

631. **Flexible Design District** *(Amended Ord. 2014-15)*

Intent. The purpose of the Flexible Design District (also referred to as FDD) is to provide opportunities to create more desirable environments for single or mixed use developments through the application of flexible and diversified land development standards under a comprehensive review process. Use of this district will protect the natural and human environment and facilitate an improved use of land.

631.1 **Uses.** Flexible Design Districts may accommodate public, residential, office, commercial and industrial users whether single use or mixed.

631.2 **Minimum Acreage Requirements, Setbacks and Density.** The site utilized for a Flexible Design Development District shall include a minimum of two (2) acres of land.

631.3 **Minimum Setbacks.** County Council, after review of the Planning Commission's recommendation, shall determine appropriate setbacks from property lines and needed buffers except that the 90 foot setback from US Highway 17 as established in Article IV, General Provisions, Section 409, Setback from US Highway 17, shall not be reduced.

631.4 **Density.** To determine the density, only uplands can be used to calculate the units per acre. Wetlands and water bodies shall not be included in calculating density. In residential proposals, the Georgetown County Comprehensive plan shall be used to determine overall density limits. Higher densities shall only be allowed when strong evidence is presented that affordable housing will be promoted, useable open space will be increased or the natural environment will be enhanced.

631.5 **Height.** The height limits established elsewhere in this Ordinance shall not be exceeded.

631.6 **Parking.** Shared parking shall be encouraged. Landscaping in parking lots will be established at a rate of one and a half times that is otherwise required in the Zoning Ordinance. Where practical, parking shall be provided behind or along the sides of a principal structure. To encourage parking in the rear of a principal structure, the front setback may be reduced up to fifty (50) percent, except in the Waccamaw Commercial Corridor Overlay District.

631.7 **Buffers.** Buffers shall be required between mixed uses. If a fence is utilized as a buffer, it shall include shrubbery on both sides at a rate as established in the Zoning Ordinance.

631.8 **One Principal Building Per Lot.** This provision does not apply in the FDD.

- 631.9 Storm Water. The project shall meet the requirements of the Georgetown County Storm Water Ordinance if applicable. Article VII of the Zoning Ordinance regarding the ratio of pervious to impervious surface area shall also apply.
- 631.10 Residential Development. All types of residential structures may be approved, with the exception of mobile homes and single family dwellings located on pads. Each single family detached structure shall be located on a parcel with no other residential uses with the exception of a flat, garage apartment or accessory dwelling, if approved in the plan.
- 631.11 Procedures for Establishment of a Flexible Design District. The process required by this Ordinance for rezoning a parcel of land shall be followed. The application shall include a fee established by County Council which shall follow the same fee schedule as the Planned Development fee. At a minimum, the applicant shall provide the following:
- 631.111 A description of the land and maps showing the site location and protected trees over eight (8) inches in diameter measured as stated in the tree protection regulations. Additionally, long leaf pines on the Waccamaw Neck over twelve (12) inches in diameter shall be shown. A map showing any unusual natural features including possible wetlands and existing drainage conveyances including ditches.
- 631.112 A map or written statement reflecting the availability of utilities including water, wastewater, electricity, gas, storm water and broadband.
- 631.113 A site plan showing all buildings, parking areas, recreational areas, amenities, driveways and traffic patterns. Any other development feature such as pathways also must be shown. Any existing or proposed easements also must be shown.
- 631.114 A narrative addressing how the project better impacts the natural and human environment as a FDD than a more typical residential or commercial zoning district.
- 631.115 A narrative and map if applicable, addressing any known historical or archeological features on the site and how any negative impact will be mitigated. If natural features such as wetlands are present, along with an identifying map, a narrative statement addressing project impacts on the features and any mitigation shall be submitted.
- 631.116 A traffic analysis if the ADT's exceed 500 per day as required in Ordinance 2004-27. The Director of Planning and Code

Enforcement or the County Administrator must approve the selected traffic engineer or professional hired by the applicant for any such study.

