

**BEAUFORT–PORT ROYAL
METROPOLITAN PLANNING COMMISSION
WORKSHOP AGENDA**

700 Paris Avenue, Port Royal, SC 29935

Phone: 843-986-2200 ~ Fax: 843-986-2210

Friday, June 25, 2021, 1:00 P.M.

Town Hall, Council Chambers – 700 Paris Avenue, Port Royal, SC

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

I. Review of Projects for the Town of Port Royal:

- a. Town of Port Royal – Text Amendment.** Amendments to the Planned Unit Development for The Port of Port Royal Tract, first adopted November 9, 2011, and amended July 2017. The tract is further described as 51.44 acres of highland and 265.91 acres of tidal marshes generally located along Battery Creek.

Note: If you have special needs due to a physical challenge, please call Julie Bachety at (843) 525-7011.

**BEAUFORT–PORT ROYAL
METROPOLITAN PLANNING COMMISSION
SPECIAL MEETING AGENDA**

700 Paris Avenue, Port Royal, SC 29935

Phone: 843-986-2200 ~ Fax: 843-986-2210

**Friday, June 25, 2021, Immediately Following the Workshop
Town Hall, Council Chambers – 700 Paris Avenue, Port Royal, SC**

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

- I. Call to Order**

- II. Pledge of Allegiance**

- III. Review of Projects for the Town of Port Royal:**
 - a. Town of Port Royal – Text Amendment.** Amendments to the Planned Unit Development for The Port of Port Royal Tract, first adopted November 9, 2011, and amended July 2017. The tract is further described as 51.44 acres of highland and 265.91 acres of tidal marshes generally located along Battery Creek.

- IV. Discussion**

- V. Adjournment**

Note: If you have special needs due to a physical challenge, please call Mike Wesson at (843) 986-2245.

ORDINANCE 2021 - _____

AN ORDINANCE TO FURTHER AMEND THE PLANNED UNIT DEVELOPMENT ENACTED BY ORDINANCE 2011-17 FOR THAT CERTAIN 317 ACRES MORE OR LESS BEING IN THE TOWN OF PORT ROYAL, SOUTH CAROLINA, GENERALLY LYING ALONG BATTERY CREEK AND DEPICTED IN THAT PLAT ENTITLED "PLAT OF 51.60 ACRES OF HIGHLAND AT SOUTH CAROLINA STATE PORTS AUTHORITY, PORT ROYAL TERMINAL" PREPARED BY THOMAS & HUTTON ENGINEERING CO DATED DECEMBER 20, 2006 AND RECORDED IN PLAT BOOK 0122 AT PAGES 0032-0035 ON OCTOBER 17, 2007, IN THE OFFICE OF THE BEAUFORT COUNTY REGISTER OF DEEDS, AS SUCH PLANNED UNIT DEVELOPMENT WAS SUBSEQUENTLY AMENDED BY ORDINANCE 2017-20, AND OTHER MATTERS RELATED THERETO.

WHEREAS, Grey Ghost Properties, LLC ("**GGP**") is the owner of certain real property located in the Town of Port Royal, South Carolina (the "**Town**") generally located along Battery Creek and consisting of approximately 51.44 acres of highland and 265.91 acres of tidal marshes (the "**Property**"), along with certain other parcels acquired by GGP since August 9, 2017 (the "**Additional Properties**"), such date being the last date the entitled "Planned Unit Development for SC SPA Port of Port Royal Tract" originally dated November 9, 2011 (the "**Original PUD**") was amended by Ordinance No. 2017-20 of the Town (as amended, the "**PUD**"); the Additional Properties are more particularly on Exhibit "A" attached hereto, with all of the current GGP holdings (the Property and the Additional Properties) being identified as the "**GGP Properties**" for purposes of this Ordinance; and

WHEREAS, Special K, LLC ("**SK LLC**"), is the owner of certain property containing the "dry stack storage" facility as more particularly described in the deed from GGP to SK LLC recorded in Book ____ at Page ____ in the Office of the Register of Deeds for Beaufort County, SC; and

WHEREAS, Progeny, LLC ("**Progeny**") is the owner of certain property adjacent to the dry stack storage facility as more particularly described in the deed from GGP to Progeny recorded in Book ____ at Page ____ in the Office of the Register of Deeds for Beaufort County, SC; and

WHEREAS, the Port Royal Redevelopment Group, LLC, a previous contract purchaser of Property proposed a rezoning of the Property to planned unit development status to regulate the development of the Property, the same encapsulated under the terms of the PUD; and

WHEREAS, the Property is subject to that certain "Seaport Redevelopment Plan" dated February 8, 2012 as approved by Ordinance No. 2011-23 dated February 8, 2012; and

WHEREAS, the Property was also made subject to and received the benefits of that certain Development Agreement between the Town and the South Carolina State Ports Authority dated February 14, 2013 (the "**Original Development Agreement**" and together with the Original PUD, the "**Governing Documents**"), as amended by a First Amendment to Development Agreement between the Town and GGP date August 9, 2017 (as amended, the "**Development Agreement**"); and

WHEREAS, due to the unexpected delay and passage of time between the execution of the Governing Documents, and other factors developing over time, certain amendments to the Governing Documents (as noted in the recitals above) were required to allow the development of the Property in a manner deemed necessary and appropriate by GGP and the Town in 2017 (the "**2017 Market Conditions**"); and

WHEREAS, among other matters, the 2017 Market Conditions necessitated amendments to extend the term and modify certain dates and conditions in the Governing Documents thereby enacting the Development Agreement and the PUD; and

WHEREAS, SH Marinas, LLC, (“**SH**”) has entered into a contract with GGP to purchase the GGP Properties, with SK LLC to purchase its property, and Progeny to purchase its property (collectively, all of these properties are the “**Affected Properties**”), and in its due diligence has determined that certain further adjustments to the PUD are necessary to effectively develop the Affected Properties to accommodate its plan for and schedule of development, taking into consideration certain changes to the 2017 Market Conditions;

WHEREAS, even in the absence of the sale of the Affected Properties as described in the foregoing recital, certain clarifications to the PUD are needed for the GGP Properties to be properly developed and reflect certain adjustments made by the Town and GGP by mutual agreement; and

WHEREAS, GGP, Progeny, SK LLC and SH are requesting the Town consider the within described amendments to the PUD; and

WHEREAS, the Joint Municipal Planning Commission (the “**Planning Commission**”) has reviewed the PUD amendment request and made recommendation to the Town Council of Port Royal, as the governing body of the Town (the “**Town Council**”) to approve such amendments; and

WHEREAS, the Town Council finds it in the best interest of the citizens and the Town to further amend the PUD and to amend the regulating plan incorporated with the PUD to reflect such changes.

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Port Royal, South Carolina, as follows:

Section 1. Recitals. Each finding or statement of fact set forth in the recitals hereto has been carefully examined and has been found to be in all respects true and correct.

Section 2. Amendments to the PUD. In keeping with the recitals above, the requests of GGP, SK LLC and Progeny and consistent with the recommendations of the Planning Commission, the PUD shall be further amended as follows:

A. **Section 3.3 Permitted Land Uses**, is amended by revising “**Table 2.0 Permitted Land Use Matrix**” as follows:

(i) adding as an allowable use for “*Boat Repair and Garage*” in Planning Districts PV2, and

(ii) the “Land Use” for “*Boat Storage and Recreation vehicle storage*” is amended and restated as “*Boat Storage*”; however, except as amended or modified herein, the usages previously permitted for “*Boat Storage and Recreation vehicle storage*” shall remain the same for “*Boat Storage*”;

(iii) adding as an allowable use for “*Boat Storage*” in Planning Districts PV1 and PV6;

(iv) by deleting as an allowable use “*Boat Storage*” in Planning District MV; and

(v) adding as an allowable use for “*Marina*” in Planning Districts PV2.

B. Section 3.3.1. Drystack Facility [sic], shall be amended and restated in its entirety, as follows .

Section 3.3.1. Dry Stack Facility

Notwithstanding anything in this PUD to the contrary, dry stack use shall cease if, by no later than August 31, 2022, the dry stack building has not been aesthetically improved and upgraded in a manner agreeable to the Town in conformance with the general concept plan for landscaping and architectural improvement submitted to the Town for approval attached as Exhibit “J-2” hereto (which is the same “Exhibit J-2” from the 2017 PUD amendment). A sum, in an amount not less than \$30,000 but no more than \$100,000, shall be expended by the Developer within the time limit described in the prior sentence to accomplish the required aesthetic improvements. However, nothing herein shall prohibit the Developer from spending in excess of \$100,000 if acting within the parameters of the general concept plan.

Provided further, if the use of the building as a dry stack facility is ever abandoned, then such use shall no longer be permitted and cannot be re-established in said building. For purposes of this subsection, “abandoned” shall mean the failure to (i) complete the aesthetic improvements by December 31, 2022 as provided above, or (ii) operate the dry stack facility in the building for a period of three consecutive months or for a period of six months over a period of twelve (12) consecutive months, provided, however (and excepting the definitive deadline for completion of the aesthetic improvements under (i) above), that if such non-use is due to damage as a result of a fire, natural disaster, or other unforeseen and unpreventable accident or occurrence, reconstruction and re-establishment of this use will be allowed, provided reconstruction begins within the latter of a twelve month period after the damage is suffered, or four months after any insurance claims regarding payment for the casualty loss or settled. Neither shall this “abandonment” provision be triggered by any closure necessary to accommodate normal maintenance or construction time.

Further, to the extent Table 2.0 of the PUD characterizes dry stack storage as “Boat Storage”, said chart is amended to allow the dry stack in the area in which it is located. Future dry stack storage shall only be allowed in the PV1 and PV2 districts. Additionally, future dry stack storage shall additionally be permitted in the PV6 district south of Sands Beach Road.

C. Section 3.4.A Overall Redevelopment Plan, is amended by deleting “Upland Density” in its entirety and permitting the following modifications as follows:

Total Dwelling Units: 575 units

Total Non-Residential Land Use: There shall be no square foot limitation; site design requirements will dictate the

allowable square footage on each particular site.

