



Town of Hilton Head Island

Gullah Geechee Land and Cultural Preservation Task Force Meeting

**Monday, August 24, 2026, 1:00 PM
1 Town Center Court, Hilton Head Island, SC
Benjamin M. Racusin Council Chambers**

The meeting can be viewed on the [Town's YouTube Channel](#), the [Beaufort County Channel](#), and Spectrum Channel 1304.

- 1. Call to Order**
- 2. Adoption of the Agenda**
- 3. Approval of the Minutes**
 - a. Regular Meeting Minutes of Monday, May 4, 2026.
- 4. Staff Report**
- 5. Discussion Items**
 - a. Consideration of a Recommendation to the Planning Commission and Town Council for Land Management Ordinance (LMO) Priority 1 Amendments, which include the following:
 - i. Natural Resource Protection: Wetland Protection
 - ii. Natural Resource Protection: Tree Protection
 - iii. Jonesville Road: Residential Single-Family District – 4 (RSF-4)
 - iv. Bradley Circle: Residential Single-Family District – 8 (RSF-8)
 - v. Subdivision and Residential Development Standards
- 6. Public Comment - Non Agenda Items**
- 7. 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.

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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 GULLAH GEECHEE LAND AND CULTURAL PRESERVATION TASK FORCE MEETING Monday, May 4, 2026, 1:00 PM Minutes

1. Call to Order

Chair Stevens called the meeting to order at 1:00 pm. In attendance were: Chair Stevens, Vice-Chair Simmons, Mr. Abdul-Malik, Ms. Wright and Ms. Hewitt. Mr. Lobaugh and Ms. Green were excused.

2. Adoption of the Agenda

Mr. Abdul-Malik moved to approve the agenda as presented. Vice-Chair Simmons seconded. The motion passed unanimously.

3. Approval of the Minutes

- a. Regular Meeting Minutes of Monday, March 2, 2026.

Mr. Abdul-Malik moved to approve the minutes of March 2, 2026 as presented. Ms. Wright seconded. The motion passed unanimously.

4. Staff Report

- a. Historic Neighborhood Permitting & Design Studio Report – Sharonica Stewart, Project Manager – Gullah Geechee Historic Neighborhoods Community Development Corporation

Ms. Stewart informed the Task Force that, since the previous meeting, six new requests have been received. These requests primarily pertain to density allowances for property development, which is frequently a key inquiry received at Town Hall. An additional request involved the placement of manufactured housing.

A significant focus has been on heirs' property resources and assistance, including supporting family members with related matters. Additionally, staff have provided guidance on business licensing requirements and the associated processes. Since the last meeting, there has been a notable increase in requests for business licensing assistance through the Design Studio, which is a positive development.

Since the program's inception in October 2021 through April 2026, a total of 132 requests have been received. Of these, 107 have been completed, and 25 remain active. For the current year, 12 requests have been received to date, with five currently under active review.

- b. Land Management Ordinance Task Force Update – Lavon Stevens, Gullah Geechee Land and Cultural Preservation Task Force, Chair

Chair Stevens provided an overview of the LMO Task Force's purpose and process, emphasizing the importance of community input in shaping land use, density considerations, and cultural preservation. The Chair noted that the Task Force, along with staff, will continue community outreach efforts and encourage public engagement through review of archived LMO meeting materials available online.

Discussion focused on balancing development density and land use options with the protection of native Island communities, as well as the role of historical studies in informing policy decisions. It was noted that legal organizations have submitted correspondence to staff and are actively monitoring the LMO process.

The Task Force and staff will prepare and present data for the next meeting regarding acreage and land ownership, including historically Gullah-held lands, properties outside Planned Unit Developments (PUDs), and Town-owned parcels.

Members of the public requested greater accountability and clarification regarding prior Town acquisitions of Gullah-owned land, as well as the circumstances surrounding historical property sales. Staff will research these inquiries and provide a report at a future meeting.

Public comment further emphasized that previously completed historical studies remain relevant and should continue to inform the LMO revision process to ensure protection of native neighborhoods. Several speakers also expressed concern that the LMO rewrite may be proceeding too quickly and urged a comprehensive and deliberate review to ensure equity and preservation of Gullah communities.

5. Discussion Items

6. Public Comment - Non Agenda Items

7. Adjournment

The meeting was adjourned at 2:03 pm.

The full recording and a transcript of this meeting can be found on the Town's website at www.hiltonheadislandsc.gov



TOWN OF HILTON HEAD ISLAND

Gullah Geechee Land & Cultural Preservation Task Force

TO: Gullah Geechee Land & Cultural Preservation Task Force
FROM: Trey Lowe, Interim Planning Director
CC: Marc Orlando, Town Manager, ICMA-CM
Shawn Leining, AICP, Deputy Town Manager
DATE: August 24, 2026
SUBJECT: Consideration of a Recommendation to the Planning Commission for Land Management Ordinance (LMO) Priority 1 Amendments, which include the following:

1. Natural Resource Protection: Wetland Protection;
2. Natural Resource Protection: Tree Protection;
3. Jonesville Road: Residential Single-Family District – 4 (RSF-4);
4. Bradley Circle: Residential Single-Family District – 8 (RSF-8); and
5. Subdivision and Residential Development Standards.

RECOMMENDATION:

Consideration of a recommendation to the Planning Commission for Land Management Ordinance (LMO) Priority 1 Amendments, which include the following:

1. Natural Resource Protection: Wetland Protection;
2. Natural Resource Protection: Tree Protection;
3. Jonesville Road: Residential Single-Family District – 4 (RSF-4);
4. Bradley Circle: Residential Single-Family District – 8 (RSF-8); and
5. Subdivision and Residential Development Standards.

The LMO Task Force reviewed the proposed amendments on August 17, 2026, and recommended by a vote of 17-1, with 2 members abstaining, that Planning Commission and Town Council approve the LMO Priority 1 Amendments with the following condition:

1. That the following uses be retained from the existing RM-4 Zoning District in the proposed RSF-1 Zoning District:
 - a. Workforce housing,
 - b. Open air sales, and
 - c. Community services.

BACKGROUND:

Since the adoption of the Town's LMO in 2014, the Town has continued to evaluate the effectiveness of its development regulations in achieving the community's long-term vision. During that time, numerous amendments have been adopted in response to changing development patterns, evolving environmental conditions, implementation challenges, and emerging policy priorities. While these amendments have addressed specific issues, they have also highlighted additional opportunities to improve the clarity, consistency, and effectiveness of the LMO. These opportunities have been identified through community meetings and feedback surveys hosted by the Town from late-2024 through mid-2025.

Recognizing the importance of proactively managing growth while protecting the Island's unique natural environment and community character, Town Council established the LMO Task Force to conduct a comprehensive policy review of remaining priority amendments. The Task Force was charged with evaluating these policy issues, considering public input, reviewing technical information, and providing consensus-based recommendations to the GGTF, CDPS, Planning Commission, and Town Council regarding future amendments to the LMO. The Task Force's role is advisory in nature and focuses on policy direction rather than preparation of specific code language, with draft regulations to be prepared by staff and the Town's code consultants following Task Force direction. This purpose and process were established during the kickoff meeting and reiterated throughout the Task Force's deliberations.

Between January and May 2026, the Task Force conducted eight publicly noticed meetings to review the Town's development regulations related to natural resource protection, zoning districts, subdivision design, application procedures, and other growth management topics. Throughout this process, staff presented existing regulations, identified implementation challenges, summarized previous amendments, provided technical analysis, and facilitated discussion among Task Force members. The resulting recommendations reflect months of public discussion and represent a balanced approach to strengthening environmental protections, preserving neighborhood character, improving development standards, increasing regulatory predictability, and simplifying the overall administration of the LMO.

The amendments presented in this report constitute the Priority 1 Amendment Package. These amendments reflect those topics for which the Task Force provided clear policy direction and where sufficient consensus exists to proceed with draft ordinance language. Additional topics requiring further technical evaluation, community engagement, or policy discussion have been identified as Priority 2 Amendments and are recommended for future consideration following completion of the Priority 1 Amendments package.

Collectively, these amendments advance the Town's Strategic Action Plan by strengthening protections for the Island's natural resources, improving predictability within the development review process, reinforcing neighborhood character, modernizing development regulations, and ensuring that future growth occurs in a manner consistent

with the community's long-standing vision of protecting the Island's unique environmental, cultural, and economic resources.

A. Strategic Plan

The Town of Hilton Head Island Strategic Action Plan establishes the long-term framework for preserving the Island's character while responsibly accommodating future growth and redevelopment. Central to this framework is the recognition that growth management is not achieved solely through land use planning, but through the continuous evaluation and calibration of the development regulations that implement the Comprehensive Plan.

Many of the Town's highest strategic priorities, including protection of natural resources, preservation of neighborhood character, enhancement of community resilience, improvement of development predictability, and efficient delivery of governmental services, are directly implemented through the Land Management Ordinance.

The amendments contained within this report support several Strategic Action Plan goals, including:

- Protect Island Character Through Managing Growth;
- Reinforce Island Resilience; and
- Protect and Enhance Environmental Sustainability

Collectively, these amendments represent significant implementation actions supporting the Town's Strategic Action Plan.

B. LMO Task Force Purpose

On January 6, 2026, the Town initiated the LMO Task Force to conduct a comprehensive policy review of remaining priority amendments identified through years of LMO administration. The Task Force consisted of representatives from Town Council, Planning Commission, Board of Zoning Appeals (BZA), Design Review Board (DRB), GGTF, CDPS, advisory boards, community organizations, professional disciplines, and residents representing a broad cross-section of community interests. The kickoff meeting established the Task Force's role, expectations, and review process.

The purpose of the Task Force is to:

- Review existing LMO regulations.
- Evaluate remaining priority amendments identified by staff.
- Consider technical information, public comment, and implementation experience.
- Provide policy direction to staff and the Town's code consultants.

- Develop consensus recommendations for GGTF, Planning Commission, CDPS, and Town Council consideration.

Throughout the process, staff consistently emphasized that the Task Force's objective was to achieve consensus on policy direction, not unanimous approval of every individual amendment, and that draft ordinance language would be prepared following receipt of that policy guidance. This process was reiterated at multiple meetings and formed the basis for development of the Priority 1 Amendment Package.

The Task Force met over a eight-month period to evaluate amendments affecting natural resource protection, zoning districts, subdivision standards, neighborhood character, application procedures, and related growth management topics. Each meeting included presentations from staff, facilitated discussion, public comment, and identification of consensus direction to guide preparation of draft code language.

SUMMARY:

The proposed LMO Priority 1 Amendments have been developed, reviewed, and recommend for approval through and by the LMO Task Force. In this regard, the LMO Task Force convened between January 6, 2026, and August 17, 2026, to review priority amendments identified through years of Land Management Ordinance administration, development review experience, implementation of previous code amendments, public feedback, and Town Council direction. The Task Force's review focused on amendments that would strengthen the Town's ability to protect Island character, improve environmental stewardship, increase predictability within the development review process, modernize development standards, and simplify administration of the LMO.

The Task Force was intentionally structured as a policy advisory body. Rather than drafting ordinance language, members evaluated existing regulations, considered staff recommendations and technical information, received public comment, discussed potential policy alternatives, and provided consensus direction to Town staff. That policy direction served as the basis for development of the proposed code amendments contained within this report and the accompanying attachments. Throughout the process, staff consistently emphasized that the objective was to achieve consensus on policy direction, not unanimous agreement on every individual amendment, and that all draft code language would return to the Task Force prior to continuing through the Town's formal public hearing process prior to adoption.

A. LMO Task Force Review Process

January 6, 2026 – Task Force Kickoff

The initial meeting introduced the purpose, scope, and expectations of the LMO Task Force. Staff reviewed the history of the 2014 LMO, previous amendments, the Town's Strategic Action Plan, and the overall amendment process. Members received an overview of the project schedule, consultant team, meeting format, and the role of the

Task Force in developing recommendations to Planning Commission and Town Council.

January 26, 2026 – Project Overview

Staff provided a comprehensive overview of the LMO project, including the Town's growth management philosophy, implementation objectives, and anticipated amendment categories. The discussion established the guiding principles that would be used throughout the amendment process, emphasizing preservation of Island character, environmental stewardship, simplification of the code, and improved predictability for property owners and applicants.

