instructions

Input Sheet	
The cells of the spreadsheet are color coded as follows:	
Color Code	
	Title/New Category
	Required Entry value
	Alternate Category Entry (if selected, do not enter value into "Required Entry value")
	Final Category Value
Design Storm (inches)	
Cell L4	Choose either 1.16 inches or 1.95 inches depending on the Watershed Protection Area in which the project is located.
CONTRIBUTING DRAINAGE AREA (CDA)	
Cell L7, L9, L11	Indicate the impervious CDA, the turf cover CDA, and the runoff coefficient (Rv) for the turf cover. The turf cover Rv should range between 0.15 and 0.25. The CDA is assumed to convey 95 percent of the rainfall that lands on its impervious surface and 15 - 25 percent of the rainfall that lands on its turf cover area.

CONTRIBUTING BMPS

Cell L17 Enter the retention volume as well as the overflow from the Design Storm for any BMPs that drain to the cistern. Both of these values can be found in the SoLoCo Compliance Calculator. The retention volume is in the "Volume Credited" column, and the overflow volume is in the "Remaining Volume" column.

The following instructions identify how the collected rainwater will be used. Only fill in the sections that are applicable to the site.

IRRIGATION

Cells L23, L25 Indicate the area to be irrigated in square feet and if the irrigation system as smart controls.
 Row A31-L31 The spreadsheet allows for irrigation to be used in certain months. Indicate, for each month, the average weekly irrigation application rate in either inches per week or gallons per month.
 The EPA WaterSense Water Budget Tool can be used to calculate Monthly Landscape Water Requirement (based on the site's peak watering month). The output for this calculation is found on the Part 2-LWA sheet, which can be found at the following link: <https://www.epa.gov/watersense/water-budget-tool>

INDOOR DEMAND - FLUSHING TOILETS/URINALS

Cell L35 Indicate the number of people using the building.
 Cells L35, L37 The values in **lines 35 and 37** can be altered depending on how much water is used when flushing urinals or toilets. The default values are 0.80 gallons/flush and 1.60 gallons/flush for urinals and toilets, respectively.
 Cell L39 If the user knows the daily toilet and urinal demand, that value can be input into **line 39** and the information in the rows above will not be used.
 Cells L44, L46, L48 Indicate the first and last day of the week that the building will be in use and the number of hours each day the building will be occupied.

INDOOR DEMAND - LAUNDRY

Cell L54 Indicate the number of loads of laundry done each day.
 Cell L54 The value in **line 54** can be altered depending on how much water is used for each load of laundry. The default value is 42 gallons per load.
 Cell L56 If the user knows the daily laundry demand, the value can be input into **line 56** and the information in the rows above will not be used.
 Cells L60, L62 Indicate the first and last day of the week when the water will be used.

ADDITIONAL DAILY USE

Row A71-L71 If there is any other additional daily use not covered in the spreadsheet, **line 69** can accommodate additional demand. Indicate, for each month, the average daily demand in gallons per day.
 Cells L73, L75 Indicate the first and last day of the week when the water will be used.

COOLING TOWERS

Row A79-L79 If the rainwater collected is to be used for cooling towers, indicate in **line 79** the average daily demand in gallons per day for each month the cooling towers use the collected rainwater.

The following section allows for additional contribution to the cistern from sources other than rainwater.

CONTRIBUTION FROM OTHER SOURCES

Row A88-L88 If there are other sources of water that contribute to the cistern, indicate the average daily contribution in gallons per day for each month

Cells L90, L92 Indicate the first and last day of the week when the water will be input.

FIRST FLUSH FILTER DIVERSION AND EFFICIENCY

This section accounts for the filter efficiency of the cistern. It is assumed that, after the first flush diversion and loss of water due to filter inefficiencies, the remainder of the SWRv storm will be successfully captured. These minimum values can be altered if appropriate.

Cell L98 **Line 98** indicates that for the 1.16-inch storm, a minimum of 95 percent of the runoff should be conveyed into the cistern.

Cell L100 **Line 100** indicates that for the 4.19-inch storm, a minimum of 90 percent of the runoff should be conveyed.

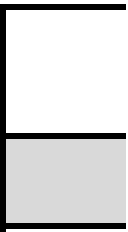
Storage Volume Results Sheets

These sheets give a range of possible cistern sizes and the corresponding storage volume available. Once a cistern size is chosen, the corresponding storage volume may be used in the Stormwater Database.

The table on this sheet has the following information.

- **Cistern Volume** (gallons) – This row gives a range of cistern sizes in gallons based on the CDA size.
- **Daily Average Available Storage Volume** (gallons or cubic feet) – This row shows the average available storage capacity of a given cistern (Sv). Use the Sv that corresponds to the cistern size selected for the site for the General Retention Calculator.
- **Overflow Volume (Sv)** (gallons or cubic feet) – This row shows the average overflow created by a 1.7" storm for various cistern sizes, based on average available storage volumes.

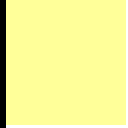
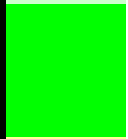
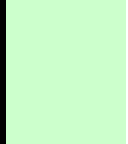
The graph shows a trade-off curve, which allows for a comparison of the retention achieved versus cistern size. While larger cisterns yield more retention, they are more costly. The curve helps the user to choose the appropriate cistern size, based on the design objectives and site needs. The overflow volume is also plotted to illustrate the effects of cistern size on overflow volume.



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Southern Low Country -- RAINWATER HARVESTING S

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of the spreadsheet are color coded as follows:

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Required Entry value

Alternate Category Entry (if selected, do not enter value into "Required Entry value")

Final Category Value

form (inches)

Choose either 1.16 inches or 1.95 inches depending on the Watershed Protection Area in which the project is located.

IBUTING DRAINAGE AREA (CDA)

Indicate the impervious CDA, the turf cover CDA, and the runoff coefficient (Rv) for the turf cover. The turf cover Rv should range between 0.15 and 0.25. The CDA is assumed to convey 95 percent of the rainfall that lands on its impervious surface and 15 - 25 percent of the rainfall that lands on its turf cover

IBUTING BMPS

Enter the retention volume as well as the overflow from the Design Storm for any BMPs that drain to the cistern. Both of these values can be found in the SoLoCo Compliance Calculator. The retention volume is in the "Volume Credited" column, and the overflow volume is in the "Remaining Volume" column.

Following instructions identify how the collected rainwater will be used. Only fill in the sections that are

TION

Indicate the area to be irrigated in square feet and if the irrigation system as smart controls.

The spreadsheet allows for irrigation to be used in certain months. Indicate, for each month, the average weekly irrigation application rate in either inches per week or gallons per month.

The EPA WaterSense Water Budget Tool can be used to calculate Monthly Landscape Water Requirement (based on the site's peak watering month). The output for this calculation is found on the <https://www.epa.gov/watersense/water-budget-tool>

WATER DEMAND - FLUSHING TOILETS/URINALS

Indicate the number of people using the building.

The values in **lines 35 and 37** can be altered depending on how much water is used when flushing urinals or toilets. The default values are 0.80 gallons/flush and 1.60 gallons/flush for urinals and toilets, respectively. If the user knows the daily toilet and urinal demand, that value can be input into **line 39** and the information in the rows above will not be used.

Indicate the first and last day of the week that the building will be in use and the number of hours each

WATER DEMAND - LAUNDRY

Indicate the number of loads of laundry done each day.

The value in **line 54** can be altered depending on how much water is used for each load of laundry. The default value is 42 gallons per load.

If the user knows the daily laundry demand, the value can be input into **line 56** and the information in the rows above will not be used. Indicate the first and last day of the week when the water will be used.

ADDITIONAL DAILY USE

If there is any other additional daily use not covered in the spreadsheet, **line 69** can accommodate additional demand. Indicate, for each month, the average daily demand in gallons per day.

Indicate the first and last day of the week when the water will be used.

COOLING TOWERS

If the rainwater collected is to be used for cooling towers, indicate in **line 79** the average daily demand in gallons per day for each month the cooling towers use the collected rainwater.

The spreadsheet section allows for additional contribution to the cistern from sources other than rainwater.

CONTRIBUTION FROM OTHER SOURCES

If there are other sources of water that contribute to the cistern, indicate the average daily contribution in gallons per day. Indicate the first and last day of the week when the water will be input.

MINIMUM FLUSH FILTER DIVERSION AND EFFICIENCY

Line 96 accounts for the filter efficiency of the cistern. It is assumed that, after the first flush diversion of water due to filter inefficiencies, the remainder of the SWRv storm will be successfully captured. Minimum values can be altered if appropriate.

Line 96 indicates that for the 1.16-inch storm, a minimum of 95 percent of the runoff should be conveyed.

Line 98 indicates that for the 4.19-inch storm, a minimum of 90 percent of the runoff should be conveyed.

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AGE VOLUME CALCULATOR v1, March 17, 2020

Volume Results Sheets

ets give a range of possible cistern sizes and the corresponding storage volume available. Once a cistern
osen, the corresponding storage volume may be used in the Stormwater Database.

on this sheet has the following information.

- **Cistern Volume** (gallons) – This row gives a range of cistern sizes in gallons based on the CDA size.
- **Daily Average Available Storage Volume** (gallons or cubic feet) – This row shows the average available storage capacity of a given cistern (Sv). Use the Sv that corresponds to the cistern size selected for the site for the General Retention Calculator.
- **Overflow Volume (Sv)** (gallons or cubic feet) – This row shows the average overflow created by a 1.7" storm for various cistern sizes, based on average available storage volumes.

It shows a trade-off curve, which allows for a comparison of the retention achieved versus cistern size. Larger cisterns yield more retention, they are more costly. The curve helps the user to choose the appropriate one, based on the design objectives and site needs. The overflow volume is also plotted to illustrate the cistern size on overflow volume

e to the site.

Southern Low Country -- RAINWATER HARVEST

Input

Design Storm

Design Storm (inches)

CONTRIBUTING DRAINAGE AREA (CDA)

What is the area of impervious cover in the CDA (SF)?

What is the area of compacted cover in the CDA (SF)?

What is the Runoff Coefficient (Rv) of the compacted cover?

CONTRIBUTING BMPS

Retention Volume for the Up

Overflow volume from Design Storm :

IRRIGATION

How big is the area to irrigate? (SF)

Does the irrigation system have smart controls (e.g. soil moisture sensor shutoff)?

Enter monthly irrigation needs for site. Select units (Inches)

If using EPA WaterSense Water Budget Tool (link below), select Gall

<https://www.epa.gov/watersense/water-budget-tool>

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
-----	-----	-----	-----	-----	-----	-----	-----

0.00	0.00	0.00	1.00	1.00	1.00	1.00	1.00
------	------	------	------	------	------	------	------

INDOOR DEMAND - FLUSHING TOILETS/URINALS

Toilet and urinal use (if only toilets are used, set urinals = 0)

How many people will use the building? (# people)

How much water will each urinal use? (gallons/flush) Set to 0, if no urinal.

How much water will each toilet use? (gallons/flush)

Calculated daily toilet and urinal demand. (gallons/day)

Use this cell if value has already been calculated, instead of the rows above.

Select the first day of the week this water will typically be used (e.g. Monday).

Select the last day of the week this water will typically be used (e.g. Friday).

Hours per day the building is used (e.g. 8 for a 9-5 office building; 24 for a shift-

Total daily toilet and urinal demand (gallons/day).

INDOOR DEMAND - LAUNDRY

Laundry use (use either loads per day, pounds per day or calculated demand)

How many loads of laundry are done each day? (# loads/day)

How much water does each load of laundry use in gallons? (gallons/load)

Calculated daily laundry demand. (gallons/day)

Select the first day of the week this water will typically be used (e.g. Monday).

Select the last day of the week this water will typically be used (e.g. Friday).

Total daily laundry demand. (gallons/day)

ADDITIONAL DAILY USE

Additional daily use (bus wash, street sweepers, etc)

This value is user defined and is provided to allow for any other demand value.

Enter the average daily demand for each month throughout the year. (gallons/day)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
0	0	0	0	0	0	0	0

Select the first day of the week this water will typically be used (e.g. Monday).

Select the last day of the week this water will typically be used (e.g. Friday).

COOLING TOWERS

If water is to be used for cooling towers (for large scale projects)

Enter the average daily demand for each month throughout the year. (gallons/day)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
0	0	0	0	0	0	0	0

CONTRIBUTION FROM OTHER SOURCES

If any other sources will contribute water to the cistern, add them here (e.g. ...)

This value is user defined and will be treated as a negative daily demand.

Enter the average daily demand for each month throughout the year. (gallons/day)

Jan	Feb	Mar	Apr	May	Jun	Jul	Aug
0	0	0	0	0	0	0	0

Select the first day of the week this water will typically be input (e.g. Monday).

Select the last day of the week this water will typically be input (e.g. Friday).

FIRST FLUSH FILTER DIVERSION AND EFFICIENCY

Enter Approximate Filter Efficiencies associated with the 1.16" and 4.19" storms

Minimum values are 95% and 90%, respectively. See Specification for additional

Filter Efficiency Associated with the 1.16" storm (%)

Filter Efficiency Associated with the 4.19" storm (%)

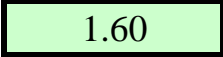
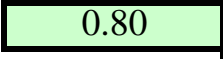
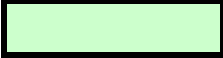
Disclaimer: By using this spreadsheet, the User understands and accepts that the accuracy of results provided is the responsibility of the User to verify results and to use professional judgement in its application.