D. **Section 3.4.A Overall Redevelopment Plan – 1. Dwelling Units**, is by the following modifications to read as follows:

Single Family Detached, Single Family Attached, and Multifamily	575 DU's
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E. **Section 3.4 Master Development Summary – A. Overall Redevelopment Plan – 2. Non-Residential Land Uses**, is by the following modifications to read as follows:

Commercial, Retail, Office, Light Industrial, Hotel (Inn and/or Condo Hotel)	No square footage limit; site design will restrict size
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F. **Section 3.4 Master Development Summary – A. Overall Redevelopment Plan – 3. Marina**, is amended and restated as follows:

Boat Slips (with 15 slips to be provided for public use)	+/- 300 Slip Marina
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G. **Section 3.4 Master Development Summary – A. Overall Redevelopment Plan – 5. Dwelling Unit Conversions**, is deleted and removed in its entirety:

H. **Section 3.5.5 Open Space (OS) Development Standards, Subsection (d)** shall be amended and restated in its entirety, as follows:

Subject to written confirmation and certification by the Town and the Master Developer as to funding and an allocation of expenses therefor, the construction and transfer contemplated by subparts (a) and (b) of this Section shall be completed within three years of September 1, 2021. If such construction and transfer is not completed within this timeframe, the Town, at its election, may revoke outstanding permits applicable to the property subject to this PUD and/or refuse to process any permit, development or subdivision applications for the property subject to this PUD until such time as arrangements satisfactory to the Town have been made to assure the completion of construction and consummation of the transfers.

I. **Section 3.5.6 Commercial and Residential Conversions** shall be amended to delete the second to last sentence of paragraph two, such that the sentence described below shall be removed:

“Notwithstanding the foregoing, residential density is capped at a maximum of 10 units per acre averaged within the PUD and commercial density will be a minimum of 130,000 square feet within the PUD.”

J. **Section 4.3.1 – Criteria for Creation of a Marina - a. General Standards - Subsection iv**, shall be amended and restated in its entirety, as follows:

If the dry stack marina building is not improved aesthetically or financial security provided within the time frame provided in Section 3.3.1, or if its use is subsequently abandoned as defined in such Section, the building will be removed.

K. **Section 5.2 Subdivision Plats, Site Plans, Architecture and Street Section Review**, is amended by adding new subsection **5.2.5 Garages in the Bluff Neighborhood**, as follows:

In the Bluff Neighborhood, on properties oriented to the water, garages and car ports shall not be required to be located at the rear of the residence.

L. **Section 5.3.2 Bluff Neighborhood Standards**, is amended by adding new subsection “d”, as follows:

d. *Pools and Clubhouses.* Community pools and clubhouses, and structures customarily appurtenant to such uses, as anticipated development amenities, are considered private Community Recreation facilities under this PUD; to the extent constructed; such facilities shall not be considered Civic Open Space or community open space under this PUD.

M. **Section 5.3.3 Marina Village Standards**, is amended by adding a new subsection “c”, as follows:

c. *Pools and Clubhouses.* Community pools and clubhouses, and structures customarily appurtenant to such uses, as anticipated development amenities, are considered private Community Recreation facilities under this PUD; to the extent constructed; such facilities shall not be considered Civic Open Space or community open space under this PUD.

N. **Section 5.3.4.b Port Village Standards**, is amended and restated in its entirety as follows:

A deeded waterfront public walkway/promenade shall extend from the Marina Village to the London Avenue Park and connect to the Sands beach area access boardwalk in the area as finally determined by mutual agreement of the Town and the Master Developer to accommodate safety issues arising from the path of the dry stack boat storage equipment path in the area near the dry stack building and operational area, and the possible swap of the location of the London Avenue Park.

O. **Section 6.2 Defined Terms, Subsection 55 - Master Developer**, is amended and restated to read, as follows:

Master Developer. Grey Ghost Properties, LLC, or a successor or assignee thereof that is approved in writing by the Town. Notwithstanding the foregoing, in the event that Grey Ghost Properties, LLC successfully sells all of its development interests to SH Marinas, LLC, then such transfer shall be deemed preauthorized under the terms of this amendment such that no further approval of the Town shall be required.

P. The official zoning map of the PUD is amended to change the area of the London Park from Civic Open Space to PV6 as shown on Exhibit K attached hereto.

Section 3. This ordinance shall become effective upon enactment of this Ordinance by Town Council., unless the effective date and/or these conditions are modified by Town Council by way of a duly adopted ordinance authorizing such extension.

Section 4. All ordinances, resolutions or parts of any ordinances or resolutions inconsistent or in conflict with the provisions of this Ordinance are hereby repealed to the extent of the conflict or inconsistency.

Section 5. If any one or more of the provisions of this Ordinance should be contrary to law, then such provision shall be deemed severable from the remaining provisions, and shall in no way affect the validity of the other provisions of this Ordinance.

DONE, RATIFIED AND ENACTED THIS __ day of _____ 2021.

Town of Port Royal, South Carolina

Mayor

Attest:

Clerk, Town of Port Royal, South Carolina

First Reading: June 14, 2021
Second Reading: _____, 2021

EXHIBIT K

Official Zoning Map

PLANNED UNIT DEVELOPMENT

for

Port of Port Royal Tract

PLANNED UNIT DEVELOPMENT &
REGULATING PLAN
Port Royal, South Carolina

Prepared for:
GREY GHOST PROPERTIES, LLC

Submitted to:
TOWN OF PORT ROYAL
Port Royal, South Carolina

AUGUST 9, 2017 AMENDMENTS

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PLANNED UNIT DEVELOPMENT SC SPA PORT OF PORT ROYAL TRACT

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Exhibit D-3	July 2017 Phase I
Exhibit E	Port Royal Regulating Plan
Exhibit F	Chapter 22 – Town of Port Royal Code of Ordinances
Exhibit G	Chapter 15.5 Art. II – Town of Port Royal Code of Ordinances
Exhibit H	Chapter 17.5 – Town of Port Royal Code of Ordinances
Exhibit I	Street and Pedestrian Waterfront Boardwalk/Promenade/Trail Sections
Exhibit J	Landscaping and Architectural Drystack Improvements

ARTICLE 1.0 Introduction and Background

Sec. 1.1 Description of Property

The Port Royal Tract is the existing South Carolina State Ports Authority Port of Port Royal property totaling approximately 317 acres located at the end of Paris Avenue and bordered by Battery Creek to the south, the "Sands" to the East, Ribaut Road (HWY 802) to the north and west, and the South Carolina Rail Road Easement to the north and east with tracts of property beyond the easement as seen in Exhibit A.

Sec. 1.2 Principles of the PUD

Redevelopment of the Port of Port Royal property represents an opportunity to redefine a major connection to the water within the Town of Port Royal and Beaufort County. The Planned Unit Development (PUD) designation will allow for development that introduces design principles from traditional neighborhood design practice, the State of South Carolina State Ports Authority *Redevelopment Study* by Wood+Partners Inc. dated September 2006, the Town of Port Royal's *A New Vision for the Port* study by Design Collective, Inc. dated July 2004, and the Traditional Town Overlay District within the Town of Port Royal Code of Ordinances. These documents defined a vision for preserving and extending the Town's traditional character into the Port site through promoting a mix of land uses and residential types to support a variety of choices in lifestyles and needs of the citizens of Port Royal.

The purpose of the Port of Port Royal Tract PUD is to provide a process to evaluate and allow for the redevelopment opportunity within the Town of Port Royal. The governing documents of the PUD in order of precedence shall be the Development Agreement, the PUD text (this text), the Regulating Plan (Exhibit E 2017 Amendment) and the Town of Port Royal Code of Ordinances at the time of adoption of the PUD. The standards and procedures of this PUD are intended to promote flexibility in design and allow planned diversification, while at the same time providing the Town of Port Royal with limitations and regulations deemed necessary to protect the health, safety and welfare of its citizens.

Sec. 1.3 Environmental Assessment & Protection

As part of the redevelopment study of the property, a phase I Environmental Site Assessment (ESA) was undertaken. The letter (Exhibit D) and subsequent report dated April 27, 2005 from S&ME listed recognized environmental conditions. Based on the conclusions from the Phase I ESA, a preliminary Phase II ESA was conducted and is attached as Exhibit D-1. From the results of the preliminary Phase II ESA, SDHEC requested a follow-up Phase II ESA be conducted at the Seafood Processing Facility and is seen in Exhibit D-2. No further assessments were deemed necessary

The Port Royal Tract includes approximately 266 acres of critical area wetlands abutting Battery Creek. The wetlands boundary has been surveyed and submitted to the U.S. Army Corps of Engineers for certification and is included as Exhibit C.

Sec. 1.4 Water and Sewer Service

Preliminary discussions with Beaufort Jasper Water and Sewer Authority (BJWSA) indicate a willingness to serve (Exhibit B) the property. Planning for the water and sewer systems will commence at the time of the Development Agreement and Planned Unit Development approval by the Town of Port Royal.

Sec. 1.5 Utility Services

Preliminary Discussions with South Carolina Electric and Gas (SCE&G) indicate a willingness to provide electrical power and gas to the property (Exhibit B).

Sec. 1.6 Storm Water Management

The Port Royal Tract PUD shall conform to all of the current and future Storm Water Management Provisions of the Town of Port Royal, and all applicable state and federal requirements.

Sec. 1.7 Transportation Network

The vehicular access point locations shown on the Regulating Plan are preliminary and may be adjusted prior to final development tract master plan(s) approval. Planning, design and construction of these accesses, as well as roadways and transportation elements, shall be in accordance with SCDOT standards, Town of Port Royal Ordinances, and PUD standards. Typical road sections shall be submitted for review prior to final tract master plan(s) approval.

Notwithstanding other provisions of this document and subject to approval by the Town of Port Royal, roadway design standards may be modified to reduce environmental impacts and increase tree preservation provided safety concerns are not compromised. Preservation of street vistas to the waterfront is encouraged wherever possible. Within the road right-of-way and/or easements, sidewalks and connections to the waterfront shall be required to provide many opportunities to connect to the public waterfront. Roadway widths and right-of-way widths narrower than allowed by Town Code may occur to achieve traditional neighborhood design principles and shall be submitted to the Port Redevelopment Design Review Staff (PRDRS) for review and approval.

Sec. 1.8 Deeded Open Spaces and Access

Unless otherwise mentioned, all public walkways, access, sidewalks, roads and parks shall be conveyed to the Town of Port Royal at the time of substantial completion of each element.

Sec. 1.9 Restricted Access Communities

The Master Developer and/or its successors in title shall not be allowed to create restricted access communities within the Property.

