



Town of Hilton Head Island

Board of Zoning Appeals Meeting

Monday, September 29, 2025, 2:30 PM

1 Town Center Court, Hilton Head Island, SC
Benjamin M. Racusin Council Chambers

1. **Call to Order**
2. **Welcome and Introduction to Board Procedures**
3. **Adoption of the Agenda**
4. **Approval of the Minutes**
 - a. Regular Meeting Minutes of July 28, 2025
5. **Unfinished Business**
6. **New Business**
 - a. **Public Hearing**

VAR-000830-2025 – Request from Richard Dietrich of The Renovators of SC, on behalf of Andrew and Kimberly Zekany, owners of 77 Sandcastle Court, also identified as Beaufort County Tax Map Parcel R511 009 000 1134 0000, for a variance from LMO Section 16-5-102.D, Adjacent Use Setback Standards, to allow a proposed home to encroach into each side adjacent use setback angle by approximately one foot and four inches, for a total encroachment of two feet and eight inches.
7. **Public Comment - Non Agenda Items**
8. **Board Business**
9. **Staff Reports**
 - a. Update on LMO Priority Amendments
10. **Adjournment**

FOIA Compliance: Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the

requirements of the Town of Hilton Head Island.

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Town of Hilton Head Island will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. Auditory accommodations are available. Any person requiring further accommodation should contact the Town of Hilton Head Island ADA Coordinator as soon as possible but no later than 48 hours before the scheduled event.

Municipal Association of South Carolina (MASC) Civility Pledge:

"I pledge to build a stronger and more prosperous community by advocating for civil engagement, respecting others and their viewpoints, and finding solutions for the betterment of my city or town."



Town of Hilton Head Island BOARD OF ZONING APPEALS MEETING Monday, July 28, 2025, 2:30 PM Minutes

1. Call to Order

Chairman Fingerhut called the meeting to order at 2:30 p.m.

2. Welcome and Introduction to Board Procedures

Chairman Fingerhut welcomed all in attendance and introduced the Board's procedures for conducting the meeting.

3. Adoption of the Agenda

Chairman Fingerhut asked staff if there were any changes to the Agenda. Mr. Michael Connolly advised that Item 6d - VAR-000625-2025 was withdrawn by the applicant. Vice-Chair Bayless moved to approve the Agenda. Mr. Kristian seconded. The Agenda was unanimously approved.

4. Approval of the Minutes

a. Regular Meeting Minutes of May 19, 2025

Mr. Sackheim moved to approve. Ms. Fee seconded. The minutes of May 19, 2025 were unanimously approved. Mr. Greene and Mr. Kristian did not vote as they were not members of the Board at that time.

5. Unfinished Business

6. New Business

a. Nomination and Election of Officers - July 1, 2025 - June 30, 2026 Term

Mr. Kristian nominated David Fingerhut for Chairman and Ms. Bayless as Vice Chair. Ms. Fee seconded. The Motion passed unanimously.

Karen Knox was reappointed as Board Secretary.

b. Motion to Dismiss

Cameron Hackett, holder of the three building permits, has submitted a Motion to Dismiss APL-000429-2025, pursuant to Article XI, Section 2 of the BZA Rules of Procedure. The Motion seeks dismissal of the Appeal prior to a Hearing on the merits, based on standing.

Mr. Cameron Hackett presented his Motion and subsequently withdrew his Motion to Dismiss.

c. Public Hearing

APL-000429-2025 - Matthew Lewis is appealing an action to enforce the provisions of this Ordinance of the Official's approval of building permits for 35, 37, and 39 Oleander Street. The subject properties are located on Oleander Street, are zoned RSF-6 and are in the Holiday Homes Neighborhood Character Overlay District, and are known as Parcels 832, 833, 1106 on Beaufort County Tax Map 9.

Request for Appeal from Matthew Lewis. The appellant is appealing an action to enforce the provisions of the Land Management Ordinance of the Official's approval of building permits for 35, 37 and 39 Oleander Street.

Chairman Fingerhut outlined the procedures for the appeal hearing process. Chairman Fingerhut invited the appellant to proceed with his presentation. Mr. Matthew Lewis presented his case as described in the Board's agenda package.

The Board made comments and inquiries regarding: whether any of the existing homeowners use their homes as short-term rentals; how property owners are made aware that covenants exist; whether there is a Board of Directors or a Homeowner's Association.

Chair Fingerhut asked Shawn Leininger, Assistant Town Manager to present on behalf of staff. Mr. Leininger presented staff's findings as described in the Board's agenda package and answered questions from the Board.

Chairman Fingerhut noted that the property owner was not in attendance.

Chairman Fingerhut asked the Permit Holder/Builder, Mr. Cameron Hackett to present his case. Mr. Hackett thanked the Town for going into the details of what was done in the review. This process was extensive, more extensive than any other permit I have ever pulled on the Island. I was not present when my client purchased the lots, and I am not aware of any information that he may have been given, but not once has anything indicated to me that there were private covenant restrictions for this community. With the money that my client is investing in these properties, it is clearly not going to be a party destination to disturb the quietness and nature of the community. Mr. Hackett answered questions from the Board.

Chairman Fingerhut asked for rebuttals from the appellant and staff. Following the rebuttals, the Board made closing remarks on the appeal and Chairman Fingerhut asked for a Motion.

Vice Chair Bayless moved that the Board of Zoning Appeals deny the appeal and affirm the decision of the LMO Official as stated in the Finding of Facts and Conclusions of Law in the staff report. Mr. Kristian seconded. The motion failed 3-4 (Sackheim, Fee, Johnson and Green opposed.)

Mr. Sackheim moved that the Board of Zoning Appeals continue this Hearing until such

time as the Board can hear from the property owner. Mr. Greene seconded. The motion failed 3-4 (Fingerhut, Bayless, Johnson and Kristian opposed.)

At 4:27 pm Ms. Bayless moved that the Board go into Executive Session to receive legal advice from the Town Attorney. Ms. Fee seconded.

The Board returned from Executive Session at 4:45 pm and stated that no action was taken.

Vice Chair Bayless moved that the Board of Zoning Appeals affirm the decision of the LMO Official for the reasons stated in the Findings of Fact and Conclusions of Law stated in the staff report, but to add that it is apparent the Applications for the Building Permits did not contain accurate information. The Town has acted in accordance with the information that was provided to them at the time the applications were made.

Findings of Fact

- The Official Zoning District Map of the Town of Hilton Head Island identified 35, 37 and 39 Oleander Street as being located in the RSF-6 District; these properties are also located within the HH-NC-O District.
- Section 16-3-106.j.1 explains that the goal of the HH-NC-O District is to protect the changes to existing ones must follow the rules of this overlay district, in addition to the standards for the RSF-6 District. These regulations are in place to keep the neighborhood's floor area ratio, parking, and minimum lot size.
- Review of the approved building permits cites the LMO requirements and demonstrates that the plans meet the requirements in the Ordinance.

Conclusions of Law

- The Official applied the correct requirement standards established in the LMO.
- Therefore, this appeal does not meet the criteria in LMO Section 16-2-103.T.5..III, as no mis-application of ordinance requirements has been shown.

Mr. Kristian seconded. The motion passed 5-2 (Sackheim and Fee opposed.)

d. Public Hearing

*****WITHDRAWN BY APPLICANT*** - VAR-000625-2025** - Request from James Atkins of Court Atkins Group, on behalf of Tanglewood Capital LLC, owner of 2 Tanglewood Drive, also identified as Beaufort County Tax Map Parcel R553 018 000 0330 0000, for a variance from LMO Section 16-5-102.C and D, Adjacent Street Setback Requirements and Adjacent Use Setback Requirements, to allow a three-story interval occupancy building to encroach into the adjacent use setback angles, and to allow a 24-inch infinity pool spillway to encroach into the adjacent street setback.

The Applicant withdrew the Application.

7. Public Comment - Non Agenda Items

8. Staff Reports

9. Adjournment

The meeting adjourned at 4:53 p.m.

APPROVED: _____



TOWN OF HILTON HEAD ISLAND COMMUNITY DEVELOPMENT DEPARTMENT

One Town Center Court	Hilton Head Island, SC 29928	843-341-4757	FAX 843-842-8908
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STAFF REPORT VARIANCE

Case #:	Public Hearing Date:
VAR-000830-2025	September 29, 2025

Parcel or Location Data:	Property Owners	Applicant
Address: 77 Sandcastle Court Parcel#: R511 009 000 1134 0000 Zoning: RD (Resort Development District) Overlay: COR (Corridor Overlay District)	Andrew and Kimberly Zekany	Richard Dietrich The Renovators of SC 90 Capital Drive Suite 101-A Hilton Head Island, SC 29926

Application Summary:

Request from Richard Dietrich of The Renovators of SC on behalf of Andrew and Kimberly Zekany, owners of 77 Sandcastle Court, also identified as Beaufort County Tax Map Parcel R511 009 000 1134 0000, for a variance from LMO Section 16-5-102.D, Adjacent Use Setback Standards, to allow a proposed home to encroach into the setback angles approximately one foot and four inches on each side, resulting in a total encroachment of two feet and eight inches.

Staff Recommendation:

Staff recommends that the Board of Zoning Appeals **deny** the application based on the Findings of Fact and Conclusions of Law contained in the staff report.

Background:

The subject parcel is undeveloped and located mid-island within the Sandcastles by the Sea Subdivision at 77 Sandcastle Court (Lot 28). The lot, 0.076 acres in size, is bordered by single-family properties and is accessed via Sandcastle Court (see Exhibit B). The property is zoned

Resort Development (RD) District and lies within the Corridor Overlay.

According to LMO Section 16-3-105.L, the purpose of the RD District is “to provide for resort development in the form of multifamily development, bed and breakfasts, and resort hotels. It is also the purpose of this district to provide for commercial development aimed at serving the island visitor.”

The Sandcastles by the Sea Subdivision was approved in 2005 and recorded in Plat Book 113, Page 164. The plat establishes a 20-foot front setback, a 20-foot rear setback with buffer, and 3.5-foot side setbacks. The subdivision is characterized by narrow lots averaging 0.076 to 0.093 acres, generally 33 feet in width, which results in limited building envelopes. Despite these constraints, the subdivision has developed with single-family homes consistent in scale and form.

Section 16-5-102 establishes that the purpose of adjacent street and use setback standards is to ensure separation between structures and property lines, maintain the Town’s island character, provide protection from traffic, and allow for adequate light and air circulation. The required 75-degree adjacent use setback angle for single-family properties was adopted prior to the subdivision’s approval and is reflected in both the 1998 and 2014 versions of the LMO. These standards apply town-wide unless expressly exempted.

Of the 83 lots within Sandcastles by the Sea, approximately 75 have been developed, leaving eight undeveloped parcels (see Exhibit E). The existing homes follow a general architectural pattern guided by the subdivision’s review board, including two living floors above a garage and enclosed parking requirements (see Exhibit F, pages 2–3).

The owners of 77 Sandcastle Court hired Richard Dietrich of The Renovators of SC to design a single-family home consistent with these architectural guidelines. A building permit application was submitted to the Town (BLDR-002463-2025). During review, staff identified that the proposed design encroaches into the required adjacent use setback angles on both sides of the property by approximately one foot and four inches, for a total encroachment of two feet and eight inches (see Exhibit G). The applicant has therefore requested a variance to allow this encroachment.

The applicant has stated that the variance is necessary to achieve a desirable floorplan. However, staff finds that the requested encroachment is the result of a design decision to maximize interior width rather than an undue hardship created by the ordinance. Homes can be designed within the buildable envelope that comply with the LMO standards, though they may require narrower or varied upper floor footprints. Variances are not intended to relieve self-created hardships or to reconcile design preferences with ordinance standards.

Applicant’s Grounds for Variance, Summary of Facts and Conclusions of Law:

Grounds for Variance:

- Per the application, the applicant is seeking a variance from LMO Section 16-5-102.D,

Adjacent Setback Standards, specifically, the setback angles, to allow a home to encroach into the setback angles approximately one foot and four inches on both sides, resulting in a total encroachment of two feet and eight inches.

Summary of Fact:

- The applicant seeks a variance as set forth in LMO Section 16-2-103.S.

Conclusion of Law:

- The applicant may seek a variance as set forth in LMO Section 16-2-103.S.

Summary of Facts and Conclusions of Law:

Summary of Facts:

- Application was submitted on August 18, 2025 as set forth in LMO Section 16-2-102.C and Appendix D-23.
- Notice of the Application was published in the Island Packet on September 14, 2025 as set forth in LMO Section 16-2-102.E.2.
- Notice of the Application was posted on September 10, 2025 as set forth in LMO Section 16-2-102.E.2.
- Notice of Application was mailed on September 9, 2025 as set forth in LMO Section 16-2-102.E.2.
- The Board has authority to render the decision reached here under LMO Section 16-2-102.G.

Conclusions of Law:

- The application is in compliance with the submittal requirements established in LMO Section 16-2-102.C.
- The application and notice requirements comply with the legal requirements established in LMO Section 16-2-102.E.2.

As provided in LMO Section 16-2-103.S.4, Variance Review Standards, a variance may be granted in an individual case of unnecessary hardship if the Board determines and expresses in writing all of the following findings of fact.

Summary of Facts and Conclusions of Law:

Criteria 1: There are extraordinary and exceptional conditions pertaining to the particular piece of property (LMO Section 16-2-103.S.4.a.i.01):

Findings of Fact:

- The subject property is 0.076 acres and is 33 feet wide, which is consistent with other lots in the Sandcastles by the Sea Subdivision.
- The subdivision plat shows identical 3.5-foot side setbacks with similar lot sizes and configurations.

- The required 75-degree adjacent use setback angle applies to all single-family lots throughout the Town, not solely to this parcel or subdivision, unless expressly exempted.
- No physical or topographical features exist on the subject lot that distinguish it from other lots in the subdivision.

Conclusions of Law:

- The subject property is approximately the same size (0.076 to 0.093 acres) as all of the other properties on the same side of Sandcastle Court, "Block B".
- The required 75-degree adjacent use setback angle applies to all single-family lots throughout the Town, not solely to this parcel or subdivision, unless expressly exempted.
- This application does not meet the criteria as set forth in LMO Section 16-2-103.S.4.a.i.01 because there are no extraordinary and exceptional conditions that pertain to this particular property.

Summary of Facts and Conclusions of Law:

Criteria 2: These conditions do not generally apply to other properties in the vicinity (LMO Section 16-2-103.S.4.a.i.02):

Findings of Fact:

- The subject property is 33 feet wide and 0.076 acres in size, which is typical of lots in the Sandcastles by the Sea Subdivision.
- The subdivision plat shows identical 3.5-foot side setbacks with similar lot sizes and configurations.
- The 75-degree adjacent setback angle applies to all lots within the subdivision and to other single-family lots throughout the Town, unless expressly exempted.
- The buildable envelope, constrained by the adjacent use setback angles, is not unique to this parcel.

Conclusion of Law:

- The same adjacent use setback angle requirements apply throughout the Town, unless expressly exempted.
- The lot shares the same dimensional characteristics and adjacent use setback angle requirements as other lots in the subdivision.
- This application does not meet the criteria as set forth in LMO Section 16-2-103.S.4.a.i.02 because there are no extraordinary and exceptional conditions that pertain to this particular property that don't also apply to other properties in the vicinity.

Summary of Facts and Conclusions of Law:

Criteria 3: Because of these conditions, the application of this Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property (LMO Section 16-2-103.S.4.a.i.03):

Findings of Fact:

- The Sandcastles by the Sea Subdivision was platted with narrow lots, generally 33 feet wide, and the subject lot (Lot 28) is similar in size and shape.
- The subdivision was approved with 3.5-foot side setbacks.
- Compliance with the 75-degree adjacent use setback angle does reduce the width of the second floor, unless expressly exempted. Despite these limitations, the lot remains buildable and can accommodate a single-family home consistent with the intended use of the RD District and the subdivision plat.
- Homes can be designed with narrow upper floors and varied footprints to work within the constraints of the lots.
- The requested encroachments into the setback angles would increase the buildable width, but it is not necessary to make reasonable use of the single-family lot.

Conclusion of Law:

- Compliance with the setback angle does constrain the design envelope, but it does not prohibit or unreasonably restrict the utilization of the lot for a single-family residence.
- This application does not meet the criteria as set forth in LMO Section 16-2-103.S.4.a.i.03 because there are no extraordinary or exceptional conditions that pertain to this property that unreasonably prohibit the use of the property, unless expressly exempted.

Summary of Facts and Conclusions of Law:

Criteria 4: The authorization of the Variance will not be of substantial detriment to adjacent property or the public good, and the character of the zoning district where the property is located will not be harmed by the granting of the Variance (LMO Section 16-2-103.S.4.a.i.04):

Findings of Facts:

- The purpose of the adjacent use setback standards is to provide adequate separation between structures, maintain neighborhood character, and ensure light and air circulation.
- The requested variance would allow the second floor to encroach into the setback angles by one foot and four inches on two sides of the home.
- While similar encroachments exist elsewhere in the subdivision, this does not negate the requirement that each variance must be reviewed individually against the standards of the LMO.
- Approval of additional variances may create a precedent that further undermines the intent of the adjacent setback regulations across the Town.

Conclusions of Law:

- Granting the requested variance would be detrimental to adjacent property owners and the public good by further eroding the Town's ability to enforce its setback standards.
- The character of the zoning district is best preserved by consistent enforcement of the LMO

standards.

- This application does not meet the criteria set forth in LMO Section 16-2-103.S.4.a.i.04 because the variance will be a substantial detriment to the adjacent property or public good.

LMO Official Determination:

Based on the above Findings of Facts and Conclusions of Law, the LMO Official determines that the request for a variance should be denied to the applicant.

BZA Determination and Motion:

The “powers” of the BZA over variances are defined by the South Carolina Code, Section 6-29-800, and in exercising the power, the BZA may grant a variance “in an individual case of unnecessary hardship if the board makes and explains in writing ...” their decisions based on certain findings or “may remand a matter to an administrative official, upon motion by a party or the board’s own motion, if the board determines the record is insufficient for review.”

This State law is implemented by the Hilton Head Island Land Management Ordinance, Chapter 2, Article 103 and the Rules of Procedure for the BZA.

A written Notice of Action is prepared for each decision made by the BZA based on findings of fact and conclusions of law.

The BZA can either Approve the application, Disapprove the application, or Approve with Modifications. Findings of Fact and Conclusions of Law must be stated in the motion.

PREPARED BY:

MC

Michael Connolly
Senior Planner

9/16/2025

DATE

REVIEWED BY:

TL

Trey Lowe,
Development Services Program Manager

9/19/2025

DATE

REVIEWED BY:

SL

Shawn Leininger, AICP
Deputy Town Manager

9/23/25

DATE

ATTACHMENTS:

- A) Applicant's Site Plan and Narrative**
- B) Sandcastles by the Sea Subdivision Plat**
- C) 1998 LMO Adjacent Use Setback Angles**
- D) 2014 LMO Adjacent Use Setback Angles**
- E) Aerial of Subdivision Approaching Build-Out**
- F) Sandcastles By the Sea Architectural Review Guidelines**
- G) Site Plan Review**

Date: 8/14/2025

To: The Board of Zoning Appeals

Subdivision: Sandcastle By The Sea

Address: Lot 28, 77 Sandcastle Ct Hilton Head SC 29928

Reference to the side setback angles 16-5-102.D of the Adjacent Setback within the LMO

The variance request is for an encroachment of up to 1'-4" into the 75 degree setback angle on both sides of the home at the top of the exterior walls on the 2nd floor. (See attached drawing for clarification.)

The reason for this narrative is to request a Variance from the LMO 16-5-102 to get an approval for a minor encroachment into Adjacent Setback angle for lot 28, 77 Sandcastle Ct Hilton Head SC 29928.

We would also request that the board consider approving this minor and insignificant encroachment for the remaining 8 homes to be built and allow symmetry within the subdivision. This could bring closure to the ongoing issue in Sandcastle By the Sea.

- In 2022, a town official emailed me confirming we didn't need to follow LMO's adjacent setback angles for specifically Sandcastle by the Sea.

Please consider that my clients purchased lot 77 for an investment as it is in an **RD (Resort Development Zone)** not an RS Single Family Zone)

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property.

Sandcastle by The Sea property has extraordinary & exceptional differences due to the lot size of 33' x 99'. If you were to draw a line up 20' above the 13' BFE for the adjacent setback/buffer you would not have a desirable floorplan that would be accepted by our client and the HOA for Sandcastle by The Sea. The adjacent setback angle requirement is an exceptional condition within Sandcastle now that 88% of the homes have already been

approved and built without the town requiring these homes to be built within the adjacent setback angle.

2. These conditions do not generally apply to other properties in the vicinity.

These conditions did not apply to other properties in Sandcastle By The Sea. The adjacent setback angle ordinance was approved and put into place in 1998 and Sandcastle was approved in 2005. There are 75 homes already built with the majority of them being permitted that were not required to build to the adjacent setback angle requirement.

With a 33' wide lot and 3 ½' side setbacks. The home design for a 2 story home adhering the LMO's requirement would have to start with a 21'-4" wide on the ground floor and that does not give much room for designing a desirable floorplan.

3. Because of these conditions. The application of this ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

The existing homes in Sandcastle are all similar in design and were not required to conform to this adjacent setback angle. This requirement enforced at this time with the subdivision being almost complete would create new unappealing homes for the last 8 + lots. The homes would not match the neighborhood's existing 75 design criteria of completed homes.

4. The Authorization of the Variance will not be of substantial detriment of adjacent property or the public good, and the character of the zoning district where the property is located will not be harmed by the granting of the Variance.

Closing Thoughts:

My clients purchased lots in this subdivision because they were zoned RD Resort instead of RS (Single Family Zone)

If this adjacent setback angle in Sandcastle by The Sea were to be enforced, and no variance were to be approved it would create a hardship on this homeowner and the remaining owners that are wanting to build. If the encroachment variance were not approved on this piece of property, it would restrict the utilization of this property. The approval of this

variance will not be a detriment to the adjacent property owners and the public good, because the adjacent homes were already approved to build and have been built without the adjacent setback angle requirement. The character of the zoning district where the property is located will not be harmed by granting this variance due to the proposed new home would match the existing homes. (See attached pictures)

I have built a total of 7 previous homes in Sandcastle by The Sea and the town has not required us to build homes using the adjacent setback angles required per the LMO. The town had issued us variances (July 24, 2024) on 3 of the 7 homes relieving us from adhering to the adjacent set back angles requirement. I have now sold 3 additional homes and 1 of the 3 homes construction loan is closed with their lender. We have gone through the permit process and we are ready for the permit to be issued. I have been instructed that I must adhere to the LMO's adjacent setback angles. With understanding of the subdivision, it is clear that the adjacent setback angles were not required or enforced for the new home builds in Sandcastle by The Sea previously. Please see the submitted photos of the homes built in Sandcastle.

In short all we are trying to do is build this home with a 1'-4" encroachment into the adjacent setback angle which meets our clients needs and has the HOA approval.

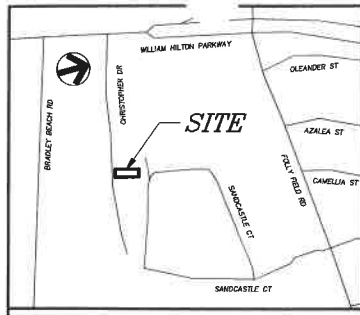
I submit this variance request with the utmost respect but with concern for my clients and their intentions regarding their home. When they purchased their lot, they were wanting to build a home that not only meets the subdivision requirements, but the design would flow with the other homes in the subdivision.

Richard Dietrich

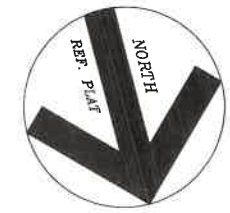
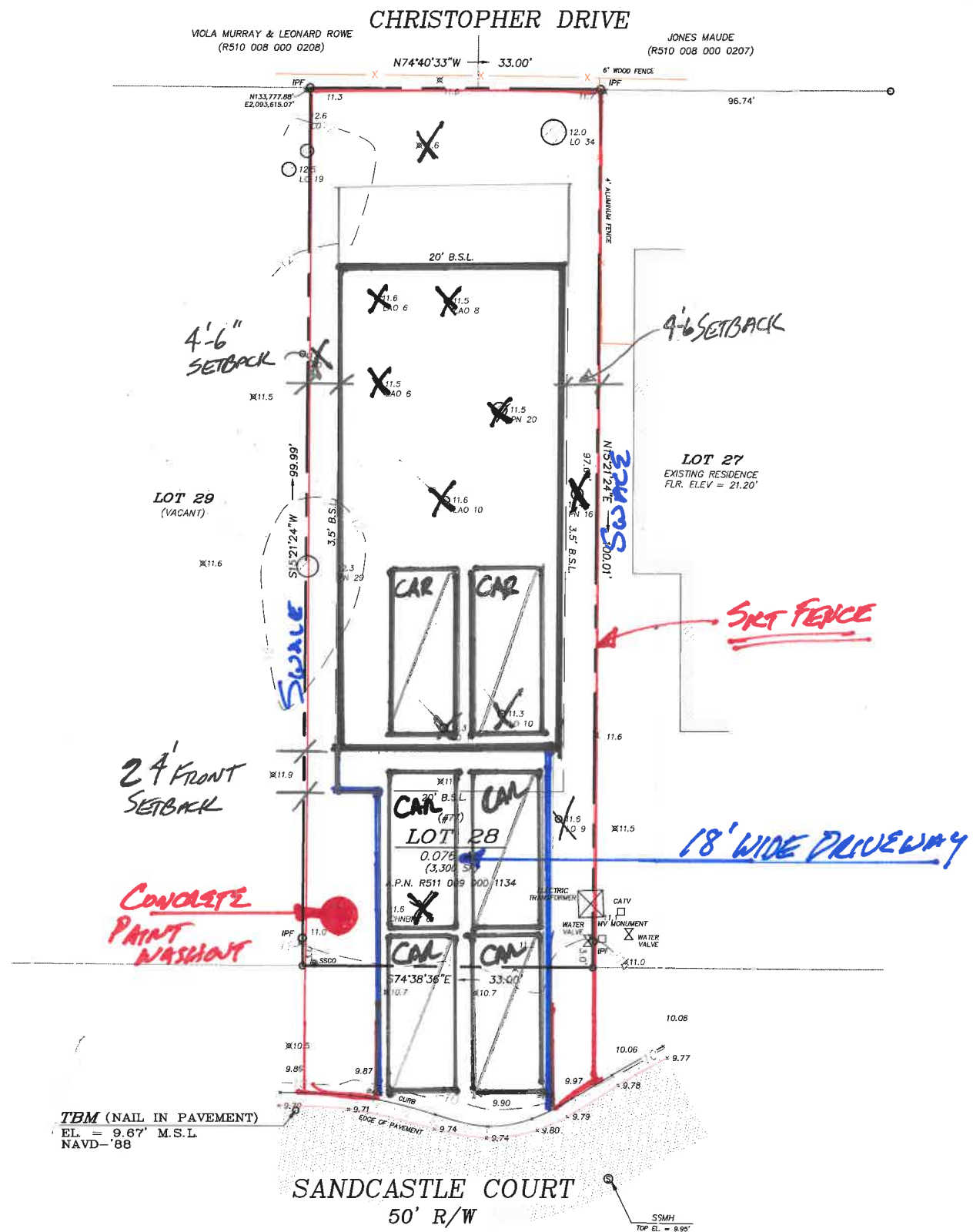
The Renovators of SC LLC

90 Capital Dr Suite 101-A

Hilton Head SC 29926



VICINITY MAP - N.T.S.

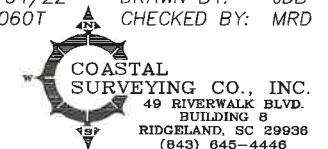
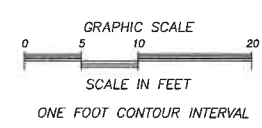


PREPARED FOR: ANDREW ZEKANY

A TREE AND TOPOGRAPHIC LAND SURVEY
OF
LOT 28 SANDCASTLE COURT
A PORTION OF
SANDCASTLES BY THE SEA
FOLLY FIELD ROAD

HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA

SCALE: 1" = 10'
DATE: 03/04/22
JOB No.: 72,060T
SURVEYED BY: DJ
DRAWN BY: JDB
CHECKED BY: MRD



LEGEND

B.S.L.	BUILDING SETBACK LINE
CATV	CABLE TELEVISION
CHNBRY	CHINA BERRY
IPF	IRON PIN (OLD) FOUND
LAO	LAUREL OAK
LO	LIVE OAK
PN	PINE
SSCO	SANITARY SEWER CLEANOUT
SSMH	SANITARY SEWER MANHOLE
WV	WATER VALVE
--15--	CONTOUR LINE

- NOTES:**
- THIS LOT LIES IN ZONE "X" (SHADED), 7' B.F.E., PER F.I.R.M. PANEL 45013C 0454-G, COMMUNITY NO. 450250, DATED: 03/23/21.
 - THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. NO INVESTIGATIONS FOR EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS HAVE BEEN MADE THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
 - ALL BUILDING SETBACK REQUIREMENTS SHOULD BE VERIFIED WITH THE PROPER AUTHORITIES PRIOR TO DESIGN AND CONSTRUCTION.
 - CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

REFERENCE PLAT:
A BOUNDARY SURVEY FOR LOT 28, BLOCK B, A PORTION OF SANDCASTLES BY THE SEA BY: COASTAL SURVEYING CO., INC. DATED: 03/31/11 FILE: 46,191B

REFERENCE PLAT:
A SUBDIVISION PLAT OF PHASE SANDCASTLES BY THE SEA, FOLLY FIELD ROAD BY: SURVEYING CONSULTANTS DATED: 06/15/05; LAST REVISED: 05/59/06 FILE: 69319B RECORDED IN: P.B.113 PAGE 164

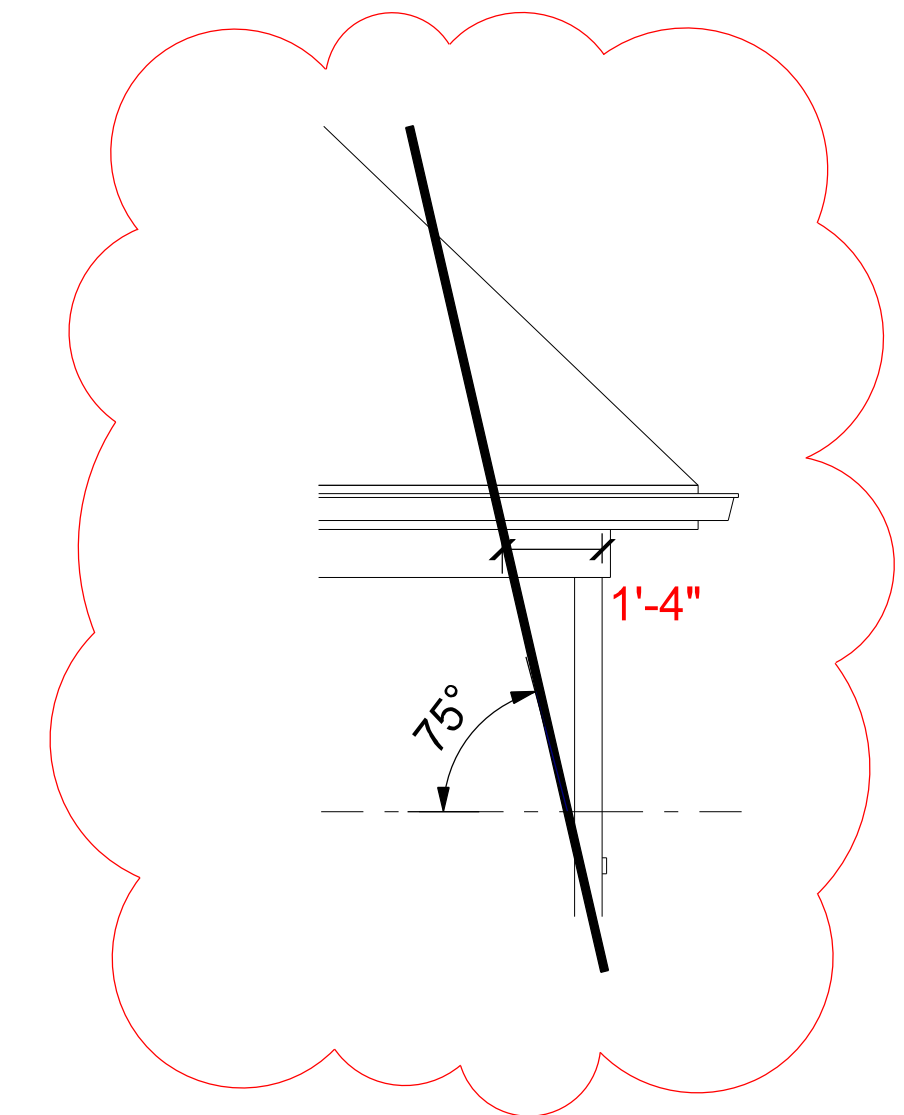
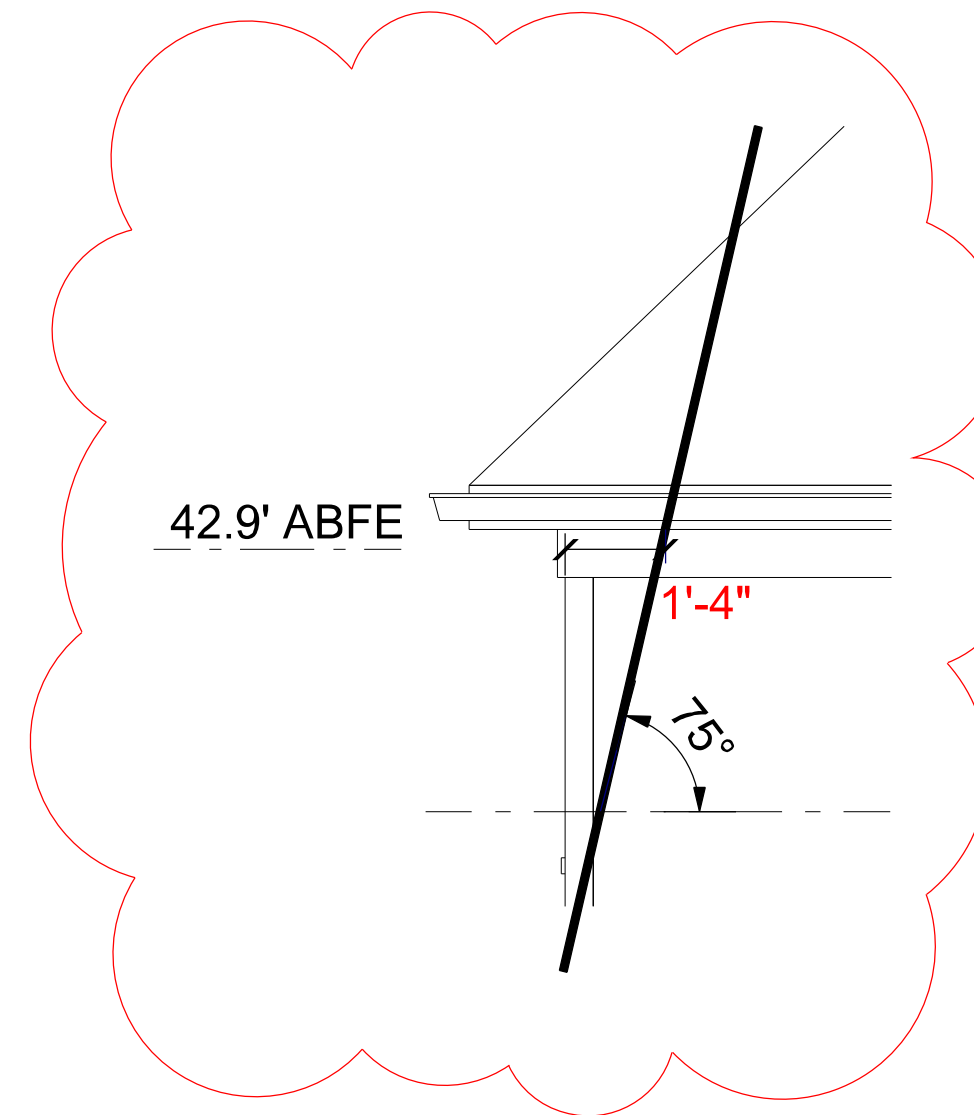
" I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN."

MICHAEL R. DUNIGAN
S.C.R.L.S. No. 11,905

NOTES:
GROUND FLOOR CEILING @ 8'-0" or AS NOTED
FIRST FLOOR CEILING @ 10'-0" or AS NOTED
SECOND FLOOR CEILING @ 9'-0" or AS NOTED
BONUS LEVEL CEILING @ 8'-0" or AS NOTED

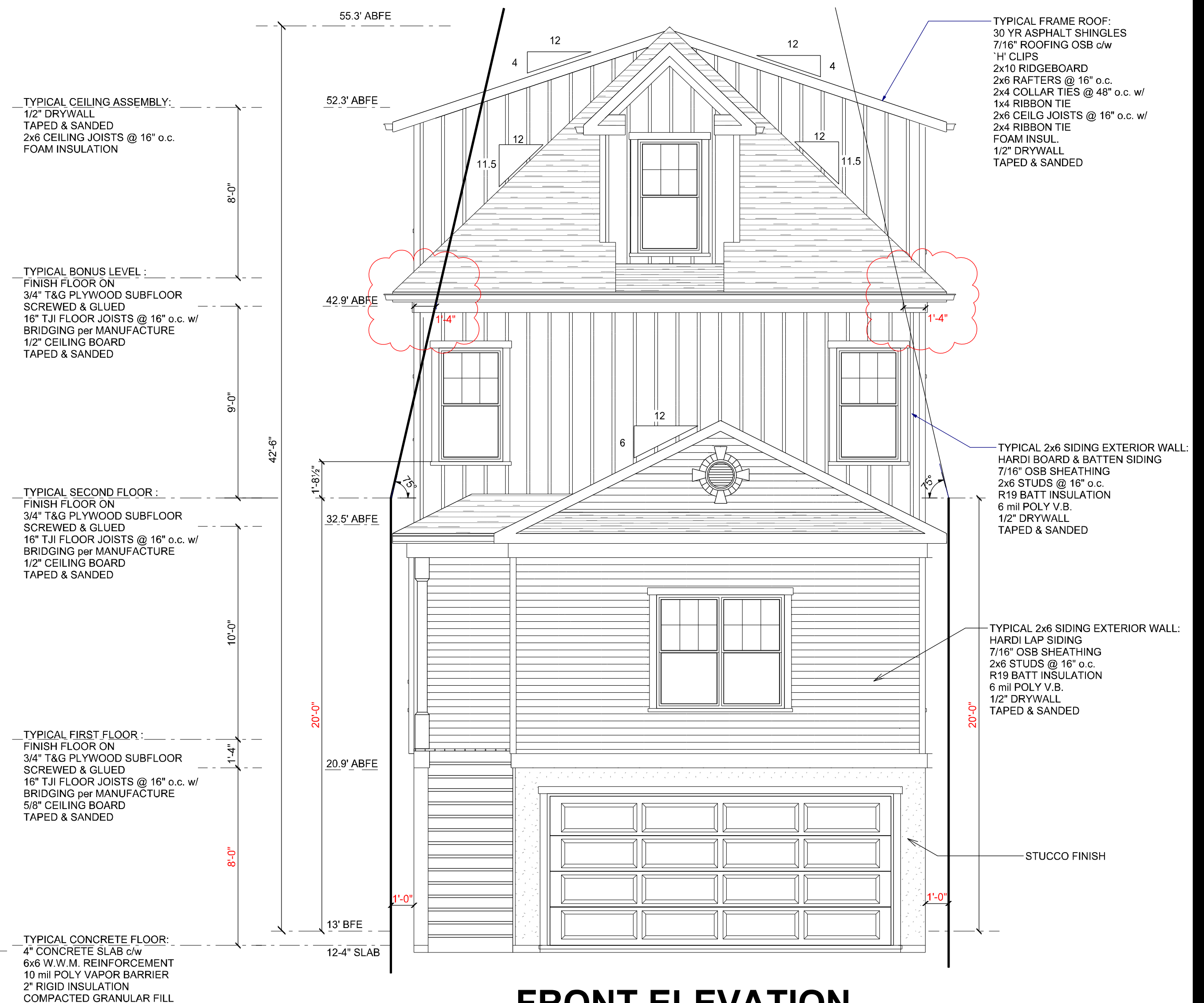
ALL SIDING EXTERIOR WALLS CALCULATED AT 5 1/2"
ALL INTERIOR WALLS CALCULATED AT 3 1/2"
unless noted otherwise

FIRST FLOOR: 1,133 SQ FT
SECOND FLOOR: 1,280 SQ FT
BONUS LEVEL: 850 SQ FT
SCREEN PORCH: 176 SQ FT
SECOND FLOOR DECK: 60 SQ FT



LEFT ELEVATION
SCALE: 1/4" = 1'-0"

ELECTRICAL, HEATING, VENTILATION, PLUMBING, AND AIR-CONDITIONING EQUIPMENT AND OTHER SERVICE FACILITIES SHALL BE ELEVATED PER TOWN ORDINANCE 15-9-31 1(d). HVAC PLATFORM SHALL BE ELEVATED NO LESS THAN 13'-0".



FRONT ELEVATION
SCALE: 1/4" = 1'-0"

INSTALL 4" TALL
ADDRESS NUMBERS

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LOT #28
HILTON HEAD, SC 29928

HOMEOWNER:
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DRAWN BY: J. GENCHUR
DATE: Mar. 24, 2025
REVISIONS: APR. 28, 2025
MAY 13, 2025; MAY 20, 2025
JUNE 4, 2025; JULY 22, 2025
AUG. 4, 2025

SHEET
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NOTES:
GROUND FLOOR CEILING @ 8'-0" or AS NOTED
FIRST FLOOR CEILING @ 10'-0" or AS NOTED
SECOND FLOOR CEILING @ 9'-0" or AS NOTED
BONUS LEVEL CEILING @ 8'-0" or AS NOTED

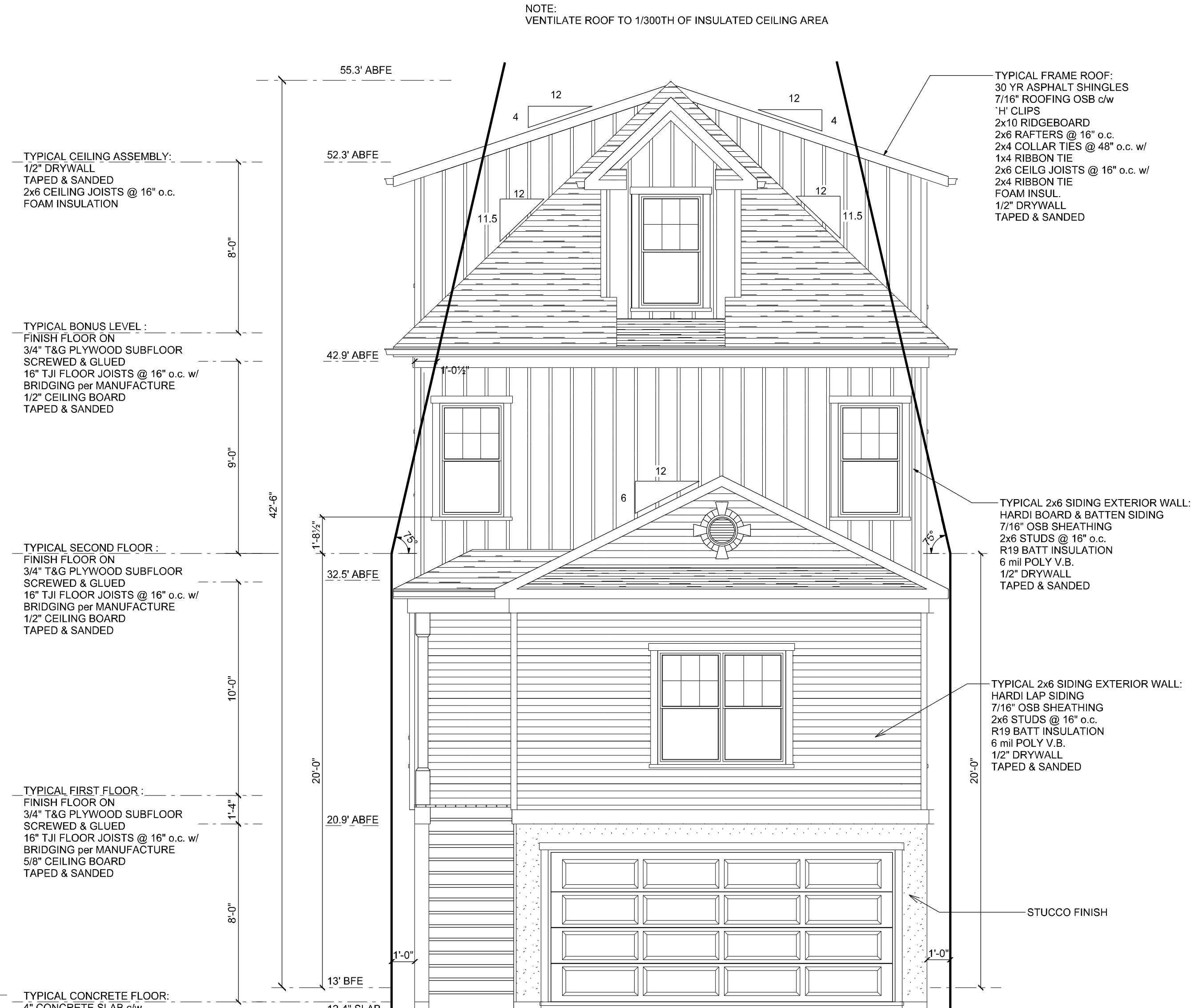
ALL SIDING EXTERIOR WALLS CALCULATED AT 5 1/2"
ALL INTERIOR WALLS CALCULATED AT 3 1/2"
unless noted otherwise

FIRST FLOOR: 1,133 SQ FT
SECOND FLOOR: 1,280 SQ FT
BONUS LEVEL: 850 SQ FT
SCREEN PORCH: 176 SQ FT
SECOND FLOOR DECK: 60 SQ FT



LEFT ELEVATION
SCALE: 1/4" = 1'-0"

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FRONT ELEVATION
SCALE: 1/4" = 1'-0"

INSTALL 4" TALL
ADDRESS NUMBERS

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SECOND FLOOR CEILING @ 9'-0" or AS NOTED
BONUS LEVEL CEILING @ 8'-0" or AS NOTED

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ALL INTERIOR WALLS CALCULATED AT 3 1/2"
unless noted otherwise

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BONUS LEVEL: 850 SQ FT
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SECOND FLOOR DECK: 60 SQ FT

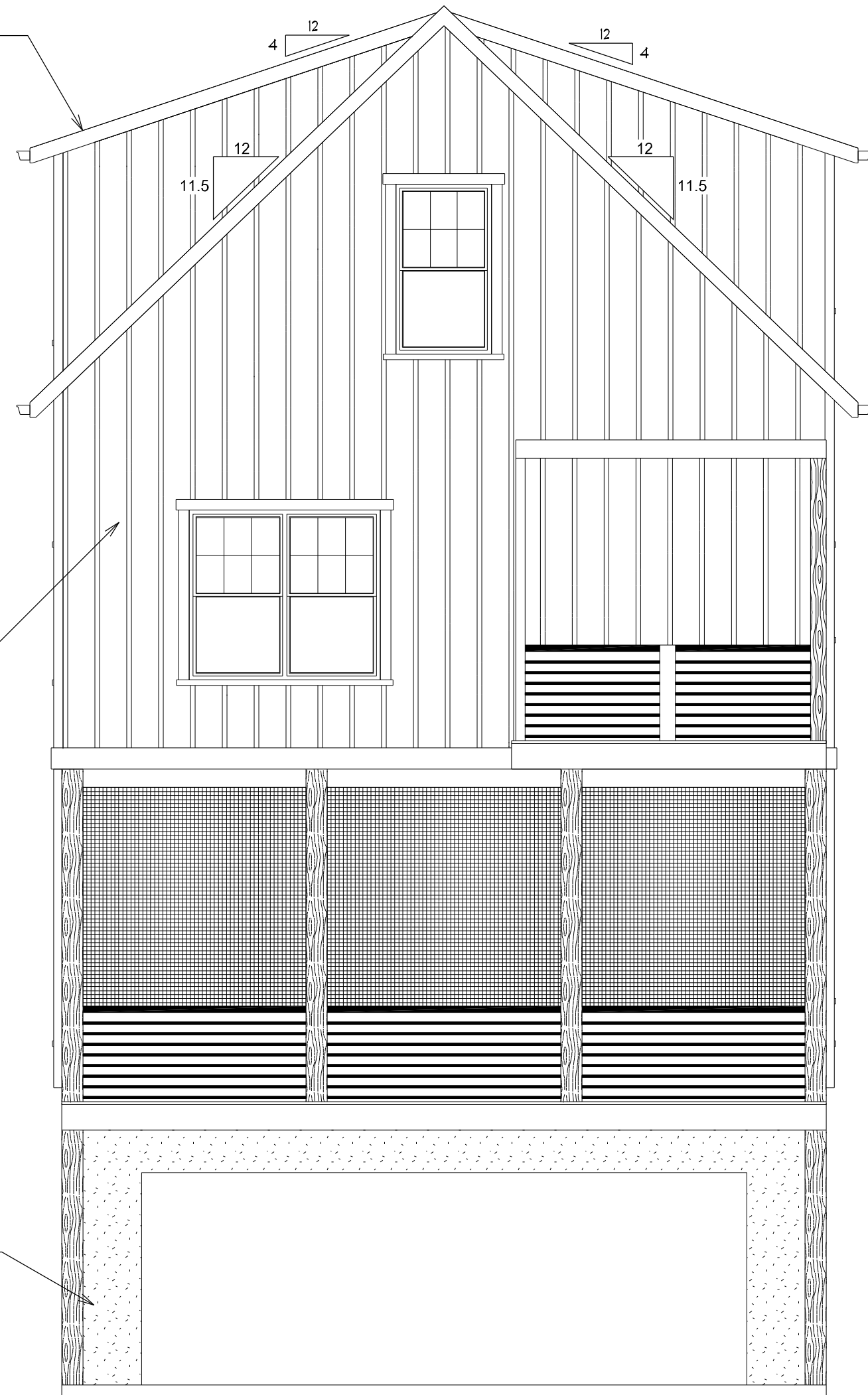
NOTE:
VENTILATE ROOF TO 1/300TH OF INSULATED CEILING AREA

NOTE:
EXTERIOR FINISHES MAY VARY
FROM THE DRAWING PER OWNER'S
REQUEST.

TYPICAL FRAME ROOF:
30 YR ASPHALT SHINGLES
7/16" ROOFING OSB c/w
1" CLIPS
2x10 RIDGEBOARD
2x6 RAFTERS @ 16" o.c.
2x4 COLLAR TIES @ 48" o.c. w/
1x4 RIBBON TIE
2x6 CEILG JOISTS @ 16" o.c. w/
2x4 RIBBON TIE
FOAM INSUL.
1/2" DRYWALL
TAPED & SANDED

TYPICAL 2x6 SIDING EXTERIOR WALL:
HARDI BOARD & BATTEN SIDING
7/16" OSB SHEATHING
2x6 STUDS @ 16" o.c.
R19 BATT INSULATION
6 mil POLY V.B.
1/2" DRYWALL
TAPED & SANDED

STUCCO FINISH



REAR ELEVATION
SCALE: 1/4" = 1'-0"

TYPICAL CEILING ASSEMBLY:
1/2" DRYWALL
TAPED & SANDED
2x6 CEILING JOISTS @ 16" o.c.
FOAM INSULATION

TYPICAL BONUS LEVEL:
FINISH FLOOR ON
3/4" T&G PLYWOOD SUBFLOOR
SCREWED & GLUED
16" TJI FLOOR JOISTS @ 16" o.c. w/
BRIDGING per MANUFACTURE
1/2" CEILING BOARD
TAPED & SANDED

TYPICAL SECOND FLOOR:
FINISH FLOOR ON
3/4" T&G PLYWOOD SUBFLOOR
SCREWED & GLUED
16" TJI FLOOR JOISTS @ 16" o.c. w/
BRIDGING per MANUFACTURE
1/2" CEILING BOARD
TAPED & SANDED

TYPICAL FIRST FLOOR:
FINISH FLOOR ON
3/4" T&G PLYWOOD SUBFLOOR
SCREWED & GLUED
16" TJI FLOOR JOISTS @ 16" o.c. w/
BRIDGING per MANUFACTURE
5/8" CEILING BOARD
TAPED & SANDED

TYPICAL CONCRETE FLOOR:
4" CONCRETE SLAB c/w
6x6 W.W.M. REINFORCEMENT
10 mil POLY VAPOR BARRIER
2" RIGID INSULATION
COMPACTED GRANULAR FILL



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

SHEET
A-2

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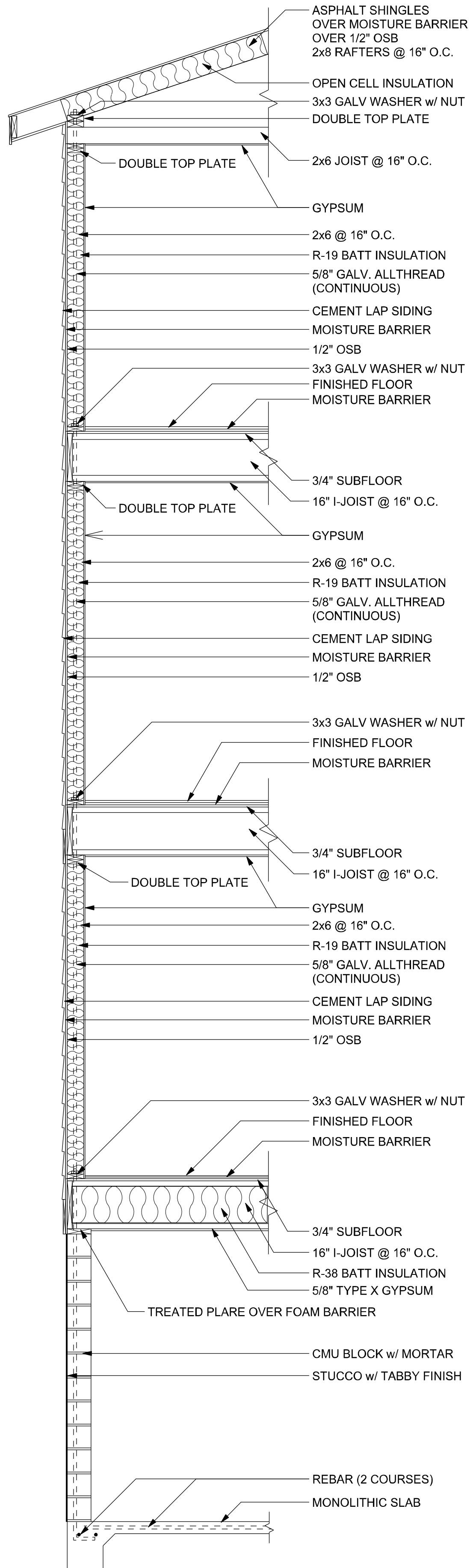


ALL MATERIALS USED BELOW BASE FLOOD ELEVATION TO BE P.T. AND OR WATER-RESISTANT MATERIALS.
SMOKE/ CARBON MONOXIDE DETECTORS INSTALLED OUTSIDE OF ALL SEPARATED SLEEPING AREAS.
ADDRESS NUMBER OVER 4" WILL BE PLACED VISIBLE FROM THE STREET.
GARAGE WILL BE SEPARATED FROM THE DWELLING WITH 5/8" TYPE X DRYWALL.
ENTRANCE DOORS INTO THE DWELLING WILL BE SEPARATED BY A 20 MINUTE FIRE DOOR.
ALL WINDOWS WILL BE IMPACT GLASS.

