

6971 Doar Road | P.O. Box 520 | Awendaw, SC 29429

843.928.3100 | [www.townofawendawsc.org](http://www.townofawendawsc.org)

[townadministrator@townofawendawsc.org](mailto:townadministrator@townofawendawsc.org)

Katharine Watkins | Town Administrator



**Town Council**

Paul Brown | Wendy Helms  
Grace Gasper | Rodney Porcher  
Kent Prause | John Timmons

**Town of Awendaw  
Special Planning Commission Meeting**

Monday, May 11th, 2026

6:00 PM

Awendaw Town Hall

**A. Prayer, Pledge of Allegiance & Reading of the Civility Pledge**

**B. Call to Order and Roll Call**

**C. Approval of the Minutes –**

- a. Special Called Planning Commission - March 31, 2026
- b. Regular Planning Commission - April 21, 2026

**D. Public Comments –**

*The public comment period will be limited to a total of 25 minutes. Each speaker will have up to 2 minutes. No individual may speak more than once until all others wishing to comment have had an opportunity.*

**E. New Business –**

**a. Subdivision Applications**

- i. Executive Session for the stated purpose of receiving legal advice protected by the attorney-client privilege concerning Sewee Sound Plat Review. Upon returning to open session, the Commission may take action on matters discussed in Executive Session.
- ii. Conditional Plat Application for The Preserve at Seewee Sound Ph I & II (TMS 680-00-00-055) – Action Item

- b. Ordinance 2026-22 – An ordinance to amend Chapter 153, Zoning Code, Planned Development Division by amending Section 153.045 and repealing Section 153.046 through 153.050 and repealing any and all reference to Planned Developments within Chapter 153: Zoning Code.

**F. Old Business –**

- a. Zoning Districts – Discussion Item
- b. Amenity Space – Discussion Item

**G. Closing Remarks -**

**H. Adjournment**

Next Meeting – TBD (June 8th, 2026)

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Katharine Watkins | Town Administrator

Takeya D. White | Clerk/Treasurer



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**Town of Awendaw  
Special Called Planning Commission Meeting Minutes**

Tuesday, March 31st, 2026

6:00 PM

Awendaw Town Hall

**A. Prayer, Pledge of Allegiance & Reading of the Civility Pledge**

At 6:00 pm, Chairman John Osguthorpe, began the Planning Commission Meeting. Commissioner Jeff Hardee, read the Serenity Prayer, recited the Pledge of Allegiance & led the recitation of the Civility Pledge.

**B. Call to Order and Roll Call**

Chairman Osguthorpe called the meeting to order. Mr. James Gardner, Ms. Kelly Cousino, Mr. Jeff Hardee, Mr. Jay Reigart and Dr. John Osguthorpe were all present. Town Administrator, Mrs. Katharine Watkins, Town Planning Manager, Mr. Daniel O’Hara, Town Planning Clerk, Takeya White and Town Attorney Mr. Mac McQuillin were also present.

Chairman Osguthorpe then began to preface agenda item C, “Public Comments,” and asked if there were members of the public who wished to speak and passed the meeting on to the Planning Manager. Mr. O’Hara prefaced the public comments and opened the floor to Public Comments.

**C. Public Comments –**

**The public comment period will be limited to a total of 25 minutes. Each speaker will have up to 2 minutes. No individual may speak more than once until all others wishing to comment have had an opportunity.**

*2 members of the public wished to speak:*

*Andrea Frazier 7854 Gull Bay Drive - expressed concerns regarding prior approval conditions, financial estimates, engineered septic systems, consistency with the Comprehensive Plan, and the absence of tree mitigation documentation.*

*Lynne Vicary 8470 Doar Road - concurred with previously stated concerns regarding missing meeting minutes, septic systems, and related development issues.*

*1 comment was submitted digitally:*

Susan Cox 6209 Rudder Lane - expressed concerns regarding the adequacy and accuracy of the infrastructure bond estimates for Seewee Sound and urged that all required infrastructure improvements and conditions be completed prior to the issuance of certificates of occupancy.

**Motion: To end public comments**

**Posed By: Mr. Jeff Hardee**

**Second: Mr. James Gardner**

**Vote: Unanimous Approval**

#### **D. New Business –**

The Planning Commission voted to enter Executive Session to receive legal advice regarding the Preserve at Seewee Sound conditional plat matter. A motion was made and seconded, and the Commission entered Executive Session. **[Time Stamp: 13:05/1:47:13]**

**Motion: Motion to go into executive session for the stated purpose of receiving legal advice protected by the attorney-client privilege concerning Seewee Sound Plat Review.**

**Posed By: Mr. James Gardner**

**Second: Ms. Kelly Cousino**

**Vote: Unanimous Approval**

- a. **Executive Session for the stated purpose of receiving legal advice protected by the attorney-client privilege concerning Seewee Sound Plat Review. Upon returning to open session, the Council may take action on matters discussed in Executive Session.**

**Motion: Motion to come out of executive session for the stated purpose of receiving legal advice protected by the attorney-client privilege concerning Seewee Sound Plat Review. [Time Stamp: 54:25/1:47:13]**

**Posed By: Mr. James Gardner**

**Second: Ms. Kelly Cousino**

**Vote: Unanimous Approval**

After returning to open session, Town Administrator, Mrs. Watkins stated for the record that no motions, votes, or decisions were made during Executive Session. Mr. McQuillin suggested that the applicant's counsel give his presentation next. Chairman Osguthorpe then moved on to agenda item D, b. and opened the floor to Mr. Lesemann.

- b. **The Preserve at Seewee Sound Ph I & II (TMS 680-00-00-055)  
Conditional Plat Review – Action Item**

#### **Applicant Presentation [Time Stamp: 55:03/1:47:13]**

Counsel for Dreamfinder Homes, Mr. Ellis Lesemann, presented the request for conditional plat approval for the Preserve at Seewee Sound subdivision. Representatives from Dream Finders, Bryan Monahan – Director of Accounts, Ken Wroblewski - Director, and Sergio Velasquez – project engineer were also present in the audience

Key points of his presentation included:

- The subdivision is a two-phase project.
- Phase One infrastructure was described as substantially installed, including roads, stormwater infrastructure, and water lines.
- Approximately \$4.7 million had already been invested into infrastructure and approximately \$3.2 million into the land.
- A \$6 million performance bond had been secured since August 2025.
- The request sought conditional plat approval to allow vertical construction in Phase One while remaining infrastructure work in Phase Two is completed.
- The applicant acknowledged additional information may still be needed and stated willingness to provide any missing documentation requested by staff or legal counsel.