ARTICLE 2.0 General Provisions

Sec. 2.1 Unified Control

Grey Ghost Properties, LLC, the applicant for this amended PUD, shall also be the Master Developer. The Master Developer shall furnish the Town Attorney with sufficient evidence that it is in complete, unified, and otherwise unencumbered control of the entire area of the proposed PUD whether the Master Developer is an individual, partnership, corporation, other entity, group or agency. The Master Developer shall provide all the necessary documents and information that may be required by the Town Attorney to assure the Port Royal Town Council that the public infrastructure improvements for each phase of development submitted for approval will be lawfully completed or bonded according to the plan sought to be approved. No development application within that phase (except as regards the drystack storage, see Section 3.3.1) shall be approved until compliance with this requirement has been achieved.

Sec. 2.2 Phasing

Each phase of the development shall be so planned and related to the previous development, surrounding property, and availability of public facilities and services so that a failure to proceed with subsequent phases of the development will have no adverse impact on the completed phase(s) or surrounding properties.

Sec. 2.3 Variances to the Approved Regulating Plan

Because the general development standards of the PUD are contained in the approved Regulating Plan, and because the Regulating Plan normally takes into account those matters that might otherwise be the subject of variance review by the Zoning Board of Adjustment and Appeals (ZBA), modifications (major changes) to the approved general development standards, with the exception of non-substantial modifications (minor changes) as identified in Sec. 2.5.2, shall not be allowed. Such variances, or major changes, shall follow the procedures set forth in Chapter 22 Article IX of the Town of Port Royal Zoning Ordinances.

Sec. 2.4 Administration

Interpretation of the standards of the PUD shall be the responsibility of the Town. Town shall engage the services of qualified design professionals, including, but not limited to, an architect, and an engineer, for the purpose of reviewing plans for compliance with the standards of the PUD. These design professionals along with the Town's planner and building codes staff will comprise the Port Redevelopment Design Review Staff (PRDRS). Appeals to decisions of PRDRS will go to the Town of Port Royal's Traditional Overlay Design Review Board.

Sec. 2.5 Modifications to Approved Regulating Plan

Whenever an application is made to modify the approved Regulating Plan, the modification shall be classified as either a substantial or non-substantial modification. See also Section XV, *Modification of Agreement*, of the First Amendment to Development Agreement being adopted contemporaneously by Ordinance 2017-19.

2.5.1 Substantial Modification (Major Changes). Substantial modifications require approval of the Town Council. Notification of such modification shall follow the notification procedure in Section 22-203 of the Town of Port Royal Zoning Ordinances. The Planning Commission shall make a recommendation to the Town Council.

The following criteria shall be used to identify a substantial modification:

- a. A change that would alter an approved land use classification except when there is a reduction in density, intensity, or a conversion as allowed within this PUD.
- b. A change which would include a use not previously permitted.
- c. A change that would require an amendment to the PUD conditions approved by the Town Council.
- d. A change to the phasing, if adopted, that would propose a land use in advance of the development it was designed to support.
- e. Zoning District Boundaries provided that the allowed base densities and conversions are not exceeded.

2.5.2 Non-substantial Modification (Minor Changes). Non-substantial amendments to district and community development standards approved for the PUD may be allowed. Specified staff is authorized to approve the following modifications:

- a. Location of roadways and access points and the Pedestrian Waterfront Boardwalk/Promenade/Trail provided there is no reduction in public access. Responsible Staff: PRDRS.
- b. Conversion of Land-Uses as outlined below and density exchange between zoning districts provided that density within the district is not exceeded. Responsible Staff: PRDRS.

Sec. 2.6 General Provisions

2.6.1 Introduction. Within the PUD, five zoning districts have been established. Each district corresponds to a land use classification which has been assigned to various tracts within the approved PUD Regulating Plan (Exhibit E 2017 Amendment). Each zoning district has designated land uses and development standards (Article 3.0) which are based on the intended character of each district. In addition to those land uses and standards, development shall comply with general community development requirements and standards in Article 5.0. Refer to Table 1.0 for Zoning Districts.

2.6.2 Master Plans. Once the PUD has been approved by the Port Royal Town Council, a developer of a tract or tracts within the PUD shall be required to submit a Master Plan for approval by the Planning Staff prior to submission of a subdivision plat or a site development plan. Subsequent subdivision of land and site development plans will be reviewed by applicable departments, commissions, and agencies.

Master Plan submittal for the tract(s) shall contain the following:

- a. Zoning district classification.
- b. Total tract acreage.
- c. Number of proposed residential dwelling units and gross upland density, if applicable.
- d. Plan illustrating single family detached lots and building footprints for attached residential, multifamily residential and non-residential land-uses.

- e. Proposed non-residential square footages and land uses.
- f. Buffers and setbacks. Curb cut locations on primary roads, internal road systems (if applicable), and connectivity to adjacent tracts (if applicable).
- g. Sidewalks, boardwalks and pathways, and public access easements, including widths.
- h. Phasing for the development of the tract.
- i. Any development condition(s) that may be part of a development order and/or design directives.
- j. Open space, including identification of passive and active recreational areas, pedestrian access ways, easements, storm water drainage ponds and wetland areas.
- k. A Concept Master Plan for storm water, water and sewer, site lighting and landscape areas shall also be submitted. A traffic study for the tract shall be required if requested by the PRDRS.
- m. A disclosure of the applicant's conversion rights assigned by the Master Developer.

Sec. 2.7 Enforcement

See Chapter 22 Article VII of the Zoning Ordinance in the event that there are discrepancies.

ARTICLE 3.0 Zoning Districts

Sec. 3.1 Establishment of Districts

The following zoning districts are hereby established. Each district corresponds to land use classifications and encompass specified tracts of land as shown on the approved Regulating Plan (Exhibit E 2017 Amendment). Each district has designated and allowed land uses (Sec. 3.3) and development standards (Sec. 3.5), which are based upon the character of each development area.

Table 1.0 Zoning Districts

Zoning District Names	Zoning District	Land Use Classification	Tracts Encompassed
Ribaut Village	RV	Residential Mixed Use Village	RV
Bluff Neighborhood	BN	Residential Mixed Use	BN
Marina Village	MV	Marina Mixed Use Village	MV
Port Village	PV	Hotel Mixed Use Village	PV-1 through PV-6
Civic Open Space	COS	Civic Open Space	COS

Sec. 3.2 Measurement of Standards

All measurements in this section shall be computed as follows.

3.2.1 Area

Area shall be measured in gross square feet and/or acres.

3.2.2 Setbacks and Yards

All setbacks and yards shall be measured from the property line, unless otherwise identified herein, and are development setbacks.

3.2.3 Density

Density shall be measured in gross upland acres minus critical area wetlands. Upland and fresh water wetland areas (if applicable) shall be included in the gross upland acre density calculations.

3.2.4 Non-Residential Land Uses

The areas of non-residential land uses shall be calculated as the gross floor area of the first floor.

Sec. 3.3 Permitted Land Uses

Land uses permitted within each zoning district are located Table 2.0. A use permitted as a matter of right is identified with the symbol "●". Where there is no symbol, the use is not permitted. If a use has development conditions, the section where the conditions are located is also provided within the table. Use definitions are located in Article 6.0.

Table 2.0 Permitted Land Use Matrix

Key: Ribaut Village = **RV**; Bluff Neighborhood Residential Tract = **BN**; Marina Mixed Use Village = **MV**; Port Hotel Mixed Use Village = **PV1** through **PV6**; Civic Open Space = **COS**; ● = Permitted land use within district.

Land Use	Planning Districts										Use Standards
	RV	BN	MV	PV1	PV2	PV3	PV4	PV5	PV6	COS	
Accessory Dwelling	●	●	●	●	●	●	●	●	●	●	4.2
Accessory Structure	●	●	●	●	●	●	●	●	●	●	
Accessory Use	●	●	●	●	●	●	●	●	●	●	
Amusement or Recreation Activities - Carried on Wholly in a Bldg.	●		●	●	●	●	●	●	●		
Animal Hospital, Veterinary Clinic, Grooming (No Boarding)	●		●	●	●	●	●	●	●		
Antique Shops	●	●	●	●	●	●	●	●	●		
Artist Studio and/or Gallery	●	●	●	●	●	●	●	●	●		
Assisted Living (Care Home)	●			●	●	●	●	●	●		
Auto Parking Lot or Garage (No Gas, Hourly & Daily)	●		●	●	●	●	●	●	●		
Auto Parking Lot or Garage (Gas, Hourly & Daily)	●		●	●	●	●	●	●	●		
Auto Service Station (minor repairs allowed)	●										
Banks	●		●	●	●	●	●	●	●		
Bicycle Shop & Sporting Goods	●	●	●	●	●	●	●	●	●		
Bed and Breakfast	●		●	●	●	●	●	●	●		
Book and/or Stationary Store	●	●	●	●	●	●	●	●	●		
Boat Repair and Garage	●			●	●				●		
Boat storage and Recreation vehicle storage	●		●	●	●	●	●	●	●		
Ceramic Studio and/or Shop	●		●	●	●	●	●	●	●		
Child Care Center	●		●	●	●	●	●	●	●		
Clothing Stores and Dry Goods	●		●	●	●	●	●	●	●		
Churches and Places of Worship	●		●	●	●	●	●	●	●		
Club or Lodge	●	●	●	●	●	●	●	●	●		
Community Recreation	●	●	●	●	●	●	●	●	●	●	
Convenience Store	●		●	●	●	●	●	●	●		
Craft Shops	●		●	●	●	●	●	●	●		
Cruise Ship			●	●							
Dwelling, Multi-Family	●	●	●	●	●	●	●	●	●		
Dwelling, Single Family Detached (excludes mobile homes)	●	●	●	●	●	●	●	●	●		
Dwelling, Single Family Attached	●	●	●	●	●	●	●	●	●		
Eleemosynary or Philanthropic Institutions	●		●	●	●	●	●	●	●		
Electronic Sales and Service	●		●	●	●	●	●	●	●		
Florist Shops	●	●	●	●	●	●	●	●	●		
Food Stores & Drug Stores	●		●	●	●	●	●	●	●		
Funeral Homes	●			●	●	●	●	●	●		
Golf cart Rental / Sales	●		●	●	●	●	●	●	●		
Grocery, Bakery, Pastry Shop, Coffee Shop, & Similar Neighborhood Facilities	●	●	●	●	●	●	●	●	●		
Hobby and Toy stores	●	●	●	●	●	●	●	●	●		
Home Furnishing and/or Hardware Stores	●	●	●	●	●	●	●	●	●		
Home-based Business	●	●	●	●	●	●	●	●	●		
Hospital & Care Homes				●	●	●	●	●	●		
Hotel, Motel	●		●	●	●	●	●	●	●		3.5.4 c.
Inn (up to 15 Rooms)	●	●	●	●	●	●	●	●	●		
Interior Decorating Business	●		●	●	●	●	●	●	●		
Jewelry Stores	●		●	●	●	●	●	●	●		
Laundromats / Dry Cleaning	●		●	●	●	●	●	●	●		
Leather Goods and Luggage Shops	●		●	●	●	●	●	●	●		
Light Industry (Boat Building, Woodworking, Assembly, Etc.)	●		●	●	●	●	●	●	●		
Limited Use Retail Shop	●	●	●	●	●	●	●	●	●		
Model Homes/Sales Center	●	●	●	●	●	●	●	●	●		
Marina			●	●	●	●	●	●	●		
Marine Store and Fishing Supply Store	●		●	●	●	●	●	●	●		
Music Store	●		●	●	●	●	●	●	●		
Museum and Library	●	●	●	●	●	●	●	●	●	●	limited 3.5.5 a.
Neighborhood Commercial Use Retail & Service	●	●	●	●	●	●	●	●	●		
Newsstand	●	●	●	●	●	●	●	●	●		
Office General	●		●	●	●	●	●	●	●		
Office Medical	●		●	●	●	●	●	●	●		
Office Professional	●		●	●	●	●	●	●	●		
Photography Stores and Studios	●		●	●	●	●	●	●	●		
Post Office	●	●	●	●	●	●	●	●	●		
Public Use	●	●	●	●	●	●	●	●	●	●	
Public Utilities	●	●	●	●	●	●	●	●	●	●	
Public Parking	●	●	●	●	●	●	●	●	●	●	
Salon and Health Spa	●	●	●	●	●	●	●	●	●		