ESTING STORAGE VOLUME CALCULATOR

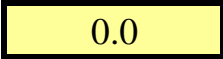
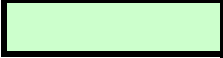
		1.16	
Total CDA (SF)		0	
stream BMP(s) (cubic feet)			
from BMP(s) (cubic feet)			
? If no, leave unchecked.		<input type="checkbox"/> Yes	
s/Week or Gallons/Month)		Inches/Week	
ons/Month.			
Sept	Oct	Nov	Dec

Color Code

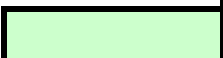
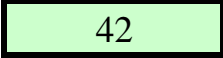
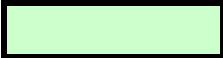
1.00	0.00	0.00	0.00
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work factory).



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Sept	Oct	Nov	Dec
0	0	0	0



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Sept	Oct	Nov	Dec
0	0	0	0



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Sept	Oct	Nov	Dec
0	0	0	0



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l details and guidance.

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0.10

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R v1, March 17, 2020

Title/New Category

Required Entry value

Alternate Category Entry (if selected, do not enter value into "Required E

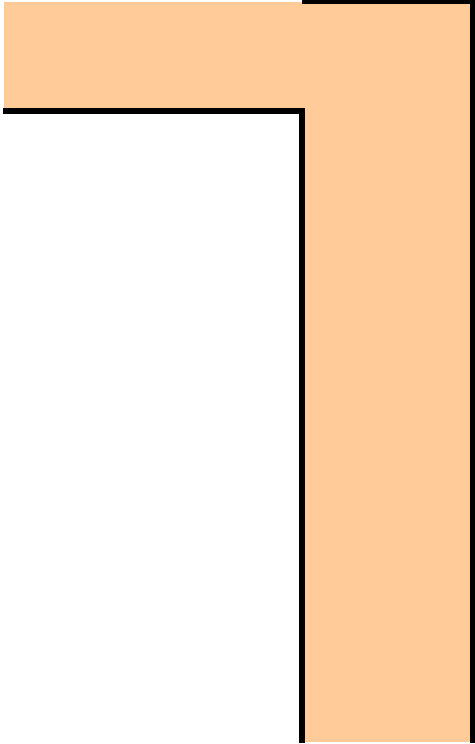
Final Category Value





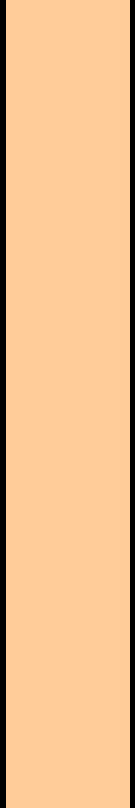
ntry value")

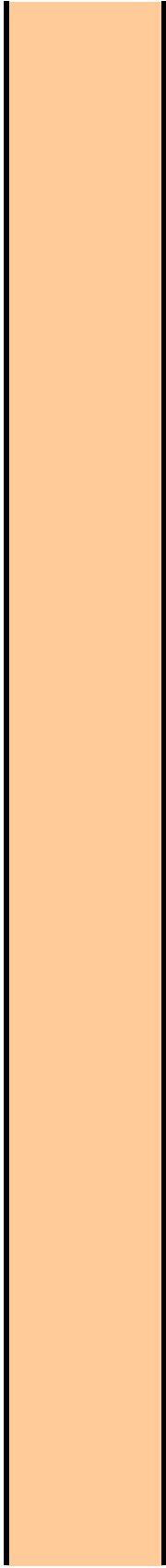


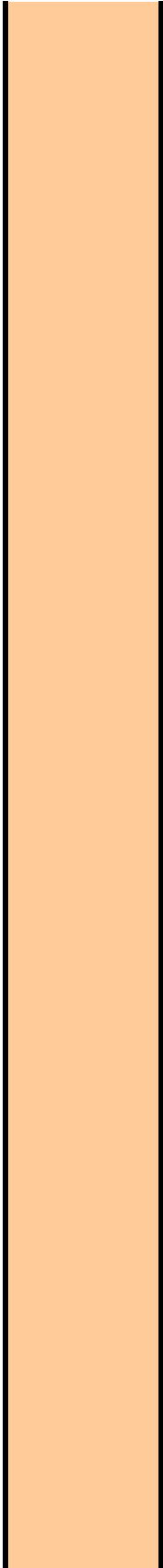


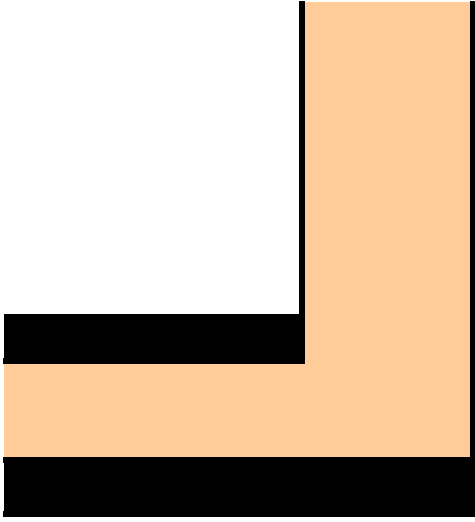
Do Not Delete
Yes
No

Do Not delete
Inches/Week
Gallons/Month









Assigning Numeric Code for Day of Week

<u>Category</u>	<u>Read from input</u>
Indoor Flushing Toilets	
Start Day Numeric Code	0
Final Day Numeric Code	0

Indoor Laundry

Start Day Numeric Code	0
Final Day Numeric Code	0

Additional Daily Use

Start Day Numeric Code	0
Final Day Numeric Code	0

Contribution from other sources

Start Day Numeric Code	0
Final Day Numeric Code	0

Smart Irrigation?	FALSE
Inches/Week	0

Numeric Code

9	9
9	9

		0
Monday	1	1
Tuesday	2	2
Wednesday	3	3
Thursday	4	4

9	9
9	9
9	9
9	9
9	9
9	9

Friday

5

5

Saturday

6

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Sunday

7

7

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16

17

18

19

20

21

22

23

24

1.2 inch rain	1.2
1.7 inch rain	1.7
3.2 inch rain	3.2

Storage Volume Summary

Average Daily Available Storage Volume by Month and Cistern Volume

Month\ Cistern Volume (gallons)	500	1,000	1,500	2,000	2,500
January	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
February	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
March	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
April	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
May	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
June	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
July	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
August	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
September	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
October	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
November	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
December	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Daily Average Available Storage Volume, <i>SV</i> (cubic feet)	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

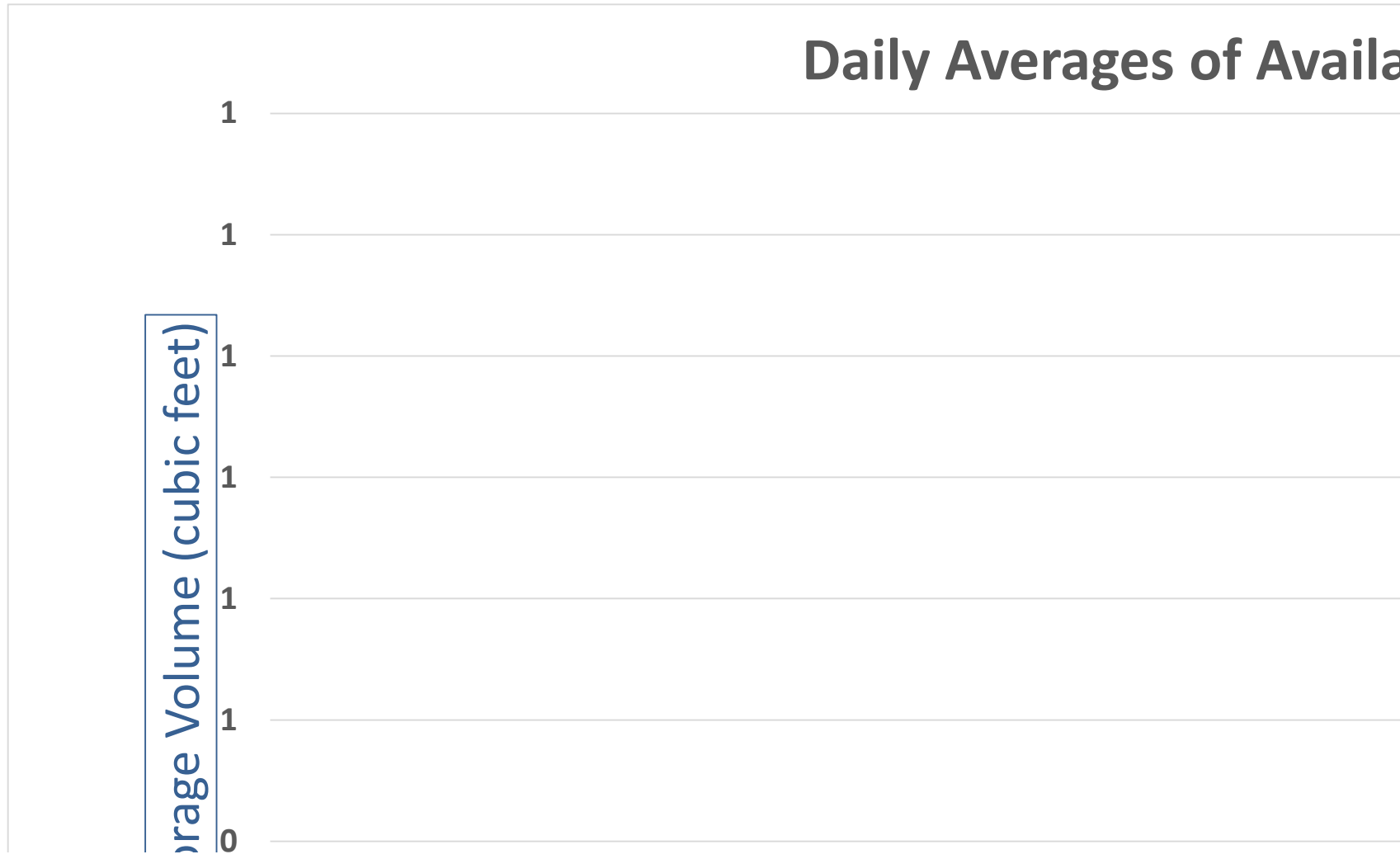
Note: Cistern Volume does not include detention for larger Detention volume that will be drawn down after each storm

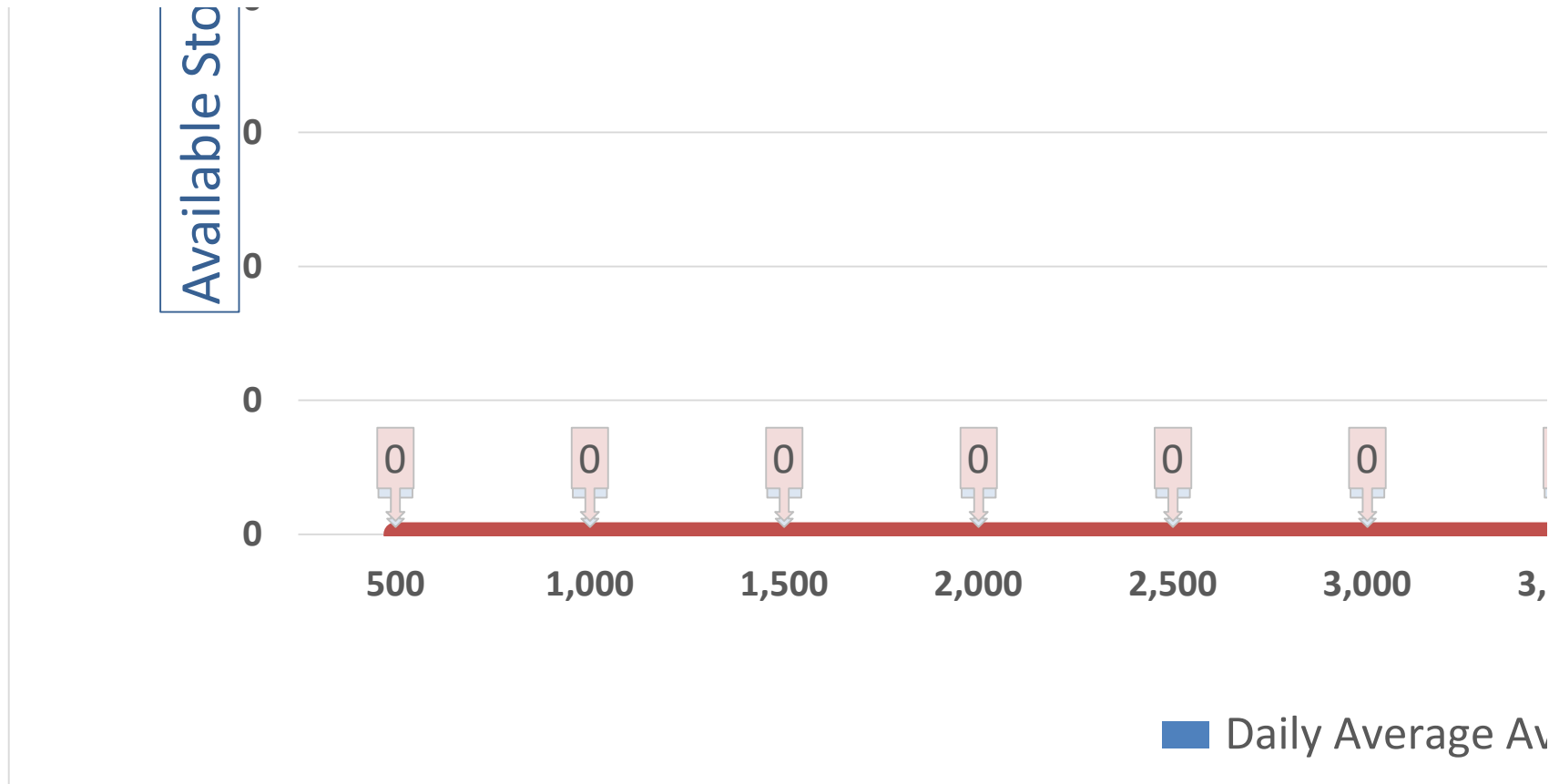
Overflow Volume from a 1.16-Inch Rain Event by Cistern Volume