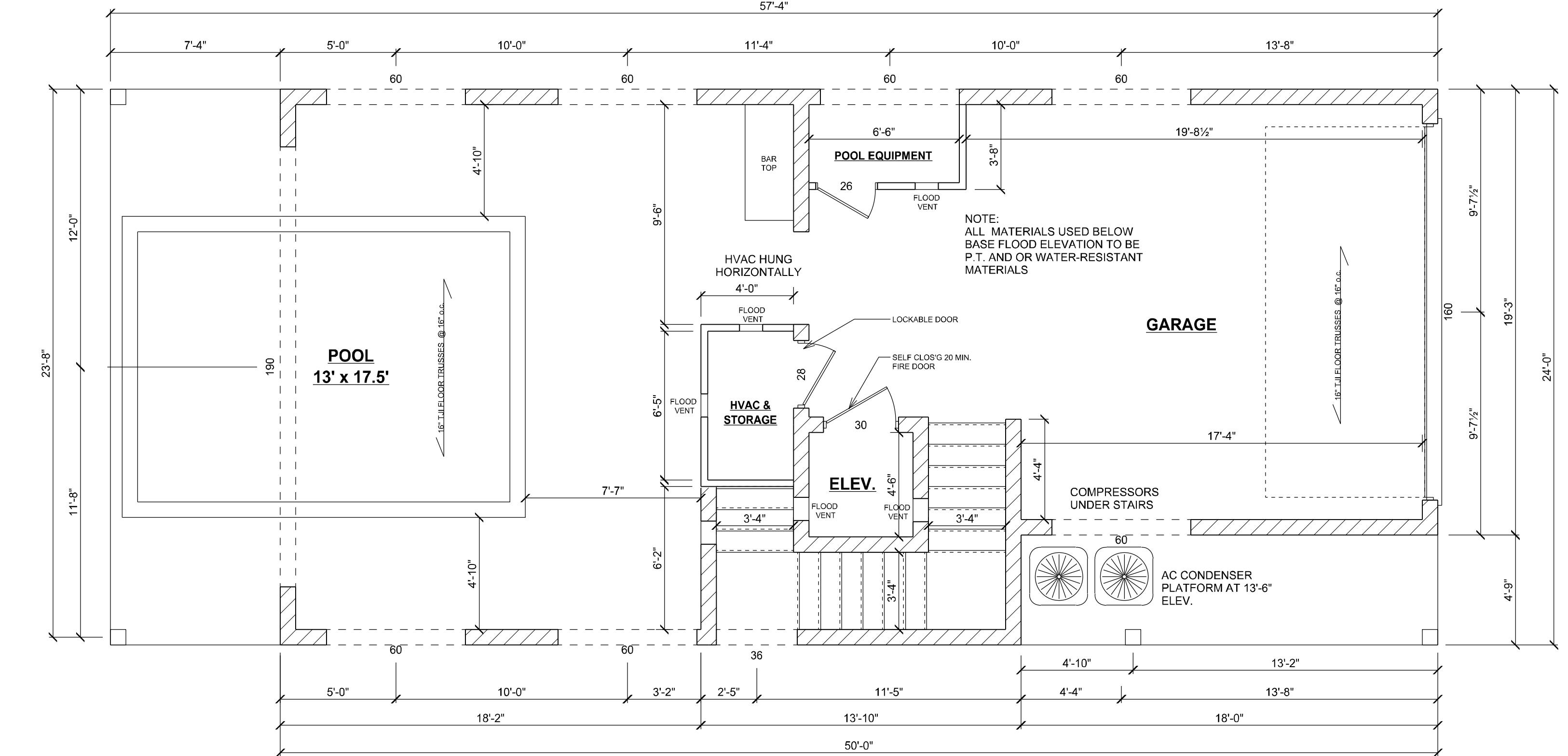
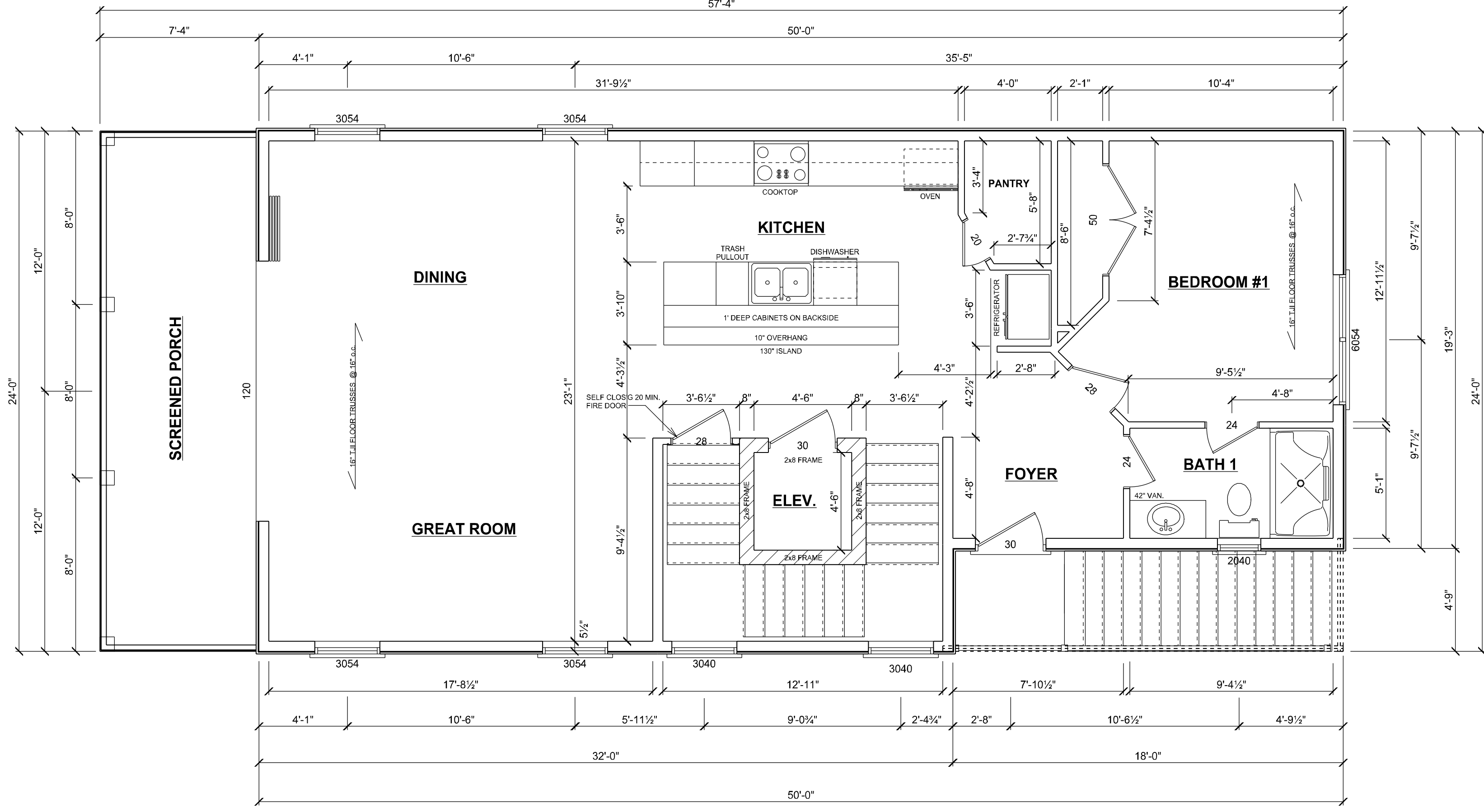
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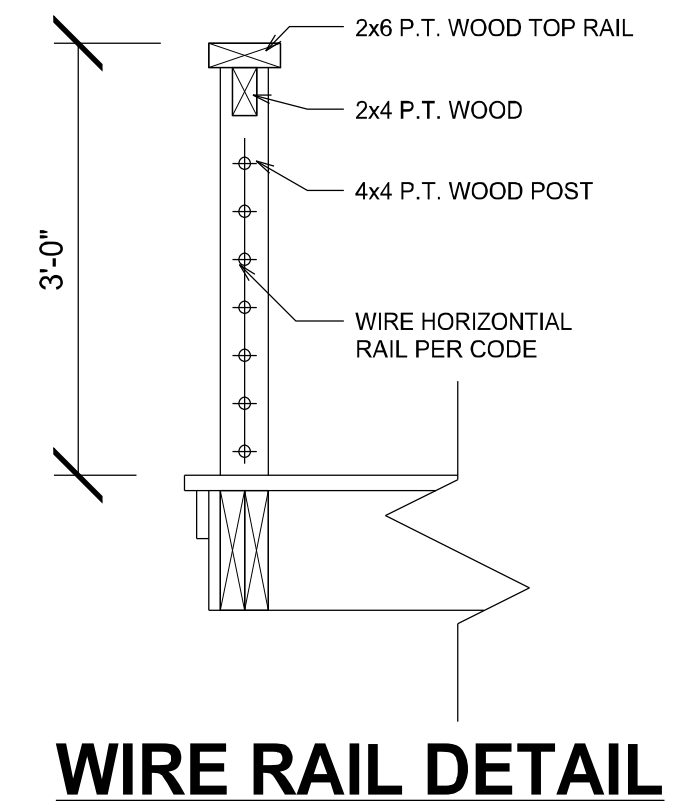


WALL DETAIL - NTS



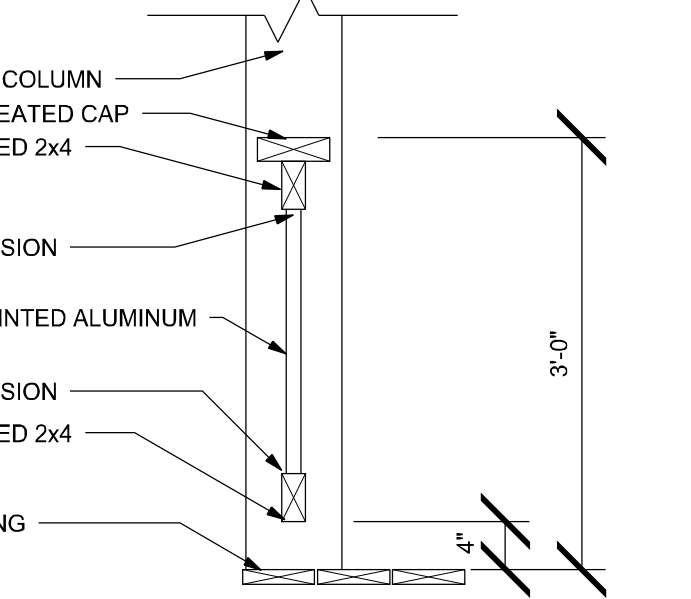
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IMPROVEMENTS SUCH AS HVAC, STAIRS, UTILITY EQUIPMENT, AND PEDESTALS ARE NOT PERMITTED WITH-IN BUFFERS.

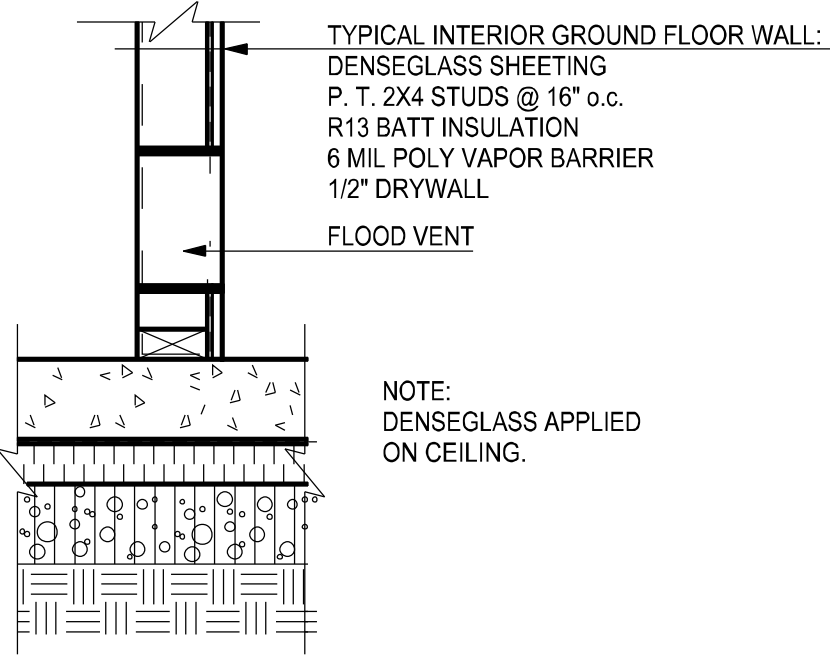


GENERAL NOTES:

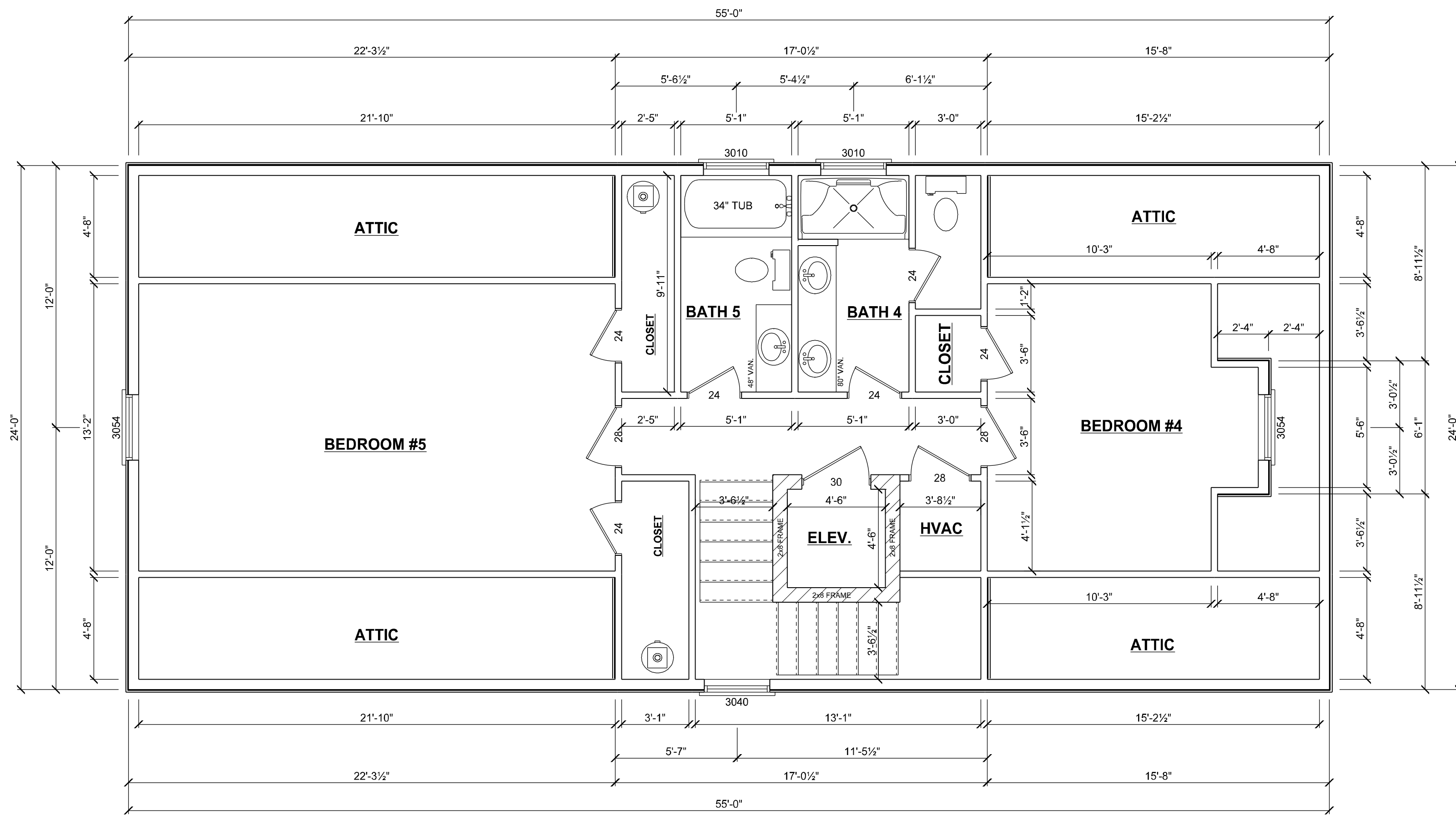
- ALL MATERIALS USED BELOW BASE FLOOD ELEVATION TO BE P.T. AND OR WATER-RESISTANT MATERIALS.
- THERE WILL BE SMOKE/CARBON MONOXIDE DETECTORS INSTALLED OUTSIDE OF ALL SEPARATED SLEEPING AREAS.
- ADDRESS NUMBER OVER 4" WILL BE PLACED VISIBLE FROM THE STREET.
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- ENTRANCE DOORS INTO THE DWELLING WILL BE SEPARATED BY A 20 MINUTE FIRE DOOR.
- ALL WINDOWS WILL BE IMPACT GLASS.



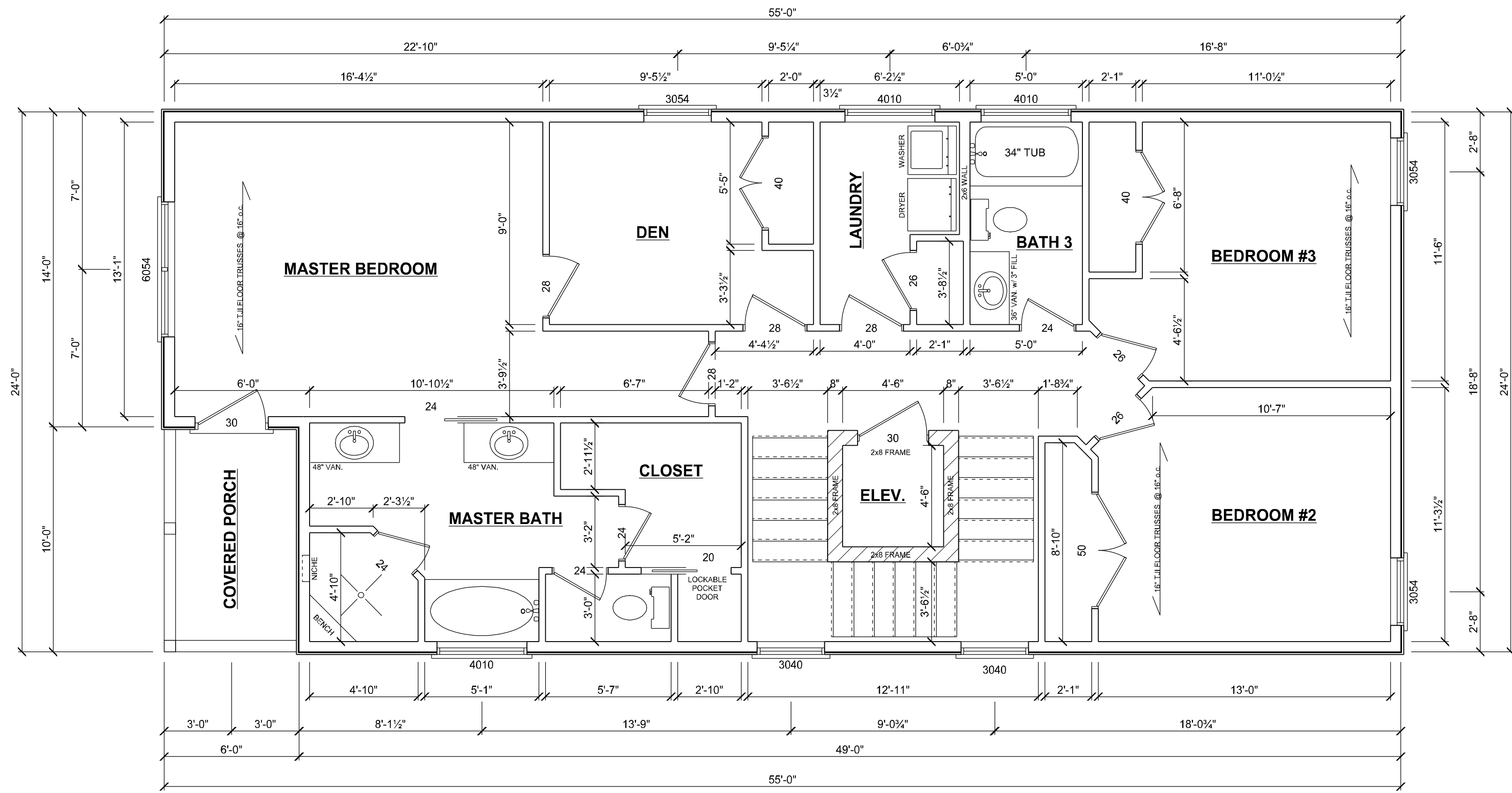
EXTERIOR BALUSTER RAILING DETAIL



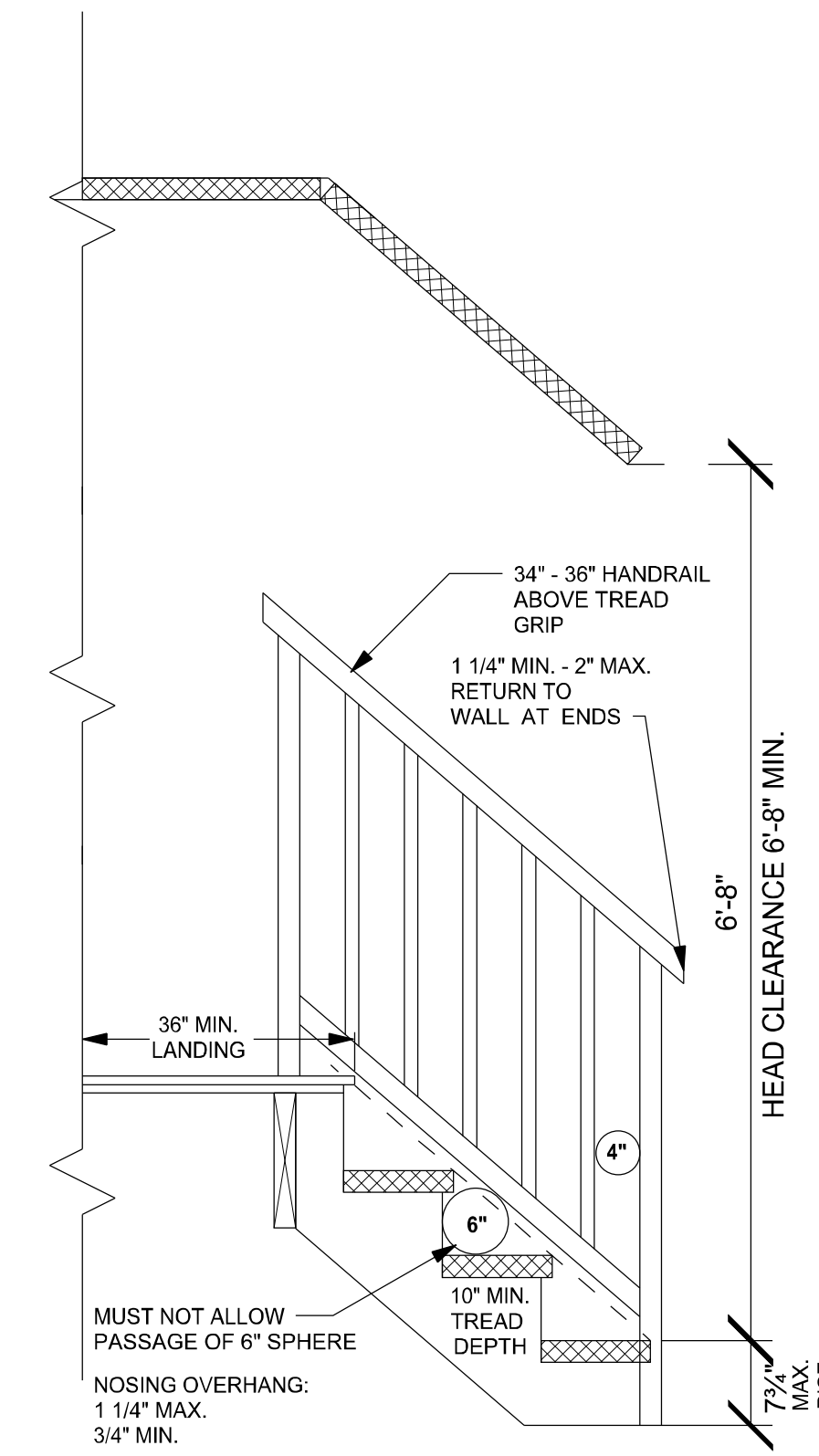
GROUND FLOOR WALL DETAIL



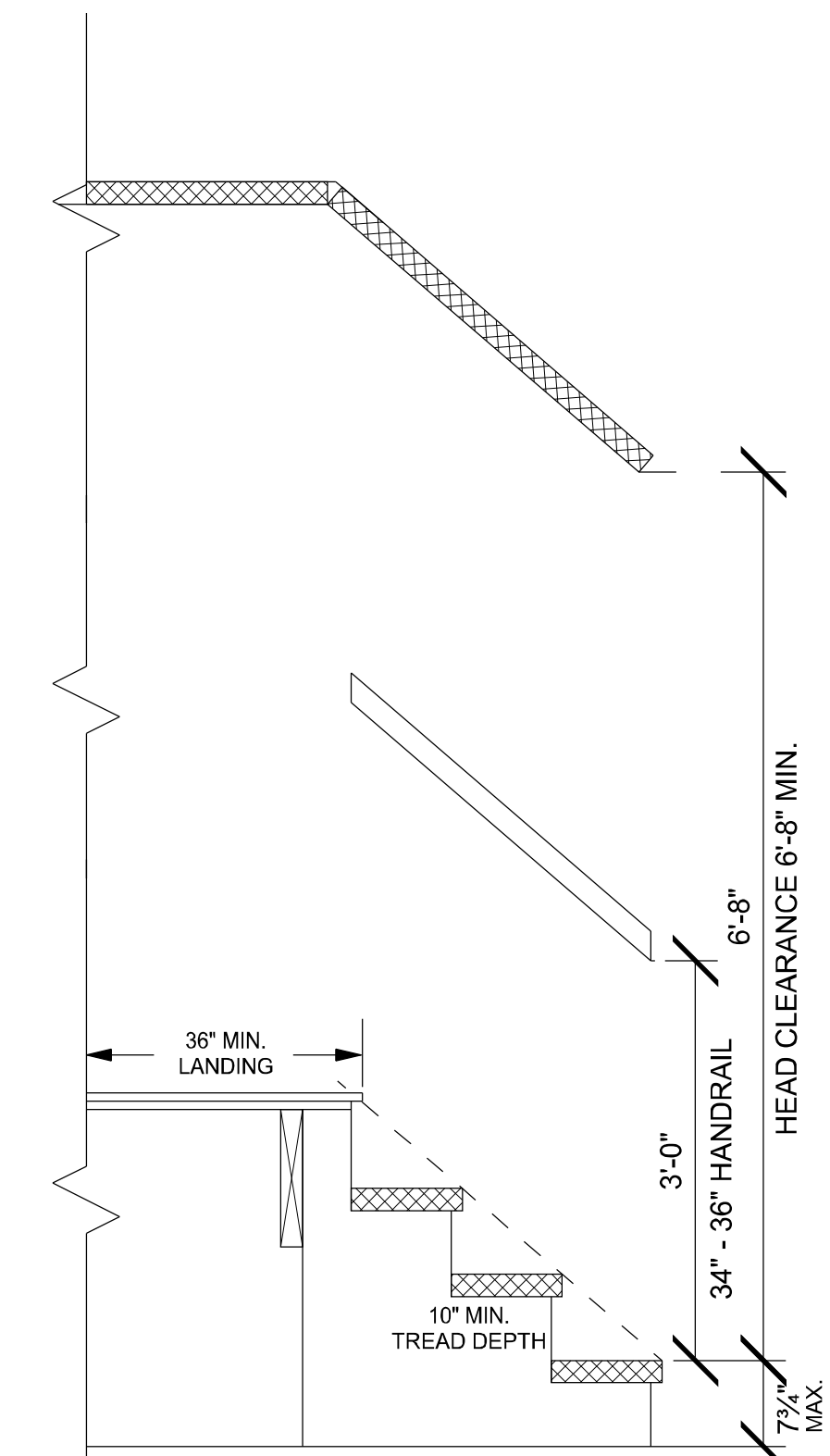
BONUS LEVEL PLAN
SCALE: 1/4" = 1'-0"



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



EXTERIOR STAIR DETAIL



INTERIOR STAIR DETAIL

SHEET
A-4

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Roof Construction Notes

1. Roof Overhang to be 18" Rake & 6" Cant
First Sheet of Plywd. @ Eaves to be Glued and Nailed w/ 8d. Galv. Nails - 4" o.c. @ Roof Edge, 6" o.c. @ Ends, and 8" o.c. in Field.
2. Roof Pitch to be 4/12, 8/12, 12/12 see plan
3. Provide Attic Vents.
4. Tie Roof Trusses to Interior Partitions w/ Metal Clips or Ties (See Schedule this Sheet).
5. Roof Sheathing to be Glued & Nailed - 1st Sheet @ Eaves & 8'-0" from Gable Ends.
6. Truss Designs to be Sealed by a State Certified Engineer.
7. Provide Truss Bracing per Engineered Truss Plan.

Sheathing Nailing Schedule

Roof Sheathing:
First Sheet of Plywd. @ Eaves to be Glued and Nailed w/ 8d. Galv. Nails - 4" o.c. @ Roof Edge, 6" o.c. @ Ends, and 8" o.c. in Field.

Remainder of Plywd. Sheathing - 8d. Galv. Nails 6" o.c. @ ends and 8" o.c. in Field.

Wall Sheathing:
Glue & Nail Plywd. w/ 8d. Galv. Nails @ 4" o.c. Top and Bottom, 6" o.c. @ Edges and 8" o.c. in Field.

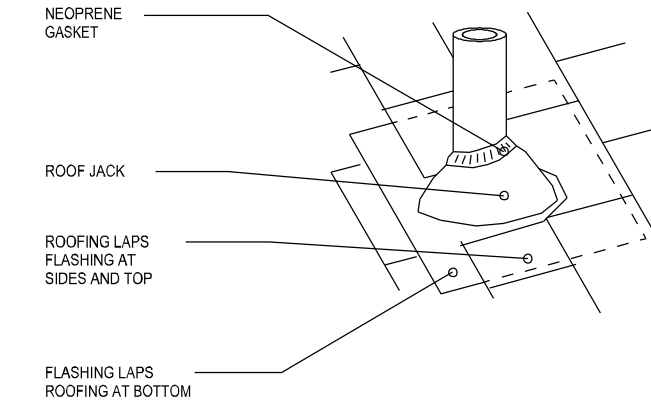
Floor Sheathing:
Glue & Nail 3/4" T&G Plywd. w/ 10d. Galv. Spiral or Ring Shank Nails @ 6" o.c. @ Edges and 8" o.c. in Field.

Strapping Schedule

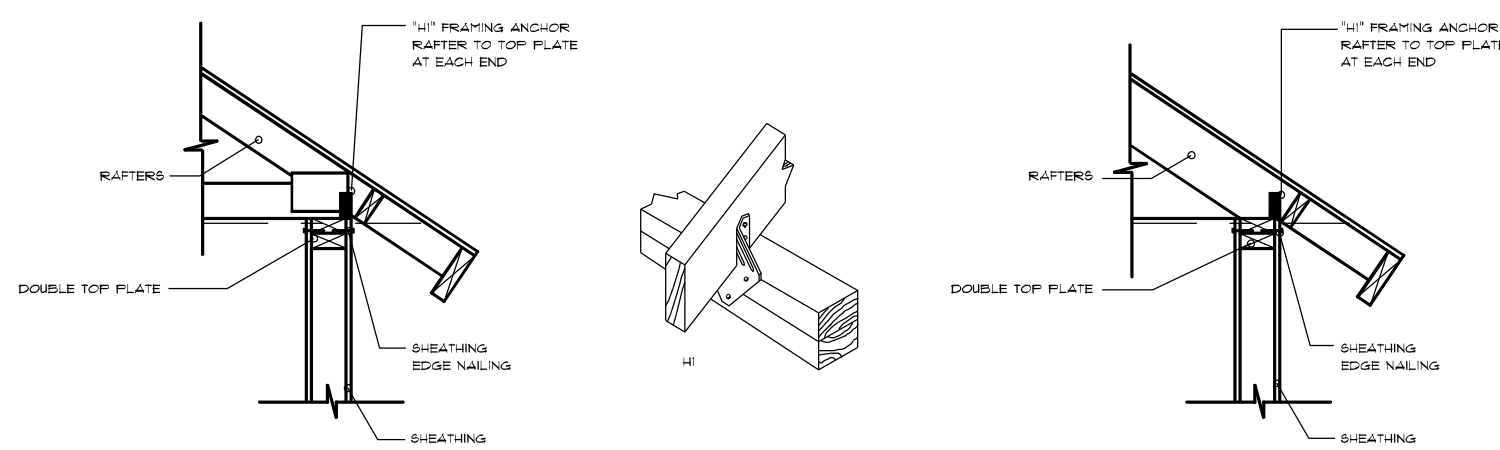
- Wood Beam to Joist/Truss - Simpson #TS18
- Twist Strap @ ea. Joist/Rafter - Uplift 930 lbs.
- Frame Wall to Joist/Truss - Simpson #TS18
- Twist Strap @ ea. Joist/Rafter - Uplift 930 lbs.
- Interior Frame Partitions - Simpson #TS9
- Twist Strap @ ea. Joist/Rafter - Uplift 930 lbs.

Note:
Provide (2) ea. Straps Listed Above at each end of Beams, Headers, & at all Hipset or Girder Trusses.

Provide Galv. Nails - Size & Number per Mfr. Specs.



ROOF VENT DETAIL

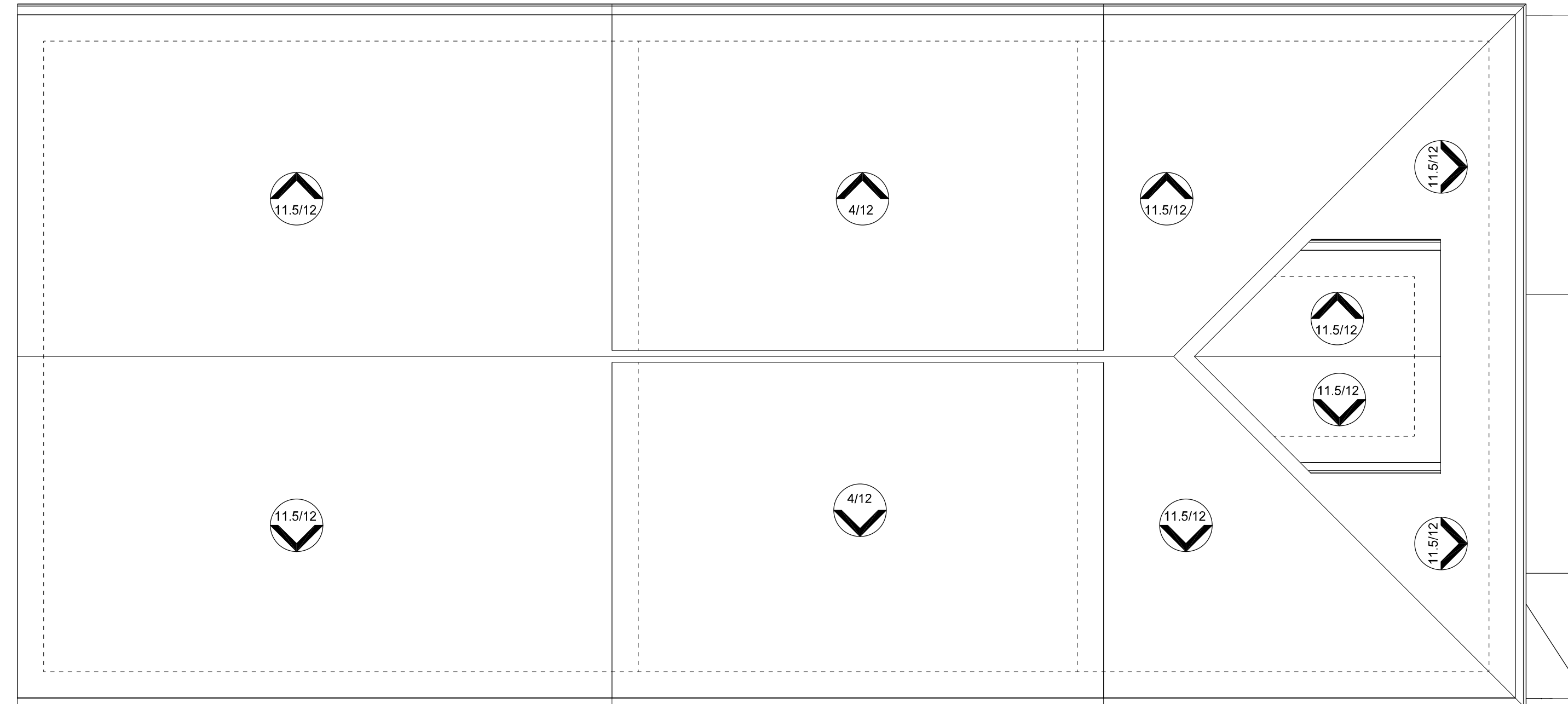


SHEAR TRANSFER

ROOF CONSTRUCTION NOTES

1. RAFTERS - 2x8 @ 16" O.C. FOR SHINGLES EXCEPT AS NOTED. THEY ARE CUT INTO HIPS, RIDGES, ECT. UNLESS NOTED DIFFERENTLY.
(A) TILE SLATE AND OTHER BEARING ROOF COVERINGS SHALL USE 2x10 @ 16" O.C. RAFTERS UNLESS NOTED OTHERWISE.
2. COLLAR TIES - 2x6 @ 48" AT ALL RIDGES UNLESS NOTED OTHERWISE.
3. COLLAR TIES MINIMUM AT ALL RIDGES EVEN IF 2 TIES MUST BE PUT ON ONE SET OF RAFTERS.
4. ALL BRACES ARE 2-2x4's NAILED WITH 16 PENNY NAILS @ 9" O.C. VERTICALLY FROM TOP TO BOTTOM. BRACES LARGER THAN 10" MUST BE BRACED HORIZONTALLY IN 2 DIRECTIONS @ MID-HEIGHT.
5. ALL HIPS AND RIDGES ARE A SIZE LARGER THAN RAFTERS UNLESS NOTED OTHERWISE. VALLEY RAFTERS ARE 1-2x10 (MIN)
6. ALL HOGS ON CEILING JOISTS OR RAFTERS ARE 2x6's UNLESS NOTED OTHERWISE.
7. MAXIMUM SPACING OF RAFTER BRACES.
FOR 2x6 HOG ---- 8' O.C.
FOR 2x8 HOG ---- 7'-6" O.C.
RAFTERS CAN BE SPLICED OVER HOGS WITH 2x4 BRACES.
8. DETAILS:

2x6 HOG 2x8 HOG
9. ALL ROOF TRUSSES MUST BE BUILT IN ACCORDANCE WITH TRUSS MANUFACTURER'S DIRECTION.
10. GABLE END ROOF FRAMING MUST HAVE GABLE ENDS BRACED PARALLEL TO RIDGES WITH MIN. OF 2x6 DIAGONAL BRACES @ 6' O.C. ALONG GABLE WALL TO INTERIOR CLG. JOISTS BRACES TO START 6" FROM EAVES AND AT APPROXIMATE MID-HEIGHT OF GABLE. BRACES SHALL BE AT APPROXIMATELY A 45 DEG. ANGLE. OTHER BRACING CAN BE USED IF IT MEETS WITH PROFESSIONAL ENGINEER'S APPROVAL.
11. FLASHING TO BE INSTALLED AT WALL AND ROOF INTERSECTIONS, WHENEVER THERE IS A CHANGE IN ROOF SLOPE OR DIRECTION, AND AROUND ROOF OPENINGS. IF FLASHING IS METAL, IT SHALL BE CORROSION RESISTENT WITH A THICKNESS OF NOT LESS THAN 0.019 INCH (NO. 26 GALV. SHEET)



ROOF PLAN
SCALE: 1/4" = 1'-0"

SHEET
A-5

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SHEET
E-1

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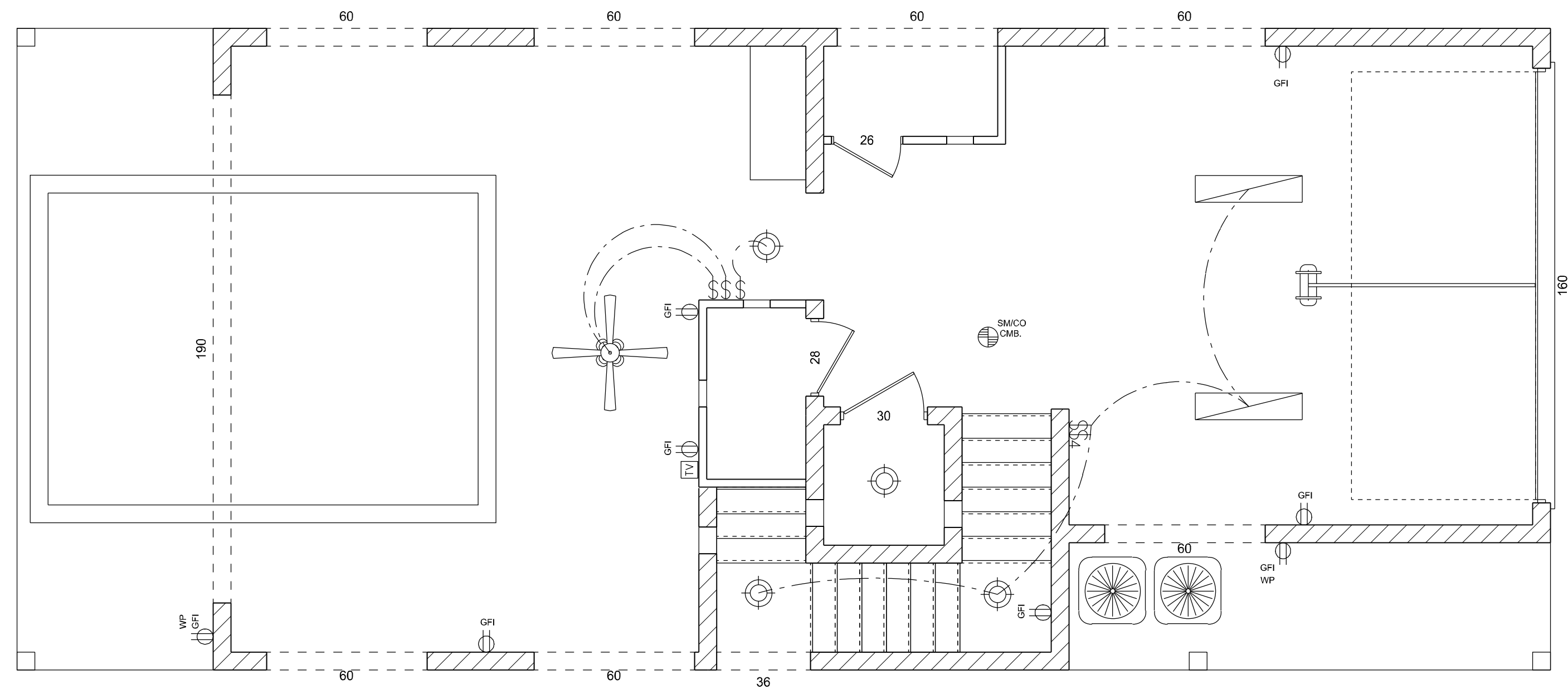
ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE SOUTH CAROLINA ELECTRICAL CODE AND THE SOUTH CAROLINA MECHANICAL CODE, AND ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE SOUTH CAROLINA PLUMBING CODE AND THE SOUTH CAROLINA GAS CODE.

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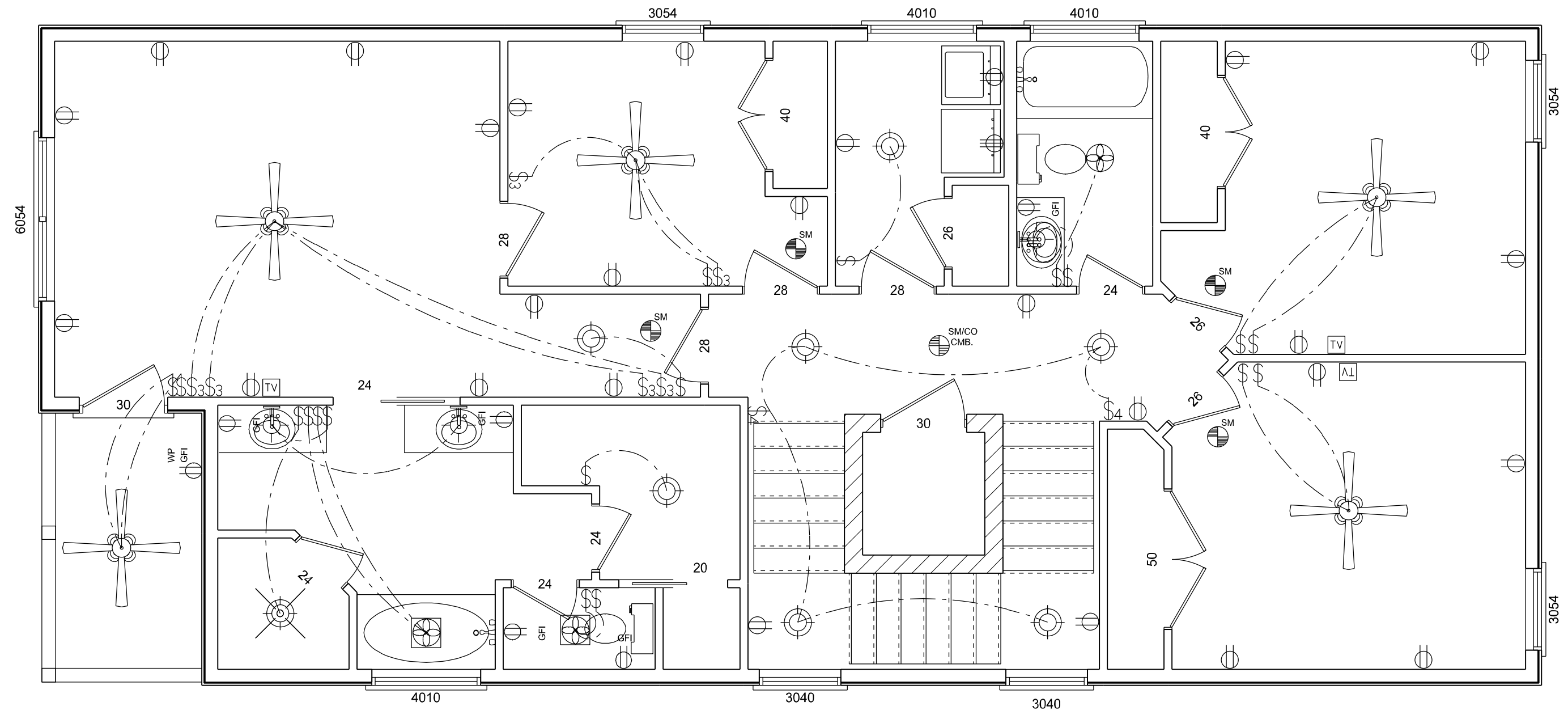
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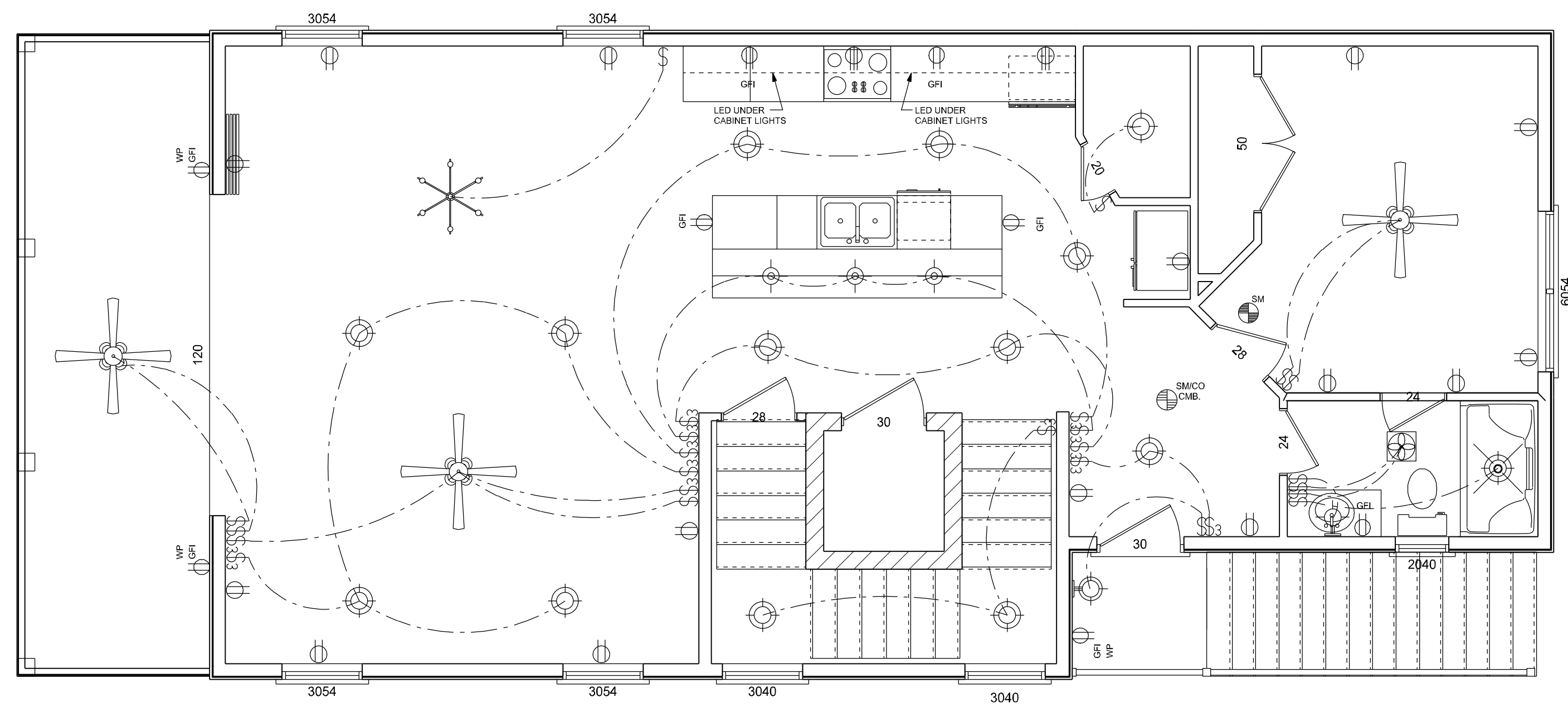


GROUND FLOOR ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"

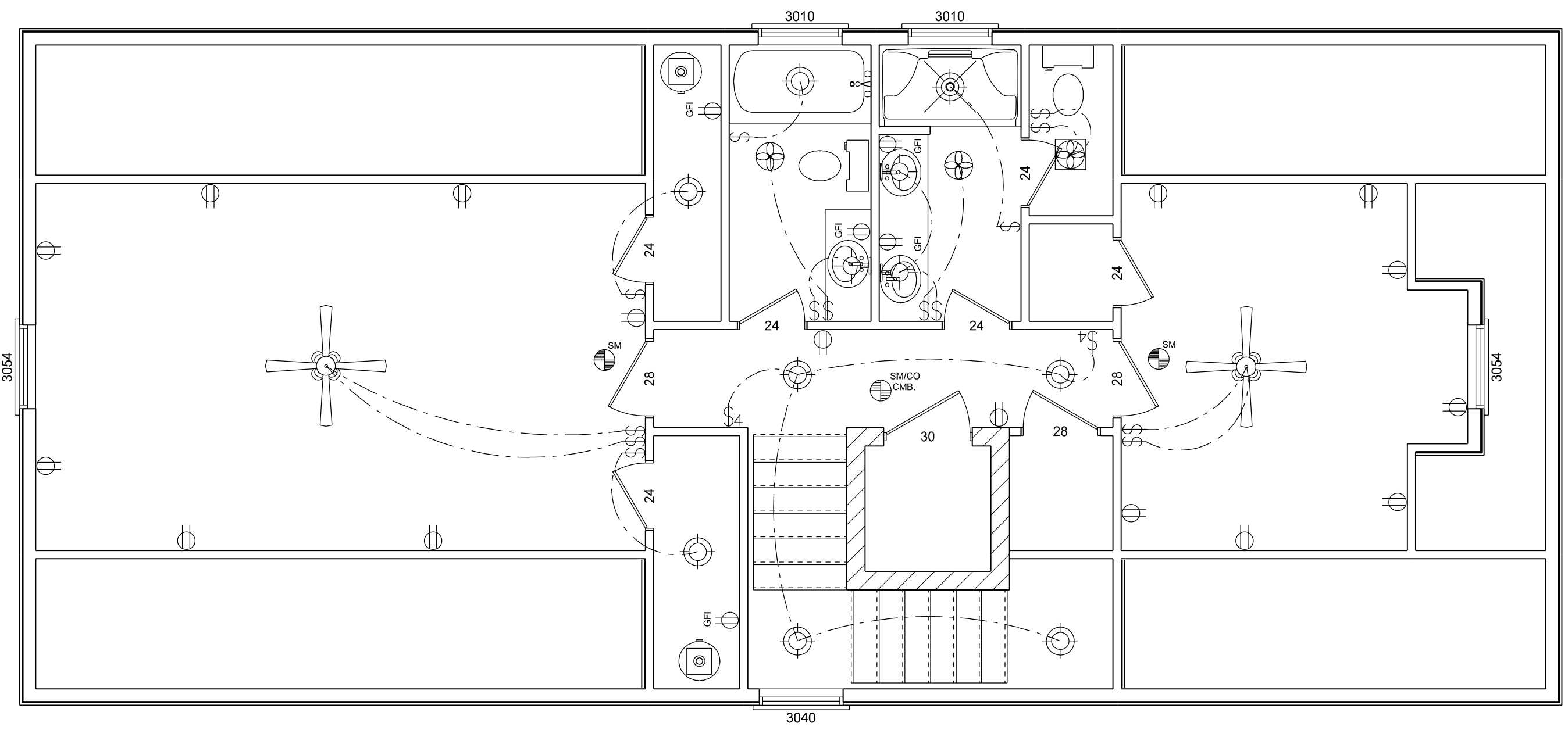


SECOND FLOOR ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"

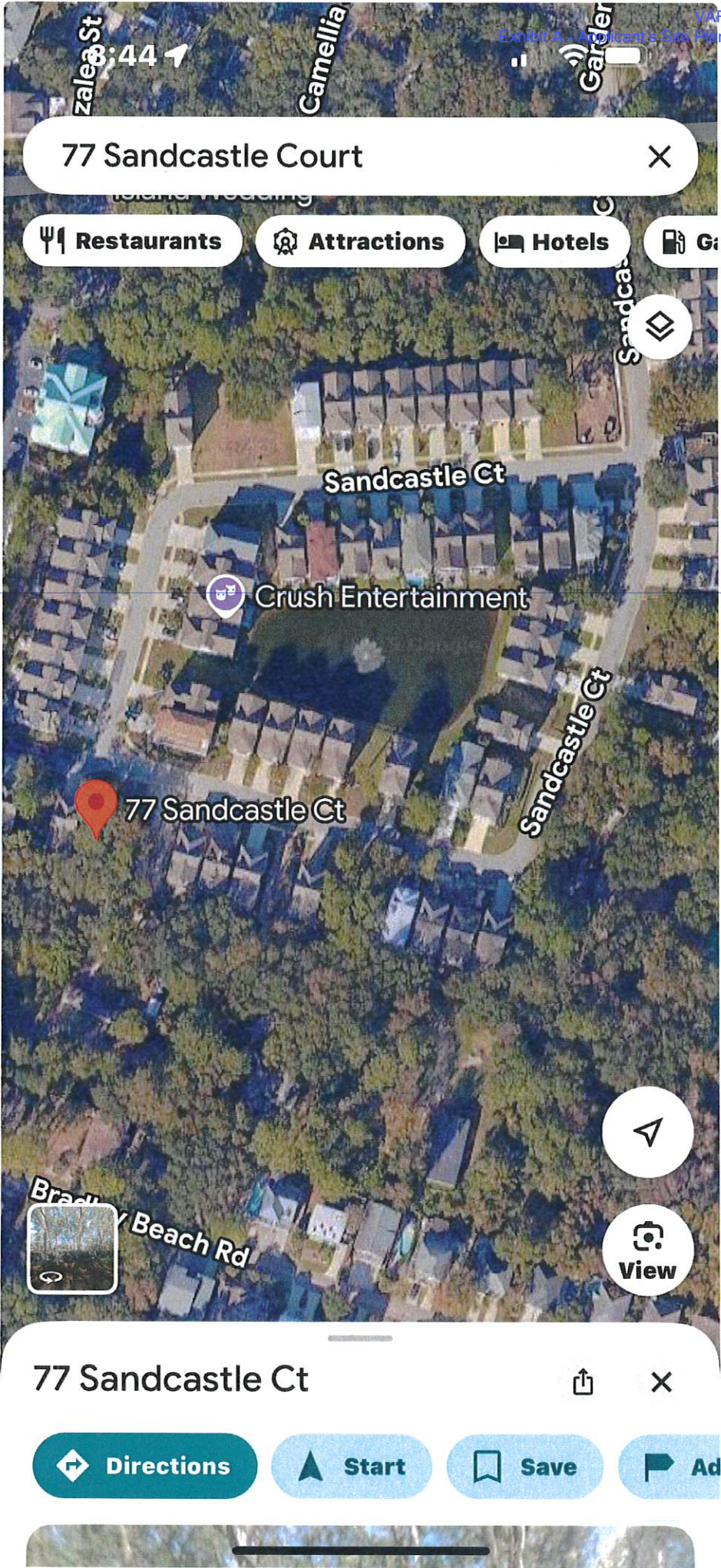
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FIRST FLOOR ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"



BONUS LEVEL ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"



Sandcastles By the Sea



Exhibit B - Sandcastles by the Sea Subdivision Plat

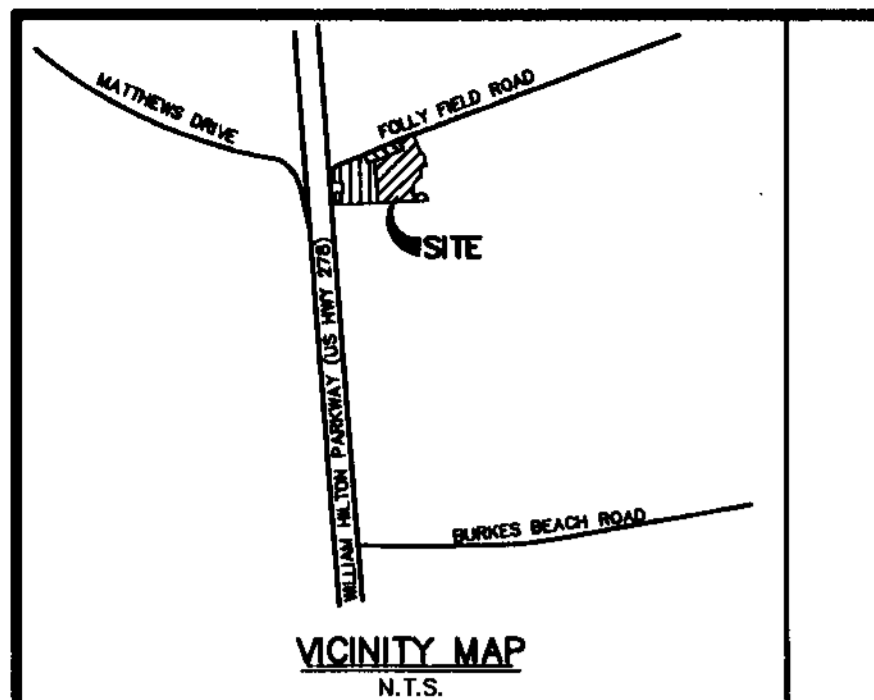


Table with 4 columns: LINE, LENGTH, BEARING, and BEARING. It lists 170 line segments for the subdivision plat.

