

**PROPOSED MCAS BEAUFORT
TRANSFER OF DEVELOPMENT
RIGHTS PROGRAM: A CASE
STUDY IN PARTNERING**

DEFENSE COMMUNITIES CONFERENCE

NOVEMBER 5, 2009

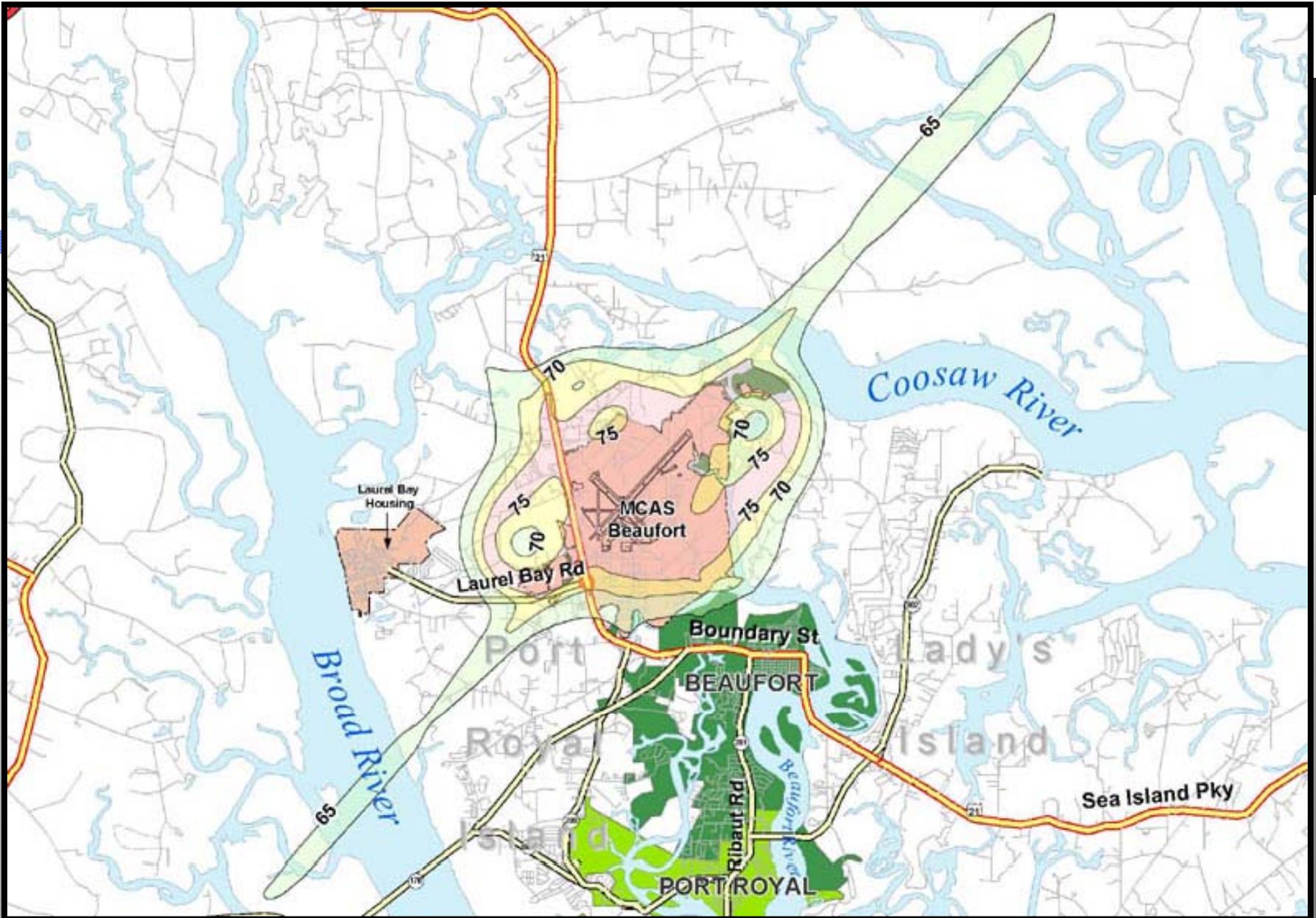
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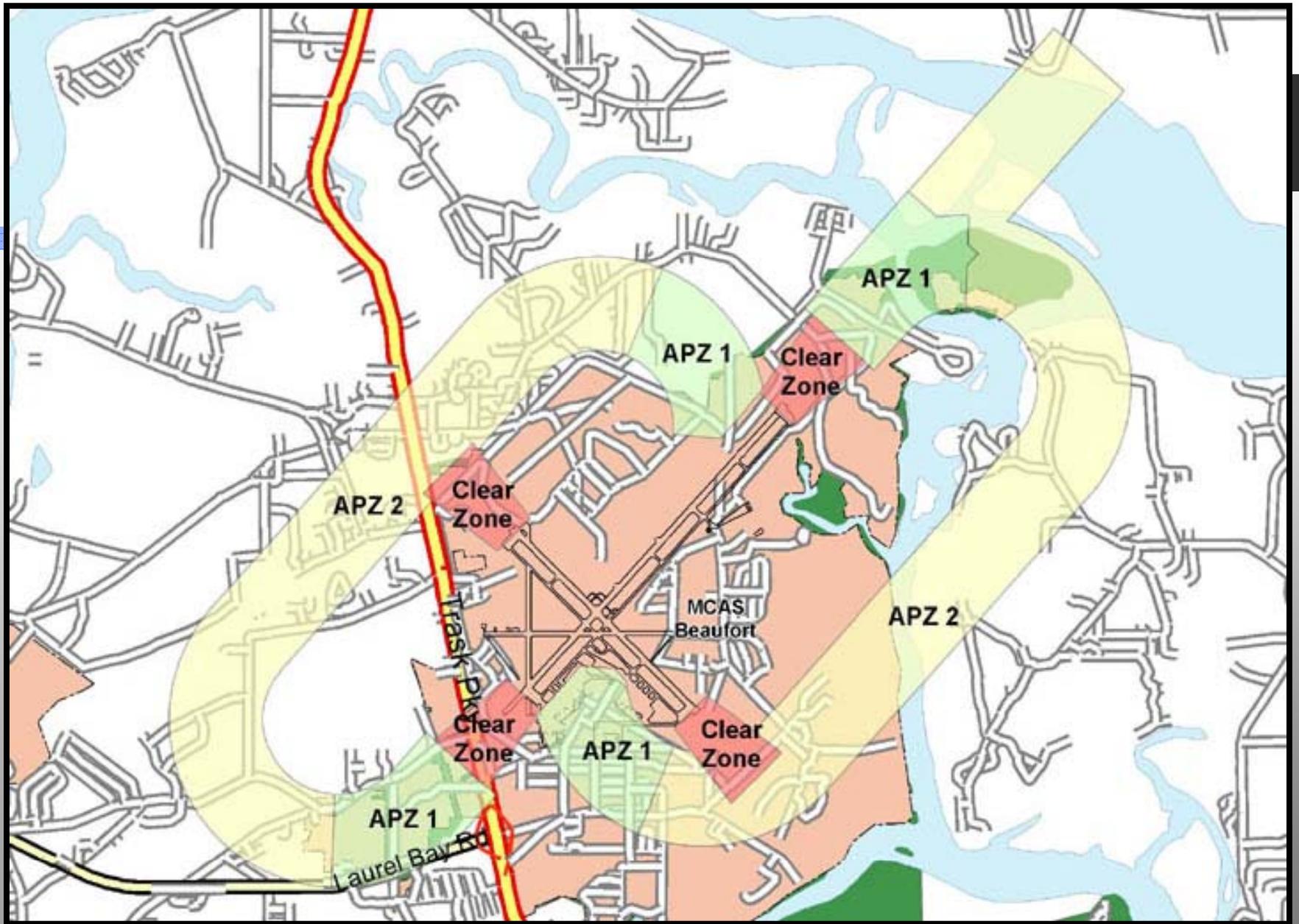
IT STARTED WITH A LONG JLUS PLAN PROCESS