February 26, 2026 – Natural Resource Protection

The Task Force began its substantive policy review by evaluating amendments related to Natural Resource Protection. Discussion focused on:

- Natural Resource Protection: Wetland Protection; and
- Natural Resource Protection: Tree Protection and Planting:
 - Remove Exemption for all Single-Family Subdivisions in Meeting Minimum Tree Coverage Requirements;
 - Require Tree Removal to be Completed in Phases; and
 - Add Clarity to “Reasonable Efforts” Language for Preservation of Trees.

March 5, 2026 – Land Use and Zoning

The Task Force continued with a recap of discussions regarding Natural Resource Protection and a review of amendments related to land use regulations and zoning districts. Discussion included:

- Continued Discussion of Natural Resource Protection: Wetland Protection and Tree Protection and Planting;
- Land Use Table; and
- Zoning Map Changes:
 - Jonesville Road Zoning;
 - Bradley Circle Zoning; and
 - Resort Development (RD) Zoning District.

March 26, 2026 – Continued Zoning Review

Staff presented refined recommendations based upon previous Task Force direction and additional public input regarding zoning map changes. The Task Force continued discussion regarding:

- Continued Discussion of Zoning Map Changes:
 - Jonesville Road Zoning;
 - Bradley Circle Zoning; and
 - RD Zoning District.

April 13, 2026 – Continued Zoning Review and Density

Building upon previous discussions, the Task Force reviewed additional zoning related amendments and continued with discussion regarding density. Discussion focused on:

- Continued Discussion of Zoning Map Changes:
 - Mitchellville (MV) Zoning District.
- Density:
 - Eliminate Sliding Scale in the Low to Moderate Density Residential District (RM-4) Zoning District; and
 - Further Calibrate the Forest Beach Neighborhood Character Overlay (FB-NC-O) District.

May 7, 2026 – Priority Amendment Refinement

Staff presented additional detail and analysis based upon previous Task Force direction and additional public input regarding density and continued with discussion including subdivision regulations. Discussion included:

- Continued Discussion of Density:
 - Eliminate Sliding Scale in the RM-4 Zoning District.
- Subdivision and Residential Development Regulations.

May 21, 2026 – Priority 1 Amendment Summary

At the final regularly scheduled Task Force meeting, staff summarized the direction received throughout the Task Force process and identified those amendments that had achieved sufficient consensus to proceed into code language drafting. Staff also identified remaining policy issues requiring additional analysis as Priority 2 Amendments. Discussion also focused on short-term rentals and included:

- Short-Term Rentals (STRs) on the landward side of North and South Forest Beach Drive in the Single-Family Residential District-5 (RSF-5) Zoning District; and
- STRs on Jonesville Road.

This meeting served as the transition between policy development and preparation of draft amendments, confirming the overall direction for the Priority 1 Amendment Package presented within this report.

B. LMO Task Force Direction By Topic

Rather than considering each meeting independently, staff evaluated the Task Force's direction collectively by amendment topic. This approach recognizes that many topics were discussed over multiple meetings, with policy recommendations evolving as additional information, public input, and technical analysis were presented. The

following summary reflects the consensus direction provided by the Task Force and forms the basis for the proposed amendments contained within this report.

1. Natural Resource Protection: Wetland Protection
 - While no poll was taken, the Task Force provided direction to replace wetland buffer averaging with fixed minimum buffers for more predictable wetland protection standards.
2. Natural Resource Protection: Tree Protection
 - While no poll was taken, the Task Force supported strengthening tree protection standards and removing the single-family subdivision exemption from tree coverage requirements.
 - The Task Force also supported phased clearing, clearer tree removal findings, broader use of tree mitigation funds, and establishment of a tree bond requirement.
3. Jonesville Road: Residential Single-Family District – 4 (RSF-4)
 - The Task Force agreed that the area should reflect its existing single-family residential character.
 - Approximately 60% of Task Force members supported a lower-intensity zoning district similar to RSF-3 or RSF-4.
 - Approximately 85% of Task Force members supported retaining the ability to have multiple single-family dwelling units on one single parcel while excluding larger apartment and condominium developments.
 - Task Force direction is to create a new zoning district with a maximum density of 4 dwelling units per acre, retention of lower intensity residential uses, and removal of higher intensity commercial and mixed uses.
4. Bradley Circle: Residential Single-Family District – 8 (RSF-8)
 - The Task Force supported maintaining the existing single-family character of the area.
 - Approximately 82% of Task Force members supported removal of multifamily and rezoning from RM-8 to a new RSF-8 district.
 - Task Force direction is to create a new RSF-8 zoning district, removing multifamily and higher intensity commercial and mixed uses.
5. Subdivision and Residential Development Standards
 - The Task Force supported reorganizing subdivision regulations to improve readability, consistency, neighborhood compatibility, and alignment with zoning intent.

C. Proposed Amendments

The proposed amendments presented within this report have been organized into six attachments. This organization follows the chronological order that each amendment was covered by the LMO Task Force to provide consistency while allowing the LMO Task Force, GGTF, Planning Commission, CDPS, Town Council, and the public to evaluate each LMO chapter reviewed with the LMO Task Force in its entirety.

Attachment	Subject
Attachment 1	Natural Resource Protection: Wetland Protection Natural Resource Protection: Tree Protection
Attachment 2	Jonesville Road: Residential Single-Family District – 4 (RSF-4) Bradley Circle: Residential Single-Family District – 8 (RSF-8)
Attachment 3	Subdivision and Residential Development Standards
Attachment 4	Administrative Conforming Amendments (Renumbering, Cross-References, and Related Code Revisions)

Each attachment contains an executive summary giving a high-level overview of the proposed code change. Together, these attachments comprise the complete Priority 1 Amendment package and provide the framework necessary to implement the policy direction established through the LMO Task Force process.

In addition to the substantive policy amendments contained within the attached ordinance language, Town staff have identified numerous internal cross-references, section citations, definitions, and related administrative references throughout the LMO that will require conforming updates as a result of the proposed amendments. Attachment 4 identifies the LMO sections anticipated to be affected by these revisions. Staff will continue to refine and verify these conforming edits throughout the ordinance preparation process, with all necessary cross-reference and administrative updates incorporated into the ordinance package prior to Planning Commission consideration. These revisions are administrative in nature and are intended solely to maintain internal consistency, accuracy, and usability of the LMO without altering the policy direction established through the LMO Task Force.

ADOPTION PROCESS & PRELIMINARY SCHEDULE:

The proposed Priority 1 Amendments will proceed through the Town's established review process. This multi-step process provides additional opportunities for public engagement, technical review, and policy consideration prior to adoption by Town Council.

The proposed amendments contained within this report represent the consensus policy direction developed during the Task Force process. The draft code language included in the accompanying attachments has been prepared by Town staff and the Town's code

consultants to implement that direction while maintaining consistency with the organization, intent, and administration of the LMO.

Each reviewing body will have the opportunity to evaluate the proposed amendments, receive public comment, and provide recommendations before the ordinance is presented for adoption by Town Council.

The following schedule represents the anticipated legislative review process.

A. LMO Task Force – August 17, 2026

The LMO Task Force reviewed the proposed amendments on August 17, 2026, and recommended by a vote of 17-1, with 2 members abstaining, that Planning Commission and Town Council approve the LMO Priority 1 Amendments with the following condition:

1. That the following uses be retained from the existing RM-4 Zoning District in the proposed RSF-1 Zoning District:
 - a. Workforce housing,
 - b. Open air sales, and
 - c. Community services.

B. Gullah Geechee Land & Cultural Preservation Task Force (GGTF) – August 24, 2026

As an ad-hoc committee of the Planning Commission, the proposed amendments are presented to the GGTF prior to Planning Commission review for consideration of issues that may affect Gullah Geechee neighborhoods, historic resources, cultural landscapes, and traditional development patterns.

The recommendations of the GGTF will be provided to the Planning Commission for consideration as part of their review.

C. Planning Commission – September 16, 2026

Following completion of the GGTF review, and in accordance with 16-2-103.B.3, the Planning Commission will conduct a public hearing to evaluate if the proposed amendments are:

- In accordance with the Comprehensive Plan;
- Required by changed conditions;
- Address a demonstrated community need;
- 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;
- Would result in a logical and orderly development pattern; and

- 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 Planning Commission will provide a formal and final recommendation to Town Council.

D. Town Council First and Second Readings

Consistent with South Carolina law and the Town's legislative procedures, the proposed amendments will be considered by Town Council through two public readings.

First Reading – October 13, 2026

During First Reading, Town Council will:

- Receive an overview of the proposed amendments;
- Consider the recommendations of the LMO Task Force, GGTF, and Planning Commission;
- Receive public comment;
- Consider whether or not the proposed amendments are in accordance with 16-2-103.B.3; and
- Determine whether to advance the amendments to Second Reading.

At the discretion of Town Council, any amendments receiving First Reading approval may become subject to the Pending Ordinance Doctrine, making the pending legislation effective, until final legislative action is taken by Town Council.

Second Reading – November 10, 2026

Town Council will conduct Second Reading and consider final adoption of the Priority 1 Amendment Package.

Upon approval at Second Reading, the amendments will become effective in accordance with the effective date established by the adopting ordinance.

Following adoption, Town staff will:

- Update the LMO;
- Publish revised ordinance language;
- Revise associated application materials;
- Update internal administrative procedures;
- Conduct staff training;
- Prepare public education materials; and,
- Implement the adopted amendments through the Development Review Program.

E. Priority 2 Amendments

During the Priority 1 Amendment process, staff identified several additional policy topics that warrant further evaluation but require additional technical analysis, stakeholder coordination, public engagement, and policy direction prior to consideration for adoption.

Although these topics were discussed during various Task Force meetings, the Task Force generally recognized that additional time would be necessary to fully evaluate their long-term planning implications. Accordingly, these items have been designated as Priority 2 Amendments and are not included within the current Priority 1 Amendments.

The Priority 2 Amendments are anticipated to address topics including, but not necessarily limited to:

- Mixed-Use Zoning District on Arrow Road;
- Short-Term Rentals;
- Timeshare and Lockout Units;
- RM-4 Zoning District Sliding Scale;
- MV Zoning District;
- RD Zoning District;
- FB-NC-O District;
- Food Truck Standards;
- Require Pedestrian Connectivity for all Development;
- Enhancements to Stormwater to Mitigate Offsite Impacts;
- Marshfront Zoning District Sliding Scale;
- Open Space for Multifamily, Mixed-Use, and Commercial;
- Adjacent Street Setback and Buffer Widths;
- Adjacent Use Setback and Buffer Widths;
- Lot Design Standards;
- Building Design Standards; and
- Other Standards:
 - Content Neutral Sign Design Standards;
 - Dust Control Standards;
 - Residential Parking Requirements; and
 - Flexibility in Parking Requirements for Redevelopment and Adaptive Reuse Projects

The Priority 2 Amendments will allow staff to continue implementing the Town's Strategic Action Plan while ensuring that future code amendments receive the same level of technical review, stakeholder engagement, and public participation that characterized the Priority 1 Amendment process.

Following adoption of the Priority 1 Amendments, staff will develop a detailed Priority 2 work program, including a proposed schedule, public engagement strategy, and

future opportunities for review by Town advisory boards, Planning Commission, and Town Council.

ATTACHMENTS:

1. Natural Resource Protection: Wetland Protection and Tree Protection;
 - a. Executive Summary
 - b. LMO Chapter 16-6: Natural Resource Protection
2. Jonesville Road: Residential Single-Family District – 4 (RSF-4) and Bradley Circle: Residential Single-Family District – 8 (RSF-8);
 - a. Executive Summary
 - b. LMO Chapter 16-3: Zoning Districts
 - c. LMO Chapter 16-4: Use Standards
3. Subdivision and Residential Development Standards; and
 - a. Executive Summary
 - b. LMO Chapter 16-2: Administration
 - c. LMO Chapter 16-5: Development and Design Standards
 - d. LMO Chapter 16-7: Non-Residential and Vertical Mixed Use Development Design Regulations
 - e. LMO Chapter 16-8: Residential Subdivision and Residential Development Design Regulations
 - f. LMO Appendix A: Advisory and Decision-Making Bodies and Persons
 - g. LMO Appendix D: Application Submittal Requirements
4. Administrative Conforming Amendments (Renumbering, Cross-References, and Related Code Revisions)
 - a. Executive Summary



TOWN OF HILTON HEAD ISLAND

Attachment 1.a

EXECUTIVE SUMMARY

Proposed LMO Priority 1 Amendments

Natural Resource Protection: Wetland Protection

Chapter 16-6 – Natural Resource Protection

The proposed amendments reorganize and strengthen the Town's natural resource protection standards, with a principal change focused on wetland buffers. Related environmental regulations are also consolidated into Chapter 16-6 so wetland, tree, stormwater, erosion and sedimentation, and flood-related standards are located together.