631.117 Preliminary renderings of commercial structures are required at the submission stage. Architectural compatibility and aesthetics are important in all FDD. The preliminary rendering may be modified at a later date with Planning Commission approval. Commercial projects inside the Waccamaw Neck Commercial Corridor Architectural Overlay District shall meet those requirements and may be modified from the preliminary submission with the approval of the Zoning Administrator or Planning Director if all of the architectural standards or requirements are met. All renderings will be conceptual in nature.

631.12 Administrative Procedures with Regard to Flexible Design Development Zoning Districts. All data set forth in Section 631.6 pertaining to conceptual approval shall be submitted to the Planning Department and subsequently forwarded to County Council, with recommendations from the Planning Commission. If approved by County Council, all information pertaining to the proposal shall be adopted as an amendment to the Zoning Ordinance, as the standards of development for that particular Flexible Design District. At a later date, revised Conceptual Plans may be submitted to the Planning Department for review and approval provided the proposed change does not constitute a major change under section 631.14. Final plans for each phase shall be submitted to Staff of their review and approval. The Planning Department may grant final approval provided that the final plans are in accordance with the approved Conceptual Plan; however, minor changes may be made as described in section 619.301 (Minor Changes). If the owner or developer is not in agreement with the Planning Department's findings, they may request approval from the Planning Commission and County Council.

631.121 A building permit shall not be issued until a final plan, as required in section 631.18, for each phase of development is submitted and approved by the Planning Department.

631.122 If final approval is given prior to all necessary improvements being constructed and accepted, an irrevocable letter of credit or cash in an amount not less than one hundred and twenty five (125) percent of the estimated cost of the improvements as approved by the County shall be posted for all improvements not in place or accepted. The regulations established in the Georgetown County Development Regulations regarding financial guarantees shall be followed. The County is not obligated to approve the use of financial guarantees.

- 631.123 For Flexible Design Developments that contain more than five (5) acres, the applicant may elect to develop the site in successive phases in a manner indicated on the Conceptual Plan; however, each stage shall be substantially completed before the commencement of development of the next phase. The Planning Commission may require that the development be done in phases if public facilities are not adequate to service the entire development initially.
- 631.124 In the event a variance or major modification is applied for in a FDD, the Planning Commission shall hold a public hearing and submit a recommendation to County Council. County Council may approve a variance by approving three readings of an ordinance establishing such changes. This section, for purposes of an FDD, shall supersede all other sections of the Georgetown County Zoning Ordinance, as amended, dealing with the procedure to obtain a variance and the conditions to receive a variance.
- 631.13 Changes and Modifications.
- 631.131 Minor Changes. Minor changes in the FDD may be approved by the Planning Department provided that such changes:
- 631.1311 Do not increase the densities;
 - 631.1312 Do not change the outside exterior boundaries or height limitations;
 - 631.1313 Do not materially change the location or amount of land devoted to specific land uses;
 - 631.1314 Do not significantly change the exterior appearance from those shown on any plans which may be submitted or presented by the developer; and
 - 631.1315 May include, but not be limited to minor shifting of buildings, proposed streets, public or private ways, utility easements, parks or other public open spaces, or other feature of the plan. Minor shifting of buildings does not include encroaching into any required setback. No minor change shall affect any density (except to decrease), storm water requirement or decrease any open space.
 - 631.1316 Temporary signs within a FDD which exceed the limit for temporary signs under the sign provisions

may be approved by Staff provided such approval does not exceed a one year period.

631.132 Major Changes. Major changes in a FDD shall require a public hearing and shall be treated as an amendment to the Ordinance. Major changes may include, but are not limited to the following:

631.1321 Increase in density;

631.1322 Changes in exterior boundary lines;

631.1323 Changes in intensity of land use;

Intensity is defined as: The “intensity” of land use is the degree of the negative impacts on the environment and neighboring land uses. Impacts of intensity include, but are not limited to, greater impervious surface coverage, reduced open space, increased bulk and height of buildings, increased traffic with associated noise and congestion, signs and exterior lighting visible from neighboring property.