### **Staff and Legal Clarifications**

Town Attorney, Mr. Mac McQuillin clarified that:

- The current conditional plat application was officially submitted on February 18, 2026.
- Additional information had been requested by Mr. O'Hara on February 26, 2026.
- Certain required documents had not yet been provided, including:
  - Bond terms,
  - The contract associated with the bond,
  - Verification and supporting documentation related to the financial guarantee.

The Commission also discussed that:

- The ordinance requires Planning Commission approval of financial guarantees.
- Prior approvals issued administratively may have exceeded staff authority under the ordinance.

### **Infrastructure and Water System Concerns**

Commission members and utility representative, Mr. Ron Bycroft, raised significant concerns regarding incomplete infrastructure, particularly the public water system, including:

- Water lines had not yet passed required pressure testing.
- Required bacteriological testing had not been completed.
- A permit to operate the water system had not yet been issued.
- Certain shutoff valves reportedly did not meet Town standards.
- Concerns were expressed about allowing home construction prior to completion and certification of the public water infrastructure.

Questions were also raised regarding:

- Why Phase One was not being submitted separately for final plat approval,
- Whether the application was complete enough for Commission consideration,
- The feasibility of resolving infrastructure deficiencies before the next meeting.

**Motion & Decision [Time Stamp: 1:18:10/1:47:13]**

Commissioner Cousino stated that the application appeared incomplete and questioned whether it should remain on the agenda without all required documentation and testing. Discussion followed regarding resubmittal requirements and outstanding items needed before further consideration. The Commission then made a motion.

**Motion: Deny the application until all required materials have been submitted and the application is deemed complete, at which time the applicant may resubmit for consideration on a future Planning Commission agenda.**

**Posed By: Mr. Jay Reigart**

**Second: Mr. Jeff Hardee**

**Vote: Unanimous Approval**

The applicant then agreed to:

- Provide the missing bond documentation and related contracts,
- Address staff comments,
- Complete outstanding infrastructure and testing requirements,
- Return with a revised application for future consideration.

**E. Old Business – [Time Stamp: 1:21:37/ 1:47:13]**

**a. Open Space – Discussion Item**

The Commission made a motion and then transitioned into a discussion regarding a draft Open Space Ordinance framework.

**Motion: To Open discussion on Open Space.**

**Posed By: Mr. Jay Reigart**

**Second: Mr. Jeff Hardee**

**Vote: Unanimous Approval**

Topics discussed included:

- Creating standalone open space regulations rather than embedding standards in each zoning district.
- Reviewing examples from other municipalities including Georgetown and Beaufort.
- Defining “open space,” impervious coverage, lot coverage, and passive versus active recreation areas.
- Whether larger lots should require less dedicated open space due to existing private open areas.
- Clarifying how open space requirements interact with impervious surface limitations and subdivision regulations.

**F. Closing Remarks –**

Chairman Osguthorpe led a discussion regarding affordable and workforce housing challenges, including the potential use of density incentives for essential workers such as teachers and firefighters. He noted that affordable housing is a priority of the Mayor and was therefore brought forward for discussion.

The Commission also discussed the possibility of establishing a stakeholder working group consisting of Council members, Town staff, developers, and public service representatives to further evaluate affordable housing and open space preservation strategies.

## G. Adjournment

**Motion: To Adjourn**  
**Posed By: Mr. James Gardner**  
**Second: Mr. Jeff Hardee**  
**Vote: Unanimous Approval**

**The meeting adjourned at 7:47 PM**

**Next Meeting – TBD (April 21st, 2026)**

**IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT, THE PRINT MEDIA WERE DULY NOTIFIED, ALONG WITH A HARD COPY POSTED AT CITY HALL. • SHOULD YOU HAVE QUESTIONS OR COMMENTS, PLEASE CONTACT PLANNING AT (843) 931-8125.**

*DRAFT Minutes Respectfully submitted on Friday, May 8th, 2026, by Takeya White*

**Note: These meeting minutes are not verbatim. To watch the full meeting video, please visit the town's YouTube channel: <https://www.youtube.com/@TownOfAwendaw>.**

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Katharine Watkins | Town Administrator



**Town Council**

Paul Brown | Wendy Helms

Grace Gasper | Rodney Porcher

Kent Prause | John Timmons

## Town of Awendaw Planning Commission Meeting Minutes

Tuesday, April 21st, 2026

6:00 PM, Awendaw Town Hall

6971 Doar Road, Awendaw, SC 29429

### A. Prayer, Pledge of Allegiance & Reading of the Civility Pledge

At 6:00 pm, Chairman John Osguthorpe, began the Planning Commission Meeting. Commissioner Jeff Hardee, read the Serenity Prayer, recited the Pledge of Allegiance & led the recitation of the Civility Pledge.

### B. Call to Order and Roll Call

Chairman Osguthorpe called the meeting to order. Mr. James Gardner, Ms. Kelly Cousino, Mr. Jeff Hardee, Mr. Jay Reigart and Dr. John Osguthorpe were all present. Town Administrator, Mrs. Katharine Watkins, Town Planning Manager, Mr. Daniel O’Hara, and Town Planning Clerk, Takeya White were also present.

### C. Approve Minutes as available – March 2<sup>nd</sup> & March 16<sup>th</sup>

Chairman Osguthorpe then moved to agenda item C, “Approval of Minutes” and entertained a motion to review and approve the March 2nd & 16th meeting minutes.

**Motion: To approve the March 2<sup>nd</sup> meeting minutes.**

**Posed By: Mr. Jeff Hardee**

**Second: Dr. John Osguthorpe**

**Vote: Aye – JG, JH, JO, JR**

**Abstain – Kelly Cousino**

**Motion approved.**

**Motion: To approve the March 16<sup>th</sup> meeting minutes.**

**Posed By: Ms. Kelly Cousino**

**Second: Dr. John Osguthorpe**

**Vote: Unanimous Approval**

Chairman Osguthorpe then began to preface agenda item D, “Public Comments,” and asked if there were members of the public who wished to speak and passed the meeting on to the Planning Manager. Mr. O’Hara prefaced the public comments and opened the floor for Public Comments.

**D. Public Comments – [Time Stamp: 7:13 /1:57:40]**

*The public comment period will be limited to a total of 25 minutes. Each speaker will have up to 2 minutes. No individual may speak more than once until all others wishing to comment have had an opportunity.*

*1 member of the public wished to speak:*

*Lynne Vicary 8470 Doar Road – thanked the commission for the work they do for the town.*

Hearing no other public comments, Chairman Osguthorpe entertained a motion to close public comments and then moved on to Agenda Item E, *Old Business*.