Wetland Protection

Existing Standard

For multifamily and nonresidential development, the LMO currently establishes both an average wetland buffer and a lower minimum wetland buffer. This allows portions of a development to extend closer to a wetland when greater buffer width is provided elsewhere.

Proposed Amendment

The average-buffer calculation is eliminated. The existing-average buffer becomes a new fixed buffer, establishing a consistent minimum separation along the wetland edge.

Wetland / Development Feature	Existing	Proposed
Tidal – Pervious Surface	Minimum: 15 ft. Average: 35 ft.	35 ft.
Tidal – Structure	Minimum: 20 ft. Average: 40 ft.	40 ft.
Tidal – Impervious Surface	Minimum: 25 ft. Average: 50 ft.	50 ft.
Freshwater – Pervious Surface	Minimum: 10 ft. Average: 35 ft.	35 ft.
Freshwater – Structure	Minimum: 20 ft. Average: 35 ft.	35 ft.

Wetland / Development Feature	Existing	Proposed
Freshwater – Impervious Surface	Minimum: 20 ft. Average: 40 ft.	40 ft.

- The existing 20-foot tidal wetland buffer for single-family development remains unchanged.
- Removes variable average-buffer calculations and establishes one consistent minimum buffer along wetland edges.
- Establishes clear, simplified, and predictable standards, removing ambiguity.
- Creates more continuous filtration areas between development and tidal and freshwater wetlands, reducing irregular buffer boundaries.
- Improves water quality and flood resilience. Helps minimize erosion and pollutant entry into sensitive ecosystems.

EXECUTIVE SUMMARY

Proposed LMO Priority 1 Amendments

Natural Resource Protection: Tree Preservation

Chapter 16-6 – Natural Resource Protection

The proposed amendments reorganize and strengthen the Town's natural resource protection standards, with a principal change focused on preservation of existing tree canopy, significant tree removal, tree mitigation, and replacement-tree requirements. Related environmental regulations are also consolidated into Chapter 16-6 so wetland, tree, stormwater, erosion and sedimentation, and flood-related standards are located together.

Tree Preservation & Significant Tree Removal

Existing Standard

The LMO regulates tree removal and replacement but provides less explicit direction regarding how site design must first respond to existing significant trees and tree canopy.

Proposed Amendment

- Requires applicants to make reasonable efforts to preserve existing tree canopy, significant trees, and native vegetation before proposing removal.
- Applies these standards to development projects and to public streets, pathways, drainage projects, athletic fields, airport runways, golf courses, and minor utility projects.
- Requires significant-tree removal findings demonstrating that the site cannot reasonably be used without removal and that roads, parking, buildings, pathways, and other improvements have been designed around the tree where feasible.
- Requires consideration of reasonable design changes and preservation of healthier hardwood trees before significant-tree removal is approved.
- If the administrative findings cannot be made, the significant-tree removal request proceeds to the Planning Commission for consideration.

The revised process places tree preservation earlier in site design and requires alternative layouts to be evaluated before significant trees are removed.

Tree Mitigation Fee & Tree Replacement Fund

Existing Standard

The Tree Replacement Fund provides an alternative mechanism for tree mitigation in limited circumstances, but the standards governing when payment may be accepted, how the amount is calculated, and how the funds may be used are less explicit.

Proposed Amendment

- On-site replacement remains the primary form of mitigation; payment into the Tree Replacement Fund is not an automatic alternative to replacing trees on-site.
- Off-site mitigation may be used when the Official determines that on-site replacement is not reasonable or practical.
- Mitigation fees are calculated from the actual replacement-tree obligation.

- Eligible fund expenditures are expanded to include tree planting on Town property, canopy restoration, Arbor Day and community planting events, post-disaster tree recovery, and similar public canopy projects.
- Planning Commission oversight will be required when transplant criteria are not met.
- Assurance provided that new plantings survive through a Tree Performance Guarantee, helping ensure required plantings are realized and maintained.

This allows for preservation-first design with a higher bar standard for significant tree removal, and for more effective mitigation and public outcomes via a clarified Tree Mitigation Fee and Tree Replacement Fund. Additionally, the proposed changes provide assurance

Larger Replacement Trees

The minimum required replacement-tree sizes remain unchanged. Larger Category I and II replacement trees may receive additional replacement credit:

- First 4 inches of trunk diameter = 1:1 replacement credit.
- Each additional whole inch above 4 inches = 1.5:1 replacement credit.

This allows the replacement obligation to be met with fewer, larger-caliper trees where appropriate, allowing replacement canopy to become established more quickly, benefiting neighbor aesthetics along streetscapes, while maintaining the overall replacement requirement.

Hilton Head Island, South Carolina, Land Management Ordinance
Chapter 16-6: Natural Resource Protection

Chapter 16-6: Natural Resource Protection

Sec.16-6-102. Wetland Protection

D. Wetland Buffer Standards

2. Wetland Buffer Width

- a. **Wetland buffers** shall comply with the average and minimum width standards in Table 16-6-102.D.2, Wetland Buffer Width, for the type of **development** and the type of wetland.

TABLE 16-6-102.D.2: WETLAND BUFFER WIDTH ^{1,2,3}			
TYPE OF ADJACENT DEVELOPMENT		TYPE OF WETLAND	
		TIDAL WETLAND	FRESHWATER WETLAND
Single-Family (including accessory structure and pervious or impervious surfaces)		Minimum: 20 feet	n/a
Multifamily or Nonresidential Development	Pervious Paved Surfaces	Average: 35 feet Minimum: 35 ¹⁵ feet	Average: 35 feet Minimum: 35 ¹⁰ feet
	Structures	Average: 40 feet Minimum: 40 ²⁰ feet	Average: 35 feet Minimum: 35 ²⁰ feet
	Impervious Paved Surfaces	Average: 50 feet Minimum: 50 ²⁵ feet	Average: 40 feet Minimum: 40 ²⁰ feet
Lagoons and Stormwater Retention or Detention Areas		n/a	Minimum: 20 feet
NOTES: n/a = not applicable 1. Measured from the outer edge of the wetland, as certified in writing by U.S. Army Corps of Engineers (USACE), a Town -approved wetlands consultant, or Ocean & Coastal Resource Management (OCRM). 2. Average buffer width is determined by quantifying the buffer width for every 10-foot linear increment of pervious surface, impervious surface , or structure , as appropriate; summing these; and dividing the number of increments measured. Quantification of each increment of buffer shall be approved by the Official . 3. Buildings, surface parking lots, and vehicular accessways shall be set back at least 5 feet beyond the outer edge of the wetland buffer .			

Sec.16-6-103. Stormwater Management and Erosion and Sedimentation Control Standards

A. Purpose

The purpose of the standards in this section is to ensure that developments incorporate **best management practices** to minimize and manage stormwater runoff so as to control flooding, protect the quality of the ground and surface waters within and surrounding the **Town**, and minimize erosion and sedimentation. Specifically, this section is intended to supplement the **State's** stormwater management program and standards with additional standards that ensure control of the volume and flow of stormwater runoff, limit pollutants in stormwater runoff, provide opportunities for the filtering and settling of pollutants from runoff

before it enters the **ground water** and surface waters, and minimize erosion and sedimentation from stormwater runoff.

B. Applicability

1. General

This section applies to all land disturbing activity that disturbs ½ acre or greater of land and all development that is within ½ mile of **coastal receiving waters**, regardless of disturbed area. Additionally, this section applies to any project or activity that is part of a **Larger Common Plan**, regardless of size. Exceptions to these requirements are listed in subsection 2. below.

2. Exceptions

The following activities are exempt from the standards in this section:

- a. **Development** exempt from Development Plan Review in accordance with Sec. 16-2-103.G.3, Exemptions, with the exception of public street or minor utility construction;
- b. The establishment of, or additions or modifications to, a **single-family dwelling** or its **accessory structure**, provided that such **development** shall be subject to all standards in Sec. 16-6-103.I, Erosion and Sedimentation Control, except the requirement to submit an erosion control plan (Such **development** is also subject to the **flood** damage control standards in Chapter 9 of Title 15 of the **Municipal Code**, and must conform to the grading scheme and finished floor elevation established by the approved Development Plan.);
- c. **Maintenance** and **repair** of public **streets**, pathways, storm drainage, or similar public infrastructure subject to government **maintenance**;
- d. New or existing **agricultural activity** (as defined in Sec. 16-12-105, General Definitions) not involving the **filling** or drainage of **land**; and
- e. Emergency work by agencies or **property owners** required to address flooding conditions, provided:
 - i. Such work is verbally approved by the **Official** or other duly appointed official in charge of emergency preparedness or emergency relief if practicable (**property owners** performing emergency work will be responsible for any damage or injury to **persons** or property caused by their unauthorized actions);
 - ii. The **Official** or other duly appointed official who verbally approved the action delivers written notice of the action to the **landowner** and any affected agency at the earliest possible time; and
 - iii. **Property owners** performing emergency work restore the site of the emergency work within 60 days following the end of the emergency period.

(Revised 6-6-2017 - Ordinance 2017-08)

C. General Standards for Stormwater Management`

1. Compliance with State and Federal Stormwater Management Standards

All **development** shall comply with the stormwater management standards of the South Carolina Department of Health and Environment Control (DHEC) and any applicable federal stormwater standards and permits (e.g., NPDES permits), unless such standards are waived by the appropriate **State** or federal agency.

2. Compliance with Maximum Impervious Cover Standards

All **development** shall comply with the maximum **impervious cover** standards applicable to the zoning district in which the **development** is located (see Chapter 16-3: Zoning Districts). (See definition of **impervious surface** in Sec. 16-12-105, General Definitions.)

3. Compliance with OCRM Critical Area Permitting Requirements

For **development adjacent** to the OCRM Critical Line, all stormwater management facilities located in the critical areas shall obtain a permit from the South Carolina Office of Ocean and Coastal Resource Management (OCRM) prior to installation.

4. No Increased Flood Potential

Development shall not appreciably increase the **flood** potential within the **development**, on **adjacent** or surrounding **lands**, or on tidal or freshwater wetlands, as determined by the Town Engineer.

5. No High-Maintenance Facilities

Development shall not incorporate **structures** and facilities that the Town Engineer determines will demand considerable **maintenance**.

6. Discharges onto Beaches and into Wetlands and Water Bodies

- a. No stormwater discharge shall be permitted onto **beaches**.
- b. No direct stormwater discharge shall be permitted into tidal or freshwater wetlands unless approved by the Town Engineer.
- c. Discharging stormwater runoff directly into water bodies from impervious areas shall not be allowed unless methods are provided to filter the runoff to the **maximum extent practicable**. Such methods include filtering runoff through sheet flow, grass swales, drywells, infiltration ditches, gravel, sand, or other filter mediums before the runoff leaves the site or enters any natural or shared-in-common manmade water body.

7. Alteration of Water Bodies

Dredging, clearing, deepening, widening, straightening, stabilizing, or otherwise altering water bodies may be permitted by the Town Engineer only when a positive benefit can be demonstrated. Such approval does not obviate the need for other applicable **Town, State**, or federal agency approvals.

8. Water Surface Elevation Alteration and Adjustment

- a. No **development** shall construct, establish, maintain, or permanently alter the surface water elevation of any water body or wetland so as to adversely affect the natural drainage from any upstream areas, or to any downstream areas, of the **drainage basin**.
- b. The water surface elevations proposed for lagoons or water bodies are subject to approval by the Town Engineer as part of the **development** review process. The **applicant** shall submit sufficient **ground water**, topographic elevation data, and hydrologic data on or around the proposed water body site to assist in establishing the water surface elevation.