Cistern Volume (Gallons)	500	1,000	1,500	2,000	2,500
--------------------------	-----	-------	-------	-------	-------

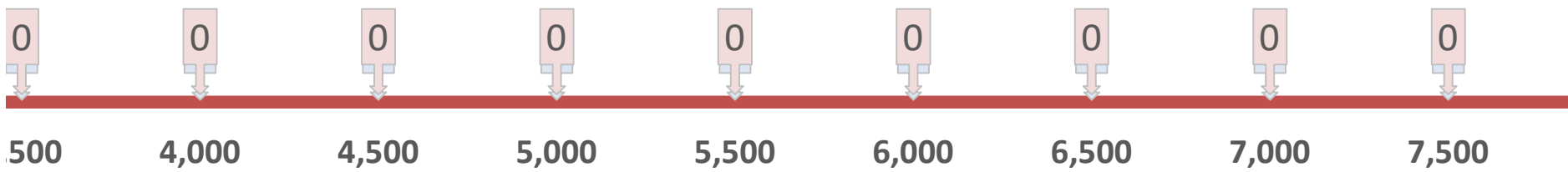
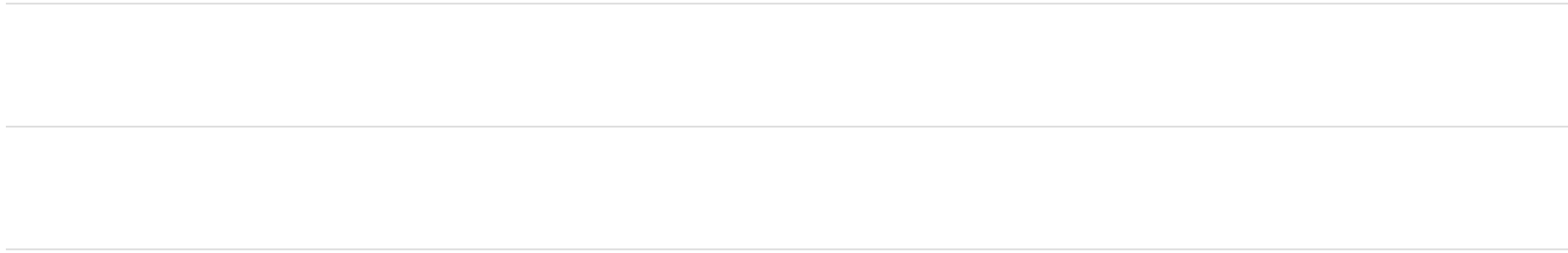
Overflow Volume (cubic feet)	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
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Daily Averages of Availa





a



Permanent Cistern Volume (Gallons)

Available Storage Volume, Sv (cubic feet)

Overflow Volume (cubic feet)

#DIV/0!

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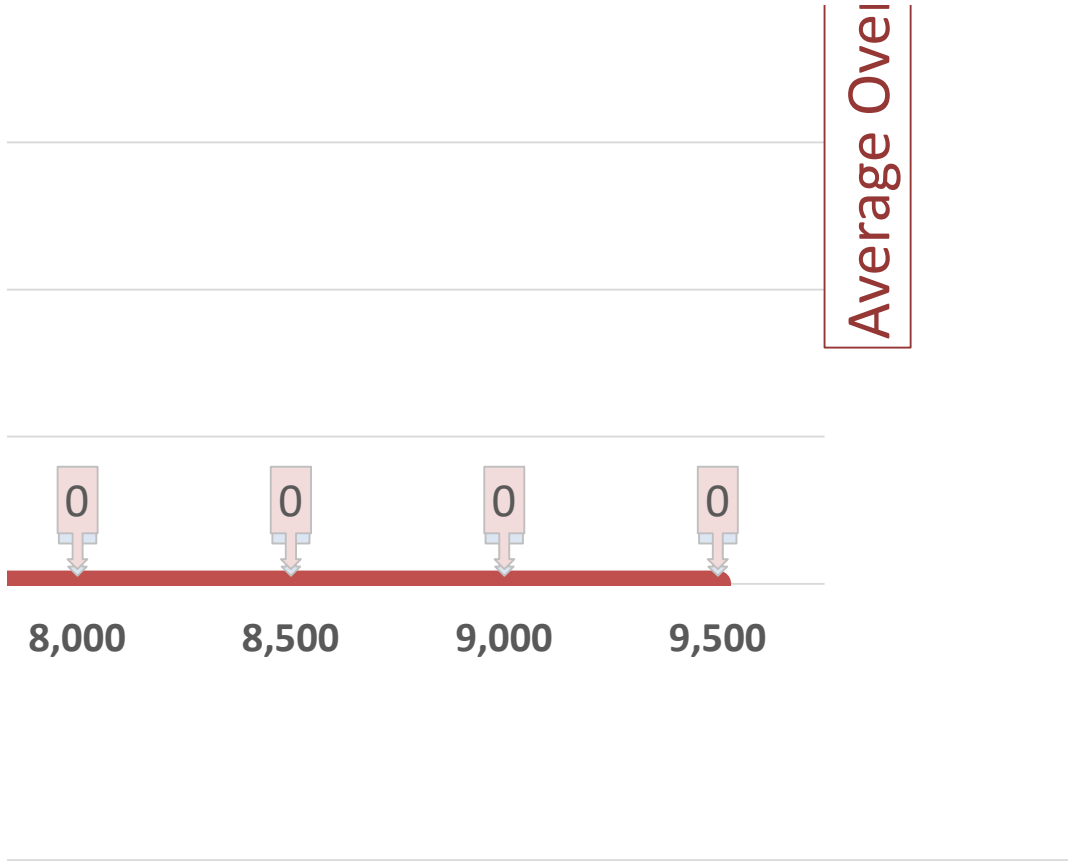
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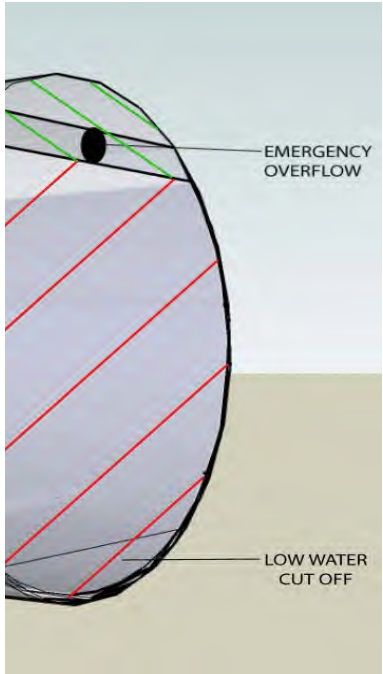
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zes

rflow Volume (cubic feet)







a

Appendix L: Glossary

A	
Advanced Design (AD)	<p>Detailed design for an area of a project described explicitly in the following:</p> <ul style="list-style-type: none"> • Stage II planned unit development (PUD) application to the District of Columbia Zoning Commission; • Application for design review under the Capitol Gateway Overlay District to the District Zoning Commission; and • Final design submission to the National Capital Planning Commission (NCPC)
Affordable housing	A single-family or two-family house that is built to be offered for rent or for sale for residential occupancy below market value and is made available to, and affordable to, a household whose income is equal to, or less than, eighty percent (80%) of the Area Median Income calculation provided by the United States Department of Housing and Urban Development
Animal confinement area	An area, including a structure, used to stable, kennel, enclose, or otherwise confine animals, not including confinement of a domestic animal on a residential property
Applicant	A person or their agent who applies for approval pursuant to this chapter
As-built plan	A set of architectural, engineering, or site drawings, sometimes including specifications that certify, describe, delineate, or present details of a completed construction project
Athletic playing fields	Compacted land cover and synthetic surfaces that are constructed primarily for use for athletic activities at public parks and schools. Compacted land cover and synthetic surfaces for which athletic activities are not the primary use are not considered athletic playing fields, unless these areas are necessary to support use of an adjacent area that is primarily used for athletic activities. Synthetic surfaces must have a minimum surface permeability of at least 10 inches per hour, in accordance with ASTM F2898 Standard Test Method for Permeability of Synthetic Turf Sports Field Base Stone and Surface System by Non-confined Area Flood Test Method
B	
Best management practice (BMP)	Structural or nonstructural practice that minimizes the impact of stormwater runoff on receiving waterbodies and other environmental resources, especially by reducing runoff volume and the pollutant loads carried in that runoff
Buffer	An area along a stream, river, or other natural feature that provides protection for that feature
Building permit	Authorization for construction activity issued by the <i><local jurisdiction></i>
C	

Clearing	The removal of trees and brush from the land excluding the ordinary mowing of grass, pruning of trees or other forms of long-term landscape maintenance
Combined sewer overflow (CSO)	The discharge of untreated effluent into a water body as a result of the combined volume of stormwater and sanitary water exceeding the capacity of the combined sewer system and wastewater treatment plant
Combined sewer system (CSS)	Sewer system in which stormwater runoff is conveyed together with sanitary wastewater through sewer lines to a wastewater treatment plant
Common plan of development	Multiple, separate, and distinct land-disturbing, substantial improvement, or other construction activities taking place under, or to further, a single, larger plan, although they may be taking place at different times on different schedules
Compacted cover	An area of land that is functionally permeable, but where permeability is impeded by increased soil bulk density as compared to natural cover, such as through grading, construction, or other activity and will require regular human inputs such as periodic planting, irrigation, mowing, or fertilization. Examples include landscaped planting beds, lawns, or managed turf
Conservation area	An area with a natural cover designation set aside to receive stormwater runoff as part of an impervious surface disconnection practice
Construction	Activity conducted for the following: <ul style="list-style-type: none"> • Building, renovating, modifying, or razing a structure; or • Moving or shaping of earth, sediment, or a natural or built feature
Contributing drainage area (CDA)	Area contributing runoff to a BMP
Control measure	Technique, method, device, or material used to prevent, reduce, or limit discharge
Critical area stabilization	Stabilization of areas highly susceptible to erosion, including down-slopes and side-slopes, through the use of brick bats, straw, erosion control blanket mats, gabions, vegetation, and other control measures
Cut	An act by which soil or rock is dug into, quarried, uncovered, removed, displaced, or relocated and the conditions resulting from those actions
D	
Demolition	The removal of part or all of a building, structure, or built land cover
Detention	Controlling the peak discharge rate of stormwater from a site
Dewatering	Removing water from an area or the environment using an approved technology or method, such as pumping
Director	The local administrator of the stormwater construction permits.
E	

Easement	A right acquired by a person to use another person's land for a special purpose
Electronic media	Means of communication via electronic equipment, including the internet
Energy Grade Line	The energy grade line represents the total energy at any point along the culvert (pipe) barrel.
Erosion	The process by which the ground surface, including soil and deposited material, is worn away by the action of wind, water, ice, or gravity
Excavation	An act by which soil or rock is cut into, dug, quarried, uncovered, removed, displaced or relocated and the conditions resulting from those actions
Exposed area	Land that has been disturbed or land over which unstabilized soil or other erodible material is placed
F	
G	
Grading	Causing disturbance of the earth, including excavating, filling, stockpiling of earth materials, grubbing, root mat or topsoil disturbance, or any combination of them
H	
Hydraulic Grade Line	The hydraulic grade line is the depth to which water would rise in vertical tubes connected to the side of the culvert (pipe) barrel.
I	
Impervious cover	A surface area that has been compacted or covered with a layer of material that impedes or prevents the infiltration of water into the ground, examples include conventional streets, parking lots, rooftops, sidewalks, pathways with compacted sub-base, and any concrete, asphalt, or compacted gravel surface and other similar surface
Infiltration	The passage or movement of surface water through the soil profile
J	
K	
L	
Land cover	Surface of land that is impervious, compacted, or natural
Land cover change	Conversion of land cover from one type to another, typically in order to comply with a requirement of this chapter.
Land-disturbing activity	Movement of earth, land, or sediment that disturbs the land surface and the related use of pervious land to support that movement. Land-disturbing activity includes stripping, grading, grubbing, trenching, excavating, transporting, and filling of land, as well as the use of pervious adjacent land for movement and storage of construction vehicles and materials. Land-disturbing activity does not include repaving or re-milling that does not expose the underlying soil