**Motion: To close public comments**

**Posed By: Mr. Jeff Hardee**

**Second: Mr. James Gardner**

**Vote: Unanimous Approval**

**E. Old Business – [Time Stamp: 9:58/1:57:40]**

a. Residential Zoning District

The Planning Commission led an hour-long discussion on the proposed Residential Zoning District standards, including lot sizes, setbacks, terminology for setback definitions, and potential district terminology for future rural and cultural residential districts, while also considering how the standards would apply to existing versus newly created lots and emphasizing consistency with the Comprehensive Plan and future land use planning.

The meeting focused primarily on proposed zoning ordinance revisions related to Village Residential (VR) zoning districts, nonconforming lots, accessory structures and dwelling groups, open space and amenity space requirements, affordable housing incentives, and upcoming workshops and scheduling matters.

The Commission discussed concerns regarding existing nonconforming lots and how future zoning updates could impact property owners. Staff emphasized the importance of establishing standards that would continue to allow reasonable use of nonconforming properties while maintaining consistency within the overall ordinance framework. Discussion included minimum lot sizes in Village Residential districts, whether standards should align more closely with the Comprehensive Plan, and whether the availability of public water should influence lot size requirements. A tentative direction emerged to increase the minimum lot width in the VR2 district from 75 feet to 100 feet and to utilize a minimum lot size of 21,500 square feet where public water is available and 30,000 square feet where public water is unavailable. Several Commissioners expressed concern that some proposed standards may already fall below recommendations outlined in the Comprehensive Plan.

The Commission also discussed the distinction between accessory dwelling units (ADUs), dwelling groups, guest houses, and garage apartments. Discussion focused on ownership structure, fire separation requirements, setbacks, and historical development patterns within the Town. Questions were raised regarding whether detached accessory structures should have separate

setback requirements and whether multiple dwellings on a single parcel should be treated differently from accessory uses associated with a primary residence. Staff acknowledged that additional clarification and ordinance refinement would be necessary.

b. Open Space Requirements - **[Time Stamp: 1:16:20/1:57:40]**

**Motion: To open Open Space discussion**

**Posed By: Mr. Jeff Hardee**

**Second: Mr. James Gardner**

**Vote: Unanimous Approval**

A substantial portion of the meeting addressed proposed “amenity space” or open space requirements within subdivisions.

Proposed open space requirements discussed:

- 10% in Conservation Residential
- 20% in Rural Residential
- 25% in Village Residential 1
- 30% in Village Residential 2

The ordinance draft also proposed:

- Minimum dimensional standards for usable open space
- Requirements that at least 50% of open space be usable active or passive recreation
- Sidewalk and access connectivity requirements
- Preservation of open space in perpetuity

Commissioners debated:

- Whether stormwater ponds should count toward open space
- Whether natural water bodies should receive open space credit
- Appropriate trail widths (20 ft vs. 30 ft)
- Whether amenity areas should be:
  - Separate lots
  - Easements
  - HOA-owned common areas

There was concern about ensuring amenity spaces could not later be sold off for development.

Staff suggested future ordinance language may require:

- Designation of amenity space on final plats
- HOA or property owners association ownership for major subdivisions

**Motion: To close Open Space discussion**

**Posed By: Mr. Jeff Hardee**

**Second: Mr. James Gardner**  
**Vote: Unanimous Approval**

**F. New Business – [Time Stamp: 1:34:33/1:57:40]**

a. Affordable Housing Discussion

Chairman Osguthorpe led a Commission discussion regarding affordable housing tools and the use of federal Low-Income Housing Tax Credits (LIHTC). Topics of discussion included federal tax credit programs used to fund affordable housing developments, income restrictions tied to Area Median Income (AMI), long-term affordability requirements ranging from 20 to 30 years, historical district zoning concepts, and the potential for future inclusionary housing legislation. The Commission also discussed the importance of making developers more aware of available affordable housing incentives and programs.

**G. Closing Remarks –**

The Commissioners discussed confusion regarding incorrect meeting dates listed on the current agenda, as well as a proposed transition to a second Monday meeting schedule to better accommodate the Town Attorney’s availability. For the month of May, it was decided that the next meeting would be held on Monday, May 11<sup>th</sup>, 2026. The Commission also discussed the upcoming Town Council workshop scheduled for April 28 from 9:00 a.m. to 1:00 p.m., which was expected to include discussions on tree ordinance revisions, the line-of-defense ordinance, sign ordinance updates, and level ordinance revisions. Staff noted that revised ordinance language may later return to the Planning Commission for further review depending on Town Council feedback.

**I. Adjournment**

**Motion: To Adjourn**  
**Posed By: Mr. James Gardner**  
**Second: Ms. Kelly Cousino**  
**Vote: Unanimous Approval**

**The meeting adjourned at 7:54 PM**  
**Next Meeting – May 11th, 2026**

**IN ACCORDANCE WITH THE FREEDOM OF INFORMATION ACT, THE PRINT MEDIA WERE DULY NOTIFIED, ALONG WITH A HARD COPY POSTED AT CITY HALL. • SHOULD YOU HAVE QUESTIONS OR COMMENTS, PLEASE CONTACT PLANNING AT (843) 931-8125.**

*DRAFT Minutes Respectfully submitted on Friday, May 8th, 2026, by Takeya White*

**Note: These meeting minutes are not verbatim. To watch the full meeting video, please visit the town’s YouTube channel: <https://www.youtube.com/@TownOfAwendaw>.**

**TOWN OF AWENDAW**

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**Chris Crolley | Mayor**

**Town Council**

Paul Brown | Wendy Helms  
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Project Title: Preserve at Seewee Sound Ph I & II  
Applicant: ESP Associates, Inc – Agent/DFH Crescent, LLC – Property Owner  
Request: Conditional Plat Approval  
Zoning: Residential (R)  
Lot Size: 67.66 Acres  
Tax Parcel Number: 680-00-00-055

Background

**Section 1: Previous Approvals**

This subdivision received preliminary plat approval from the Planning Commission with 28 conditions for a 90-lot subdivision on June 20, 2023. In 2025, the Town permitted Dreamfinder Homes “Property Owner” and their contractor to begin construction activities in accordance with their approved 90-lot subdivision preliminary plat. The road names for this project were approved on October 20, 2025, by the Planning Commission. The property owner would like conditional plat approval so that they may subdivide the parcels before installing the required infrastructure. The applicant has an up-to-date assessment of what has been installed to date.

**Section 2: Applicable Regulations**

Since the property is zoned Residential (R), the property and site development are subject to zoning requirements at the time of approval.

Conditional Plats are found in Section 153.300 (A) Conditional plat approval and read as follows:

Prior to approval of a final plat, the developer shall install all required public improvements or post an approved financial guarantee of performance and maintenance, in accordance with the requirements. ***If financial guarantees are posted, decision-making bodies shall be authorized to grant conditional plat approval, with final approval contingent upon completion and acceptance of all required improvements.*** After conditional plat approval is granted, the sales of subdivision lots shall be permitted and building permits may be granted, but no certificates of occupancy shall be issued until all required improvements have been installed and accepted.