9. Reference Guides

The standards and design guidelines as set forth in the latest editions of the *Beaufort County Manual for Storm Water Best Management and Design Practices*, the South Carolina DHEC's *Stormwater Management BMP Handbook*, and the *Georgia Coastal Stormwater Supplement* shall serve as guides to

technical specifications for the design and **construction** of various types of stormwater management facilities (including, but not limited to, structural and nonstructural stormwater **best management practices** (BMPs) and **maintenance** standards).

10. Pre-Design Conference

A pre-design conference with the Town Engineer or his or her designee is suggested for small projects not affecting major drainage ways or environmentally sensitive areas, and is required for all Subdivision Review and Development Plan Review **applications**.

11. Professional Engineer or Surveyor

All surveys, plans, specifications, and reports shall be prepared and certified by the appropriate professional engineer or professional surveyor registered in South Carolina, in accordance with the current South Carolina Code of Laws, Title 40-Professions and Occupations, Chapter 22, Engineers and Surveyors.

D. Drainage Design Standards

1. General

a. Design Methodology

- i. The two accepted hydrological methodologies for computing surface runoff are the rational method and the USDA NRCS TR-55 method. Other methods approved by the Town Engineer are allowable.
- ii. The rational method may be used only for sizing individual culverts or storm drains that are not part of a pipe network or system and have a contributing drainage area of 20 acres or less.
- iii. The USDA NRCS TR-55 method or other approved methodology may be used for **sites** of any size.
- iv. Proposed **development** design shall consider the hydrological features within the total watershed, including the **development** site, upstream and downstream areas.

b. Site Area

The site area incorporated in stormwater management design shall be the total area of proposed **development**, including any noncontiguous **lands** that are part of a Planned Development, which is owned in fee simple by the **landowner/developer** of the Planned Development, or is included in perpetual cross **easements** for drainage purposes.

c. Design Storm

The design storm, to be used in the design of all drainage systems and permanent stormwater management facilities, is the 25-year frequency/24-hour/8.4-Inch rainfall and Antecedent Moisture Condition II (AMC II).

d. Engineering Checklist

Detailed design standards for all stormwater management systems required by this section can be found in the Engineering Checklist maintained by the Town Engineer.

2. Pre-Development Peak Discharge Rates

- a. All **development** shall incorporate stormwater management facilities sufficient to ensure that for the design storm and Type III rainfall distribution, the post-**development** peak discharge rate across **adjacent** property lines will not exceed the pre-development peak discharge rate. In the case of redevelopment, the pre-development condition shall be defined as the existing state at the time of **development application**.
- b. Stormwater **best management practices** (BMPs) shall be used to retain and detain the increased and accelerated runoff that the **development** generates.
- c. The peak discharge requirement is not required upon the Town Engineer determining that the **applicant** has demonstrated that:
 - i. A suitable means of flow into a downstream tidal discharge point is accessible by means of recorded permanent storm drainage easements, through drainage infrastructure that will adequately convey the peak discharge from the 100-year storm without any adverse impacts on downstream properties; or
 - ii. The **development** includes a drainage system with adequate capacity to carry site flows to an ultimate downstream tidal discharge point.

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

3. On-Site Retention of First Inch of Runoff

- a. All **development** shall provide for **on-site** retention (dry or wet) or percolation of a minimum of one inch of runoff from **on-site impervious surfaces**. Major drainage canals may not be used for retention where doing so may adversely impact the storm hydrology upstream or downstream.
- b. The one inch of runoff from all such **impervious surfaces** shall be dissipated by percolation into the soil, evaporation, or other methods of treatment or handling acceptable to the Town Engineer.
- c. Where **on-site** retention of runoff is also required by OCRM standards, evidence of OCRM approval of the **on-site** retention shall be submitted to the Town Engineer.

4. On-Site Detention or Percolation of Runoff

- a. All **development** shall provide for **on-site detention** (dry or wet) or percolation of stormwater runoff that is sufficient to maintain the same peak discharge rate as occurred pre-development. Major drainage canals may not be used for **detention** where doing so may adversely impact the storm hydrology upstream or downstream.
- b. **Off-site detention** (dry or wet) or percolation areas may be used, provided:
 - i. The Town Engineer determines that such **improvements** are in the common good and are of satisfactory design to cause no hardship to others utilizing the same drainageway, whether **on-site** or upstream or downstream;
 - ii. A recorded, permanent drainage **easement** is provided that complies with this section and Sec. 16-6-103.G, Drainage Easements, and benefits the **land** described in the **application** for **development** permit;
 - iii. Adequate **maintenance** of the areas is provided for in accordance with Sec. 16-6-103.H.1, Ownership and Maintenance Responsibility; and
 - iv. The **developer** bears the total cost of the areas and their **detention** or percolation facilities.

5. Design of Detention and Retention Facilities

- a. **Detention** and retention facilities shall be designed to provide at least one-half foot of freeboard or vertical **detention** storage volume for runoff above the design storm peak elevation.
- b. **Detention** and retention facilities shall be designed for ten-year sediment loads before the one-half foot storage volume required in subparagraph a above is included. Sediment storage may be accommodated below the dry weather water level design, as long as an adequate permanent pool depth is maintained.
- c. **Detention** and retention facilities shall be designed with relatively flat side slopes (maximum horizontal to vertical ratio of 3:1) along the shoreline.
- d. Where possible, **detention** and retention facilities shall be designed with meandering shorelines to increase the length of shoreline, thus offering more space for the growth of littoral vegetation for pollution control purposes.
- e. Where cleared site conditions exist around **detention** or retention areas, the banks shall be sloped to the proposed dry weather water surface elevation and planted for stabilization purposes. Where slopes are not practical or desired, other methods of bank stabilization will be used and noted on plans submitted for approval.

6. Adequate Outfall

A **developer** shall provide adequate outfall ditches, pipes, and **easements** downstream from a proposed discharge if public or private facilities adequate to carry the proposed discharge do not exist or are not available for use by the **developer**.

7. Use of Wetlands

- a. The use of wetlands for stormwater retention is allowable with approval by the Town Engineer. **Adjacent** BMPs that benefit from retention of normal wetland water table elevations are acceptable.
- b. Regulated wetlands shall not be disturbed by the **construction** of BMPs in them or sufficiently near to deprive them of required runoff or to lower their normal water table elevations.
- c. If a BMP is proposed to be located near a regulated wetland or in a required **wetland buffer** (see Sec. 16-6-102, Wetland Protection), the **applicant** will provide data showing that impacts will not be detrimental to the wetland or **wetland buffer**, and the BMPs shall include flow dissipation devices ensuring that discharge to wetlands occurs at non-erosive velocities.

8. Incorporation of Stormwater Management into Landscape Design

Final landscape designs and plantings shall not adversely affect stormwater conveyance or **maintenance** of stormwater management facilities, but rather should further opportunities for percolation, retention, **detention**, filtration, and plant absorption of site-generated stormwater runoff (e.g., using low impact **development** (LID) measures—see guides in Sec. 16-6-103.C.9, Reference Guides).

E. Inspection and Certification of Construction

The **application** for a Certificate of Compliance for a **development**, or approved phase thereof, shall include certification by a professional engineer registered in South Carolina that the **development** site work was constructed in accordance with approved plans and the requirements of this **Ordinance**. Prior to approval of such **application**, the Town Engineer or his or her designee shall conduct an inspection of constructed

stormwater management facilities. Any deficiencies identified by the inspection shall be corrected before a Certificate of Compliance is issued.

F. As-Built Survey

1. Before issuance of a Certificate of Compliance, the **applicant** shall submit to the Town Engineer an **as-built survey** prepared and certified by a South Carolina professional **land** surveyor that accurately identifies and depicts the horizontal location of all property corners, **easements**, and the horizontal and vertical locations of all **on-site improvements**. The **as-built survey** shall show:
 - a. Closed polygons of all impervious areas (**buildings**, sidewalks, parking facilities, paved areas), utilities, storm drainage **structures**, pipes, channels, and **detention/retention** areas;
 - b. The diameter and type of material for all new storm drainage pipes;
 - c. All storm drainage **structures**, grate/rim, and invert elevations, along with **finish grades** on pavements and curbing as per the design plans (with design elevations to be struck through and the actual as-built elevations to be underlined and shown directly above or below the design elevation).
2. The **as-built survey** shall be clearly labeled and based on NAD 83, NAD 83 State Plane South Carolina Feet Intl, and NAVD 88 datums.
3. The **as-built survey** shall be submitted in the form of two sets of hard copy, sealed prints at a legible scale, and the digital file in AutoCAD 2007 format or newer.

G. Drainage Easements

1. General

Developments shall provide adequate **access** for **maintenance** and **improvement** of the drainage easement and required stormwater management facilities.

2. Closed Pipe Easements

Generally, the minimum width of a drainage easement with underground storm drain pipes shall be at least 15 feet. The Town Engineer may require additional width as necessary to allow for **access** by service equipment and storage of removed fill to one side of the pipes, or to accommodate larger or more deeply buried pipes.

3. Open Channel Easements

Drainage **easements** for open drainage channels shall have a minimum width equal to the maximum top width of the channel plus an additional 15 feet. The Town Engineer may require additional width as necessary to allow for **access** by service equipment to one side of the channel.

4. Shared Easements

Drainage **easements** may be shared with other **easements** with the written approval of the Town Engineer and with consent of the easement holders. Nothing herein shall be construed as prohibiting the use of drainage **easements** for **access** to various properties or other compatible **uses** with the consent of the **landowners** and easement holders.

H. Maintenance of Stormwater Management Facilities and Easements

All required drainage **easements** and stormwater management facilities shall be maintained in accordance with the provisions in this subsection.

1. Ownership and Maintenance Responsibility

- a. The **applicant** shall designate what specific entity or entities will own and be responsible for operation and **maintenance** of drainage **easements** and required stormwater management facilities. Specific entities may include, but are not limited to, the **Town**, the **developer** or a homeowners' or property owners' association or regime.
- b. For systems conveying runoff from a public **street** right-of-way, the **applicant** shall dedicate permanent drainage **easements** to the **Town**.
- c. Any stormwater management facility serving a single-**lot** commercial or single-**lot** industrial **development** shall be privately owned and maintained.
- d. Private **maintenance** of drainage **easements** and stormwater management systems shall be provided for in restrictive covenants (e.g., through reference to the operation and **maintenance** agreement required in paragraph 2 below).
- e. Prior to the issuance of a Certificate of Compliance, all required drainage **easements** and restrictive covenants ensuring **maintenance** of drainage **easements** and stormwater management facilities shall be recorded with the Beaufort County Register of Deeds.

2. Operation and Maintenance Agreement

Where drainage **easements** and stormwater management facilities are to be privately operated and maintained, the **applicant** shall obtain **Town** approval of a DHEC Operation and Maintenance Agreement ensuring adequate and perpetual operation and **maintenance** of the **easements** and facilities by the **developer** or a homeowners' or property owners' association. In addition to meeting DHEC requirements, the operation and **maintenance** agreement shall:

- a. Require the parties responsible for operation and **maintenance** of stormwater management facilities to inspect the facilities on an annual basis and submit an annual facilities inspection report to the Town Engineer each December; and
- b. Authorize the **Town**, **State**, or other legal entity having authority to enforce stormwater management requirements to perform, or require the homeowners' or property owners' association or **landowner** to perform, actions necessary to:
 - i. Correct any lack of **maintenance** resulting in an adverse effect on drainage flow, or
 - ii. Alleviate flooding or other emergency drainage problems upstream or downstream of the **development** site.

I. Erosion and Sedimentation Control

1. Applicability

Erosion, sedimentation, and pollution controls shall be required for all **land disturbing activities** subject to this section. The Town Engineer shall have the authority to require an erosion and sediment control plan for any other **land** disturbance activity that may impact **adjacent** drainageways.

2. General Standards

- a. The **applicant** for a **development** shall identify potential sources of erosion, sedimentation, and other forms of pollution that could be transported by stormwater runoff on the **construction** site, and shall prepare plans to prevent and minimize adverse effects.
- b. Erosion, sedimentation, and pollution control plans shall be submitted with **development** **applications** according to the provisions set forth by DHEC for **land disturbing activities**.