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Table 2.0 Permitted Land Use Matrix (Continued)

Key: Ribaut Village = RV; Bluff Neighborhood Residential Tract = BN; Marina Mixed Use Village = MV; Port Hotel Mixed Use Village = PV1 through PV6; Civic Open Space = COS; ● = Permitted land use within district.

Land Use	Planning Districts										Use Standards
	RV	BN	MV	PV1	PV2	PV3	PV4	PV5	PV6	COS	
School and Institution											
Seafood Processing	●		●	●	●	●	●	●	●		
Restaurants (Alcohol Service Allowed)	●	●	●	●	●	●	●	●	●		
Tailor Shop	●		●	●	●	●	●	●	●		
Temporary Uses	●	●	●	●	●	●	●	●	●	●	
Theater (other than Drive-in)	●		●	●	●	●	●	●	●		
Travel Agency	●		●	●	●	●	●	●	●		
Tour Boat or Ferry			●	●							
Wireless Communication Towers and Facilities	●		●	●	●	●	●	●	●	●	4.1

Sec. 3.3.1 Drystack Facility

Notwithstanding anything in this PUD to the contrary, no drystack use is permitted in the building on the Property that formerly housed this use unless, within five (5) years from September 1, 2017, such use has re-commenced within said building; provided, however, such use shall cease if, within five (years) from September 1, 2017, the building has not been aesthetically improved in a manner that adheres to the general concept plan for landscaping and architectural improvement submitted to the Town for approval as Exhibit "J"; and provided further, if the use of the building as a drystack facility is ever abandoned, then such use shall no longer be permitted and cannot be re-established in said building. For purposes of this subsection, "abandoned" shall mean the failure to operate the drystack facility in the building for a period of three consecutive months or for a period of six months over a period of twelve (12) consecutive months, provided, however, that if such non use is due to damage as a result of a fire, natural disaster, or other unforeseen and unpreventable accident or occurrence, reconstruction and re-establishment of this use will be allowed, provided reconstruction begins within the latter of a twelve month period after the damage is suffered. Or four months after any insurance claims regarding payment for the casualty loss or settled. Neither shall this "abandonment" provision be triggered by any closure necessary to accommodate normal maintenance or construction time. Further, to the extent Table 2.0 of the PUD characterizes drystack storage as Boat Storage and Recreational Vehicle Storage, said table is amended to allow existing drystack storage, as authorized, in the area in which it is located; future drystack storage shall only be allowed in the PV2 and MV Districts.

Notwithstanding anything in this PUD to the contrary, dry stack use shall cease if, by no later than August 31, 2022, the dry stack building has not been aesthetically improved and upgraded in a manner agreeable to the Town in conformance with the general concept plan for landscaping and architectural improvement submitted to the Town for approval attached as Exhibit "J-2" hereto (which is the same "Exhibit J-2" from the 2017 PUD amendment). A sum, in an amount not less than \$30,000 but no more than \$100,000, shall be expended by the Developer within the time limit described in the prior sentence to accomplish the required aesthetic improvements. However, nothing herein shall prohibit the Developer from spending in excess of \$100,000 if acting within the parameters of the general concept plan.

Provided further, if the use of the building as a dry stack facility is ever abandoned, then such use shall no longer be permitted and cannot be re-established in said building. For purposes of this subsection, "abandoned" shall mean the failure to (i) complete the aesthetic improvements by December 31, 2022 as provided above, or

(ii) operate the dry stack facility in the building for a period of three consecutive months or for a period of six months over a period of twelve (12) consecutive months, provided, however (and excepting the definitive deadline for completion of the aesthetic improvements under (i) above), that if such non-use is due to damage as a result of a fire, natural disaster, or other unforeseen and unpreventable accident or occurrence, reconstruction and re-establishment of this use will be allowed, provided reconstruction begins within the latter of a twelve month period after the damage is suffered, or four months after any insurance claims regarding payment for the casualty loss or settled. Neither shall this "abandonment" provision be triggered by any closure necessary to accommodate normal maintenance or construction time.

Further, to the extent Table 2.0 of the PUD characterizes dry stack storage as "Boat Storage", said chart is amended to allow the dry stack in the area in which it is located. Future dry stack storage shall only be allowed in the PV1 and PV2 districts. Additionally, future dry stack storage shall additionally be permitted in the PV6 district south of Sands Beach Road.

Sec. 3.4 Master Development Summary

A. Overall Redevelopment Plan

Total Acreage: 317.51 Ac of Upland and Marsh Area
51.60 Ac of Upland
265.91 Ac of Marsh Area

Total Dwelling Units: ~~+/- 425 DU's~~ **575 units**

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~~Upland Density: 8.20 DU/AC~~

Total Dedicated Civic Open Space: +/- 10.8 AC

Pedestrian Waterfront Boardwalk/Promenade/Trail +/- 2.9 AC

Additional Open Space at 5%: +/- 2.04 AC

Total Non-Residential Land Use: ~~+/- 250,000 SF~~

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~~-(Includes 130,000 SF of existing space)~~ **There shall be no square foot limitation: site design requirements will dictate the allowable square footage on each particular site.**

1. Dwelling Units:

Each PUD zoning district must contain a minimum of at least two of the following residential building types: single-family detached, single-family attached, or multi-family. In each PUD zoning district, except Ribaut Village (RV), no single residential building type shall exceed 85% of the residential building types in the district.

Single Family Detached, Single Family Attached and Multifamily ~~+/- 425 DU's~~ **575 DU's**

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2. Non-Residential Land Uses:

Commercial, Retail, Office, Light Industrial,

Hotel (Inn and/or Condo Hotel) ~~+/- 250,000 SF~~ No
square footage limit; site design will restrict size

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3. Marina:
Boat Slips ~~+/- 225~~ 300 Slip Marina
(with ~~10~~ 15 slips to be provided for public use)
Large vessel portage dock adjacent to hotel +/-600 LF
Existing Pier +/-600 Existing LF
(existing dock at end of London Ave may remain)

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4. Parks and Open Space:

Paris Avenue Civic Open Space +/-1.0 AC
London Avenue Civic Open Space or
London Avenue-7th Street Marshfront Park +/- 9.8 AC
Pedestrian Waterfront Boardwalk/Promenade/Trail +/- 2.9 AC
Plus Additional Pedestrian Easements, Landscape
Areas and Open Spaces at 5% of Remaining
Upland Area at +/- 2.04 AC

~~5. Dwelling Unit Conversions:~~

~~Total dwelling units and upland densities listed in this development summary, and subsequent sections, establish the base densities from which land use conversions will be applied as outlined in Article 3.5.6. Notwithstanding conversion, residential density is capped at a maximum of 10 units per acre averaged within the PUD. Commercial density will be a minimum of 130,000 square feet within the PUD.~~

B. Ribaut Neighborhood

Total Upland Acreage: +/- 3.66 AC

1. Land Use:
See Table 2.0 Permitted Land Use Matrix for permitted land uses.
2. Parks and Open Space:
Plus Additional Pedestrian Easements, Landscape Areas and Open Spaces at
5% of Remaining Upland Area at +/-0.18 AC

C. Bluff Neighborhood

Total Upland Acreage: +/- 15.50 Ac

1. Land Use:
See Table 2.0 Permitted Land Use Matrix for permitted land uses.
2. Parks and Open Space:
Pedestrian Easements, Landscape Areas and Open Spaces at 5% of Remaining
Upland Area at +/- 0.78 AC

D. Marina Village

Total Upland Acreage: +/- 6.80 AC

1. Land Use:
See Table 2.0 Permitted Land Use Matrix for permitted land uses.
2. Parks and Open Space:
Pedestrian Easements, Landscape Areas and Open Spaces at 5% of Remaining Upland Area at +/- 0.34 AC

E. Port Village

Total Upland Acreage: +/- 25.64 AC

1. Land Use:
See Table 2.0 Permitted Land Use Matrix for permitted land uses.
2. Parks and Open Space:

London Avenue Neighborhood Civic Open Space	+/- 9.8 AC
Paris Avenue Civic Open Space:	+/- 1.0 AC
Plus Additional Pedestrian Easements, Landscape Areas and Open Spaces at 5% of Remaining Upland Area at	+/- 0.74 AC

Sec. 3.5 District Development Standards

The type of development and associated standards required within each district are as follows:

Table 3.0 Zoning Districts

Zoning District	Type of Development Character
RV	Ribaut Mixed Use Village
BN	Residential Mixed Use
MV	Marina Mixed Use Village
PV	Hotel Mixed Use Village
COS	Civic Open Space

3.5.1 Ribaut Village (RV) Development Standards:

- a. Building Heights: A variety of building heights can occur within a block and the height limits shall be as follows:
 - 1. Two (2) story height limit (2 ½ stories with dormers), not to exceed 48 ft. for single family detached and single family attached.
 - 2. Three (3) story height limit (3 ½ stories with dormers), not to exceed 58 ft. for multi-family condominiums.
 - 3. Four (4) story height limit (4 ½ stories with dormers), not to exceed 58 ft. for condominiums over non-residential.
 - 4. Four (4) story height limit (4 ½ stories with dormers), not to exceed 58 ft. for Hotel.
 - 5. Hotels or other significant buildings may exceed height limits if no taller than 4 ½ stories and if approved by PRDRS. All other applicable definitions and standards under Chapter 15 Article II of the Port Royal Zoning Ordinance shall apply unless otherwise stated within the PUD.
- b. All other applicable development standards per the Town of Port Royal's Traditional Town Overlay District, Chapter 15.5 Article II shall apply.