Financial Guarantees are subject to Section 153.310 Financial Guarantees. The bond must be 125% of the remaining cost of uncompleted infrastructure. Following the receipt of the financial guarantee and confirmation, the Town may apply conditions to the bond and terms, with ultimate approval given by the Planning Commission.

The Planning Commission also imposed 28 conditions on June 20, 2023, that must be met before approval of the Final Plat.

### **Section 3: Proposal**

In June of 2025, the Town authorized the property owner to begin construction activities as necessary for the approved Preliminary Plats. Following this approval, the property owner, through their agent, requested conditional plat approval of this subdivision. The bond for \$6,050,314.58 is for the completion of required infrastructure such as road paving, stormwater, water system, and site work. The required bond amount was confirmed and verified by the Town's consulted engineer, Mickey Seabrook, based on a cost estimate prepared in August of 2025. Since this time, the property owner, through their contractor Weaver Construction, has completed \$4,699,863 construction, with approximately \$1,623,293.58 remaining. The bond of \$6,050,314.58 is still an acceptable amount for the work that is remaining. The applicant is now seeking to finalize their conditional plat approval to begin receiving Tax Map Numbers and to start building homes.

#### Staff Findings

##### ***Bond Proposal***

The Town's Engineer confirmed to Planning Department staff in August of 2025 that the bond amount was appropriate based on construction cost estimates provided by the applicant. The property owners, through their contractor, have pursued construction activities to complete portions of the required infrastructure between both Phases. The remaining cost of construction is approximately \$1,623,293.58. This amount would be covered by the bond amount of \$6,050,314.58 if the Town needed to complete the required infrastructure, and if the property owner fails to do so.

The bond references that the Town Engineer may reduce the initial amount stated above in accordance with the requirements of the regulations. Staff finds that this would not serve in the best interest of the Town and that Town Council or its designee shall be the only party to agree to the release of funds.

The bond should include or have a condition that the required improvements must be installed and finalized within a specified amount of time, but not to exceed two years. Staff finds that the bond is missing this exact language or clause that would address the date on which all improvements must be made. A specified timeline must be agreed upon before approval of the bond.

The bond does not include landscaping or irrigation. The property owner has provided an estimate for the installation of the required mitigation trees. Required tree mitigation has been discussed by Planning Department staff, the property owner, and their agent. If conditional plat approval is granted, all required landscaping must be installed before final plat approval.

##### ***Conditional Plat***

The Town issued Preliminary Plat approval to the applicant in July of 2023, following construction plans approval in June of 2025. The property owner, through their applicant, requested conditional plat approval. Staff have the following findings with the proposed Conditional Plat. The Plat title should be revised to be referenced as a "Conditional Plat", not

“Conditional Final Plat” as proposed.

The plat shows a 20’ rear setback on lots abutting wetlands, 40 lots in total. This should be corrected to show the required 35’ setback from all wetlands. As indicated in Condition 20, “All wetlands shall be required to have a 35-foot setback from any horizontal or vertical structure, and that setback shall be illustrated on the Final Plat. Other versions of the plans and plats have referred to this as a 35’ wetland setback. This plat must be modified to reflect the required 35’ wetland setback.

If conditional plat approval is granted, the property will be able to move forward with obtaining Tax Map Numbers and subdivide the lot to begin construction of homes. Before any certificate of occupancy may be granted, the property owner must demonstrate that they have met all the 28 conditions of approval that the Planning Commission granted with the approval of the Preliminary Plat. The Town’s Water Department consultant recommends that no construction of homes begin until the permit to operate has been issued by the South Carolina Department of Environmental Services (SCDES).

#### Planning Commission considerations

Since the Planning Commission will be acting as a decision-making body, staff have provided several motions that the Commission can make after hearing all of the relevant information.

The Planning Commission, in its decision-making authority, may:

1. Approve the conditional plat with conditions that should be met before conditional or final plat approval.
2. Approve the conditional plat, as presented, if the Planning Commission has no concerns or additional requirements.
3. Deny the amended conditional plat if the proposed subdivision is not in compliance with the underlying zoning requirements and subdivision regulations. Or if the Planning Commission finds that there is a threat to public health and safety by allowing the construction of homes before the required infrastructure is installed.
4. Deferral of the decision, if the Planning Commission finds that necessary edits are required before it can make a decision. Note: If a decision is not rendered within 60 days of this complete application, default approval is granted.

#### Attachments:

- Staff report
- Mitigation/Landscaping Estimate – [CLICK HERE](#)
- Conditional Plat – [CLICK HERE](#)
- Applicant’s Attachments

Appendix A - Applicant's Attachments  
To view the attachments, click [HERE](#)

1. Item A-1 - The original subdivision bond;
2. Item A-2 - The revised subdivision bond with additional terms, highlighting the terms that were added to resolve the Town's prior concern;
3. Item A-3 - A copy of the AIA construction contract between the Applicant and their Contractor, which was the contract referred to in the subdivision bond;
4. Item A-4 - An itemized certification from the Contractor;
5. Item A-5 - A copy of the most recent pay application from the Contractor; and
6. Item A-6 - A declaration from the Applicant's Division President.

AN ORDINANCE OF THE TOWN OF AWENDAW, SOUTH CAROLINA, TO AMEND TITLE XV: LAND USAGE, CHAPTER 153: ZONING CODE, PLANNED DEVELOPMENT DIVISION OF THE CODE OF THE TOWN OF AWENDAW, SOUTH CAROLINA, BY AMENDING SECTION 153.045 AND REPEALING SECTION 153.046 THROUGH 153.050 THERETO, AND REPEAL ANY AND ALL REFERENCE TO PLANNED DEVELOPMENTS WITHIN CHAPTER 153: ZONING CODE.

WHEREAS, Sections 153.045 through 153.050 of the Town of Awendaw Code of Ordinances, entitled *Planned Development Zoning District Provisions*, provide standards for developments having a mix of uses, which were established on December 7, 2000 by Ordinance 20-8 and further amended on June 1, 2023 by Ordinance 23-05; and

WHEREAS, the Town of Awendaw seeks to restrict urban development strategies and promote rural development that compliments the Town’s rural character; and

WHEREAS, the Town may, in accordance with S.C. Code Ann. § 6-29-740, discontinue allowing the establishment of Planned Developments to ensure that such development is achieved within the proper zoning district; and

WHEREAS, Awendaw Town Council now desires to repeal Sections 153.045 through 153.050 of its Code of Ordinances, and replace it with Section 153.045, as displayed herein, in order to eliminate all new planned development districts; and

WHEREAS, the Awendaw Planning Commission held a public hearing on \_\_\_\_\_, 2026, to consider the amendments described herein; and

WHEREAS, Awendaw Town Council has the authority to repeal and replace its Code of Ordinances when deemed to be in the best interest of the citizens of the Town, and now desires to so as displayed herein.