- c. All erosion, sedimentation, and pollution control plans shall conform to the standards of the most recent South Carolina NPDES General Permit for Stormwater Discharges from Construction Activities (SCR100000) and South Carolina Regulation 72-300, when applicable.
- d. All erosion, sedimentation, and pollution control BMPs shall be designed, installed, and maintained in accordance with the South Carolina DHEC's *Stormwater BMP Handbook*. All symbols and standard details on plans shall conform to those found within the *BMP Handbook*.

3. Stabilization of Disturbed Areas

- a. Temporary stabilization measures shall be established on the site of any **land disturbing activity** that is inactive for more than 14 days, until activity recommences.
- b. Permanent stabilization measures shall be established on the **development** site prior to the issuance of final approval or a Certificate of Compliance for the **development**.

4. Construction Buffer Zones

Land disturbing activities adjacent to regulated wetlands and waters of the **State** shall be subject to the applicable **wetland buffer** standards in Sec. 16-6-102, Wetland Protection, or NPDES buffer requirements.

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

Sec.16-6-104. Flood Zone Standards

A. Applicability

- 1. All **development** activity on Hilton Head Island shall conform to the standards governing **flood** zones that are referenced to the floodplain protection zones identified by the Federal Emergency Management Agency (FEMA), unless a variance from such standards is granted by the **Town** in accordance with Title 15 (Building and Building Codes) of the **Municipal Code**.
- 2. The location of the **flood** zones on Hilton Head Island are identified by the Town-adopted Flood Insurance Rate Maps (FIRMs).
- 3. The Island is covered by the following **flood** zones that range from most vulnerable to flooding and **flood** damage to least vulnerable:
 - a. VE Zone, or **coastal high hazard** area, subject to 100-year coastal flooding and storm surge;
 - b. Coastal A Zone, or the area landward of a V-zone and seaward of the Limit of Moderate Wave Action as shown on the FIRMs.
 - c. AE Zone, or 100-year **flood** plain area;
 - d. AO Zone, or areas of shallow flooding;
 - e. X(shaded) Zone, or 100 to 500-year **flood** plain area; and
 - f. X Zone, or areas of minimal flooding.

(Revised 3-16-2021 - Ordinance 2021-05)

B. Flood Zone Standards

On all plats within "VE" or "AE" zones for which **lots, sites, or structures** are to be sold, the following statement shall be clearly affixed to the plat and shall be recorded:

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 by rising tidal waters associated with possible hurricanes. Local regulations require that certain **flood** hazard protective measures be incorporated in the design and **construction** of **structures** in these designated areas. Reference shall be made to the **development** covenants and restrictions of this **development** and requirements of the Town Building Official. In addition, federal law requires mandatory purchase of **flood** insurance as a prerequisite to federally insured mortgage financing in these designated **flood** hazard areas.

(Revised 3-16-2021 - Ordinance 2021-05)

C. Elevation of Sites

Sites shall not be elevated with fill material to an average **height** greater than three feet above existing **grade** with the exception of **critical facilities**. The fill material shall be retained under the footprint of the **structure**. Other methods of elevation may be used solely or in conjunction with three feet of fill to meet **base flood elevation** requirements. **Single-family** residential **development** is exempt from this provision.

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

Sec.16-6-10~~4~~6. Tree Protection

B. Applicability

1. General

- b. Consistent with the purposes of this section, all **persons** are required to make all reasonable efforts to maximize the preservation of the existing canopy and preserve and retain any existing stands of **trees**, individual **trees**, and other self-supporting plants, whether or not such plants are protected under this section, as well as such other flora that make up part of the understory, shrub layer, or herb layer.
 - i. No significant **tree** will be permitted to be removed until reviewed and approved by the **Official** and only after demonstration to the **Official** that the following criteria have been satisfied:
 - 01. It is difficult or impossible to reasonably use the property without the removal of the tree.
 - 02. Roads, parking areas, drive aisles, paths and other site features have been designed around the canopies of the protected trees to the greatest extent possible.
 - 03. The removal allows the preservation of other, healthier hardwood trees on the property.
 - 04. Adjustments to the site plan cannot be made to save the tree without losing lots or floor area.
 - 05. The tree is not located within a required setback or buffer area.
 - ii. If the **Official** determines that a **developer** has not met the preceding criteria, the removal shall require approval of the **Planning Commission** after consideration of the same criteria.
 - iii. Tree replanting shall be required by the **Official** in accordance with Sec. 16-6-106 I.
- c. Failure to comply with the standards of this section shall be a violation of this **Ordinance** and subject to the remedies and penalties specified in Chapter 16-~~8~~**10**: Enforcement.

2. Exemptions

- b. No Natural Resources Permit is required where the proposed **tree** removal or alteration is reviewed and authorized in accordance with an approved [Minor Non-Residential Subdivision Plan](#), [Major Non-Residential Subdivision Plan](#), [Minor Residential Subdivision Plan](#), [Major Residential Subdivision Plan](#), [Minor Non-Residential Development Plan](#), [Major Non-Residential Development Plan](#), [Major Residential Development Plan](#), ~~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.

G. Minimum Tree Coverage Standard

1. Applicability

- a. All new **development** except for the **construction** of any public **street**, pathway, drainage project, ~~single family subdivision~~, athletic field, airport runway, golf course or minor utility and the redevelopment or alteration of existing **development** (see subparagraph b below) shall include at least 900 adjusted caliper inches (ACI) of **trees** per acre of **pervious** surface area. **Pervious** surface area equals the **gross acreage** less the maximum **impervious cover** required for the proposed **development**. In the case of **development** in the CR **zoning district**, the maximum **impervious coverage** solely for the purposes of this section shall be 80%.
- b. Redevelopment or alteration of existing **development** shall have the option of meeting the standard in subparagraph a above or meeting replacement requirements in Sec. 16-6-104~~6~~.I, Standards for Supplemental and Replacement Trees, based on **trees** removed by **tree** category.
- c. For the construction of any public **street**, pathway, drainage project, ~~single family subdivision~~, athletic field, airport runway, golf course or minor utility the applicant is required to demonstrate that they have made all reasonable efforts to [maximize the preservation of the existing canopy and save specimen and](#) significant trees, and stands of trees [in accordance with the following](#):
~~Reasonable tree replanting shall be required by the Official for these uses.~~
 - i. [No significant **tree** will be permitted to be removed until reviewed and approved by the Official and only after demonstration to the Official that the following criteria have been satisfied:](#)
 - 01. [It is difficult or impossible to reasonably use the property without the removal of the tree.](#)
 - 02. [Roads, parking areas, drive aisles, paths and other site features have been designed around the canopies of the protected trees to the greatest extent possible.](#)
 - 03. [The removal allows the preservation of other, healthier hardwood trees on the property.](#)
 - 04. [Adjustments to the site plan cannot be made to save the tree without losing lots or floor area.](#)
 - 05. [The tree is not located within a required setback or buffer area.](#)
 - ii. [If the Official determines that a **developer** has not met the preceding criteria, the removal shall require approval of the **Planning Commission** after consideration of the same criteria.](#)
 - iii. [Tree replanting shall be required by the Official in accordance with Sec. 16-6-106 I.](#)

Example: A 2-acre site in a PR, Parks and Recreation District, is permitted a maximum impervious surface coverage of 45 percent or 0.9 acres. This leaves 1.1 acres of pervious surface. Multiplied by 900 adjusted caliper inches (ACI), it gives a site standard of 990 adjusted caliper inches which must be met post-development.

I. Standards for Supplemental and Replacement Trees

Supplement and replacement **trees** provided in accordance with Sec. 16-6-104~~106~~106.G, Minimum Tree Coverage Standard, or Sec. 16-6-104~~46~~46.K, Tree Damage During Development, shall comply with the following standards.

3. Replacement Rate, Tree Category, Planting Size

- b. Supplemental and replacement **trees** shall be within the same or lower-numbered **tree** category (see Sec. 16-6-104~~46~~46.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~~46~~46.I.3 for the category of the **tree**.
- d. Category I and II trees exceeding the minimum required trunk diameter may receive additional replacement credit toward the above requirements to provide greater immediate environmental, aesthetic, and community benefits than the minimum required replacement tree. Additional replacement credit is calculated as follows:
 - i. The first four (4) inches of caliper for each replacement tree shall receive replacement credit at a one-to-one (1:1) ratio. Each additional whole inch of trunk width above four (4) inches shall receive a replacement credit at a one-to-one-and-a-half (1:1.5) ratio.
 - ii. Replacement credit for oversized trees is as follows: four (4) inches + (1.5 x the excess trunk diameter in inches)
Example: 120 tree inches are removed. At a replacement rate of one (1) four-inch (4") tree for every 10 tree inches removed, 12 replacement trees are required (48 replacement credit inches). Using six-inch replacement trees, each tree receives seven replacement credit inches. Therefore, seven replacement six-inch trees (7 x 7 = 49 replacement credit inches) satisfy the same replacement requirement.

TABLE 16-6-104~~46~~46.I.3: MINIMUM PLANTING SIZE FOR SUPPLEMENTAL AND REPLACEMENT TREES

TREE CATEGORY	MINIMUM HEIGHT (FEET)	MINIMUM TRUNK DIAMETER (INCHES) (USING ANSI STANDARDS)
Category I	12	4
Category II	12	4
Category III	8	2
Category IV	8	2

L. Tree Mitigation Fee and Tree Replacement Fund

1. General

The **tree** mitigation fee and tree replacement fund ~~is~~were established to allow the future planting of replacement **trees** removed for **development** in limited cases where this section's requirements for preservation of **specimen trees** (see Sec. 16-6-1046.F) or for retention of existing **tree** coverage (see Sec. 16-6-1046.G) cannot be reasonably achieved, and to allow the future planting of off-site replacement trees for priority areas, projects, and efforts in accordance with 16-6-106.L.5.c following a disaster. Funds shall be used exclusively for the acquisition, planting, and maintenance of **trees** on public property or other locations approved by the Town that advance the intent of this subsection. The availability of a **tree** mitigation fee payment shall not be considered an automatic right, and it may only occur when the **Official** determines that on-site replacement is not reasonable or practical and that off-site replacement would better advance the purposes of this Chapter.

3. Amount of Fee

- a. The **tree** mitigation fee shall be ~~calculated by the Official~~ based on the cost of the required replacement **trees** and the cost of planting. ~~Such costs shall be determined based on a~~ The developer shall provide the Official with a cost estimate received from a local landscaping firm or through pricing information available through a project completed no more than one year earlier. ~~The cost estimate shall incorporate the quantity and size of replacement trees required for compliant on-site mitigation as a basis to determine the tree mitigation fee to be deposited into the tree replacement fund. The Official's determination of the amount shall consider the required minimum trunk diameter (inches, using ANSI standards), priority tree categories, replacement credits, and all other applicable mitigation requirements calculated as though the replacement trees were to be installed on the development site.~~
- b. To maximize long-term environmental benefits and maintain and improve the Town's forest canopy, cost estimates shall utilize priority **tree** species in each category from Table 16-6-106.L.3 unless the **Official** approves an alternative species.

TABLE 16-6-106.L.3: PRIORITY REPLACEMENT TREES FOR TREE MITIGATION FEE DETERMINATION	
TREE CATEGORY	PRIORITY SPECIES
Category I	Live Oak, Bald Cypress, Laurel Oak
Category II	Redbay, Red Maple, Yaupon Holly
Category III	Loblolly Pine, Longleaf Pine, Southern Red Cedar
Category IV	Dahoon Holly, Carolina Laurel Cherry, Eastern Redbud

5. Tree Replacement Fund

- c. Monies from the **tree** replacement fund shall only be spent on planting of **trees** on the following publicly owned and maintained property:
- i. General planting/mitigation on Town property;
 - ii. Canopy restoration;
 - iii. Arbor Day/community plantings;
 - iv. Post-disaster recovery; and
 - v. Other similar public canopy projects.
- d. Qualifying debits include the cost of the **trees**, cost of installation of the **trees**, and cost of one year of **maintenance** for the **trees**.