Low impact development (LID)	A land-planning and engineering-design approach to manage stormwater runoff within a development footprint. It emphasizes conservation, the use of on-site natural features, and structural stormwater BMPs to store, infiltrate, evapotranspire, retain, and detain rainfall as close to its source as possible with the goal of mimicking the runoff characteristics of natural cover
M	
Maintenance agreement	See Section 5.5.2 Maintenance Agreement
Maintenance contract	See “maintenance agreement”
Maintenance responsibility	See Section 5.5.1 Maintenance Responsibility
Maintenance plan	Planned scheduled maintenance for the life of the BMP
Maintenance schedule	See “maintenance plan”
Maintenance standards	Detailed maintenance plan laid out in Exhibit C within declaration of covenants
Major land-disturbing activity	<p>A distinct project or a part of a larger common plan of development that involves the creation, addition or replacement of 5000 square feet of impervious surface, or that involves one acre or greater of land disturbing activities. New development regardless of size, that is part of a larger common plan of development, even though multiple, separate and distinct land disturbing activities, may take place at different times and on different schedules.</p> <p>Multiple distinct areas that each disturb one acre of land, that are in separate, non-adjacent sites, and that are not part of a larger common plan of development do not constitute a major land-disturbing activity.</p>
Major Substantial Improvement	a renovation or addition to a structure or existing property that meets both of the following cost and size thresholds: a) construction costs for the building renovation/addition are greater than or equal to 50% of the pre-project assessed value of the structure as developed using current Building Valuation Data of the International Code Council, and b) combined footprint of structure(s) exceeding the cost threshold and any land disturbance are greater than or equal to 5,000 square feet.
N	
Natural cover	Land area that is dominated by vegetation and does not require regular human inputs such as irrigation, mowing, or fertilization to persist in a healthy condition. Examples include forest, meadow, or pasture
Non-structural BMP	A land use, development, or management strategy to minimize the impact of stormwater runoff, including conservation of natural cover or disconnection of impervious surface
O	
Off-site retention	Use of property not within the limits of disturbance of the project to comply with the stormwater retention volumes required by this Manual

Off-site retention volume (Off _v)	A portion of a required stormwater retention volume or required water quality treatment volume that is not retained on site
On-site retention	Retention of a site's stormwater on that site or via conveyance to a shared stormwater BMP on another site
On-site stormwater management	Retention, detention, or treatment of stormwater on site or via conveyance to a shared stormwater BMP
Owner	The person who owns real estate or other property, or that person's agent
P	
Peak discharge	The maximum rate of flow of water at a given point and time resulting from a storm event
Permeable athletic track	A surface, including a surface made of synthetic material, located at a school or public park that is used for athletic purposes including biking, running, and walking, and that allows the infiltration of water into the ground. The track must have a minimum surface permeability of at least 10 inches per hour, in accordance with the ASTM F2898 Standard Test Method for Permeability of Synthetic Turf Sports Field Base Stone and Surface System by Non-confined Area Flood Test Method
Permeable playground surface	A surface, including a surface made of synthetic material, located under a playground area at a school or public park, that allows the infiltration of water into the ground. The playground surface must have a minimum surface permeability of at least 10 inches per hour, in accordance with ASTM F2898 Standard Test Method for Permeability of Synthetic Turf Sports Field Base Stone and Surface System by Non-confined Area Flood Test Method
Person	A legal entity, including an individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, cooperative, the <local authority> and its agencies, the State of South Carolina and its agencies, and the federal government and its agencies
Pervious area	Area with a compacted cover designation set aside to receive stormwater runoff as part of an impervious surface disconnection practice
Post-development	Describing conditions that may be reasonably expected to exist after completion of land development activity on a site
Practice	A system, device, material, technique, process, or procedure that is used to control, reduce, or eliminate an impact from stormwater; except where the context indicates its more typical use as a term describing a custom, application, or usual way of doing something
Preconstruction meeting	The mandatory meeting occurring prior to any construction, including the owner, the designer, the installer, and the DHEC inspector. This meeting must contain an on-site component to evaluate the SWMP against existing site conditions. This should include, at a minimum, a visual examination of land cover types, the tree preservation plan, boundaries of the CDA(s), the existing inlet elevation(s) to ensure they conform to original design

Predevelopment	Describing conditions of meadow land and its relationship to stormwater before human disturbance of the land
Pre-project	Describing conditions, including land covers, on a site that exist before the construction described in a Stormwater Management Plan has begun
Publicly-owned or publicly-financed project	A project: <ul style="list-style-type: none"> a. That is municipally-owned or municipality-instrumentality-owned; b. Where at least 15% of the project's total cost is municipally-financed or municipality-instrumentality-financed; or c. That includes a gift, lease, or sale from municipally-owned or municipality-instrumentality-owned property to a private entity
Public right-of-way (PROW)	The surface, the air space above the surface (including air space immediately adjacent to a private structure located on public space or in a public right-of-way), and the area below the surface of any public street, bridge, tunnel, highway, railway track, lane, path, alley, sidewalk, or boulevard
Public space	All the publicly owned property between the property lines on a street, park, or other public property as such property lines are shown on the records of the State. This includes any roadway, tree space, sidewalk, or parking between such property lines, but it excludes adjacent parks and other public property that is not associated with the public right-of-way
Q	
R	
Raze	The complete removal of a building or other structure down to the ground or to its foundation
Responsible person	Construction personnel knowledgeable in the principles and practices of erosion and sediment control and certified by a Department-approved soil erosion and sedimentation control training program to assess conditions at the construction site that would impact the effectiveness of a soil-erosion or sediment-control measure on the site
Retention	Keeping a volume of stormwater runoff on site through infiltration, evapotranspiration, storage for non-potable use, or some combination of these
Retention capacity	The volume of stormwater that can be retained by a stormwater BMP or land cover
Retrofit	A stormwater BMP or land cover installed in a previously developed area to improve stormwater quality or reduce stormwater quantity relative to current conditions
Runoff	The portion of precipitation (including snow-melt) that travels over the land surface, and also from rooftops, either as sheetflow or as channel flow, in small trickles and streams, into the main water courses

S	
Savannah River Watershed Protection Area	
Sediment	Soil, including soil transported or deposited by human activity or the action of wind, water, ice, or gravity
Sedimentation	The deposition or transportation of soil or other surface materials from one place to another as a result of an erosion process
Shared BMP (S-BMP)	A stormwater BMP, or combination of BMPs, providing stormwater management for stormwater conveyed from another site or sites
Single- or two-family house	An individual house, townhouse, or rowhouse designed and used for occupancy by one or two families. An individual house, townhouse, or rowhouse that has been physically altered for use by more than one or two families is not considered a single- or two-family house
Site	A tract, lot or parcel of land, or a combination of tracts, lots, or parcels of land for which development is undertaken as part of a unit, sub-division, or project. The mere divestiture of ownership or control does not remove a property from inclusion in a site
Site drainage area (SDA)	The area that drains stormwater from the site to a single discharge point or sheet flows from a single area off the site
Soil	All earth material of whatever origin that overlies bedrock and may include the decomposed zone of bedrock that can be readily excavated by mechanical equipment
Soil erosion and sediment control plan	A set of drawings, calculations, specifications, details, and supporting documents related to minimizing or eliminating erosion and off-site sedimentation caused by stormwater on a construction site. It includes information on construction, installation, operation, and maintenance
Soils report	A geotechnical report addressing all soil erosion and sediment control-related soil attributes, including but not limited to site soil drainage and stability
Special watershed protection areas	Areas identified by US Geological Survey 12-digit Hydrologic Unit Code (HUC 12) in the Southern Low Country Stormwater Design Manual that require area-specific stormwater standards
Storm sewer	A system of pipes or other conduits that carries or stores intercepted surface runoff, street water, and other wash waters, or drainage, but excludes domestic sewage and industrial wastes
Stormwater	Flow of water that results from runoff, snow melt runoff, and surface runoff and drainage
Stormwater management	A system to control stormwater runoff with structural and non-structural stormwater BMPs, including the following: (a) quantitative control of volume and rate of surface runoff and (b) qualitative control to reduce or eliminate pollutants in runoff
Stormwater Management Plan (SWMP)	A set of drawings, calculations, specifications, details, and supporting documents related to the management of stormwater for a site. A SWMP includes information on construction, installation, operation, and maintenance

Stormwater Pollution Prevention Plan (SWPPP)	A document that identifies potential sources of stormwater pollution at a construction site, describes practices to reduce pollutants in stormwater discharge from the site, and may identify procedures to achieve compliance
Stormwater retention volume (SWRv)	Volume of stormwater from a site for which the site is required to achieve retention
Stripping	An activity that removes or significantly disturbs the vegetative surface cover including clearing, grubbing of stumps and rock mat, and top soil removal
Substantial improvement	A repair, alteration, addition, or improvement of a building or structure, the cost of which equals or exceeds 50% of the market value of the structure before the improvement or repair is started
Structural stormwater BMP	A practice engineered to minimize the impact of stormwater runoff, including a bioretention, green roof, permeable pavement, system to capture stormwater for non-potable uses, etc.
Supplemental review	A review that <i><local jurisdiction></i> conducts after the review it conducts for a first resubmission of a plan
Swale	A narrow low-lying stretch of land that gathers or carries surface water runoff
T	
Total suspended solids (TSS)	The entire amount of organic and inorganic particles dispersed in water. TSS is measured by several methods, which entail measuring the dry weight of sediment from a known volume of a subsample of the original
U	
V	
W	
Waste material	Construction debris, dredged spoils, solid waste, sewage, garbage, sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial or municipal waste
X	
Y	
Z	

Appendix M: References and Resources

M.1 References

The following documents provide more detailed information on many aspects of BMP design than is found in this Manual. These resources may be useful for those looking to develop greater understanding of individual BMPs or stormwater design in general. Recommendations in these resources may be used to inform BMP designs; however, where conflicts occur between these resources and the Manual, the requirements of the Manual prevail.

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M.2 Resources for Natural Resources Survey

Resource Group	Resource Type	Sources for Information
General Resources	<ul style="list-style-type: none"> • Topography • Natural Drainage Divides • Natural Drainage Patterns • Natural Drainage Features (e.g., Swales, Basins, Depressional Areas) • Soils • Erodible Soils Comes with soil survey • Steep Slopes (e.g., Areas with Slopes Greater 	<p>LiDAR: https://coast.noaa.gov/dataviewer/index.html#/lidar/search/</p> <p>Major basin boundaries: https://apps.dhec.sc.gov/GIS/ClearingHouse/</p> <p>Soils: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx</p> <p>Land Cover (NLCD): https://www.mrlc.gov/data</p> <p>Land Cover (NOAA C-CAP): https://coast.noaa.gov/digitalcoast/data/ccapregional.html</p>

	<p>Than 15%) Can determine from DEM or query soil types with steep slopes. Recommend the former for accuracy.</p> <ul style="list-style-type: none"> •Trees and Other Existing Vegetation – Can use NLCD data to get forest land cover •Impervious surfaces •Protected Lands 	<p><u>County Level LIDAR</u> http://www.dnr.sc.gov/GIS/lidarstatus.html</p> <p><u>NLCD impervious surface -</u> https://www.mrlc.gov/data/type/urban-imperviousness</p> <p><u>Protected Lands (PAD-US) - LINK</u></p> <p><u>TNC</u></p>
Freshwater Resources	<ul style="list-style-type: none"> •Rivers – NHD or state level data should be available •Perennial and Intermittent Streams – This distinction might not be available. •Freshwater Wetlands – National Wetland Inventory 	<p>NHD: https://www.usgs.gov/core-science-systems/ngp/national-hydrography</p> <p>Water classifications (view only): https://gis.dhec.sc.gov/watersheds/</p> <p>NWI: https://www.fws.gov/wetlands/index.html</p>
Estuarine Resources	<ul style="list-style-type: none"> •Tidal Rivers and Streams I think we can get all of this from NWI. Tidal influence might not be denoted. •Tidal Creeks •Coastal Marshlands •Tidal Flats •Scrub-Shrub Wetlands 	<p>NOAA C-CAP classification scheme includes palustrine forested wetland, palustrine scrub/shrub wetland, palustrine emergent wetland, estuarine forested wetland, estuarine scrub/shrub wetland, estuarine emergent wetland, palustrine aquatic bed, and estuarine aquatic bed</p> <p><u>County Level LIDAR Breaklines (with terrain dataset)</u> http://www.dnr.sc.gov/GIS/lidarstatus.html</p>
Marine Resources	<ul style="list-style-type: none"> •Near Coastal Waters •Beaches •Shoreline 	<p>NOAA C-CAP classification scheme includes unconsolidated shore</p> <p>DHEC OCRM - https://apps.dhec.sc.gov/GIS/ClearingHouse/ ←look under OCRM from drop down “List GIS Layers by DHEC...”</p>

Groundwater Resources	<ul style="list-style-type: none"> •Groundwater Recharge Areas •Wellhead Protection Areas 	<p>https://scdhec.gov/environment/bureau-water/groundwater-use-reporting/groundwater-management-planning/groundwater-2</p> <p>http://hydrology.dnr.sc.gov/well-database.html</p> <p>DHEC Watershed atlas - https://gis.dhec.sc.gov/watersheds/ Check under Public Water supply tab in layer contents for protection areas</p>
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Resource Group	Resource Type	Sources for Information
Terrestrial Resources	<ul style="list-style-type: none"> •Dunes •Maritime Forests •Marsh Hammocks •Evergreen Hammocks •Canebrakes •Bottomland Hardwood Forests •Beech-Magnolia Forests •Pine Flatwoods •Longleaf Pine-Wiregrass Savannas •Longleaf Pine-Scrub Oak Woodlands 	<ul style="list-style-type: none"> • Forest inventory analysis (FIA). The SC Forestry Commission would have that data •Natural Communities of SC https://dc.statelibrary.sc.gov/handle/10827/30179
Other Resources	<ul style="list-style-type: none"> • Shellfish Harvesting Areas •Floodplains – FEMA data available nationally •Aquatic Buffers •Other High Priority Habitat Areas as described by South Carolina Department of Natural Resources 	<ul style="list-style-type: none"> •FEMA: https://msc.fema.gov/portal/home •SCDHEC: https://apps.dhec.sc.gov/GIS/ClearingHouse/ •GAP/species richness/habitat/etc. data http://www.dnr.sc.gov/GIS/gap/mapping.html •Intertidal Oyster Reefs - http://www.dnr.sc.gov/GIS/descoysterbed.html •Shellfish harvesting areas - Link

Appendix N: Summary of Federal and State Stormwater Regulations

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N.1 Summary of Federal Regulations

In general, Federal regulations and legislation have been applied at the State level to regulate stormwater runoff quality, whereas for many years local stormwater ordinances and regulations focused on regulating drainage, streets, peak stormwater runoff flow and flooding concerns.