**NOW THEREFORE, be it ordered and ordained** by the Council of the Town of Awendaw, SC and it is ordained by the authority of said Council that Sections 153.045 through 153.050 of the Town of Awendaw Code of Ordinances, entitled *Planned Development Zoning District Provisions*, of the Town of Awendaw Code of Ordinances shall be and is hereby repealed in its entirety and replace to specifically read as provided herein below:

## **PLANNED DEVELOPMENT ZONING DISTRICT PROVISIONS**

§ 153.045 STATEMENT OF INTENT.

**New Planned Development Districts shall no longer be allowed within the Town of Awendaw; all Development patterns must follow the appropriate zoning district or require a variance if the terms of the Zoning Code are not feasible.**

~~—Planned developments (PDs) are developments having a mix of uses that are planned and developed under unified control and following more flexible standards and procedures to achieve innovative site design, improved appearance, greater compatibility of uses, increased preservation of natural and scenic features, improved service by community facilities, better functioning of vehicular access and circulation and otherwise higher quality development than could be achieved through base zoning district regulations. The purpose of this subchapter is to provide a uniform mechanism for amending the~~

~~official zoning map to establish any of the planned development zoning districts established by this subchapter. The town wants to use these sparingly.~~

- ~~—(A) Support a higher quality of life and achieve a higher quality of development, environmental sensitivity, energy efficiency and provision of public services;~~
- ~~—(B) Reduce the inflexibility of zoning district standards that sometimes results from the strict application of the base district regulations and development standards established in this subchapter;~~
- ~~—(C) To achieve the objectives of the Comprehensive Plan by allowing flexibility in development that will exhibit innovative site planning for a mixture of residential, commercial and institutional uses as reflected in the planned development map, which becomes the zoning district map for the property;~~
- ~~—(D) Allow greater freedom and flexibility in selecting:
  - ~~—(1) The form and design of development;~~
  - ~~—(2) The ways by which pedestrians, cyclists and vehicular traffic circulate;~~
  - ~~—(3) How the development will be located and designed to respect the natural features of the land and protect the environment;~~
  - ~~—(4) How to design amenities to be applied; and~~
  - ~~—(5) The location and integration of open space and civic space into the development.~~~~
- ~~—(E) Preserve natural and scenic features;~~
- ~~—(F) Encourage a greater mix of land uses within the same development, including a mix of nonresidential development, residential development, lot sizes and densities and intensities;~~
- ~~—(G) Allow more efficient use of land, with smaller networks of streets and utilities;~~
- ~~—(H) Provide pedestrian connections within the site and to the public right-of-way;~~
- ~~—(I) Encourage the provision of centrally located open space amenities on the site;~~
- ~~—(J) Promote development forms and patterns that respect the character of established surrounding neighborhoods and/or other types of land uses, and promote development form that respects and takes advantage of a site's natural and human-made features, such as roadways, parks, ponds, wetlands, floodplains, trees and historic resources; and~~
- ~~—(K) Promote better site design principles to conserve natural areas, including preservation of tree canopy, reduced use of impervious surfaces and better managed urban runoff into the Intercoastal Waterway.~~

#### **~~§ 153.046 APPLICABILITY.~~**

~~—The procedures and standards in this section apply to the review of applications to amend the official zoning map to establish a planned development (PD) zoning district. A PD district is established by an amendment to the official zoning map to PD zoning district that is defined by a PD plan and a development agreement. Once the PD is approved, the applicant must receive approval for any site plans or subdivisions before development to ensure substantial compliance with the approved PD plan.~~

~~—(A) Administrative procedures.~~

~~—(1) Any request about the establishment of a planned development (PD) zoning district or changes to an existing PD district shall be considered an amendment to the Zoning Ordinance and be administered and processed accordingly per the provisions of this subchapter.~~

~~—(2) All data about the PD shall be submitted to the Planning Commission for review, public hearing and recommendation, then forwarded to Town Council for final action. If approved by the Council, all information about the proposal shall be adopted as an amendment to the Zoning Ordinance, as the standards of development for that particular planned development district. If the owner or developer is not in agreement with the Planning Commission's findings, they may request approval from the Town Council. A building or zoning permit shall not be issued for construction until a final plat for the PD phase in which the permit is being requested has been submitted to and approved by the Zoning Administrator.~~

~~—(B) Standards for qualification as a planned development. Development proposed for a planned development (PD) shall meet certain basic standards to qualify for consistency with the intent of a planned development.~~

~~—(1) Minimum size. The minimum size for a PD district shall be ten acres.~~

~~—(2) Minimum width. The PD site must have a minimum width between any two opposite lines of 200 linear feet.~~

~~—(3) Eligible street. The PD shall exit a major paved road or arterial and have a minimum frontage width on said arterial of 80 feet. A PD may not have the primary vehicular access point onto a local or unpaved street. Eligible streets for a PD primary frontage include, but may not be limited to:~~

~~—(a) Highway 17;~~

~~—(b) Dear Road;~~

~~—(c) Seewee Road;~~

~~—(d) Bulls Island Road;~~

~~—(e) Broomstraw Hill Road;~~

~~—(f) 15 Mile Landing Road;~~

~~—(g) Steed Creek Road;~~

~~—(h) State Road S 10-98;~~

~~—(i) I'on Swamp Road;~~

~~—(j) White Road;~~

~~—(k) Maxville Road;~~

~~—(l) Porcher School Road;~~

~~—(m) Alston Dingle Road;~~

- ~~(n) Louis McNeil Road;~~
- ~~(o) Thames Road;~~
- ~~(p) Jones Road;~~
- ~~(q) Union Road;~~
- ~~(r) Light Keepers Lane;~~
- ~~(s) Limehouse Road;~~
- ~~(t) Come About Way;~~
- ~~(u) Bulls Bay Boulevard;~~
- ~~(v) Guerin's Bridge Road;~~
- ~~(w) Theodore Brunson Road;~~
- ~~(x) FS Road 5158;~~
- ~~(y) Flatfield Farm Road;~~
- ~~(z) Pointing Brittany Lane;~~
- ~~(aa) Cedar Plantation Lane;~~
- ~~(bb) Clayfield Road; and~~
- ~~(cc) FS Road 260-B.~~

— ~~(4) *Mixed use standard.* The developer shall be responsible for illustrating how that shall be accomplished in order to meet the standard requirement.~~