- **October 1999. First Steering Committee Meeting**
- **Spring 2000. New AICUZ expected**
- **October 2000. AICUZ delivered to MCAS and returned for major revisions.**
- **Mid-2003. AICUZ Plan completed.**
- **June 2003. Steering Committee reorganized into Policy Committee and Technical Committee.**
- **August 2003. www.lowcountryjlus.org launched.**





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AND THE JLUS PROCESS CONTINUED...

- **October 2003.** First scheduled community information meeting cancelled a few hours before it was scheduled to take place because of AICUZ-based lawsuit.
- **December 2003.** Community information meetings delayed for foreseeable future.
- **March 2004.** First round of community meetings. Moderate attendance; moderate response.
- **May 2004.** Second round of community meetings. Third, and final, of the series attracted large crowd; emotional responses based on old grievances.



JLUS PLAN ACCEPTED; REAL WORK BEGINS AFTER BRAC BREAK

- **August 2004. JLUS Plan completed and adopted by Policy Committee.**
- **September and October 2004. JLUS Plan unanimously endorsed by Beaufort County, City of Beaufort and Town of Port Royal Councils.**
- **JLUS Implementation Committee established.**
- **May 2005. MCAS Beaufort NOT on BRAC closing list.**



AICUZ OVERLAY ZONING FOR ALL 3 JURISDICTIONS

- **September to December 2006. Convincing the affected communities and their elected officials to support the Overlay Zoning, that was, in many cases, “downzoning.”**
- **1835 to Present. South Carolinians passionate about their property rights.**
- **Transfer of Development Rights program conceived as a non-cash form of compensation for affected property owners.**
- **December 2006. Beaufort County, City of Beaufort, Town of Port Royal all passed AICUZ Overlay Zoning—same criteria, slightly different language.**

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IMPLEMENTATION COMMITTEE UNDERTAKES TDR PROJECT

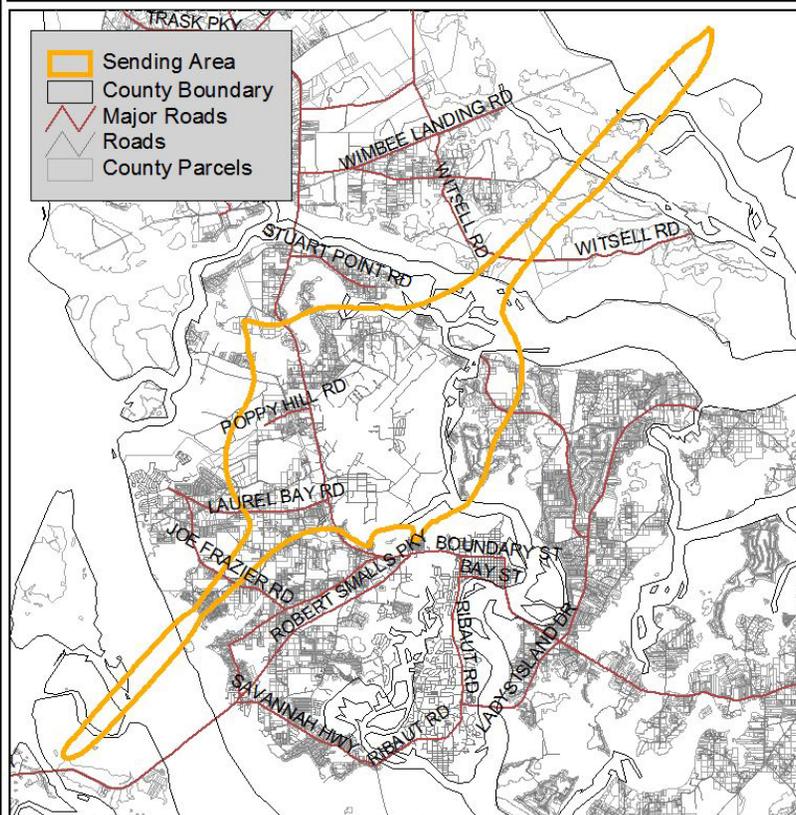
- **Fall 2007. Consultant begins work.**
 - **Sending Area Review.**
 - **Evaluated all 3,295 parcels in the sending area using Beaufort County parcel data.**
 - **485 of parcels (939 acres) candidates for TDR program.**
 - **Remaining parcels not impacted by density restrictions, too small to be impacted, or existing structures on property at density exceeding Overlay District standards.**