Federal regulations that directly affect stormwater runoff control include the Coastal Zone Management Act and the National Pollutant Discharge Elimination System (NPDES) stormwater regulations of the Clean Water Act, administered by the U.S. Environmental Protection Agency (EPA). The Coastal Zone Management Act was designed to encourage and assist coastal states to develop and implement management programs. The State of South Carolina developed its own Coastal Zone Management Act in 1977, to protect coastal resources and promote responsible development in Beaufort County and seven other coastal counties. This will be discussed further in the following section on State regulations. The EPA NPDES requirements are presented below.

The 1987 amendments to the Federal Clean Water Act define specific stormwater discharges as point source discharges subject to NPDES regulations. These amendments required EPA to promulgate regulations pertaining to stormwater discharges via a phased approach.

The initial phase, promulgated by EPA on November 16, 1990, became known as the Phase I Stormwater NPDES regulations. These final regulations created two broad classes of stormwater discharges under the NPDES program:

- 1) Municipal Separate Storm Sewer System (MS4) discharges; and
- 2) Stormwater Discharges Associated with Industrial Activity.

The MS4 Program was divided into three categories (large, medium, and small populations) based on U.S. Census Bureau population estimates, with Phase I regulations including only large and medium MS4 stormwater discharges.

The Stormwater Discharges Associated with Industrial Activity program was divided into 11 categories of industrial activity. These included industrial manufacturing facilities, landfills, transportation facilities, construction (land clearing on 5 or more acres), etc., without consideration given to the type of facility owner or operator such that a publicly owned or operated facility could be included in one of the 11 categories.

On December 8, 1999, EPA adopted the Phase II stormwater regulations, which included small MS4 discharges located in an “Urbanized Area” per U.S. Census Bureau definitions and delineations. In addition, the land disturbance activity regulation with the threshold of 5 or more acres (as per the construction activity regulation) was reduced to 1 or more acres, with a provision that construction sites that disturb less than 1 acre could also be regulated if water quality concerns or problems related to the activity warrant permit coverage under the NPDES Program.

The State of South Carolina has been an EPA NPDES Program delegated authority for a number of years. The State agency that administers the Federal NPDES Program in South Carolina is the Department of Health and Environmental Control (DHEC). As such, DHEC oversees all NPDES Program related permitting, monitoring, and enforcement issues in the State of South Carolina. However, EPA does have authority over DHEC on NPDES Program issues and may, at its discretion, conduct independent audits of a DHEC-issued NPDES permit.

N.1.1 MS4 Program

Phase I of the NPDES Stormwater Program required large MS4s (with populations of 250,000 people or greater) and medium MS4s (with populations of 100,000 people or greater but less than 250,000) to apply for permit coverage in two parts. All permits issued under this phase were individual permits and required the development and implementation of a stormwater management program. At a minimum, this program had to address the following key elements:

- 1) Structural control maintenance
- 2) Areas of significant development and redevelopment
- 3) Roadway runoff management
- 4) Flood control related to water quality issues
- 5) Municipally owned operations, including landfills, wastewater treatment facilities, etc.
- 6) Hazardous waste treatment, storage or disposal sites, etc.
- 7) Application of pesticides, herbicides, and fertilizers
- 8) Illicit discharge detection and elimination
- 9) Regulation of sites classified as associated with industrial activity
- 10) Construction site and post-construction site runoff control
- 11) Public education and outreach

As of July 2007, the State of South Carolina has one large MS4 (South Carolina Department of Transportation) and four medium MS4s – the City of Columbia, Greenville County, Lexington County, and Richland County.

As of July 2007, there is a list of 70 regulated small MS4s, which did not specifically include Beaufort County. In 2014 this list was increased, and additional communities were added, including Beaufort County. These small MS4s are required to begin running programs to address stormwater runoff from construction sites and post-construction activities. These activities are two of the six components of a stormwater management program as defined by the NPDES Phase II Final Rule, as listed below:

- 1) Public education and outreach.

- 2) Public participation/involvement.
- 3) Illicit discharge detection and elimination.
- 4) Construction site runoff control.
- 5) Post-construction runoff control.
- 6) Pollution prevention/good housekeeping.

Several of these items are addressed by this document and will fulfill part of the NPDES Phase II requirements.

N.1.2 Industrial Activity Program

The NPDES Phase I stormwater regulations created 11 categories of Stormwater Discharges Associated with Industrial Activity. Categories “i” through “ix” and category “xi” became part of the Industrial Program, while category “x” became part of the Construction Program. Thus, the NPDES stormwater program is made up of three distinct program components: the MS4 Program, the Industrial Program, and the Construction Program. Although the Phase I included a provision for a no-exposure permit exemption to category “xi” (light industry) only, the Phase II regulations extended this no-exposure exemption to categories “i” through “ix.”

The no-exposure exemption applied to facilities that had no stormwater runoff exposed to raw materials, byproducts, waste products, intermediate products, final products, etc. Activities within the Industrial Program and the Construction Program can have NPDES stormwater permits issued as either individual permits or general permits; however, due to the nature and number of facilities that must be issued NPDES stormwater permits, general permits are typically utilized. On rare occasions, when water quality concerns become a permit issue, DHEC may require an individual permit in lieu of granting general permit coverage. The general permit under the Industrial Program requires the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for each covered facility and requires monitoring and/or inspections. Although only certain facilities require both, inspections are required of all facilities.

Under the Construction Program, the construction activity category is divided into two phases, Phase I (for large construction sites) and Phase II (for small construction sites). On a case-by-case basis, a permit may also be required when a construction activity involves the disturbance of less than 1 acre of land. Stormwater discharges from construction activities that disturb less than 5 acres of land are called “small construction activities.” A Construction Activity permit can either be issued in the form of a general permit or an individual permit. Typically, the general permit is utilized unless specific water quality issues warrant the use of an individual permit. The general permit requires that a SWPPP be prepared and implemented for each construction site, but sampling of stormwater runoff from the site is not required.

Inspections must be conducted at all construction sites covered under the general permit. In addition, a provision in the MS4 program regulations requires that all regulated MS4s implement a program for controlling construction site runoff. This provision essentially requires that the construction site must receive a permit from the regulated MS4 in addition to having to be covered under an NPDES Stormwater Construction Activity permit.

It is important to note that with the March 10, 2003 initiation of the NPDES Phase II Stormwater Program implementation, considerable overlap exists between the Federal NPDES Stormwater Program and the State of South Carolina's Sediment, Erosion, and Stormwater Management Program as discussed below.

N.2 Summary of State Regulations

In addition to being an EPA NPDES Program delegated authority, the State of South Carolina also has its own relevant regulations. The South Carolina's Sediment, Erosion, and Stormwater Management Program was initiated in 1983, and required construction activities on State-owned and State-managed lands to control sediment and erosion. In 1991, via the South Carolina Stormwater Management and Sediment Reduction Act, the program was expanded to include all construction activities that disturbed more than 2 acres of land. Regulation 72-300, entitled "Standards for Stormwater Management and Sediment Reduction," describes the requirements for preparing a stormwater management and sediment and erosion control plan from land disturbance activities. Exemptions, Waivers, and Variances from the Law are explained in Section 72-302. The Bureau of Water of the Office of Environmental Quality Control (EQC) of DHEC is responsible for administering the Sediment, Erosion, and Stormwater Management Program, and by regulation the Office of Ocean and Coastal Resource management (OCRM) implements the program in the eight coastal county areas. A local government may become a State-delegated authority after submitting a request and receiving approval by the State. However, Federal, State, local government, and public school projects must be submitted to DHEC even if they are located within the jurisdiction of a State-delegated entity.

As indicated previously, the Federal NPDES Stormwater Construction Activity Program requires permit coverage for construction sites that disturb more than 1 acre of land and, on a case-by-case basis, even less than 1 acre of land. Consequently, an overlap exists currently between the State's Sediment, Erosion, and Stormwater Management Program and the NPDES Stormwater Construction Activity Program (that is, when more than 2 acres of land are disturbed due to a construction activity, permits must be secured under both programs). The State coordinates the various aspects of the two programs (i.e., permitting, compliance, monitoring, and enforcement) to minimize the overlapping responsibilities. The two programs are integrated into a comprehensive Stormwater Regulatory Program for the State of South Carolina.

The South Carolina Stormwater Management and Sediment Control Handbook for Land Disturbance Activities (DHEC, 2003) includes all existing South Carolina stormwater management regulations required for individuals to submit a stormwater management and sediment reduction permit application to DHEC. Elements of the Federal NPDES Stormwater Program, Coastal Zone Management Program, and the State's Stormwater Management and Sediment Reduction regulations are included in the handbook.

Table 1 summarizes the State regulatory requirements that are applicable to Southern Lowcountry, including jurisdictions in the State of South Carolina’s Coastal Zone Management Program. For land disturbance of 0.5 acre or less that is within 0.5 mile of a receiving waterbody in the coastal zone, Section R.72- 307H of the State Stormwater Management and Sediment Reduction Act of 1991 is applicable. Section R.72-307H is also applicable for land disturbance of less than 1 acre, at locations that are not within 0.5 mile of a coastal zone receiving water. If the land disturbance is at least 1 acre, but less than 2 acres, the NPDES General Permit and Section R.72-307H apply. Development is highly impervious or is located directly adjacent to a critical area, the more stringent R.72-307I regulations are applicable; otherwise, the less stringent R.72-307H regulations are appropriate.

Table 1. South Carolina Requirements for Land Development in Southern Lowcountry.

Extent of Land Disturbance (acres)	Applicable Regulatory Requirements
Less than 0.5 acre and within 0.5 acre of receiving waters	R.72-307H
Less than 1 acre and not within 0.5 acre of receiving waters	R.72-307H
At least 1 but less than 2 acres	R.72-307H, SCR100000
More than 2 and less than 5 acres	R.72-307I, SCR100000
5 acres or more	R.72-305, R.72-307, SCR100000

Section R.72-307I regulations are also applicable for developments of more than 2 and less than 5 acres. For developments of 5 acres or more, the applicable regulations include Sections R.72-305 and R.72-307 of the Stormwater Management and Sediment Reduction Act of 1991, plus the NPDES General Permit.

Features of the regulations highlighted in Table 1 are presented in

Table 2. The regulations under Section R.72-307H provide for a simplified stormwater management and sediment control plan that does not require approval by DHEC and does not require preparation or certification by a registered engineer, landscape architect or Tier B land surveyor (SCDHEC, 1997). However, DHEC staff does have the authority to conduct site inspections to ensure compliance with the submitted plan. Under Section R.72-307I, the stormwater management and sediment control plan must be approved by DHEC, and requires preparation and certification by a registered engineer, landscape architect or Tier B land surveyor. The plan must also include BMPs to control erosion and sediment, and measures to control peak discharge rates and peak velocities of stormwater runoff from the site.

Table 2. South Carolina Sediment, Erosion, and Stormwater Management Program Land Development Regulatory Requirement Details Applicable to Non-Coastal Counties.

Plan Feature	Applicable Regulation(s)		
	R.72-307H	R.72-307I	R.72-305, R.72-307, SCR100000
Plan Approval by Implementing Agency	Not required	Required	Required
Plan Preparation / Certification by Registered Professional Engineers / Landscape Architects / Land Surveyors	Not required	Required	Required
BMPs to Control Erosion and Sediment	Not required	Required	Required
Measures to Control Stormwater Quantity	Not required	Required ¹	Required ¹
Measures to Control Stormwater Quality	Not required	Not required	Required ²
<p>1. Stormwater quantity control requirements include:</p> <ul style="list-style-type: none"> a. Post-development peak discharge rates shall not exceed pre-development discharge rates for the 2- and 10- year frequency, 24-hour duration storm events. Implementing agencies may utilize a less frequent storm event (e.g., 25-year, 24-hour storm) to address existing or future stormwater quantity or quality problems. b. Discharge velocities shall be reduced to provide a non-erosive velocity flow from a structure, channel, or other control measure or the velocity of the 10-year, 24-hour storm runoff in the receiving waterway prior to the land disturbance activity, whichever is greater. c. Watersheds other than “designated watersheds” that have well documented water quantity problems may have more stringent, or modified, design criteria determined by the local government that is responsive to the needs of that watershed. <p>2. See Table A-3 for a summary of stormwater quality requirements.</p>			

The State regulation requires that post-development peak flows shall not exceed the pre- development peak flow rate for the 2-year/24-hour and 10-year/24-hour design storms. Developments of 5 acres or more must meet all of the requirements listed above and must provide measures for stormwater quality control.

The current NPDES general permit SCR100000 (effective September 1, 2006) includes requirements for inspections on construction sites. Once construction begins, these inspections must be conducted at least once every 7 calendar days, or at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater. The inspections must be conducted by qualified personnel (as defined in the permit) and an inspection report must be completed for each inspection. The report must be retained for at least 3 years from the date that permit coverage expires or is terminated. For construction activities disturbing 10 acres or more, a monthly report must also be submitted to DHEC. Monthly reports may also be required on a case-by- case basis.

Stormwater runoff quality control measures required for developments of 5 acres or more are presented in Table 3. In general, the water quality storage requirements depend upon the type of BMP and, in some cases, the location of the development site.

Table 3. South Carolina Coastal Zone Management Program Stormwater Quality Bmp Requirements Beaufort County.