3.5.2 Bluff Neighborhood (BN) Development Standards:

- a. Building Heights: (see definition)
A variety of building heights can occur within a block and height limits shall be as follows:
 - 1. Two (2) story limit (2 ½ stories with dormers), not to exceed 38 ft. for single family detached and single family attached.
 - 2. Four (4) story height limit (4 ½ stories with dormers), not to exceed 50 ft. for large home and multi-family condominiums. All other applicable definitions and standards under Chapter 15.5 Article II of the Port Royal Code of Ordinances shall apply unless otherwise stated within the PUD.
- b. Lot Standards: Required development standards shall be determined by the type of dwelling unit and or building type proposed. Refer to Chapter 15.5 Article II of the Port Royal Code of Ordinances.
- c. All other applicable development standards per the Town of Port Royal's

Traditional Town Overlay District, Chapter 15.5 Article II shall apply.

3.5.3 Marina Village (MV) Development Standards:

- a. Building Heights: (see definition)
 - 1. Two (2) story height limit (2 ½ stories with dormers), not to exceed 38 ft. for restaurant and light industrial buildings not including dry stack storage.
 - 2. Two (2) to three (3) story height limit (3 ½ stories with dormers) not to exceed 48 ft. measured from grade, for multi-use buildings and dry stack storage.
- b. All other applicable development standards per the Town of Port Royal's Traditional Town Overlay District, Chapter 15.5 Article II shall apply.

3.5.4 Port Village (PV) Development Standards:

- a. Building Heights: (see definition)
A variety of building heights can occur within a block and the height limits shall be as follows:
 - 1. Two (2) story height limit (2 ½ stories with dormers), not to exceed 38 ft. for single family detached and single family attached.
 - 2. Three (3) story height limit (3 ½ stories with dormers), not to exceed 50 ft. for multi-family condominiums.
 - 3. Four (4) story height limit (4 ½ stories with dormers), not to exceed 50 ft. for condominiums over non-residential.
 - 4. Four (4) story height limit (4 ½ stories with dormers), not to exceed 62 ft. for Hotel.
 - 5. Hotels may exceed height limits if no taller than five stories (four stories of rooms over one ground floor of service/retail uses). All other applicable definitions and standards under Chapter 15 Article II of the Port Royal Zoning Ordinance shall apply unless otherwise stated within the PUD.
- b. Lot Standards: Required development standards shall be determined by the type of dwelling unit or building type proposed unless otherwise stated within the PUD. Refer to Chapter 15 Article II of the Port Royal Zoning Ordinances.
- c. Hotel/Motel/Condominium Hotel: Hotel shall include but not be limited to Commercial Housing, Hotel/Motel, and Condominium Hotel.

Hotel Development Standards:	
Lot Widths	Negotiated
Build-to Line locations	Negotiated
Side Setback	Negotiated
Building Frontage	Negotiated
Building Coverage	75 Percent Maximum
Maximum Height	4 Story (4 ½ stories with dormers) not to exceed 58 feet

1. Appurtenances may extend beyond the prescribed height limit with prior PRDRS approval.
2. Hotel buildings shall be sited in locations of particular geometric importance, such as anchoring a major civic open space at the existing pier, or termination of Paris Avenue.

d. All other applicable development standards per the Town of Port Royal's Traditional Town Overlay District, Chapter 15.5, Article II shall apply.

3.5.5 Open Space (OS) Development Standards:

- a. Density and Development Program: Within the Port Village and the Bluff Neighborhood, there shall be a total of 10.8 acres dedicated to Civic Open Space. This dedicated land shall be considered a recreation area and be dedicated as follows:
 - i. The Port Village shall include the London Avenue Park consisting of +/-9.8 acres as a park and recreation space; the Parties by mutual agreement may adjust the boundaries of these areas to accommodate topographical, infrastructure, or other factors or reasons that may appear during site design and approval. The park may include but is not limited to plazas, fountains, landscape, pavilions, gazebos, shelters, boardwalks/promenades, open lawn for community events, parking, and other recreational facilities. A 0.24 AC parcel located within London Ave Park may be developed as an interpretive museum. The design and elements of the London Avenue Park shall be approved by the PRDRS. Upon substantial completion, this Park shall be conveyed to the Town
 - ii. The Port Village shall include a +/-1.0 acre civic open space located at the convergence of Paris Avenue and Battery Creek Avenue between PV1 and PV4 (Paris Avenue Park). The park may include but not be limited to plazas, fountains, landscape, pavilions, gazebos, shelters, boardwalks/promenades and open lawn for community events, parking and other recreational facilities. The design and elements of the Paris Avenue Park shall be approved by the PRDRS. Upon substantial completion, this Park shall be conveyed to the Town.
- b. Public Waterfront: There shall be a minimum 20 ft wide waterfront public access located along the edge of Battery Creek as indicated on the Regulating Plan (Pedestrian Waterfront Boardwalk/Promenade/Trail). The Pedestrian Waterfront Boardwalk will be 10 feet wide as it crosses beyond the critical line and runs the length of the front edge of the existing pier. This property may include accessory structures, bike trails, boardwalks, promenades, fishing piers, community docks and sidewalks. Upon substantial completion, the Pedestrian Waterfront Boardwalk/Promenade/Trail shall be conveyed to the Town. At its election, the Town may accept title to portions of the access that may be completed prior to the completion of the entire access.
- c. The 2.04 AC of Additional Open Space as required by Sec. 3.4 shall be dedicated

for public use or transferred to the Town, at the election of the Town. The design and elements of this Additional Open Space shall be subject to the approval of the PRDRS.

~~d. The construction and transfers contemplated by subparts (a) and (b) of this Section shall be completed within three (3) years of September 1, 2017, provided sufficient public funding is provided through the TIF funding or other funds from the Town in a timely manner. If such construction and transfer is not completed within this timeframe, the Town, at its election, may revoke outstanding permits applicable to property subject to this PUD and/or refuse to process any permit, development or subdivision applications for property subject to this PUD until such time as arrangements satisfactory to the Town have been made to assure the completion of construction and consummation of the transfers. Subject to written confirmation and certification by the Town and the Master Developer as to funding and an allocation of expenses therefor, the construction and transfer contemplated by subparts (a) and (b) of this Section shall be completed within three years of September 1, 2021. If such construction and transfer is not completed within this timeframe, the Town, at its election, may revoke outstanding permits applicable to the property subject to this PUD and/or refuse to process any permit, development or subdivision applications for the property subject to this PUD until such time as arrangements satisfactory to the Town have been made to assure the completion of construction and consummation of the transfers.~~

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3.5.6 Commercial and Residential Conversions: Master Developer and Developer shall have the right to (i) convert commercial density into residential density and exceed the base density of units as set forth in section 3.4 as described below.. and (ii) convert residential density into commercial density and exceed the base density of square feet as set forth in section 3.4 plus any residential density allowed below.

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The conversion factor shall be an acre for acre exchange. For each acre converted from commercial land to residential land, eight and two tenths (8.2) residential units per upland acre will be assigned to each acre or pro-rated portion thereof being converted, and five thousand (5,000) square feet or pro-rated portion thereof of commercial square feet will be deducted from the maximum commercial square footage permitted under section 3.4. For each acre converted from residential to commercial use, five thousand (5,000) additional square feet of commercial will be assigned to each acre or pro-rated portion thereof being converted and eight and two tenths (8.2) residential units will be deducted from the maximum residential density permitted under section 3.4.

~~Notwithstanding the foregoing, residential density is capped at a maximum of 10 units per acre averaged within the PUD and commercial density will be a minimum of 130,000 square feet within the PUD.~~

All converted uses are subject to the uses outlined in Table 2.0.

ARTICLE 4.0 Use Regulations

The following use standards shall apply to all permitted uses, as set forth in the district regulations of Article 3.0.

Sec. 4.1 Wireless Telecommunications Facilities

All wireless telecommunications facilities shall comply with Section 22-148 of the Zoning Ordinance. In addition, the following criteria shall also apply:

- a. All wireless facilities, including ground equipment, shall be of stealth design.
- b. Within MV and PV, a wireless facility shall be incorporated into the architecture of building within the district containing a use or uses other than equipment supporting the telecommunications facility.

Sec. 4.2 Accessory Dwelling

Accessory dwellings shall be limited to one for each principal Single Family Detached dwelling. An accessory dwelling shall not be included in the density calculation.

Sec. 4.3 Marina

4.3.1 Criteria for Creation of a Marina:

The following criteria shall apply to the creation of a marina in any district.

a. General Standards

- i. A new marina facility may be constructed with up to 225 slips and may generally be placed in Battery Creek from 11th street to 6 ½ street; provided however, it shall not impede navigation to the existing dock at 11th street in front of Dockside Restaurant and will comply with existing USACE and OCRM Permit Conditions. Within the marina, the developer will maintain 10 slips for public use at a location to be determined at his sole discretion. The existing pier #601 may remain and an additional 600 LF of large boat dockage may be added as allowed by the regulations set forth by the applicable governing agencies. All necessary reviews and permits shall be the responsibility of the marina and/or dock developer.
- ii. Parking requirements for the Marina shall be one (1) space per five (5) slips which can be a part of an overall shared parking plan much of which could be placed as either on street perpendicular or parallel parking on Battery Creek Avenue and other streets.
- iii. Marina and associated uses could be located in either the Port Village or the Marina Village and could include full service marina operations, fuel sales, a marina store, and other associated marina support facilities and activities.
- iv. ~~In 5 years, if the drystack marina building is not improved aesthetically, or if its use is abandoned, the building will be removed (See 3.3.1).~~ If the dry stack marina building is not improved aesthetically or financial security provided within the time frame provided in Section 3.3.1, or if its use is subsequently abandoned as defined in such Section, the building will be removed.