Table with 4 columns: CURVE LENGTH, BEARING, CHORD, and DELTA. It lists 240 curve data points for the subdivision plat.

SPECIAL NOTE: Some or all areas on this plat are flood hazard areas and have been identified as having at least a one percent chance of being flooded in any given year...

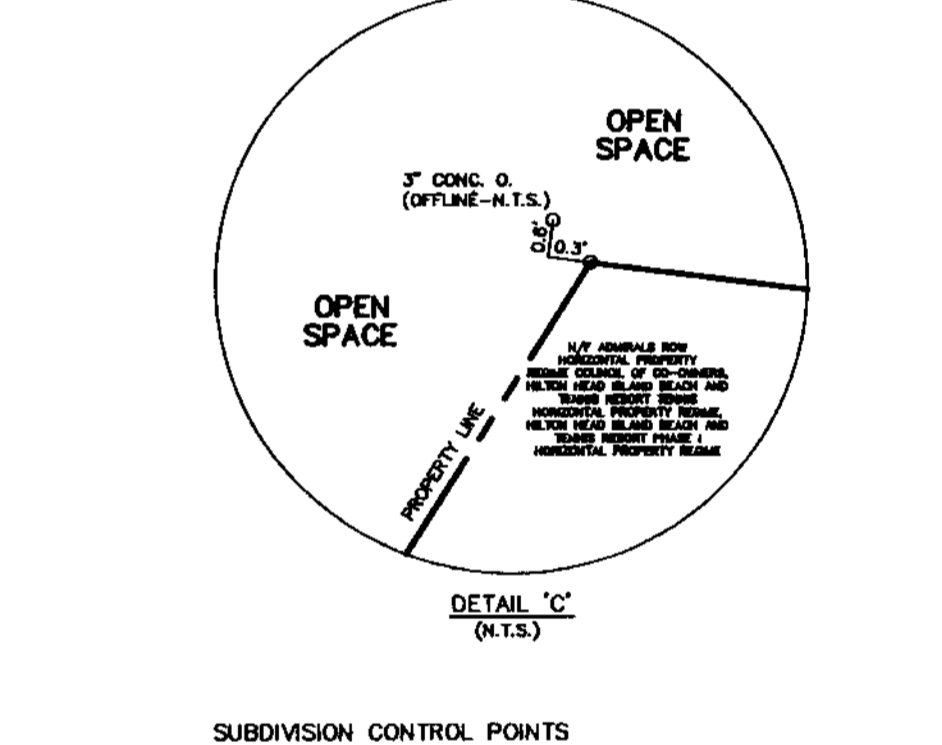
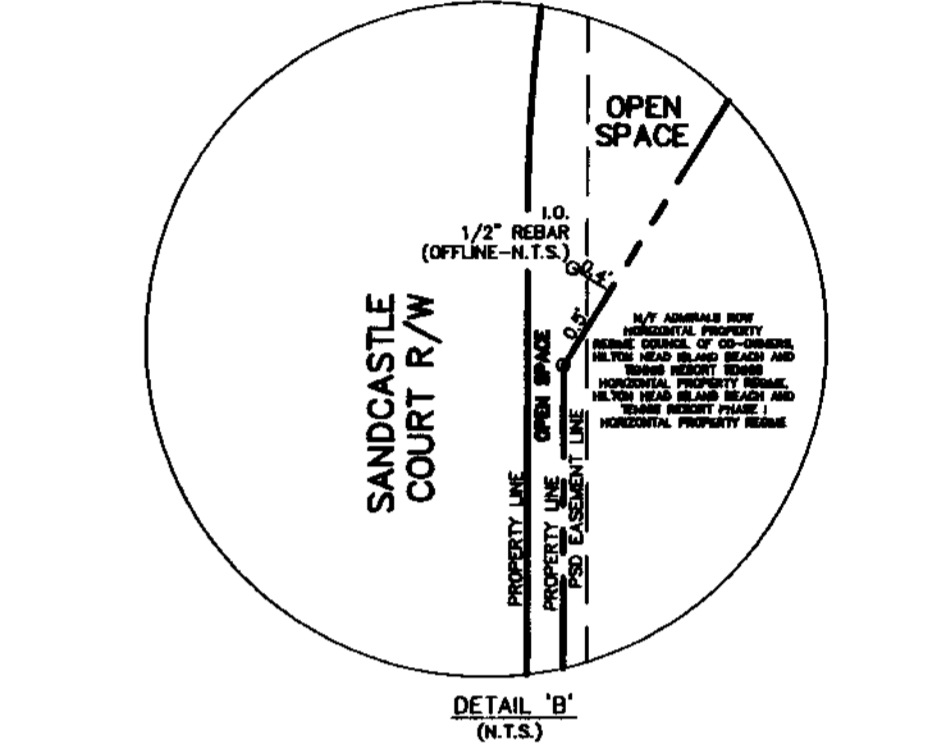
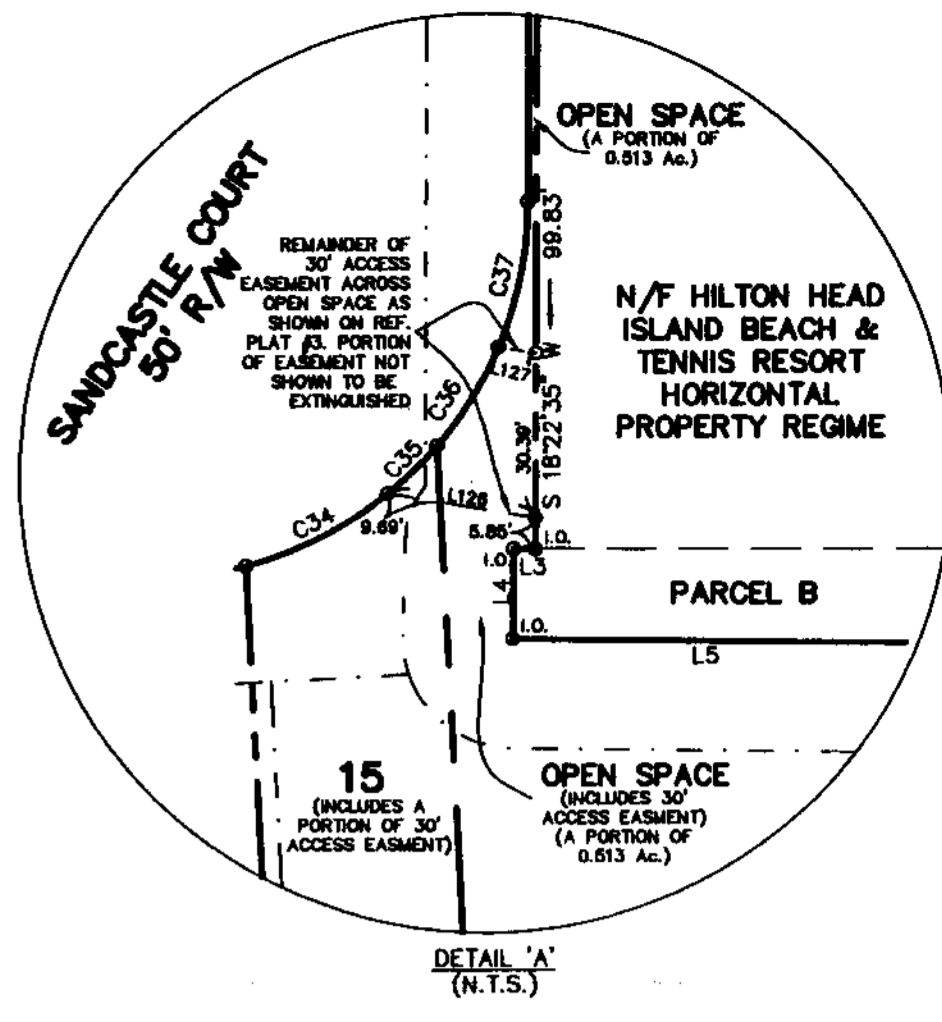
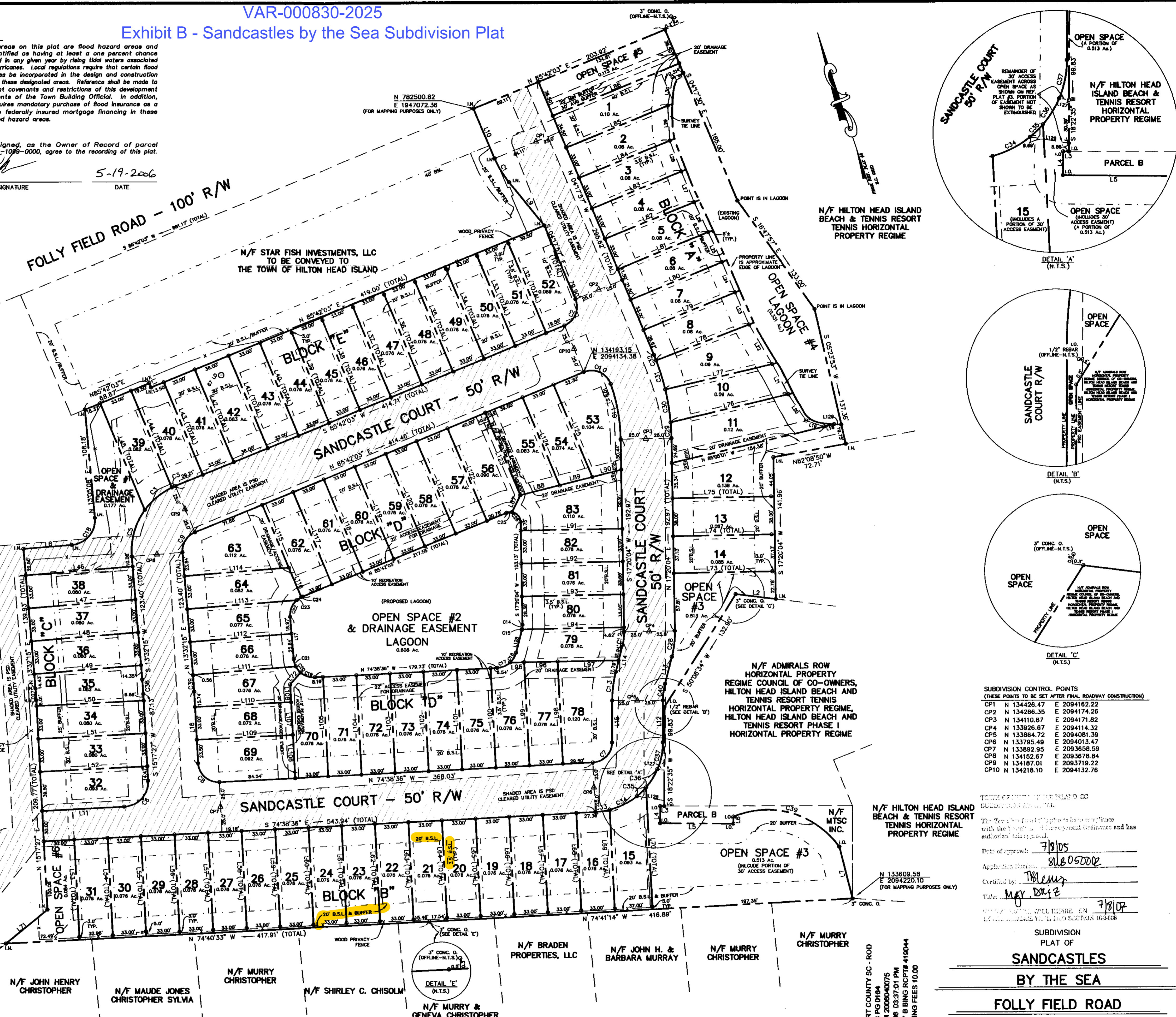
I, the undersigned, as the Owner of Record of parcel R510-009-000-1099-0000, agree to the recording of this plat.

SIGNATURE: [Signature] DATE: 5-19-2006

AREA TABLE: 83 RESIDENTIAL LOTS = 6.779 Ac. SANDCASTLE COURT R/W = 2.313 Ac. OPEN SPACE = 1.826 Ac. TOTAL AREA = 10.918 ACRES

- NOTES: 1) I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA...

- REFERENCE PLATS: 1) ASBURY SURVEY OF 14.249 AC. TRACT, FOLLY FIELD ROAD & U.S. HIGHWAY 278, DATED: 5/5/2000, BY: TERRY G. HATCHELL, S.C.R.L.S. NO. 11059.

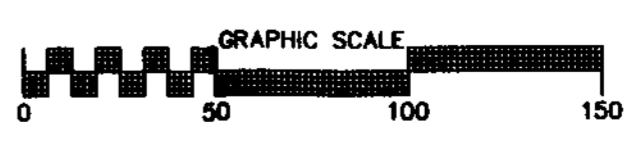
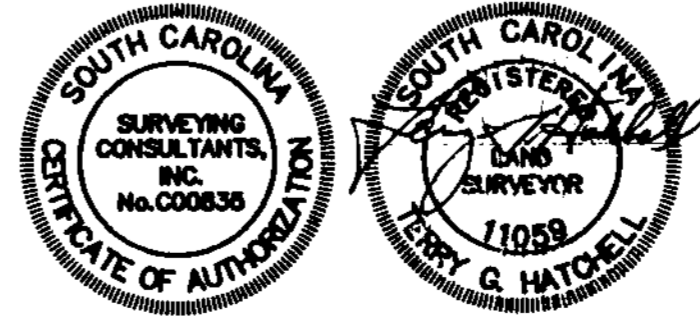


SUBDIVISION CONTROL POINTS (THESE POINTS TO BE SET AFTER FINAL ROADWAY CONSTRUCTION): CP1 N 134426.47 E 209416.22, CP2 N 134266.35 E 209417.82, CP3 N 134110.87 E 209417.82, CP4 N 133926.67 E 209414.32, CP5 N 133864.72 E 2094081.39, CP6 N 133795.49 E 2094081.39, CP7 N 133592.95 E 2093658.59, CP8 N 134152.67 E 2093678.84, CP9 N 134167.01 E 2093719.22, CP10 N 134218.10 E 2094132.78

TITLE OF HILTON HEAD ISLAND CO. SUBDIVISION PLAT NO. 11059. The Town of Hilton Head Island has its jurisdiction with the Flood Hazard Ordinance and has authorized this plat.

DATE: 5/19/2006. Application No: 7/8105. Sub: 050002. Prepared by: [Signature]. Title: [Signature].

SUBDIVISION PLAT OF SANDCASTLES BY THE SEA. HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA. SCALE: 1" = 50'. DATE: 6/15/2005. JOB NO: 89319L. REVISED 05/19/2006: TO SHOW OFFSET PROPERTY CORNERS.



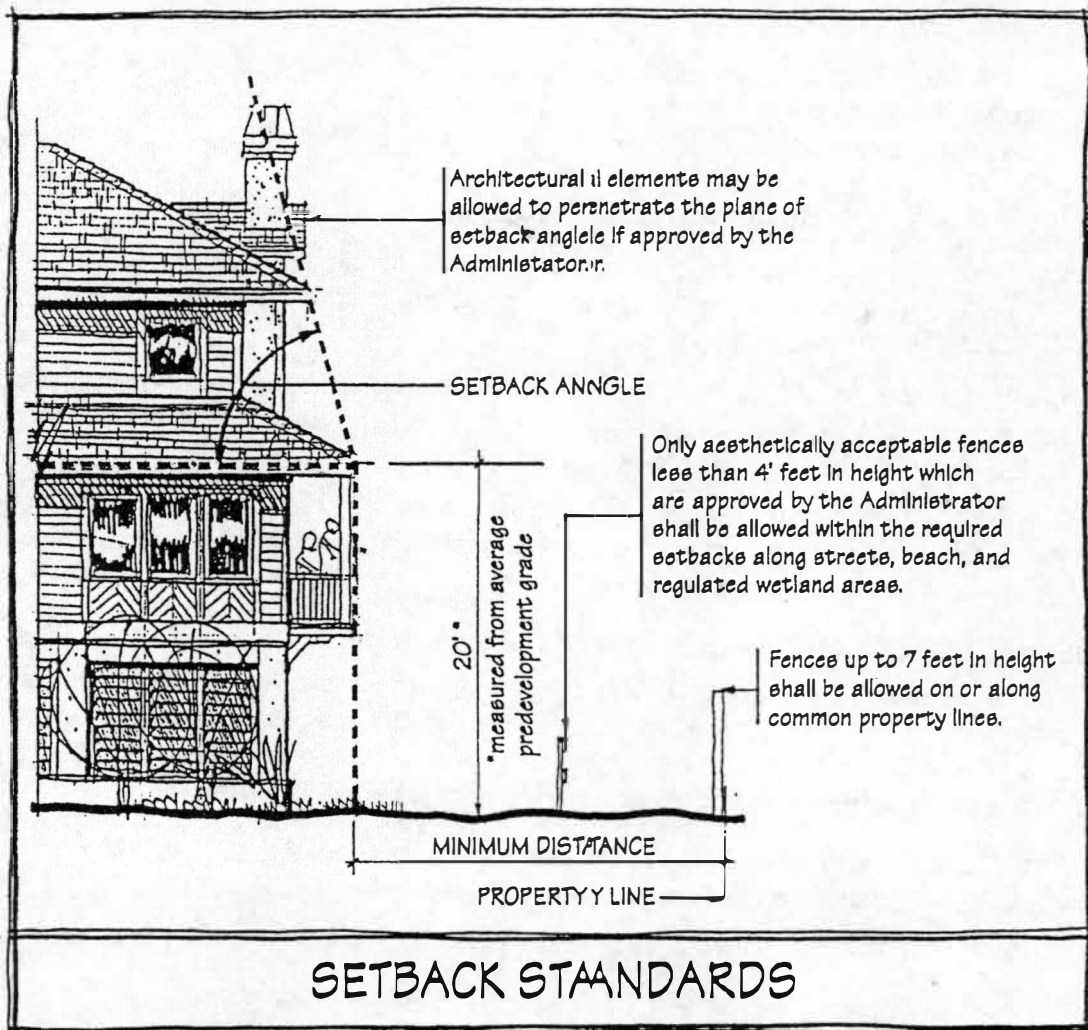
PREPARED FOR: STAR FISH INVESTMENTS, LLC. TAX PARCEL I.D. NO. R511-009-000-1099-0000

**Chapter 5
Design and Performance Standards**

Adjacent Use

Proposed Use		Adjacent Use			
		Single Family	Multifamily Recreational	Institutional, Commercial	Industrial, Warehouse
Single Family *	Min. Distance	20'	20'	30'	40'
	Max. Angle	75°	75°	60°	45°
Multifamily, Recreational	Min. Distance	20'	20'	25'	30'
	Max. Angle	75°	75°	75°	60°
Institutional, Commercial	Min. Distance	30'	25'	20'	20'
	Max. Angle	60°	75°	75°	75°
Industrial, Utility	Min. Distance	40'	30'	20'	20'
	Max. Angle	45°	60°	75°	75°

[*NOTE: Single family subdivision exterior boundary only]



adopted July 21, 1998

Land Management Ordinance/Town of Hilton Head Island

Sec. 16-5-711. - Setbacks for Zero Lot Line Development

Sec. 16-5-701. - Purpose and Function

The function of a setback is to provide separation between structures and property lines or between structures and the street right-of-way line. Setbacks facilitate adequate air circulation and light by allowing natural areas to separate developments.

Sec. 16-5-702. - Exemptions

No setback shall be required for landscaping, lagoons, retaining walls, streets, parking, street lights, and other amenities that, in the opinion of the Administrator, would normally be considered as aesthetically acceptable.

(Revised 6/15/99—Ordinance 1999-19)

Sec. 16-5-703. - Determination of Setback

- A. Required setbacks for any development shall be determined according to the relationship of the proposed use to the existing contiguous use on each property adjacent to the development.
- B. For purposes of determining the appropriate setback distance where the adjacent property is vacant, it shall be classified as the use which would require the greatest setback allowed by right in that district.
- C. The required setback and setback angle as set forth below shall be measured inward from the property line to the closest portion of a structure located on the property.

(Revised 6/15/99—Ordinance 1999-19)

Sec. 16-5-704. - Minimum Required Setback Area

The minimum required setback area is set forth in the tables below. Minimum setback distances are for structures up to 20 feet in height, measured from the minimum elevation required by FIRM/FEMA or average pre-development grade where no FIRM/FEMA floor elevation is established. Structures exceeding this 20-foot height shall require additional setback according to the appropriate setback angle set forth below.

- A. **Adjacent Use Setback.** All development shall conform to the following minimum setback distances and maximum setback angles, except as expressly provided in this Article. Adjacent use setbacks between two adjoining parcels that are functioning as one development may be eliminated as deemed appropriate by the Administrator.

(Revised 3/6/07—Ordinance 2007-05)

Proposed Use	Adjacent Use				
	Single Family	Multifamily, Recreational	Institutional, Commercial	Industrial, Warehouse	
Single Family*	Min. Distance	20'	20'	30'	40'
	Max. Angle	75°	75°	60°	45°
Multifamily, Recreational	Min. Distance	20'	20'	25'	30'
	Max. Angle	75°	75°	75°	60°
Institutional, Commercial	Min. Distance	30'	25'	20'	20'
	Max. Angle	60°	75°	75°	75°

Industrial, Utility	Min. Distance Max. Angle	40' 45°	30' 60°	20' 75°	20' 75°
[*NOTE: Single family subdivision exterior boundary only]					
<p>1. For all minor subdivisions and Abbreviated Development Plan Review (ADPR) applications, the entire single family exterior boundary setback may be reduced by 50% in area. The setback area shall not be reduced to less than 5 feet wide at any point. The total boundary setback area shall not be required to exceed 20% of the original parcel.</p> <p>2. <u>Sec. 16-5-205</u> requires a 5-foot setback along all internal property lines for lots divided for single family detached homes. A side setback may be reduced to less than 5 feet as long as the resultant setback combined with the adjacent lot is at least 10 feet wide and shown on the recorded subdivision plat.</p> <p>3. For properties located in the CCW, DCW, and SMU zoning districts, the adjacent use setback requirement may be reduced in accordance with <u>Section 16-5-402A</u>.</p>					

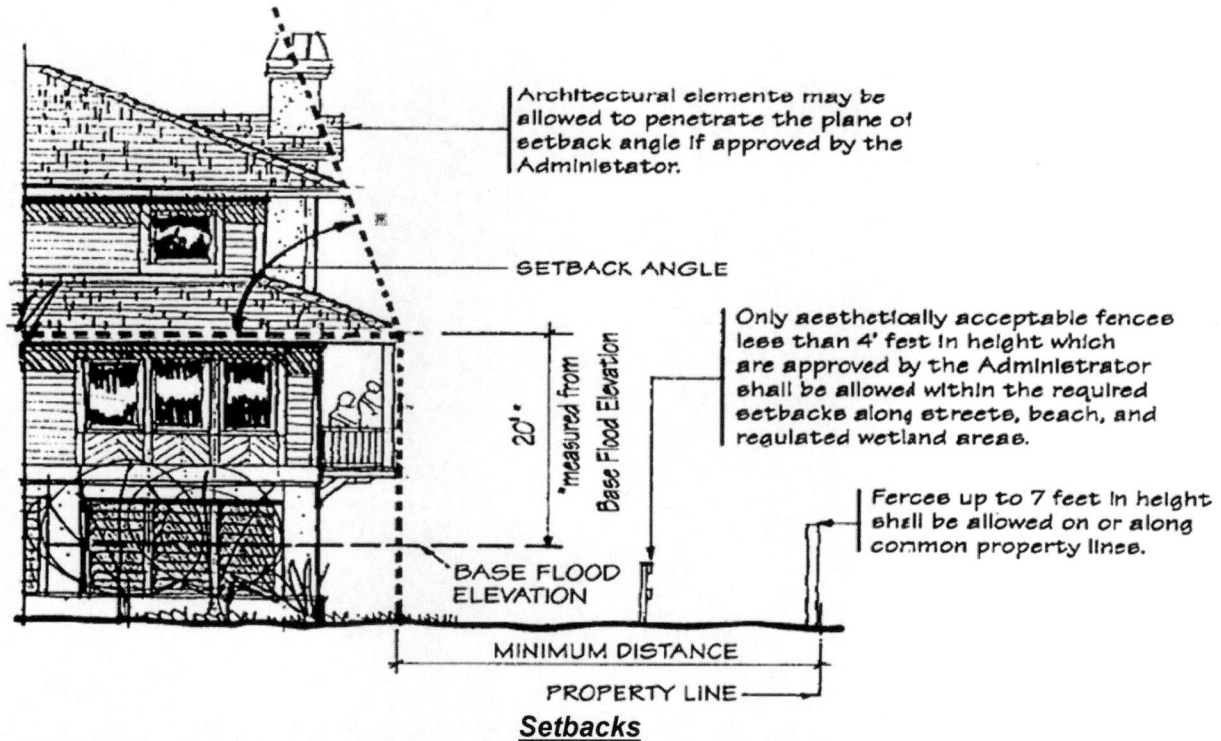
(Revised 9/5/06—Ordinance 2006-19; Revised 3/6/07—Ordinance 2007-05)

B. Adjacent Street Setback. Minimum setback distances from adjacent roads are specified in the table below.

(Revised 3/6/07—Ordinance 2007-05)

Proposed Use		Major Arterials	Minor Arterials	All Other Streets
Single Family Residences	Min. Distance Max. Angle	50' 75°	40' 70°	20* 60°
Structures > 24" in height	Min. Distance Max Angle	50' none	30' none	10' none
Structures < 24" in height				
All Other Uses	Min. Distance Max. Angle	50' 75°	40' 70°	20' 60°
<p>*Note: For all corner lots, the 20 ft. adjacent street setback may be reduced to 10 ft. for one street. The 20 ft. adjacent street setback shall apply to the street having the highest number of average daily vehicle traffic (ADT) as determined by the Administrator. If both streets have equal ADT the property owner may choose which street the residence will front. For properties located in the CCW, DCW, and SMU zoning districts, the adjacent street setback requirement may be reduced in accordance with <u>Section 16-5-402B</u>.</p>				

(Revised 3/6/07—Ordinance 2007-05)



(Revised 6/15/99—Ordinance 1999-19; Revised 4/25/00—Ordinance 2000-13; Revised 4/2/02—Ordinance 2002-10; Revised 6/21/05—Ordinance 2005-19)

Sec. 16-5-705. - Exceptions For Setback Angle Requirements

- A. Architectural elements may be allowed to penetrate the plane of the setback angle if approved by the Administrator. Architectural elements are parts of a structure which provide visual interest to that structure and are generally non-habitable and decorative in nature. These elements include, but are not limited to, pitched roofs, dormer windows, cupolas, bay windows, eaves and overhangs, chimneys, and church spires.
- B. Exceptions may be allowed by the Administrator only if the applicant demonstrates that:
 1. The required setback angle cannot be met for the architectural elements using alternate site layouts without major modifications to an otherwise acceptable application; and
 2. The excepted architectural elements will not cause detriment to adjacent properties through alteration of natural elements; and
 3. The excepted architectural elements shall not be major or dominant features of the structure; and
 4. The excepted architectural elements will not penetrate the plane of the minimum required setback; and
 5. The exception is the minimum reasonably required to achieve the architectural goal; and, if applicable,
 6. The placement of the structure provides protection of prominent natural features on the site such as trees and wetlands, or historic sites.

Sec. 16-5-706. - Setbacks for Fences

- A. Fences up to 7 feet in height shall be allowed on or along common property lines.
- B. Only aesthetically acceptable fences less than 4 feet in height which are approved by the Administrator shall be allowed within the required setbacks along streets, beach and regulated wetland areas.

Sec. 16-5-707. - Setbacks for Flag Poles

Setbacks shall be required for flag poles higher than 20 ft. with flags larger than 40 sq. ft.

(Revised 10/21/03—Ordinance 2003-31)

Sec. 16-5-708. - Setbacks at Intersections

Setbacks at intersection shall be governed by the requirements for sight triangles set forth in Sec. 16-5-508.

Sec. 16-5-709. - Setbacks for PUD

For the application of setback requirements to a PUD, refer to Article IX.

Sec. 16-5-710. - Setbacks for Signs

For the application of setback requirements to signs see Sec. 16-5-1308.G.

Sec. 16-5-711. - Setbacks for Zero Lot Line Development

Subdivisions may be developed with zero lot lines provided that applicable restrictive covenants require all lots to be developed as zero lot lines. However, the perimeter of the subdivision shall be subject to setbacks required in this section.

Hilton Head Island, South Carolina, Land Management Ordinance >> CHAPTER 5. - DESIGN AND PERFORMANCE STANDARDS >> ARTICLE VIII. - BUFFER STANDARDS >>

ARTICLE VIII. - BUFFER STANDARDS

Sec. 16-5-801. - Purpose and Function

Sec. 16-5-802. - Landscape Plan Required

Sec. 16-5-803. - Location of Buffer Area

Sec. 16-5-804. - Measuring Average Buffer Depth

Sec. 16-5-805. - Buffer Design Standards

Sec. 16-5-806. - Required Buffers

Sec. 16-5-807. - Specific Buffer Requirements

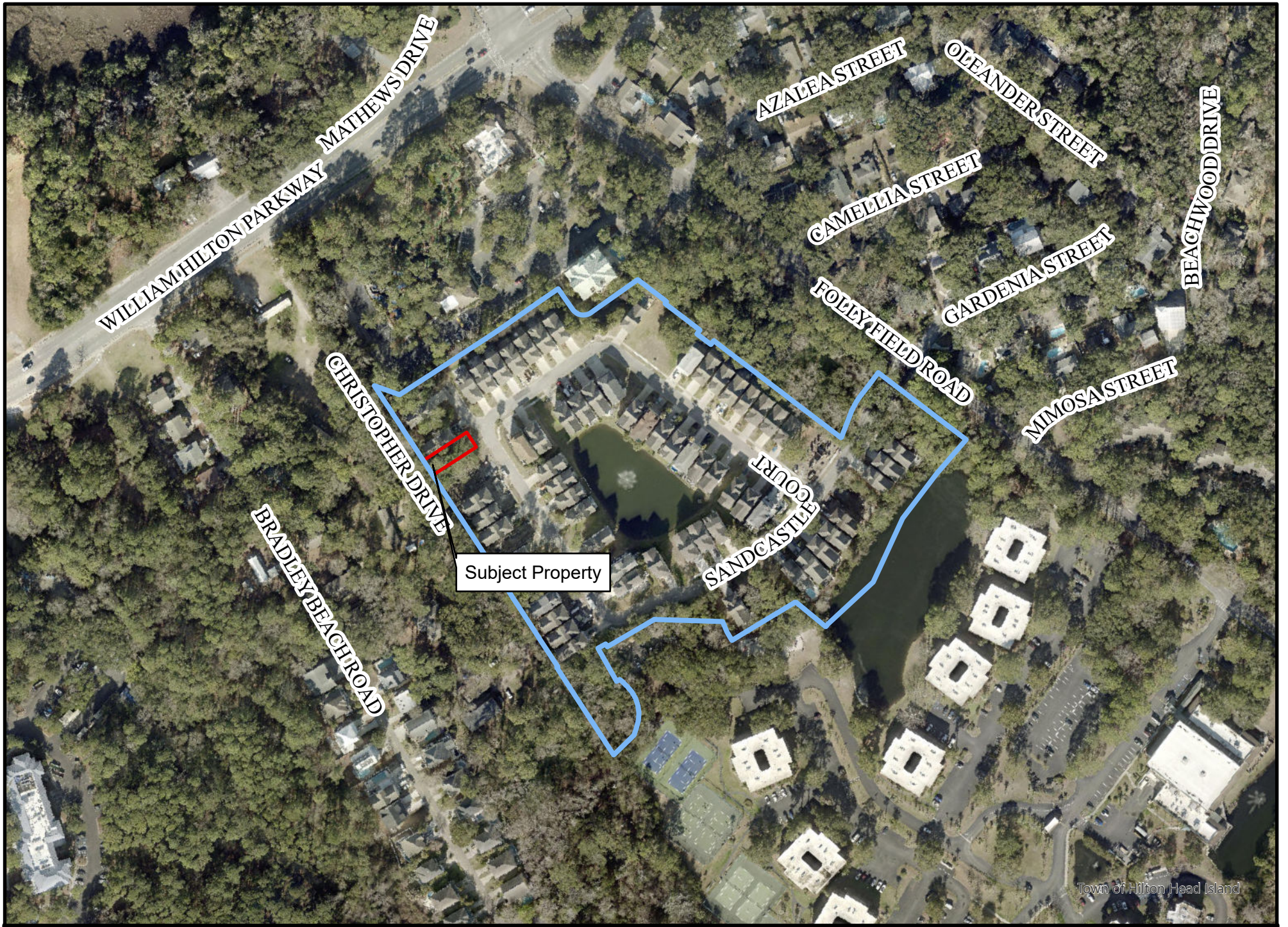
Sec. 16-5-808. - Permitted Activity in Street Buffers

Sec. 16-5-809. - Permitted Activity in Other Buffer Areas

Sec. 16-5-810. - Buffer Materials

Sec. 16-5-811. - Review of Installed Buffer

Sec. 16-5-801. - Purpose and Function



Subject Property

Town of Hilton Head Island



TOWN OF HILTON HEAD ISLAND
 ONE TOWN CENTER COURT
 HILTON HEAD ISLAND, S.C. 29928
 PHONE (843) 341-4800

Town of Hilton Head Island

Location Map
 September 12, 2025

VAR-000830-2025

Exhibit E - Aerial of Subdivision Approaching Build-Out



The information on this map has been compiled from a variety of sources and is intended to be used only as a guide. It is provided without any warranty or representation as to the accuracy or completeness of the data shown. The Town of Hilton Head Island assumes no liability for its accuracy or status of completion or for any losses arising from the use of the map.

ARCHITECTURAL REVIEW GUIDELINES

FOR

Sandcastles by the Sea

Folly Field Road
Hilton Head Island, SC 29928

Version 1.2 (Revised 08/11/15)



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SECTION I – INTRODUCTION

Sandcastles by the Sea, a private residential community, is located in the Folly Field area of Hilton Head Island, conveniently situated mid-Island near the intersection of William Hilton Parkway (U. S. Highway 278 Business) and Folly Field Road, close to schools, shopping, recreation, medical and professional services, and the beaches of the Atlantic Ocean. Sandcastles by the Sea contains a total of 83 single family residential lots on 10.918 acres.

A. AIM OF THE DEVELOPMENT

The primary aim of the development of Sandcastles by the Sea is the achievement of a high quality, aesthetically pleasing single family residential community which strives to preserve and enhance the value of each property owner’s investment.

B. PURPOSE OF THE ARCHITECTURAL REVIEW COMMITTEE

The purpose of the Architectural Review Committee (the “ARC”) is to protect the overall quality of the community while enhancing the value of each property owner’s investment by guiding both the building design process and the long term aesthetics of the community for the mutual benefit of all property owners. The ARC, in their review process, will not, as a general rule, dictate any particular architectural style or hinder personal design preferences. It will, however, strive to insure a cohesive character in the community. Traditional design details may be incorporated in the design but “pure styles” which tend to create disharmony are discouraged. The general overall architectural theme of this community of a Bermudian/Charleston style, with the use of coastal colors. A palette of these colors is available from the ARC. No two adjacent homes may be of the same color. All homes shall utilize a darker roof shingle colors.

C. ARCHITECTURAL REVIEW GUIDELINES

These Architectural Review Guidelines are intended to provide guidance to applicants for architectural approval for construction or other improvements on a lot in Sandcastles by the Sea. These Guidelines may be amended from time to time by the ARC with the approval of the Board of Directors of Sandcastles by the Sea Owners Association, Inc.

SECTION II – ARCHITECTURAL REVIEW COMMITTEE

All projects reviewed by the ARC are evaluated with consideration of the Covenants, Conditions and Restrictions for Sandcastles by the Sea recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Record Book 2380 at Page 1162 (the “Covenants”), aesthetics, and current policies of the ARC. The ARC is concerned with all aspects of aesthetics. The ARC is not responsible for the enforcement of building codes, accuracy of plans, specifications, drawings, or structural details, or techniques of construction. Submissions may be disapproved for purely aesthetic reasons deemed contrary to the goals and objectives of the ARC.



Submissions for the final review process must be received before noon on the Monday prior to the ARC meeting at which the application will be reviewed. Submissions for the concept review process or the preliminary review process will be received until 5:00 p.m. on the Wednesday prior to the ARC meeting at which the application will be reviewed. The ARC will meet every other Tuesday at a time determined by the ARC, beginning July 11, 2006; *provided, however*, that the ARC may revise its meeting schedule as it deems appropriate.

The ARC may defer or delay action on any application depending on its complexity; *provided, however*, that no application may be deferred or delayed for more than two meetings of the ARC except for good cause.

In general, the ARC will provide written responses only to applications for final review approval. In an effort to avoid misunderstandings, the ARC prefers to meet with each applicant to review issues in a constructive and positive manner.

The ARC will welcome input and comments on its review process in an effort to improve our methods toward a more “Welcome to Sandcastles by the Sea” attitude without losing sight of the main objective of a pleasing and harmonious community.

There is a non-refundable review fee for all architectural review applications to the ARC. The ARC will review and adjust the review fee schedule as it deems appropriate. The current schedule of review fees is set forth in Section IV below.

Final architectural review approvals granted by the ARC are valid for a period of twelve calendar months from the date of issue. If substantial construction of approved improvements does not begin during this period, the approval shall be void, and a new application conforming to current ARC policies must be submitted to the ARC for review.

SECTION III – ARCHITECTURAL DESIGN GUIDELINES

A. IN GENERAL

The following are Architectural Design Guidelines that will be utilized by the ARC as it reviews applications for construction in Sandcastles by the Sea. The design parameters in these guidelines will provide the common thread to weave the fabric of an aesthetically pleasing residential community. Declarant is exempt from submitting plans and required information herein as long as the Declarant is in charge and performing the duties of the ARC. The Declarant will provide construction information for Property Management to have on file.

B. BUILDING SIZES AND SETBACK REQUIREMENTS

Single family residential structures shall contain a minimum of 1,700 square feet of heated interior space, and a maximum of 4,800 square feet of heated interior space. All homes are to be minimal two living floors over a garage level. All homes must have a two car shielded/



enclosed garage with room for two additional off-street parking spaces in front of the garage. Under no circumstances shall the garage space be converted to any other use.

All vertical construction and improvements shall comply with the minimum building setback lines established on that certain plat of survey entitled “Subdivision Plat of Sandcastles by the Sea” prepared by Surveying Consultants, Terry G. Hatchell, SCRLS 11509, dated June 15, 2005, last revised May 19, 2006, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 113 at Page 164; *provided, however*, that the ARC may in its discretion require greater setbacks based on aesthetic concerns.

C. DESIGN PARAMETERS

Single family residential structures shall have a minimum heated finished first floor elevation of 14.0' msl. The ground (garage) floor elevation shall be a minimum of 1.0' and a maximum of 1.5' above the top of curb elevation of the adjacent roadway. In addition to a two-car enclosed garage, the ground floor may contain such elements outside and inside entry stairs, elevator foyer, pool cabana, storage and utility rooms as allowed by building codes.

The maximum height of any structure at the highest roof ridge shall be 45.0' above base flood elevation (14.0 msl), not including such accessory architectural elements as chimneys, widow's walk railings, cupolas, etc.

The minimum roof pitch for all single family residences shall be at least 4 to 12 on at least the two (out of 4 sides) larger sides of the roof.

Asphalt drives and parking areas are not permitted.

Flagpoles are not permitted.

Flags are not permitted to be mounted on the front of the homes, rear only.

Covered pools and accessory structures are permitted within setback lines, provided they do not have a material adverse impact on a neighbor's sight lines.

Exterior lighting should not adversely affect neighbors. Lights activated by motion detectors shall not be permitted.

Individual docks in the lagoons in Sandcastles by the Sea are prohibited, bulk heads are permissible.

Individual basketball goals and gym sets (playground equipment) shall not be permitted.

Wood chimney covering is prohibited.

Masonry (stucco) and or cement board (hardy as an example) siding will be the primary exterior finishes and shall appear on all elevations.



Landscape plans shall be sensitive to the natural local conditions, including factors such as water consumption requirements. Irrigation and turf shall be extended to the area along the road. At least two flowering trees are required. A detailed landscape section is found in Section V of these Guidelines. All drainage plans must meet municipal code approvals.

Residences will be reviewed for their compatibility with Town of Hilton Head Island, FEMA, and other applicable governmental laws, ordinances, rules and regulations, although enforcement in these areas is handled by the respective agencies.

Satellite dishes must be reviewed and approved prior to installation. Satellite dishes shall be concealed, and shall not have a dish diameter exceeding 24.0 inches.

Propane tanks must be buried in the rear yard.

Mailboxes shall be of a common design, a copy of which is available from the ARC.

No building or sign may use the Sandcastles by the Sea name without written permission of the Declarant.

SECTION IV – REVIEW PROCESS

A. IN GENERAL

No construction activity of any nature within Sandcastles by the Sea, including, without limitation, tree cutting, lot clearing, or site preparation, may begin before all of the following has been accomplished:

- * Final Plans have been approved by the ARC;
- * Landscape Plan deposit has been paid to the ARC;
- * Receipt by the ARC of a signed Drainage/Compliance Agreement;
- * Receipt by the ARC of a signed Acknowledgement letter;
- * Contractor's deposit for site compliance has been paid to the ARC;
- * Issuance of a Town of Hilton Head Island Building Permit; and
- * Issuance by the ARC of a Sandcastles by the Sea Building Permit

All proposed construction requires the submission to the ARC of a completed, signed and dated application on a form approved by the ARC, with the appropriate fees. Plans will not be reviewed by the ARC without the completed application and fee.

To provide a systematic and uniform review of proposed construction, the ARC has established the following application submission and approval guidelines.

B. APPLICATION REQUIREMENTS



All proposed construction requires the submission to the ARC of a completed application on a form approved by the ARC, signed and dated, and the payment to the ARC of the appropriate fee as set forth below.

C. FEE SCHEDULE

Single Family Residence up to 4,800 heated square feet	\$2,500.00
Covered Additions	\$150.00
Uncovered Additions	\$100.00
Pools, Decks, Fences, Enclosing Covered Areas, etc.	\$100.00
Re-staining or re-painting Residence	No Charge
Replacement of shingles	No Charge
Concept, Concept Site, or Preliminary Approval	No Charge
Re-Inspections, including Stake-out or Compliance Inspection, caused by Owner or Builder	\$50.00

Declarant exempt from all costs in association with building homes.

D. STAGES OF PLAN REVIEW- All requests, reviews, deposits and Fees are handled by the property management company and all fees and deposits are made out to HOA.

1. **Conceptual Review** – No fee is required for this review. This submission shall contain information depicting the exterior of the proposed structure with information as to materials and colors. Two copies of a scale drawing of the site plan with the footprint within setback lines should be included, accompanied by the completed application form and the appropriate review fee.

2. **Preliminary Review** – If conceptual review has not been requested, this submission shall include two copies of a site plan with setbacks lines, preliminary floor plans, and elevations with materials and colors clearly indicated. All plans and drawings shall be to scale. The drawing should be accompanied by the completed application form and the appropriate review fee (unless paid with a conceptual review).

3. **Final Review** – This review assumes that either one or both of the conceptual review or preliminary review has been made. Plans receiving preliminary review and having issues and concerns of the ARC, if any, adequately addressed will likely receive final review approval, with any further issues and concerns of the ARC generally being addressed as conditions to the approval. With a conditional approval, the remainder of this review will be handled in a manner so as to insure compliance with the conditions of approval. A final review submission must contain the following items:

- a. A completed, signed and dated Application form approved by the ARC;
- b. The payment of the required ARC review fee; and
- c. Completed plans, specifications and working drawings, including:



Site Plan at a 1/8" = 1" scale, including:

1. Site survey with property lines and building setback lines, signed and sealed by a South Carolina licensed surveyor.
2. Elevations of property corners, center of building, culvert inlets, edge of roadway and finished floor elevation and top of adjacent curb elevations.
3. Tree and topographic survey signed and sealed by a South Carolina licensed surveyor showing contours at one foot intervals and the location and species of all trees six (6") inches or larger in diameter four feet above grade, with trees proposed to be removed indicated with an (X).
4. Building outline, including service yard, patios, decks, air conditioning compressors, and front and rear corners of adjacent buildings.
5. Driveways, parking areas, walks, patios, etc., including type of material for these items (Note: asphalt driveways and parking areas are not allowed). A common driveway design shall be required within Sandcastles by the Sea consisting of concrete with troweled edges (picture framed on all separation joints and edges). It is the responsibility of each lot owner whose lot is adjacent to sidewalks as shown on the Sandcastles by the Sea Master Plan to construct their portion of the sidewalk as part of their respective lot development.
6. Drainage and grading plan with the existing contours indicated by solid lines. On sites where the finished floor elevation is less than three feet above the center elevation of the lot, the drainage pattern may be indicated by arrows to show that the final grading will not direct drainage unto adjacent properties. It is the responsibility of the Owner and the Owner's agent to insure that drainage is in accord with the approved plans and the master drainage plan of the community. Use of rain gutters is preferred on all homes and required on homes adjacent to lagoons, where they shall be piped into the lagoon to a depth of a minimum of 3' below normal pool water elevation. All such pipes shall have a minimum of 12" cover and be turned up at a 45° angle underwater to minimize erosion.
7. Location and identification of special features such as drainage ditches, lagoons, easements, bulkheads, retaining walls, and so forth.

Floor Plans showing the roof outline, entry steps, service yard details such as screening, and all other architectural features.

Roof Plan indicating the roof pitch, an outline of the building walls below, the roof outline, and any other pertinent features.

Elevation Drawings including all four elevations, with existing grades and finished grades, finished floor elevations above mean sea level, exterior finishes of materials,



roof pitch, window and door designs, service yard enclosure, and any other pertinent information, such as the windscreen for any chimney. The ARC prefers to see a predominant use of masonry on the exteriors.

Color Sample Board containing the actual materials and their colors, mounted on a rigid 8 ½" x 11" board. Any material and color information required in the Application is to be completed in addition to the color sample board.

Detail Drawings showing wall sections, service area enclosure details, and other architectural details, including a schedule of window types and finish colors.

Electrical Plan showing the location of the electric meter setting in the service yard, locations and specifications of exterior lighting, including security lighting, and other electrical equipment for pools or other outdoor facilities.

Landscape Plan showing proposed plantings and landscaping. Changes to landscape plans that meet or exceed the standards approved on the original landscape plan may be approved at on-site field inspections.

Two sets of plans and drawings are required for each submission, one to be returned to the applicant with any comments and one to be retained for ARC records. Declarant exempt from review process.

E. ON-SITE STAKE-OUT

After all conditions for final review approval are met and before lot clearing can commence, a stake-out of the building, drives, and service yard must be installed and approved by an on-site inspection performed by the ARC or its designee. For stake-out review, the property lines and foundation perimeter must be clearly marked on the site by a series of stakes each with a minimum of 3 feet exposed connected by string. Trees to be removed are to be flagged with red flagging ribbon. Under no circumstance may any tree removal or site clearing commence before the issuance of a Sandcastles by the Sea building permit.

F. ISSUANCE OF PERMIT TO BUILD

A Sandcastles by the Sea building permit will be issued after the on-site stake-out inspection has been made and approved, provided that the site conditions comply with the approved status of the final review and that all deposits have been made. A copy of the Town of Hilton Head Island building permit must be on file with the ARC prior to the issuance of a Sandcastles by the Sea building permit.

G. PROGRESS INSPECTIONS

The progress of construction will be monitored by the ARC or its designee to insure compliance with the approved design. An "As-Built" footing/garage level slab survey



confirming that all construction is within appropriate setbacks and elevations must be provided to the ARC prior to the start of vertical construction.

H. REQUEST FOR INSPECTION

A request for inspection of any type shall be made to the ARC.

SECTION V – LANDSCAPING

A. IN GENERAL

In order to assure all residents of Sandcastles by the Sea that our residential community will continue to be an attractive and pleasant place to reside, the ARC requires a landscape plan for all new residential construction. A building permit will not be issued to the contractor until a \$2,500.00 landscape plans deposit is received. The landscape plan must be submitted for review at the same time construction plans are submitted for review. The landscaping work shall be completed within the earlier of one year of the commencement of construction start, or 90 days after occupancy. Upon completion of landscaping work in accordance with approved plan, the landscape plans deposit will be refunded to the owner. Declarant exempt from deposit or plan submittal.

B. LANDSCAPING CRITERIA

A landscape plan shall be prepared according to the following criteria:

1. Preserve existing vegetation within setback/buffer zones to maintain natural buffers and character of the homesite.
2. Provide landscaping to enhance the beauty of the property and the residence while providing continuity between the residence and surrounding vegetation.
3. Minimize the visual intrusion of the built environment by mitigating areas disturbed during construction.

C. OBJECTIVES

All single family residential home sites shall be landscaped immediately after construction. The design of the landscaping will vary, depending on size, shape, topography, location of the property and the design of the structure. It is the intent of the landscaping to accomplish the following objectives:

1. Beautify



- a) Soften the vertical structure from the horizontal ground plane with foundation plantings of sufficient density and size to cover construction scars and screen the foundation.
 - b) Soften the impact of corners and broad wall areas with vertical and spreading foliage.
 - c) To soften and reduce apparent height of house, foundation planting at the front should be layered from the ground plane using small plants towards the front and then transitioning up to larger plants near the foundation. A single row of uniformly spaced plants of equal size arranged in a single row along the foundation is not acceptable. Installing plant material of different sizes and textures in natural groupings is a preferred alternative. Plant selection shall provide for a seasonal color change. A minimum of one canopy/shade tree shall be required in the front and rear yards.
2. Visually screen compressors, propane tanks, service yards, recreation equipment, parking, and other hard or unsightly areas.
 3. Restoration of site due to construction.
 4. It is the responsibility of each property owner to handle surface water on their property to minimize its impact on adjoining lots and insure that water is moved to the appropriate areas to flow into the subdivision's master drainage plan.
 5. A minimum of 40% of non-building/pavement areas shall be sodded (non- Bermuda), extending to the adjacent edge of curbs. Landscaping shall be designed to tie into adjacent existing landscaping in a "seamless" manner.
 6. Owners are encouraged to plan for the conservation of water by planting native and drought resistant flora, and to consider rain seasons, drip irrigation along foundations and two-phase irrigation for watering grass separately.

D. PLANS

1. The landscaping plan must be professionally prepared on a tree and topographic survey indicating the existing and proposed vegetation, drawn at a scale of 1/8 or 1/10 inch equals one foot. The plan must graphically illustrate location, lot number, adjoining lot border lines, sizes of plant material, lawn, mulched areas, and open areas such as lagoons, etc. Plant symbols must represent the mature spread of each proposed plant. A schedule must be included on the planting plan indicating the following specifications for each plant.
 - a) Botanical and common name
 - b) Plant height at time of planting
 - c) Plant spread at time of planting
 - d) Plant quantities



- e) Root specifications
 - f) Square feet of grass and mulched areas.
2. Original drawings are not acceptable for review.
 3. Existing trees six (6”) inches or larger in diameter four feet above grade must be identified as to exact location, size of trunk (diameter four feet above grade), genus name, and where possible, the species.
 4. All existing site features such as roads, walks, bike paths, walls, bulkheads, docks, etc. must to be graphically noted on the landscape plan.
 5. All surfacing materials are to be clearly noted and described. Texturing or other surface treatment of concrete paving is to be indicated, including color presentation.
 6. All planted areas shall be irrigated. All irrigation must be installed by a licensed irrigation contractor in accordance with applicable Town of Hilton Head Island codes.
 7. A minimum of two flowering trees is required, one in the front yard and one in the rear yard. The extent of rear yard landscaping depends upon the exposure of these areas.
 8. The plan shall include all exterior furnishings and lighting.
 9. Sod shall be incorporated along front property line and shall extend to each side property line.

E. SUGGESTED PLANT LIST

A list of suggested planting material is available from the ARC.

F. INSPECTION

All planting is to be completed within the earlier of one year of the commencement of construction start, or 30 days after occupancy. A planting completion is required, and must be scheduled with the ARC. The landscaping deposit will be returned after a satisfactory inspection.

SECTION VI – CONSTRUCTION RULES AND REGULATIONS

A. IN GENERAL

These Construction Rules and Regulations must be complied with by all contractors, subcontractors, material suppliers, maintenance personnel, and any others engaged in construction or related activities in Sandcastles by the Sea. These Construction Rules and Regulations are not intended to restrict, penalize, or impede reasonable construction activity



within Sandcastles by the Sea; rather, they will be enforced fairly to achieve the objectives enumerated below and in the Covenants, and to facilitate orderly and controlled construction activity, thereby preserving the overall quality of the appearance of Sandcastles by the Sea. Violations are subject to assessments and repeated violations may be cause for denial of access to Sandcastles by the Sea.

B. RULES AND REGULATIONS

1. Contractor Surety Deposit.

The contractor, before proceeding with any work on site, is to post a \$7,500.00 cash deposit in order to protect the Association's common grounds, roadways, fencing, gates, landscaping, and other improvements; in the event that the contractor, or any of his subcontractors, service, or delivery men, damages any of same.

2. Site Clearing

Site clearing or construction on any property within Sandcastles by the Sea is not permitted without first obtaining a Sandcastles by the Sea Building Permit (See Section II above). Site clearing material must be transported in a covered truck.

3. Trash Receptacles

Each construction site must have a suitable trash receptacle. Construction sites must be cleared of litter each day, and all litter must be stored in the trash receptacle for removal when full. Dumping of construction trash is not permitted inside Sandcastles by the Sea. Trash containers (dumpsters) shall be emptied on a regular basis. Overflowing dumpsters shall be subject to fines.

4. Portable Toilets

Each construction site must have at least one portable toilet prior to any on-site construction, which shall be placed in an inconspicuous location, not closer than 20' from the street or 5' from any adjoining residential property lots, with the door facing away from any view from any adjacent street or house. All toilets must be kept in a clean and sanitary condition. Portable toilets may not contain phone numbers or advertising, and colors should be nature blending.

5. Compliance with ARC Approvals

All building and landscape plans must be approved in writing by the ARC. Both the property owner and the contractor are jointly and severally responsible for



compliance with approved plans in all respects. All construction must be complete to a point of being granted a Certificate of Occupancy without exception by the Town of Hilton Head Island within one year of commencement. All landscaping is also to be completed within the earlier of one year of the commencement of construction or within thirty (30) days of the issuance of a Certificate of Occupancy without exception by the Town of Hilton Head Island. Any change to the exterior of the house, siting, driveway, garage, etc., must receive prior written approval from the ARC. Failure to strictly comply with approved plans may result in an assessment (See the schedule below).

6. Street Number Identification

The Enhanced 911 system utilized by the Town of Hilton Head Fire and Rescue has specific requirements for the posting of street address along roadways. Sandcastles by the Sea has an approved design for this sign, which must be posted within 20 feet of the road.

7. Signs

No sign of any nature may be erected within Sandcastles by the Sea unless approved by the ARC. To minimize visual clutter, the ARC may establish a job site sign standard to be used on all construction sites. Individual contractors will be responsible for providing their own graphic panels, which must be approved by the ARC. All construction sign stanchions must include a plan holder tube and space on the rear to display building permits.

8. P.O.A. Regulations

Any construction work within Sandcastles by the Sea must comply with the Covenants and all rules, regulations and guidelines of the Sandcastles by the Sea Owners Association.

9. Schedule of Assessments for Violations

The following is a schedule of assessments that will be levied and enforced when a contractor or owner violates any approval by the ARC or any applicable rule, regulation or guideline. The assessments collected will be used for grounds beautification, in common areas, and will not be refunded to the contractor. Any assessment may be appealed as set forth below.

Schedule of Assessments	
Type of Violation	Assessment
Not providing proper trash receptacles for construction or keeping site clean of debris	\$100.00 per violation
Trash fires	\$100.00 per violation
Clearing of site without stake-out approval or obtaining a Sandcastles by the Sea building	\$500.00 per violation. This violation may also result in expulsion of the contractor and denial



permit, including unauthorized tree removal	of further construction within Sandcastles by the Sea.
Improperly hauling trash	\$100.00 per violation. This violation may also result in revocation of vehicle access to Sandcastles by the Sea.
Construction or landscaping that does not conform to plans approved by the ARC	\$500.00 per violation. This violation may also result in expulsion of the contractor and denial of further construction within Sandcastles by the Sea.
Failure to provide properly sited portable toilet.	\$50.00 per violation
Noncompliant sign	\$50.00 per violation
Pets on construction sites.	\$25.00 per violation
Fishing in lagoons.	\$25.00 per violations.
Trespass on, or storage of equipment or materials on, adjoining lots and properties.	\$500.00 per violation.

10. Assessment Appeal

Assessments levied by the ARC may be appealed in writing to the Chairman of the ARC within fifteen days of the assessment.