TOWN OF HILTON HEAD ISLAND

Attachment 2.a

EXECUTIVE SUMMARY

Proposed LMO Priority 1 Amendments

Jonesville Road: RSF-4

Chapters 16-3 and 16-4

The proposed amendment creates a new single-family zoning district tailored to the existing development patterns of Jonesville Road. The principal change is to align permitted uses with the existing single-family character of the neighborhood while generally carrying forward the dimensional standards of the existing RM-4 district.

Jonesville Road – Residential Single-Family-4 (RSF-4)

Existing: RM-4

RM-4 permits a broader range of residential and nonresidential uses and applies a sliding-scale residential density based on parcel size:

Parcel Size	Existing RM-4 Maximum Density
Less than 3 acres	4 du/ac
At least 3 acres	6 du/ac
At least 5 acres	8 du/ac

Proposed: RSF-4

Development Standard	Proposed RSF-4
Maximum Residential Density	4 du/ac
Maximum Building Height	35 ft.
Nonresidential Intensity	6,000 GFA/ac

Development Standard	Proposed RSF-4
Maximum Impervious Cover – Non-Single-Family	35%
Common Open Space – Major Residential	16%

- Eliminates the sliding-scale density; the maximum remains 4 dwelling units per acre regardless of parcel size.
- Carries forward the remaining RM-4 dimensional standards while establishing a district focused on detached single-family development.
- These changes add predictable scale of development that matches existing neighborhood context.

Residential Use Changes

The proposed RSF-4 District retains Single-Family dwellings, Family Compounds, Family Subdivisions, Workforce Housing, while removing uses that are not consistent with the intended detached single-family pattern. These changes help retain the community character as a single-family neighborhood with compatible supporting uses.

Residential Uses	RSF-4
Single-Family	Retained
Family Compound	Retained
Family Subdivision	Retained
Group Living	Removed
Multifamily	Removed
Recreational Vehicle	Removed
Workforce Housing	Retained

Additional Uses Retained

- Cemeteries; community services uses; government uses; utilities; public parks; religious institutions; telecommunications facilities; agriculture; and boat ramps, docking facilities, and marinas remain available subject to applicable standards.
- Customary residential accessory uses remain available subject to existing conditions.

Additional Uses Removed

RSF-4 removes education uses, bed and breakfasts, convenience stores, and other commercial services currently available in RM-4

Chapter 16-4 is updated to incorporate RSF-4 into the principal-use, accessory-use, and use-specific standards; the amendments do not create any new land uses.

EXECUTIVE SUMMARY

Proposed LMO Priority 1 Amendments

Bradley Circle: RSF-8

Chapters 16-3 and 16-4

The proposed amendment creates a single-family zoning district tailored to the existing development patterns of Bradley Circle. The principal change is to align permitted uses with the existing single-family character of the neighborhood while generally carrying forward the dimensional standards of the existing RM-8 district.

Bradley Circle – Residential Single-Family-8 (RSF-8)

Existing: RM-8

RM-8 allows both single-family and multifamily residential development together with a broader range of supporting uses.

Proposed: RSF-8

Development Standard	Proposed RSF-8
Maximum Residential Density	8 du/ac
Maximum Building Height	45 ft.
Nonresidential Intensity	6,000 GFA/ac
Maximum Impervious Cover – Non-Single-Family	35%
Common Open Space – Major Residential	16%

- Retains the RM-8 development intensity while changing the permitted-use structure to establish the area as a single-family district.

Residential Uses Changes

The proposed RSF-8 district retains Single-Family dwellings, Family Compounds, and Family Subdivisions while removing uses that are not consistent with the intended detached single-family pattern.

Residential Uses	RSF-8
Single-Family	Retained
Family Compound	Retained
Family Subdivision	Retained
Group Living	Removed
Multifamily	Removed

Residential Uses	RSF-8
Recreational Vehicle	Removed
Workforce Housing	Not carried into RSF-8

Additional Uses Retained

- Cemeteries; government uses; utilities; public parks; religious institutions; telecommunications facilities; agriculture; and boat ramps, docking facilities, and marinas remain available subject to applicable standards.
- Customary residential accessory uses remain available subject to existing conditions.

Additional Uses Removed

RSF-8 removes community service uses, convenience stores, and other commercial services available in RM-8.

Chapter 16-4 is updated to incorporate RSF-8 into the principal-use, accessory-use, and use-specific standards; the amendments do not create any new land uses.

Hilton Head Island, South Carolina, Land Management Ordinance
Chapter 16-3: Zoning Districts

Chapter 16-3: Zoning Districts

Sec.16-3-102. Base Zoning Districts Established

A. General

Table 16-3-102.A, Base Zoning Districts Established, sets out the **base zoning districts** established by this **Ordinance**. **Base zoning districts** are grouped into Conservation and Recreation Districts, Residential Districts, and Mixed-Use and Business Districts.

TABLE 16-3-102.A: BASE ZONING DISTRICTS ESTABLISHED	
DISTRICT NAME	ABBREVIATION
CONSERVATION AND RECREATION DISTRICTS	
Conservation District	CON
Parks and Recreation District	PR
RESIDENTIAL DISTRICTS	
Residential Single-Family-3 District	RSF-3
Residential Single-Family-4 District	RSF-4
Residential Single-Family-5 District	RSF-5
Residential Single-Family-6 District	RSF-6
Residential Single-Family-8 District	RSF-8
Low to Moderate Density Residential District	RM-4
Moderate Density Residential District	RM-8
Moderate to High Density Residential District	RM-12
MIXED-USE AND BUSINESS DISTRICTS	
Coligny Resort District	CR
Community Commercial District	CC
Light Commercial District	LC
Light Industrial District	IL
Main Street District	MS
Marshfront District	MF
Medical District	MED
Mitchelville District	MV
Neighborhood Commercial District	NC
Planned Development Mixed Use District	PD-1
Resort Development District	RD
Sea Pines Circle District	SPC
Stoney District	S
Waterfront Mixed-Use District	WMU

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

A. General Purposes

RESIDENTIAL ZONING DISTRICTS	
DISTRICT NAME	ABBREVIATION
Residential Single-Family District-3	RSF-3
Residential Single-Family District-4	RSF-4
Residential Single-Family District-5	RSF-5
Residential Single-Family District-6	RSF-6
Residential Single-Family District-8	RSF-8
Low to Moderate Density Residential District	RM-4
Moderate Density Residential District	RM-8
Moderate to High Density Residential District	RM-12

C. Residential Single-Family-4 (RSF-4) District

RSF-4 Residential Single-Family-4 District			
1. Purpose			
The purpose of the Residential Single-Family-4 (RSF-4) District is to primarily accommodate <i>neighborhoods of single-family dwellings</i> at <i>densities</i> ranging up to four units per acre. It is intended to discourage any <i>use</i> that would substantially interfere with the <i>development</i> of <i>single-family dwellings</i> or would be detrimental to the quiet residential nature of <i>single-family neighborhoods</i> . The district also accommodates agricultural <i>uses</i> and parks as permitted <i>uses</i> .			
2. Allowable Principal Uses			
USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES
Residential Uses			
Family Compound	PC	Sec. 16-4-102.B.1.e	2 per du
Family Subdivision	PC	Sec. 16-4-102.B.1.f	2 per du
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA
Workforce Housing	PC	Sec. 16-4-102.B.1.d	See Sec. 16-5-107.D.2
Public, Civic, Institutional, and Educational Uses			
Cemeteries	P		1 per 225 GFA of office area + 1 per 500 GFA of <i>maintenance</i> facilities
Community Service Uses	P		1 per 400 GFA
Government Uses	PC	Sec. 16-4-102.B.2.d	Fire Stations 4 per bay + 1 per 200 GFA of office area
			Other 1 per 200 GFA of office area
Major Utilities	SE		1 per 1,500 GFA
Minor Utilities	P		n/a
Public Parks	P		See Sec. 16-5-107.D.2
Religious Institutions	P		1 per 3 seats in main assembly area

Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a	
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1	
Commercial Services				
Open Air Sales	PC	Sec. 16-4-102.B.7.i	1 per 200 GFA of sales/display area	
Other Uses				
Agriculture Uses	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a
Boat Ramps, Docking Facilities, and Marinas	PC	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips	
3. Development Form Standards				
MAX. DENSITY (PER NET ACRE)²			LOT COVERAGE	
Residential²	4 du		Max. <i>Impervious Cover</i> for All <i>Development</i> Except <i>Single-Family</i>¹	35%
Nonresidential	6,000 GFA		Min. <i>Common Open Space</i> for Major Residential <i>Subdivision</i> Plans and Major Residential <i>Development</i> Plans	16%
MAX. BUILDING HEIGHT				
All <i>Development</i>	35 ft			
USE AND OTHER DEVELOPMENT STANDARDS				
See Chapter 16-4: Use Standards, Chapter 16-5: General Development and Design Standards, Chapter 16-6: Natural Resource Protection, Chapter 16-7 Non-Residential and Vertical Mixed-Use Development Design Regulations, and Chapter 16-8: Residential Subdivision and Residential Development Design Regulations.				
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. 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.				

F. Residential Single-Family-8 (RSF-8) District

<u>RSF-8</u>
<u>Residential Single-Family-8 District</u>
<u>1. Purpose</u>
The purpose of the Residential Single-Family-8 (RSF-8) District is to primarily accommodate <i>single-family dwellings</i> at <i>densities</i> ranging up to eight units per acre. It is intended to discourage any <i>use</i> that would substantially interfere with the <i>development of single-family dwellings</i> or would be detrimental to the quiet residential nature of <i>single-family neighborhoods</i>. The district also accommodates agricultural <i>uses</i> and parks as permitted <i>uses</i>.
<u>2. Allowable Principal Uses</u>

USE CLASSIFICATION/TYPE		USE-SPECIFIC CONDITIONS	MINIMUM NUMBER OF OFF-STREET PARKING SPACES	
Residential Uses				
Family Compound	PC	Sec. 16-4-102.B.1.e	2 per du	
Family Subdivision	PC	Sec. 16-4-102.B.1.f	2 per du	
Single-Family	P		2 per du + 1 per 1,250 GFA over 4,000 GFA	
Public, Civic, Institutional, and Educational Uses				
Government Uses	PC	Sec. 16-4-102.B.2.d	Fire Stations	4 per bay + 1 per 200 GFA of office area
			Other	1 per 200 GFA of office area
Major Utilities	SE		1 per 1,500 GFA	
Minor Utilities	P		n/a	
Public Parks	P		See Sec. 16-5-107.D.2	
Religious Institutions	P		1 per 3 seats in main assembly area	
Telecommunication Antenna, Collocated or Building Mounted	PC	Sec. 16-4-102.B.2.e	n/a	
Telecommunication Towers, Monopole	PC	Sec. 16-4-102.B.2.e	1	
Other Uses				
Agriculture Uses	P		Stables or Riding Academies	1 per 5 stalls
			Other	n/a
Boat Ramps, Docking Facilities, and Marinas	PC	Sec. 16-4-102.B.10.a	1 per 200 GFA of enclosed floor space not used for storage + 1 per 3 wet slips + 1 per 5 dry storage slips	
3. Development Form Standards				
MAX. DENSITY (PER NET 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. Common Open Space for Major Residential Subdivision Plans and Major Residential Development Plans	16%
All Development	45 ft			
USE AND OTHER DEVELOPMENT STANDARDS				
See Chapter 16-4: Use Standards, Chapter 16-5: General Development and Design Standards, Chapter 16-6: Natural Resource Protection, Chapter 16-7 Non-Residential and Vertical Mixed-Use Development Design Regulations, and Chapter 16-8: Residential Subdivision and Residential Development Design Regulations.				
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.				