BMP Facility Type	Water Quality Volume Requirements		
	General	Within 0.5 Miles of a Receiving Waterbody in the Coastal Zone	Within 1,000 Ft of Shellfish Beds
Water quality facility with permanent pool of water (e.g., wet detention pond)	Permanent pool volume of 0.5 inches of runoff per acre of drainage; storage above permanent pool of 0.5 inches of runoff per acre of drainage, required to bleed down over a 24-hour period	Permanent pool volume of 0.5 inches of runoff per acre of drainage <u>or</u> 1.0 inches of runoff per impervious acre of drainage, whichever is greater; same general storage requirement above permanent pool	Permanent pool volume of 0.5 inches of runoff per acre of drainage <u>or</u> 1.5 inches of runoff per impervious acre of drainage, whichever is greater; same general storage requirement above permanent pool
Water quality facility without permanent pool of water (e.g., extended dry detention pond)	Storage of 1.0 inches of runoff from the entire drainage area, required to bleed down over a 24-hour period	General requirements apply	Not applicable
Infiltration practices	Storage of 1.0 inches of runoff per impervious acre of drainage, required to drain completely in 72 hours	General requirements apply	Storage of 1.5 inches of runoff per impervious acre of drainage, required to drain completely in 72 hours

The basic water quality volume requirements vary based on the type of BMP. A water quality facility with a permanent pool of water (e.g., a wet detention pond) has a required permanent pool volume equivalent to 0.5 inch of runoff per acre of drainage, as well as another 0.5 inch of storage above the permanent pool. The storage above the permanent pool is required to bleed down over a 24-hour period. In contrast, a water quality facility without a permanent pool of water (e.g., an extended dry detention pond) has a required water quality storage volume equivalent to 1.0 inch of runoff per acre of drainage, and this volume is required to bleed down over a 24-hour period. Infiltration facilities, which capture runoff and then release the captured runoff through evapotranspiration and infiltration into the underlying soil, are required to provide water quality storage equivalent to 1.0 inches of runoff per impervious acre of drainage.

Under existing State regulations, water quality control facilities with a permanent pool of water may have more stringent requirements if the development is within 0.5 mile of a receiving waterbody in the coastal zone. In this case, the required permanent pool volume is the greater of: (a) 0.5 inch of runoff from the entire drainage area, or (b) 1.0 inch of runoff per impervious acre of drainage. The latter condition will apply for commercial, industrial and high-density residential land uses with an imperviousness of more than 50 percent. There are no special requirements for infiltration facilities and facilities without a permanent pool of water.

Special considerations also apply when the development is within 1,000 ft of shellfish beds (determined from State mapping or by site inspection). In this case, the regulations require that 1.5 inches of runoff

per impervious acre of drainage must be retained. Of the three BMP types discussed above, only infiltration facilities are designed to retain runoff (i.e., captured runoff is depleted by storage through evapotranspiration and infiltration into the underlying soil, rather than released to a drainage channel or waterbody). In contrast, facilities such as ponds are designed to detain runoff (i.e., captured runoff is detained for treatment and is then released to a drainage channel or waterbody).

Table 3 shows how the shellfish bed regulation has been interpreted for this report. The requirement for infiltration facilities is 1.5 inches per impervious acre of drainage, which is 50 percent greater than the general requirements. For facilities with a permanent pool, it was presumed that the requirement would be met by providing a permanent pool volume equivalent to 1.5 inches of runoff per impervious acre. For storms producing runoff of 1.5 inches or less, the runoff will be stored in the permanent pool and an equal volume of water will be displaced from the pool and discharged to a drainage channel or waterbody. The table provides no interpretation of the shellfish bed requirements for other facilities without a permanent pool. Such a facility would actually be operating as an infiltration facility.

As mentioned previously, DHEC administers the Federal NPDES Program on behalf of EPA; therefore, along with having jurisdiction over the NPDES Construction Program, DHEC also has jurisdiction over the NPDES Industrial Program. Under the latter program, the general permit (SCR000000) covers all categories of stormwater discharges associated with industrial activity, except the construction activity, which is covered under the Construction Program. SCR000000 requires the development of a SWPPP, which identifies potential sources of stormwater pollution and describes practices to be implemented for reducing stormwater pollutant discharges. These practices may include structural BMPs (e.g., wet detention ponds), good housekeeping practices, spill prevention procedures, and employee training. Annual or semi-annual monitoring of stormwater discharge from the site is required for certain industrial facilities. The monitoring would include measurement of specific pollutants such as nutrients and metals, and acute whole effluent toxicity tests.

Information on the South Carolina Sediment, Erosion, and Stormwater Management Program can be found at: <http://www.scdhec.net/water/html/erfmain.html>

Information on NPDES Stormwater Program Implementation in South Carolina can be found at: <http://www.scdhec.net/eqc/water/html/swnhistory.html>

Appendix O: Maintenance Agreement Template

O.1 Maintenance Agreement Template

E.3 Sample Maintenance Agreement

State of South Carolina)	Permanent Stormwater Facility Maintenance and Responsibility Agreement
)	
County of Beaufort)	

Tax Map No. _____

This Agreement is entered into this _____ day of _____, 20____, by and between _____, (hereinafter referred to as "Landowner") and the County of Beaufort, political subdivision of the State of South Carolina (hereinafter referred to as "County").

It is agreed as follows:

Landowner Responsible for Stormwater Facility:

The South Carolina Stormwater Management and Sediment Reduction Act of 1991 (§48-14-10, et. seq.) and Regulation 72-308 provide that a Landowner shall adequately establish and maintain stormwater management/Best Management Practices (BMP) facilities upon making certain improvements to the Landowner's property. This law applies to any individual, partnership, corporation or other entity, constructing a stormwater facility. It also applies to all subsequent owners of the property. The obligation applies to the maintenance of all pipes, equipment, and channels built to convey stormwater to a retention facility, as well as all structures, improvements, and vegetation provided to control the quantity and quality of the stormwater on the property. (All fixtures and graded or excavated improvements for controlling stormwater are herein the "Facility"). Adequate maintenance is herein defined as keeping the Facility in good working condition so that the Facility is performing all of its design functions in accordance with the purposes for which it is designed.

Maintenance Required:

The Landowner, its successors and assigns, will perform the maintenance, repair, and replacement necessary to keep the Facility in good working order. In the event a maintenance schedule for the Facility (including sediment removal) is outlined on the approved plans, the schedule must be followed.

Inspection Required:

The Landowner, its successors and assigns, shall regularly and periodically inspect the Facility in its entirety. Records shall be kept to identify the dates and maintenance performed and shall be made available to the County at the County's request. The purpose of the inspection is to assure safe and proper functioning of the Facility. The inspection shall cover all parts of the Facility including, but not limited to, berms, outlet structures, pond areas, and access roads. The Landowner's failure to inspect shall be treated as a breach of this Agreement just as much as a failure to repair if repair is needed after inspection.

Access Permitted:

The Landowner grants permission to the County, its authorized employees and agents, to enter upon the Property and to inspect the Facility whenever the County deems necessary. The purpose of inspection is to follow-up on reported or observed deficiencies, to respond to citizen complaints, or to make an inspection if a significant time has passed after the last inspection. The County shall provide the Landowner a copy of the inspection findings and a directive to commence with the repairs if necessary. In the case of multiple Landowners of a single property, notice to one shall suffice as notice to all.

No Duty on the County:

This Agreement creates no affirmative duty on the County to inspect, and it imposes no liability of any kind whatsoever on the County for omissions in inspecting. The Landowner agrees to hold the County harmless from any liability in the event the Facility fails to operate properly due to the Landowner's failure to abide by the terms of this Agreement.

Landowner Covenants:

The Landowner accepts responsibility for ownership and proper maintenance of the stormwater system, the Facility (pond, swales, etc.) on parcel # (R _____) located at _____, (see attached Site Map) Beaufort, South Carolina, per the approved maintenance plan. The specific BMPs on the property are listed below:

- 1) _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____

Landowner will complete any necessary repairs and/or preventive maintenance procedures in a timely manner to ensure proper functioning as a stormwater management device(s).

Landowner understands that the maintenance plan may be amended or revised at any time by the County in order to address changed conditions or to address conditions not being effectively met by the Facility. Following the County's sending notice; Landowner will abide by any prescribed changes.

This covenant to maintain the Facility shall run with the land. Landowner will continue to own and maintain the Facility until the County is notified in writing of a transfer in ownership and maintenance responsibility. The notification will include a date for the transfer of responsibility which will become effective upon the County's receipt of a letter of acceptance from the new owner. Notwithstanding the provision for a letter of acceptance, any new Landowner shall be responsible for all duties and obligations created by this Permanent Stormwater Facility and Maintenance Responsibility Agreement upon it being executed and filed in the Register of Deeds Office for Beaufort County.

Landowner understands that failure to adhere to the signed Maintenance Agreement may result in fines of up to \$1,000.00 per day, per violation and /or the institution of a court action, or such other and additional penalties, fines, or assessments as shall be enacted and provided for by the general law of the state or by local regulation lawfully enacted.

(Signatures contained on the next page)

IN WITNESS our hand and seal this ____ day of _____, 20__.

WITNESS 1

Land Owner Name: _____
(Print)

WITNESS 2

Land Owner Signature: _____

Mailing Address: _____

Phone Number: _____

County of Beaufort

WITNESS 1

BY: _____

WITNESS 2

ITS: County Administrator

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this ____ day of _____, 20__
by _____, (Landowner's name).

Notary Public for South Carolina
My Commission Expires: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this ____ day of _____, 20__
by _____, County Administrator for Beaufort County.

Notary Public for South Carolina
My Commission Expires: _____

**Appendix P: Reserved for future Special Watershed Area designation and
criteria by <local jurisdiction>**

Appendix Q: Reserved for future use by <local jurisdiction>

Appendix R: Land Cover Designation and Maintenance

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R.1 General Notes

The retention standard approach taken in this guidance manual for on-site stormwater management and the run-off reduction methodology recognizes the ability of pervious land covers to manage some, or most, of the rainwater that falls on it. This is termed "land abstraction" in this appendix and is assumed to be based on SCS Hydrologic Soil Group (HSG) or soil type and whether the land cover is best represented as Forest/Open Space (RvN), Managed Turf (RvC) or Impervious Cover (RvI). As noted in Section 3.7, Equation 3.2 Stormwater Retention Volume, the designation of Forest/Open Space with these lands will generate between 2-5% stormwater runoff for a design rain event. The designation of compacted cover assumes these lands will generate 15-25% stormwater runoff for a design rain event. Impervious cover will generate 95% stormwater runoff for the design rain event. The minimum area threshold for the natural cover designation is 1,500 square feet, with a minimum length of 30 feet. Areas not meeting the natural cover threshold will be considered compacted cover RvC. To ensure no loss of land abstraction, all land cover designations must be recorded in the maintenance agreement.

R.1.1 Existing Natural Cover Requirements

A site claiming natural cover based on the preservation of existing conditions must ensure conditions remain undisturbed to preserve hydrologic properties equal to or better than meadow in good condition. No credit will be given for areas that are cut and then replaced with planting. The intention of preserving areas is to allow for natural succession with saplings reaching maturity after a period of time.

Preservation areas for natural cover may include the following:

- Portions of residential yards in forest cover that will not be disturbed during construction;
- Community open space areas that will not be mowed routinely, but left in a natural vegetated state, as defined below (can include areas that will be rotary mowed no more than two times per year);
- Utility rights-of-way that will be left in a natural vegetated state (can include areas that will be rotary mowed no more than two times per year); or

- Other areas of existing forest and/or open space that will be protected during construction and that will remain undisturbed.

R.1.2 Planting Requirements for the Creation of Natural Cover

Every 1,500 square feet of created natural area shall be vegetated according to the following options of plant material quantity:

- 1 native understory tree: 1.5-inch caliper (minimum), and 2 native canopy trees: 2.5 inch caliper (minimum), or
- 6 native shrubs: 5 to 7-gallon container size (minimum), or
- 50 native perennial herbaceous or woody plants or clump-forming grasses: 1-gallon container size (minimum), or
- 1 native canopy tree: 2.5-inch caliper (minimum), and 25 native perennial herbaceous plants: 1-gallon container size (minimum), or
- 3 native shrubs: 5 to 7-gallon container size (minimum), and 25 native perennial herbaceous plants 1-gallon container size (minimum)

Plantings shall be indigenous to the immediate area and shall be arranged in a natural random pattern (e.g. not a formal composition). To ensure a resilient planting composition, diversity must be provided in the planting plan: at least 2 different species of trees, 3 different species of shrubs, and/or 5 different types of perennials/grasses shall be used in each planting.

If planting near marshes, vegetation should be elevated as much as possible to ease establishment from the saline environment and lessen the impacts of inundation from King Tide events.

Steep slopes greater than 6% grade will require additional plantings, soil stabilization, or a terracing system.

Whip and seedling stock may be used (when approved by *<local jurisdiction>*) as a site's natural cover creation if a stream bank stabilization opportunity falls within the site's footprint. In this instance, whips or seedlings must be planted at a minimum density of 700 plants per acre, and at least 55% of these plants must remain at the end of the 2-year management period.

Natural regeneration (i.e., allowing volunteer plants to propagate from surrounding natural cover as a cover creation technique) may be allowed by *<local jurisdiction>*, when 75% of the proposed planting area is located within 25 feet of adjoining forest, and the adjoining forest contains less than 20% cover of invasive exotic species (as documented by the South Carolina Exotic Pest Plant Council 2014 list here: https://www.se-eppc.org/southcarolina/SCEPPC_LIST2014finalOct.pdf). In this case, supplemental planting must ensure a density of 400 seedlings per acre.