631.1324 Changes in the location or amount of land devoted to specific land uses. Minor shifting of buildings in order to save trees and promote improved environmental impacts such as reducing impervious materials are not considered major changes;

631.1325 Changes that significantly change the approved exterior appearance.

631.15 Ownership Requirements. In order to initially apply for a FDD, the owners of all land located within the project must sign the application or designate an agent empowered to apply on their behalf. If applicable, future amendments may be submitted by a property association or similar entity.

631.16 Conceptual Plan Requirements. The conceptual plan shall contain the following items when applicable.

631.161 Site Plan – Sheet 1

Location map; Ownership patterns; Property dimensions; Location of structures; Types of uses; Phases and timetables; Number of units per phase; Acreages (total and per phase); Ingress and egress; Yard requirements; Lot sizes; Street layout; Parking; Screening, buffers and borders; Off-street loading facilities; Building heights;

Public access and recreation; Open space (active or passive); Density; Number of units per building; General layout of sidewalks or pathways; and Graphics (north arrow, scale-written and graphic, engineers signature and date of field survey).

631.162 Environmental Plan – Sheet 2
Contours; Drainage plan; Flood prone areas; Marsh areas or wetlands; and other principal geographic features.

631.163 Water and Sewer Plan – Sheet 3
Shall meet the requirements of the Georgetown County Water and Sewer District extension policy or other such policy of the applicable water and/or sewer provider.

631.164 Utilities Plan – Sheet 4
Layout and easements for other utilities (electric, telephone, gas, cable, etc.).

631.17 Approval of Conceptual Plan. Upon approval of the conceptual plan by the County Council, the Zoning Map will be changed to indicate the FDD classification.

631.18 Final Plan Requirements. Before any permits may be issued, the developer shall submit final plans for review and approval to the Zoning Administrator and Planning Department. The final plan shall contain the following information.

631.181 Site Plan – Sheet 1
Location map; Location of structures; Phases of development and timetables; Acreage (total acres and acreage per phase); Property dimensions of the phase development; Ingress and egress (dimensions, acceleration, deceleration lanes and numbers of ingress and egress points); Yard requirements (distance between buildings, distance of buildings from street, distance from easements and distance from off-street parking); Lot sizes; Street layout (street names, proximity of dwelling units, relationship to street patterns, right-of-way widths, paving widths, type of streets, directional arrows, type of pavement, street jogs, location of intersections and statement on traffic speed); Size of structure (exact dimensions, height and number of units per building); Screening buffers, etc.; Off-street loading (relationship to commercial and public facilities); Public access and recreation-open space (dimensions and location, proximity to streets and buildings, relationship to streets and buildings and type of recreation area); Density (number of units per phase, number of units per acre and overall density); Final layout of sidewalks/pathways (width, type of material and relationship to

public street); Graphics (north arrow, name of developer, name of development, scale, adjoining property owners and uses, engineers signature, date of field survey and dimensions, bearings, angles and reference points).

- 631.182 Environmental Plan – Sheet 2
Drainage plan; Contours; Flood prone areas; Marsh areas or wetlands; Other principal geographic features; Dumpster locations; and Erosion control methods.
- 631.183 Water and Sewer Plan – Sheet 3
Shall meet the requirements of Georgetown County Water and Sewer District extension policy with a sign-off on the plans.
- 631.184 Utilities Plan – Sheet 4
Layout and easements of other utilities (electric, telephone, gas, cable, etc.).
- 631.185 Exterior Appearance – Sheet 5
- 631.186 Soil Trees, and Other Information Required by Staff – Sheet 6.
- 631.187 A copy of the proposed deed restrictions or covenants.