PERMIT CORRECTIONS REPORT (BLDR-002463-2025) FOR TOWN OF HILTON HEAD ISLAND

PERMIT ADDRESS: 77 SANDCASTLE COURT **PARCEL:** R511 009 000 1134 0000
Hilton Head, SC 29928

APPLICATION DATE: 06/18/2025 **SQUARE FEET:** 3,263.00 **DESCRIPTION:** NEW CONSTRUCTION- SINGLE FAMILY HTD SQ FT

EXPIRATION DATE: **VALUATION:** \$984,697.00 **3263 UNHTD 719**

CONTACTS	NAME	COMPANY	ADDRESS
Applicant	RICHARD DIETRICH JR	RENOVATORS OF SC LLC (THE)	90 CAPITAL DRIVE, 101-A HILTON HEAD ISLAND, SC 29926
Contractor	RICHARD DIETRICH JR	RENOVATORS OF SC LLC (THE)	90 CAPITAL DRIVE, 101-A HILTON HEAD ISLAND, SC 29926
Electrical Contractor	WALTER BRIONES daly	BRIONES SOLUTIONS LLC	34 SANDY POINTE DRIVE BLUFFTON, SC 29910
HVAC Contractor	JOSEPH ZOKAN	NORTHPOINT HEAT & AIR CO INC	591 BROWNS COVE RD, K2 RIDGELAND, SC 29936
Plumbing Contractor	JOSE DURAN	J & J PLUMBING COMPANY LLC	7 COURTLAND LANE BLUFFTON, SC 29910
Property Owner	ANDREW J AND KIMBERLY D ZEKANY		7023 BREMERTON DR DALLAS, TX 75252

Building Plans (Res New SF Res)

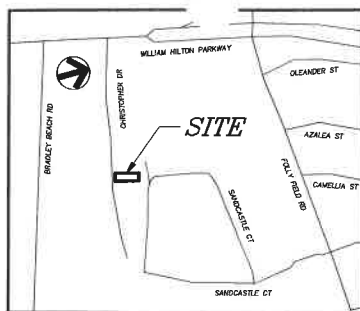
REVIEW ITEM	STATUS	REVIEWER
Community Development - Site Plan v.1 Site Plans - CDIC Correction: Planning - Melissa Paul-Leto (6/26/25) - Not Resolved Comments: LMO Section 16-5-102.C and D – The required adjacent use setback angle is 75 degrees. The required adjacent street setback angle is 60 degrees. Provide elevations demonstrating the proposed building meets this requirement. Correction: Planning - Melissa Paul-Leto (6/26/25) - Not Resolved Comments: LMO Section 16-3-105.(Letter) - The maximum building height is 45 feet. Provide an elevation showing the proposed building height, measured from 13 feet above Mean Sea Level using NAVD 88 vertical datum. If the proposed height is within 10% of the maximum allowed, a final height survey will be required prior to a Certificate of Occupancy is issued to make sure the building was not constructed higher than the maximum allowed.	Corrections Required	Melissa Paul-Leto Ph: 843-341-4625 email: melissapl@hiltonheadislandsc.gov
Floodplain Review v.1 Building Plans Floodplain Review Correction: Floodplain Management - Shari Mendrick (6/30/25) - Not Resolved Comments: This parcel lies wholly in Flood Zone X-Shaded. Remove reference to 7' bfe from note 1 on the tree and topo survey (site plan).	Corrections Required	Shari Mendrick Ph: 843-341-4687 email: sharim@hiltonheadislandsc.gov
NPDES Review v.1 NPDES Engineering Review Correction: Stormwater NPDES - Jacob Terry (6/20/25) - Not Resolved Comments: Demonstrate on the site plan the location of the construction exit.	Corrections Required	Jacob Terry email: jacobt@hiltonheadislandsc.gov

CONDITION(S) Addressing: - Numbers are to be reflective and a contrasting color with the background. They must be a minimum of 4 inches in height and a minimum of 1/2" in width.

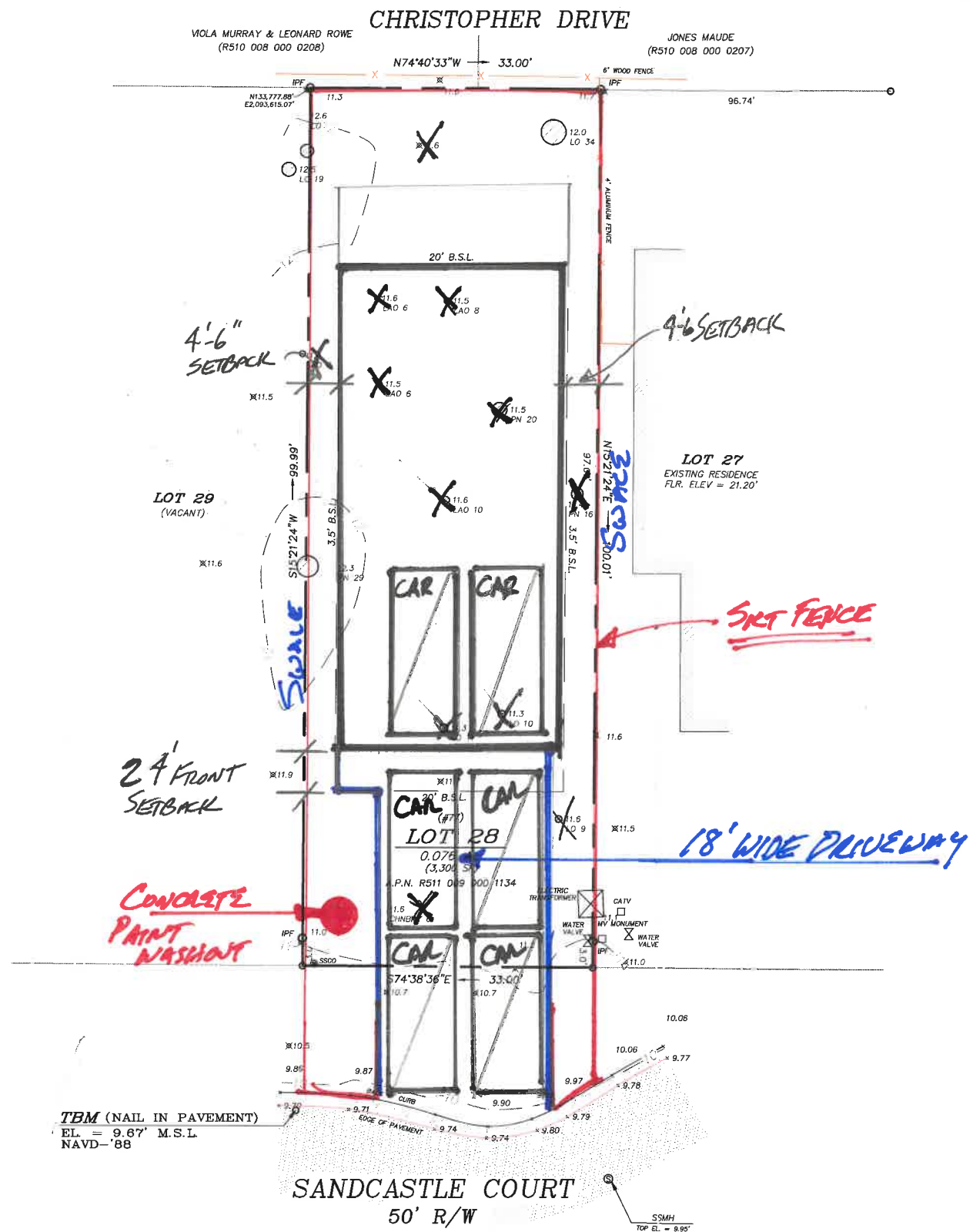
Fire: - The fire lane/access road must remain open and unimpeded at all times – there is to be no parking or anything set up on the access road.

Addressing: - Must be posted within 20 feet of the property line and clearly visible from the street.

Fire: - Access & water supply for fire department operations shall be provided during construction.



VICINITY MAP - N.T.S.



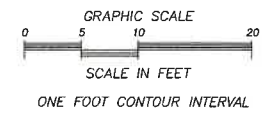
PREPARED FOR: ANDREW ZEKANY

A TREE AND TOPOGRAPHIC LAND SURVEY
OF
LOT 28 SANDCASTLE COURT
A PORTION OF
SANDCASTLES BY THE SEA
FOLLY FIELD ROAD

HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA

SCALE: 1" = 10'
DATE: 03/04/22
JOB No.: 72,060T

SURVEYED BY: DJ
DRAWN BY: JDB
CHECKED BY: MRD



LEGEND

B.S.L.	BUILDING SETBACK LINE
CATV	CABLE TELEVISION
CHNBRY	CHINA BERRY
IPF	IRON PIN (OLD) FOUND
LAO	LAUREL OAK
LO	LIVE OAK
PN	PINE
SSCO	SANITARY SEWER CLEANOUT
SSMH	SANITARY SEWER MANHOLE
WV	WATER VALVE
--15--	CONTOUR LINE

- NOTES:**
- THIS LOT LIES IN ZONE "X" (SHADED), 7' B.F.E., PER F.I.R.M. PANEL 45013C 0454-G, COMMUNITY NO. 450250, DATED: 03/23/21.
 - THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. NO INVESTIGATIONS FOR EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS HAVE BEEN MADE THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
 - ALL BUILDING SETBACK REQUIREMENTS SHOULD BE VERIFIED WITH THE PROPER AUTHORITIES PRIOR TO DESIGN AND CONSTRUCTION.
 - CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

REFERENCE PLAT:
A BOUNDARY SURVEY FOR LOT 28, BLOCK B, A PORTION OF SANDCASTLES BY THE SEA BY: COASTAL SURVEYING CO., INC. DATED: 03/31/11 FILE: 46,191B

REFERENCE PLAT:
A SUBDIVISION PLAT OF PHASE SANDCASTLES BY THE SEA, FOLLY FIELD ROAD BY: SURVEYING CONSULTANTS DATED: 06/15/05; LAST REVISED: 05/59/06 FILE: 89319B RECORDED IN: P.B.113 PAGE 164

" I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN."

MICHAEL R. DUNIGAN
S.C.R.L.S. No. 11,905

GENERAL CONSTRUCTION NOTES

THESE PLANS ARE NOT INTENDED TO REFLECT A REQUIRED MINIMUM FLOOR ELEVATION TO CONFORM TO FEMA FLOOD MAP REGULATIONS AND OR LOCAL FLOODING CONDITIONS. THE SCOPE OF SERVICES FOR THESE DRAWINGS DOES NOT INCLUDE ESTABLISHING A MINIMUM FLOOR ELEVATION.

ALL WORK UNDER THIS CONTRACT SHALL CONFORM TO ALL CODES, ORDINANCES, AND REGULATIONS OF ALL AUTHORITIES HAVING JURISDICTION OVER THIS WORK WHETHER SHOWN IN THESE DOCUMENTS OR NOT.

CONTRACTOR SHALL SECURE AND PAY FOR ALL NECESSARY PERMITS AND INSPECTIONS.

CONTRACTOR SHALL SECURE AND PAY FOR ALL INSURANCE CALLED FOR BY LAW AND AS DIRECTED BY OWNER'S CONTRACT. COPIES OF INSURANCE CERTIFICATES SHALL BE FILED WITH THE DESIGN FACILITATOR.

GENERAL CONTRACTOR IS RESPONSIBLE FOR COORDINATION OF ALL WORK WITH ALL TRADES INVOLVED. EXCEPTIONS ARE STATED IN THE OUTLINE SPECIFICATIONS.

GENERAL CONTRACTOR SHALL VERIFY ALL ELEVATIONS, DIMENSIONS AND LOCATIONS OF EXISTING FEATURES BEFORE STARTING WORK. NOTIFY DESIGN FACILITATOR/ARCHITECT/ENGINEER OF ANY DISCREPANCIES.

ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH IRC 2021 CODE, OSHA, ACI, AISC AND ATC CODES AND REQUIREMENTS AND ALL APPLICABLE STANDARDS.

GENERAL CONTRACTOR SHALL REFER TO ARCHITECTURAL, SHOP DRAWINGS, OR OTHER REQUIREMENTS FROM SUBCONTRACTORS FOR COORDINATION OF CHASES AND MATERIALS BELOW EARTH OR SLABS.

SUBGRADE PREPARATION NOTES

PRIOR TO CONSTRUCTION OR ANY LAND DISTURBANCE, CONTRACTOR SHALL OBTAIN ALL REQUIRED DRAINAGE PERMITS WITH LOCAL AUTHORITIES. CONTRACTOR SHALL FILE THE "NOTICE OF INTENT" (NOI) WITH SCDHEC-DCRM PRIOR TO ANY LAND DISTURBANCE. PRIOR TO CONSTRUCTION, ALL BUILDING AREA, PLUS APPROX. 5 FEET ON EACH SIDE, SHOULD BE STRIPPED OF ALL VEGETATION, TOP SOIL, ROOT SYSTEMS, ANY EXISTING PAVEMENTS OR OTHER IMPROVEMENTS.

UPON COMPLETION AND STABILIZATION OF THE SITE, IN ACCORDANCE WITH ISSUED PERMITS AND SCDHEC-DCRM REGULATIONS, CONTRACTOR SHALL FILE THE APPROPRIATE "NOTICE OF TERMINATION" (NOT) WITH SCDHEC-DCRM.

SITE DRAINAGE SHOULD BE ESTABLISHED TO PREVENT WATER PONDING WITHIN THE CONSTRUCTION AREA AND TO FACILITATE THE STORM WATER RUN-OFF.

IF NECESSARY, THE SITE DEWATERING WILL BE EMPLOYED UNTIL THE FOUNDATIONS AND UTILITIES ARE IN PLACE.

DEWATERING METHODS WILL BE SELECTED BY CONTRACTOR AND APPROVED BY DESIGN FACILITATOR/ARCHITECT/ENGINEER.

ANY UTILITIES THAT UNDERLIE THE SITE, SHOULD BE RELOCATED AND THE TRENCHES BACK FILLED WITH APPROVED SUITABLE BACKFILL SOIL. THE BACKFILL SHOULD BE PLACED IN SIX INCHES THICK LIFTS AND COMPACTED TO 95% DENSITY IN ACCORDANCE WITH ASTM-D-698.

THE EXPOSED SUBGRADE UNDER FOUNDATIONS AND SLABS WILL BE THEN LEVELED AND COMPACTED.

ALL OF THE EXPOSED SUBGRADE SHOULD BE COMPACTED BY REPEATED PASSES OF A VIBRATORY ROLLER. COMPACTION EFFORT SHOULD CONTINUE UNTIL THE SOIL UNDER FOOTINGS AND SLABS REACHED DENSITY OF 98% IN ACCORDANCE WITH ASTM D-498 FOR A MINIMUM DEPTH OF 12 INCHES BELOW BOTTOM OF THE FOOTINGS AND SLABS.

ANY AREAS THAT BECOME UNSTABLE BENEATH COMPACTION EQUIPMENT SHOULD BE EXAMINED TO DETERMINE THE CAUSE. IF DUE TO UNSUITABLE SOIL, SUCH AS CLAY OR HIGHLY ORGANIC SOIL, THE AREA SHOULD BE UNDERCUT TO FIRM SOIL AND THE EXCAVATION BACKFILLED WITH APPROVED FILL COMPACTED TO 98% OF ITS DENSITY (IN ACCORDANCE WITH ASTM D-698).

IF THE INSTABILITY IS DUE TO EXCESS MOISTURE IN OTHERWISE ACCEPTABLE SOIL, THE AREA SHALL BE AERATED OR OTHERWISE DRIED AND RECOMPACTED TO THE SPECIFIED DENSITY. REFER TO GEOTECH REPORT FOR AREAS OF REQUIRED SOIL REMOVAL.

ALL OF THE FILL FOR THIS PROJECT SHOULD CONSIST OF A CLEAN, FREE DRAINING SAND WITH A MAXIMUM OF 25% FINES. THE FILL WILL BE FREE OF ROOTS, CLAY LUMPS AND ANY DERBIES.

ALL OF THE FILL FOR THIS PROJECT WILL BE PLACED IN 12 INCH THICK LOOSE LIFTS AND COMPACTED TO 95% DENSITY IN ACCORDANCE WITH ASTM-D-698.

THE DESIGN SOIL BEARING PRESSURE IS 2,000 PSF.

WALLS, FLOORS AND ROOF FRAMING GENERAL NOTES

COORDINATE LAYOUT OF FRAMING MEMBERS WITH ALL TRADES TO INSURE THAT JOISTS, RAFTERS AND PLATES ARE NOT EXTENSIVELY NOTCHED, CUT OR BORED. REFER TO IRC 2021 CODE AND ATC MANUAL FOR ALLOWABLE CUTTING NOTCHING AND BORING OF FRAMING MEMBERS. TRUSSES SHALL NOT BE CUT, NOTCHED OR BORED WITHOUT ARCHITECT'S APPROVAL.

THE ENGINEERING OF FRAMING MEMBERS IS BASED ON # 2 SPRUCE OR #2 S.Y.P. FB = 1200 PSI, E = 1,200,000 PSI. SUBSTITUTION MUST BE APPROVED BY THE STRUCTURAL ENGINEER/ARCHITECT BEFORE USING.

ALL CONNECTION STEEL ANGLES, PLATES AND BOLTS AT MASONRY WALLS SHALL BE HOT DIP GALVANIZED IN ACCORDANCE WITH ASTM A-153.

ALL LUMBER IN CONTACT WITH CONCRETE, MASONRY AND/OR THE GROUND OR EXPOSED TO THE OUTSIDE SUCH AS DECKS AND/OR STAIRS AND THEIR SUPPORTS OR OTHERWISE NOTED ON THE DRAWINGS WILL BE PRESSURE TREATED IN ACCORDANCE WITH AWPI STANDARD LP-2.

ALL PLYWOOD SHEATHING WILL BEAR THE TRADEMARK OF THE AMERICAN PLYWOOD ASSOCIATION AND WILL MEET THE REQUIREMENTS OF PS1-83 OR APA PRP-108. ALL PANELS PERMANENTLY EXPOSED TO THE WEATHER WILL BE CLASSIFIED "EXTERIOR". APPLICATION WILL BE IN ACCORDANCE WITH RECOMMENDATIONS PLYWOOD ASSOCIATION. ALL OSB BOARD SHEATHING WILL BE "EXTERIOR GRADE" EXCEPT ON INTERIOR WALLS.

WALL AND ROOF SHEATHING WILL BE NAILED WITH 8d NAILS 3 1/2" AROUND EDGES AND 6 1/2" IN FIELD 15/32" ROOF SHEATHING WILL BE NAILED WITH 8d SAME SPACING AS ABOVE.

CONTRACTOR TO PROVIDE ADEQUATE TEMPORARY BRACING FOR STRUCTURE AND ITS INDIVIDUAL MEMBERS SO THAT IT WILL BE STABLE DURING ALL STAGES OF CONSTRUCTION. THE STRUCTURE IS DESIGNED FOR A COMPLETED CONDITION ONLY AND THEREFORE REQUIRES ADDITIONAL TEMPORARY SUPPORTS TO MAINTAIN STABILITY BEFORE COMPLETION.

ROOF DECKING AND WALL SHEATHING WILL BE INSTALLED AND ALL JOISTS AND GIRDERS SECURED PRIOR TO TEMPORARY BRACING'S ARE REMOVED.

TEMPORARY BRACING DESIGN, INSTALLATION AND MAINTENANCE WILL BE AT ALL TIMES THE RESPONSIBILITY OF THE CONTRACTOR AND/OR ERECTOR. TEMPORARY BRACING IS NOT A DESIGN FUNCTION OF THE STRUCTURAL ENGINEER.

WHERE DISCREPANCIES EXIST BETWEEN NOTES, DETAILS, AND OTHER DRAWINGS USE THE STRONGEST OR MOST SEVERE EXAMPLE SHOWN

2021 INTERNATIONAL RESIDENTIAL CODE SPECIFICATIONS

PERMITS

R105.1 REQUIRED.

ANY OWNER OR OWNER'S AUTHORIZED AGENT WHO INTENDS TO CONSTRUCT, ENLARGE, ALTER, REPAIR, MOVE, DEMOLISH OR CHANGE THE OCCUPANCY OF A BUILDING OR STRUCTURE, OR TO ERECT, INSTALL, ENLARGE, ALTER, REPAIR, REMOVE, CONVERT OR REPLACE ANY ELECTRICAL, GAS, MECHANICAL OR PLUMBING SYSTEM, THE INSTALLATION OF WHICH IS REGULATED BY THIS CODE, OR TO CAUSE ANY SUCH WORK TO BE PERFORMED, SHALL FIRST MAKE APPLICATION TO THE BUILDING OFFICIAL AND OBTAIN THE REQUIRED PERMIT.

R106.1 SUBMITTAL DOCUMENTS.

SUBMITTAL DOCUMENTS CONSISTING OF CONSTRUCTION DOCUMENTS, AND OTHER DATA SHALL BE SUBMITTED IN TWO OR MORE SETS WITH EACH APPLICATION FOR A PERMIT. THE CONSTRUCTION DOCUMENTS SHALL BE PREPARED BY A REGISTERED DESIGN PROFESSIONAL WHERE REQUIRED BY THE STATUTES OF THE JURISDICTION IN WHICH THE PROJECT IS TO BE CONSTRUCTED. WHERE SPECIAL CONDITIONS EXIST, THE BUILDING OFFICIAL IS AUTHORIZED TO REQUIRE ADDITIONAL CONSTRUCTION DOCUMENTS TO BE PREPARED BY A REGISTERED DESIGN PROFESSIONAL.

EXCEPTION: THE BUILDING OFFICIAL IS AUTHORIZED TO WAIVE THE SUBMISSION OF CONSTRUCTION DOCUMENTS AND OTHER DATA NOT REQUIRED TO BE PREPARED BY A REGISTERED DESIGN PROFESSIONAL IF IT IS FOUND THAT THE NATURE OF THE WORK APPLIED FOR IS SUCH THAT REVIEWING OF CONSTRUCTION DOCUMENTS IS NOT NECESSARY TO OBTAIN COMPLIANCE WITH THIS CODE.

REGISTERED DESIGN PROFESSIONAL

AN INDIVIDUAL WHO IS REGISTERED OR LICENSED TO PRACTICE THEIR RESPECTIVE DESIGN PROFESSION AS DEFINED BY THE STATUTORY REQUIREMENTS OF THE PROFESSIONAL REGISTRATION LAWS OF THE STATE OR JURISDICTION IN WHICH THE PROJECT IS TO BE CONSTRUCTED.

R106.1.3 INFORMATION ON BRACED WALL DESIGN.

FOR BUILDINGS AND STRUCTURES UTILIZING BRACED WALL DESIGN, AND WHERE REQUIRED BY THE BUILDING OFFICIAL, BRACED WALL LINES SHALL BE IDENTIFIED ON THE CONSTRUCTION DOCUMENTS. PERTINENT INFORMATION INCLUDING, BUT NOT LIMITED TO, BRACING METHODS, LOCATION AND LENGTH OF BRACED WALL PANELS AND FOUNDATION REQUIREMENTS OF BRACED WALL PANELS AT TOP AND BOTTOM SHALL BE PROVIDED.

R106.3.4 INFORMATION FOR CONSTRUCTION IN FLOOD HAZARD AREAS.

FOR BUILDINGS AND STRUCTURES LOCATED IN WHOLE OR IN PART IN FLOOD HAZARD AREAS AS ESTABLISHED BY TABLE R301.2(1), CONSTRUCTION DOCUMENTS SHALL INCLUDE:

1. DELINEATION OF FLOOD HAZARD AREAS, FLOODWAY BOUNDARIES AND FLOOD ZONES AND THE DESIGN FLOOD ELEVATION, AS APPROPRIATE.
2. THE ELEVATION OF THE PROPOSED LOWEST FLOOR, INCLUDING BASEMENT; IN AREAS OF SHALLOW FLOODING (AO ZONES), THE HEIGHT OF THE PROPOSED LOWEST FLOOR, INCLUDING BASEMENT, ABOVE THE HIGHEST ADJACENT GRADE.
3. THE ELEVATION OF THE BOTTOM OF THE LOWEST HORIZONTAL STRUCTURAL MEMBER IN COASTAL HIGH HAZARD AREAS (V ZONE) AND IN COASTAL A ZONES WHERE SUCH ZONES ARE DELINEATED ON FLOOD HAZARD MAPS IDENTIFIED IN TABLE R301.2(1) OR OTHERWISE DELINEATED BY THE JURISDICTION.
4. IF DESIGN FLOOD ELEVATIONS ARE NOT INCLUDED ON THE COMMUNITY'S FLOOD INSURANCE RATE MAP (FIRM), THE BUILDING OFFICIAL AND THE APPLICANT SHALL OBTAIN AND REASONABLY UTILIZE ANY DESIGN FLOOD ELEVATION AND FLOODWAY DATA AVAILABLE FROM OTHER SOURCES.

R301.2.1 WIND DESIGN CRITERIA.

BUILDINGS AND PORTIONS THEREOF SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE WIND PROVISIONS OF THIS CODE USING THE ULTIMATE DESIGN WIND SPEED IN TABLE R301.2(1) AS DETERMINED FROM FIGURE R301.2(4)A. THE STRUCTURAL PROVISIONS OF THIS CODE FOR WIND LOADS ARE NOT PERMITTED WHERE WIND DESIGN IS REQUIRED AS SPECIFIED IN SECTION R301.2.1.3. WHERE DIFFERENT CONSTRUCTION METHODS AND STRUCTURAL MATERIALS ARE USED FOR VARIOUS PORTIONS OF A BUILDING, THE APPLICABLE REQUIREMENTS OF THIS SECTION FOR EACH PORTION SHALL APPLY. WHERE NOT OTHERWISE SPECIFIED, THE WIND LOADS LISTED IN TABLE R301.2(2) ADJUSTED FOR HEIGHT AND EXPOSURE USING TABLE R301.2(3) SHALL BE USED TO DETERMINE DESIGN LOAD PERFORMANCE REQUIREMENTS FOR WALL COVERINGS, CURTAIN WALLS, ROOF COVERINGS, EXTERIOR WINDOWS, SKYLIGHTS, GARAGE DOORS AND EXTERIOR DOORS. ASPHALT SHINGLES SHALL BE DESIGNED FOR WIND SPEEDS IN ACCORDANCE WITH SECTION R405.2.4. A CONTINUOUS LOAD PATH SHALL BE PROVIDED TO TRANSMIT THE APPLICABLE UPLIFT FORCES IN SECTION R402.11.1 FROM THE ROOF ASSEMBLY TO THE FOUNDATION. R301.2.1.1 WIND LIMITATIONS AND WIND DESIGN REQUIRED.

THE WIND PROVISIONS OF THIS CODE SHALL NOT APPLY TO THE DESIGN OF BUILDINGS WHERE WIND DESIGN IS REQUIRED IN ACCORDANCE WITH FIGURE R301.2(4)B.

EXCEPTIONS:

1. FOR CONCRETE CONSTRUCTION, THE WIND PROVISIONS OF THIS CODE SHALL APPLY IN ACCORDANCE WITH THE LIMITATIONS OF SECTIONS R404 AND R408.
 2. FOR STRUCTURAL INSULATED PANELS, THE WIND PROVISIONS OF THIS CODE SHALL APPLY IN ACCORDANCE WITH THE LIMITATIONS OF SECTION R610.
 3. FOR COLD-FORMED STEEL LIGHT-FRAME CONSTRUCTION, THE WIND PROVISIONS OF THIS CODE SHALL APPLY IN ACCORDANCE WITH THE LIMITATIONS OF SECTIONS R505, R603 AND R804.
- IN REGIONS WHERE WIND DESIGN IS REQUIRED IN ACCORDANCE WITH FIGURE R301.2(4)B, THE DESIGN OF BUILDINGS FOR WIND LOADS SHALL BE IN ACCORDANCE WITH ONE OR MORE OF THE FOLLOWING METHODS:
1. AF&PA WOOD FRAME CONSTRUCTION MANUAL (WFCM).
 2. ICC STANDARD RESIDENTIAL CONSTRUCTION IN HIGH-WIND REGIONS (ICC 600).
 3. ASCE MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES (ASCE 7)
 4. AISI STANDARD FOR COLD-FORMED STEEL FRAMING-PREScriptive METHOD FOR ONE AND TWO-FAMILY DWELLINGS (AISI 5230).
 5. INTERNATIONAL BUILDING CODE.

THE ELEMENTS OF DESIGN NOT ADDRESSED BY THE METHODS IN ITEMS 1 THROUGH 5 SHALL BE IN ACCORDANCE WITH THE PROVISIONS OF THIS CODE. WHERE ASCE 7 OR THE INTERNATIONAL BUILDING CODE IS USED FOR THE DESIGN OF THE BUILDING, THE WIND SPEED MAP AND EXPOSURE CATEGORY REQUIREMENTS AS SPECIFIED IN ASCE 7 AND THE INTERNATIONAL BUILDING CODE SHALL BE USED.

R301.2.2 SEISMIC PROVISIONS.

THE SEISMIC PROVISIONS OF THIS CODE SHALL APPLY AS FOLLOWS:

1. TOWNHOUSES IN SEISMIC DESIGN CATEGORIES C, D0, D1 AND D2
 2. DETACHED ONE- AND TWO-FAMILY DWELLINGS IN SEISMIC DESIGN CATEGORIES, D0, D1 AND D2
- R301.2.2.3.1 HEIGHT LIMITATIONS.
- WOOD-FRAMED BUILDINGS SHALL BE LIMITED TO THREE STORIES ABOVE GRADE PLANE OR THE LIMITS GIVEN IN TABLE R602.10.3(3). COLD-FORMED, STEEL-FRAMED BUILDINGS SHALL BE LIMITED TO LESS THAN OR EQUAL TO THREE STORIES ABOVE GRADE PLANE IN ACCORDANCE WITH AISI 5230.

MEZZANINES AS DEFINED IN SECTION R202 THAT COMPLY WITH SECTION R325 SHALL NOT BE CONSIDERED AS STORIES.

STRUCTURAL INSULATED PANEL BUILDINGS SHALL BE LIMITED TO TWO STORIES ABOVE GRADE PLANE.

R301.2.2.3.2 STONE AND MASONRY VENEER.

ANCHORED STONE AND MASONRY VENEER SHALL COMPLY WITH THE REQUIREMENTS OF SECTIONS R702.1 AND R703.

R301.2.2.3.3 MASONRY CONSTRUCTION.

MASONRY CONSTRUCTION IN SEISMIC DESIGN CATEGORIES D0 AND D1 SHALL COMPLY WITH THE REQUIREMENTS OF SECTION R604.12.1. MASONRY CONSTRUCTION IN SEISMIC DESIGN CATEGORY D2 SHALL COMPLY WITH THE REQUIREMENTS OF SECTION R606.12.4.

R301.2.2.3.4 CONCRETE CONSTRUCTION.

BUILDINGS WITH EXTERIOR ABOVE-GRADE CONCRETE WALLS SHALL COMPLY WITH PCA 100 OR SHALL BE DESIGNED IN ACCORDANCE WITH ACI 318.

R301.2.2.3.5 COLD-FORMED STEEL FRAMING IN SEISMIC DESIGN CATEGORIES D0, D1 AND D2.

IN SEISMIC DESIGN CATEGORIES D0, D1 AND D2 IN ADDITION TO THE REQUIREMENTS OF THIS CODE, COLD-FORMED STEEL FRAMING SHALL COMPLY WITH THE REQUIREMENTS OF AISI 5230.

R301.2.2.3.6 MASONRY CHIMNEYS.

MASONRY CHIMNEYS SHALL BE REINFORCED AND ANCHORED TO THE BUILDING IN ACCORDANCE WITH SECTIONS R1003.3 AND R1003.4.

R301.2.2.3.7 ANCHORAGE OF WATER HEATERS.

WATER HEATERS SHALL BE ANCHORED AGAINST MOVEMENT AND OVERTURNING IN ACCORDANCE WITH SECTION M1307.2.

WIND LOAD CALCULATIONS FOR MAIN HOUSE

Applicable Codes and References

- 2021 International Residential Code
- ASCE 7-16 Minimum Design Loads for Buildings and Other Structures
- 2016 Wood Frame Construction Manual

WIND REFERENCE MAP: ATC WINDSPEED

Building Measurements

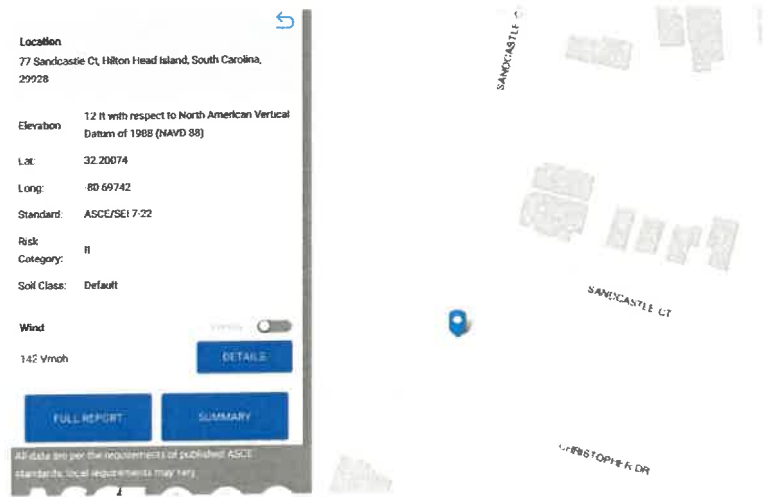
Building width.....	24'
Building depth	56'
Building height	42'7"
Mean roof elevation	40'3"
Roof Slope.....	4:12

Structural Design Criteria

Roof Dead Load	20 PSF
Roof Live Load.....	20 PSF
Floor Dead Load	15 PSF
Floor Live Load.....	40 PSF
Decks and Porches Dead Load.....	15 PSF
Decks and Porches Live Load.....	40 PSF
Stairs.....	40 PSF
Roof Snow Load	5 PSF
Soil Pressure Allowable.....	1500 PSF
Soil Load Safety Factor.....	2

Wind

Wind Borne Debris Region	Yes
Wind Zone (IRC 2021)	1
Exposure Category	B
Wind Speed - IRC 2021	142 MPH



WINDOW DP RATING CALCULATION

WIND SPEED:	142 MPH	SCILLR MAP
EXPOSURE:	C	ASCE 7-10
BUILDING HEIGHT:	45'	PLAN SET
ZONE 4:	36.34 PSF	ASCE 7-10 TABLE 30.5 - 1
ZONE 5:	36.34	ASCE 7-10 TABLE 30.5 - 1
ASD FACTOR	0.6	ASCE 7-10
EXPOSURE ADJUSTMENT FACTOR:	1.35	ASCE 7-10 TABLE 30.5 - 1
ADJUSTED ZONE 4:	29.44 PSF	ASCE 7-10 TABLE 30.5 - 1
ADJUSTED ZONE 5:	29.44 PSF	ASCE 7-10 TABLE 30.5 - 1
MINIMUM DP RATING:	DP 45	

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TABLE R602.7(2) GIRDER SPANS^a AND HEADER SPANS^a FOR INTERIOR BEARING WALLS (Maximum spans for Douglas fir-larch, hem-fir, southern pine and spruce-pine-fir^b and required number of Jack studs)

HEADERS AND GIRDERS SUPPORTING	SIZE	BUILDING Width ^c (feet)					
		12		24		36	
		Span ^a	N _J ^d	Span ^a	N _J ^d	Span ^a	N _J ^d
One floor only	2-2 x 4	4-1	1	2-10	1	2-4	1
	2-2 x 6	6-1	1	4-4	1	3-6	1
	2-2 x 8	7-9	1	5-5	1	4-5	2
	2-2 x 10	9-2	1	6-8	2	5-3	2
	2-2 x 12	10-8	1	7-7	2	6-3	2
	3-2 x 8	9-8	1	6-10	1	5-7	1
	3-2 x 10	11-5	1	8-1	1	6-7	2
	3-2 x 12	13-6	1	9-6	2	7-9	2
	4-2 x 8	11-2	1	7-11	1	6-5	1
	4-2 x 10	13-3	1	9-4	1	7-8	1
	4-2 x 12	15-7	1	11-0	1	9-0	2
	4-2 x 12	10-1	1	7-5	2	6-2	2
Two floors	2-2 x 4	2-7	1	1-11	1	1-7	1
	2-2 x 6	3-11	1	2-11	2	2-5	2
	2-2 x 8	5-0	1	3-8	2	3-1	2
	2-2 x 10	5-11	2	4-4	2	3-7	2
	2-2 x 12	6-11	2	5-2	2	4-3	3
	3-2 x 8	6-3	1	4-7	2	3-10	2
	3-2 x 10	7-5	1	5-6	2	4-6	2
	3-2 x 12	8-8	2	6-5	2	5-4	2
	4-2 x 8	7-2	1	5-4	1	4-5	2
	4-2 x 10	8-6	1	6-4	2	5-3	2
	4-2 x 12	10-1	1	7-5	2	6-2	2

For S₁: 1 inch = 25.4 mm, 1 foot = 304.8 mm

a. Spans are given in feet and inches
 b. Spans are based on minimum design properties for No. 2 grade lumber of Douglas fir-larch, hem-fir, southern pine, and spruce-pine-fir
 c. Building width is measured perpendicular to the ridge. For widths between those shown, spans are permitted to be interpolated.
 d. N_J = Number of jack studs required to support each end. Where the number of required jack studs equals one, the header is permitted to be supported by an approved framing anchor attached to the full-height wall stud and to the header.
 e. Spans are calculated assuming the top of the header or girder is laterally braced by perpendicular framing. Where the top of the header or girder is not laterally braced (for example, cripple studs bearing on the header), tabulated spans for headers consisting of 2 x 8, 2 x 10, or 2 x 12 sizes shall be multiplied by 0.70 or the header or girder shall be designed.

TABLE R602.7(3) GIRDER AND HEADER SPANS^a FOR OPEN PORCHES (Maximum span for Douglas fir-larch, hem-fir, Southern pine and spruce-pine-fir^b)

SIZE	SUPPORTING ROOF						SUPPORTING FLOOR	
	Ground Snow Load (psf)							
	30		50		70			
	Depth of Porch ^c (feet)							
	8	14	8	14	8	14	8	14
2-2 x 6	7-6	5-8	6-2	4-8	5-4	4-0	6-4	4-8
2-2 x 8	10-1	7-7	8-3	6-2	7-1	5-4	8-5	6-4
2-2 x 10	12-4	9-4	10-1	7-7	8-8	6-7	10-4	7-9
2-2 x 12	14-4	10-10	11-8	8-10	10-1	7-8	11-11	9-0

For S₁: 1 inch = 25.4 mm, 1 foot = 304.8 mm, 1 pound per square foot = 0.0479 kPa

a. Spans are given in feet and inches.
 b. Tabulated values assume No. 2 grade lumber, wet service and incising for refractory spaces. Use 30 psf ground snow load for cases in which ground snow load is less than 30 psf and the roof live load is equal to or less than 20 psf.
 c. Porch depth is measured horizontally from building face to centerline of the header. For depths between those shown, spans are permitted to be interpolated.

R506.2.3
Vapor Retarders Under Concrete Slabs

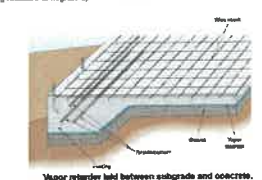
CHANGE TYPE: Modification

CHANGE SUMMARY: Thicker vapor retarders are now required below slabs on grade.

2021 CODE TEXT: R506.2.3 Vapor retarder. A minimum 6-oz (0.006 0.010 inch; 152 um 0.204 mm) polyethylene or approved vapor retarder conforming to ASTM E1745, Class A requirements with joints lapped not less than 6 inches (152 mm) shall be placed between the concrete floor slab and the base course of the prepared subgrade where a base course does not exist.

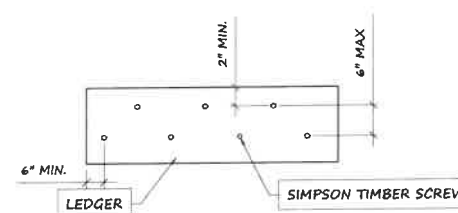
Exception: The vapor retarder is not required for the following:

1. Damages, utility trenches and other unsealed accessory spaces.
2. For unfinished storage areas having an area of less than 70 square feet (6.5 m²) and covered.
3. Drainage walls, gutters, and other features not likely to be enclosed and heated at a later date.
4. Areas approved by the building official, based on local site conditions.



R506.2.3 requires a vapor retarder between a concrete slab and the top of underlying soil or gravel. The vapor retarder is now required to be a minimum of 10-oz thickness and may be any material that meets ASTM E1745 Class A requirements. The greater thickness offers increased resistance to moisture transmission and provides increased durability during and after installation.

The updated minimum vapor retarder requirements now meet American Concrete Institute (ACI) recommendations as well as ACI 302.1, Guide to Concrete Floor and Slab Construction, requires a below-slab vapor retarder to meet the requirements of ASTM E1745. Standard Specifications for Plastic Water Vapor Retarders Listed in Contact with Soil or Granular Fill Under Concrete Slabs.

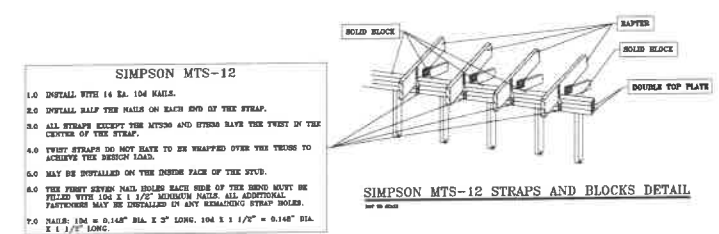


DECK LEDGER BOLT SCHEDULE
NOT TO SCALE

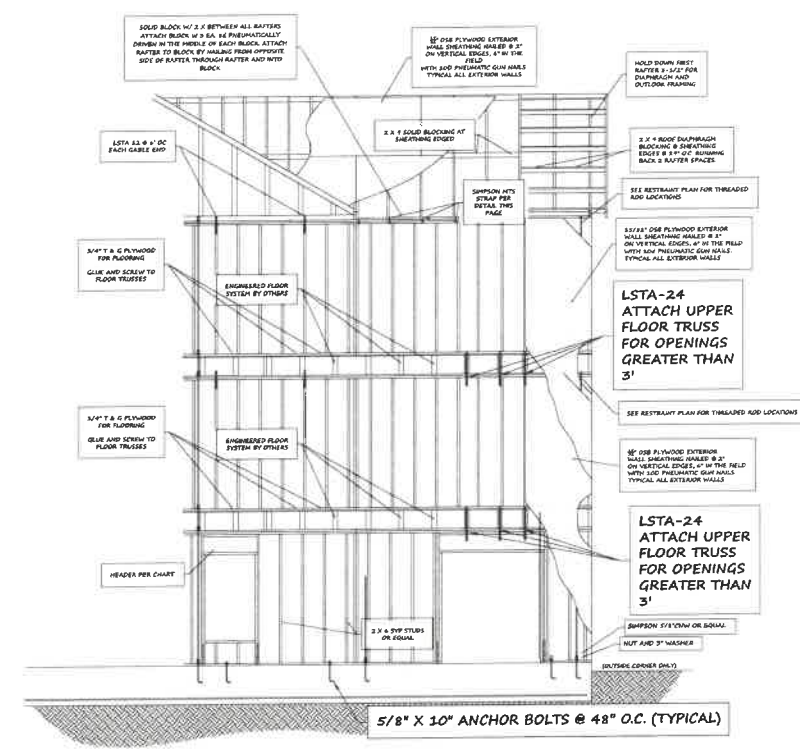
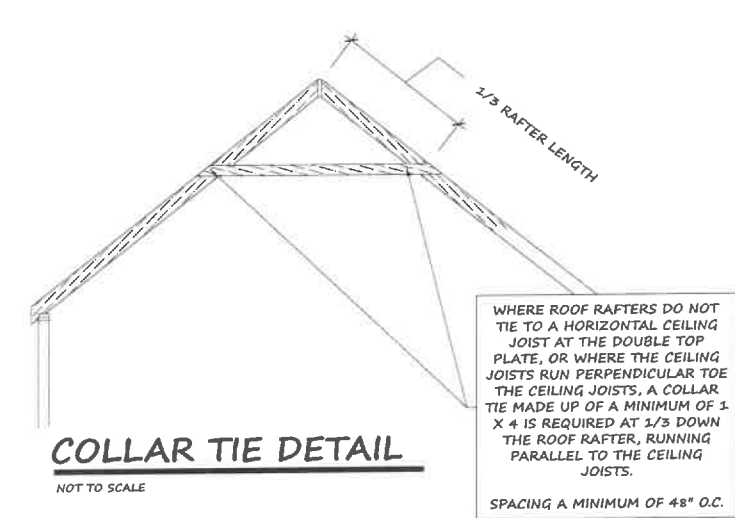
NOMINAL LEDGER SIZE	PORTAL NUMBER	MIN. EDGE DISTANCE AND SPACING BETWEEN BOLTS	1" x 4"	1 1/2" x 4"	2" x 4"	2 1/2" x 4"	3" x 4"	3 1/2" x 4"	4" x 4"
2x	2045LL1000	1 1/2" x 4"	12"	12"	12"	12"	12"	12"	12"
2x	2045LL1000	1 1/2" x 4"	12"	12"	12"	12"	12"	12"	12"

	MINIMUM END AND EDGE DISTANCE AND SPACING BETWEEN BOLTS	SCREW PLACEMENT
LEDGER	1 1/2" TO 2 INCHES	3" MINIMUM AND 6" MAXIMUM BETWEEN BOLTS, SPACES PER TABLE AND OFFSET AND EVENLY STAGGERED
BAND JOIST	1 1/2" TO 2 INCHES	3" MINIMUM AND 6" MAXIMUM BETWEEN BOLTS, SPACES PER TABLE AND OFFSET AND EVENLY STAGGERED

BAND JOIST FASTENER SPACING REQUIREMENTS
NOT TO SCALE



ROOF RAFTER BLOCKING DETAIL
SCALE: NOT TO SCALE



3 STORY HOUSE FRAMING AND WALL ELEVATION
NOT TO SCALE

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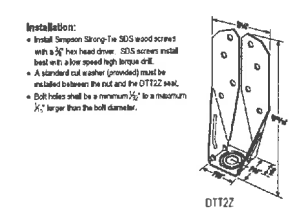
S3

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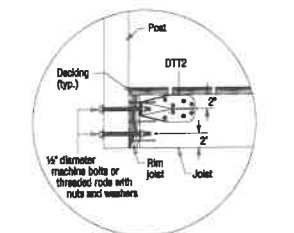
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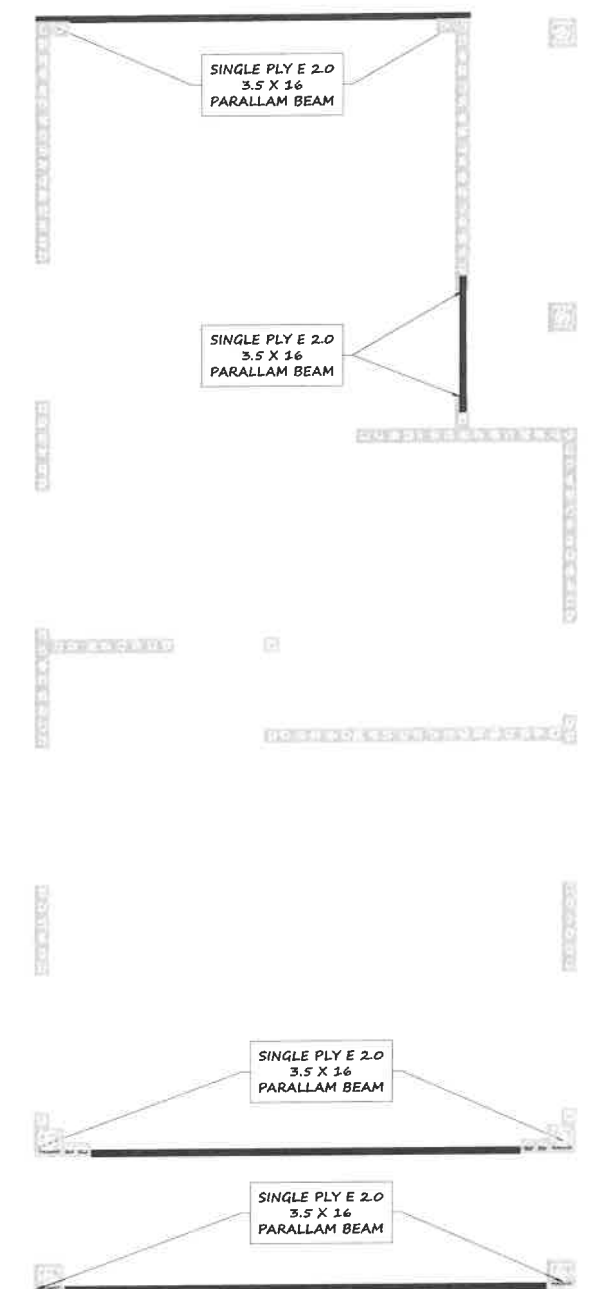


Model No.	CL	Anchor Dia.	Fasteners
DTTZ	13/16"	1/2"	8-SDS 1/4"x1 1/2"

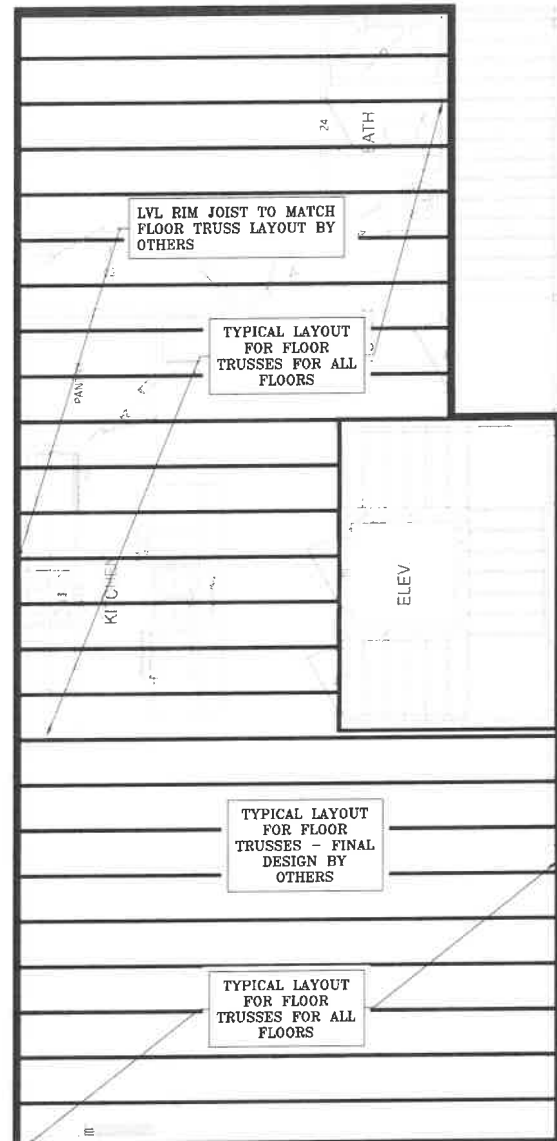


DTTZ INSTALLED AS A LATERAL CONNECTOR FOR A DECK TO A RIM JOIST
For more information on guardrail post connectors and attachment instructions, see technical bulletin T-CENTURY-2017 (available at www.simpson.com)

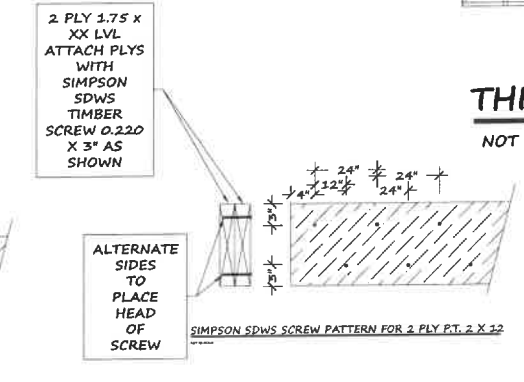
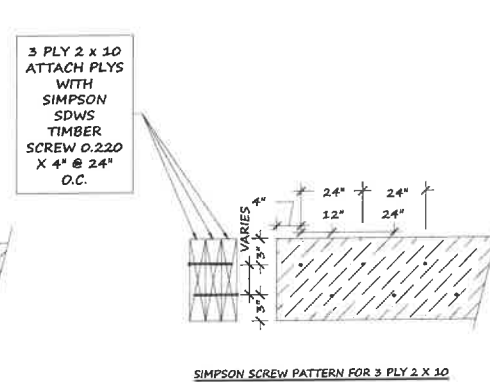
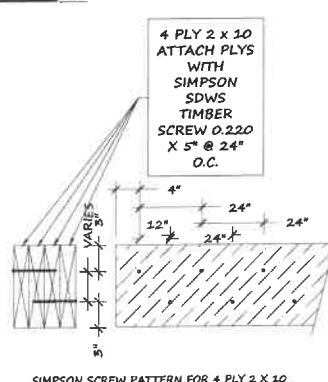
NOTE:
ALL DECK JOISTS REQUIRE SIMPSON JOIST HANGERS LEDGERS NOT ALLOWED.



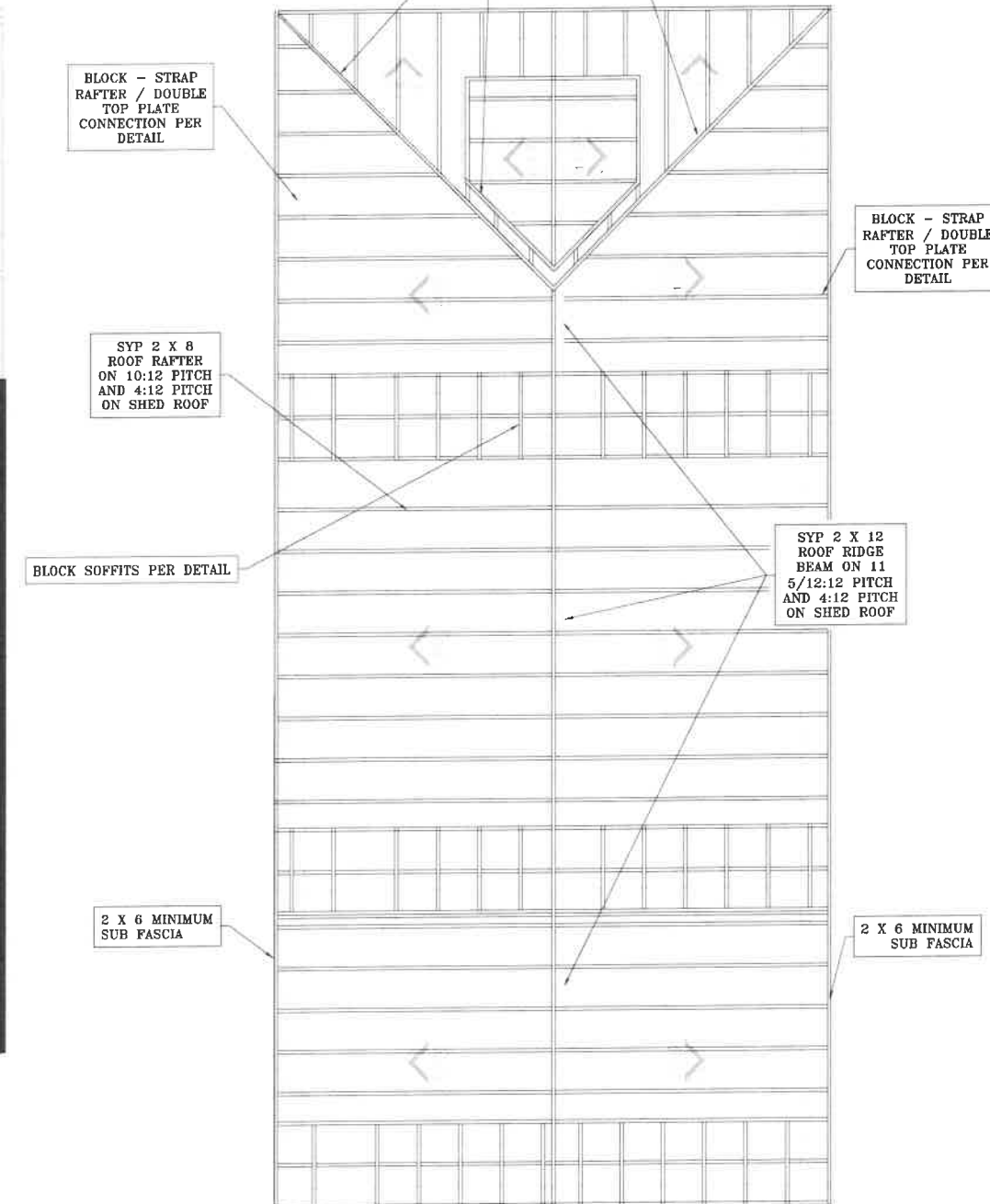
FIRST FLOOR BEAM PLAN
NOT TO SCALE



TYPICAL FLOOR TRUSS LAYOUT
NOT TO SCALE



ALTERNATE SIDES TO PLACE HEAD OF SCREW



THIRD FLOOR ROOF FRAMING PLAN
NOT TO SCALE

USE SIMPSON 2 PART EPOXY TO ATTACH A 5/8" THREADED ROD TO THE PIER. EXTEND THE ROD UP THROUGH THE FIRST FLOOR DECK FLOORING FRAME AND PLYWOOD FLOORING. ANCHOR THE DECK WITH A 5/8" NUT AND 3" WASHER ON THE ROD AND TIGHTEN IT.

ATTACH A SIMPSON COUPLER TO THE THREADED ROD AND ADD ANOTHER THREADED ROD TO EXTEND THE RESTRAINT UP THROUGH UP THROUGH THE FIRST FLOOR STUD WALL AND THROUGH THE DOUBLE TOP PLATE. ANCHOR THE WALL WITH A 5/8" NUT AND 3" WASHER ON THE ROD AND TIGHTEN IT.

ATTACH A SIMPSON COUPLER TO THE THREADED ROD AND ADD ANOTHER THREADED ROD TO EXTEND THE RESTRAINT UP THROUGH UP THROUGH THE SECOND FLOOR STUD WALL AND THROUGH THE DOUBLE TOP PLATE. ANCHOR THE WALL WITH A 5/8" NUT AND 3" WASHER ON THE ROD AND TIGHTEN IT.

USE SIMPSON 2 PART EPOXY TO ATTACH A 5/8" THREADED ROD TO THE STEM WALL. EXTEND THE ROD UP THROUGH THE FIRST FLOOR DECK FLOORING FRAME AND PLYWOOD FLOORING. ANCHOR THE DECK WITH A 5/8" NUT AND 3" WASHER ON THE ROD AND TIGHTEN IT.