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ARTICLE 5.0 Community General Development Requirements

Sec. 5.1 General

The standards in this section are intended to apply to all development, except as expressly set forth below. These standards supplement those found elsewhere in the Town of Port Royal Code of Ordinances. Where there is a conflict in regulations, the standards of this PUD shall apply.

Sec. 5.2 Subdivision Plats, Site Plans, Architecture and Street Section Review.

5.2.1 Subdivision Plats. All subdivision of land shall comply with the Town of Port Royal Code of Ordinances. No subdivision of a tract shall be allowed until a Master Plan for such tract has been approved by PRDRS and applicable departments and agencies.

5.2.2 Site Development Plans. A Master Plan for a tract shall have been approved by the Town Staff and/or applicable departments and agencies prior to submittal of a general site development plan.

5.2.3 Architecture Review. Building elevations and massing are subject to approval by PRDRS.

5.2.4 Street Sections: Street sections for each street within the PUD shall be submitted for review and approval by PRDRS.

5.2.5 Garages in the Bluff Neighborhood: In the Bluff Neighborhood, on properties oriented to the water, garages and car ports shall not be required to be located at the rear of the residence.

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Sec. 5.3 Open Space

The PUD shall not have less than five (5) percent community open space in addition to the civic open spaces. Community open space includes greenways, sidewalks, riverfront boardwalks/promenades, parks, wetlands and wetland buffers, landscape areas, pier, storm water drainage areas, and shall be based on net upland acreage minus civic open spaces.

5.3.1 Ribaut Village Standards

Open space shall be provided as follows:

- a. A total of 5% of net upland acres.

5.3.2 Bluff Neighborhood Standards

Open space shall be provided as follows:

- a. A total of 5% of net upland acres.
- b. A public connection from 13th Street to Ribaut Road along Battery Creek Avenue (See Regulating Plan)
- c. Fishing Piers and Community Docks, up to two, are allowed within this district, and shall require the appropriate review and approvals of the applicable governing agencies prior to construction.

d. Pools and Clubhouses. Community pools and clubhouses, and structures customarily appurtenant to such uses, as anticipated development amenities, are considered private Community Recreation facilities under this PUD; to the extent constructed; such facilities shall not be considered Civic Open Space or community open space under this PUD.

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5.3.3 Marina Village Standards

Open space shall be provided as follows:

- a. A total of 5% of net upland acres.
- b. A deeded waterfront public walkway shall be extended from the Bluff Neighborhood to the Port Village along and paralleling Battery Creek. If there is a conflict between any future dry stack storage/marina facility and the promenade, the developer shall be responsible for adequate resolution of conflicts between pedestrians and marina functions.

~~—Pools and Clubhouses. Community pools and clubhouses, and structures customarily appurtenant to such uses, as anticipated development amenities, are considered private Community Recreation facilities under this PUD; to the extent constructed; such facilities shall not be considered Civic Open Space or community open space under this PUD.~~

c.

5.3.4 Port Village Standards

Open Space shall be provided as follows:

- a. A total of 5% of net upland acres.
- ~~b. A deeded waterfront public walkway/promenade shall extend from the Marina Village to the London Avenue Park and connect to the Sands area beach access boardwalk.~~ A deeded waterfront public walkway/promenade shall extend from the Marina Village to the London Avenue Park and connect to the Sands beach area access boardwalk in the area as finally determined by mutual agreement of the Town and the Master Developer to accommodate safety issues arising from the path of the dry stack boat storage equipment path in the area near the dry stack building and operational area, and the possible swap of the location of the London Avenue Park.

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Sec. 5.4 Streetscapes, Landscaping and Tree Preservation

5.4.1 General Requirements. Streetscapes shall include the planting of trees and shrubs at entries, intersections and focal points. Within the Right-of-Way, minimum 5'

wide sidewalks on both sides of the street shall be provided with a minimum 6' wide tree lawn in Residential areas. Within residential districts, street trees shall have an average spacing of 50 feet on center on both sides of the road and within the tree lawn area. Lanes and alleys shall be exempt from this requirement. All required canopy trees (hardwoods) shall be a minimum of 10 feet tall with a minimum 2½" caliper. Where possible, drought resistant plant materials are encouraged.

5.4.2 Port Village Guidelines.

- a. Street trees shall average 50' on center along both sides of all roads within the Port Village. Lanes and alleys may be considered for exemption with prior PRDRS approval.
- b. Landscaping plans for open spaces and parks shall be submitted to and approved by PRDRS.

5.4.3 General Landscape Guidelines. There shall be a conscious intent to preserve existing trees where practical. Concept landscape plans submitted for review shall include the size, species and location of all new plantings, existing trees to be saved, and all grasses and mulched areas. All commercial landscapes and neighborhood entries are to be irrigated and landscaped for approval by PRDRS. Landscape designs are to address three main concerns: (1) they must be complementary to the architectural style of the building or entry, (2) they must screen all service, utility and equipment areas and, (3) they must provide shade for and screening of parking areas. Plant material is encouraged to be native to the region.

Sec. 5.5 Service Areas and Loading Docks.

5.5.1 Location. Refuse areas, storage, loading and truck parking shall be located so as to minimize visibility from streets, sidewalks and leisure trails. Loading docks shall be limited to commercial parcels and village parcels. Location and aesthetic treatment shall require PRDRS approval.

5.5.2 Screening. All exterior trash receptacles shall be screened from public view on three sides and on the fourth side by a gate that screens the receptacles from view. The enclosure and gate should be made of materials compatible to that of the primary structure.

5.5.3 Loading Docks. Loading docks and truck parking shall be screened from public view using building mass, screen walls and/or landscaping.

Sec. 5.6 Utilities and Utility Screening

5.6.1 Location. The following utilities shall be located underground to the extent possible: potable water supply, distribution systems and backflow preventers; wastewater collection, treatment, and disposal; irrigation, power, cable television, telephone, broadband multi-use transmission; and other utility services. Temporary overhead power lines shall be allowed during construction.

Sec. 5.7 Streets and Traffic Impact

5.7.1 Road and Street Design Standards. All roads and streets shall be public and constructed to all applicable standards except where otherwise modified herein.

- a. **Modifications.** A modification to Town standards not identified herein shall require the approval of the Town Engineer and/or PRDRS.
- b. **Road and Street Pattern.** All streets shall be in a grid or broken grid pattern and alleys shall be encouraged.
- c. **Cross Sections.** Typical street sections for the new avenue depicted on the Regulating Plan running generally from Ribaut Road through the length of the property are shown on Exhibit I.

5.7.2 Vehicular Access Points. Vehicular access points on primary roads shall be determined at the time of Master Plan submittal for individual tracts. The following criteria shall apply:

- a. Access points shall be planned to minimize the number of intersections while providing adequate ingress and egress.
- b. Access points shall be planned so that centerlines align with the access point on the opposite side of the road where possible, to form a four-way perpendicular intersection

Sec. 5.8 Sidewalks and Pedestrian Leisure Trails

5.8.1 General Requirements. All tracts within the PUD shall be linked by a system of pedestrian sidewalks. The use of pervious paving is encouraged where appropriate.

a. Residential Standards.

- i. Residential neighborhoods shall be required to have sidewalks (5' min. width) along both sides of all streets with a minimum 6 foot wide tree lawn between the sidewalk and back of curb. The sidewalk system shall link to the community open space system, public waterfront and adjacent streets and sidewalks.

b. Mixed Use Village Standards.

- i. Entry plazas will be along the entire front of all buildings. Entry plazas shall consist of both paving and landscape.
- ii. All buildings in Mixed Use Villages shall meet the following criteria:
 - a. Sidewalk widths shall be as follows: 10' wide (minimum and including tree openings in approved locations) along the storefronts of retail shops and restaurants; 5' wide for pedestrian connections from shops/restaurants to parking areas; and 5' wide sidewalks adjacent to streets, with 6 foot tree planting areas.
 - b. Whenever sidewalks cross drives, a highly visible crosswalk is required. The crosswalk shall utilize materials that provide strong contrasts with the vehicular surface and may be set apart by concrete in asphalt, pavers, or other approved materials.
 - c. Sidewalks or sidewalk connections shall tie to the community wide open space, public waterfront easement and adjacent streets and sidewalks.

c. Cross Sections of Pedestrian Waterfront Boardwalk/Promenade/Trail.

Typical cross section of the Pedestrian Boardwalk/Promenade/Trail are shown on Exhibit I.

Sec. 5.9 Parking

5.9.1 General Standards. All parking shall comply with Sec 15.5-30 of the Traditional Town Overlay District unless otherwise identified herein.

5.9.2 Location. In non-residential areas, no parking area or structure shall be allowed within a required buffer or setback.

5.9.3 Parking Spaces Required by Type of Development

a. Table 4.0 Residential

Type of Dwelling Unit	No. of Off-street Spaces Required per Type of Dwelling Unit
Single family detached and attached	2.0
Accessory Dwelling	1.0
Multi-Family Studio	1.0
Multi-Family One-bedroom	1.25
Multi-Family Two-bedrooms	1.50
Multi-Family Three or more bedrooms	1.75

b. Table 4.1 Villages

i. The requirements of the Town of Port Royal’s Code of Ordinances shall apply with the following exceptions:

ii.

Type of Dwelling Unit	No. of Off-street Spaces Required Per Type of Dwelling Unit
Single family attached and detached	2.0
Accessory Dwelling	1.0
Dwelling above Commercial or: Multi-Family (Studio)	1.0
Multi-Family (One-bedroom)	1.25
Multi-Family (Two-bedrooms)	1.50
Multi-Family (Three or more bedrooms)	1.75

iii For non-residential uses there shall be no more than 3 spaces per 1000 square feet and no less than 1 space per 1000 square feet

iv A 5% reduction in the total number of required parking spaces may be allowed with approval by the PRDRS when a building is used or occupied by two or more uses which typically do not experience peak parking

demands at the same time.