— ~~(5) *Minimum centrally located open space required.* A PD shall contain a minimum of 10% open space of net upland (developable) centrally located open space. The space must be large and useable by the residents of the PD. Drainage ponds and wetlands may not qualify to meet this requirement.~~

— ~~(6) *Minimum number of vehicular access points to the public road.* The minimum number of vehicular access points to the public road is one per 150 parcels. A second access point may be required by the Planning Commission if it feels it will help alleviate a potential safety concern.~~

— ~~(7) *Residential building types.* A PD district may contain any mixture of residential building types including, but not limited to:~~

- ~~(a) Single-family detached large lot;~~
- ~~(b) Single-family detached small lot; and~~
- ~~(c) Duplex units.~~

— ~~(8) *Maximum residential density.* Four dwelling units per acre except within 300 feet of the OCRM critical line, where the maximum residential density shall be one unit per acre.~~

~~—(9) *Term.* A PD shall stay in effect for five years from the date of Council adoption of the PD document.~~

~~—(10) *Minimum Intercoastal Waterway property impervious surface.* Any PD property that is located within the first 300 feet from the OCRM critical line shall incorporate no more than 20% impervious surface, including roads, buildings and parking lots and any other paved surfaces.~~

~~—(11) *Traffic impact analysis.* Any PD proposing more than 80 dwelling units shall prepare a traffic impact analysis.~~

~~—(12) *Clear cutting.* Clear cutting of the existing pine tree canopy is strongly discouraged but may be permitted on a case-by-case basis if a 25-foot wide undisturbed buffer (except for required ingress and egress) is employed along all project exterior property lines; otherwise, clear-cutting is not allowed as part of the PD.~~

~~—(13) *Development impact fee.* The town requires that a development impact fee of \$3,000 per dwelling unit be paid to the town upon the issuance of a certificate of occupancy.~~

~~—(14) *Development agreement.* The Town Council may require the execution of a development agreement to establish other development conditions not covered in a PD document.~~

~~—(15) *Other provisions.* Any other provisions the Town Council determines are relevant and necessary to the development of the planned development.~~

#### § 153.047 ZONING ORDINANCE STANDARDS.

~~—(A) Certain town-wide Zoning Ordinance standards may not be modified by the text of a planned development. These ordinances are important to promote the public health, safety and general welfare of the citizens of the town. The Town Council may, at its sole discretion, require more stringent adherence to these controls.~~

~~—(B) The following may not be modified by a property owner or developer in the PD:~~

~~—(1) Sections 153.080 through 153.130~~

~~—(2) Sections 153.275 through 153.283~~

~~—(3) Sections 153.210 and 153.211~~

~~—(4) Sections 153.195 and 153.196~~

~~—(5) Sections 153.255 through 153.263~~

~~—(6) Section 153.302~~

~~—(7) Section 153.310 and~~

~~—(8) Any other section having to do with life/safety (i.e., police, fire and building).~~

**~~§ 153.048 STATE PLANNING REQUIREMENTS.~~**

~~The project meets the requirements of S.C. Code § 6-29-720(C)(4) and § 6-29-740 of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, as amended.~~

**~~§ 153.049 REQUIRED ELEMENTS OF THE PLANNED DEVELOPMENT DOCUMENT.~~**

~~—The following are the required elements of the planned development document:~~

~~—(A) The name of the planned development, not duplicating the name of any other planned development or subdivision, the final plat of which has been recorded in the town;~~

~~—(B) A statement of the objective of the proposed development;~~

~~—(C) The total acreage of the planned development broken down into total acreage, total highland acreage, total freshwater wetland acreage and total jurisdictional wetland or marsh area;~~

~~—(D) A table of the proposed land uses including:~~

~~—(1) A table of proposed maximum and average residential densities for each residential use;~~

~~—(2) The maximum total acreage of each residential use; and~~

~~—(3) The maximum allowable number of each type of residential dwelling unit requested.~~

~~—(E) All dimensional and lot standards proposed, for each land use type designated;~~

~~—(F) An analysis of the impact of the proposed development on existing public facilities and services (e.g., streets, water, sewer, stormwater and the like). Any proposed future improvements to these facilities and services to be made as part of the PD shall also be included;~~

~~—(G) A traffic impact analysis (plus 80 dwelling units) that assesses the buildout impact on existing streets. On-site and off-site improvements recommended by the traffic analysis shall be included in the PD document;~~

~~—(H) A development schedule with a generalized phasing schedule, if appropriate. The phasing schedule shall include the total number of dwelling units and the total acreage of each residential use, the total gross floor area of any nonresidential use and the percentage and acreage of open space to be included in each phase;~~

~~—(I) A statement indicating how all roads and alleys will be owned and maintained;~~

~~—(J) A detailed narrative statement defining the proposed stormwater system design approach and system integration within the proposed plan. The statement should include conceptual stormwater system design configuration, including site specific natural and human made features (e.g., wetlands, ditches, ponds, rivers and the like) incorporated within the stormwater management system; system components; component purpose/function; stormwater system ownership; and party(ies) responsible for maintenance. A compliance statement is required referencing applicable State Department of Health and Environmental Control (SCDHEC) and the County Stormwater Program criteria;~~

~~—(K) A statement of inclusion and compliance with processes included in the town's municipal code that is not mentioned in the planned development guidelines;~~

~~—(L) A statement of agreement to proceed with proposed development per the provisions of these zoning regulations, applicable provisions of the town's Comprehensive Plan and with such conditions as may be attached to any rezoning to the applicable PD district; and~~

~~—(M) Letters of coordination from all agencies from which the applicant must:~~

~~—(1) Obtain permits; or~~

~~—(2) Obtain services and/or facilities; and~~

~~—(3) Any other information that the Zoning Administrator determines is necessary to determine whether or not an application complies with the standards established in this section.~~

### **~~§ 153.050 MASTER PLAN CONTENTS.~~**

~~—The following shall be included in the proposed site master plan. Multiple site master plans may be submitted. Master plans shall be drawn to scale.~~

~~(A) The general location and amount of land proposed for each land use including single family residential, industrial, institutional, office, commercial, common open space/recreation, street use and the like; plan shall be in full color;~~

~~—(B) Conceptual lot/property lines;~~

~~—(C) Pedestrian and motor traffic circulation;~~

~~—(D) Location, acreage and type of all wetlands as they exist before development. The location and acreage of all wetlands to propose developed upon;~~

~~—(E) A tree survey. Shall conform with the standards of the Zoning Ordinance;~~

~~—(F) Colored architectural conceptual elevations for each type of residential and nonresidential unit;~~

~~—(G) The general location, size and capacity of all existing and proposed water and sewer lines;~~

~~—(H) Areas to be included in each phase of development, including the location of all common open space areas;~~