Chapter 16-4: Use Standards

Sec.16-4-102. Principal Uses

A. Principal Use Table

6. Principal Use Table

TABLE 16-4-102.A.6: PRINCIPAL USE TABLE																									
P = Permitted by Right PC = Permitted Subject to Use-Specific Conditions																									
SE = Allowed as a Special Exception Blank Cell = Prohibited																									
USE CLASSIFICATION/ USE TYPE	SPECIAL DISTRICTS		RESIDENTIAL DISTRICTS									MIXED-USE AND BUSINESS DISTRICTS													USE-SPECIFIC CONDITIONS
	CON	PR	RSF-3	RSF-4	RSF-5	RSF-6	RSF-8	RM-4	RM-8	RM-12	CR	SPC	CC	MS	WMU	S	MF	MV	NC	LC	RD	MED	IL		
RESIDENTIAL USES																									
Family Compound				PCP			PCP	P	P	P				P	P	P	P	P	P	P	P			Sec. 16-4-102.B.1.e	
Family Subdivision				PCP			PCP	P	P	P				P	P	P	P	P	P	P	P			Sec. 16-4-102.B.1.f	
Group Living								P	P	P				P						P		P			
Mixed-Use											PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC		Sec. 16-4-102.B.1.a	
Multifamily								P	P	P	PC	P	PC	P	P	P	P	P	P	P	P	P		Sec. 16-4-102.B.1.b	
Recreational Vehicle								P	P	P					P	P	P	P	P	P					

Recreation Vehicle (RV) Parks																				P					Sec. 16-4-102.B.1.c
Single-Family			P	<u>P</u>	P	P	<u>P</u>	P	P	P					P	P	P	P	P	P	P				
Workforce Housing				<u>P</u> <u>C</u>				P C		P C		P C	P C	P C	P C	P C		P C		P C		P C			Sec 16-4-102.B.1.d
Islander Mixed-Use												P C													Sec. 16-4-102.B.1.g
PUBLIC, CIVIC, INSTITUTIONAL, AND EDUCATIONAL USES																									
Aviation and Surface Transportation Uses																							P C		Sec. 16-4-102.B.2.a
Aviation Services Uses																							P C		Sec. 16-4-102.B.2.b
Cemeteries		P		<u>P</u>				P							P			P	P						
Community Service Uses		P		<u>P</u>				P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	Sec. 16-4-102.B.2.c
Education Uses								P			P	P	P	P						P		P			
Government Uses		P C	P C	<u>P</u> <u>C</u>	P C	P C	<u>P</u> <u>C</u>	P C	P C	P C	P	P	P	P		P	P		P	P	P	P	P		Sec. 16-4-102.B.2.d
Major Utilities		S E	S E	<u>S</u> <u>E</u>	S E	S E	<u>S</u> <u>E</u>	S E	S E	S E	S E	S E	S E	S E	S E	S E	S E	S E	S E	S E	S E	S E	S E	P	
Minor Utilities		P	P	<u>P</u>	P	P	<u>P</u>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Public Parks		P	P	<u>P</u>	P	P	<u>P</u>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Religious Institutions		P	P	<u>P</u>	P	P	<u>P</u>	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Telecommunication Antenna, Collocated or		P C	P C	<u>P</u> <u>C</u>	P C	P C	<u>P</u> <u>C</u>	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	P C	Sec. 16-4-102.B.2.e

[illegible]

TABLE 16-4-102.A.6: PRINCIPAL USE TABLE

P = Permitted by Right PC = Permitted Subject to Use-Specific Conditions

SE = Allowed as a Special Exception Blank Cell = Prohibited

USE CLASSIFICATION / USE TYPE	SPECIAL DISTRICTS		RESIDENTIAL DISTRICTS									MIXED-USE AND BUSINESS DISTRICTS														USE-SPECIFIC CONDITIONS
	CON	PR	RSF-3	RSF-4	RSF-5	RSF-6	RSF-8	RM-4	RM-8	RM-12	CR	SPC	CC	MS	WMU	S	MF	MV	NC	LC	RD	MED	IL			
COMMERCIAL SERVICES																										
Adult entertainment uses												SE													Sec. 16-4-102.B. 7.a	
Animal Services												PC	PC			PC				PC				PC	Sec. 16-4-102.B. 7.b	
Bicycle Shops											PC	PC	PC	PC	PC	PC	PC	PC		PC	PC				Sec. 16-4-102.B. 7.c	
Convenience Stores									PC			PC	PC	PC		PC	PC	PC	PC	PC				PC	Sec. 16-4-102.B. 7.d	
Eating Establishments											PC	P	P	P	PC	PC	PC	PC	PC	P	P		PC		Sec. 16-4-102.B. 7.e	
Grocery Stores											P	P	P	P		P				P						
Landscape Businesses																PC				P			P		Sec. 16-4-102.B. 7.f	
Liquor Stores											SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE				Sec. 16-4-102.B. 7.g	

Nightclubs or Bars										P C	P C	P C		P C	P C	P C	P C		P C	P C			Sec. 16-4- 102.B. 7.h
Open Air Sales		P C		<u>P C</u>				P C			P C	P C		P C	P C	P C	P C	P C	P C	P			Sec. 16-4- 102.B. 7.i
Shopping Centers										P C	P C	P C	P C		P C	P C			P C				Sec. 16-4- 102.B. 7.j
Tattoo Facilities																			P C				Sec. 16-4- 102.B. 7.k
Other Commercial Services Uses								P C	P C		P	P	P	P	P	P	P	P	P	P	P	P	Sec. 16-4- 102.B. 7.l
VEHICLE SALES AND SERVICES																							
Auto Rentals										P C	P C	P		P C		P	P C		P	P C		P	Sec. 16-4- 102.B. 8.a
Auto Repairs												P C							P C			P C	Sec. 16-4- 102.B. 8.b
Auto Sales												P							P			P	
Car Washes											P	P			P C	P			P			P	Sec. 16-4- 102.B. 8.c
Commercial Parking Lot										P C	P C	P C		P C						P C			Sec. 16-4- 102.B. 8.d
Gas Sales										P C	P C	P C			P C	P C		P C	P C			P C	Sec. 16-4- 102.B. 8.d
Taxicab Services												P			P				P			P	

[illegible]**TABLE 16-4-102.A.6: PRINCIPAL USE TABLE**

P = Permitted by Right PC = Permitted Subject to Use-Specific Conditions

SE = Allowed as a Special Exception Blank Cell = Prohibited

[illegible]

- ix. Except for paragraph viii above, workforce housing use in the RM-4 [and RSF-4](#) Districts shall comply with the following conditions:
 - a. The property shall be a single parcel that is a minimum of 3 acres.
 - b. The property shall not have frontage on Jarvis Creek, Broad Creek, or Old House Creek.
 - c. The site of the WFH use shall not be located within 750 linear feet of the Hilton Head Island Airport property. This distance shall be measured as the length of an imaginary straight line between the two closest points of the perimeter boundary of the property on which any WFH use is located, and the perimeter boundary of the Hilton Head Island Airport.
 - d. The site of the WFH use shall be located within 3,500 linear feet of a minor arterial in accordance with Sec. 16-5-105.B, Street Hierarchy. This distance shall be measured from the centerline of the closest vehicular access on the property where the WFH is located, and shall be measured along the centerline of the travel lane of the street providing the shortest route to the minor arterial.
 - e. Lots within an existing legally platted and developed single family subdivision, including open space are not eligible to participate in the WFH Program.
 - f. Properties developed with a non-single family residential use that is permanent in nature are not eligible to participate in the WFH Program.
- x. Workforce housing use in the RM-12 District shall comply with the following conditions:
 - a. The property shall be a minimum of 5 acres.
 - b. The property shall be located on a major arterial in accordance with Sec. 16-5-105.B, Street Hierarchy.

10. Other Uses

a. Boat Ramps, Docking Facilities, and Marinas

- ii. A **boat ramp** is allowed in the RSF-3, [RSF-4](#), RSF-5, [RSF-8](#), RM-4, or RM-8 District only if the purpose is to serve the **adjacent neighborhoods**.

Sec.16-4-103. Accessory Uses and Structures

2. Accessory Use/Structure Table

TABLE 16-4-103.D.2: ACCESSORY USE/STRUCTURE TABLE																								
P = Permitted by Right PC = Permitted Subject to Use-Specific Conditions																								
Blank Cell = Prohibited																								
ACCE SSOR Y USE/ STRU CTUR E	SPECIA L DISTRI CTS		RESIDENTIAL DISTRICTS								MIXED-USE AND BUSINESS DISTRICTS												USE- SPECIFIC CONDITI ONS	
	CON	PR	RSF-3	<u>RSF-4</u>	RSF-5	RSF-6	<u>RSF-8</u>	RM-4	RM-8	RM-12	CR	SPC	CC	MS	WMU	S	MF	MV	NC	LC	RD	MED		IL
Amat eur radio anten na			P C	<u>P</u> <u>PC</u>	P C	P C	<u>P</u> <u>PC</u>	P C	P C	P C					P C	P C		P C	P C					Sec. 16- 4-103.E.1
Auto matic teller machi ne (ATM)											P	P	P	P	P	P	P			P	P	P		
Crem atory (as acces sory to funer al home s)													P										P	
Home Occu patio n			P C	<u>P</u> <u>PC</u>	P C	P C	<u>P</u> <u>PC</u>	P C	P C	P C	P C	P C		P C	P C	P C	P C	P C	P C	P C	P C			Sec. 16- 4-103.E.3
<i>Outd oor displa y and</i>											P C	P C	P C	P C	P C	P C			P C	P C				Sec. 16- 4-103.E.4

[illegible]

Sec. 16-4-105. Workforce Housing (WFH) Program

A. Workforce Housing Density

All Units:

1. Commercial conversion projects that include at least 20% workforce housing units will be eligible for incentives as described in Sec. 16-10-102B.1, including:
 - a. A reduction in minimum unit sizes by 30% and;
 - b. Up to 50% of the units in the development may be micro-efficiency and/or studio units.
2. In the RM-4 [and RSF-4](#) Districts:
 - a. A density bonus up to 100% above the base residential density standards is permitted if 50% of all units within the development are workforce housing units.
 - b. A density bonus up to 50% above the base residential density standards is permitted if 25% of all units within the development are workforce housing units.
 - c. The maximum density permitted in any workforce housing development is 12 units per acre.



TOWN OF HILTON HEAD ISLAND

Attachment 3.a

EXECUTIVE SUMMARY

Proposed LMO Priority 1 Amendments

Subdivision & Residential Development Standards

Chapters 16-2, 16-3, 16-5, 16-7 and 16-8; Appendices A and D

The proposed amendments reorganize the Town's subdivision and development regulations and establish separate standards and a clear development review processes based on residential or nonresidential and minor or major development. The changes move significant and potentially impactful site-planning decisions earlier in the review process, establishing clearer, more predictable requirements for environmental analysis, public review, residential design, phasing, clearing and grading, common open space, and application submittals. These subdivision and development standards are organized into unique chapters creating transparency, clarity, and ultimately higher quality town planning.

Development Review Process

Existing Standard

Subdivision and development procedures are distributed throughout the LMO. Major residential projects do not use a formal preliminary/final approval structure, which resolves negative, impactful site-planning decisions before detailed design and engineering.

Proposed Amendment

Separate review tracks are established for minor and major residential and nonresidential subdivisions and development plans. Major Residential Subdivision Plans and Major Residential Development Plans move to a two-step review process:

Preliminary Review	Final Review
Environmental preservation; site layout and open space; neighborhood design; transportation and circulation; and Anti-Monotony building design.	Verifies that engineering plans, infrastructure, construction documents, and other final details are consistent with the approved Preliminary Plan.

The Preliminary Plan functions as the point where the significant planning decisions are resolved before detailed design development and engineering begin. It moves big-picture decisions

(environmental site analysis, building layout, open space, preservation, circulation) up front – a 30% conceptual design plan.

Environmental Site Analysis

Existing Standard

Environmental resources are reviewed through existing development standards, but the LMO does not require a comprehensive site analysis to shape the conceptual layout of every major residential project before plans are developed.

Proposed Amendment

Major residential projects must complete an Environmental Site Analysis during preliminary review. The analysis delineates existing conditions and identifies priority preservation and development areas, including:

- Wetlands, dunes and floodplains.
- Tree surveys, woodlots, and maritime forests.
- Wildlife habitat and historic resources.
- Scenic views and viewsheds.
- Development constraints and suitable development areas.
- Preservation areas and potential pedestrian/non-motorized connections.

Conceptual site planning must demonstrate how development responds to these existing conditions before detailed engineering begins, allowing natural-resource constraints and preservation areas to shape the initial project layout, yielding more context sensitive neighborhoods.

Public Review & Planning Commission Decision

Proposed Amendment

- Requires public hearings for Major Residential and Major Non-Residential applications reviewed by the Planning Commission.
- Preliminary Major Residential Subdivision Plans and Preliminary Major Residential Development Plans are considered for approval by the Planning Commission rather than decided administratively by the LMO Official.