- v. A reduction greater than 5% requires shared parking analysis based on the guidelines of Shared Parking, Second Edition, Mary S. Smith, Urban Land Institute, 2005 and must receive approval by PRDRS.
- vi. Parking lots shall be located behind buildings or within the interior of a block whenever possible. Parking under residential condominium buildings within the Ribaut Village (RV) Bluff Neighborhood (BN) and the Port Village (PV) is allowed. Parking under multi-use buildings behind non-residential street frontage is allowed within the Port Village (PV).
- vii. Parking island dimensions shall be in accordance with the Section 15.5-30.
- viii. Parking areas located along primary routes of travel shall be screened from adjacent roads and sidewalks.
- ix. On-street parking will be provided where possible in accordance with the Town of Port Royal Code of Ordinances and may be used to supplement off-street parking requirements with approval by the PRDRS.

Sec. 5.10 Lighting

5.10.1 Lighting by Type of Development.

Street lights, including posts and fixtures, can vary to work aesthetically with the neighborhood theme and signage program, but shall require approval from the PRDRS. Full cut-off fixtures shall be encouraged.

Sec. 5.11 Signage

Refer to Article II Traditional Town Overlay District General Provisions for approved signage ordinances and references to Chapter 22 Article V.

ARTICLE 6.0 Definitions.

Sec. 6.1 General

Where this section specifies a defined term that includes the phrase, "any similar use," such interpretation shall be made by the Zoning Administrator. The definitions herein pertain only to the PUD. Definitions included within the Zoning Ordinance but not herein shall also apply.

Sec. 6.2 Defined Terms

1. **Accessory Dwelling:** A building that is subordinate to and attached or detached from the principal dwelling. The accessory dwelling shall be no more than 30% of the principal dwelling unit gross square feet or 900 gross square feet, whichever is less. Manufactured/mobile housing units, shipping containers, and recreational vehicles are not accessory dwellings.
2. **Accessory Structure:** A detached building or structure which is subordinate to the principal building/facility on a lot and used for a purpose customarily incidental to the principal use, including but not limited to garages, greenhouses, swimming pools, tennis courts, cable satellite antenna or other non-commercial radio transmitting/receiving antenna. Manufactured/mobile housing units, shipping containers, and recreational vehicles are not accessory structures.
3. **Accessory Use:** An incidental and subordinate use that is customarily associated with the principal use of the lot or building located on the same lot as the principal use.
4. **Amusement or Recreation Activities (carried on wholly in a building):** Establishments offering amusement or recreational activities for families or groups such as roller skating, video arcades and the like. No amusement or recreation activities shall be permitted outside of the building.
5. **Animal Hospital, Veterinary Clinic, Grooming (no boarding):** A veterinary clinic ran by a licensed veterinarian. No animal boarding shall be allowed
6. **Antique Shop:** Establishments offering the sale of antiques. All products for sale must be located within the principle building.
7. **Studio and/or Gallery:** A studio that may offer education in or be used for the creation and/or sale of works of art.
8. **Assisted Living Unit (Care Home):** A rest home, nursing home, convalescent home, boarding home for the aged or similar use established to render domiciliary care for chronic or convalescent patients, but not including facilities for the care of patients with mental illness or alcohol or drug addiction.
9. **Auto Parking Lot or Garage (no gas):** A secured area or structure used for the commercial operation of long or short term auto parking and/or storage.
10. **Auto Service Station (minor repairs allowed):** A building in which the business of general motor vehicle repair and service is conducted, but excluding a junk or auto wrecking business.

11. **Banks and Offices:** Establishments associated with banking both walk in and/or drive up and office space for use by business and/or professional services, consultants, agents, and the like.
12. **Bicycle Shop and or Sporting Goods:** Establishments associated with the sale and repair of bicycles and sporting goods. All bicycle or sporting goods display and repair must be carried on wholly in a building.
13. **Block:** A division or parcel of land entirely surrounded by rights of ways, natural features or dedicated open space.
14. **Book and/or Stationary Store:** Establishments associated with the sale and/or rental of new and used books, stationary and other sundry products. Associated uses within the store may include coffee bars.
15. **Build to Line:** A prescribed location to which a building's façade must be placed.
16. **Building Height:** Building height shall be measured using the average grade of the site. The height of a building shall be measured to:
 - a. The average height level between the eaves and ridge line of a gable, shed, hip or gambrel roof;
 - b. The highest point of a mansard roof; or
 - c. The highest point of the coping of a flat roof.
17. **Ceramic Studio and/or Shop:** Establishments offering training, lessons, and sales of ceramic ornaments for painting and firing.
18. **Child Care Center:** A building and an outdoor area designed or altered and used for the care and instruction of two or more children (excluding members of the family occupying the premises) for any part of any day and operated on a regular basis
19. **Clothing Stores and Dry Goods:** Establishments offering the sale of clothing, dry goods and accessories.
20. **Churches and Places of Worship:** A building used for the primary purpose of religious worship.
21. **Club or Lodge:** An incorporated or unincorporated association of civic, social, cultural, religious, literary, political, and recreational or like activities, but not including shooting clubs operated for the benefit of their members and not open to the general public.
22. **Commercial Wireless Communication Towers and Facilities:** [Reserved.]
23. **Community Recreation:** Any premise (private or public) where the principle use is the provision of outdoor recreation such as athletic facilities, sports, and games.
24. **Civic Open Space:** An area that provides public gathering space and includes open space (plazas, parks) for social activity.
25. **Craft Shops:** Establishment associated with the sale and/or instruction of crafts and hobbies such as sewing, stamping, model building and the like.
26. **Convenience Store:** Establishment associated with the sale of convenience goods

such as soft drinks, beer, water, chips, candy, gum and the like.

27. **Cruise Ship:** Cruise Ship shall mean a deep sea worthy vessel with overnight accommodations for more than one hundred – fifty (150) passengers. Cruise Ships do not include tour boats, water taxis, car ferries, or marine cargo vessels.
28. **Dwelling:** One or more rooms designed as a unit, including a kitchen, bathroom and sleeping area, to provide complete housekeeping facilities for one family.
29. **Dwelling, Above Commercial:** A single family dwelling that is located above a commercial property and contains its own separate entry.
30. **Dwelling, Detached:** A dwelling which does not share party or lot-line walls with any adjacent building.
31. **Dwelling, Multi-Family:** A building with multiple dwelling units. Units may have either private or shared access. Units may be arranged in a variety of configurations including back to back, side to side, vertical or any combination thereof.
32. **Dwelling, Single Family Attached:** A building containing attached dwellings, each of which are located on a fee simple lot and have their own private entrance.
33. **Dwelling, Single Family Detached:** A stand-alone building containing only one dwelling unit.
34. **Eleemosynary or Philanthropic Institutions:** A not-for-profit organization that provides a variety of services to its members or the community but does not provide sleeping accommodations or daily meals. Institutions included under this definition are those which promote the safety, health, and general welfare of the community.
35. **Electronic Sales and Service Stores:** Establishments offering the sale and or service of electronic equipment and devices.
36. **Evergreen Buffer Hedge:** A grouping of evergreen shrubs planted in close proximity to one another in order to provide a barrier or screen.
37. **Facilities for Fishing, Boating and Swimming:** Establishments offering the use of fishing, boating and/or swimming equipment and faculties. The facilities may be either indoor or outdoor and may be either for profit or non-profit.
38. **Florist Shops:** Establishments offering the sale and delivery of ornamental flowers, wreaths, plants and garden ornaments.
39. **Food Stores and Drug Stores:** Grocery stores offering the sale of general groceries, bakery goods, delicatessen goods, floral goods, photo shops and the like. Drug store may be within the food store or separate. Drug stores/pharmacy are a building or part of a building used or intended to be used for the specific purpose of preparing, compounding and dispensing medicines, medications and personal hygienic needs. The drug store shall be allowed to have drive up facilities.
40. **Funeral Homes:** Establishments offering assistance and sales of materials associated with funerals excluding crematories.
41. **Grocery, Confectionary, Bakery, Pastry Shop and Similar Neighborhood**

Facilities: Neighborhood scale, boutique style shops offering the sale of specialty groceries, confections, bakery goods, and the like.

42. **Hobby and Toy Stores:** Establishments offering the sale of hobby, craft, toys, and games. The establishments may offer craft and or hobby related classes.
43. **Home Furnishing and/or Hardware Stores:** Establishments offering the sale of new or used furniture, hardware goods, power tools and interior home improvement materials.
44. **Care Homes:** Any institution receiving inpatients or a public institution receiving outpatients and authorized under state law to render medical, surgical or obstetrical care.
45. **Hotel, Motel:** A lodging establishment consisting of one or more attached or detached buildings containing more than 15 bedrooms or suites to transient guests. No extended stay facilities will be allowed. Ancillary (accessory use) uses may include restaurants, newsstands, gift shops, snack bars or lounges catering primarily to guests, meeting or conference facilities within or adjacent to the primary building, but designed to cater primarily to guests of the facility, and service facilities.
46. **Inn:** This designation is for establishments providing for an Inn with short term occupancy, including but not limited to, hotels, motels, bed and breakfast inns, inns and apartment accommodations up to 15 rooms. Ancillary (accessory use) uses may include restaurants, newsstands, gift shops, snack bars or lounges catering primarily to guests, meeting or conference facilities within or adjacent to the primary building, but designed to cater primarily to guests of the facility, and service facilities. Additional accessory uses may include campgrounds and recreation and vacation camps, parking lots, swimming pools, tennis courts, playgrounds, laundry rooms and the like designed to serve guests of the establishment.
47. **Institutional:**
 - Education establishments providing for mental development and enlightenment of the individual, including universities and colleges, kindergartens, primary and secondary schools, music, dance, craft and art schools, business and other specialized training schools.
 - Cultural and arts establishments providing for the mental development and enlightenment of the individual and the development of the display and the performing arts, including museums, libraries, art galleries when non-profit and rehearsal and administrative activities associated with orchestral, choral, opera, ballet, dance, theatrical and other performing arts, but not including theaters or other structures and their associated activities when operated as commercial establishments; also including private and semi-private clubs, lodges, union halls, social centers, and similar establishments.
 - Religion establishments providing for religious services and development, including churches, temples, synagogues, and educational buildings.
48. **Interior Decorating Business:** Professional consulting firm associated with the design and sales of home, office, club and the like interior decorating.
49. **Jewelry Stores:** Establishments associated with the sale and or service of new and used jewelry and other fine gifts.
50. **Laundromats/Dry Cleaning:** Establishments offering the use of on premise washing and drying machines. Ancillary uses may include the sale of laundry goods, beverages

and other convenience items associated with the permitted use.