All plant materials used must be native to the southeastern region and must be installed in areas suitable for their growth. There are several websites that may be consulted to select the most appropriate plantings for the Southern Lowcountry:

- Low Impact Development in Coastal South Carolina: A Planning and Design Guide; see suggested plant lists for bioretention (4.2), open channels (4.8) and stormwater wetlands (4.12) <http://www.northinlet.sc.edu/wp-content/uploads/2019/12/LID-in-Coastal-SC.pdf>

- South Carolina Wildlife Federation: <http://www.scwf.org/native-plant-list>
- South Carolina Native Plant Society: <https://scnps.org/wp-content/uploads/2012/04/CoastalNativePlantList.pdf>
- Carolina Yards Plant Database: <https://www.clemson.edu/extension/carolinayards/plant-database/index.html>
- Clemson University Cooperative Extension Services Home & Garden Information Center factsheet for freshwater shoreline landscaping: <https://hgic.clemson.edu/factsheet/shorescaping-freshwater-shorelines/>

Plant irrigation is recommended until established.

R.2 Stormwater Management Plans and Natural Cover

Sites using preservation of existing areas for the natural cover designation shall include on their Stormwater Management Plan (SWMP) their natural resources inventory, a tree and vegetation survey, identification of location, and extent of preservation areas. Depending on the extent of the preservation area, *<local jurisdiction>* may require the SWMP to include a more detailed schedule for retained trees, noting the tree species, size, canopy, condition, and location.

The SWMP will include the identification of material and equipment staging areas and parking areas. Material and equipment staging areas and parking areas must be sufficiently offset for preservation areas to ensure no adverse impacts.

For areas maintained as meadow in good condition, the SWMP shall document either the preservation of existing conditions or the creation of meadow conditions. A plan submission claiming meadow preservation will note the existing meadow boundaries and include a field survey of the richness and diversity of existing plant species and the existing soil conditions by a qualified individual (see Section 2.1.3). A plan submission claiming meadow creation will note the proposed meadow boundaries, the planting and/or seeding species methods, and provide a soil amendment plan as specified in Appendix C Soil Compost Amendment Requirements.

R.3 Construction Requirements for Natural Cover Designation

The preservation of lands designated as natural cover—such as undisturbed portions of yards, community open space, and any other areas designated on a site’s SWMP as preserved natural cover—must be shown outside the limits of disturbance on the site’s Soil Erosion and Sediment Control Plan. These areas must be clearly demarcated with signage prior to commencement of construction on the site on the site and with fencing during construction.

The creation of lands designated as natural cover as part of a public right-of-way (PROW) project and on sites where soils were not protected from compaction during construction the soils must be conditioned prior to planting with soil compost amendments as prescribed in Appendix C Soil Compost Amendment Requirements.

For maximum survivability, planting of trees, shrubs, and herbaceous vegetation for the creation of natural cover should occur only during the fall and early spring (i.e., September through November and March through May). The work should be done only under the supervision of someone qualified and skilled in landscape installation (see Section 4.14 Tree Planting and Preservation for details on qualifications). Proper maintenance of the materials after installation will be key in ensuring plants

survival. Prior to inspection, all trees and shrubs planted must be alive and in good health, and native grass and wildflower seeds must have been sown at adequate densities and at the right time of year for each species.

Once a natural cover designation has been assigned to a portion of regulated development site, that area will need to be recorded in the declaration of covenants, documented at the site prior to construction activities, protected during construction activities, and permanently protected/maintained for the life of the regulated site.

Root pruning and fertilizing are examples of preconstruction activities. These measures aim to increase the wellbeing of trees and prepare them for higher stress. Prior to beginning construction, temporary devices such as fences or sediment controls are installed and remain throughout the construction phase. Some devices, like retaining walls and root aeration systems may remain permanently. For example, if part of a root system is collapsed by a built road, permanent aeration may be necessary for the tree to remain healthy.

R.4 Maintenance Requirements for Natural Cover Designation

All areas that will be considered natural cover for stormwater purposes must have documentation that prescribes that the area will remain in a natural, vegetated state. Appropriate documentation includes subdivision covenants and restrictions; deeded operation and maintenance agreements and plans; parcels of common ownership with maintenance plans; third-party protective easements within the PROW; or other documentation approved by *<local jurisdiction>*.

While the goal is to have natural cover areas remain undisturbed, some activities may be prescribed in the appropriate documentation, as approved by *<local jurisdiction>*, such as forest management, control of invasive species, replanting and revegetation, passive recreation (e.g., trails), limited bush hogging to maintain desired vegetative community, etc.

R.5 Compacted Cover Designation

The compacted cover designation can apply to all site areas that are disturbed and/or graded for eventual use as managed turf or landscaping. Examples of compacted cover include lawns, portions of residential yards that are graded or disturbed and maintained as turf (including yard areas), residential utility connections, and PROW. Landscaping areas intended to be maintained as vegetation other than turf within residential, commercial, industrial, and institutional settings are also considered compacted cover if regular maintenance practices are employed.

Appendix S: Reserved for future use by <local jurisdiction>

Appendix T: Single Family On-Lot Volume Control

Step 2 On-Lot Volume Control

Beaufort County passed the On-Lot Volume Controls on June 13, 2011. This requires On-Lot Volume Control when constructing new homes in communities that do not meet current community-wide runoff volume control requirements. This section is applicable only for home lots of record platted but not yet developed. Worksheets are available in an online calculator format at <http://stormwaterworksheet.createandsolve.com/>.

Purpose

The purpose of this worksheet and web-based program is to help a homeowner or builder determine the amount of excess stormwater runoff that will come off the property after construction of the home.

It will also assist in selecting the controls necessary to control this excess runoff so that the County's water resources are not impacted. Scientists have determined that excess freshwater runoff into saltwater tidal waters can impact the area's fishery resources.

The worksheet and program will allow the user to print out a sheet that can be used to document satisfactory controls so a zoning permit can be obtained. This zoning permit is necessary for issuance of a building permit.

Step 1 – Lot Information

This information is used to compute the excess runoff after construction. If a homeowner is planning an irrigation system, (entered in Section 1), storage and reuse of stormwater from rooftop should be considered for a portion of the irrigation needs. Use of drinking water for irrigation is an expensive alternative for homeowners, and reduction of this can save money as well as reducing amount of water running off the parcel after construction. While this is recommended, storage and reuse is optional because of its initial cost.

Step 2 – Post Construction Stormwater Runoff Calculations

The amount of excess runoff in gallons can be computed using this web-based program. It will depend on whether the soil is sandy or clay (entered in Section 1). The rainfall event that is used to determine the amount of runoff to be controlled is a 1.95-inch rainfall (95th percentile of average events in a year) in a 24-hour period. Before construction, on sandy soils, generally no runoff will occur with the 1.95-inch rainfall event. For clay soils, more than 0.5 inch of a 1.95 rainfall will runoff before construction. Taking this into account, the program will determine the runoff to be controlled, in gallons, after construction.

Step 3 – Application of Best Management Practices

This section takes the gallons determined in the Step above and guides the user through three steps that will reduce these gallons until they are all being controlled. The first step is an optional

storage and reuse/infiltration practice. This practice will utilize a holding facility of some size and then the water can be utilized for reuse or infiltrated at a slow rate from the storage facility.

When storage is utilized, it will control a certain amount of rooftop impervious surface. The maximum storage allowed for credit is limited to the rooftop impervious surface (in square feet) times 1.15. Additional storage can be added but credit is limited to 1.15 gallon per square foot of rooftop surface. When storage is used, it decreases the amount of impervious surface that needs to be handled by the other practices. This is called unaddressed impervious surface.

The second practice is **disconnected impervious surface**. It can utilize the natural infiltration capacity of the lot to control water running off unaddressed impervious surfaces. It will require a determination of which way the water sheet flows across the lot. The program allows up to two directions to be selected. The user starts with an estimate of the impervious surfaces and pervious portion of the lot. If the lot flows in one direction, the estimate is easy. It would be the unaddressed impervious surface and the pervious surface it flows over to the end of the lot. If the ratio of unaddressed impervious surface to pervious area is greater than 5, there will be no credit, and runoff is better controlled by the next step. Figures 5-1 and 5-2 provide examples of one- and two-direction calculations to help in determining input figures for this practice.

If after the employing the first two practices there is still excess runoff to be handled, **rain gardens and other practices** will be used to control the remaining runoff. This will be computed for the user, who will be given a square foot size of a standard rain garden.

This standard size rain garden is 3 ft deep and can have special soil or sand and rock mixture that will store runoff and allow it to infiltrate. There is some flexibility between storage and reuse and rain gardens. If less rain garden is desired, storage can be increased, and vice-versa.

There is an attached sheet at the end of this help sheet that provides examples of alternative practices under this step.

It should be remembered that impervious surface on the property causes the excess volume that needs to be controlled. The amount of controls can be reduced by decreasing the impervious surface on the property by considering pervious driveways and walks, reducing rooftop size (two story versus one story), and other practices.

Step 4 – Summary of Volume Reduction Practices

This section is computed for the user to show a summary. This program allows the user to print a one-page sheet that summarizes entry and practices being used. This sheet would be attached to zoning and building permits and will be checked at completion of the project.

Definitions:

Impervious surface – hard surface that allows rainfall to run off and not infiltrate the soil.

Rooftop impervious surface – horizontal surface area of rooftops including overhangs and other detached buildings/sheds.

Other impervious – generally hard surfaces on the ground like paved driveways, patios, walkways and sidewalks.

Pervious surface – surface that is not hard, such as grass, garden or forest area. This also includes gravel and dirt driveways.

Irrigated area is area that would be served by an installed irrigation system. **Unaddressed impervious surface** – term used to determine amount of impervious surface or runoff gallons that had not been controlled by a previous practice.

Standard rain garden – rain garden that has 3 ft of fill material and a 6-inch maximum ponding depth. Different sizes can be constructed but then credits must be computed from Beaufort County BMP manual.

Conversions

Rainfall to gallons of runoff

Design storm is 1.95 inches, of which 1.85 inches is available to run off impervious surface. 1.85 inch on 1 sq ft of impervious surface is equivalent to 1.15 gallons of runoff

Preconstruction runoff

Clayey soils – 0.53 inches run off for a 1.95-inch storm. 0.53 inch on 1 sq ft is equivalent to 0.33 gallon of runoff.

Sandy soils – No runoff for a 1.95-inch storm

Storage and reuse – if irrigation is used on parcel then storage must be between 0.3 gallon/sq ft of rooftop impervious surface to maximum credit of 1.15 gallon/ sq ft of rooftop impervious surface. Storage can be larger but maximum credit is 1.15g/sq ft.

Rain garden

Square foot of impervious surface per square foot of standard rain garden

Clayey soils 4 sq ft of impervious surface to 1 sq ft of standard rain garden

Sandy soils 7 sq ft of impervious surface to 1 sq ft of standard rain garden

Disconnected imperviousness – is the practice of running uncontrolled stormwater flow from impervious surfaces over pervious surfaces to take advantage of natural infiltration of the soil. Credit is given in Table 5-8 based on ratio of impervious surface over pervious surface to compute a ratio.

Table 5-8 Credit Table for Disconnected Impervious Area

Disconnected Impervious Ratio	Runoff reduction (Gal/sq. ft-impervious area)	Runoff reduction (Gal/sq. ft-impervious area)
	Clayey	Sandy
0.1	.40	1.15
0.2	.40	1.12
0.4	.38	1.08
0.8	.33	1.01
1.0	.31	.98
2.0	.24	.84
3.0	.19	.74
4.0	.16	.67
5.0	.14	.60

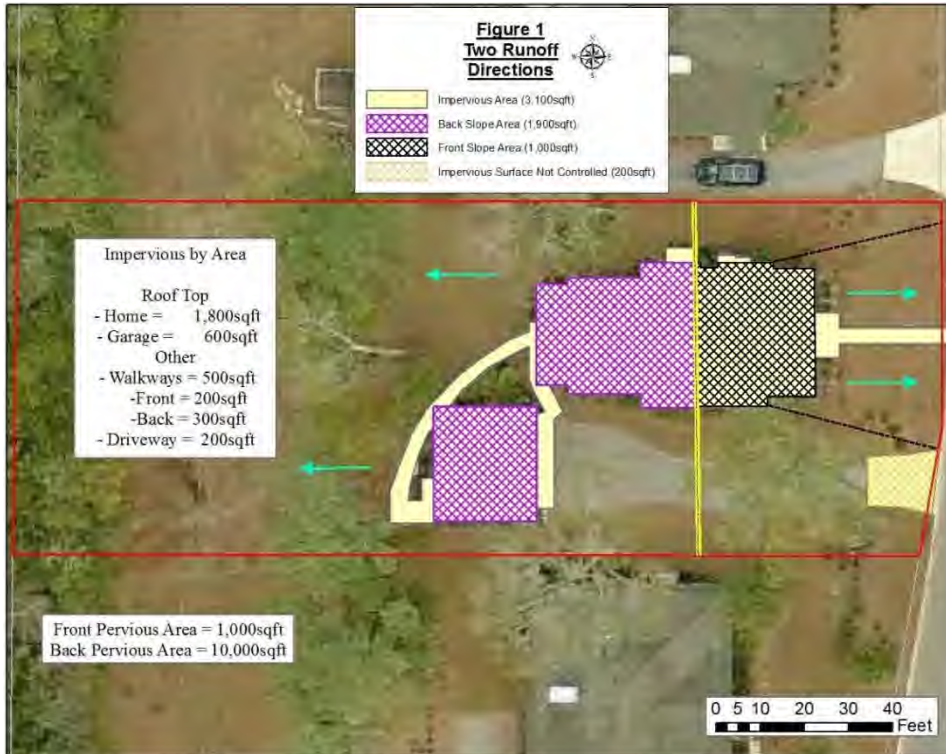


Figure 5-1
Example of a One-Direction Calculation for Disconnected Impervious Surface

This is a home on a 16,000 sq ft lot with about 2,500 sq ft of living space.