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ATTACH A SIMPSON COUPLER TO THE THREADED ROD AND ADD ANOTHER THREADED ROD TO EXTEND THE RESTRAINT UP THROUGH UP THROUGH THE HOLLOW COLUMN SUPPORTING THE SECOND FLOOR DECK. EXTEND THE ROD UP THROUGH THE SECOND FLOOR DECK FLOORING FRAME AND PLYWOOD FLOOR. ANCHOR THE DECK WITH A 5/8" NUT AND 3" WASHER ON THE ROD AND TIGHTEN IT.

ATTACH A SIMPSON COUPLER TO THE THREADED ROD AND ADD ANOTHER THREADED ROD TO EXTEND THE RESTRAINT UP THROUGH UP THROUGH THE HOLLOW COLUMN SUPPORTING THE SECOND FLOOR ROOF. EXTEND THE ROD UP THROUGH THE BEAM SUPPORTING THE SECOND FLOOR ROOF. ANCHOR THE BEAM WITH A 5/8" NUT AND 3" WASHER ON THE ROD AND TIGHTEN IT.

USE SIMPSON 2 PART EPOXY TO ATTACH A 5/8" THREADED ROD TO THE PIER. EXTEND THE ROD UP THROUGH THE FIRST FLOOR DECK FLOORING FRAME AND PLYWOOD FLOORING. ANCHOR THE DECK WITH A 5/8" NUT AND 3" WASHER ON THE ROD AND TIGHTEN IT.

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BOLT RESTRAINT PLAN

SCALE: 1/4" = 12"

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WIND LOAD CALCULATIONS FOR MAIN HOUSE

Applicable Codes and References

2021 International Residential Code
ASCE 7-16 Minimum Design Loads for Buildings and Other Structures
2016 Wood Frame Construction Manual

WIND REFERENCE MAP: ATC WINDSPEED

Building Measurements

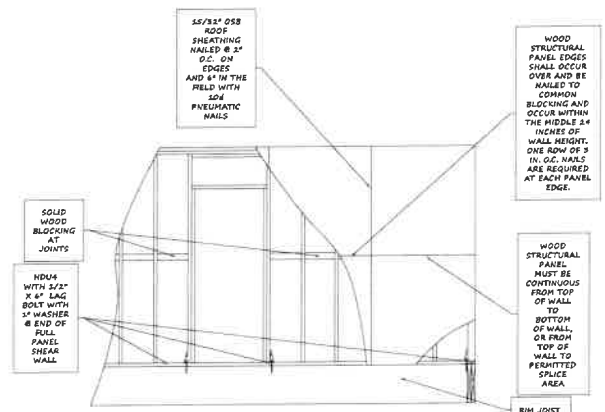
- Building width..... 24'
- Building depth..... 56'
- Building height..... 42'7"
- Mean roof elevation..... 40'3"
- Roof Slope..... 4:12

Structural Design Criteria

- Roof Dead Load..... 20 PSF
- Roof Live Load..... 20 PSF
- Floor Dead Load..... 15 PSF
- Floor Live Load..... 40 PSF
- Decks and Porches Dead Load..... 15 PSF
- Decks and Porches Live Load..... 40 PSF
- Stairs..... 40 PSF
- Roof Snow Load..... 5 PSF
- Soil Pressure Allowable..... 1500 PSF
- Soil Load Safety Factor..... 2

Wind

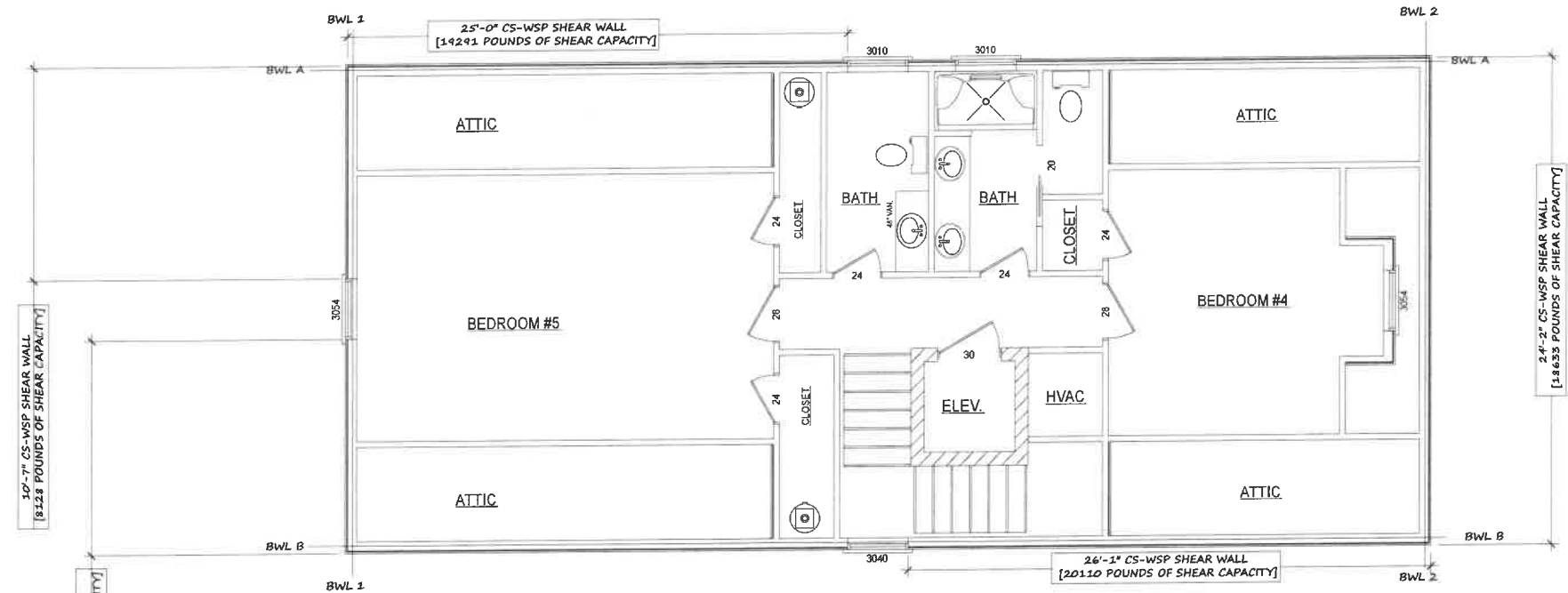
- Wind Borne Debris Region..... Yes
- Wind Zone (IRC 2021)..... 1
- Exposure Category..... B
- Wind Speed - IRC 2021..... 142 MPH



CS-WSP SHEAR WALL DETAIL
NOT TO SCALE

FIGURE 7. ALLOWABLE SHEAR (POUNDS PER FOOT) FOR ANCHOR WALLS WITH FRAMING OF DOUGLAS-FIR, LARCH, OR SOUTHERN PINE - OR BIRD OR SIKKIM LOGSIC. *** See also 2006 IRC Table 2304.4.1.9

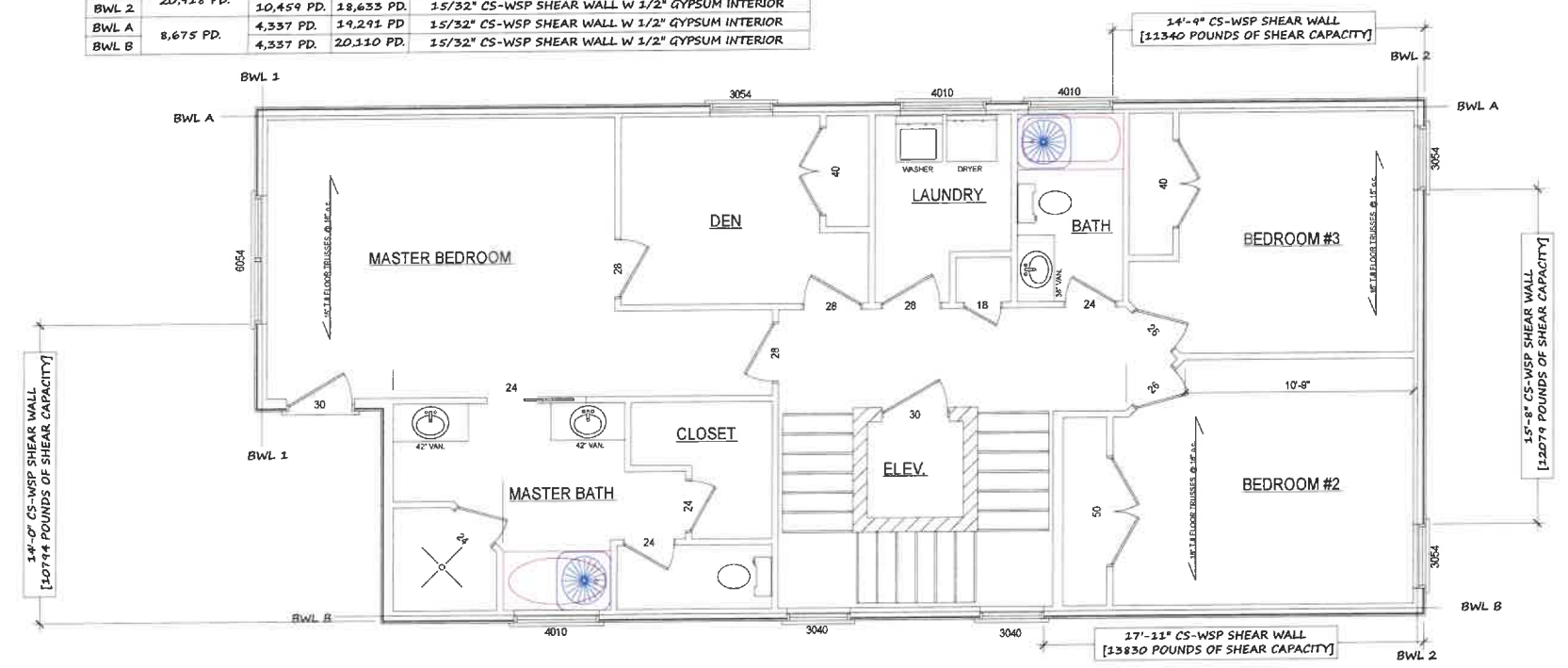
Fastener	Fastener Spacing	Fastener Embedment in Wall	Permitted Shear to Be Framing		Permitted Shear to Be Framing	
			1 1/2" x 4" Stud	2" x 4" Stud	1 1/2" x 4" Stud	2" x 4" Stud
1/4" x 4" LAG BOLT	12"	1 1/2"	100	100	100	100
3/8" x 4" LAG BOLT	12"	1 1/2"	150	150	150	150
1/2" x 4" LAG BOLT	12"	1 1/2"	200	200	200	200
3/4" x 4" LAG BOLT	12"	1 1/2"	250	250	250	250
1" x 4" LAG BOLT	12"	1 1/2"	300	300	300	300
1 1/4" x 4" LAG BOLT	12"	1 1/2"	350	350	350	350
1 1/2" x 4" LAG BOLT	12"	1 1/2"	400	400	400	400
1 3/4" x 4" LAG BOLT	12"	1 1/2"	450	450	450	450
2" x 4" LAG BOLT	12"	1 1/2"	500	500	500	500



THIRD FLOOR WALL HEIGHT = 9'
MINIMUM CS-WSP SHEAR WALL WIDTH BASED ON 3.5:1 ASPECT RATIO = 30.86"
MINIMUM PORTAL FRAME LEG WIDTH BASED ON 6:1 ASPECT RATIO = 18.00"

FIRST FLOOR BRACING REQUIREMENTS

	TOTAL SHEAR	REQUIRED	PROVIDED	METHOD
BWL 1	20,918 PD.	10,459 PD.	16,320 PD.	1 1/2" x 4" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR
BWL 2	20,918 PD.	10,459 PD.	18,633 PD.	1 1/2" x 4" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR
BWL A	8,675 PD.	4,337 PD.	14,291 PD.	1 1/2" x 4" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR
BWL B	8,675 PD.	4,337 PD.	20,110 PD.	1 1/2" x 4" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR



MINIMUM CS-WSP SHEAR WALL WIDTH BASED ON 3.5:1 ASPECT RATIO = 30.86"
MINIMUM PORTAL FRAME LEG WIDTH BASED ON 6:1 ASPECT RATIO = 18.00"

FIRST FLOOR BRACING REQUIREMENTS

	TOTAL SHEAR	REQUIRED	PROVIDED	METHOD
BWL 1	10,459 PD.	10,459 PD.	10,794 PD.	1 1/2" x 4" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR
BWL 2	10,459 PD.	10,459 PD.	12,079 PD.	1 1/2" x 4" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR
BWL A	4,337 PD.	4,337 PD.	9,676 PD.	1 1/2" x 4" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR
BWL B	4,337 PD.	4,337 PD.	13,830 PD.	1 1/2" x 4" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR

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FIRST FLOOR WALL HEIGHT = 9'
 MINIMUM CS-WSP SHEAR WALL WIDTH BASED ON 3.5:1 ASPECT RATIO = 30.86"
 MINIMUM PORTAL FRAME LEG WIDTH BASED ON 6:1 ASPECT RATIO = 18.00"

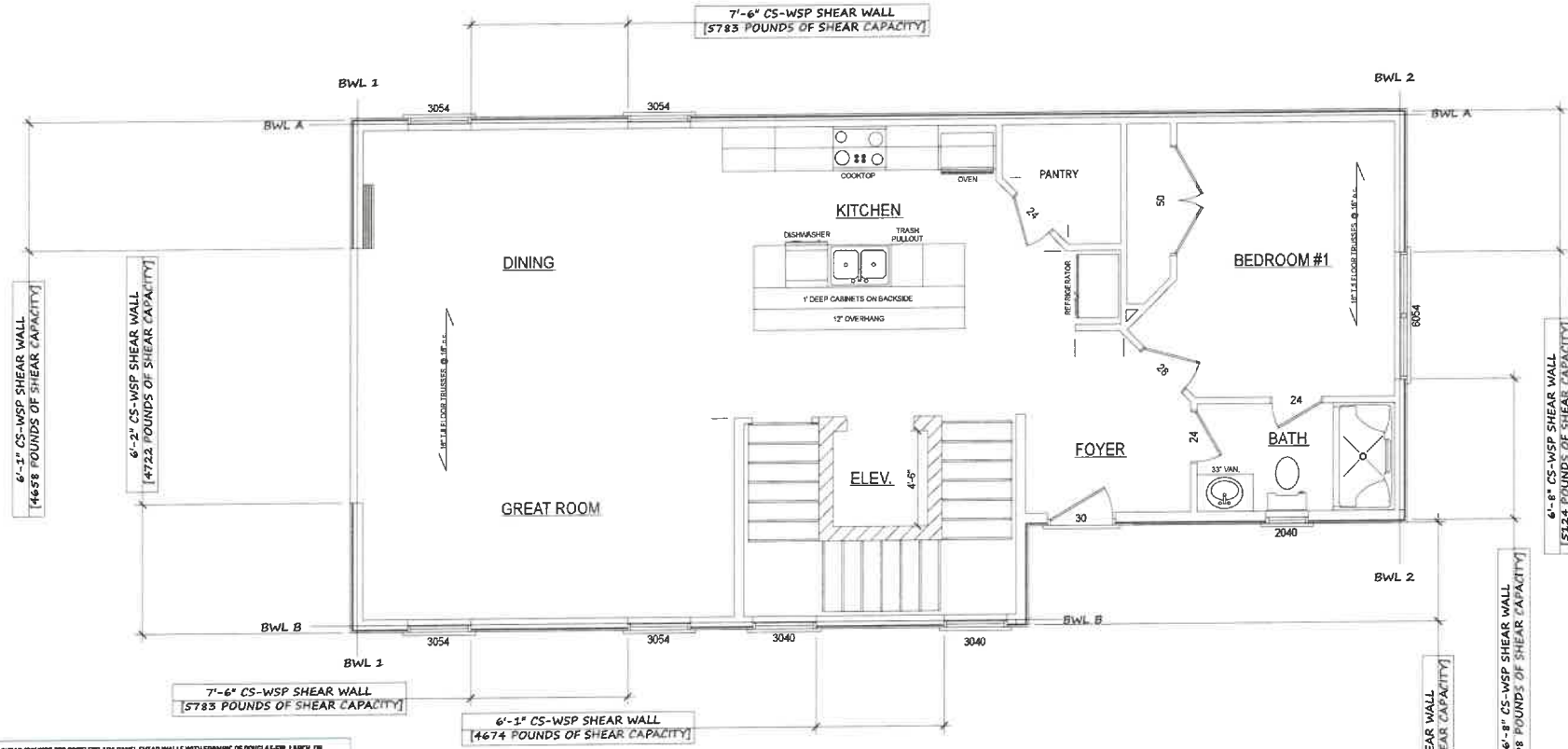
FIRST FLOOR BRACING REQUIREMENTS				
	TOTAL SHEAR	REQUIRED	PROVIDED	METHOD
BWL 1		6,972 PD.	9,358 PD.	1.5/32" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR
BWL 2	20,918 PD.	6,972 PD.	3,598 PD.	1.5/32" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR
BWL 3		6,972 PD.	10,232 PD.	1.5/32" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR
	TOTAL SHEAR PROVIDED:	23,210 PD.	1.5/32" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR	
BWL A	8,675 PD.	4,337 PD.	11,993 PD.	1.5/32" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR
BWL B		4,337 PD.	6,640 PD.	1.5/32" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR



FRONT ELEVATION
 SCALE: 1/4" = 1'-0"

FIRST FLOOR WALL HEIGHT = 9'
 MINIMUM CS-WSP SHEAR WALL WIDTH BASED ON 3.5:1 ASPECT RATIO = 30.86"
 MINIMUM PORTAL FRAME LEG WIDTH BASED ON 6:1 ASPECT RATIO = 18.00"

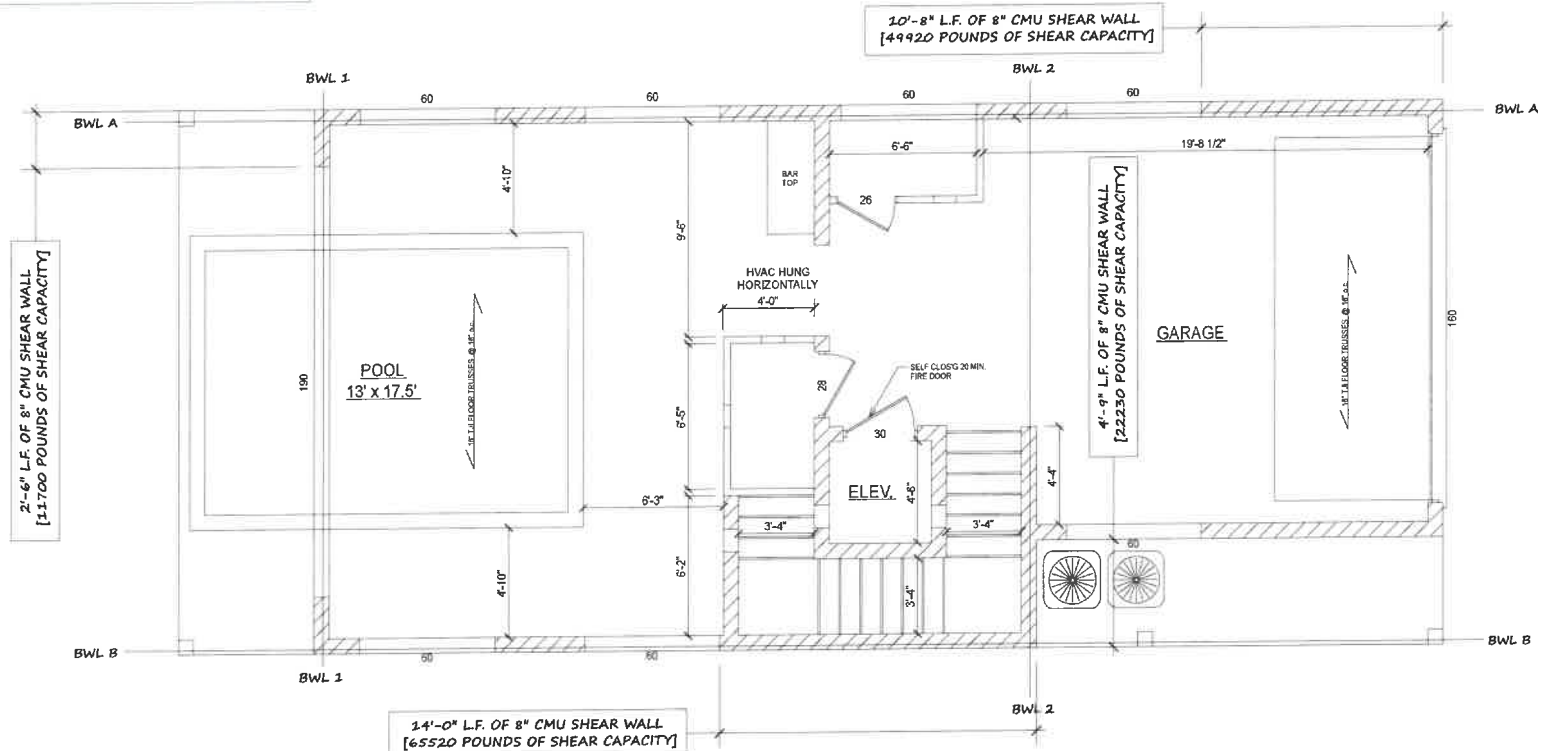
FIRST FLOOR BRACING REQUIREMENTS				
	TOTAL SHEAR	REQUIRED	PROVIDED	METHOD
BWL 1		8,085 PD.	11,700 PD.	1.5/32" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR
BWL 2	16,170 PD.	8,085 PD.	22,320 PD.	1.5/32" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR
BWL A	6,861 PD.	3,430 PD.	4,920 PD.	1.5/32" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR
BWL B		3,430 PD.	6,520 PD.	1.5/32" CS-WSP SHEAR WALL W 1/2" GYPSUM INTERIOR



FIRST FLOOR SHEAR WALL PLAN
 SCALE: 1/4" = 12"

FIGURE 2. ALLOWABLE SHEAR (POUNDS PER FOOT) FOR APA PANEL SHEAR WALLS WITH FRAMING OF DIMENSIONAL LUMBER ON SOUTHERLY PINE OR WHITE OAK CROSS-LAMINATED TIMBER (CLT) OR STEEL DECKING (SEE TABLE 2309-A.1.3)

Panel Category	Minimum Panel Thickness (in.)	Minimum Spacing (in.)	Permitted Shear (lb/ft)		Permitted Shear (lb/ft)	
			at Panel Edges (lb/ft)	at Panel Interiors (lb/ft)	at Panel Edges (lb/ft)	at Panel Interiors (lb/ft)
APA Panel	1 1/2	16	100	150	100	150
APA Panel	1 3/4	16	120	180	120	180
APA Panel	1 3/4	16	140	210	140	210
APA Panel	1 3/4	16	160	240	160	240
APA Panel	1 3/4	16	180	270	180	270
APA Panel	1 3/4	16	200	300	200	300
APA Panel	1 3/4	16	220	330	220	330
APA Panel	1 3/4	16	240	360	240	360
APA Panel	1 3/4	16	260	390	260	390
APA Panel	1 3/4	16	280	420	280	420
APA Panel	1 3/4	16	300	450	300	450
APA Panel	1 3/4	16	320	480	320	480
APA Panel	1 3/4	16	340	510	340	510
APA Panel	1 3/4	16	360	540	360	540
APA Panel	1 3/4	16	380	570	380	570
APA Panel	1 3/4	16	400	600	400	600
APA Panel	1 3/4	16	420	630	420	630
APA Panel	1 3/4	16	440	660	440	660
APA Panel	1 3/4	16	460	690	460	690
APA Panel	1 3/4	16	480	720	480	720
APA Panel	1 3/4	16	500	750	500	750
APA Panel	1 3/4	16	520	780	520	780
APA Panel	1 3/4	16	540	810	540	810
APA Panel	1 3/4	16	560	840	560	840
APA Panel	1 3/4	16	580	870	580	870
APA Panel	1 3/4	16	600	900	600	900
APA Panel	1 3/4	16	620	930	620	930
APA Panel	1 3/4	16	640	960	640	960
APA Panel	1 3/4	16	660	990	660	990
APA Panel	1 3/4	16	680	1020	680	1020
APA Panel	1 3/4	16	700	1050	700	1050
APA Panel	1 3/4	16	720	1080	720	1080
APA Panel	1 3/4	16	740	1110	740	1110
APA Panel	1 3/4	16	760	1140	760	1140
APA Panel	1 3/4	16	780	1170	780	1170
APA Panel	1 3/4	16	800	1200	800	1200
APA Panel	1 3/4	16	820	1230	820	1230
APA Panel	1 3/4	16	840	1260	840	1260
APA Panel	1 3/4	16	860	1290	860	1290
APA Panel	1 3/4	16	880	1320	880	1320
APA Panel	1 3/4	16	900	1350	900	1350
APA Panel	1 3/4	16	920	1380	920	1380
APA Panel	1 3/4	16	940	1410	940	1410
APA Panel	1 3/4	16	960	1440	960	1440
APA Panel	1 3/4	16	980	1470	980	1470
APA Panel	1 3/4	16	1000	1500	1000	1500



GARAGE LEVEL SHEAR WALL PLAN
 SCALE: 1/4" = 12"

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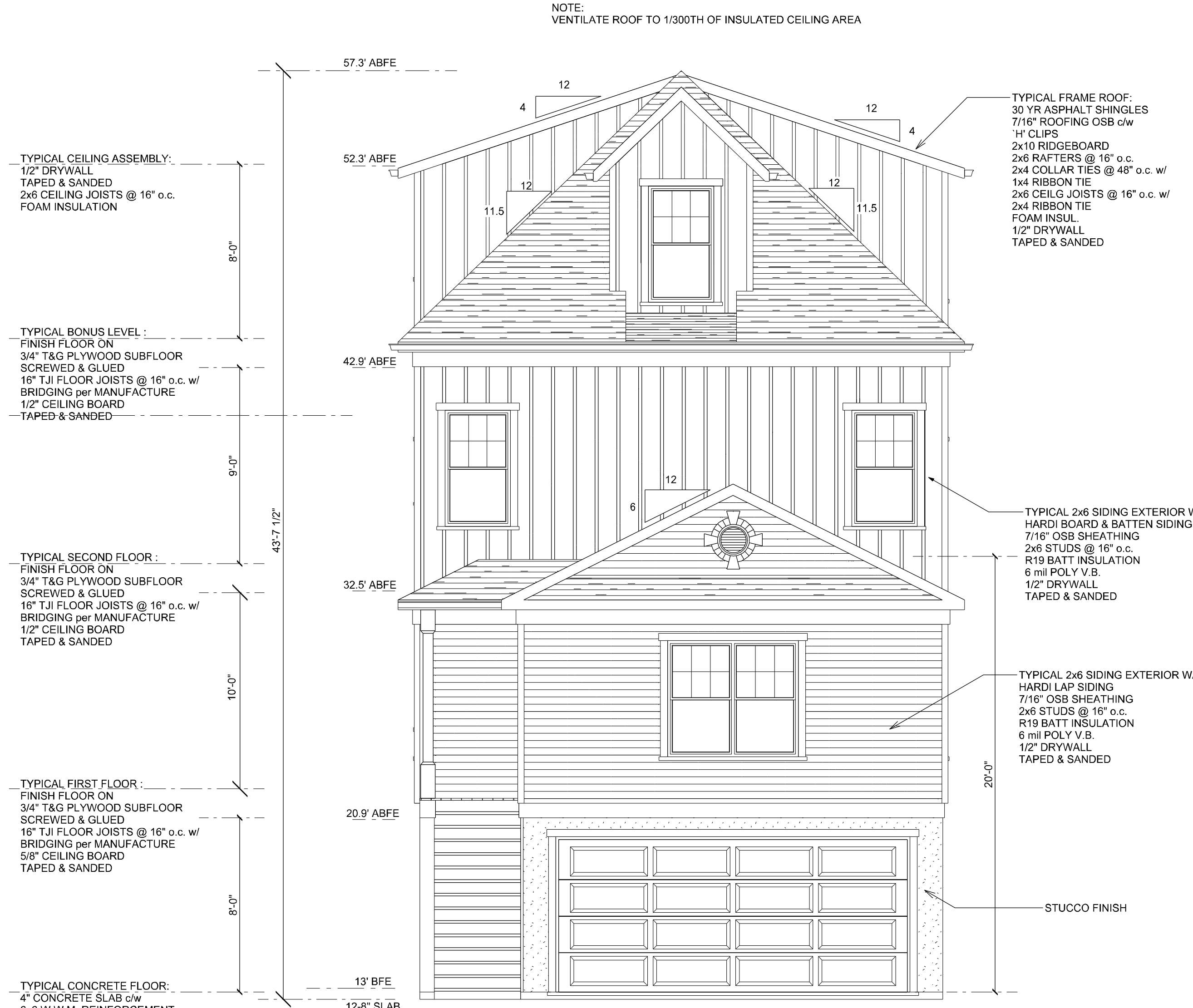
NOTES:
GROUND FLOOR CEILING @ 8'-0" or AS NOTED
FIRST FLOOR CEILING @ 10'-0" or AS NOTED
SECOND FLOOR CEILING @ 9'-0" or AS NOTED
BONUS LEVEL CEILING @ 8'-0" or AS NOTED

ALL SIDING EXTERIOR WALLS CALCULATED AT 5 1/2"
ALL INTERIOR WALLS CALCULATED AT 3 1/2"
unless noted otherwise

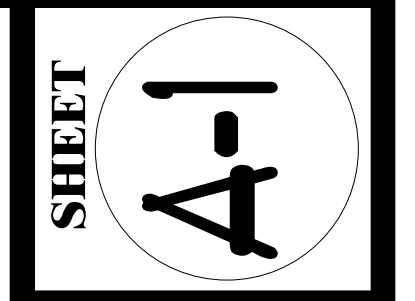
FIRST FLOOR: 1,133 SQ FT
SECOND FLOOR: 1,280 SQ FT
BONUS LEVEL: 850 SQ FT
SCREEN PORCH: 176 SQ FT
SECOND FLOOR DECK: 60 SQ FT



LEFT ELEVATION
SCALE: 1/4" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



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DRAWN BY: J. GENCHUR
DATE: Mar. 24, 2025
REVISIONS: APR. 28, 2025
MAY 13, 2025; MAY 20, 2025
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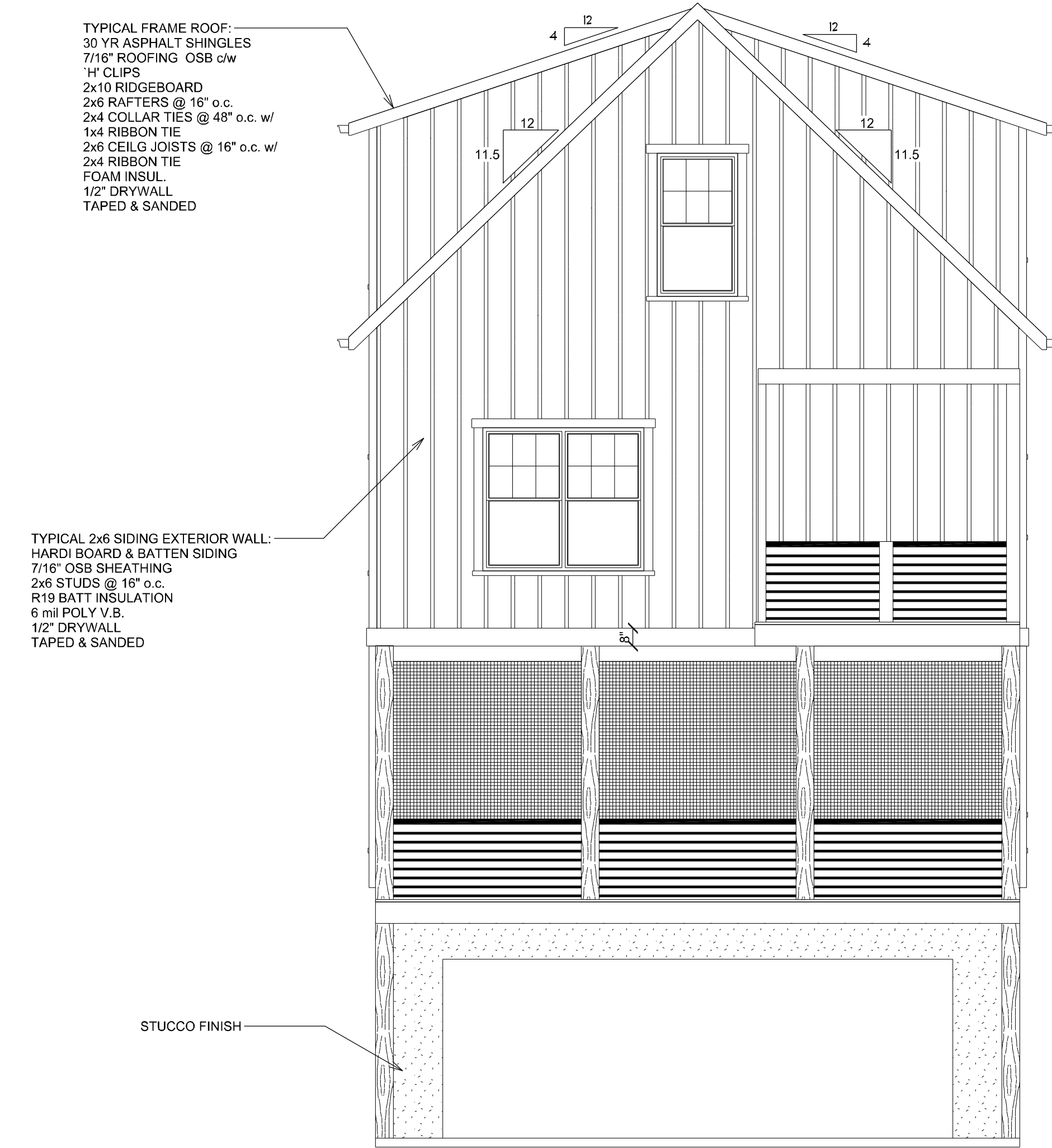
NOTES:
GROUND FLOOR CEILING @ 8'-0" or AS NOTED
FIRST FLOOR CEILING @ 10'-0" or AS NOTED
SECOND FLOOR CEILING @ 9'-0" or AS NOTED
BONUS LEVEL CEILING @ 8'-0" or AS NOTED

ALL SIDING EXTERIOR WALLS CALCULATED AT 5 1/2"
ALL INTERIOR WALLS CALCULATED AT 3 1/2"
unless noted otherwise

FIRST FLOOR: 1,133 SQ FT
SECOND FLOOR: 1,280 SQ FT
BONUS LEVEL: 850 SQ FT
SCREEN PORCH: 176 SQ FT
SECOND FLOOR DECK: 60 SQ FT

NOTE:
VENTILATE ROOF TO 1/300TH OF INSULATED CEILING AREA

NOTE:
EXTERIOR FINISHES MAY VARY
FROM THE DRAWING PER OWNER'S
REQUEST.



REAR ELEVATION
SCALE: 1/4" = 1'-0"

TYPICAL CEILING ASSEMBLY:
1/2" DRYWALL
TAPED & SANDED
2x6 CEILING JOISTS @ 16" o.c.
FOAM INSULATION

TYPICAL BONUS LEVEL:
FINISH FLOOR ON
3/4" T&G PLYWOOD SUBFLOOR
SCREWED & GLUED
16" TJI FLOOR JOISTS @ 16" o.c. w/
BRIDGING per MANUFACTURE
1/2" CEILING BOARD
TAPED & SANDED

TYPICAL SECOND FLOOR:
FINISH FLOOR ON
3/4" T&G PLYWOOD SUBFLOOR
SCREWED & GLUED
16" TJI FLOOR JOISTS @ 16" o.c. w/
BRIDGING per MANUFACTURE
1/2" CEILING BOARD
TAPED & SANDED

TYPICAL FIRST FLOOR:
FINISH FLOOR ON
3/4" T&G PLYWOOD SUBFLOOR
SCREWED & GLUED
16" TJI FLOOR JOISTS @ 16" o.c. w/
BRIDGING per MANUFACTURE
5/8" CEILING BOARD
TAPED & SANDED

TYPICAL CONCRETE FLOOR:
4" CONCRETE SLAB c/w
6x6 W.W.M. REINFORCEMENT
10 mil POLY VAPOR BARRIER
2" RIGID INSULATION
COMPACTED GRANULAR FILL



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

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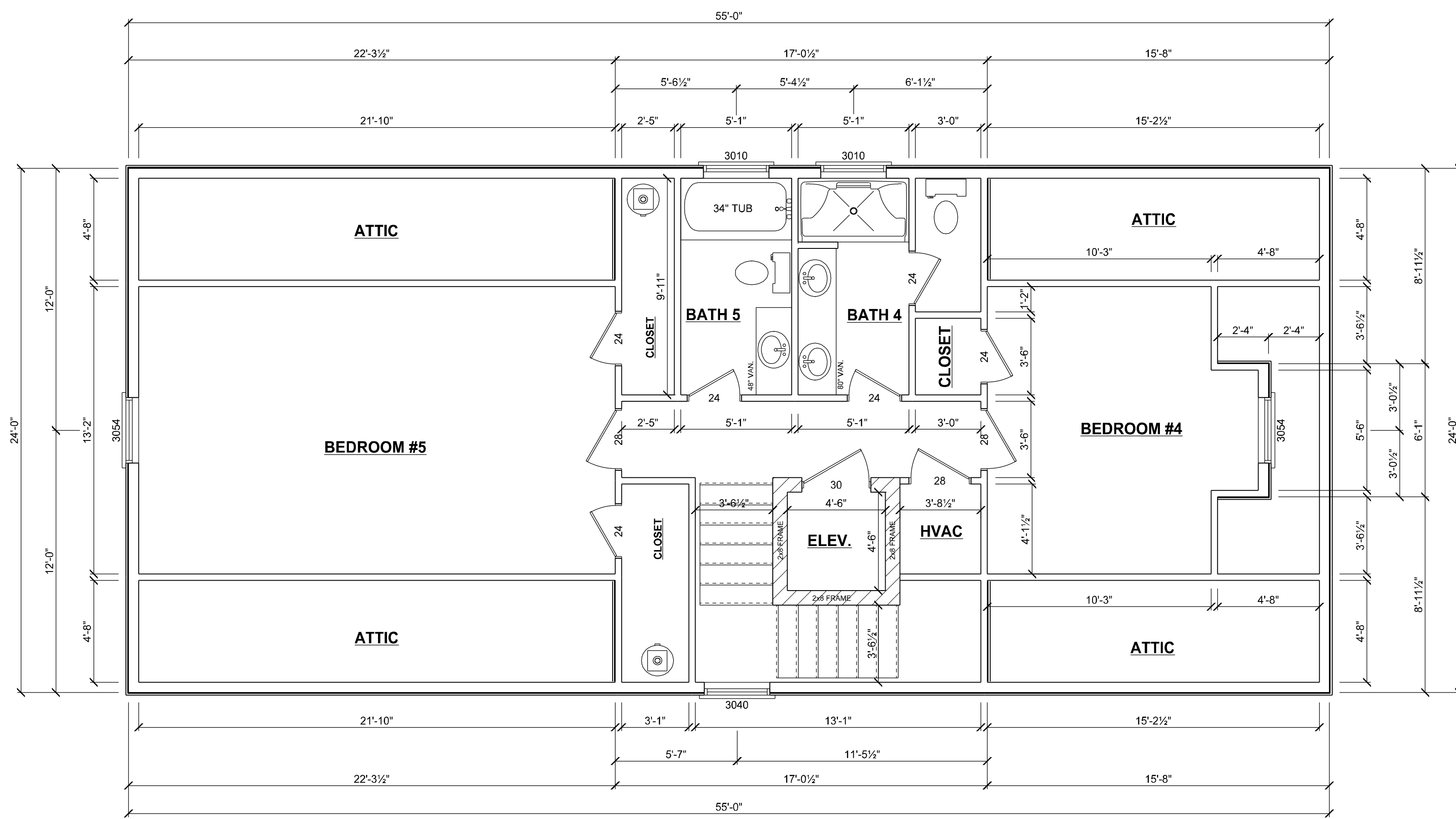
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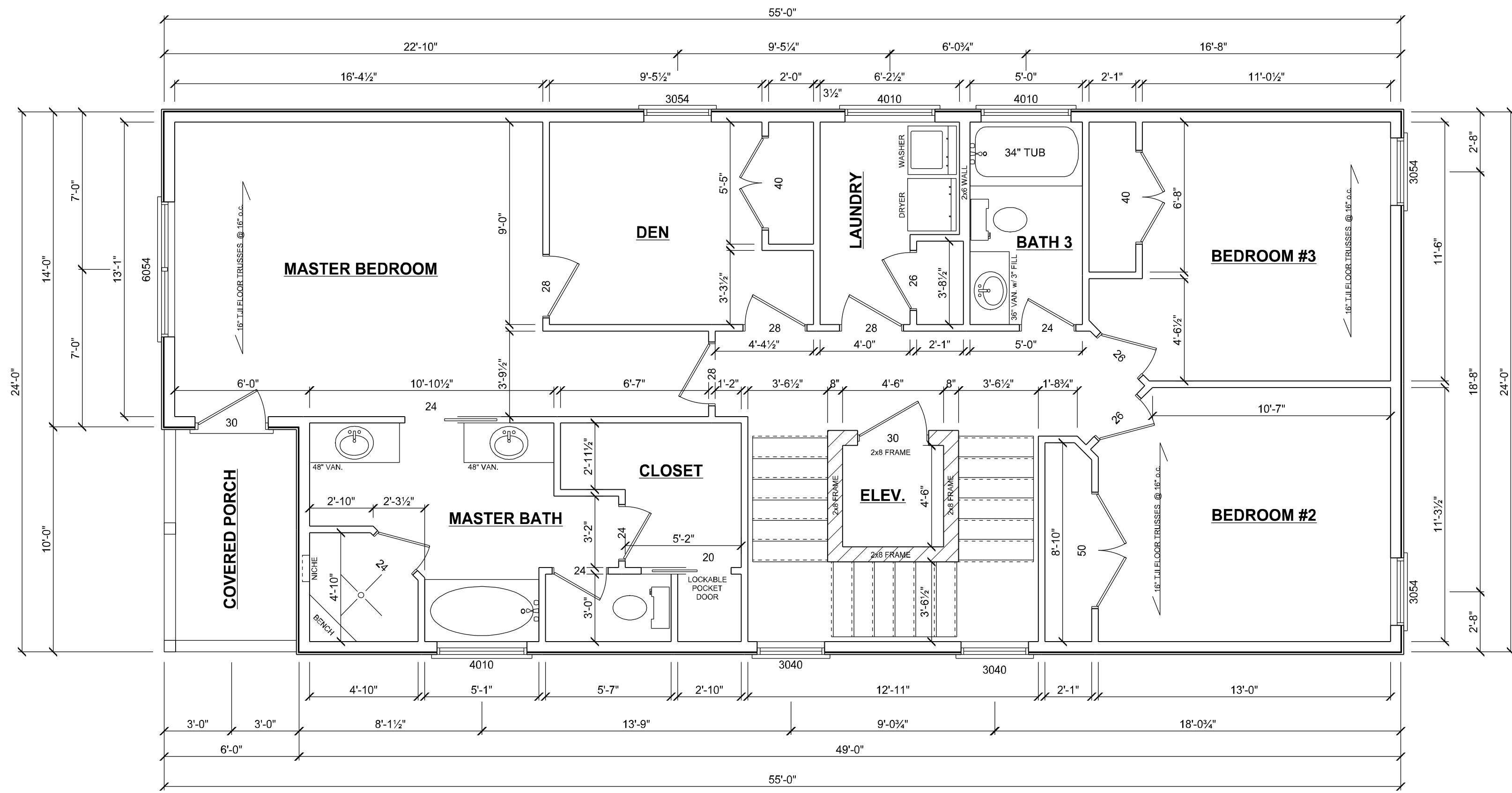
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A-2

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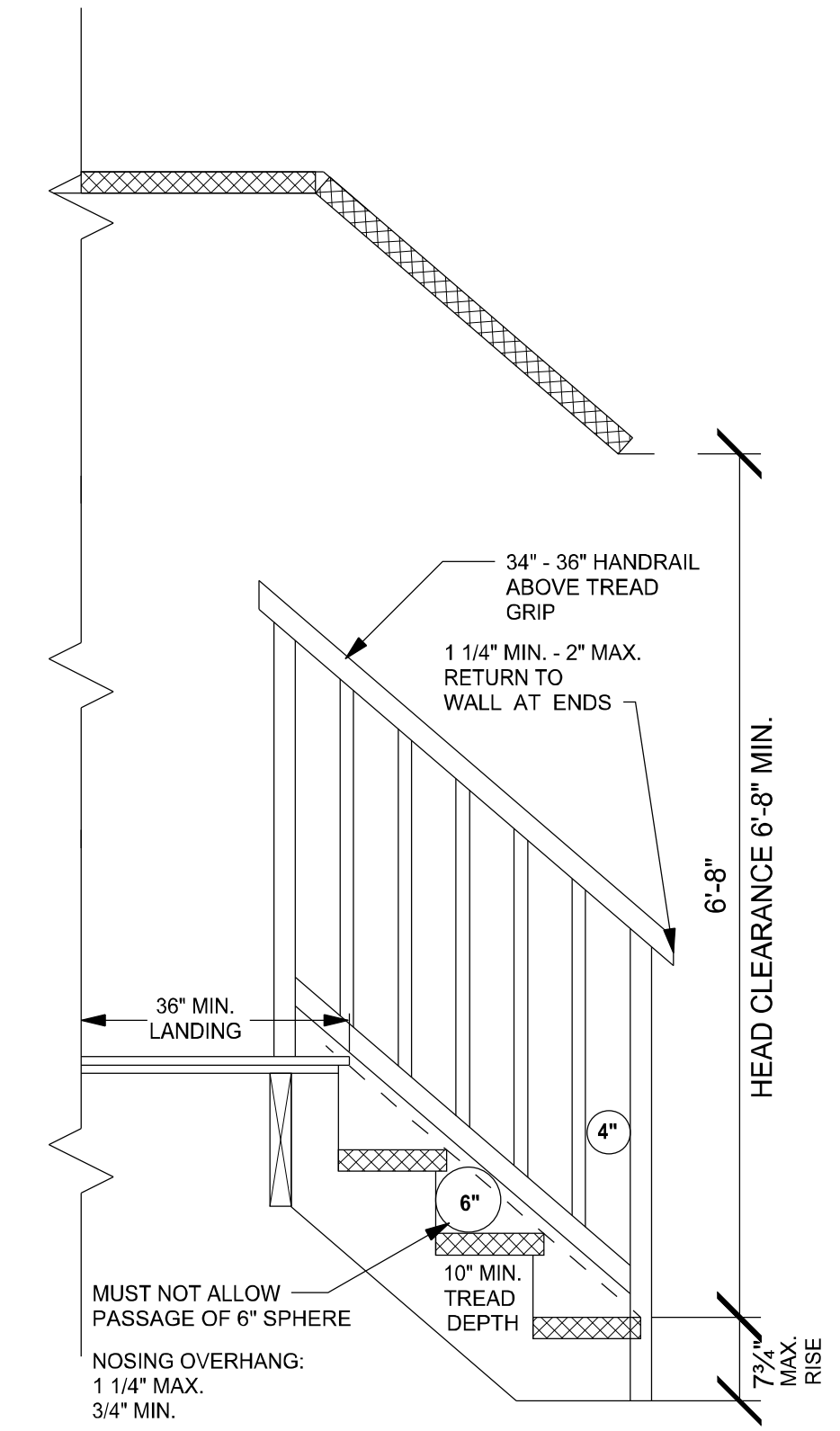




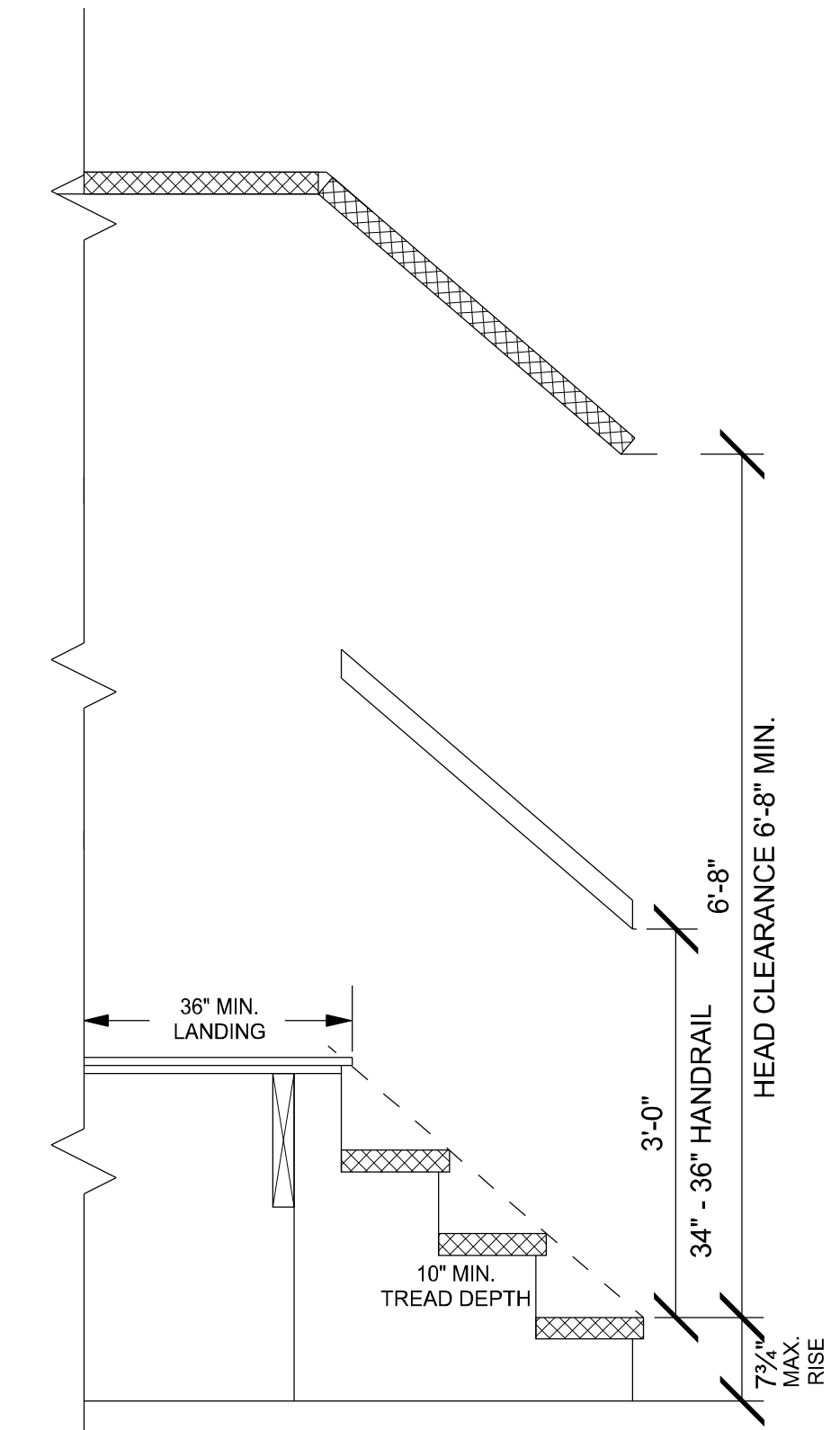
BONUS LEVEL PLAN
SCALE: 1/4" = 1'-0"



SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



EXTERIOR STAIR DETAIL



INTERIOR STAIR DETAIL

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SHEET
A-4



Roof Construction Notes

1. Roof Overhang to be 18" Rake & 6" Cant
First Sheet of Plywd. @ Eaves to be Glued and Nailed w/ 8d. Galv. Nails - 4" o.c. @ Roof Edge, 6" o.c. @ Ends, and 8" o.c. in Field.
2. Roof Pitch to be 4/12, 8/12, 12/12 see plan
3. Provide Attic Vents.
4. Tie Roof Trusses to Interior Partitions w/ Metal Clips or Ties (See Schedule this Sheet).
5. Roof Sheathing to be Glued & Nailed - 1st Sheet @ Eaves & 8'-0" from Gable Ends.
6. Truss Designs to be Sealed by a State Certified Engineer.
7. Provide Truss Bracing per Engineered Truss Plan.

Sheathing Nailing Schedule

Roof Sheathing:
First Sheet of Plywd. @ Eaves to be Glued and Nailed w/ 8d. Galv. Nails - 4" o.c. @ Roof Edge, 6" o.c. @ Ends, and 8" o.c. in Field.

Remainder of Plywd. Sheathing - 8d. Galv. Nails 6" o.c. @ ends and 8" o.c. in Field.

Wall Sheathing:
Glue & Nail Plywd. w/ 8d. Galv. Nails @ 4" o.c. Top and Bottom, 6" o.c. @ Edges and 8" o.c. in Field.

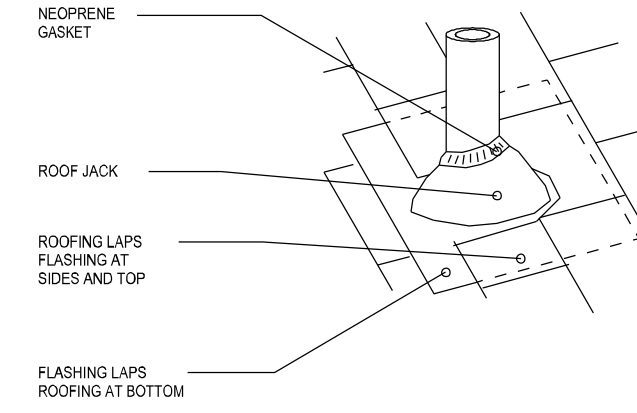
Floor Sheathing:
Glue & Nail 3/4" T&G Plywd. w/ 10d. Galv. Spiral or Ring Shank Nails @ 6" o.c. @ Edges and 8" o.c. in Field.

Strapping Schedule

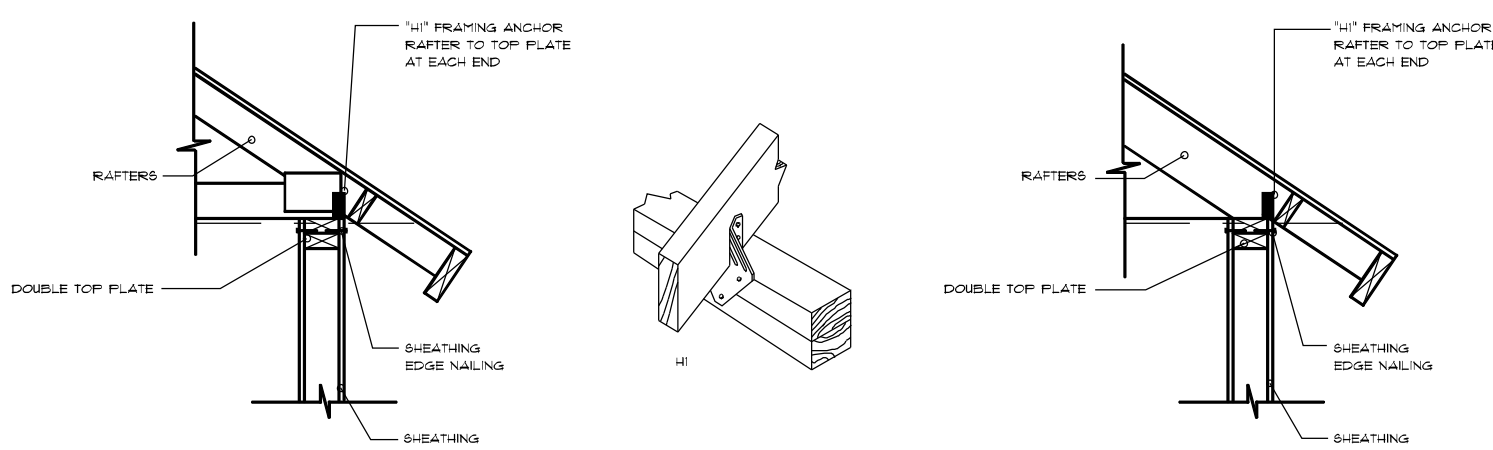
Wood Beam to Joist/Truss - Simpson #TS18
Twist Strap @ ea. Joist/Rafter - Uplift 930 lbs.
Frame Wall to Joist/Truss - Simpson #TS18
Twist Strap @ ea. Joist/Rafter - Uplift 930 lbs.
Interior Frame Partitions - Simpson #TS9
Twist Strap @ ea. Joist/Rafter - Uplift 530 lbs.

Note:
Provide (2) ea. Straps Listed Above at each end of Beams, Headers, & at all Hipset or Girder Trusses.

Provide Galv. Nails - Size & Number per Mfr. Specs.