51. **Leather Goods and Luggage Stores:** Establishments offering for sale of luggage and or leather good items such as belts, purses and baggage, and other clothing items.
52. **Limited Use Retail Shop:** Establishments offering limited use retail items such as specialty products which are not produced or manufactured on the premises and are limited to or associated with a single product line of merchandise directed to a specific consumer market. Includes pet stores, specialty food stores, bicycle shops, personal micro and/or mini computer sales or similar uses does not include the sale, service or repair of motorized vehicles, including automotive parts, repair or service stores, tire shops, gasoline sales, package stores or similar uses nor any outdoor display or storage of materials, supplies or products.
53. **Marina:** A dock or basin (public and or private) providing secure moorings for pleasure boats and may offer supply, repair and other facilities.
54. **Marine and Fishing Supply Store:** Establishments offering the sale of marine and fishing related items. Service can be allowed if within the building the establishment occupies. Live Bait may be allowed with required permits and regulations followed.
55. **Master Developer:** [Grey Ghost Properties, LLC](#) or a successor or assignee thereof that is approved in writing by the Town. Notwithstanding the foregoing, in the event that Grey Ghost Properties, LLC successfully sells all of its development interests to SH Marinas, LLC, then such transfer shall be deemed preauthorized under the terms of this amendment such that no further approval of the Town shall be required.
56. **Minor Developer:** A developer who owns only one tract within the PUD.
57. **Mixed Use Residential:** A building designed to accommodate a mix of conforming residential and nonresidential uses consisting of retail sales, personal services or offices.
58. **Model Homes/Sales Center:** This designation allows for the model homes and office/administrative facilities (including temporary trailer facilities) that shall be considered an accessory use associated with the primary sales of onsite residential lots and homes within the Port Royal PUD. The facility(s) may be permanent in nature with the model homes being sold as single family residences in the future or the facility(s) may relocate from time to time during the period of development to meet the needs of development phasing.
59. **Music Stores:** Establishments offering for sale music new or used and other related items. Associated uses within the store may include coffee bars and cafes.
60. **Museums and Libraries:** an institution (public and or private) devoted to the procurement, care, study and display of objects. Associated uses may occur such as coffee bars and gift shops within the square footage of the establishment.
61. **Newsstand:** Establishments offering newspapers and periodicals for sale.
62. **Office, General:** A facility generally focusing on business, government, professional or financial services.
63. **Office, Medical:** A medical facility in which a doctor, dentist, psychiatrist, physician's

assistant, nurse practitioner or similar medical provider treats or counsels patients.

64. **Office, Professional:** Offices of recognized professions, including accountants, architects, dentists, doctors, engineers, lawyers, or other related occupations which are located in the same structure.
65. **Photography stores and Photographic Studios:** Establishments offering the professional services of photography sessions and or developing and sales of photographic equipment.
66. **Post Office:** Office established by United States Postal Service.
67. **Private or Parochial Schools:** Schools run privately or by a religious organization. Tuition payments are generally required for students to attend. Accessory uses may include ball fields, playgrounds, stadiums and the like.
68. **Public Parking:** Parking either on street or off street provided for the public.
69. **Public Schools:** Education facilities provided by local government for use by the general public.
70. **Public Use:** Buildings, structures and uses of land operated by a government unit or government agency, including but not restricted to public schools, fire stations, recreation sites and facilities and public utilities.
71. **Public Uses:** Uses of a public or government nature, including, but not restricted to, fire and police stations, and public park and recreational facilities.
72. **Public Utilities (subject to proof of need):** As used in this chapter, a public utility shall only be defined to include pipelines, power transmission lines, telephone and telegraph lines, railroad tracks but not a railroad yard, and such related public utility structure or station necessary for the installation and maintenance of utility services.
73. **Recreational Vehicle and Boat Storage (subject to screening requirements):** Areas or structures used for long term storage of recreational vehicles or boats. Security fencing with opaque landscape screening is required.
74. **Restaurants (alcohol service allowed):** An establishment in which customers purchase meals and/or beverages.
75. **Salon and Health Spa:** An establishment, which can provide hairdressing, facials, manicures and other related items as allowed within town and state regulations.
76. **Shrub:** A woody and fibrous perennial plant of small stature having multiple permanent stems and displaying an upright growth habit.
77. **Tailor Shop:** Establishment offering the alteration, repair and custom making of clothing.
78. **Theater (other than Drive-in):** An establishment for dramatic performances or for showing motion pictures.
79. **Travel Agency:** An establishment engaged in selling and arranging transportation, accommodations, tours, and trips for travelers.

- 80. Utility Corral:** An area consisting of a cluster or grouping of above ground utility components such as but not limited to transformers, backflow preventions, utility boxes or large pieces of mechanical equipment.
- 81. Village:** An area that allows retail sites, personal services, office use, public use, and residential uses. Uniform site development standards shall be applied throughout the village.

**Exhibit A
Port Royal Vicinity Map**

**No changes; see Planned Unit Development Exhibit A recorded as part of the
Development Agreement Recorded at Book 3217, Pages 631 through 1534**

**Exhibit B
Letters of Intent to Serve**

**No changes; see Planned Unit Development Exhibit B recorded as part of the
Development Agreement Recorded at Book 3217, Pages 631 through 1534**

**Exhibit C
Boundary Survey**

**No changes; see Planned Unit Development Exhibit C recorded as part of the
Development Agreement Recorded at Book 3217, Pages 631 through 1534**

**Exhibit C-1
Topography and FEMA Survey**

**No changes; see Planned Unit Development Exhibit C-1 recorded as part of the
Development Agreement Recorded at Book 3217, Pages 631 through 1534**

**Exhibit D
Phase I and Letter from S&ME**

**No changes; see Planned Unit Development Exhibit D recorded as part of the
Development Agreement Recorded at Book 3217, Pages 631 through 1534**

**Exhibit D-1
Preliminary Phase II**

**No changes; see Planned Unit Development Exhibit D-1 recorded as part of the
Development Agreement Recorded at Book 3217, Pages 631 through 1534**

**Exhibit D-2
Follow-up Phase II**

**No changes; see Planned Unit Development Exhibit D-2 recorded as part of the
Development Agreement Recorded at Book 3217, Pages 631 through 1534**

**Exhibit D-3
Follow-up Phase I
July 2017 Phase I by S&ME attached**

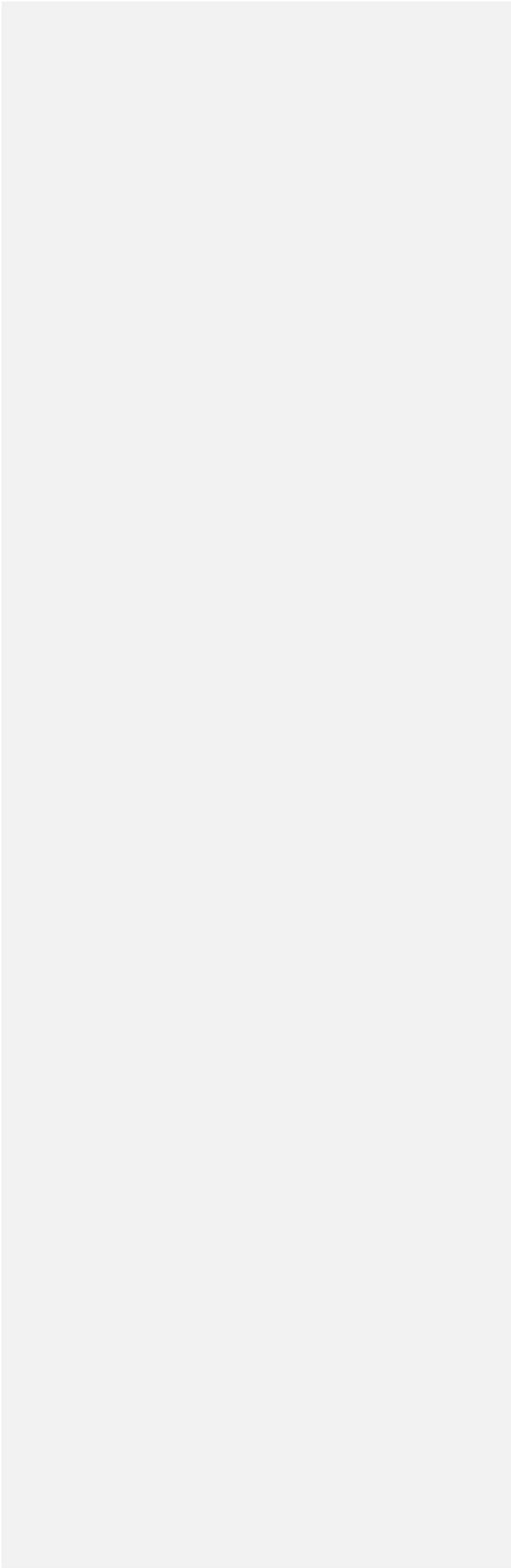


Exhibit E

No changes; see Planned Unit Development Exhibit E recorded as part of the Development Agreement Recorded at Book 3217, Pages 631 through 1534

**Exhibit F
Chapter 22 Town of Port Royal Code of Ordinances
Supplement 15**

**No changes; see Planned Unit Development Exhibit F recorded as part of the
Development Agreement Recorded at Book 3217, Pages 631 through 1534**

Exhibit G
Chapter 15.5 Article II Town of Port Royal Code of Ordinances
Supplement 15

**No changes; see Planned Unit Development Exhibit G recorded as part of the
Development Agreement Recorded at Book 3217, Pages 631 through 1534**

**Exhibit H
Chapter 17.5 Town of Port Royal Code of Ordinances
Supplement 15**

**No changes; see Planned Unit Development Exhibit H recorded as part of the
Development Agreement Recorded at Book 3217, Pages 631 through 1534**

Exhibit I
Street and Pedestrian Waterfront Boardwalk/Promenade/Trail Sections

**No changes; see Planned Unit Development Exhibit I recorded as part of the
Development Agreement Recorded at Book 3217, Pages 631 through 1534**

Exhibit J
Proposed Layout and Landscaping Improvements for Drystack Area
(Conceptual Only – Subject to Change)

EXHIBIT K
Official Zoning Map

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