~~—(I) The location of all construction entrances;~~

~~—(J) A colored landscape master plan, including the location and composition of all screening and buffering materials as well as preserved hardwood trees;~~

~~—(K) Stormwater plan to provide a graphic representation of existing and proposed stormwater system components and use best management practices that maximize on-site infiltration in smaller, more numerous ponds versus a large central pond;~~

~~—(L) A utility plan with the location of any on-site natural areas, buffers, trees and sidewalks that may be impacted by utility facilities including the existing and proposed location of any easements or rights-of-way; and~~

~~—(M) Any other information that the Zoning Administrator determines is necessary to determine whether the application complies with the standards established in this subchapter.~~

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON FINAL READING

Introduced: \_\_\_\_\_

Planning Commission Recommendation:

Chris Crolley

Final Reading: \_\_\_\_\_

Mayor, Town of Awendaw

Attest: \_\_\_\_\_

Clerk of Council

AN ORDINANCE OF THE TOWN OF AWENDAW, SOUTH CAROLINA, TO AMEND TITLE XV: LAND USAGE, CHAPTER 153: ZONING CODE, DESCRIPTION OF ZONING DISTRICTS DIVISION OF THE CODE OF THE TOWN OF AWENDAW, SOUTH CAROLINA, BY AMENDING EXISTING SECTIONS 153.025 THROUGH 153.032, PROVIDING NEW ZONING DISTRICTS AS SHOWN IN THE TOWN'S FUTURE LAND USE MAP.

WHEREAS,

WHEREAS,

### Description of Zoning Districts

#### 153.025 Conservation (C)

This district is designated primarily to protect and encourage the appropriate use of marshlands, forested areas, scenic areas, and agricultural areas that are under a legal agreement that permanently restricts development while allowing limited private uses.

Table 153.025-1: C District Dimensional Standards

<b>Lot Area (min)</b>	3.0 acres
<b>Lot Width (min)</b>	200 ft
<b>Front Setback (min)</b>	50 ft
<b>Side Setback, Interior (min)</b>	30 ft
<b>Side Setback, Corner lot (min)</b>	30 ft
<b>Rear Setback (min)</b>	50 ft
<b>Wetland/Critical Area Setback</b>	See §153.225
<b>Structure Height (max)</b>	35 ft
<b>Lot Coverage (max)<sup>1</sup></b>	15%

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<sup>1</sup> The current Zoning Ordinance does not define “lot coverage.” In practice, staff indicates this includes all impervious surfaces. Recommend defining *lot coverage* in §153.009.

### 153.026 Parks (P)

This district is designated to provide land for public recreation, parks, community facilities sites, flood control, natural or man-made bodies of water, forests or similar non-commercial open space. **It is not suitable for general residential or commercial use; provided, however, residential quarters for personnel and incidental retail sales of merchandise may be allowed.**

**Table 153.026-1: P District Dimensional Standards**

<b>Lot Area (min)</b>	3.0 acres
<b>Lot Width (min)</b>	200 ft
<b>Front Setback (min)</b>	50 ft
<b>Side Setback, Interior (min)</b>	30 ft
<b>Side Setback, Corner lot (min)</b>	30 ft
<b>Rear Setback (min)</b>	50 ft
<b>Wetland/Critical Area Setback</b>	See §153.225
<b>Structure Height (max)</b>	35 ft
<b>Lot Coverage (max)<sup>2</sup></b>	15%

### 153.027 Conservation Residential (CR)

- a) **Purpose.** This district is intended to accommodate very low-density residential uses on large lots while preserving **agricultural land**, natural resources, and the town’s rural character. New development should be well integrated into the natural landscape. The district is intended to be used in areas where, due to the absence of necessary services, development of higher density is undesirable or infeasible.
- b) **Location.** The CR District is generally appropriate in areas designated as Conservation Residential and Rural Residential on the Comprehensive Plan Future Land Use Map.
- c) **Dimensional Standards.** Lots located in the CR District are subject to the dimensional standards specified in Table 1153.027-1.

**Table 153.027-1: CR District Dimensional Standards**

<b>Lot Area (min)</b>	3.0 acres
<b>Lot Width (min)</b>	200 ft
<b>Front Setback (min)</b>	50 ft
<b>Side Setback, Interior (min)</b>	<del>50</del> <u>25</u> ft

<sup>2</sup> The current Zoning Ordinance does not define “lot coverage.” In practice, staff indicates this includes all impervious surfaces. Recommend defining *lot coverage* in §153.009.

Side Setback, Corner lot (min)	50 ft
Rear Setback (min)	<del>75</del> <u>50</u> ft
Wetland/Critical Area Setback	See §153.225
Structure Height (max)	35 ft
Lot Coverage (max) <sup>3</sup>	<del>15</del> <u>20</u> %

Key: min = minimum required | max = maximum allowed | ft = feet

### 153.028 Rural Residential (RR)

- a) **Purpose.** This district is intended to be the town’s primary residential district, accommodating smaller, existing lots, as well as new, larger lots. A primary objective of this district is to prevent undesirable suburban sprawl.
- b) **Location.** The RR District is generally appropriate in areas designated as Rural Residential on the Comprehensive Plan Future Land Use Map. These areas are concentrated along existing local streets.
- c) **Dimensional Standards.** Lots located in the RR District are subject to the dimensional standards specified in Table 153.02153.028-1.

**Table 153.028-1: RR District Dimensional Standards**

Lot Area (min)	65,340 sf
Lot Width (min)	200 ft
Front Setback (min)	<del>50</del> <u>40</u> ft
Side Setback, Interior (min)	<del>25</del> <u>20</u> ft
Side Setback, Corner lot (min)	<del>50</del> <u>40</u> ft
Rear Setback (min)	<del>50</del> <u>30</u> ft
Wetland/Critical Area Setback	See §153.225
Structure Height (max)	35 ft
Lot Coverage (max)	<del>20</del> <u>25</u> %

Key: min = minimum required | max = maximum allowed | sf = square feet | ft = feet

### 153.029 Village Residential-1 (VR-1)

- a) **Purpose.** This district implements the Village Residential Future Land Use Map designation. It serves as a transitional district between VR-2 and lower density residential and agricultural districts.

<sup>3</sup> The current Zoning Ordinance does not define “lot coverage.” In practice, staff indicates this includes all impervious surfaces. Recommend defining *lot coverage* in §153.009.

- b) **Location.** The VR-1 District is generally appropriate in areas designated as Village Residential on the Comprehensive Plan Future Land Use Map.
- c) **Dimensional Standards.** Lots located in the VR-1 District are subject to the dimensional standards specified in 153.029-1.