ROOF VENT DETAIL

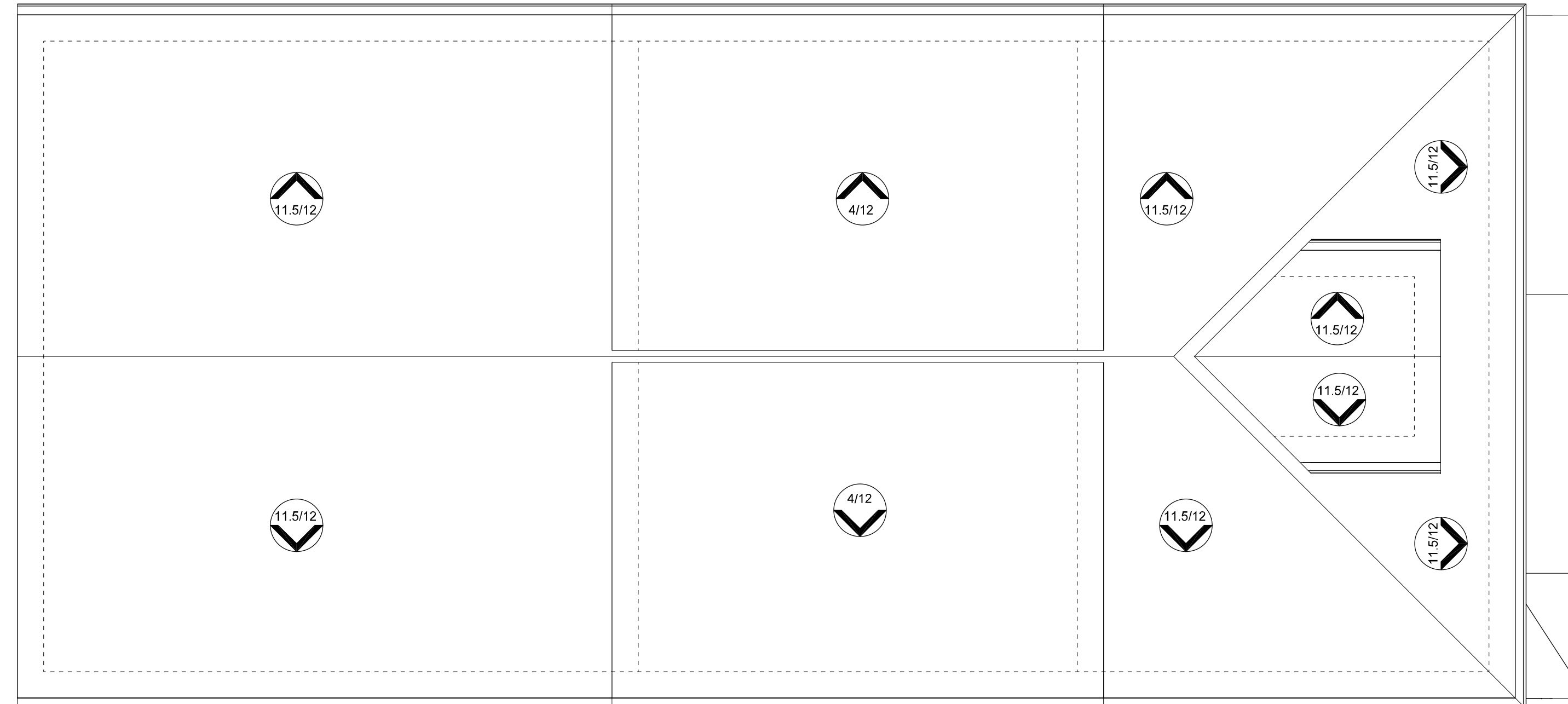


SHEAR TRANSFER

ROOF CONSTRUCTION NOTES

1. RAFTERS - 2x8 @ 16" O.C. FOR SHINGLES EXCEPT AS NOTED. THEY ARE CUT INTO HIPS, RIDGES, ECT. UNLESS NOTED DIFFERENTLY.
(A) TILE SLATE AND OTHER BEARING ROOF COVERINGS SHALL USE 2x10 @ 16" O.C. RAFTERS UNLESS NOTED OTHERWISE.
2. COLLAR TIES - 2x6 @ 48" AT ALL RIDGES UNLESS NOTED OTHERWISE.
3. COLLAR TIES MINIMUM AT ALL RIDGES EVEN IF 2 TIES MUST BE PUT ON ONE SET OF RAFTERS.
4. ALL BRACES ARE 2-2x4's NAILED WITH 16 PENNY NAILS @ 9" O.C. VERTICALLY FROM TOP TO BOTTOM. BRACES LARGER THAN 10" MUST BE BRACED HORIZONTALLY IN 2 DIRECTIONS @ MID-HEIGHT.
5. ALL HIPS AND RIDGES ARE A SIZE LARGER THAN RAFTERS UNLESS NOTED OTHERWISE.
VALLEY RAFTERS ARE 1-2x10 (MIN)
6. ALL HOGS ON CEILING JOISTS OR RAFTERS ARE 2x6's UNLESS NOTED OTHERWISE.
7. MAXIMUM SPACING OF RAFTER BRACES.
FOR 2x6 HOG ---- 8' O.C.
FOR 2x8 HOG ---- 7'-6" O.C.
RAFTERS CAN BE SPLICED OVER HOGS WITH 2x4 BRACES.
8. DETAILS:

2x6 HOG 2x8 HOG
9. ALL ROOF TRUSSES MUST BE BUILT IN ACCORDANCE WITH TRUSS MANUFACTURER'S DIRECTION.
10. GABLE END ROOF FRAMING MUST HAVE GABLE ENDS BRACED PARALLEL TO RIDGES WITH MIN. OF 2x6 DIAGONAL BRACES @ 6' O.C. ALONG GABLE WALL TO INTERIOR CLG. JOISTS BRACES TO START 6" FROM EAVES AND AT APPROXIMATE MID-HEIGHT OF GABLE. BRACES SHALL BE AT APPROXIMATELY A 45 DEG. ANGLE. OTHER BRACING CAN BE USED IF IT MEETS WITH PROFESSIONAL ENGINEER'S APPROVAL.
11. FLASHING TO BE INSTALLED AT WALL AND ROOF INTERSECTIONS, WHENEVER THERE IS A CHANGE IN ROOF SLOPE OR DIRECTION, AND AROUND ROOF OPENINGS. IF FLASHING IS METAL, IT SHALL BE CORROSION RESISTANT WITH A THICKNESS OF NOT LESS THAN 0.019 INCH (NO. 26 GALV. SHEET)



ROOF PLAN
SCALE: 1/4" = 1'-0"

SHEET
A-5

The Renovators Of SC
90 CAPITAL DR. SUITE 101A,
HILTON HEAD, SC 29926
843-689-6585 - www.renovatorssc.com



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CONSTRUCTION SITE:
**NEW HOME @ SANDCASTLE
ANDY & KIM ZEKANY
77 SANDCASTLE CT.
LOT #28
HILTON HEAD, SC 29928**

HOMEOWNER:
**ANDY & KIM ZEKANY
77 SANDCASTLE CT.
LOT #28
HILTON HEAD, SC 29928**

DRAWN BY: **J. GENCHUR**
DATE: **Mar. 24, 2025**
REVISIONS: **APR. 28, 2025
MAY 13, 2025, MAY 20, 2025
JUNE 4, 2025**

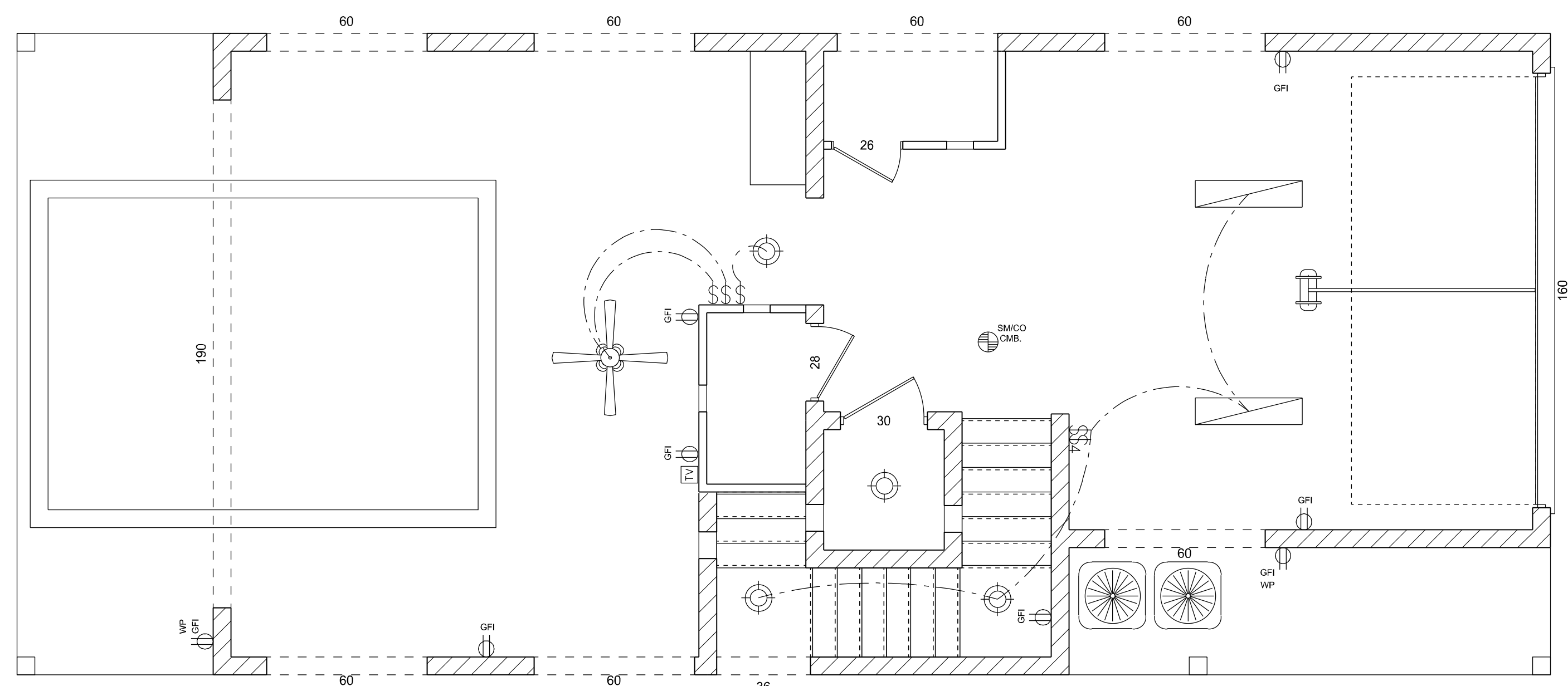


This is a preliminary drawing. It is not to be used for construction without the approval of the architect. The contractor shall be responsible for verifying all dimensions and conditions in the field. © Copyright Mar., 2025

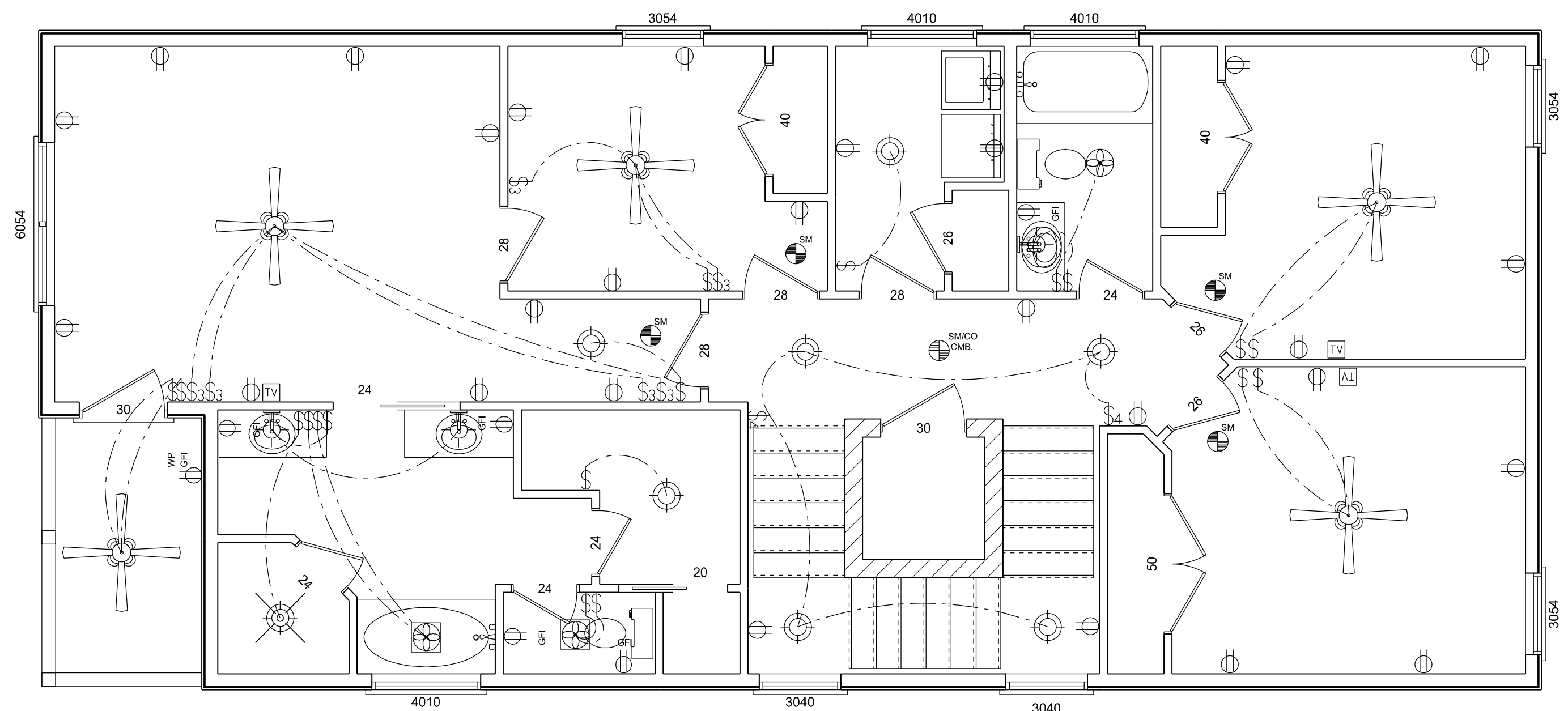
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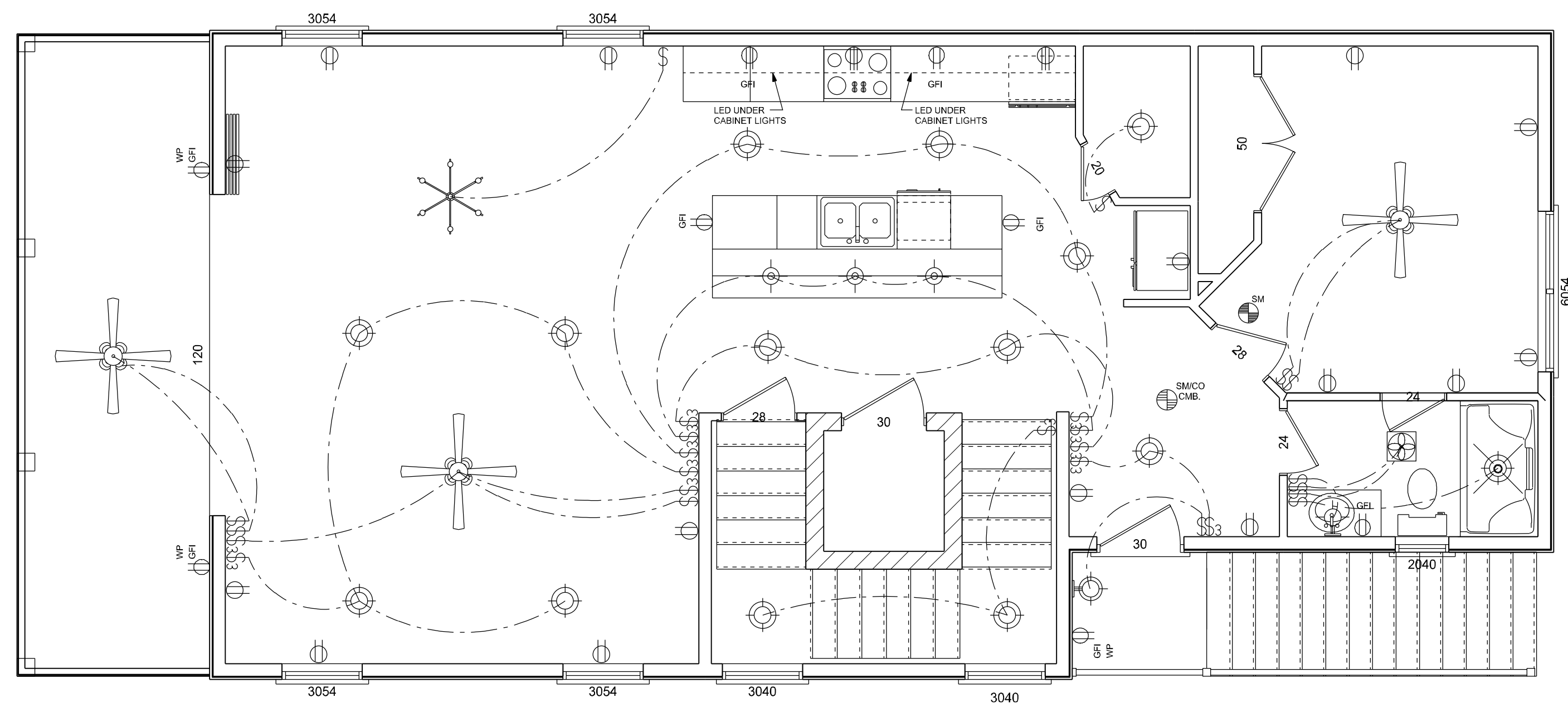


GROUND FLOOR ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"

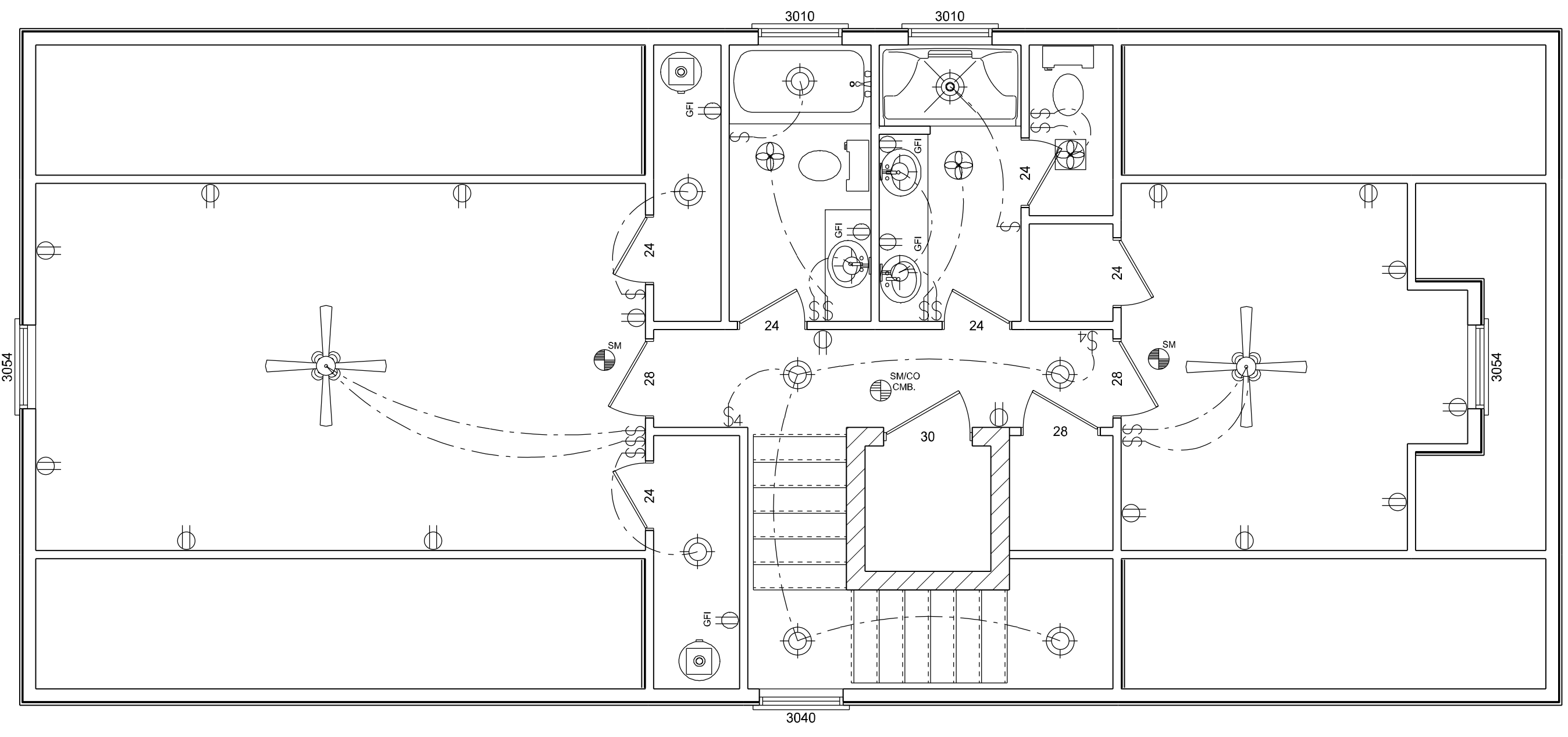


SECOND FLOOR ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"

ELECTRICAL, HEATING, VENTILATION, PLUMBING, AND AIR-CONDITIONING EQUIPMENT AND OTHER SERVICE FACILITIES SHALL BE ELEVATED PER TOWN ORDINANCE 15-9-31 1(d). HVAC PLATFORM SHALL BE ELEVATED NO LESS THAN 13'-0".



FIRST FLOOR ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"



BONUS LEVEL ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"



TOWN OF HILTON HEAD ISLAND

Town Council

TO: Town Council
FROM: Shawn Leininger, Assistant Town Manager
CC: Marc Orlando, Town Manager
DATE: July 15, 2025
SUBJECT: Consideration of an Ordinance of the Town of Hilton Head Island to Amend Title 16 of the Municipal Code, the Land Management Ordinance, to amend the current regulations for Tree Protection to include sections: 16-5-115, 16-6-104 and Appendix C, and Providing for Severability and an Effective Date

RECOMMENDATION:

Consideration an Ordinance of the Town of Hilton Head Island to amend Chapter 16 of the Municipal Code, the Land Management Ordinance, to amend current regulations for tree protection to include Section 16-5-115, Section 16-6-104, and Appendix C for the Town of Hilton Head Island, South Carolina and providing for severability and an effective date, and forward a recommendation to Town Council.

The Planning Commission reviewed this Ordinance on May 21, 2025, and unanimously recommended approval to Town Council.

The Community Services Public Safety Committee reviewed this Ordinance on June 16, 2025, and unanimously recommended approval to Town Council.

BACKGROUND:

Revitalize and Modernize the Economy is a focus area in the adopted Town Council 2023-2025 Strategic Action Plan. In fulfillment of this focus area, Strategy #1 Establish a Growth Management Strategy states the Town will:

“Successfully manage increasing and evolving future growth patterns in a manner that will ensure sustainability of Hilton Head Island’s unique character. Additionally, the Town must monitor economic and demographic trends, undertaking a comprehensive list of future planning activities, and proactively protecting the Island’s rich natural resources through appropriate design, regulation, and capital investment practices.”

In this regard, Town Council directed Town Staff to advance amendments to the Land Management Ordinance (LMO) in the 2024 Strategic Action Work Plan. The effort has been divided into two separate projects, the full LMO Overhaul and the priority amendments. The priority amendments include incremental changes to both the LMO and portions of the Municipal Code related to land management that address important and urgent issues in advance of the full LMO Overhaul. These priority amendments address pressing community development issues with the best short-term solution while minimizing unintended outcomes. Issues that require additional analysis and research or are more complex will be further implemented during the full LMO Overhaul.

At the September 24, 2024, Town Council Workshop, Town staff reviewed the proposed priority amendments with Town Council and received the following comments and direction regarding amendments related to tree protection:

1. Increase requirements for Live Oak and Laurel Oak tree preservation by reducing the diameter breast height (DBH):
 - a. Live Oak single trunk from 35 to 30 DBH
 - b. Live Oak multiple trunk from 60 to 55 DBH
 - c. Laurel Oak from 35 to 30 DBH
2. Update mitigation requirements by increasing the plant back tree size requirements (i.e., minimum height from 10 to 12 feet and diameter from 2 inches to 4 inches)
3. Update the list of native plants.
4. Remove the exception of specimen trees on single-family lots to reduce unnecessary removal of specimen trees.

The Planning Commission held a public hearing on May 21, 2025, and, after consideration of the criteria set forth in Section 16-2-103.B.3 voted unanimously to recommend that Town Council approve the proposed text amendment.

On June 16, 2025, the Community Services and Public Safety Committee voted unanimously to recommend approval to Town Council.

SUMMARY:

Priority updates are proposed to strengthen tree protection during development and ensure that new projects align with the community's environmental values. These changes aim to improve tree preservation, enhance ecological outcomes, and promote sustainable development.

More specifically, these changes strengthen protections for specimen and significant trees and promote the use of native vegetation. Key updates include:

1. Lowering the diameter breast height (DBH) thresholds for preserving Live Oak and Laurel Oak trees for specimen and significant classifications, resulting in more trees receiving protection;

2. Increasing mitigation requirements for tree removal by increasing the minimum size standards for replacement trees, ensuring greater immediate environmental impact and maturity;
3. Expanding the list of approved native plants to support ecological diversity; and,
4. Protecting specimen trees on single-family lots by eliminating an exception to such requirements.

ANALYSIS:

Proposed Amendments

1. Enhanced preservation requirements for Live Oak and Laurel Oak Trees.
 - a. The diameter breast height (DBH) threshold for preservation of “specimen” trees is reduced five inches, increasing the number of protected “specimen” Live Oak and Laurel Oak trees.
 - b. The DBH threshold for protection of “significant” trees is reduced four inches for single-trunk Live Oak and Laurel Oak trees and seven inches for multi-trunk Live Oak trees.
2. Updated Mitigation Provisions Require Larger Replacement Trees.
 - a. Increased the minimum installation height by two feet for all tree categories (I-IV).
 - b. Increased the minimum trunk diameter by two inches for categories I-II.
 - c. Increased the minimum trunk diameter by one inch for categories III-IV.
3. Expanded Native Plant List.
 - a. The list of approved native plants is updated to reflect current ecological priorities and promote biodiversity.
4. Specimen Tree Protections and Single-Family Lot Exceptions.
 - a. Specimen tree protections are extended to include all single-family lots, reducing unnecessary removal of significant trees.

The priority amendment changes aim to strengthen tree preservation, promote ecological health, and maintain the aesthetic and environmental character of the area.

The following table shows how the proposed amendments address the demonstrated issues.

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Issue	Proposed Amendment			
<p>1. Increase requirements for Live Oak and Laurel Oak tree preservation by reducing the diameter breast height (DBH):</p> <ul style="list-style-type: none"> a. Live Oak single trunk from 35 to 30 DBH b. Live Oak multiple trunk from 60 to 55 DBH c. Laurel Oak from 35 to 30 DBH 	Table 16-6-104.F.1: Specimen and Significant Trees			
	Tree Type		Specimen DBH (Inches)	Significant DBH (Inches)
	Live oak	Single trunk	35 - 30	28 - 24
		Multiple trunks	60 - 55 (sum of all trunks)	48 - 41
Laurel oak		35 - 30	28 - 24	
<p>2. Update mitigation requirements by increasing the plant back tree size requirements (i.e., minimum height from 10 to 12 feet and diameter from 2 inches to 4 inches)</p>	Table 16-6-104.I.3: Minimum Planting Size for Supplemental and Replacement Trees			
	Tree Category	Minimum Height (Feet)	Minimum Trunk Diameter (Inches) (Using ANSI Standards)	
	Category I	10 - 12	2 - 4	
	Category II	10 - 12	2 - 4	
	Category III	6 - 8	1 - 2	
Category IV	6 - 8	1 - 2		
<p>3. Update list of native plants.</p>	See Appendix C of proposed text amendment for new list of native plants.			
<p>4. Remove exception of specimen trees on single-family lots to reduce unnecessary removal of specimen trees.</p>	<p>Sec.16-6-104. Tree Protection</p> <p>F. Specimen and Significant Tree Preservation</p> <p>2. General Requirements</p> <ul style="list-style-type: none"> a. No <i>specimen tree</i> may be removed except in accordance with paragraph b below. In addition, all <i>specimen trees</i> shall have the following protections, whether located on public or private <i>land</i>. with the exception of <i>specimen trees</i> located on <i>single-family lots</i>: <p style="text-align: center;">(Revised 5-17-2016 - Ordinance 2016-07)</p>			

	<ul style="list-style-type: none"> i. Any activities performed within the drip line of a specimen tree shall have the prior approval of the Official. ii. Specimen trees shall not be cut, removed, pushed over, killed, or otherwise harmed. iii. No more than 20 percent of the total area within the drip line of any specimen tree shall be subject to paving or soil compaction, and no paving or soil compaction is allowed within 15 feet of the tree trunk. (See Figure 16-6-104.F.2: Limits of Paving or Compaction near Specimen Trees.) The Official may allow paving or soil compaction beyond the 20 percent limit if low impact development techniques (e.g., pervious pavers, materials placed at or above grade, no use of mechanical machinery) are used as an alternative means of protecting the specimen tree. <p>b. If preservation of a specimen tree causes unnecessary hardship, the applicant may apply for a variance from this subsection (see Sec. 16-2-103.S, Variance) once any required State or federal government agency approval, if applicable, to remove the tree is received in writing.</p>
--	--

Nonconformities

Chapter 16-7 provides standards for nonconformities. This amendment will not create nonconformities.

Text Amendment Review Standards

Section 16-2-103.B.3 of the LMO provides standards for the review of Text Amendments and states the following:

“In determining whether to recommend that Town Council adopt or deny the proposed text amendment, the Planning Commission may weigh the relevance of and consider whether and the extent to which the proposed Text Amendment:

- a. Is in accordance with the Comprehensive Plan;

- b. Is required by changed conditions;
- c. Addresses a demonstrated community need;
- d. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;
- e. Would result in a logical and orderly development pattern; and
- f. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.”

The proposed text amendment aligns with the review criteria, as it:

1. Supports the Comprehensive Plan’s goals concerning natural resource preservation and tree protection.
2. Is required due to continuing concerns with tree cutting and the loss of specimen and significant trees.
3. Addresses a demonstrated and vocalized community need to strengthen tree preservation, promote ecological health, and maintain the aesthetic and environmental character of the area.
4. Is consistent with the intent of the Ordinance and the Town’s efforts to preserve tree cover and habitat.
5. Results in more attractive and sustainable development, ensuring a logical and orderly development pattern.
6. Minimizes the impact of development on the natural environment by protecting trees and strengthening mitigation for the removal of trees.

TOWN COUNCIL REVIEW AND DECISION:

Section 16-2-103.B.2.e of the LMO provides standards for the decision of Text Amendments and states the following:

The Town Council shall review the application, staff report, and Planning Commission recommendation and make a final decision on the application. The Town Council's decision shall be one of the following:

1. Adopt an ordinance approving the Text Amendment; or
2. Adopt a resolution denying the Text Amendment.

ATTACHMENTS:

1. Ordinance
2. Text Amendment

Chapter 16-5: Development and Design Standards

Sec.16-5-115. Subdivision Standards

A. Purpose and Intent

The purpose of **subdivision** layout is to create a functional and attractive **development** with infrastructure and **lots** appropriately sized and located to minimize adverse impacts. The intent of this section is to provide clear requirements and guidelines for **subdivision** design for both Major and Minor Subdivisions. **Subdivisions** should promote the health, safety, convenience, order, prosperity and welfare of the present and future residents of the **Town** by:

- a. Providing for the orderly growth and **development** of the **Town**;
- b. Coordinating with the existing **street** system, transportation plans, and public facilities;
- c. Providing **right-of-way** for **street** and vehicular **easements**;
- d. Avoiding congestion and overcrowding and encouraging proper arrangement of **streets** in relation to existing planned **streets**;
- e. [Preservation of the natural tree canopy and preservation of protected tree species](#);
- e.f. Ensuring there is adequate **open space** and recreation facilities; and
- f.g. Ensuring there is proper recordation of **land** ownership.

C. General Requirements

1. Layout of the **subdivision** shall be based on complete **site** analysis. **Streets** and **lots** shall be designed to preserve significant trees, stands of trees and understory vegetation and situated to minimize alteration of natural and historic **site** features to be preserved.
2. The **subdivision** layout shall consider the practicality and economic feasibility of **development** of individual **lots** including the environmental characteristics, size of the **site**, and the requirements of [the Ordinance](#).
3. The applicant is required to demonstrate that they have made all reasonable efforts to preserve unique and fragile elements on site, including but not limited to wetlands, [significant stands of significant stands of trees](#) and individual **trees** of significant size, with **development** reserved for environmentally stable areas.
(Revised 1-7-2020 - Ordinance 2020-02; revised 3-7-2023 - Ordinance 2023-04)
4. **Open space** and recreational areas shall be planned in accordance with Sec. 16-5-104, Open Space Standards.
5. **Lots** shall be situated so that stormwater may be easily directed away from **buildings** in subsequent **site-specific development**. **Lots** shall be configured so that **buildings** and general **flood** sensitive **site** facilities can be located out of drainageways. **Subdivisions** shall be designed so as to comply with Sec. 16-5-109, Stormwater Management and Erosion and Sedimentation Control Standards.
6. All **lots** shall have the **access** required by Sec. 16-5-105.I, Access to Streets.

Chapter 16-6: Natural Resource Protection

Sec.16-6-104. Tree Protection

B. Applicability

2. Exemptions

- a. The following activities are exempt from the standards in this section and the requirement for a Natural Resources Permit:
 - i. Removal of damaged protected **trees** during an emergency such as a hurricane, tornado, ice or wind storm, **flood**, wildfire or any other such act of nature;
 - ii. The removal of invasive species;
 - iii. Removal of a **hazardous tree**, provided such removal is reported to the **Official** within five days after removal. Removal of a **hazardous tree** may require mitigation at the discretion of the ~~Official~~ Official;
(Revised 1-7-2020 - Ordinance 2020-02)
 - iv. The selective and limited pruning and removal of **trees** or vegetation within **sight triangles** (see Sec. 16-5-105.H.4, Sight Triangles) as necessary to obtain clear visibility at **street** and **driveway** intersections;
 - v. Necessary **tree** removal by a utility company consistent with plans submitted periodically to the **Official** for approval in accordance with Sec. 16-5-110, Utility Standards, provided such plans include appropriate provision for removal of any felled **trees**;
 - vi. Topping of healthy **trees** is only permitted on **land** of the Hilton Head Island Airport, and only for the **maintenance** of the slope approaches to the airport as referenced in Sec. 16-3-106.E, Airport Overlay (A-O) District;
 - vii. **Tree** removal associated with forestry activities shielded from local **development** regulation in accordance with S.C. Code Ann. § 48-23-205, subject to the limitations on subsequent **development** in Sec. 16-6-104.E, Limitations on Development Applications Subsequent to Exempt Forestry Activity; and
 - viii. Routine or seasonal pruning (see Sec. 16-5-103.H, Existing Vegetation, for restrictions on limbing **trees** in adjacent street and use buffers), subject to the following requirements and conditions:
 01. Pruning shall be done according to the guidelines of the International Society of Arboriculture, as published in the *Arborist Certification Guide*.
 02. No more than ten percent of the **tree's** leaf surface shall be removed.
 03. Climbing spikes shall not be used on **trees** that are not being removed.
 04. **Property owners** bear the burden of proving that they have met the above requirements.
 - ix. Removal or pruning of trees in the PD-1 zoning district under the following conditions:

01. On the Common Property owned by a Property Owners Association, to which all landowners of property located behind the security gate must belong, that is behind any security gate or access point that is manned a minimum of eight (8) hours per day, or at any point within the Spanish Wells PD-1, where the **tree** or **trees** to be removed or pruned are:

- a) Damaged, dead or dying or a fall hazard; or,
- b) Causing an actual, imminent hazard to pedestrian, bicycle or vehicular travel because roots of any **tree** or **trees** have uplifted pavement, or because branches and foliage are impeding travel sight lines, or because branches and foliage impede travel areas for pedestrians, bicycles and vehicles, and no feasible alternative to removing or pruning the **tree** or **trees** exists.

b. No Natural Resources Permit is required where the proposed **tree** removal or alteration is reviewed and authorized in accordance with an approved Subdivision Plan (see Sec. 16-2-103.F), Development Plan (Minor or Major) (see Sec. 16-2-103.G), Small Residential Development (see Sec. 16-2-103.H) or Public Project (see Sec. 16-2-103.Q)—though compliance with the standards in this section is required.

C. Tree Protection Information in Applications

2. Tree Survey

- a. The **tree survey** shall be in the form of a map or a **site plan** prepared and sealed by a registered **land** surveyor within two years of the date of **application**. The **tree survey** shall be at the same scale as the required **site development** plan and shall include the following information:
 - i. The location of all Category I, II and IV **trees** with a **DBH** of 6 inches or greater, Category III **trees** (other than cedar and palmetto **trees**) with a **DBH** of 12 inches or greater and cedar and palmetto **trees** with a **DBH** of 8 inches or greater within the areas to be developed and within areas 25 feet beyond such area in each direction, or extending to the property line, whichever is less;
(Revised 5-17-2016 - Ordinance 2016-07)
 - ii. The location of any **trees** with a **DBH** less than 6 inches (Category I, II and IV), less than 8 inches (cedar and palmetto **trees**), and less than 12 inches (Category III other than cedar and palmetto **trees**) that the **applicant** wishes to count toward the minimum standard of **tree** coverage on the **site**; and
(Revised 5-17-2016 - Ordinance 2016-07)
 - iii. The species and **DBH** of all **trees**.
- b. In conjunction with the **tree survey**, **trees** shall be marked with color ribbons, using blue ribbons to mark **trees** to be preserved, red ribbons for **trees** to be removed, and orange ribbons for hazardous **trees** that are proposed to be removed (hazardous **trees** will not count towards the overall required **tree** replacement). In heavily wooded areas, the **Official** may allow **large groups of a significant stand of trees** to be preserved or removed to be marked with the appropriately colored ribbon extending around the perimeter of the group of **trees**.

F. Specimen and Significant Tree Preservation

1. Specimen and Significant Tree Defined

For purposes of this section, a specimen tree is any tree of a species designated by the State or federal government as an endangered, threatened, or rare species, or any tree of a type and with a DBH equal or greater than that indicated in Table 16-6-104.F.1, Specimen Trees, for the tree type. A tree that is within 20% of the size classified as a specimen, is considered a significant tree.

(Revised 5-17-2016 - Ordinance 2016-07; revised 1-7-2020 - Ordinance 2020-02)

TABLE 16-6-104.F.1: SPECIMEN AND SIGNIFICANT TREES			
TREE TYPE		SPECIMEN DBH (INCHES)	SIGNIFICANT DBH (INCHES)
Live oak	Single trunk	35-30	28-24
	Multiple trunks	60-55 (sum of all trunks)	48-41
Laurel oak		35-30	28-24
Water oak		30	24
Red oak		25	20
White oak		20	16
All hickories		20	16
American elm		15	12
Loblolly and slash pines		35	28
Longleaf and pond pines		25	20
Red bay		10	8
Southern magnolia		30	24
Bald cypress and pond cypress		15	12
Black gum and sweet gum		30	24
Red maple		30	24
Spruce pine		Any size	Any size
Red cedar		10	8
Sycamore		30	24
Black cherry		25	20
Sassafras		6	5

(Revised 1-7-2020 - Ordinance 2020-02)

2. General Requirements

- a. No **specimen tree** may be removed except in accordance with paragraph b below. In addition, all **specimen trees** shall have the following protections, whether located on public or private **land**, with the exception of **specimen trees** located on **single-family lots**:

(Revised 5-17-2016 - Ordinance 2016-07)

- i. Any activities performed within the drip line of a **specimen tree** shall have the prior approval of the **Official**.
- ii. **Specimen trees** shall not be cut, removed, pushed over, killed, or otherwise harmed.

- iii. No more than 20 percent of the total area within the drip line of any **specimen tree** shall be subject to paving or soil compaction, and no paving or soil compaction is allowed within 15 feet of the **tree** trunk. (See Figure 16-6-104.F.2: Limits of Paving or Compaction near Specimen Trees.) The **Official** may allow paving or soil compaction beyond the 20 percent limit if low impact **development** techniques (e.g., **pervious** pavers, materials placed at or above **grade**, no use of mechanical machinery) are used as an alternative means of protecting the **specimen tree**.

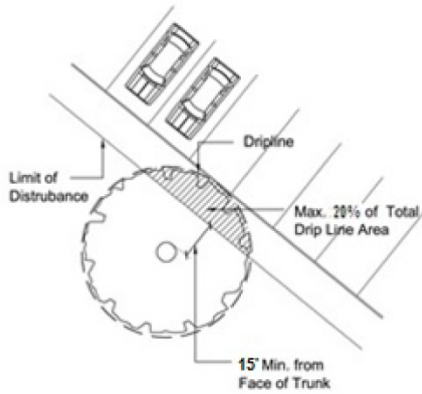


Figure 16-6-104.F.2: Limits of Paving or Compaction near Specimen Trees

- b. If preservation of a **specimen tree** causes unnecessary hardship, the **applicant** may apply for a variance from this subsection (see Sec. 16-2-103.S, Variance) once any required **State** or federal government agency approval, if applicable, to remove the **tree** is received in writing.

(Revised 4-18-2017 - Ordinance 2017-05)

I. Standards for Supplemental and Replacement Trees

3. Replacement Rate, Tree Category, Planting Size

- a. **Trees** that are removed shall be replaced at the rate of one **tree** for every ten **tree** inches removed per **tree** category.
- b. Supplemental and replacement **trees** shall be within the same or lower-numbered **tree** category (see Sec. 16-6-104.H, Tree Equivalency Table) as the **trees** being replaced.
- c. At the time of planting, supplemental and replacement **trees** shall have the minimum **height** and trunk diameter shown in Table 16-6-104.I.3 for the category of the **tree**.

TABLE 16-6-104.I.3: MINIMUM PLANTING SIZE FOR SUPPLEMENTAL AND REPLACEMENT TREES		
TREE CATEGORY	MINIMUM HEIGHT (FEET)	MINIMUM TRUNK DIAMETER (INCHES) (USING ANSI STANDARDS)
Category I	10-12	2-4
Category II	10-12	2-4
Category III	6-8	1-2

Category IV	6-8	1-2
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(Revised 4-18-2017 - Ordinance 2017-05)

Appendix C: Recommended Native Plants

RECOMMENDED NATIVE PLANTS FOR BUFFERS AND WETLANDS		
This list is meant to be used as a guide, and is not all inclusive. Buffer and <i>wetland</i> plants are intended to supply a year-round filtering and habitat function. Therefore, using a diverse selection of flora is highly encouraged.		
COMMON NAME	LATIN NAME	LOCATION
GRASSES, VINES, AND GROUNDCOVER		
Black Needle Rush	<i>Juncus roemerianus</i>	Tidal <i>wetland</i>
Blue Flag Iris	<i>Iris virginica</i>	Freshwater <i>wetland</i>
Lizard's Tail	<i>Saururus cernuus</i>	Freshwater <i>wetland</i>
Maidencane	<i>Panicum hemitoman</i>	Freshwater <i>wetland</i>
Muhley Grass	<i>Muhlenbergia capillaris</i>	<i>Upland</i>
Passion Flower	<i>Passiflora incarnata</i>	<i>Upland</i>
Pickeralweed	<i>Pontederia cordata</i>	Freshwater <i>wetland</i>
Saltmeadow Cordgrass	<i>Spartina patens</i>	<i>Upland</i>
Sand Cordgrass	<i>Spartina bakeri</i>	<i>Upland</i>
Smooth Cordgrass	<i>Spartina alterniflora</i>	Tidal <i>wetland</i>
Soft Rush	<i>Juncus effuses</i>	Tidal <i>wetland</i>
Wild Ginger	<i>Asarum canadense</i>	<i>Upland</i>
Yellow Jassamine	<i>Gelsemium sempervirens</i>	<i>Upland</i>
SHRUBS AND SMALL TREES		
Beautyberry	<i>Callicarpa Americana</i>	<i>Upland</i>
Coral Bean	<i>Erythrina herbacea</i>	<i>Upland</i>
Dahoon Holly	<i>Ilex cassine</i>	<i>Upland</i>
Fetterbush	<i>Lyonia lucida</i>	Freshwater <i>wetland/Upland</i>
Inkberry	<i>Ilex glabra</i>	Freshwater <i>wetland/Upland</i>
Loblolly Bay	<i>Gordonia lasianthus</i>	<i>Upland</i>
Salt Myrtle	<i>Baccharis halimifolia</i>	<i>Upland</i>
Saw Palmetto	<i>Serona repens</i>	<i>Upland</i>
Sparkleberry	<i>Vaccinium arboreum</i>	<i>Upland</i>
Star Anise	<i>Illicium floridanum</i>	<i>Upland</i>
Wax Myrtle	<i>Myrica ceriflora</i>	<i>Upland</i>
Witch Hazel	<i>Hamamelis virginiana</i>	<i>Upland</i>
Yaupon Holly	<i>Ilex vomitoria</i>	<i>Upland</i>
MEDIUM AND LARGE TREES		
American Holly	<i>Ilex opaca</i>	<i>Upland</i>

Bald Cypress	<i>Taxodium distichum</i>	Freshwater <i>wetland/Upland</i>
Black Gum	<i>Nyssa sylvatica</i>	Freshwater <i>wetland/Upland</i>
Laurel Oak	<i>Quercus laurifolia</i>	<i>Upland</i>
Little Gem Magnolia	<i>Magnolia grandiflora</i> "Little Gem"	<i>Upland</i>
Live Oak	<i>Quercus virginiana</i>	<i>Upland</i>
Red Maple	<i>Acer rubrum</i>	Freshwater <i>wetland/Upland</i>
Sabal palmetto	<i>Sabal palmetto</i>	<i>Upland</i>
Southern Magnolia	<i>Magnolia grandiflora</i>	<i>Upland</i>
Southern Red Cedar	<i>Juniperis silicicola</i>	<i>Upland</i>
Sweet Gum	<i>Liquidamber styraciflua</i>	Freshwater <i>wetland/Upland</i>

RECOMMENDED NATIVE PLANTS FOR BUFFERS AND WETLANDS

This list is meant to be used as a guide, and is not all inclusive. *Buffer* and *wetland* plants are intended to supply a year-round filtering and habitat function. Therefore, using a diverse selection of flora is highly encouraged.

COMMON NAME	LATIN NAME	LOCATION
NATIVE PLANTS FOR DUNES		
<u>Beach evening primrose</u>	<u>Oenothera drummondii</u>	<u>Primary Dune</u>
<u>Beach morning glory</u>	<u>Ipomoea imperati</u>	<u>Primary Dune</u>
<u>Bear-grass (yucca)</u>	<u>Yucca filamentosa</u>	<u>Primary Dune</u>
<u>Camphor weed</u>	<u>Heterotheca subaxillaris</u>	<u>Primary Dune</u>
<u>Climbing Butterfly pea</u>	<u>Centrosema virginianum</u>	<u>Primary Dune</u>
<u>Devil-joint cactus</u>	<u>Opuntia drummondii</u>	<u>Primary Dune</u>
<u>Dune sunflower</u>	<u>Helianthus debilis</u>	<u>Primary Dune</u>
<u>Dwarf palmetto</u>	<u>Sabal minor</u>	<u>Primary Dune</u>
<u>Moundlily yucca</u>	<u>Yucca gloriosa</u>	<u>Primary Dune</u>
<u>Prickly pear cactus</u>	<u>Opuntia compressa</u>	<u>Primary Dune</u>
<u>Purple passion flower (vine)</u>	<u>Passiflora incarnata</u>	<u>Primary Dune</u>
<u>Railroad vine</u>	<u>Ipomea pes-caprae</u>	<u>Primary Dune</u>
<u>Salt myrtle</u>	<u>Baccharus halimifolia</u>	<u>Primary Dune</u>
<u>Saw palm</u>	<u>Serenoa repens</u>	<u>Primary Dune</u>
<u>Sea oats</u>	<u>Uniola paniculata</u>	<u>Primary Dune</u>
<u>Seaside panicum</u>	<u>Panicum amarum</u>	<u>Primary Dune</u>
<u>Spanish bayonet</u>	<u>Yucca aloifolia</u>	<u>Primary Dune</u>
<u>Wax myrtle</u>	<u>Myrica cerifera</u>	<u>Primary Dune</u>
<u>Yaupon holly</u>	<u>Ilex vomitoria</u>	<u>Primary Dune</u>
<u>Yellow passion flower (vine)</u>	<u>Passiflora lutea</u>	<u>Primary Dune</u>
*Dune fields can contain several dune rows that have mostly grasses and other non-woody plants in them. Look at dune areas adjacent to yours to determine which plants are best to use in similar areas. NEVER plant a non-native plant in dune areas; they may become invasive.		
GRASSES, VINES, AND GROUND COVER		

<u>Arrow Arum</u>	<u><i>Peltandra virginica</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Black Needle Rush</u>	<u><i>Juncus roemerianus</i></u>	<u>Tidal wetland, Salt marsh buffer</u>
<u>Blue Flag Iris</u>	<u><i>Iris virginica</i></u>	<u>Freshwater wetland</u>
<u>Bur-marigolds</u>	<u><i>Bidens sp. (yellow flower, blooms in fall)</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Buttonbush</u>	<u><i>Cephalanthus occidentalis</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Duck potato</u>	<u><i>Sagittaria latifolia</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Floating hearts</u>	<u><i>Nymphoides aquatica</i></u>	<u>Floating Plants</u>
<u>Fragrant water lily</u>	<u><i>Nymphaea odorata</i></u>	<u>Floating Plants</u>
<u>Golden club</u>	<u><i>Orontium aquaticum</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Hooded pitcher plant</u>	<u><i>Sarracenia minor</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Jack-in-the-pulpit</u>	<u><i>Arisaema triphyllum</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Large marsh pink</u>	<u><i>Sabatia dodecandra</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Lizard's Tail</u>	<u><i>Saururus cernuus</i></u>	<u>Freshwater wetland</u>
<u>Maidencane</u>	<u><i>Panicum hemitoman</i></u>	<u>Freshwater wetland</u>
<u>Muhley Grass</u>	<u><i>Muhlenbergia capillaris</i></u>	<u>Upland</u>
<u>Passion Flower</u>	<u><i>Passiflora incarnata</i></u>	<u>Upland</u>
<u>Pickerelweed</u>	<u><i>Pontederia cordata</i></u>	<u>Freshwater wetland</u>
<u>Rushes</u>	<u><i>Juncus sp.</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Saltmeadow Cordgrass</u>	<u><i>Spartina patens</i></u>	<u>Upland</u>
<u>Salthay</u>	<u><i>Spartina patens</i></u>	<u>Salt marsh buffer</u>
<u>Sand Cordgrass</u>	<u><i>Spartina bakeri</i></u>	<u>Upland</u>
<u>Sea ox-eye</u>	<u><i>Borrichia frutescens</i></u>	<u>Salt marsh buffer</u>
<u>Smooth Cordgrass</u>	<u><i>Spartina alterniflora</i></u>	<u>Tidal wetland</u>
<u>Soft Rush</u>	<u><i>Juncus effuses</i></u>	<u>Tidal wetland</u>
<u>Spikerushes</u>	<u><i>Eleocharis sp.</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Swamp rose mallow</u>	<u><i>Hibiscus moscheutos</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Watershield</u>	<u><i>Brasenia schreberi</i></u>	<u>Floating Plants</u>
<u>Wild Rice</u>	<u><i>Zizania aquatica</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Wild Ginger</u>	<u><i>Asarum canadense</i></u>	<u>Upland</u>
<u>Woolgrass bulrush</u>	<u><i>Scirpus cyperinus</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Yellow canna</u>	<u><i>Canna flaccida</i></u>	<u>Lower Bank/Shallow Water</u>
<u>Yellow Jassamine</u>	<u><i>Gelsemium sempervirens</i></u>	<u>Upland</u>
<u>Yellow fringed orchid</u>	<u><i>Habenaria ciliaris</i></u>	<u>Lower Bank/Shallow Water</u>
SHRUBS AND SMALL TREES		
<u>American holly</u>	<u><i>Ilex opaca</i></u>	<u>Upland</u>
<u>Beautyberry</u>	<u><i>Callicarpa Americana</i></u>	<u>Upland</u>
<u>Cabbage palmetto</u>	<u><i>Sabal palmetto</i></u>	<u>Upland, salt marsh buffer</u>
<u>Carolina cherry laurel</u>	<u><i>Prunus caroliniana</i></u>	<u>Upland</u>
<u>Chickasaw plum</u>	<u><i>Prunus angustifolia</i></u>	<u>Upland</u>
<u>Cinnamon fern</u>	<u><i>Osmunda cinnamomea</i></u>	<u>Upland</u>
<u>Common persimmon</u>	<u><i>Diospyros virginiana</i></u>	<u>Upland</u>
<u>Coral Bean</u>	<u><i>Erythrina herbacea</i></u>	<u>Upland</u>
<u>Coral honeysuckle</u>	<u><i>Lonicera sempervirens</i></u>	<u>Upland</u>
<u>Cross vine</u>	<u><i>Anisostichus capreolata</i></u>	<u>Upland</u>
<u>Dahoon Holly</u>	<u><i>Ilex cassine</i></u>	<u>Upland</u>
<u>Fetterbush</u>	<u><i>Lyonia lucida</i></u>	<u>Freshwater wetland/Upland</u>
<u>Hercules' Club</u>	<u><i>Zanthoxylum clava-herculis</i></u>	<u>Upland, salt marsh buffer</u>

<u>Horse sugar</u>	<u><i>Symplocus tinctoria</i></u>	<u>Upland</u>
<u>Inkberry</u>	<u><i>Ilex glabra</i></u>	Freshwater <u>wetland/Upland</u>
<u>Loblolly Bay</u>	<u><i>Gordonia lasianthus</i></u>	<u>Upland</u>
<u>Redbay</u>	<u><i>Persea borbonia</i></u>	<u>Upland</u>
<u>Salt Myrtle</u>	<u><i>Baccharis halimifolia</i></u>	<u>Upland</u>
<u>Sassafras</u>	<u><i>Sassafras albidum</i></u>	<u>Upland</u>
<u>Saw Palmetto</u>	<u><i>Serona repens</i></u>	<u>Upland</u>
<u>Southern Red Cedar</u>	<u><i>Juniperus silicicola</i></u>	<u>Upland, salt marsh buffer</u>
<u>Sparkleberry</u>	<u><i>Vaccinium arboreum</i></u>	<u>Upland</u>
<u>Star Anise</u>	<u><i>Illicium floridanum</i></u>	<u>Upland</u>
<u>Sugarberry</u>	<u><i>Celtis laevigata</i></u>	<u>Upland</u>
<u>Tough bumelia</u>	<u><i>Bumelia tenax</i></u>	<u>Upland, salt marsh buffer</u>
<u>Trumpet vine</u>	<u><i>Campsis radicans</i></u>	<u>Upland</u>
<u>Wax Myrtle</u>	<u><i>Myrica ceriflora</i></u>	<u>Upland</u>
<u>Winged sumac</u>	<u><i>Rhus copallina</i></u>	<u>Upland</u>
<u>Witch Hazel</u>	<u><i>Hamamelis virginiana</i></u>	<u>Upland</u>
<u>Yaupon Holly</u>	<u><i>Ilex vomitoria</i></u>	<u>Upland</u>
MEDIUM AND LARGE TREES		
<u>American Holly</u>	<u><i>Ilex opaca</i></u>	<u>Upland</u>
<u>Bald Cypress</u>	<u><i>Taxodium distichum</i></u>	Freshwater <u>wetland/Upland</u>
<u>Black Gum</u>	<u><i>Nyssa sylvatica</i></u>	Freshwater <u>wetland/Upland</u>
<u>Florida Maple</u>	<u><i>Acer barbatum</i></u>	<u>Upland</u>
<u>Hickories, various species</u>	<u><i>Carya spp.</i></u>	<u>Upland</u>
<u>Laurel Oak</u>	<u><i>Quercus laurifolia</i></u>	<u>Upland</u>
<u>Little Gem Magnolia</u>	<u><i>Magnolia grandiflora</i> "Little Gem"</u>	<u>Upland</u>
<u>Live Oak</u>	<u><i>Quercus virginiana</i></u>	<u>Upland</u>
<u>Loblolly pine</u>	<u><i>Pinus taeda</i></u>	<u>Upland</u>
<u>Long leaf pine</u>	<u><i>Pinus Palustris</i></u>	<u>Upland</u>
<u>Red Maple</u>	<u><i>Acer rubrum</i></u>	Freshwater <u>wetland/Upland</u>
<u>Sabal palmetto</u>	<u><i>Sabal palmetto</i></u>	<u>Upland</u>
<u>Slash pine</u>	<u><i>Pinus elliotii</i></u>	<u>Upland</u>
<u>Southern Magnolia</u>	<u><i>Magnolia grandiflora</i></u>	<u>Upland</u>
<u>Southern Red Cedar</u>	<u><i>Juniperis silicicola</i></u>	<u>Upland</u>
<u>Southern Red Oak</u>	<u><i>Quercus falcata</i></u>	<u>Upland</u>
<u>Sweet Gum</u>	<u><i>Liquidamber styraciflua</i></u>	Freshwater <u>wetland/Upland</u>
<u>Water Oak</u>	<u><i>Quercus nigra</i></u>	<u>Upland</u>

RECOMMENDED INVASIVE TREES AND PLANTS FOR REMOVAL

The following is a list of common Invasive Trees and Plants in the Lowcountry. The list contains plants and trees that negatively impact native plants and trees and are recommended for removal. Therefore, using a recommended native plant list is encouraged.

- Autumn-Olive Tree
- Bamboo
- Beach Vitex ground cover
- Bradford Pear Tree
- Chinese Privet Shrub
- Chinese Silvergrass grass
- Chinese Tallow Tree
- Chinese Wisteria vine
- Cogongrass grass
- Common Reed (Phragmites) grass
- English Ivy vine
- Japanese Honeysuckle shrub
- Japanese Stiltgrass grass
- Kudzu Vine
- Multiflora Rose Shrub
- Non-Native Milkweed



TOWN OF HILTON HEAD ISLAND

Town Council

TO: Town Council
FROM: Shawn Leininger, Assistant Town Manager
CC: Marc Orlando, Town Manager
DATE: July 15, 2025
SUBJECT: Consideration of an Ordinance of the Town of Hilton Head Island to Amend Title 16 of the Municipal Code, the Land Management Ordinance, to Amend the Current Design Regulations and Requirements for Open Space and Pathways in Major Subdivisions to Include Sections 16-3-104, 16-3-105, 16-4-104, 16-5-103, 16-5-104, 16-5-107, 16-5-115, 16-6-102, 16-10-102, 16-10-105, and Appendices A & D for the Town of Hilton Head Island, South Carolina and Providing for Severability and an Effective Date

RECOMMENDATION:

Consideration of an Ordinance of the Town of Hilton Head Island to amend Title 16 of the Municipal Code, the Land Management Ordinance, to amend the current design regulations and requirements for Open Space and Pathways in Major Subdivisions to include Sections 16-3-104, 16-3-105, 16-4-104, 16-5-103, 16-5-104, 16-5-107, 16-5-115, 16-6-102, 16-10-102, 16-10-105, and Appendices A & D. for the Town of Hilton Head Island, South Carolina and providing for severability and an effective.