SENDING AREA

FIGURE 1

Sending Area



Created by BBPC - November, 2007

Data source: Beaufort County GIS

1 0 1 2 3 4 Miles



RECEIVING AREA REVIEW

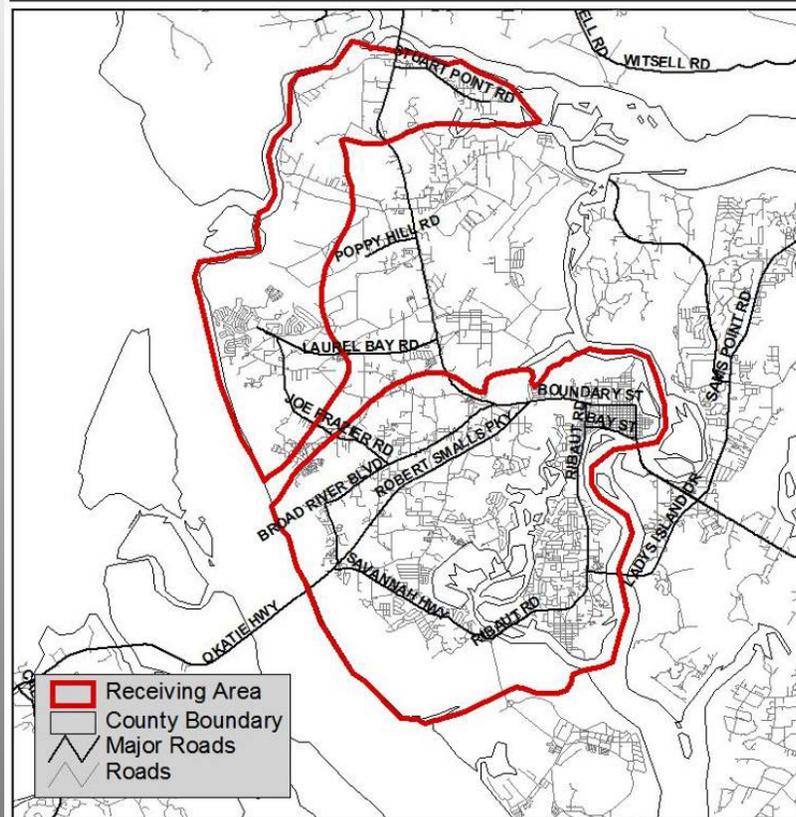
- **Proposed receiving area consists of areas within the Northern Beaufort County Regional Growth Area capable of accommodating increased growth and density.**
- **County estimates expected growth in Receiving Area 9,719 dwelling units by 2025.**
- **N. Beaufort County Regional Plan estimates additional**
 - **2.3 million sq. ft retail**
 - **2.2 million sq. ft. office**



PROPOSED RECEIVING AREA

Figure 4

Receiving Area



Created by BBPC - July, 2008
Data source: Beaufort County GIS

1 0 1 2 3 Miles

This map was created for planning purposes only. No claims are made to the completeness, accuracy or content of any data contained hereon.



TDR EQUIVALENTS

- 1 TDR = 1 unit of allowable residential development in the sending area
- 1 TDR = 3 units of allowable residential development in the receiving area
- 1 TDR = 5,000 square feet of allowable commercial development in the receiving area
- Potential TDRs generated by sending area:
 $858 = 2,574$ *additional* residential units



RECEIVING AREA OPTIONS

- Build at currently allowed density
- Request a rezoning for higher density and negotiate the purchase of TDR from a sending area property owner
- Request a rezoning for higher density and make a payment in lieu of purchasing TDRs



EXCEPTIONS TO TDR REQUIREMENT

- Density increases due to provision of affordable housing
- 250 square feet of commercial per residential unit (encouraging mixed use development)
- Industrial development



PROPOSED IMPLEMENTATION

- **Development on receiving area site must meet all other development requirements and regulations for that site.**
- **Allowable development on site determined during process of rezoning the receiving area site to a Transfer of Development Rights Project (TDRP) zone.**
- **Planning Commissions ensure program brings value to the area and its residents and accommodates increases in density when and where appropriate.**
- **Use of TDR does not guarantee increase in density and be used to promote unsound development.**
- **Allowable densities based on future land use plan for property in question.**

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PROPOSED IMPLEMENTATION—ZONING

- **A separate TDR overlay and Transfer of Development Rights Project (TDRP) zone to be created by ordinance by County, City and Town to establish TDR program.**
- **TDR overlay district will cover sending and receiving areas within each jurisdiction and will stipulate that density increases are contingent on participation in the TDR program, (with three exceptions).**
- **TDRP district will be a floating district that will function in much the same way as current PUD districts. It will accommodate increases in density that might not otherwise be accommodated by existing zoning classifications.**

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PROPOSED IMPLEMENTATION—TDR BANK

- **TDR Bank to be established as either free-standing organization or part of an existing organization.**
- **Administered by board comprised of representatives from participating jurisdictions and citizens with banking or real estate experience.**
- **TDR Bank assisted by staff of all participating jurisdictions.**
- **Bank facilitates and administers transactions.**



TDR PROGRAM IMPLEMENTATION—CURRENT AND NEXT STEPS

- **January 2009. \$250,000 received from State as seed money for bank.**
- **Fall 2009. Implementation and Management Plan preparation begins. To be completed first half of 2010.**
- **Second half of 2010 and early 2011:**
 - **Preparation and approval of overlay (TDRP) zones by County, City and Town**
 - **Modifications to all three Comprehensive Plans to include TDR program**
 - **Implementation Committee to explore sources of funding to move program ahead.**