**Table 153.029-1: VR-1 District Dimensional Standards**

<b>Lot Area (min)</b>	43,560 sf
<b>Lot Width (min)</b>	<del>125</del> -150 ft
<b>Front Setback (min)</b>	40 ft
<b>Side Setback, Interior (min)</b>	<del>25</del> -20 ft
<b>Side Setback, Corner lot (min)</b>	40 ft
<b>Rear Setback (min)</b>	25 ft
<b>Wetland/Critical Area Setback</b>	See §153.225
<b>Structure Height (max)</b>	35 ft
<b>Lot Coverage (max)</b>	30%

**Key:** min = minimum required | max = maximum allowed | sf = square feet | ft = feet

**153.030 Village Residential-2 (VR-2)**

- a) **Purpose.** This district implements the Village Residential Future Land Use Map designation and is the Town’s most dense residential district. It includes areas immediately adjacent to the Town’s Commercial Nodes and allows a variety of housing types.
- b) **Location.** The VR-2 District is generally appropriate in areas designated as Village Residential on the Comprehensive Plan Future Land Use Map.
- c) **Dimensional Standards.** Lots located in the VR-2 District are subject to the dimensional standards specified in Table .

**Table 153.030-1: VR-2 District Dimensional Standards**

<b>Lot Area, with Public Water (min)</b>	21,500 sf
<b>Lot Area, without Public Water (min)</b>	30,000 sf
<b>Lot Width (min)</b>	<del>75</del> -100 ft <sup>4</sup>
<b>Front Setback (min)</b>	35 ft
<b>Side Setback, Interior (min)</b>	15 ft
<b>Side Setback, Corner lot (min)</b>	35 ft

<sup>4</sup> The current R, Residential, District requires a minimum lot width of 100 feet.

<b>Rear Setback (min)</b>	20 ft
<b>Wetland/Critical Area Setback</b>	See §153.225
<b>Structure Height (max)</b>	35 ft
<b>Lot Coverage (max)</b>	40% <sup>5</sup>

**Key:** min = minimum required | max = maximum allowed | sf = square feet | ft = feet

153.031 Village Center (VC) – To be Determined

153.032 Town Center (TC) - To be Determined

DRAFT

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<sup>5</sup> The current R, Residential, District limits lot coverage to 30%.

DRAFT

AN ORDINANCE OF THE TOWN OF AWENDAW, SOUTH CAROLINA, TO AMEND TITLE XV: LAND USAGE, CHAPTER 153: ZONING CODE, SUBDIVISION REGULATIONS DIVISION, BY ADOPTING A NEW SECTION 153.312 AMENITY SPACE AND AMENDING SECTION 153.009 DEFINITIONS.

**§153.009 DEFINITIONS**

Impervious surface. An impervious surface is a surface that prevents or significantly impedes the infiltration of stormwater into the ground. This includes but is not limited to roofs, buildings, concrete, asphalt, pool decks, patios, compacted gravel, and pavers not meeting the definition of a pervious surface. Surfaces shall be considered impervious unless demonstrated otherwise.

**§ 153.312 Amenity Space <NEW>**

- A. *Purpose.* The purposes of amenity space requirements are to:
  1. Preserve existing vegetation and important wildlife habitat;
  2. Promote low-impact development by reducing imperious cover in a Development;
  3. Provide active and passive recreational opportunities for residents; and
  4. Enhance the aesthetic and environmental quality of development.
- B. *Applicability.* This section applies to all major residential subdivisions.<sup>1</sup>
- C. *Minimum area.* Table 153.312-1 specifies the amount of open space required in each zoning district. The minimum area is a percentage of the total development site area.

**Table 153.312-1: Minimum Amount of Amenity Space Required**

Zoning District	Amenity Space (min)
Conservation Residential (CR)	10%
Rural Residential (RR)	20%
Village Residential 1 (VR-1)	25%
Village Residential 2 (VR-2)	30%

**Key:** min = minimum amount required

- D. *Minimum dimensions.* Each amenity space area must be at least 20-30 feet in width and at least 500 square feet in area.
- E. *Minimum composition.* Active and/or passive recreation areas must comprise at least 50% of required amenity space.
- F. *Areas counted as amenity space.* Amenity space may be comprised of any of the following:
  - (a) Active recreational areas (e.g., ball fields, playgrounds);
  - (b) Passive recreational areas (e.g., pedestrian and bicycle trails, picnic areas);
  - (c) Required perimeter buffers, which may count as up to 25% of required amenity space;

<sup>1</sup> FOR DISCUSSION: Should these standards apply to other development types? If so, we may need to add districts to Table 153.312-1.

~~(e)~~(d) Stormwater retention ponds that are one acre or greater in size and include a perimeter trail and/or dock/pier, which may count as up to 25% of required amenity space;

~~(d)~~(e) Vegetated low impact development (LID) features, such as bioswales. There are no minimum dimensional requirements for LID features to count as amenity space; and

~~(e)~~(f) Resource protection areas, which may count as up to 50% of required amenity space.

Resource protection areas include only the following:

1. Natural water bodies;
2. Cemeteries; and
3. Historical, cultural, or archaeological sites.

G. *Areas not counted as amenity space.* The following types of areas do not count as amenity space:

1. Streets and parking areas, unless associated with recreational structures or parks;
2. Boat and RV storage areas;
3. Private lots and yards;
4. Required building setback areas;
5. Golf courses;
6. Marsh areas;
7. Wetlands;
8. Human-made water bodies;
9. Stormwater detention or retention ponds, except as allowed by Paragraph (F) above;<sup>2</sup>
10. Ditches;
11. Federally- or State-owned land; and
12. Utility line rights-of-way, unless the utility is located underground and the aboveground portion is used for active or passive recreation.

H. *Access to amenity space.*

1. All amenity space areas must have at least one access point from an internal street that is not located on an individual residential lot.
2. This primary access point must be at least 10 feet in width and clearly marked or delineated as community amenity space.
3. Lots that do not adjoin amenity space must be connected to the amenity space via a sidewalk or trail.
4. The Town may require access to be restricted if it would degrade, destroy, or adversely interfere with sensitive environmental or natural areas or with significant historic or cultural resources.

I. *Long-term preservation and maintenance.*

1. Land designated as amenity space must:

(a) Be platted as a lot, though it does not have to meet the minimum lot area requirements of the zoning district;

~~(a)~~(b) Be designated on all sketch plans and plats as amenity space;

~~(b)~~(c) Remain as amenity space in perpetuity; and

~~(c)~~(d) Be maintained so that its use and enjoyment as amenity space is not diminished or destroyed.

2. Amenity space must be permanently protected through deed restrictions, covenants, or other legal instruments to:

(a) Ensure the amenity space is used for its intended purpose; and

(b) Provide for the continued and effective management, operation, and maintenance of the amenity space.

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