The Planning Commission reviewed this Ordinance on March 19, 2025, and unanimously recommended approval to Town Council.

The Community Services Public Safety Committee reviewed this Ordinance on April 21, 2025, and unanimously recommended approval to Town Council.

BACKGROUND:

Revitalize and Modernize the Economy is a focus area in the adopted Town Council 2023-2025 Strategic Action Plan. In fulfillment of this focus area, Strategy #1 Establish a Growth Management Strategy states the Town will:

“Successfully manage increasing and evolving future growth patterns in a manner that will ensure sustainability of Hilton Head Island’s unique character. Additionally, the Town must monitor economic and demographic trends, undertaking a comprehensive

list of future planning activities, and proactively protecting the Island's rich natural resources through appropriate design, regulation, and capital investment practices.”

In this regard, Town Council directed Town Staff to advance amendments to the Land Management Ordinance (LMO) in the 2024 Strategic Action Work Plan. The effort has been divided into two separate projects, the full LMO Overhaul and the priority amendments. The priority amendments include incremental changes to both the LMO and portions of the Municipal Code related to land management that address important and urgent issues in advance of the full LMO Overhaul. These priority amendments address pressing community development issues with the best short-term solution while minimizing unintended outcomes. Issues that require additional analysis and research or are more complex will be further implemented during the full LMO Overhaul.

At the September 24, 2024, Town Council Workshop, Town staff received the following comments and direction regarding this proposed amendment design regulations and requirements for open space and pathways in Major Subdivisions.

1. Clarify the definition of common open space.
2. Remove detention facilities and natural water bodies from the definition. Add docks and boardwalks to the definition.
3. Remove the calculation of remnant open space that provides no value.
4. Add clarifying language and additional design standards for common open spaces to require higher quality design and improved functional access via pathways and other means.
5. Remove adjacent street and use buffer credit from open space calculations.
6. Require pedestrian connectivity within subdivisions and require connections to the Town's Multi-use Pathway system if such connectivity is located within reasonable proximity to the development.

On February 19, 2025, the Planning Commission held a public hearing and requested several modifications to the proposed text amendment, including:

1. Removal of Section 16-5-104.B.2, which addressed the applicability of open space standards to Minor Subdivisions that expand beyond five lots. This provision was duplicative as it was already included in the definition of Major Subdivisions.
2. Modify Section 16-5-104.C.3 to specify the use of visual markers like signs, fencing, and landscaping to ensure open space is clearly identifiable, addressing concerns over vague, discretionary language.
3. Clarify Section 16-5-104.D.2 to ensure open spaces remain accessible to all residents.

On March 19, 2025, the Planning Commission reviewed the modified amendment and, after consideration of the criteria set forth in Section 16-2-103.B.3, and voted unanimously to forward the proposed amendment to Town Council with a recommendation of approval.

On April 21, 2025, the Community Services and Public Safety Committee voted unanimously to recommend approval to Town Council.

SUMMARY:

Updates to the Town's subdivision requirements are driven by public concerns arising from recent developments that do not fully align with the desired community standards. Issues such as excessive tree clearing, overly linear street layouts, architectural monotony, and inadequate open space and connectivity within and beyond subdivisions have led to concerns that the current subdivision regulations are not providing the desired outcomes. Currently, subdivision regulations are scattered across multiple sections of the LMO, creating a complex and interconnected regulatory framework.

Due to the intricate nature of these regulations, changes to subdivision requirements are best addressed as part of a comprehensive overhaul of the full LMO. However, the proposed priority amendments address specific, urgent concerns while providing a foundation for future, broader LMO revisions. The priority amendments for subdivision regulations focus on targeted improvements, specifically:

1. Improving common open space regulations to better preserve the Island's character and ensure new developments align with community expectations; and
2. Enhancing pedestrian and cyclist connectivity in new subdivisions.

Current regulations often allow poorly planned or underutilized open spaces, such as lagoons, wetlands, and small, fragmented areas that do not serve residents' needs. In newer subdivisions, open spaces tend to be isolated, inaccessible, or disconnected from key features like pathways or recreational areas. These limitations highlight the need for more thoughtful planning that ensures open spaces are usable and well-integrated into the neighborhood's overall design.

The proposed amendments focus on ensuring that common open spaces are well-planned, functional, and contribute positively to the overall development. These changes aim to balance the need for regulatory compliance with the creation of spaces that are accessible, connected, and environmentally sustainable, all while preserving the unique character of Hilton Head Island.

Further, the LMO does not mandate pathways or connections to existing transportation networks outside of subdivisions. This amendment seeks to rectify these gaps, ensuring safer and more accessible connections for pedestrians and cyclists in new developments.

ANALYSIS:

Proposed Amendments

The proposed priority amendments refine the definition, calculation, and design standards for open space within development, emphasizing connectivity and design consistency. These amendments prioritize functional, connected, and accessible common open space, enhancing the quality of life for residents. It enhances walkability, improves community integration, and ensures a cohesive aesthetic within the Town's subdivisions.

The common open space and pathway connectivity requirements will only apply to major residential subdivisions outside of PD-1 that are platted after the effective date of this ordinance. They do not apply to minor subdivisions or family subdivisions.

The following table demonstrates how the proposed amendments address identified issues.

Issue	Proposed Amendment
<p>Clarify the definition of common open space.</p> <p>Remove detention facilities and natural water bodies from definition.</p> <p>Add docks and boardwalks to the definition.</p>	<p>Sec.16-10-105. General Definitions.</p> <p>Common Open Space. Any part of a development site, meeting the requirements of Section 16-5-104, that is not utilized for single-family lots, rights-of-way, streets, commercial structures, multifamily structures, parking and loading areas, detention/retention ponds, and natural water bodies. The following are included in the definition of common open space: golf courses, tennis courts, areas for other court games, swimming pools, pedestrian and bicycle paths, equestrian trails, play fields, picnic areas, horse paddocks, docks and boardwalks located entirely within the development parcel, places for people to gather, and passive recreation areas.</p>
<p>Add clarifying language and additional design standards for common open spaces to require higher quality design and improved functional access via pathways and other means.</p> <p>Remove calculation of remnant open space that provides no value.</p>	<p>Sec.16-5-104. Common Open Space Standards</p> <p>C. Common Open Space Requirement</p> <p>3. Common open space must be visually identifiable, distinguished by elements including but not limited to signs, fencing, landscape buffers, trail systems, pools, sport facilities, or grass lawns.</p> <p>Sec.16-5-104. Common Open Space Standards</p> <p>D. Common Open Space Location and Configuration</p> <p>1. Common open space shall be connected to all lots within the subdivision by pathways in accordance with Section 16-5-115 D.5.</p>

	<p>2. The common open space shall be accessible to all residents of the subdivision development, subject to reasonable rules and regulations. Common open space may be dedicated for general public use; however, such dedication is not mandatory.</p> <p>3. The design and establishment of common open space shall meet the following standards:</p> <ul style="list-style-type: none"> a. An area or multiple areas of common open space shall be planned for active or passive recreational use. b. At least 75 percent of the common open space area shall be arranged in dimensions no less than 15 feet across in any direction. c. At least 50 percent of the common open space shall be arranged in one contiguous area. For the purpose of this requirement, common open space areas divided by pathways, sidewalks, or streets that would otherwise be contiguous without the existence of the pathways, sidewalks, or streets shall be considered contiguous. d. The arrangement and design of common open space shall prioritize the preservation of existing tracts of specimen and significant trees. The applicant shall demonstrate how these priority areas have been considered during the application process.
<p>Remove adjacent street and use buffer credit from the open space calculations.</p> <p>Remove the calculation of remnant open space that provides no value.</p>	<p>Sec.16-5-103. Buffer Standards K. Credit Toward Open Space</p> <p>Adjacent street and use buffers required by this section may be credited against the common open space required by Sec. 16-5-104, Open Space Standards.</p> <p>See Exhibits 1-3 for examples of open space that will no longer qualify.</p>
<p>Require pedestrian connectivity within subdivisions and require connections to the Town's Multi-use Pathway system if such connectivity is located</p>	<p>Sec.16-5-115. Subdivision Standards</p> <p>D. Layout of Lots and Blocks 5. Pathway Connectivity.</p> <ul style="list-style-type: none"> a. Pathways are required throughout subdivisions. The provisions of this

within reasonable proximity to the development.

- subsection shall not apply to **Minor Subdivisions** and **Family Subdivisions**.
- b. **Pathways** shall provide direct connectivity between all **lots** and the **subdivision's** community amenities, including usable **common open space**, mailbox facilities, community **buildings**, and recreational areas. For the purpose of this requirement, a residential **lot** located across a **street** from a **pathway** within the same **subdivision** or adjacent to a **common open space** having a pathway is considered to be served by and connected to that **pathway**.
 - c. **Pathways** shall be designed to provide connectivity from within the **subdivision** to:
 - a. An existing **pathway** system located along an abutting **right-of-way or easement**, an existing **pathway** within an **easement** on the property, or a **pathway** on abutting Town-owned property; and
 - b. Any **pathway** system planned within an adopted Town **pathway** plan or the Capital Improvement Program (CIP) located along an abutting **right-of-way or easement**, an existing **pathway easement** on the property, or an abutting Town-owned property.
 - d. If the land proposed for a **subdivision** serves as a priority connection between existing **pathways** and is included in an adopted Town **pathway** plan, the **pathway** system shall be designed to connect the existing **pathways** through the **subdivision** or along abutting **street right-of-way**. This requirement shall not be construed as requiring off-site improvements other than within an abutting **street right-of-way**.
 - e. Pathways are required unless sidewalks are demonstrated to be more appropriate. Sidewalks can be incorporated where walking and wheelchair use is more common, for shorter stretches where speeds are slower, and where they better fit the context and character of the development.

	<p>f. Specific design standards for pathways and sidewalks are included by reference to associated professional manuals and statutes</p>
	<p>Sec.16-10-105. General Definitions</p> <p>Common Open Space Any part of a development site, meeting the requirements of Section 16-5-104, that is not utilized for single-family lots, rights-of-way, streets, commercial structures, multifamily structures, and parking and loading areas, detention/retention ponds, and natural water bodies. The following are included in the definition of common open space: golf courses, tennis courts, areas for other court games, swimming pools, pedestrian and bicycle paths, equestrian trails, play fields, picnic areas, horse stables paddocks, docks and boardwalks located entirely within the development parcel, places for people to gather, and passive recreation areas.</p> <p>Pathway An improved way for purposes of travel by non-motorized users outside the traveled way of vehicles and physically separated from the street by an open space or barrier and either within the street right-of-way or within an independent alignment. Most pathways are designed for two-way travel, and are generally constructed of asphalt. Pathways are used by cyclists, pedestrians, and other similar users. Pathways do not include sidewalks.</p> <p>Sidewalk An Improved surface intended for use by pedestrians located between the curb line or the lateral line of a street and the adjacent property line or on easements of private property. Sidewalks are generally constructed with concrete, asphalt or pavers.</p>

Exhibit 1: Example of Adjacent Street Buffer Open Space that Will No Longer Qualify

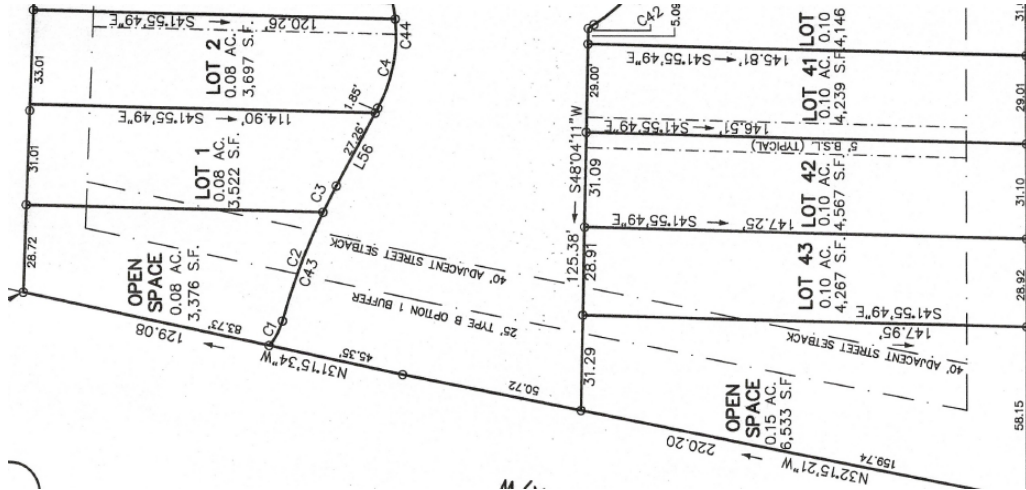


Exhibit 2: Example of Adjacent Use Buffer Open Space that Will No Longer Qualify

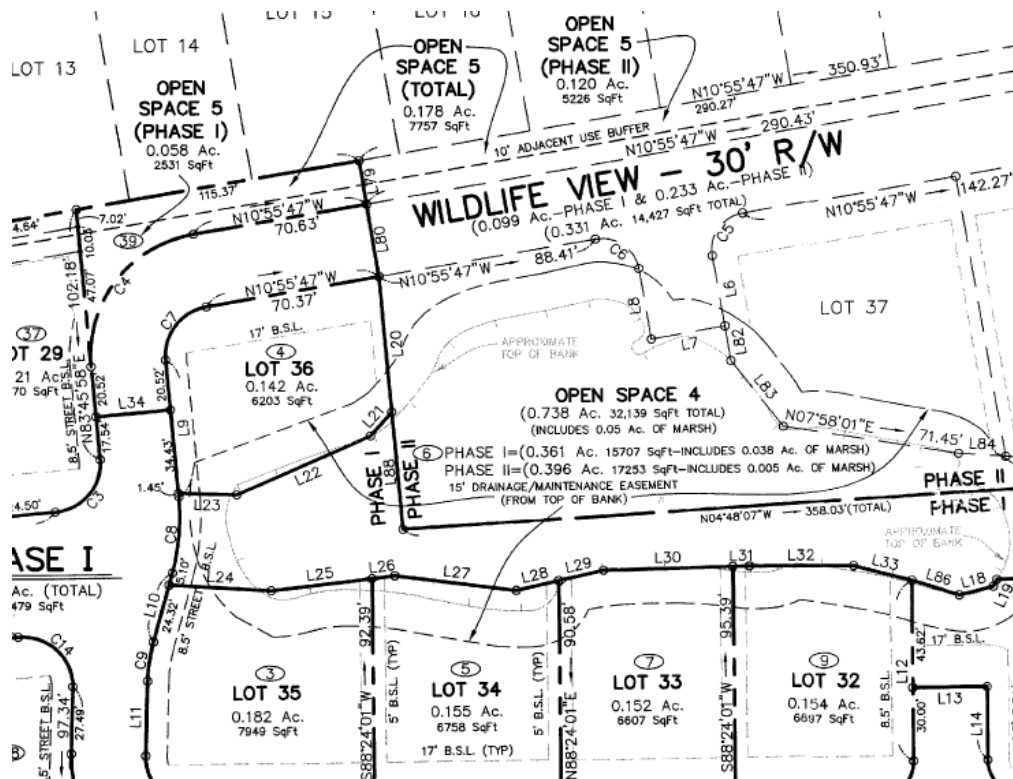
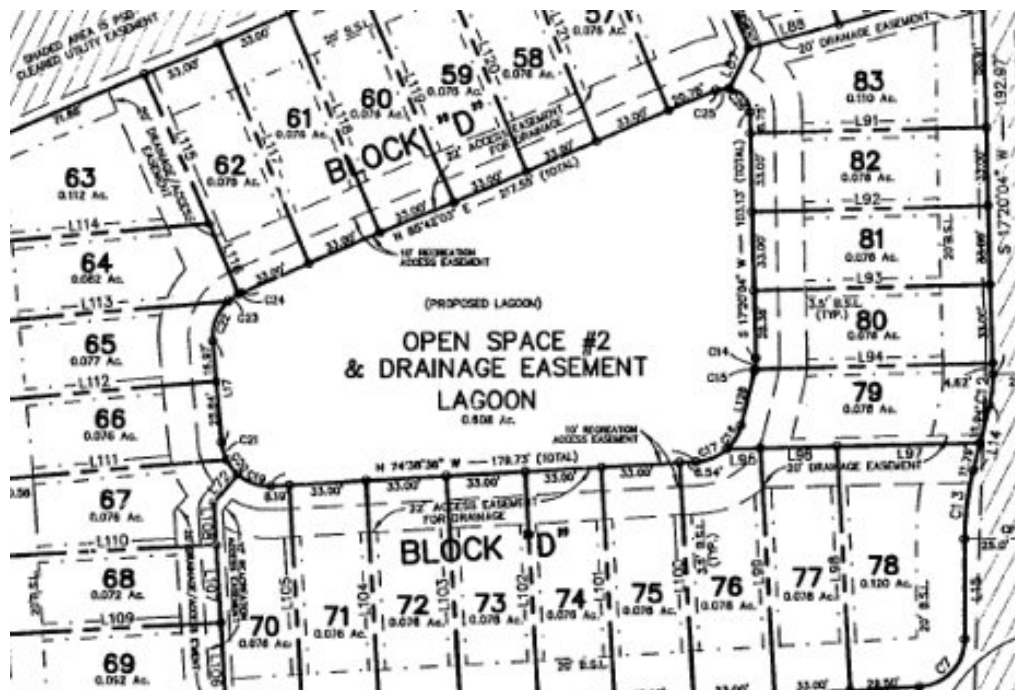


Exhibit 3: Example of Detention Pond Open Space that Will No Longer Qualify



Nonconformities

Chapter 16-7 provides standards for nonconformities. The purpose statement of the Nonconformities Chapter reads as follows, “the zoning regulations and development standards established by this Ordinance are designed to guide the future development and redevelopment of land within the Town by encouraging and regulating site development and appropriate groupings of compatible and related uses that promote and protect the public health, safety, and general welfare. While the Town recognizes the continued existence of nonconformities is generally inconsistent with the purpose and intent of this Ordinance, it also recognizes this Ordinance needs to provide flexibility to encourage redevelopment of nonconforming development if it lessens the degree of the nonconformity and if redevelopment is consistent with the goals of the Comprehensive Plan and the district in which the development is located. This Chapter provides for the regulation of nonconforming uses, structures, signs, and site features, and specifies those circumstances and conditions under which such nonconformities are allowed to continue and redevelop.”

Common open space and pathways established, or lack thereof, as part of previously approved and developed Major Subdivisions may become nonconforming with the requirements proposed in this amendment. However, these elements of Major Subdivisions can continue to exist as nonconforming site features without the need for upgrades or compliance unless an alteration to the nonconformity is proposed.

Chapter 16-7 outlines standards for nonconformities within the Town, acknowledging the need for flexibility in redevelopment while ensuring alignment with the Comprehensive Plan and district goals. Redevelopment, expansion, or relocation of legally nonconforming structures or legally conforming site features must adhere to Chapter 16-7.

Text Amendment Review Standards

Section 16-2-103.B.3 of the LMO provides standards for the review of Text Amendments and states the following:

“In determining whether to recommend that Town Council adopt or deny the proposed text amendment, the Planning Commission may weigh the relevance of and consider whether and the extent to which the proposed Text Amendment:

- a. Is in accordance with the Comprehensive Plan;
- b. Is required by changed conditions;
- c. Addresses a demonstrated community need;
- d. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;
- e. Would result in a logical and orderly development pattern; and
- f. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.”

The proposed text amendment aligns with the review criteria, as it:

1. Supports the Comprehensive Plan which includes goals for preserving Hilton Head Island’s character, enhancing connectivity, and ensuring well-integrated open spaces. Our Plan’s Strategies and Tactics for Our Place states to, “evaluate, develop, and maintain standards that preserve and enhance the natural and physical environments that reflect the character of the Island.”
2. Responds to changing conditions by avoiding fragmented, underutilized, and unconnected spaces observed in certain developments;
3. Addresses a demonstrated community need for functional, accessible, and environmentally sustainable developments;
4. Is consistent with the purpose and intent of the zoning districts by accommodating a comfortable, healthy, safe, and pleasant environment in which to live and recreate;
5. Ensures that open spaces serve residents effectively and subdivisions connect to broader transportation networks, promoting logical and orderly growth and safe bicycle and pedestrian facilities; and
6. Minimizes adverse impacts on the natural environment by preserving common open space and natural areas in Major Subdivisions and promotes non-motorized transportation options.

TOWN COUNCIL REVIEW AND DECISION:

Section 16-2-103.B.2.e of the LMO provides standards for the decision of Text Amendments and states the following:

The Town Council shall review the application, staff report, and Planning Commission recommendation and make a final decision on the application. The Town Council's decision shall be one of the following:

1. Adopt an ordinance approving the Text Amendment; or
2. Adopt a resolution denying the Text Amendment.

ATTACHMENTS:

1. Ordinance
2. Text Amendment

Chapter 16-3: Zoning Districts

Sec.16-3-104. Residential Base Zoning Districts

B. Residential Single-Family-3 (RSF-3) District

RSF-3 Residential Single-Family-3 District				
3. Development Form Standards				
MAX. DENSITY (PERNET ACRE)			LOT COVERAGE	
Residential	3 du		Max. Impervious Cover for All Development Except Single-Family	35%
Nonresidential	6,000 GFA			
MAX. BUILDING HEIGHT			Min. Open-Space-Common Open Space for Major Residential Subdivisions	
All Development	35 ft			16%
USE AND OTHER DEVELOPMENT STANDARDS				
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.				
TABLE NOTES:				
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable				

(Revised 3-7-2023 - Ordinance 2023-04)

C. Residential Single-Family-5 (RSF-5) District

RSF-5 Residential Single-Family-5 District				
3. Development Form Standards				
MAX. DENSITY (pernet Acre)			LOT COVERAGE	
Residential	5 du		Max. Impervious Cover for All Development Except Single-Family	35%
Nonresidential	6,000 GFA			
MAX. BUILDING HEIGHT			Min. Open-Space-Common Open Space for Major Residential Subdivisions	
				16%

All Development	35 ft		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES: P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable			

(Revised 3-7-2023 - Ordinance 2023-04)

D. Residential Single-Family-6 (RSF-6) District

RSF-6			
Residential Single-Family-6 District			
3. Development Form Standards			
MAX. DENSITY (per NET ACRE)			LOT COVERAGE
Residential	6 du		Max. Impervious Cover for All Development Except Single-Family
Nonresidential	6,000 GFA		Min. Open-Space Common Open Space for Major Residential Subdivisions
MAX. BUILDING HEIGHT			
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES: P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable			

(Revised 3-7-2023 - Ordinance 2023-04)

E. Low to Moderate Density Residential (RM-4) District

RM-4			
Low to Moderate Density Residential District			
3. Development Form Standards			
MAX. DENSITY (PER NET ACRE)²			LOT COVERAGE
Residential ²	4 du (6 du if lot area is at least 3 acres; 8 du		Max. Impervious Cover for All Development Except Single-Family ¹
			35%

	if lot area is at least 5 acres)		
Bed and Breakfast	10 rooms		
Nonresidential	6,000 GFA		Min. Open Space Common Open Space for Major Residential Subdivisions 16%
MAX. BUILDING HEIGHT			
All Development	35 ft		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable			
1. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.			
2. Density for development that includes the Workforce Housing shall be determined based on Sec. 16-4-105.A.			

(Revised 4-18-2017 - Ordinance 2017-05; revised 9-17-2019 - Ordinance 2019-20; revised 11-18-2020 - Ordinance 2020-27; revised 2-16-2021 - Ordinance 2021-02; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

F. Moderate Density Residential District (RM-8) District

RM-8			
Moderate Density Residential District			
3. Development Form Standards			
MAX. DENSITY (PERNET ACRE)²		LOT COVERAGE	
Residential	8 du	Max. Impervious Cover for All Development Except Single-Family ¹	35%
Nonresidential	6,000 GFA		
MAX. BUILDING HEIGHT		Min. Open Space Common Open Space for Major Residential Subdivisions	16%
All Development	45 ft		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable			
1. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.			

(Revised 9-17-2019 - Ordinance 2019-20; revised 11-18-2020 - Ordinance 2020-27; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

G. Moderate to High Density Residential District (RM-12) District

<h1 style="margin: 0;">RM-12</h1> <h2 style="margin: 0;">Moderate to High Density Residential District</h2>			
3. Development Form Standards			
MAX. DENSITY (PERNET ACRE) ¹			LOT COVERAGE
Residential	12 du		Max. Impervious Cover for All
Nonresidential	6,000 GFA		Development Except Single-Family
MAX. BUILDING HEIGHT			Min. Open Space Common Open Space for
			Major Residential
			Subdivisions
All Development	45 ft		16%
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable			
1. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.			

(Revised 9-17-2019 - Ordinance 2019-20; revised 11-18-2020 - Ordinance 2020-27; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

Sec.16-3-105. Mixed-Use and Business Districts

B. Coligny Resort (CR) District

<h1 style="margin: 0;">CR</h1> <h2 style="margin: 0;">Coligny Resort District</h2>	
3. Development Form Standards	
MODIFIED ADJACENT STREET AND USE SETBACK STANDARDS	
Adjacent Street Setbacks	Along major and minor arterials, the minimum adjacent street setback distance shall be 30' as follows:

	<ul style="list-style-type: none"> The first 15' of the setback (measured parallel to the required street setback starting from the property line along the street and moving inward) shall include a minimum 5' landscaped area. This landscaped area shall have one street tree planted every 25' along the street frontage. The remaining area may contain a pathway and shall not contain tables, chairs and fountains. The second 15' of the setback (measured parallel to the required setback starting from the required setback line and moving towards the street) may include plazas, courtyards, tables and chairs, pervious pavers, landscaping and fountains. The setback angle shall be 60°. 						
	Along other streets , the minimum adjacent street setback distance shall be 20' as follows:						
	<ul style="list-style-type: none"> The first 15' of the setback (measured parallel to the required street setback starting from the property line along the street and moving inward) shall include a minimum 5' landscaped area. This landscaped area shall have one street tree planted every 25' along the street frontage. The remaining area may contain a pathway. The remaining 5' of the setback (measured parallel to the required setback starting from the required setback line and moving towards the street) may pervious pavers, fountains and benches. The setback angle shall be 60°. 						
	Awnings, balconies and overhangs may occupy these setback areas.						
Adjacent Use Setbacks	The adjacent use setback standards set forth in Sec. 16-5-102.D, Adjacent Use Setback Requirements, shall apply only along the perimeter of the CR district.						
MODIFIED ADJACENT STREET BUFFER STANDARDS							
There are no adjacent street buffers in the CR zoning district.							
MAX. DENSITY (PERNET ACRE)	LOT COVERAGE						
All development	<table border="1"> <tr> <td>Undefined, but limited by applicable design and performance standards such as height and parking</td> <td>Max. Impervious Cover</td> <td>n/a</td> </tr> <tr> <td></td> <td>Min. Open-Space Common Open Space for Major Residential Subdivisions</td> <td>n/a</td> </tr> </table>	Undefined, but limited by applicable design and performance standards such as height and parking	Max. Impervious Cover	n/a		Min. Open-Space Common Open Space for Major Residential Subdivisions	n/a
Undefined, but limited by applicable design and performance standards such as height and parking	Max. Impervious Cover	n/a					
	Min. Open-Space Common Open Space for Major Residential Subdivisions	n/a					
Residential ²							
MAX. BUILDING HEIGHT							
All development	36 ft along the adjacent street setback line; 60 ft once the setback angle is attained						
USE AND OTHER DEVELOPMENT STANDARDS							
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.							
TABLE NOTES:							
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable							
1. Where all required parking spaces are located within a parking structure (e.g., parking deck or parking garage), the standards for the minimum number of parking spaces shall be reduced by 20 percent.							
2. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.							

(Revised 4-18-2017 - Ordinance 2017-05; revised 12-5-2017 - Ordinance 2017-19; revised 11-4-2020 - Ordinance 2020-26)

D. Light Commercial (LC) District

LC Light Commercial District			
3. Development Form Standards			
MAX. DENSITY (PERNET ACRE)			LOT COVERAGE
Residential ⁴	4 du		Max. <i>Impervious Cover</i> 60%
<i>Hotel</i>	35 rooms		Min. <i>Open-Space Common Open Space</i> for 16% Major Residential <i>Subdivisions</i>
Nonresidential ^{1,2}	10,000 GFA		
MAX. BUILDING HEIGHT			
All <i>Development</i>	45 ft		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = <i>dwelling units</i> ; sf = square feet; GFA = <i>gross floor area</i> in square feet; ft = feet; n/a = not applicable			
1. The <i>gross floor area</i> per <i>building</i> shall be 20,000 square feet for <i>buildings</i> devoted to <i>Commercial Services</i> or <i>Industrial Uses</i> .			
2. Each <i>building</i> shall be separated by a minimum of 15 feet.			
3. The minimum number of off-street parking spaces for <i>mixed-use development</i> that contains <i>workforce housing</i> shall be calculated based on Section 16-5-107.D.2.			
4. For <i>development</i> that converts nonresidential square footage to residential <i>use</i> refer to Sec. 16-10-102.B.1.			

(Revised 5-17-2016 - Ordinance 2016-07; revised 9-17-2019 - Ordinance 2019-20; revised 11-4-2020 - Ordinance 2020-26; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

F. Main Street (MS) District

MS Main Street District			
3. Development Form Standards			
MAX. DENSITY (PERNET ACRE)			LOT COVERAGE
Residential	12 du		Max. <i>Impervious Cover</i> 60%
<i>Bed and Breakfasts</i>	10 rooms		
<i>Hotel</i>	35 rooms		Min. <i>Open-Space Common Open Space</i> for 16% Major Residential <i>Subdivisions</i>
Nonresidential	9,000 GFA		

MAX. BUILDING HEIGHT			
All <i>Development</i>	45 ft		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable			

(Revised 4-18-2017 - Ordinance 2017-05; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

G. Marshfront (MF) District

MF				
Marshfront District				
3. Development Form Standards				
MAX. DENSITY (PERNET ACRE)²			LOT COVERAGE	
Residential ¹	Along major arterials	4 du (8 du if <i>lot</i> area is at least 3 acres)	Max. Impervious Cover	60%
	Along other streets	6 du (10 du if <i>lot</i> area is at least 3 acres)	Min. Open Space Common Open Space for Major Residential Subdivisions	16%
Bed and Breakfasts		10 rooms		
Nonresidential		7,000 GFA		
MAX. BUILDING HEIGHT				
All <i>Development</i>		45 ft		
USE AND OTHER DEVELOPMENT STANDARDS				
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.				
TABLE NOTES:				
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable				
1. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.				
2. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.				

(Revised 4-18-2017 - Ordinance 2017-05; revised 9-17-2019 - Ordinance 2019-20; revised 11-4-2020 - Ordinance 2020-26; revised 11-18-2020 - Ordinance 2020-27; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

I. Mitchelville (MV) District

MV Mitchelville District			
3. Development Form Standards			
MAX. DENSITY (PERNET ACRE)³		LOT COVERAGE	
Residential ¹	12 du		Max. Impervious Cover
Bed and Breakfasts	10 rooms		50%
Hotel	35 rooms		Min. Open-Space Common Open Space for Major Residential Subdivisions
Interval Occupancy	12 du		16%
Nonresidential	8,000 GFA		
MAX. BUILDING HEIGHT			
All Development	75 ft		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable			
1. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.			
2. The minimum number of off-street parking spaces for mixed-use or multifamily development that contains workforce housing shall be calculated based on Section 16-5-107.D.2.			
3. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.			

(Revised 4-18-2017 - Ordinance 2017-05; revised 12-5-2017 - Ordinance 2017-19; revised 9-17-2019 - Ordinance 2019-20; revised 8-18-2020 - Ordinance 2020-19; revised 11-4-2020 - Ordinance 2020-26; revised 11-18-2020 - Ordinance 2020-27; revised 7-20-2021 - Ordinance 2021-15)

J. Neighborhood Commercial (NC)

NC Neighborhood Commercial District			
3. Development Form Standards			
MAX. DENSITY (PERNET ACRE)²		LOT COVERAGE	
Residential ¹	4 du		Max. Impervious Cover
Nonresidential	3,000 GFA		45%
			Min. Open-Space Common Open Space for Major Residential Subdivisions
MAX. BUILDING HEIGHT			

All Development	35 ft ²		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable			
1. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.			
2. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.			

(Revised 9-17-2019 - Ordinance 2019-20; revised 11-4-2020 - Ordinance 2020-26; revised 11-18-2020 - Ordinance 2020-27; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

L. Resort Development (RD) District

RD			
Resort Development District			
3. Development Form and Parameters			
MAX. DENSITY (PERNET ACRE)			LOT COVERAGE
Residential ^{1, 2}	16 du		Max. Impervious Cover 50%
Bed and Breakfasts	10 rooms		
Interval Occupancy	16 du		
Hotel¹	35 rooms		Min. Open-Space Common Open Space for Major Residential Subdivisions 16%
Nonresidential	8,000 GFA		
MAX. BUILDING HEIGHT			
Non Single-Family Development on property landward of South Forest Beach Drive	60 ft		
All Other Non Single-Family Development	75 ft		
Single-Family Development	45 ft		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable			
[1] In order to promote flexibility, an office, eating establishment or commercial services use that is accessory to and within an existing residential or hotel structure may be converted to a residential unit or units upon the Official's determination that the development can support the required amount of parking. The alteration shall			

not expand beyond the footprint of the existing residential or **hotel structure**.
 2. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.

(Revised 5-17-2016 - Ordinance 2016-07; revised 4-18-2017 - Ordinance 2017-05; revised 4-18-2017 - Ordinance 2017-06; revised 11-4-2020 - Ordinance 2020-26; revised 7-20-2021 - Ordinance 2021-15)

M. Sea Pines Circle (SPC) District

SPC Sea Pines Circle District			
3. Development Form Standards			
MAX. DENSITY (PERNET ACRE)		LOT COVERAGE	
Residential	12 du		Max. Impervious Cover
Nonresidential	10,000 GFA		Min. Open-Space Common Open Space for Major Residential Subdivisions
MAX. BUILDING HEIGHT			
All Development	45 ft		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable			
1. Islander Mixed-Use has undefined density but limited by applicable design and performance standards such as height and parking.			

(Revised 4-18-2017 - Ordinance 2017-05; revised 3-7-2023 - Ordinance 2023-04; revised 10-3-2023 - Ordinance 2023-12)

N. Stoney (S) District

S Stoney District	
3. Development Form and Parameters	
MODIFIED ADJACENT STREET AND USE SETBACK STANDARDS	
Adjacent Street Setback	Except along major or minor arterials, the adjacent street setback distance established in Sec. 16-5-102.C, Adjacent Street Setback Requirements, may be reduced by up to 30 percent, provided the applicant demonstrates there is no other feasible or practicable alternative that will accommodate a permitted use on the site in compliance with all other requirements of the LMO and the required adjacent street buffer can be provided.
Adjacent Use Setback	The adjacent use setback distance established in Sec. 16-5-102.D, Adjacent Use Setback Requirements, may be reduced to ten feet where a public park adjoins

	another public park, or where a nonresidential use other than an industrial use adjoins another nonresidential use other than an industrial use		
MAX. DENSITY (PERNET ACRE)³			LOT COVERAGE
Residential ¹	10 du		Max. Impervious Cover 50%
Bed and Breakfasts	10 rooms		
Hotel	35 rooms		Min. Open-Space Common Open Space for Major Residential Subdivisions 16%
Nonresidential	7,000 GFA		
MAX. BUILDING HEIGHT			
All Development	45 ft		
USE AND OTHER DEVELOPMENT STANDARDS			
See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.			
TABLE NOTES:			
P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = dwelling units ; sf = square feet; GFA = gross floor area in square feet; ft = feet; n/a = not applicable			
1. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.			
2. The minimum number of off-street parking spaces for mixed-use development that contains workforce housing shall be calculated based on Section 16-5-107.D.2.			
3. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.			

(Revised 4-18-2017 - Ordinance 2017-05; revised 9-17-2019 - Ordinance 2019-20; revised 11-4-2020 - Ordinance 2020-26; revised 11-18-2020 - Ordinance 2020-27; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04)

O. Waterfront Mixed-Use (WMU) District

WMU			
Waterfront Mixed-Use District			
3. Development Form Standards			
MAX. DENSITY (PERNET ACRE)^{1, 5}			LOT COVERAGE
Residential ³	16 du		Max. Impervious Cover 50%
Bed and Breakfasts	10 rooms		
Hotel	35 rooms		Min. Open-Space Common Open Space for Major Residential Subdivisions 16%
Interval Occupancy	16 du		
Nonresidential	8,000 GFA		
MAX. BUILDING HEIGHT^{2, 3}			
All Development	75 ft		

USE AND OTHER DEVELOPMENT STANDARDS

See Chapter 16-4: Use Standards, Chapter 16-5: Development and Design Standards, and Chapter 16-6: Natural Resource Protection.

TABLE NOTES:

P = Permitted by Right; PC = Permitted Subject to Use-Specific Conditions; SE = Allowed as a Special Exception; du = **dwelling units**; sf = square feet; GFA = **gross floor area** in square feet; ft = feet; n/a = not applicable

1. For purposes of calculating new **density**, only 25% of total square footage devoted to boat dry storage facilities shall be counted.
2. Where a **parcel** in the WMU District adjoins a zoning district with a **height** limit lower than that in the WMU District, no part of a **building** on the WMU-zoned **parcel** shall exceed a **height** equal to the **height** limit in the adjoining district plus 1 foot, or major fraction thereof, for each foot of horizontal distance from the adjoining district.
3. For development that converts nonresidential square footage to residential use refer to Sec. 16-10-102.B.1.
4. The minimum number of off-street parking spaces for mixed-use development that contains workforce housing shall be calculated based on Section 16-5-107.D.2.
5. Each adjacent parcel abutting the Town right-of-way acquired under the Town's Dirt Road Paving Program shall be permitted to develop to its full density potential based on the size of the parcel prior to the establishment of the Town right-of-way. See Section 16-5-105.D for additional details.

(Revised 11-3-2015 - Ordinance 2015-23; revised 4-18-2017 - Ordinance 2017-05; revised 9-17-2019 - Ordinance 2019-20; revised 11-4-2020 - Ordinance 2020-26; revised 11-18-2020 - Ordinance 2020-27; revised 7-20-2021 - Ordinance 2021-15)

Chapter 16-4: Use Standards

Sec.16-4-104. Temporary Uses and Structures

D. Use-Specific Conditions for Temporary Uses and Structures

6. Outdoor Seasonal Sales of Christmas Trees and Pumpkins

A merchant may display and sell Christmas **trees** and pumpkins on a temporary basis, without establishing a permanent place of business, subject to the following conditions. [Note: The outdoor display and sale/rental of goods as accessory to an already established business is subject to the provisions of Sec. 16-4-103.E.5, Outdoor Storage (as an accessory use).]

- a. The property contains an area not currently used that will support the proposed temporary sale of Christmas **trees** or pumpkins without encroaching into or creating a negative impact on existing vegetated areas, **common open space**, landscaping, **trees**, traffic movements, parking-space availability, or pedestrian **access**.
- b. The display of the Christmas **trees** or pumpkins shall not occur in the public **right-of-way**.
- c. Any tent or other temporary **structure** shall be located so as not to interfere with the normal operations of any permanent **use** located on the property.

- d. The temporary display or sale of the Christmas **trees** or pumpkins shall not cause interference with the movement of emergency vehicles to such an extent that adequate police, fire, or other emergency services cannot be provided.
- e. The sales activity shall not last longer than 45 days.
- f. The vendor, with the approval of the **Official**, may use a **recreational vehicle** to live on the site.

Chapter 16-5: Development and Design Standards

Sec.16-5-103. Buffer Standards

K. Credit Toward Open Space

Adjacent street and use buffers required by this section may be credited against the **common open space** required by Sec. 16-5-104, Open Space Standards.

(Ord. No. 2015-23, 11-3-2015)

Sec.16-5-104. Common Open Space Standards

B. Applicability

1. The provisions of this section apply to any Major Subdivisions (six or more **lots**) creating **lots** for residential **development**, unless expressly exempted in this section.
2. The provisions of this section also shall apply to any Minor Subdivision (five or fewer **lots**) creating **lots** for residential **development** that is expanded onto **adjacent parcels** so the total number of **lots** in the **subdivision** is greater than five.
3. The provisions of this section do not apply to **Family Subdivisions**.

C. Common Open Space Requirement

1. At least 16 percent of the **land** within the **subdivision** shall consist of **common open space** meeting the requirements of this section.
2. **Common open space** shall be depicted on any plat of the **development** submitted for approval and labeled "common open space."
3. **Common open space** must be visually identifiable, distinguished by elements including but not limited to signs, fencing, landscape buffers, trail systems, pools, sport facilities, or grass lawns.

D. Common Open Space Location and Configuration

Required **common open space** shall be reasonably accessible from all parts of the **subdivision**, especially by pathways.

1. **Common open space** shall be connected to all lots within the **subdivision** by **pathways** in accordance with Section 16-5-115.D.5.

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2. The **common open space** shall be accessible to all residents of the **subdivision** development, subject to reasonable rules and regulations. **Common open space** may be dedicated for general public use; however, such dedication is not mandatory.
 3. The design and establishment of **common open space** shall meet the following standards:
 - a. An area or multiple areas of **common open space** shall be planned for active or passive recreational use.
 - b. At least 75 percent of the **common open space** area shall be arranged in dimensions no less than 15 feet across in any direction.
 - c. At least 50 percent of the **common open space** shall be arranged in one contiguous area. For the purpose of this requirement, **common open space** areas divided by **pathways, sidewalks, or streets** that would otherwise be contiguous without the existence of the **pathways, sidewalks, or streets** shall be considered contiguous.
 - d. The arrangement and design of **common open space** shall prioritize the preservation of existing tracts of **specimen** and **significant trees**. The **applicant** shall demonstrate how these priority areas have been considered during the application process.

E. Ownership, Management and Maintenance of Common Open Space

Common open space shall be maintained so that its use and enjoyment as **common open space** is not diminished or destroyed. Ownership of **common open space** shall be subject to deed restrictions or recorded covenants and restrictions that prevent **development** or subsequent **subdivision** of the **common open space** and provide responsibility for **maintenance** of the **common open space**.

Sec.16-5-107. Parking and Loading Standards

H. Off-Street Parking Alternatives

5. Deferred Parking

d. Maintenance of Reserve Areas as Common Open Space

As long as areas are reserved for future parking, they shall be maintained as **common open space**, without any clearing of **trees**. During such time, the reserve areas shall not count as **common open space** for purposes of complying with Sec. 16-5-104, **Common Open Space Standards**, and shall count as **impervious surface** for purposes of complying with Sec. 16-5-109, **Stormwater Management and Erosion and Sedimentation Control Standards**.

e. Deferred Parking Agreement

- i. A deferred parking agreement shall be included as part of any **development** approval which includes deferred parking. The agreement shall incorporate by reference the deferred parking plan and agreement by the owner to reserve a future parking area as **common open space** consistent with the deferred parking plan, and assurances that a parking demand study will be completed in accordance with the terms of the **development** approval and this section, and additional parking provided, if determined necessary.
- ii. An attested copy of an approved and executed agreement shall be recorded with the Beaufort County Register of Deeds before issuance of a **Building Permit** or Certificate of Occupancy for any **use** subject to deferred parking.

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- iii. Any termination of a deferred parking agreement does not negate the **developer's** and owner's obligation to comply with parking requirements of this **Ordinance**. Failure to comply shall constitute a violation.

Sec.16-5-115. Subdivision Standards

A. Purpose and Intent

The purpose of **subdivision** layout is to create a functional and attractive **development** with infrastructure and **lots** appropriately sized and located to minimize adverse impacts. The intent of this section is to provide clear requirements and guidelines for **subdivision** design for both Major and Minor Subdivisions.

Subdivisions should promote the health, safety, convenience, order, prosperity and welfare of the present and future residents of the **Town** by:

- a. Providing for the orderly growth and **development** of the **Town**;
- b. Coordinating with the existing **street** system, transportation plans, and public facilities;
- c. Providing **right-of-way** for **street** and vehicular **easements**;
- d. Avoiding congestion and overcrowding and encouraging proper arrangement of **streets** in relation to existing planned **streets**;
- e. Ensuring there is adequate **common open space** and recreation facilities; and
- f. Ensuring there is proper recordation of **land** ownership.

C. General Requirements

- 1. Layout of the **subdivision** shall be based on complete **site** analysis. **Streets** and **lots** shall be designed to preserve significant trees, stands of trees and understory vegetation and situated to minimize alteration of natural and historic **site** features to be preserved.
- 2. The **subdivision** layout shall consider the practicality and economic feasibility of **development** of individual **lots** including the environmental characteristics, size of the **site**, and the requirements of this **Ordinance**.
- 3. The applicant is required to demonstrate that they have made all reasonable efforts to preserve unique and fragile elements on site, including but not limited to wetlands, significant stands of **trees** and individual **trees** of significant size, with **development** reserved for environmentally stable areas.
(Revised 1-7-2020 - Ordinance 2020-02; revised 3-7-2023 - Ordinance 2023-04)
- 4. **Common Open-open space** and recreational areas shall be planned in accordance with Sec. 16-5-104, **Common Open Space Standards**.
- 5. **Lots** shall be situated so that stormwater may be easily directed away from **buildings** in subsequent **site**-specific **development**. **Lots** shall be configured so that **buildings** and general **flood** sensitive **site** facilities can be located out of drainageways. **Subdivisions** shall be designed so as to comply with Sec. 16-5-109, Stormwater Management and Erosion and Sedimentation Control Standards.
- 6. All **lots** shall have the **access** required by Sec. 16-5-105.I, Access to Streets.

D. Layout of Lots and Blocks

- 1. Subdivisions may be laid out in conventional, cluster, **zero lot line**, or a combination of block/ lot designs.

(Revised 7-21-2020 - Ordinance 2020-16)

2. The **lot** configuration and shape shall provide appropriate **sites** for **buildings**, and be properly related to topography, natural elements, existing significant trees and stands of trees, **access**, drainage and utilities, and conform to all requirements of this **Ordinance**.

(Revised 1-7-2020 - Ordinance 2020-02)

3. The dimensions of **corner lots** shall permit the required minimum setbacks from **streets** (see Sec. 16-5-102, Setback Standards) and required **site** triangles (see Sec. 16-5-105.H.4, Sight Triangles).
4. The number of **lots** within a block shall be as appropriate for the location and the type of **development** contemplated, as practical. Visual monotony created by excessive blocks of **lots** which are not interrupted by intersections, **common open space**, buffers, trees or features shall be avoided.

(Revised 1-7-2020 - Ordinance 2020-02)

5. ~~**Pathways and sidewalks are encouraged throughout the subdivision. Pathways and sidewalks may be required by the Official to provide circulation or access to schools, playgrounds, shopping, or other community facilities. Interconnection with other pathways and sidewalks is also desirable.**~~ Pathway Connectivity.

- a. ~~**Pathways** are required throughout **subdivisions**. The provisions of this subsection shall not apply to **Minor Subdivisions** and **Family Subdivisions**.~~

- b. ~~**Pathways** shall provide direct connectivity between all **lots** and the **subdivision's** community amenities, including usable **common open space**, mailbox facilities, community **buildings**, and recreational areas. For the purpose of this requirement, a residential **lot** located across a **street** from a **pathway** within the same **subdivision** or adjacent to a **common open space** having a **pathway** is considered to be served by and connected to that **pathway**.~~

- c. ~~**Pathways** shall be designed to provide connectivity from within the **subdivision** to:~~

- i. ~~An existing **pathway** system located along an abutting **right-of-way** or **easement**, an existing **pathway** within an **easement** on the property, or a **pathway** on abutting Town-owned property; and~~

- ii. ~~Any **pathway** system planned within an adopted Town **pathway** plan or the Capital Improvement Program (CIP) located along an abutting **right-of-way** or **easement**, an existing **pathway easement** on the property, or an abutting Town-owned property.~~

- d. ~~If the land proposed for a **subdivision** serves as a priority connection between existing **pathways** and is included in an adopted Town **pathway** plan, the **pathway** system shall be designed to connect the existing **pathways** through the **subdivision** or along abutting **street right-of-way**. This requirement shall not be construed as requiring off-site improvements other than within an abutting **street right-of-way**.~~

- e. ~~As an alternative to **pathway** construction, a **sidewalk** may be approved by the **Official** if the proposed **subdivision** abuts a **street** with an existing **sidewalk** network or if the character or design of the proposed **subdivision** would clearly benefit from incorporating **sidewalks** instead of **pathways**. The incorporation of **sidewalks** shall meet all other requirements of this section. The **Official** may determine that a **sidewalk** is preferable over a **pathway** if:~~

- i. ~~Spacing is not sufficient for a **pathway** based on existing natural features, infrastructure, utilities, **easements**, or built features;~~

- ii. It would connect seamlessly to existing infrastructure;
 - iii. It would be more consistent with the design characteristics of the proposed **subdivision** and abutting **development**;
 - iv. The travel distance of the proposed route is significantly shorter than areas typically suitable for **pathways**; or
 - v. It would encourage slower travel speeds in areas of higher congestion.
- f. **Pathways** or **sidewalks** shall be designed and constructed in accordance with the fifth edition of the AASHTO Guide for the Development of Bicycle Facilities and meet the accessibility guidelines promulgated under the Americans with Disabilities Act (ADA).

E. Zero Lot Line Residential Subdivisions

1. **Zero lot line residential subdivisions** are permitted in the following zoning districts: RM-4, RM-8, RM-12, SPC, MS, WMU, S, MF, MV, NC, LC and RD.
2. All **lots** created in a **zero lot line residential subdivision** shall be buildable lots (the appropriate size to construct a home) and shall be a minimum of .05 acres in size with a minimum **lot** width of 20 feet.
3. All lots in a **zero lot line residential subdivision** shall have a 50% maximum impervious coverage.
4. **All zero lot line residential subdivisions** shall provide 16% minimum common open space.
5. No structure shall be located closer than ten feet from adjacent property lines, with the exception of structures that have a wall that rests on a common property line.
6. Where a proposed **zero lot line residential subdivision** is adjacent to an existing single family detached residential neighborhood or use, a setback of 20 feet is required along the perimeter of the proposed subdivision.
7. Where a proposed **zero lot line residential subdivision** is adjacent to an existing single family detached residential neighborhood or use, a Type A buffer, Option 1, is required along the perimeter of the proposed subdivision.
8. A **zero lot line residential subdivision** is not permitted on existing **lots** of record that were not previously platted as a **zero lot line residential subdivision**, unless the entire previously platted subdivision is combined and re-platted to be a **zero lot line residential subdivision**.

(Revised 7-21-2020 - Ordinance 2020-16)

G. Miscellaneous Standards

1. Monuments and Markers

- a. Horizontal control monuments shall be placed in the pavement of **subdivision streets** so that no **lot** is more than 2,000 feet from a control monument. Alternatively, control monuments may be placed in common open space areas, park areas, and the like. The control monument shall be placed in a manner satisfactory to the Town Engineer.
- b. Corner monuments or markers shall be installed at all **lot** corners.
- c. All corner monuments or markers shall consist of a concrete marker with metal cap marking the exact corner and bearing the name of the surveying company or the **land** surveyor in responsible charge of the survey. If the corner location falls on pavement, concrete, or other material where

it cannot be marked with a cap, a shaft of ferrous metal (iron pipe or bar), spikes, or scribes may be installed in or on the surface. These methods shall be used unless exceptional circumstances warrant the use of other materials.

- d. If a corner cannot be monumented or marked, one or more witness monuments shall be placed on the boundary line and described by bearings or distances so that the inaccessible point may be located accurately on the ground. A witness monument shall adhere to the same standards applicable to a corner monument.

(Revised 7-20-2020 - Ordinance 2020-16)

Chapter 16-6: Natural Resource Protection

Sec.16-6-102. Wetland Protection

E. Wetland Alteration and Mitigation Requirements

1. Wetland Alteration Allowed Only Where Unavoidable

- a. Alteration to a wetland shall be allowed only when the **applicant** clearly demonstrates that **wetland alteration** cannot be avoided. **Wetland alteration** shall be considered unavoidable only if there no feasible alternative layout or design that would avoid disturbance of wetland and still practically accomplish the overall basic purpose of the proposed **development** or activity, or if an overriding public interest in the alteration can be demonstrated. Examples of alternative layouts and design that might allow **wetland alteration** to be avoided include, but are not limited to: ~~using wetland as required open space~~; locating **buildings**, parking, and other disturbed areas in non-wetland areas; using existing wetland crossings for needed street or utility **access** to upland areas; renovating, remodeling, or expanding existing **buildings** rather than constructing new **buildings**; using already disturbed areas as **sites** for new **development**; and minimizing the footprint of **buildings** and parking areas (building "up" rather than "out").
- b. Where alteration to a wetland is allowed, any impact of the alteration on the wetland shall be minimized through the use of **best management practices**, re-design, innovative technology (e.g., **pervious** parking areas), preservation, and **legal protection** (e.g., deed restrictions, conservation **easements**).
- c. Any mitigation proposal to alter a wetland shall ensure that, upon completion, there will be no net loss to the wetland's values, functions, and area.

Chapter 16-10: Definitions, Interpretation, and Measurement

Sec.16-10-102. Rules of Measurement

E. Lot Coverage

3. Open Space

Land not utilized for *single-family lots*, rights-of-way, commercial *buildings*, *multifamily buildings*, parking, or loading areas.

[Also See Sec. 16-5-104, Common Open Space Standards.](#)

Sec.16-10-105. General Definitions

Terms defined in this section shall have the meanings stated in the definition of the term.

Common Open Space

Any part of a *development site*, [meeting the requirements of Section 16-5-104](#), that is not utilized for *single-family lots*, *rights-of-way*, *streets*, commercial *structures*, *multifamily structures*, ~~and~~ parking and loading areas, [detention/retention ponds, and natural water bodies](#). The following are included in the definition of *common open space*: golf courses, tennis courts, areas for other court games, *swimming pools*, pedestrian and bicycle paths, equestrian trails, play fields, picnic areas, horse [stables paddocks, docks and boardwalks located entirely within the development parcel](#), places for people to gather, and passive recreation areas.

Open Space

[See Sec. 16-10-102-E.3, Open Space.](#)

Pathway

[An improved way for purposes of travel by non-motorized users outside the traveled way of vehicles and physically separated from the street by an open space or barrier and either within the street right-of-way or within an independent alignment. Most pathways are designed for two-way travel, and are generally constructed of asphalt. Pathways are used by cyclists, pedestrians, and other similar users. Pathways do not include sidewalks.](#)

Sidewalk

[An Improved surface intended for use by pedestrians located between the curb line or the lateral line of a street and the adjacent property line or on easements of private property. Sidewalks are generally constructed with concrete, asphalt or pavers.](#)

(Revised 11-3-2015 - Ord. No. 2015-23; revised 4-18-2017 - Ordinance 2017-05; revised 6-6-2017 - Ordinance 2017-08; revised 12-5-2017 - Ordinance 2017-19; revised 9-17-2019 - Ordinance 2019-20; revised 1-7-2020 - Ordinance 2020-02; revised 7-21-2020 - Ordinance 2020-16; revised 11-4-2020 - Ordinance 2020-26; revised 2-16-2021 - Ordinance 2021-02; revised 7-20-2021 - Ordinance 2021-15; revised 3-7-2023 - Ordinance 2023-04; revised 5-2-2023 - Ordinance 2023-06)

Appendix A: Advisory and Decision Making Bodies and Persons

A-2. Planning Commission

The **Planning Commission** is established under this **Ordinance** in accordance with **State** law. The **Planning Commission** has the following powers and duties under this **Ordinance**:

A. Powers and Duties

1. Prepare and periodically revise plans and programs for the **development** and redevelopment of areas in the Town, as provided for in this **Ordinance**.
2. Prepare and recommend for adoption to the **Town Council** as a means for implementing the plans and programs:
 - a. Zoning ordinances to include a zoning map(s) and appropriate revisions thereof;
 - b. An official map and appropriate revisions of it showing the exact location of existing or proposed public **street**, highway and utility **rights-of-way**, and public **building** sites, together with regulations to control the erection of **buildings** or other **structures** or changes in **land use** within the **rights-of-way**, **building** sites, **open spaces** or **common open spaces** within its jurisdiction, or a specified portion of it;
 - c. A landscaping ordinance setting forth required planting, **tree** preservation and other aesthetic considerations for **land** and **structures**;
 - d. A **Capital Improvements Program** setting forth projects required to implement plans which have been prepared and adopted, including an annual listing of priority projects for consideration by the governmental bodies responsible for implementation prior to preparation of their capital budgets; and
 - e. Policies or procedures to facilitate implementation of planning documents.
3. Review and make decisions on **applications** for:
 - a. Street/Vehicular Access Easement Name Reviews (Sec. 16-2-103.O);
 - b. Public Project Reviews (Sec. 16-2-103.Q).
 - c. Traffic Impact Analysis Plans (Sec. 16-2-103.J.5.b.ii).
(Revised 5-17-2016 - Ordinance 2016-07)
4. Review and make recommendations to the **Town Council** on:
 - a. Text Amendments (Sec. 16-2-103.B);
 - b. Zoning Map Amendments (Rezoning) (Sec. 16-2-103.C); and
 - c. Planned Unit Development (PUD) Districts (Sec. 16-2-103.D).