In this example, runoff from 1,000 sq ft of impervious surface flows towards the front of the house. It can be made to sheet flow over 1,000 sq ft of lawn (pervious surface). Therefore, on the worksheet or web program, enter 1,000 in impervious area and 1,000 in pervious area of the first direction.

The second direction is to the back of the home, and this 1,900 sq ft of rooftop and other impervious surface flow over 10,000 sq ft of lawn and forest area.

Therefore, enter in the second direction 1,900 sq ft in impervious area and 10,000 in pervious area.

In this example, there is 200 sq ft (paved portion of driveway) that cannot sheet flow over enough pervious area to receive a credit and would not be included in calculations

If storage and reuse/infiltration was used in the first step (say two 500 cisterns/tanks in front of house) then the unaddressed impervious surface would be computed by reducing the first direction impervious surface.

Therefore, the in first direction, enter 130 in impervious surface (reduced by 870 sq ft = 1000 gal/1.15 gal/sq ft) and still 1,000 in pervious surface. See program printout for this example (with storage) in Appendix E.3

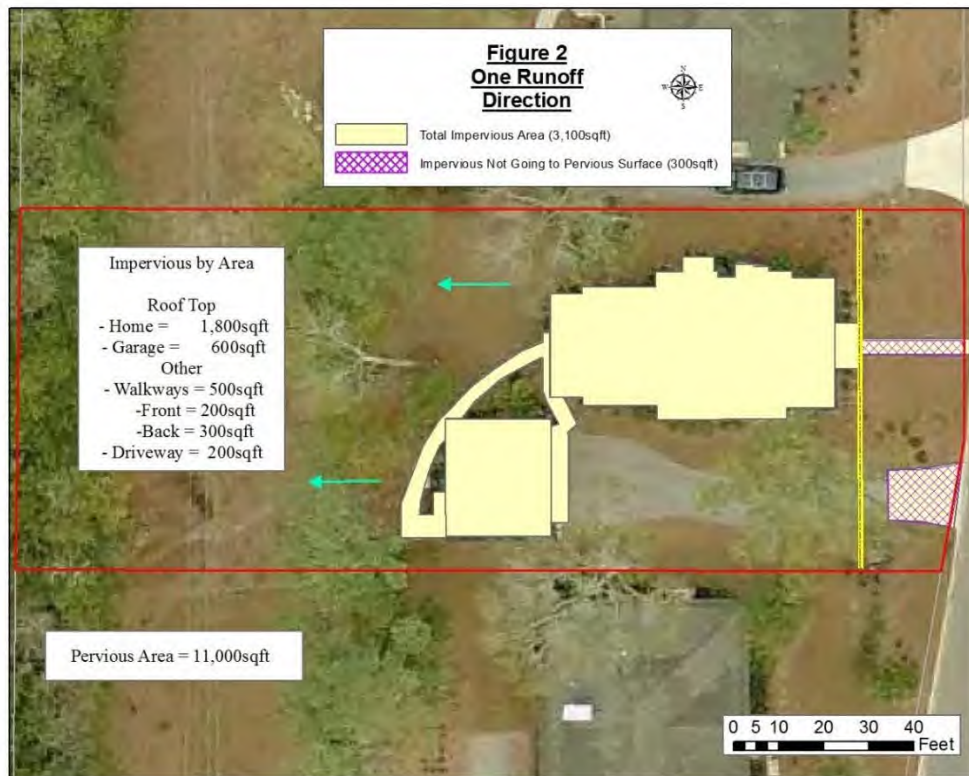


Figure 5-2
Example of a Two-Direction Calculation for Disconnected Impervious Surface


In this example, there would be 2,800 (3,100 to 300) sq ft of impervious surface sheet flowing over 11,000 sq ft of pervious surface out the back yard.

Therefore, enter 2,800 in the first impervious area and 11,000 in the pervious area. The second direction would have zero entered in both categories.

Again, if storage and reuse/infiltration was used, the impervious surface that included in the worksheet or web program would need to be reduced.

If, for example, two 500-gallon storage devices were used, the impervious surface needs to be reduced by 870 sq ft (1000 gal/1.15 gal/sq ft).

Therefore, enter 1,930 in first impervious area and 11,000 in pervious area. The second direction would have zero in both categories.

 BEAUFORT COUNTY -STORMWATER PERMIT APPLICATION-					
DATE ACCEPTED	RECEIVED BY	FILING FEE	RECEIPT#	PERMIT#	PIN#
PROJECT NAME:			PROJECT TYPE:		
PROJECT LOCATION:					
APPLICANT/DEVELOPER NAME, ADDRESS, PHONE#			PROPERTY OWNER NAME, ADDRESS, PHONE#		
EMAIL			EMAIL		
SWPPP PREPARER NAME, ADDRESS, PHONE#			CONTRACTOR NAME, ADDRESS, PHONE#		
EMAIL			EMAIL		
QUALIFIED INSPECTOR NAME, ADDRESS, PHONE#			ADDITIONAL INFORMATION:		
EMAIL					
SW01 (Single Family Home)					
<input type="checkbox"/> COPY OF TIER I STORMWATER POLLUTION PREVENTION PLAN (SWPPP) – (See Appendix D) <input type="checkbox"/> PLOT PLAN SHOWING, VICINITY MAP, NORTH ARROW, GRAPHIC SCALE, PROPOSED IMPROVEMENTS <input checked="" type="checkbox"/> SITE PLAN SHOWING EXISTING GRADES/CONTOURS/ELEVATIONS AND PROPOSED GRADES/CONTOURS/ELEVATIONS, WITH OFFSITE DISCHARGE POINTS IDENTIFIED <input checked="" type="checkbox"/> NATURAL RESOURCE INVENTORY SHOWING TREES, WETLANDS, DRAINAGE COURSES, AND BUFFERS <input checked="" type="checkbox"/> GRADING AND DRAINAGE CERTIFICATION <input type="checkbox"/> STEP II VOLUME CONTROL (See Section 5.3) (http://stormwaterworksheet.createandsolve.com) <input type="checkbox"/> APPLICATION FEE					
SW02 (Non Residential and Attached Residential)					
<input type="checkbox"/> COPY OF TIER II STORMWATER POLLUTION PREVENTION PLAN (SWPPP) <input type="checkbox"/> POST CONSTRUCTION STORMWATER PLAN CHECKLIST WITH LOCATION OF ALL ITEMS INDICATED. <input type="checkbox"/> SITE PLAN: VICINITY MAP, PROJECT LOCATION, NORTH ARROW, GRAPHIC SCALE, PROPOSED IMPROVEMENTS <input type="checkbox"/> CONSTRUCTION PLANS <input type="checkbox"/> DRAINAGE CALCULATIONS (See Section 5.3) <input type="checkbox"/> APPLICATION FEE					

Application Affidavit

The applicant acknowledges that application and issuance of the local Beaufort County Stormwater Permit does not preclude the need to obtain a NPDES permit from SC-DHEC per the South Carolina Erosion and Sediment Reduction act of 1983 as promulgated via 72-300, Standards for Stormwater Management and Sediment Reduction. Any change to the SWPPP associated with this permit as a result of permitting by DHEC renders this permit void until revised by the applicant to match the DHEC approved plan. The applicant further acknowledges the County may refuse to conduct inspections and may issue Notices of Violation, Stop Work Orders, and/or Civil Penalties for failure to comply with DHEC requirements.

Signature _____ Date _____



Residential Rain Garden Detail

DATE: 10/01/18
 SCALE: Not to Scale
 DRAWN BY: NRM
 REVISIONS: 10/10/18
 11/08/18
 11/26/18

RAIN GARDEN DETAIL

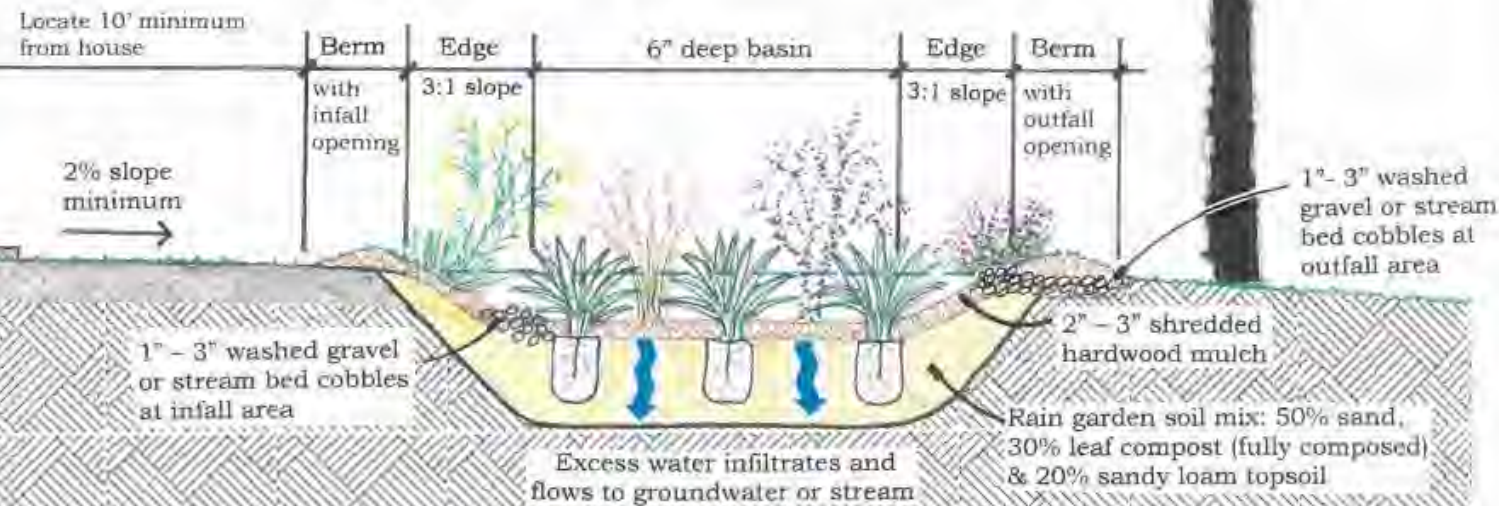
SAMPLE RAIN GARDEN PLANT SCHEDULE

BOTANICAL NAME	COMMON NAME	HEIGHT AT MATURITY	SPREAD AT MATURITY	SUNLIGHT NEEDED
PERENNIALS				
<i>Asclepias tuberosa</i>	Butterfly Weed	17" - 30"	12" - 18"	Full Sun/Part Shade
<i>Clematis vitalba</i>	Flowering Clematis	8" - 5'	2" - 3'	Full Sun/Part Shade
<i>Echinacea purpurea</i>	Purple Coneflower	3' - 4'	1' - 2'	Full Sun/Part Shade
<i>Hibiscus moscheutos</i>	Swamp Rose Mallow	8' - 6'	5' - 4'	Full Sun/Part Shade
<i>Impatiens</i>	Blue Flag iris	1' - 2'	6" - 12"	Part Shade/Full Sun
<i>Liatris spicata</i>	Blazing Star	1' - 2'	6" - 12"	Full Sun
<i>Phlox carolinensis</i>	Carolina Phlox	1' - 3'	6" - 18"	Full Sun/Part Shade
<i>Salvia lyrata</i>	Lyrical Sage	12"	12"	Full Sun/Part Shade
GRASSES AND GRASSES				
<i>Carex lasiocarpa</i>	Blue Woodland Sedge	12"	18" - 24"	Part Shade/Full Sun
<i>Dichromena latifolia</i>	Whiteweed Sedge	15"	36"	Full Sun/Part Shade
<i>Muhlenbergia filipes</i>	Muhly Grass	24" - 48"	12" - 24"	Full Sun
<i>Panicum virgatum</i>	Switch Grass	36" - 48"	12" - 24"	Full Sun/Part Shade
GROUNDCOVERS				
<i>Ajuga reptans</i>	Carpet Bugle	6"	6"	Full Sun/Part Shade
<i>Houstonia missouriensis</i>	Heartleaf	6" - 12"	6" - 12"	Part Shade/Full Sun
<i>Liriodendron tulipifera</i>	Liriodendron	10" - 15"	6" - 15"	Full Sun/Part Shade
<i>Lobelia sp.</i>	Blue Lobelia	12"	12"	Shade
<i>Phlox subulata</i>	Creeper Phlox	6"	6"	Full Sun/Part Shade



Please install one of the options listed below to direct rooftop rain water sheet flow to a rain garden:

1. rainfall is captured by gutters & downspouts to splash blocks which directs the sheet flow toward the rain garden (illustrated in the detail); OR,
2. carefully graded earth which directs the rain water sheet flow from the house toward the rain garden entrance; OR,
3. rainwater is diverted from the roof into gutters & downspouts to splash blocks which direct the sheet flow through a graveled swale to the rain garden entrance; OR,
4. rooftop rain water is collected in gutters and downspouts and funneled through underground piping which outfalls in the rain garden.



- Rain gardens should be located:
- between the source of all water runoff and its destination.
 - At least 10' from your house or building
 - At least 25' from a septic system
 - Within existing depressions
 - At the end of roof gutter/downspouts
 - In a sunny location, if possible
 - And have native perennials, ornamental grasses & groundcovers that are flood & drought tolerant, attracts wildlife and aesthetic

Residential Rain Garden Detail