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5. Review and decide appeals (see Sec. 16-2-103.U) on:
 - a. Subdivision Reviews (Minor and Major) (Sec. 16-2-103.F);
 - b. Development Plan Reviews (Minor and Major) (Sec. 16-2-103.G);
 - c. Development Project Name Reviews (Sec. 16-2-103.N); and
 - d. Small Residential Development Reviews (Sec. 16-2-103.H).
 6. Carry out any other powers and duties delegated to it by the **Town Council**, consistent with the S.C. Code of Laws Section 6-29-310, *et seq.*

Appendix D: Application Submittal Requirements

D-4. ~~Subdivison~~ Subdivision Review, Major

All **applications** for **subdivision** approval shall contain the following:

F. Common Open Space and Public Dedication Narrative

A detailed narrative explaining how the **subdivision** will meet the **common open space** and public dedication requirements, as applicable, Sec. 16-5-104. The narrative shall include:

1. Description of the form of organization proposed to own and maintain the **common open space** in conformance with the requirements for Property Owners Associations or the equivalent, as specified in Sec. 16-5-104.E.
2. Identification of how the **common open space** and facilities relate to existing and proposed **common open space** areas, bikeways and recreational facilities on Hilton Head Island, as shown in the Comprehensive Plan, or more detailed plans adopted by the **Planning Commission** such as **neighborhoods** plans.
3. If dedication is proposed to exceed the minimum **Town** standards, the **applicant** should state what bonus incentive, if any, is being requested as a result of such additional dedication.

D-5. Subdivision Review, Minor

A. Submittal Requirements

A minor **subdivision** plat shall be submitted with each of the items set forth in D-4, ~~Subdivison~~ Subdivision Review, Major, with the exception of the following:

1. Item F., Common Open space and Public Dedication narrative; and
2. Item H., Subdivision in Phases.

(Revised 3-7-2023 - Ordinance 2023-04)

D-6. Development Plan Review, Major

A Development Plan **Application** shall be considered complete when the following items have been submitted.

E. Written Narrative

A written narrative outlining:

1. The nature and details of the proposed **development**.
2. If the proposed **development** plan is a phase of a previously approved multi-phase plan or PUD Master Plan, a description of how such phase relates to such plan, in whole or in part.
3. The specifically contemplated form of ownership of the **development** (e.g. fee simple, horizontal property regime, property owners' association, etc.) and detailed provisions for **maintenance** responsibility for all **improvements**, including, but not limited to, **streets**, parking areas, bikeways, pedestrian ways, storm drainage facilities, water and sewer systems, **common open space** areas, and the like.
4. Any proposed dedication of **improvements** to any public agency, specifying such **improvements** and the affected agencies.
5. Any other information deemed necessary by the **applicant** to further clarify the proposed **development**.

F. Site Development Plan

One black line print of a final **site plan** or set of plans, at a minimum scale of 1"=30' or other appropriate scale acceptable to the **Official**, showing the following:

1. Name of **development**.
2. Graphic scale and reference meridian.
3. Beaufort County Tax Map and Parcel Number.
4. Date of drawing and date of any revisions.
5. Vicinity sketch showing the general **site** location and depicting vehicular **access** routes accurately referenced to the nearest public road.
6. Topographic survey at 1-foot contour intervals, or other topographic information acceptable to the Town Engineer, unless waived by the Town Engineer.
7. All permanent **structures** and facilities within approximately 50 feet of the proposed **development tract**.
8. Proposed **site development**, including **land uses**, any **building** or other **structure** locations, **street**, **driveway**, bike and pedestrian way, and parking area layouts, and interconnections with **off-site** facilities, if applicable. The plan view of **buildings** shall show limits of roofed areas, and indicate the exterior wall line dimensioned to property lines.
9. Location of proposed drainage system, including **off-site** areas of interconnection.
10. Location of proposed water and sewer system, including **off-site** areas of interconnection.
11. Location of other proposed waste disposal systems, including solid waste collection areas.
12. Location and dimensions for parking and off-**street** loading areas, where applicable.
13. Location of other utilities such as electrical, telephone, gas line service and cable TV to the **development**.
14. Location of **impervious cover** as required in Chapter 16-3: Zoning Districts.
15. Location of proposed **common open space** areas as required by Sec. 16-5-104, **Common** Open Space Standards.

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16. Location of proposed buffer areas as required by Sec. 16-5-103.
 17. Tables indicating calculations for **common open space**, **impervious cover**, and required parking.
 18. Delineation of any zoning district boundary which traverses or is **contiguous** to the **development site**, including overlay zones.
 19. Where applicable, surveyed delineation of any **wetland** area and required buffers or other delineation of a natural feature on the **site** which is protected or defined under provisions of this Title.
 20. Notation as to FEMA/FIRM **flood** zones covering the **site**, and proposed first floor elevation of all **buildings**.
 21. Where applicable, surveyed delineation of any known archaeological or historical resource feature, as defined by this Title, located on or **contiguous** with the proposed **development tract**.
 22. Fire hydrants and fire lanes in conformance with Sec. 16-5-110, Utility Standards.
 23. Location of screened outside trash receptacles and/or enclosures for use by the **building** occupants.
 24. Location of proposed setback areas as required by Sec. 16-5-102.

(Revised 8-18-2020 - Ordinance 2020-19)

K. Development Phasing Plan

A plan indicating the contemplated phasing of the proposed **development**. Such plan shall contain:

1. A schedule map, at a minimum scale of 1"=100' or other appropriate scale acceptable to the **Official** (preferably at **site development** plan scale), graphically showing the proposed phasing areas.
2. A schedule report, listing by each proposed phase (as applicable) the number of residential units by type, number of **hotel** rooms, amount of gross **building** square footage for all nonresidential **uses** by type, expected type of **common open space improvements**, and public **improvements** by the **applicant** for dedication to any governmental or other public agency.

(Ord. No. 2015-2311-3-2015)

D-7. Development Plan Review, Minor

C. Written Narrative

A written narrative outlining:

1. The nature and details of the proposed **development**.
2. If the proposed **development** plan is a phase of a previously approved multi-phase plan or PUD Master Plan, a description of how such phase relates to such plan, in whole or in part.
3. The specifically contemplated form of ownership of the **development** (e.g. fee simple, horizontal property regime, property owners' association, interval ownership, etc.) and detailed provisions for **maintenance** responsibility for all **improvements**, including, but not limited to, **streets**, parking areas, bikeways, pedestrian ways, storm drainage facilities, water and sewer systems, **common open space** areas, and the like.
4. Any proposed dedication of **improvements** to any public agency, specifying such **improvements** and the affected agencies.

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5. Any other information deemed necessary by the **applicant** to further clarify the proposed **development**.

D. Site Development Plan

One black line print of a final **site plan** or set of plans, at a minimum scale of 1"=30' or other appropriate scale acceptable to the **Official**, showing the following:

1. Name of **development**.
2. Graphic scale and reference meridian.
3. Beaufort County Tax Map and Parcel Number.
4. Date of drawing and date of any revisions.
5. Vicinity sketch showing the general **site** location and depicting vehicular **access** routes accurately referenced to the nearest public road.
6. Topographic survey at 1-foot contour intervals, or other topographic information acceptable to the Town Engineer, unless waived by the Town Engineer.
7. All permanent **structures** and facilities within approximately 50 feet of the proposed **development tract**.
8. Proposed **site development**, including **land uses**, any **building** or other **structure** locations, **street**, **driveway**, bike and pedestrian way, and parking area layouts, and interconnections with **off-site** facilities, if applicable. The plan view of **buildings** shall show limits of roofed areas, and indicate the exterior wall line dimensioned to property lines.
9. Location of proposed drainage system, including **off-site** areas of interconnection.
10. Location of proposed water and sewer system, including **off-site** areas of interconnection.
11. Location of other proposed waste disposal systems, including solid waste collection areas.
12. Location and dimensions for parking and off-street loading areas, where applicable.
13. Location of other utilities such as electrical, telephone, gas line service and cable TV to the **development**.
14. Location of **impervious cover** as required in Chapter 16-3: Zoning Districts.
15. Location of proposed **common open space** areas as required by Sec. 16-5-104, [Common](#) Open Space Standards.
16. Location of proposed buffer areas as required by Sec. 16-5-103.
17. Tables indicating calculations for **common open space**, **impervious cover**, and required parking.
18. Delineation of any zoning district boundary which traverses or is **contiguous** to the **development site**, including overlay zones.
19. Where applicable, surveyed delineation of any **wetland** area and required buffers or other delineation of a natural feature on the **site** which is protected or defined under provisions of this Title.
20. Notation as to FEMA/FIRM **flood** zones covering the **site**, and proposed first floor elevation of all **buildings**.
21. Where applicable, surveyed delineation of any known archaeological or historical resource feature, as defined by this Title, located on or **contiguous** with the proposed **development tract**.
22. Fire hydrants and fire lanes in conformance with Sec. 16-5-110, Utility Standards.
23. Location of screened outside trash receptacles and/or enclosures for use by the **building** occupants.

-
24. Location of proposed setback areas as required by Sec. 16-5-102.

(Revised 8-18-2020 - Ordinance 2020-19)

D-17. Certificate of Compliance

A. General Requirements

The **applicant** shall submit the following applicable documents to the **Official** for review and approval:

1. A registered engineer's or registered landscape architect's sealed certification of completed roads, parking, drainage systems and utilities.
2. Certification of compliance with approved landscaping and **tree** planting plan by a registered landscape architect or a landscape contractor.
3. One complete set of as-built drawings, indicating accurate **site** conditions of pavements, parking spaces, utilities, **structures** and drainage.
4. DHEC permits to operate water and sewer systems.
5. Public Service District or similar entity acceptance of completed water and sewer lines for permanent ownership, operation and **maintenance**.
6. Public entity acceptance of ownership and **maintenance** responsibility for dedicated roads and drainage systems where applicable.
7. Other applicable agencies' final certification.
8. An owner's affidavit stating that all work has been completed consistent with the **applicant's development** permit and any applicable provisions of this Title, plus a copy of the documents that clearly set forth the ownership and **maintenance** provisions and responsibilities for infrastructure **improvements**, amenities reflected under the approved plan and any **common open space** areas required.



TOWN OF HILTON HEAD ISLAND

Town Council

TO: Town Council
FROM: Shawn Leining, Assistant Town Manager
CC: Marc Orlando, Town Manager
DATE: July 15, 2025
SUBJECT: Consideration of an Ordinance of the Town of Hilton Head Island to Amend Title 16 of the Municipal Code, The Land Management Ordinance, to Amend the Procedures for Development Plan Reviews and Major Subdivision Plan Reviews to include the following Sections: 16-2-101, 16-2-102, and 16-2-103 for the Town of Hilton Head Island, South Carolina and Providing for Severability and an Effective Date

RECOMENDATION:

Consideration of an Ordinance of the Town of Hilton Head Island to amend Title 16 of the Municipal Code, The Land Management Ordinance, to amend the procedures for Development Plan Reviews and Major Subdivision Plan Reviews to include the following Sections 16-2-101, 16-2-102, and 16-2-103 for the Town of Hilton Head Island, South Carolina and providing for severability and an effective date.

The Planning Commission reviewed this Ordinance on February 19, 2025, and unanimously recommended approval to Town Council.

The Community Services Public Safety Committee reviewed this Ordinance on April 21, 2025, and unanimously recommended approval to Town Council.

BACKGROUND:

Revitalize and Modernize the Economy is a focus area in the adopted Town Council 2023-2025 Strategic Action Plan. In fulfillment of this focus area, Strategy #1 Establish a Growth Management Strategy states the Town will:

“Successfully manage increasing and evolving future growth patterns in a manner that will ensure sustainability of Hilton Head Island’s unique character. Additionally, the Town must monitor economic and demographic trends, undertaking a comprehensive list of future planning activities, and proactively protecting the Island’s rich natural resources through appropriate design, regulation, and capital investment practices.”

In this regard, Town Council directed Town Staff to advance amendments to the Land Management Ordinance (LMO) in the 2024 Strategic Action Work Plan. The effort has been divided into two separate projects, the full LMO Overhaul and the priority amendments. The priority amendments include incremental changes to both the LMO and portions of the Municipal Code related to land management that address important and urgent issues in advance of the full LMO Overhaul. These priority amendments address pressing community development issues with the best short-term solution while minimizing unintended outcomes. Issues that require additional analysis and research or are more complex will be further explored during the full LMO Overhaul.

At the September 24, 2024, Town Council Workshop, Town staff received the following comments and direction regarding this proposed amendment to the major subdivision and development plan review regulations.

1. Require Major Development Plan Review and Major Subdivisions public hearing with the Planning Commission.
2. Require advanced public notice mailing to all owners and POA's beyond the standard 350 feet.
3. Require notice of application and hearing be posted on the site.
4. Require pre-application meetings with Town staff for Major Subdivisions and Major Development Plan Reviews.
5. Allow LMO Official to advance Minor Development Plans to the Planning Commission for a public hearing when the property is adjacent to residential.

On February 19, 2025, the Planning Commission held a Public Hearing to consider the proposed amendments for Development Plan Reviews and Major Subdivision Plan Review and the Planning Commission voted unanimously to recommend adoption to Town Council with the following changes:

1. Change the Mandatory Hearing for both Major Development Plan Reviews and Major Subdivision Reviews to a Mandatory Public Hearing by the addition of two asterisks in the Summary Table of Development Review Procedures in LMO Section 16-2-101.
2. Replace the words "Advisory Body" with "Planning Commission" in proposed LMO Section 16-2-103.G.4.c.ii.

"A Minor Development Plan Review when adjacent to or across the street from a residential use shall be reviewed by the ~~Advisory Body~~ Planning Commission in the same manner as a Major Development Plan Review."

On April 21, 2025, the Community Services and Public Safety Committee voted unanimously to recommend adoption to Town Council.

SUMMARY OF AMENDMENT:

The proposed amendments to the Major Subdivision, Minor Development Plan, and Major Development Plan review processes improve transparency, enhance community involvement, and ensure that the public is better informed about potential developments in their neighborhoods. The updated process includes provisions designed to increase public notice and provide more opportunities for community engagement.

In this regard, the amendments will:

1. Mandate pre-application meetings with Town staff for Major Subdivisions and Major Development Plans.
2. Add a required Planning Commission review of Major Subdivisions and Major Development Plans. For Minor Development Plans where the property is adjacent to or across the street from residential uses, a required Planning Commission review will also be required.
3. Require the following advanced public notices to the public, offering residents more time and opportunities to engage with proposed developments.
 - a. Publish notice of the hearing in a newspaper of general circulation in the Town, and
 - b. Mail notice to all property owners and homeowners associations (POAs) within 500 feet of the site through first class mail (with return receipt), and
 - c. Post conspicuous notice of the hearing on, or adjacent to, the property subject to the application that is visible from each public thoroughfare that abuts the subject property.

The public hearing process ensures larger developments and certain minor improvements adjacent to residential uses are reviewed publicly and the community has a platform to learn about the project and ask questions.

ANALYSIS:

Proposed Amendments

The proposed priority amendments aim to enhance public engagement, improve transparency, ensure early stakeholder involvement, and strengthen oversight for developments with significant community impact.

The following table demonstrates how the proposed amendments address demonstrated issues.

Issue	Proposed Amendment
Require a Planning Commission public hearing.	<p>Sec.16-2-101. Summary Table of Review Procedures</p> <p>This table includes mandatory public hearings for Major Subdivision and Major Development Plan reviews (indicated in the table as “<M>*”).</p>

	<p>Additionally, pre-application conferences for major subdivision and major development plan reviews are proposed to be mandatory (indicated in the table as “M”).</p> <p>The Planning Commission will hold the public hearing for the purpose of public transparency but the Planning Commission would not provide a recommendation to the LMO Official.</p> <p>Sec.16-2-103. Application Specific Review Procedures F. Subdivision Review (Minor or Major) 3. Subdivision Review (Minor or Major) Procedure d. Staff Review and Action – Major Subdivision</p> <ul style="list-style-type: none"> i. The Official shall forward the application to the Planning Commission for review, and the Planning Commission shall review the application, staff report, and any public comment at a hearing. ii. Following review by the Planning Commission, the Official shall make a final decision on the application in accordance with Sec. 16-2-102.D. The Official's decision shall be based on the standards in Sec. 16-2-103.F.4, Subdivision Review (Minor or Major) Standards. <p>Sec.16-2-103. Application Specific Review Procedures G. Development Plan Review (Minor or Major) 4. Development Plan Review (Minor or Major) Procedure d. Staff Review and Action – Major Development Plan Review</p> <ul style="list-style-type: none"> i. The Official shall forward the application to the Planning Commission for review, and the Planning Commission shall review the application, staff report, and any public comment at a hearing. ii. Following review by the Planning Commission, the Official shall make a final decision on the application in accordance with Sec. 16-2-102.D. The Official's decision shall be based on the standards in Sec. 16-2-103.G.5, Development Plan Review Standards...
<p>Require pre-application meetings with Town staff for Major Subdivisions and Major Developments.</p>	<p>Sec.16-2-101. Summary Table of Review Procedures</p> <p>Pre-application conferences for Major Subdivision and Major Development Plan reviews are proposed to be mandatory (indicated in the table as “M”).</p>

Require advanced public notice.	Table 16-2-102.E.2: Hearing Notice Requirements			
	Application	Published Notice	Mailed Notice	Posted Notice
	Major Subdivision/ Major Development Plan	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice with return receipt of the hearing to the owner(s) of land subject to the application (if not the applicant), and owners of record of properties within 500 feet of the subject land ^{1,2} , no less than 15 calendar days before the hearing date	Post conspicuous notice of the hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one such notice being visible from each public thoroughfare that abuts the subject land
	<p>NOTES:</p> <p>1. As identified in the latest Beaufort County ad valorem tax record.</p> <p>2. Where properties within 350 or 500 feet, as applicable, of the subject land are part of a townhouse, condominium, or timeshare development, the notice shall also be mailed to the president or manager of the property owners' association for the development.</p>			
Allow LMO Official to advance minor development plan applications to Planning Commission for public hearing when the subject property is adjacent to or across the street from a residential use.	<p>Sec.16-2-103. Application Specific Review Procedures</p> <p>G. Development Plan Review (Minor and Major)</p> <p>4. Development Plan Review (Minor or Major) Procedure</p> <p>c. Staff Review and Action – Minor Development Plan Review</p> <p>ii. A Minor Development Plan Review when adjacent to or across the street from a residential use shall be reviewed by the Planning Commission in the same manner as a Major Development Plan Review.</p>			

Nonconformities

Chapter 16-7 provides standards for nonconformities. This amendment will not create nonconformities.

Text Amendment Review Standards

Section 16-2-103.B.3 of the LMO provides standards for the review of Text Amendments and states the following:

“In determining whether to recommend that Town Council adopt or deny the proposed text amendment, the Planning Commission may weigh the relevance of and consider whether and the extent to which the proposed Text Amendment:

- a. Is in accordance with the Comprehensive Plan;
- b. Is required by changed conditions;
- c. Addresses a demonstrated community need;
- d. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;
- e. Would result in a logical and orderly development pattern; and
- f. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.”

The proposed text amendment aligns with the review criteria, as it:

1. Is consistent with the Comprehensive Plan’s Connected Core Value Goal 1, Planning, to foster a planning process that is inclusive, collaborative, ongoing, and responsive to changing circumstances and stakeholder priorities;
2. Responds to changing conditions by improving transparency and community involvement in the development review process;
3. Addresses a demonstrated community need by ensuring residents are better informed about proposed developments and have more opportunities for engagement;
4. Upholds the intent of zoning regulations by promoting compatibility among land uses and fostering orderly development; and
5. Creates a more logical and structured review process, improving oversight and stakeholder involvement by requiring pre-application meetings, expanded public notice, and additional Planning Commission public hearings.
6. Minimizes potential adverse impacts on the environment and surrounding neighborhoods through transparent review of certain subdivision and development plan review applications.

TOWN COUNCIL REVIEW AND DECISION:

Section 16-2-103.B.2.e of the LMO provides standards for the decision of Text Amendments and states the following:

The Town Council shall review the application, staff report, and Planning Commission recommendation, and make a final decision on the application. If the applicant

proposes a change or departure from the text amendment that is different than what was reviewed by Planning Commission the change or departure shall first be submitted to the Planning Commission for review and recommendation in accordance with State law. The Town Council's decision shall be one of the following:

1. Adopt an ordinance approving the Text Amendment; or
2. Adopt a resolution denying the Text Amendment.

ATTACHMENTS:

1. Ordinance
2. Text Amendment

Chapter 16-2: Administration

Sec.16-2-101. Summary Table of Review Procedures

Table 16-2-101, Summary Table of Development Review Procedures, identifies the **Town** boards and staff responsible for making recommendations or decisions on **applications** reviewed under this **Ordinance**, as well as the role each plays in the **Town's** review of **applications**. It also identifies those **applications** that require a hearing. A textual summary of the **development** review responsibilities of the **Town's** boards established in accordance with **State** law by this **Ordinance (Planning Commission, Board of Zoning Appeals, and Design Review Board)**, as well as staff responsibilities (the **Official**), is set down in Appendix A: Advisory and Decision Making Bodies and Persons, which is incorporated herein by reference. The specific rules that govern the **Town's boards with review responsibilities are also included in Appendix A.**

Table 16-2-101: Summary Table of Development Review Procedures						
R = Recommendation D = Decision A = Appeal < > = Hearing < > * = Public Hearing E = Encouraged <u>M = Mandatory</u>						
Procedure	Pre-Application Conference	Review and Decision-Making Authorities				
		Official	Design Review Board	Planning Commission	Board of Zoning Appeals	Town Council
ORDINANCE AMENDMENTS						
Text Amendment (Sec. 16-2-103.B)		R		<R>*		D
Zoning Map Amendment (Rezoning) (Sec. 16-2-103.C)	E	R		<R>*		D
PUD District (Sec. 16-2-103.D)	E	R		<R>*		D
DEVELOPMENT APPROVALS AND PERMITS						
Special Exception (Sec. 16-2-103.E)		R			<D>*	
Subdivision Review (Sec. 16-2-103.F)	Minor	E	D	<A>		
	Major	<u>E-M</u>	D	<M>* <A>		
Development Plan Review (Sec. 16-2-103.G)	Minor	E	D	<A>		
	Major	<u>E-M</u>	D	<M>* <A>		
Small Residential Development Review (Sec. 16-2-103.H)		D		<A>		
Corridor Review (Sec. 16-2-103.I)	Minor		D	<A>		
	Major		R	<D>		
Traffic Impact Analysis Plan Review (Sec. 16-2-103.J)	Without Mitigation		D	<A>		
	With Mitigation		R	<D>		
Natural Resources Permit (Sec. 16-2-103.K)		D			<A>	
Wetlands Alteration Permit (Sec. 16-2-103.L)		D			<A>	

Sign Permit (Sec. 16-5-114.E)	Administrative Review		D	<A>		
	DRB Review			<D>		
Development Project Name Review (Sec. 16-2-103.N)			D		<A>	
Street/Vehicular Access Easement Name Review (Sec. 16-2-103.O)	New name		R		<D>	
	Modified name		R		<D>*	
Certificate of Compliance (Sec. 16-2-103.P)			D			<A>
Public Project Review (Sec. 16-2-103.Q)		E	R		<D>*	
Utility Project (Sec. 16-2-103.W)			D		<A>	
Family Compound (Sec. 16-2-103.X)		E	D		<A>	
Family Subdivision (Sec. 16-2-103.Y)		E	D		<A>	
RELIEF PROCEDURES						
Written Interpretation (Sec. 16-2-103.R)			D			<A>
Variance (Sec. 16-2-103.S)			R			<D>*
Appeal of Administrative Decisions and Written Interpretations to Board of Zoning Appeals (Sec. 16-2-103.T)						<D>
Appeal of Official's Decision to Planning Commission (Sec. 16-2-103.U)					<D>	
Appeal of Official's Decision to Design Review Board (Sec. 16-2-103.V)				<D>		
Notes: All meetings of the Town Council, Planning Commission, Board of Zoning Appeals and Design Review Board are public meetings, and any "Hearing" or "Public Hearing" designated above takes place at a public meeting. See Sec. 16-2-102.E.1.						

(Revised 6-6-2017 - Ordinance 2017-08; revised 7-20-2021 - Ordinance 2021-15)

Sec.16-2-102. Standard Review Procedures

E. Hearing Scheduling and Notice

2. Hearing Notice

a. General Notice Requirements

- i. Notice of a hearing on an **application** shall be as required by the South Carolina Code of Laws and as shown in Table 16-2-102.E.2, Hearing Notice Requirements. In computing the required time periods, the day the notice is published or postmarked shall be excluded and the day of the hearing shall be included.
- ii. A copy of the hearing notice provided in accordance with this paragraph shall be maintained in the office of the **Official**.

Table 16-2-102.E.2: HEARING NOTICE REQUIREMENTS			
APPLICATION OR APPROVAL	NOTICE REQUIREMENT		
	PUBLISHED NOTICE	MAIL NOTICE	POSTED NOTICE
Text Amendment	Publish notice of the hearing no less than 30 calendar days before the hearing date	None	None
Zoning Map Amendment PUD District	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to the owner(s) of land subject to the application (if not the applicant), and owners of record of properties within 350 feet of the subject land ^{1,2} , no less than 15 calendar days before the hearing date	Post conspicuous notice of the hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one such notice being visible from each public thoroughfare that abuts the subject land
Special Exception Variance	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to the owner(s) of land subject to the application (if not the applicant), and owners of record of properties within 350 feet of the subject land ^{1,2} , no less than 15 calendar days before the hearing date	Post conspicuous notice of the hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one such notice being visible from each public thoroughfare that abuts the subject land
<u>Major Subdivision/Major Development Plan</u>	<u>Publish notice of the hearing no less than 15 calendar days before the hearing date</u>	<u>Mail notice with return receipt of the hearing to the owner(s) of land subject to the application (if not the applicant), and owners of record of properties within 500 feet of the subject land^{1,2}, no less than 15 calendar days before the hearing date</u>	<u>Post conspicuous notice of the hearing on or adjacent to the land subject to the application no less than 15 days before the hearing date, with at least one such notice being visible from each public thoroughfare that abuts the subject land</u>

Modification of Street/Vehicular Access Easement Name	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to all owner(s) of land that fronts on the street or vehicular access easement proposed for a modified name ¹ no less than 15 calendar days before the hearing date	Post conspicuous notice of the hearing on or adjacent to the street or vehicular access easement proposed for a modified name no less than 15 days before the hearing date
Appeal of Administrative Decisions and Written Interpretations to Board of Zoning Appeals	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to the appellant and the applicant for the decision being appealed (if different from the appellant) no less than 15 calendar days before the hearing date	None
Public Project Review	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to all owner(s) of land directly contiguous to the proposed development ¹ no less than 15 calendar days before the hearing date	None
Appeal of Official's Decision to Design Review Board	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to the appellant and the applicant for the decision being appealed (if different from the appellant) no less than 15 calendar days before the hearing date	None
Appeal of Official's Decision to Planning Commission	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to the appellant and the applicant for the decision being appealed (if different from the appellant) no less than 15 calendar	None

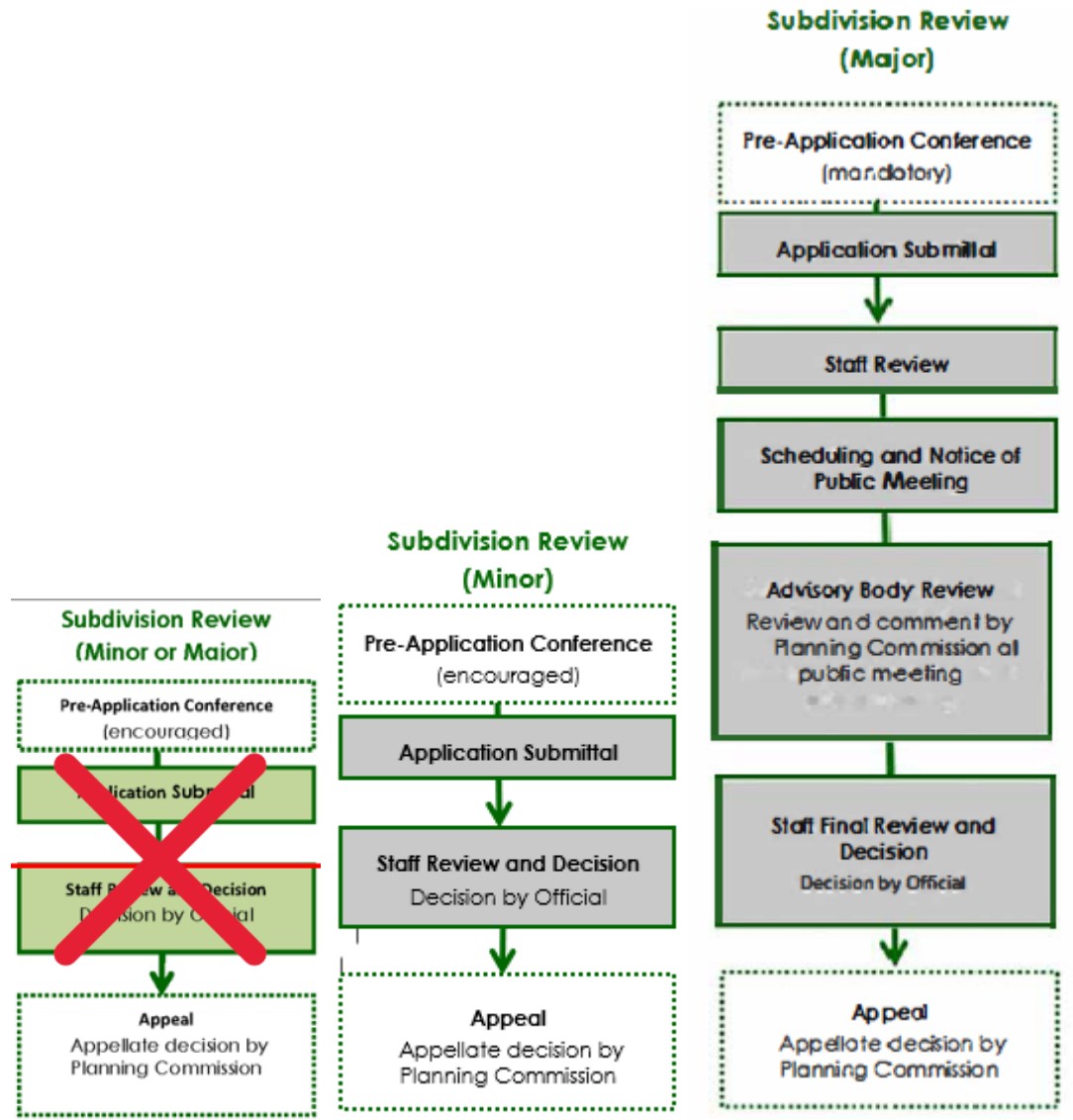
		days before the hearing date	
Subdivision Amendment	Publish notice of the hearing no less than 15 calendar days before the hearing date	Mail notice of the hearing to all owners of record of properties located within the subdivision no less than 15 calendar days before the hearing date	Post conspicuous notice of the hearing at the entrance of the subdivision no less than 15 days before the hearing date
<p>NOTES:</p> <ol style="list-style-type: none"> 1. As identified in the latest Beaufort County ad valorem tax record. 2. Where properties within 350 <u>or 500</u> feet, <u>as applicable</u>, of the subject land are part of a townhouse, condominium, or timeshare development, the notice shall also be mailed to the president or manager of the property owners' association for the development. 			

(Revised 3-7-2023 - Ordinance 2023-04)

Sec.16-2-103. Application Specific Review Procedures

F. Subdivision Review (Minor or Major)

3. Subdivision Review (Minor or Major) Procedure



a. Pre-Application Conference

i. Prospective **applicants** for **Minor** Subdivision Reviews (**Minor or Major**) are encouraged to request and hold a pre-application conference with Town staff in accordance with Sec. 16-2-102.B.

ii. Prospective **applicants** for Major Subdivision Reviews are required to hold a pre-application conference with Town staff in accordance with Sec. 16-2-102.B.

b. Application Submittal

An **application** for Subdivision Review may be submitted by **persons** identified in Sec. 16-2-102.C.1, and shall be submitted in accordance with Sec. 16-2-102.C: and requirements established in Appendix D-4 or D-5.

c. Staff Review and Action – Minor Subdivision

- i. On receiving an **application**, the **Official** shall review and make a final decision on the **application** in accordance with Sec. 16-2-102.D. The **Official's** decision shall be based on the standards in Sec. 16-2-103.F.4, Subdivision Review (Minor or Major) Standards, and shall be one of the following:
 01. Approve the **application**;
 02. Approve the **application** subject to conditions of approval; or
 03. Deny the **application**.
- ii. The **Official** shall act on an **application**, in accordance with Sec. 16-2-102.D, within 60 days after it is submitted, or such extended time agreed to by the **applicant**. If the **Official** fails to take action on the **application** within this time period, the **application** shall be deemed approved, and the Town shall issue the **applicant** a letter of approval and written notice to proceed based on the submitted **application**.

d. Staff Review and Action – Major Subdivision

- i. The **Official** shall forward the **application** to the **Planning Commission** for review, and the **Planning Commission** shall review the application, staff report, and any public comment at a hearing.
- ii. Following review by the **Planning Commission**, the **Official** shall make a final decision on the **application** in accordance with Sec. 16-2-102.D. The **Official's** decision shall be based on the standards in Sec. 16-2-103.F.4, Subdivision Review (Minor or Major) Standards, and shall be one of the following:
 01. Approve the **application**;
 02. Approve the **application** subject to conditions of approval; or
 03. Deny the **application**.
- iii. The **Official** shall act on an **application**, in accordance with Sec. 16-2-102.D, within 60 days after it is submitted, or such extended time agreed to by the **applicant**. If the **Official** fails to take action on the **application** within this time period, the **application** shall be deemed approved, and the Town shall issue the **applicant** a letter of approval and written notice to proceed based on the submitted **application**.

d.e. Post-Decision Actions and Limitations

i. Notice of Decision

The **Official** shall provide notice of the final decision on the **application** in accordance with Sec. 16-2-102.H.1.

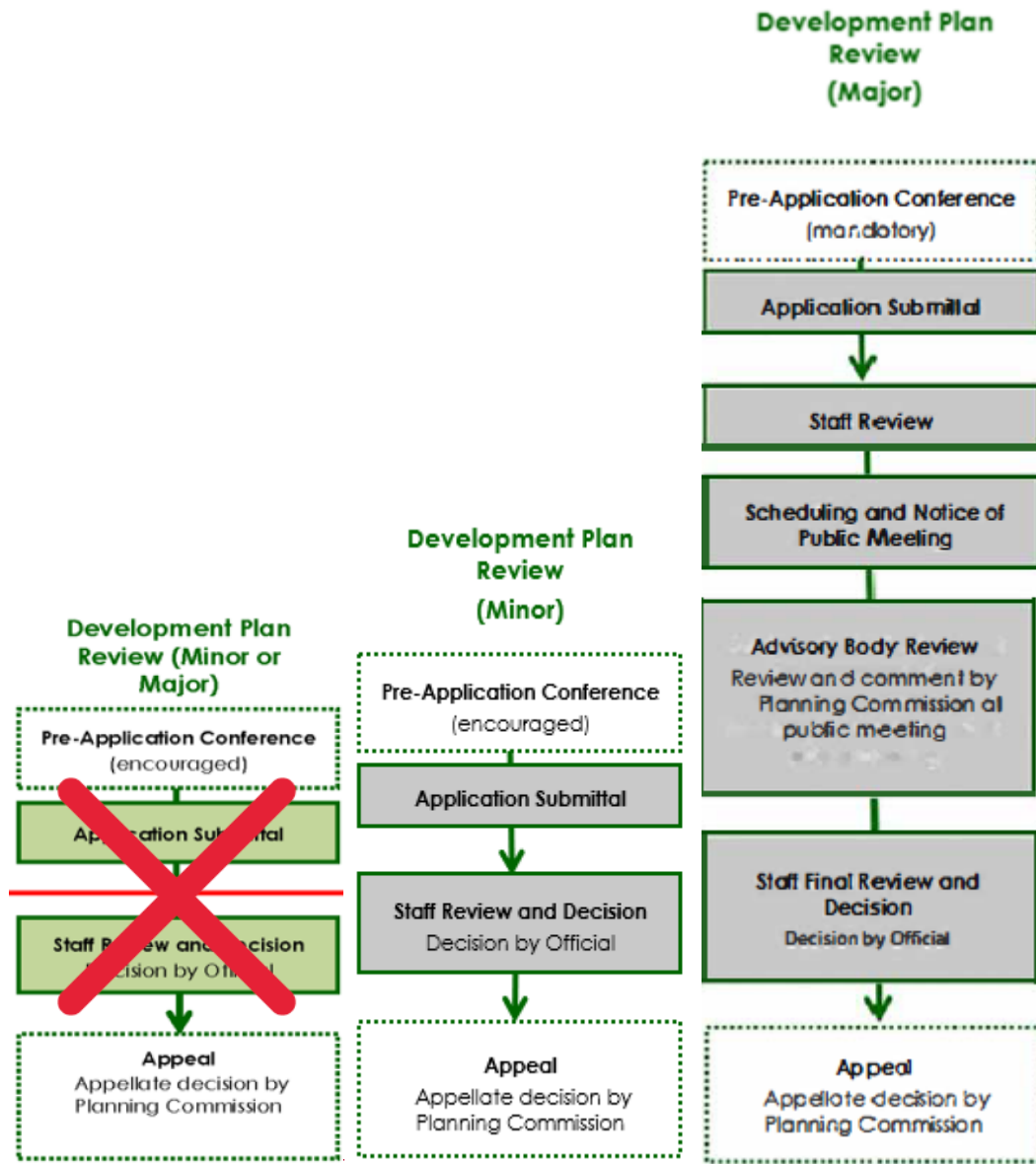
ii. Appeal

Appeals from the final decision of the **Official** on an **application** for Subdivision Review (Minor or Major) are governed by Sec. 16-2-103.U, Appeal of Official's Decision to Planning Commission, and S.C. Code Ann. § 6-29-1150.

(Revised 3-21-2023 - Ordinance 2023-05)

G. Development Plan Review (Minor and Major)

4. Development Plan Review (Minor or Major) Procedure



a. Pre-Application Conference

- i. Prospective **applicants** for Minor Development Plan Reviews (Minor or Major) are encouraged to request and hold a pre-application conference with Town staff in accordance with Sec. 16-2-102.B.
- ii. Prospective **applicants** for Major Development Plan Reviews are required to hold a pre-application conference with Town staff in accordance with Sec. 16-2-102.B.

b. Application Submittal

An **application** for Development Plan Review may be submitted by **persons** identified in Sec. 16-2-102.C.1, and shall be submitted in accordance with Sec. 16-2-102.C: and requirements established in Appendix D-6 or D-7

c. Staff Review and Action – Minor Development Plan Review

- i. On receiving an **application**, the **Official** shall review and make a final decision on the **application** in accordance with Sec. 16-2-102.D. The **Official's** decision shall be based on the standards in Sec. 16-2-103.G.5, Development Plan Review Standards, and shall be one of the following:
 - 01. Approve the **application**;
 - 02. Approve the **application** subject to conditions of approval; or
 - 03. Deny the **application**.
- ii. A Minor Development Plan Review when adjacent to or across the street from a residential use shall be reviewed by the Planning Commission in the same manner as a Major Development Plan Review.
- iii. The **Official** shall act on an **application** for Minor Development Plan Review, in accordance with Sec. 16-2-102.D, within ten business days after the **application** is submitted, or such extended time agreed to by the **applicant**.
- iii. ~~The **Official** shall act on an **application** for Major Development Plan Review, in accordance with Sec. 16-2-102.D, within 60 days after the **application** is submitted, or such extended time agreed to by the **applicant**.~~
- iv. If the **Official** fails to act on an **application** for Development Plan Review, in accordance with Sec. 16-2-102.D, within the time period in provision ii ~~or iii~~ above, the **application** shall be deemed approved, and the Town shall issue the **applicant** a letter of approval and written notice to proceed based on the submitted **application**.

d. Staff Review and Action – Major Development Plan Review

- i. The **Official** shall forward the **application** to the **Planning Commission** for review, and the **Planning Commission** shall review the application, staff report, and any public comment at a hearing.
- ii. Following review by the **Planning Commission**, the **Official** shall make a final decision on the **application** in accordance with Sec. 16-2-102.D. The **Official's** decision shall be based on the standards in Sec. 16-2-103.G.5, Development Plan Review Standards, and shall be one of the following:
 - 01. Approve the **application**;
 - 02. Approve the **application** subject to conditions of approval; or

03. Deny the **application**.

iii. The **Official** shall act on an **application** for Major Development Plan Review, in accordance with Sec. 16-2-102.D, within 60 days after the **application** is submitted, or such extended time agreed to by the **applicant**.

iv. If the **Official** fails to act on an **application** for Development Plan Review, in accordance with Sec. 16-2-102.D, within the time period in provision iv above, the **application** shall be deemed approved, and the Town shall issue the **applicant** a letter of approval and written notice to proceed based on the submitted **application**.

d.e. Post-Decision Actions and Limitations

i. **Notice of Decision**

The **Official** shall provide notice of the final decision on the **application** in accordance with Sec. 16-2-102.H.1.

ii. **Appeal**

Appeals from the final decision of the **Official** on an **application for Development Plan Review (Minor or Major)** are governed by Sec. 16-2-103.U, Appeal of Official's Decision to Planning Commission, and S.C. Code Ann. § 6-29-1150.



TOWN OF HILTON HEAD ISLAND

Town Council

TO: Town Council
FROM: Shawn Leininger, Assistant Town Manager
CC: Marc Orlando, Town Manager
DATE: July 15, 2025
SUBJECT: Consideration of an Ordinance of the Town of Hilton Head Island to Amend Title 16 of the Municipal Code of the Town of Hilton Head Island, the Land Management Ordinance, to Amend Chapter 16-5, Development and Design Standards, to Add a new Section 16-5-117 Construction Management Standards for the Town of Hilton Island, South Carolina and Providing for Severability and an Effective Date

RECOMMENDATION:

Consideration of an Ordinance of the Town of Hilton Head Island to Amend Title 16 of the Municipal Code of the Town of Hilton Head Island, the Land Management Ordinance, to amend Chapter 16-5, Development and Design Standards, to add a new Section 16-5-117, Construction Management Standards, for the Town of Hilton Head Island, South Carolina and providing for severability and an effective date.

The Planning Commission reviewed this Ordinance on March 19, 2025, and unanimously recommended approval to Town Council.

The Community Services Public Safety Committee reviewed this Ordinance on April 21, 2025, and voted 2-1 to recommend approval to Town Council.

BACKGROUND:

Revitalize and Modernize the Economy is a focus area in the adopted Town Council 2023-2025 Strategic Action Plan. In fulfillment of this focus area, Strategy #1 Establish a Growth Management Strategy states the Town will:

“Successfully manage increasing and evolving future growth patterns in a manner that will ensure sustainability of Hilton Head Island’s unique character. Additionally, the Town must monitor economic and demographic trends, undertaking a comprehensive list of future planning activities, and proactively protecting the Island’s rich natural resources through appropriate design, regulation, and capital investment practices.”

In this regard, Town Council directed Town Staff to advance amendments to the Land Management Ordinance (LMO) in the 2024 Strategic Action Work Plan. The effort has been divided into two separate projects, the full LMO Overhaul and the priority amendments. The priority amendments include incremental changes to both the LMO and portions of the Municipal Code related to land management that address important and urgent issues in advance of the full LMO Overhaul. These priority amendments address pressing community development issues with the best short-term solution while minimizing unintended outcomes. Issues that require additional analysis and research or are more complex will be further implemented during the full LMO Overhaul.

At the September 24, 2024, Town Council Workshop, Town staff received the following comments and direction regarding construction management standards.

1. Require refuse disposal plan.
2. Require a construction vehicle parking plan.
3. Require a site management plan.
4. Require an access management plan.
5. Require secure construction sites during named storm events.

On March 19, 2025, the Planning Commission held a public hearing and voted unanimously to forward the proposed amendment to Town Council with a recommendation of approval.

On April 21, 2025, the Community Services and Public Safety Committee voted 2-1 to recommend approval to Town Council.

SUMMARY:

Construction projects often have impacts extending beyond the immediate site, affecting commercial and residential areas. These disruptions - such as noise, vibrations, dust, traffic congestion, limited parking, and restricted property access—can significantly disrupt daily routines and operations. Residents have voiced frustration over these issues, highlighting the need for stronger management measures to minimize the negative impacts of construction activities.

At the same time, construction projects bring positive benefits, including job creation, economic stimulation, and improvements to infrastructure and public spaces that enhance the community. Balancing these positive outcomes with the need to manage the disruptions effectively is a critical challenge. In response, the proposed updates to the LMO to address construction management concerns and better regulate these impacts.

Additionally, this proposed ordinance does reference weather conditions during which sites must be secured. Tropical cyclones include tropical depressions, tropical storms, and hurricanes, as determined by the National Hurricane Center.

The proposed amendment adds a new section to the LMO for Construction Management Standards, Sec. 16-5-117, which includes the following regulations.

1. **Noise and Hours of Operation:** Noise and hours of operation were addressed by aligning the amendment with the policies of the Town’s larger Planned Unit Developments (PUDs).
2. **Stormwater Discharge:** The amendment requires that Stormwater Discharges from Construction Activities adhere to the South Carolina Department of Health and Environmental Control (SCDHEC) NPDES General Permit SCR10000.
3. **Refuse and Site Cleanliness:** The amendment requires portable toilets, along with a Refuse Disposal Plan to ensure all construction-related waste is properly managed in accordance with local, state, and federal laws.
4. **Traffic and Parking:** The amendment has added the requirement that all Construction-related parking must remain on-site, requiring traffic plans for each construction site to minimize public disruption, also regulating the parking of any oversized vehicles and oversized equipment to reduce the negative impact on surrounding areas.
5. **Site Management:** The amendment protects trees in accordance with 16-6-104, as well as emphasizing management and oversight relating to various utilities (i.e.: the placement of electrical generators and/or compressors) to ensure there is minimal impact on adjacent properties.
6. **Enforcement:** The amendment references Chapter 16-8 for enforcement issues.

ANALYSIS:

Proposed Amendments

The proposed priority amendments introduce requirements to improve site management and safety during construction activities and certain severe weather events. These amendments also help to ensure organized, safe, consistent, and community-conscious construction practices. The following table demonstrates how the proposed amendments address identified issues.

Issue	Proposed Amendment
Require a refuse disposal plan.	Sec.16-5-117. Construction Management Standards
Require a site management plan.	A. Noise and Hours of Operation. Sections 17-4-114 and 17-4-115 of the Municipal Code are referenced. These sections regulate sound level limits and hours of operation. Additional changes to

Sections 17-4-114 and 17-4-115 were adopted in a separate priority Municipal Code amendment effort to align with the Town's larger Planned Unit Developments (PUDs) for more consistency.

B. Stormwater Discharge. This section references adherence to the South Carolina Department of Health and Environmental Control (SCDHEC) NPDES General Permit SCR10000 for Stormwater Discharges from Construction Activities.

C. Refuse and Site Cleanliness

1. A Refuse Disposal Plan providing for the proper disposal of all trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse in accordance with all applicable local, state and federal statutes, regulations and **ordinances**, including those related to hazardous materials, is required. The Refuse Disposal Plan shall contain a **site** cleaning schedule, designated disposal area labeled on the Erosion and Sediment Control Plan, and the final disposal **site** (ie. landfill). Manifests and any other documentation showing the amounts of trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material disposed of, and the location where such were disposed are required to be kept onsite with the Refuse Disposal Plan and Stormwater Pollution Prevention Plan or readily available within twenty-four (24) hours of the request. For materials that are state or federally regulated, manifests and all other documentation are required to be kept for at least three (3) years.

2. Trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse shall be contained in such a manner as to prevent contamination of any adjacent properties, storm-sewer conveyances, **wetlands**, and/or waters of the state.

3. Trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse shall be stored, maintained, and secured to prevent safety risks or danger.
4. No loading, unloading, or storage of trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse shall be permitted within any **right-of-way**, on any public property, or within ten feet of any **right-of-way** adjacent to public or private property unless specifically approved by the **Town** and shown on an approved **development** plan, if applicable.
5. Trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse shall be hauled away and disposed of in accordance with all applicable laws, on a regular basis, but no less than one time per week. In addition to any applicable dumpster requirements set forth in this **Ordinance**, dumpsters shall be emptied or removed when full. Debris from **construction sites** shall not be disposed of in dumpsters located at any other **construction site** within the **Town** without the prior approval of the **Official**.
6. All mud, dirt, or debris deposited on any **street**, alley, lane, crosswalk, **sidewalk**, or other public property as a result of demolition, excavation, or **construction** shall be removed and cleaned on a regular basis and at all times when a nuisance has been created by said debris. In addition, such areas shall be broom cleaned to the extent possible at the end of each day that **construction** work has occurred. All mud, dirt, or debris shall be disposed of in accordance with all applicable laws.
7. It shall be the responsibility of the **development** permit holder to clean and remove all trash, **site** clearing and/or

	<p>construction and/or demolition refuse and/or debris and/or waste material and/or refuse and other related organic and inorganic materials from the site prior to receiving the final Certificate of Compliance approval.</p>
<p>Require secure construction sites during named storm events.</p>	<p>Sec.16-5-117. Construction Management Standards</p> <p>C. Refuse and Site Cleanliness</p> <p>8. All permit holders are required to secure trash, site clearing and/or construction and/or demolition refuse and/or debris and/or waste material and/or refuse at a site within 24 hours after the National Hurricane Center issues a Tropical Cyclone Watch or Warning. This requirement shall remain in effect until the storm event’s Watch or Warning has been lifted. Materials shall be removed from the site or secured in such a manner as to minimize the danger of such materials causing damage to person(s), properties, and the environment.</p>
<p>Require a construction vehicle parking plan.</p> <p>Require an access management plan.</p>	<p>Sec.16-5-117. Construction Management Standards</p> <p>D. Traffic and Parking</p> <p>1. A Construction Plan Parking Plan showing that parking for all vehicles of any persons involved in the work on the construction site is contained within the construction site is required. No parking of any vehicles of any persons involved in the work on the construction is permitted on or in any right-of-way or access easement, or the Town’s multi-user pathway system.</p> <p>2. A Traffic Control Plan is required for any project that involves any activity, in or on, any right-of-way or the Town’s multi-use pathway. Routes of access for ingress and egress to the construction site, which will provide protection to pedestrians and minimize disruption of traffic and damage to the public rights-of-way, shall be followed. The Town</p>

	<p>reserves the right to designate certain prescribed routes of access for construction traffic.</p> <p>3. Oversized construction vehicles will be allowed only on those streets or rights-of-way as designated by the Official.</p>
<p>Require a site management plan.</p>	<p>Sec.16-5-117. Construction Management Standards</p> <p>E. Site Management</p> <ol style="list-style-type: none"> 1. Portable Toilets. A portable toilet shall be provided at every construction site of a new principal structure, or addition thereto, prior to the commencement of construction unless an existing facility is available on the site. Portable toilets shall be located to have the least possible impact on adjacent properties and should be located, to the extent possible, at the rear of the construction site and out of plain view of any public right-of-way. Portable toilets shall be serviced no less than once a week. 2. Tree Protection. Trees shall be protected in accordance with Section 16-6-104 Tree Protection, as applicable. 3. Utilities and On-Site Equipment. On-site electricity is required for construction-related work as soon as is practicable. The proposed locations of any generator and/or compressor shall be depicted on the plans submitted at the time of application for the review and approval of the Town and shall be located so as to have the least possible impact on adjacent properties, preferably at the rear of the property. <p>F. Enforcement</p> <p>This section references Chapter 16-8 for enforcement issues.</p>

Nonconformities

Chapter 16-7 provides standards for nonconformities. This amendment will not create nonconformities.

Text Amendment Review Standards

Section 16-2-103.B.3 of the LMO provides standards for the review of Text Amendments and states the following:

“In determining whether to recommend that Town Council adopt or deny the proposed text amendment, the Planning Commission may weigh the relevance of and consider whether and the extent to which the proposed Text Amendment:

- a. Is in accordance with the Comprehensive Plan;
- b. Is required by changed conditions;
- c. Addresses a demonstrated community need;
- d. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the Town;
- e. Would result in a logical and orderly development pattern; and
- f. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.”

The proposed text amendment aligns with the review criteria, as it:

1. Our Plan includes “Ideals of Excellence” for “Our Planning and Process” that aim for Town planning and processes to use “innovation and learning to continually develop and apply best practices and standards for processes and projects.” This amendment does this by helping to improve the way construction activities are regulated in order to enhance quality of life, require safe construction site conditions, and enhanced natural resource protections;
2. Addresses the present-day conditions for construction management on the Island given that projects are increasingly related to redevelopment and enhancement of existing sites in already developed areas;
3. Responds to concerns voiced about improper construction activities and operations;
4. Ensures that development and construction practices are consistent with the intent of the LMO and the objective to protect public health, safety, and welfare;
5. Ensures well-managed construction practices and orderly management and disposal of trash, site clearing and/or construction and/or demolition refuse and/or debris and/or waste material and/or refuse; and
6. Ensures safe and environmentally sensitive construction practices, safe and efficient construction traffic parking and circulation, and higher standards for sanitation, tree protection, and overall impact mitigation.

TOWN COUNCIL REVIEW AND DECISION:

Section 16-2-103.B.2.e of the LMO provides standards for the decision of Text Amendments and states the following:

The Town Council shall review the application, staff report, Planning Commission recommendation, and Community Services and Public Safety Committee recommendation and make a final decision on the application. The Town Council's decision shall be one of the following:

1. Adopt an ordinance approving the Text Amendment; or
2. Adopt a resolution denying the Text Amendment.

ATTACHMENTS:

1. Ordinance
2. Text Amendment

Chapter 16-5: Development and Design Standards

Sec.16-5-117. Construction Management Standards

A. Noise and Hours of Operation

All **construction site** activities must comply with the sound level limits and hours of operation established in the Town's Municipal Code Section 17-4-114 unless specifically exempt under Section 17-4-115.

B. Stormwater Discharge

All **construction site** activities must adhere to the South Carolina Department of Health and Environmental Control (SCDHEC) NPDES General Permit SCR10000 for Stormwater Discharges from Construction Activities.

C. Refuse and Site Cleanliness

1. A Refuse Disposal Plan providing for the proper disposal of all trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse in accordance with all applicable local, state, and federal statutes, regulations and **ordinances**, including those related to hazardous materials, is required. The Refuse Disposal Plan shall contain a **site** cleaning schedule, designated disposal area labeled on the Erosion and Sediment Control Plan, and the final disposal **site** (ie. landfill). Manifests and any other documentation showing the amounts of trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material disposed of, and the location where such were disposed are required to be kept onsite with the Refuse Disposal Plan and Stormwater Pollution Prevention Plan or readily available within twenty-four (24) hours of the request. For materials that are state or federally regulated, manifests and all other documentation are required to be kept for at least three (3) years.
2. Trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse shall be contained in such a manner as to prevent contamination of any adjacent properties, storm-sewer conveyances, **wetlands**, and/or waters of the state.
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4. No loading, unloading, or storage of trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse shall be permitted within any **right-of-way**, on any public property, or within ten feet of any **right-of-way** adjacent to public or private property unless specifically approved by the **Town** and shown on an approved **development** plan, if applicable.
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cleaned to the extent possible at the end of each day that **construction** work has occurred. All mud, dirt, or debris shall be disposed of in accordance with all applicable laws.

7. It shall be the responsibility of the **development** permit holder to clean and remove all trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse and other related organic and inorganic materials from the **site** prior to receiving the final **Certificate of Compliance** approval.
8. All permit holders are required to secure trash, **site** clearing and/or **construction** and/or demolition refuse and/or debris and/or waste material and/or refuse at a **site** within 24 hours after the National Hurricane Center issues a Tropical Cyclone Watch or Warning. This requirement shall remain in effect until the storm event's Watch or Warning has been lifted. Materials shall be removed from the **site** or secured in such a manner as to minimize the danger of such materials causing damage to **person(s)**, properties, and the environment.

D. Traffic and Parking

1. A **Construction** Plan Parking Plan showing that parking for all vehicles of any persons involved in the work on the **construction site** is contained within the **construction site** is required. No parking of any vehicles of any persons involved in the work on the **construction** is permitted on or in any **right-of-way** or **access easement**, or the **Town's** multi-user **pathway** system.
2. A Traffic Control Plan is required for any project that involves any activity, in or on, any **right-of-way** or the **Town's** multi-use **pathway**. Routes of access for ingress and egress to the **construction site**, which will provide protection to pedestrians and minimize disruption of traffic and damage to the public **rights-of-way**, shall be followed. The **Town** reserves the right to designate certain prescribed routes of access for **construction** traffic.
3. Oversized **construction** vehicles will be allowed only on those **streets** or **rights-of-way** as designated by the **Official**.

E. Site Management

1. Portable Toilets. A portable toilet shall be provided at every **construction site** of a new principal **structure**, or addition thereto, prior to the commencement of **construction** unless an existing facility is available on the **site**. Portable toilets shall be located to have the least possible impact on adjacent properties and should be located, to the extent possible, at the rear of the **construction site** and out of plain view of any public **right-of-way**. Portable toilets shall be serviced no less than once a week.
2. **Tree** Protection. **Trees** shall be protected in accordance with Section 16-6-104 **Tree** Protection, as applicable.
3. Utilities and On-**Site** Equipment. On-**site** electricity is required for **construction**-related work as soon as is practicable. The proposed locations of any generator and/or compressor shall be depicted on the plans submitted at the time of application for the review and approval of the **Town** and shall be located so as to have the least possible impact on adjacent properties, preferably at the rear of the property.

F. Enforcement

Failure to comply with this section may result in the permit holder being issued a Notice of Violation(s), Stop Work Order, and/or fines in accordance with Chapter 16-8 of this **Ordinance**.