Public review therefore occurs while major site-planning decisions are being considered, rather than after those decisions have been incorporated into final engineering.

Aggregation of Smaller Applications

Existing Standard

Successive minor or small residential applications can be reviewed independently even where the cumulative development reaches the threshold normally associated with a major project.

Proposed Amendment

- Applies major review when six or more nonresidential lots are cumulatively created from the same original parcel.
- Applies major review when residential development cumulatively creates six or more dwelling units.

- Allows multiple Small Residential Development applications on adjacent or contiguous properties to be consolidated when they collectively reach the major-development threshold within a rolling 36-month period.

The revised process evaluates cumulative development at the level of review that would apply if the project were submitted as a whole. It closes the loopholes in the minor subdivision and small residential development review that allows piecemeal applications to sidestep major review. Hence, the revised process ensures comprehensive scrutiny of cumulative impacts on stormwater, traffic, utilities, environment, open space and community character.

Phased Clearing & Grading

Existing Standard

Major residential sites may be cleared more broadly before individual lots are ready for construction.

Proposed Amendment

- Limits initial clearing and grading to areas necessary for streets, rights-of-way, utilities, stormwater facilities, drainage/easements, and other required infrastructure.
- Allows infrastructure clearing and grading to proceed in accordance with an approved Phasing Plan.
- Requires each completed phase to be stabilized and required infrastructure installed before clearing and grading begins on the next phase.
- Prohibits clearing and grading of individual residential lots until required tree-removal permits, where applicable, and building permits have been issued.

Vegetation therefore remains in place on future building lots until those lots are ready for construction, reducing unnecessary early disturbance and the duration of exposed soils.

Minimum Common Open Space

Existing Standard	Proposed Standard
16% minimum common open space applies to Major Residential Subdivision Plans.	16% minimum common open space applies to both Major Residential Subdivision Plans and Major Residential Development Plans.

The same minimum open-space requirement applies to major residential projects regardless of whether individual lots are created through subdivision.

Residential Anti-Monotony Design Standards

Proposed Amendment

- Requires Major Residential developments to demonstrate compliance with Anti-Monotony Residential Design Standards during preliminary review.
- Requires Design Review Board review of compliance before Planning Commission consideration of the Preliminary Plan.

Architectural variety is therefore addressed as part of the development approval process rather than after the neighborhood layout is established.

Development Phasing

Proposed Amendment

- Requires a Phasing Plan when major residential development is proposed to be constructed in phases.
- Requires each phase to function independently with required infrastructure, open space, and amenities.
- Allows minor administrative adjustments while requiring Planning Commission review for significant changes such as density, unit type, or reductions/changes to open space.

Tree Survival Performance Guarantee

Proposed Amendment

- Requires a performance guarantee before issuance of a Certificate of Compliance for required landscape and replacement trees.
- Requires an inspection approximately one year after installation.
- Allows the Town to use the guarantee to replace required trees that fail if the applicant does not replace them.

Zoning Compliance Permit

Proposed Amendment

Creates a formal zoning compliance review before construction, demolition, changes in use, and similar regulated activities begin. The permit verifies applicable zoning compliance before additional permits are issued.

Nonresidential & Vertical Mixed-Use Design Standards

Existing Standard

Residential and nonresidential design standards are currently combined within broader subdivision and development provisions.

Proposed Amendment

A new Chapter 16-7 separates nonresidential and vertical mixed-use site design from residential subdivision regulations and adds standards for:

- Pedestrian connections between buildings and sidewalks or multi-use pathways.
- Physical separation of pedestrian routes from vehicle circulation where practical.
- Minimum walkway and accessibility requirements.
- Transit-stop pads for sites on existing or planned transit routes, when required by the Town.
- Pedestrian access to transit facilities and preservation of long-term transit access.

Townhouse / Fee-Simple Attached Development

Proposed Amendment

Existing Zero Lot Line provisions are replaced with specific townhouse subdivision standards allowing attached units to be placed on individual fee-simple lots. Requirements include:

- One complete dwelling unit per lot.
- Property lines along common walls without dividing the interior of a dwelling unit.
- Garages and accessory structures remaining on the same lot as the dwelling they serve.
- Side setbacks applying at exterior end units.

- Direct public street, private street, or private driveway access for each lot.
- Shared infrastructure and common areas conveyed to and maintained by a property owners' association.

Administrative Implementation

- Appendix A updates the responsibilities of the Official, Planning Commission, Design Review Board, and Board of Zoning Appeals to reflect the revised review process.
- Appendix D adds required submittal materials for Environmental Site Analyses, Preservation Area Plans, Phasing Plans, Anti-Monotony documentation, and Preliminary Major Residential Development Plans.
- Chapter 16-5 is reorganized so topic-specific standards are relocated to their appropriate chapters, while general subdivision requirements such as monuments, addressing, lot numbering, and septic-lot requirements remain in Chapter 16-5.

Chapter 16-2: Administration

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

Table 16-2-101: Summary Table of Development Review Procedures						
V = <u>Review</u> ; R = Recommendation; D = Decision; A = Appeal; < > = Hearing; < > * = Public Hearing; E = Encouraged; M = <u>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>*	
<u>Non-Residential Subdivision Review (Sec. 16-2-103.F)</u>	<u>Minor Non-Residential Subdivision Plan</u>	<u>E</u>	<u>D</u>		<u><A>* </u>	
	<u>Major Non-Residential Subdivision Plan</u>	<u>M</u>	<u>D</u>		<u><V>* </u> <u><A>* </u>	
<u>Residential Subdivision Review (Sec. 16-2-103.F)</u>	<u>Minor Residential Subdivision Plan</u>	<u>E</u>	<u>D</u>		<u><A>* </u>	
	<u>Preliminary Major Residential Subdivision Plan</u>	<u>M</u>	<u>R</u>	<u>D¹</u>	<u><D>* </u>	
	<u>Final Major Residential Subdivision Plan</u>	<u>M</u>	<u>D</u>		<u><V>* </u> <u><A>* </u>	
<u>Minor Development Plan Review (Sec. 16-2-103.G)</u>	<u>E</u>	<u>D</u>		<u><A>* </u>		

Major Non-Residential Development Plan Review (Sec. 16-2-103.G)		M	D		<V>* <A>*		
Major Residential Development Plan Review (Sec. 16-2-103.G)	Preliminary Major Residential Development Plan	M	R	D¹	<D>*		
	Final Major Residential Development Plan	M	D		<V>* <A>*		
Small Residential Development Review (Sec. 16-2-103.H)		E	D		<A>		
Corridor Review (Sec. 16-2-103.I)	Minor		D	<A>			
	Major		R	<D>			
Transportation 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- 114 112 .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>		
Zoning Compliance Permit (Sec. 16-2-103.Z)			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>			
Note 1: DRB decision relates only to compliance with anti-monotony requirements. See Sec. 16-8-102.F.1 Anti-Monotony Design Standards. General Note: 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.						

Sec.16-2-102. Standard Review Procedures

B. Pre-Application Conference

2. Applicability

[If a pre-application conference for a particular **application** type is noted as mandatory in Sec. 16-2-101, Summary Table of Review Procedures, it shall occur in accordance with this subsection. Otherwise, A](#) pre-application conference is encouraged, but not required, ~~before submittal of particular **application** types as identified in Sec. 16-2-101, Summary Table of Review Procedures~~ [for all other **application** types.](#)

3. Procedure

b. Information Submitted For Conference

Before a pre-application conference is held, the **applicant** shall submit to the **Official** a narrative describing the scope of the proposed **development**, a conceptual **site plan**, and any other information reasonably requested by the **Official**. [Additionally, for Preliminary Major Residential Subdivision Plans and Preliminary Major Residential Development Plans, an **applicant** shall submit a site analysis in accordance with Section 16-8-102.b and concept-level building elevations indicating initial strategies to comply with Anti-Monotony Design Standards in accordance with Sec. 16-8-102.F.1.](#)

c. Conference Actions

Town staff shall review the materials submitted by the **applicant** prior to the conference, and at the conference ask the **applicant** questions about the proposed **application**, as appropriate, and identify any concerns or other factors the **applicant** should consider about the **application**. [If the **development** requires a Transportation Impact Analysis Plan \(TIAP\) in accordance with Section 16-5-106, the pre-application conference will address the type of TIAP, study area, data required, and modal split, as required.](#)

C. Zoning Map Amendment (Rezoning)

3. Zoning Map Amendment (Rezoning) Review Standards

- b. If the proposed Zoning Map Amendment is for reclassification of **land** to the Redevelopment Overlay (R-O) District, whether and the extent to which:

- vii. The proposed plan for **development** demonstrates that the design and layout of the site complies with the dimensional, **development** and design, and natural resource protection standards in Chapter 16-5: [General Development and Design Standards](#), and Chapter 16-6; Natural Resource Protection, or modifications to such standards approved in accordance with Sec. 16-3-106.K, Redevelopment Overlay (R-O) District; and

F. Subdivision [Plan Review](#) ~~(Minor or Major)~~

1. Purpose

The purpose of this section is to state the procedure for seeking ~~a Major or Minor~~ Subdivision [Plan Review](#) Approval.

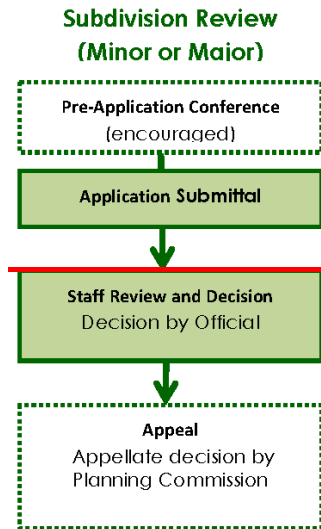
The purpose of this subsection is to provide a uniform method for the review and approval of **subdivision of land** and to ensure, in conjunction with ~~Sec. 16-5-115~~ [Chapter 16-5 General Development Design Regulations](#), [Chapter 16-6 Natural Resource Protection](#), [Chapter 16-7 Non-Residential and Vertical Mixed-Use Development Design Regulations](#), [Chapter 16-8 Residential Subdivision and Residential Development Design Regulations](#), and all other requirements, as [applicable](#), that **subdivisions** 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 **open space** and recreation facilities; and
- f. Ensuring there is proper recordation of **land** ownership.

2. Applicability

a. General

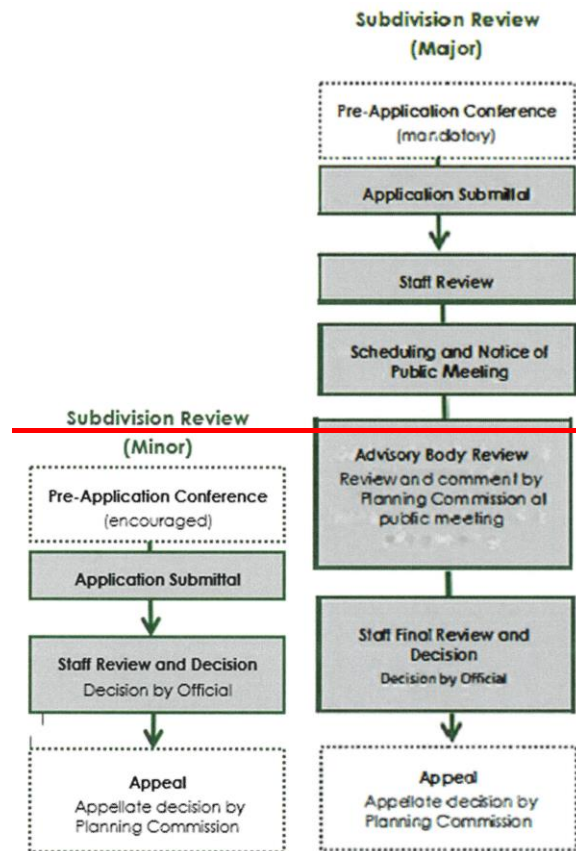
Approval of ~~either a Minor Subdivision or a Major~~ a Subdivision [Plan](#) in accordance with the procedures and standards of this subsection is required before any plat of a ~~Major or Minor~~ Subdivision [Plan](#) may be recorded in the Office of the Register of Deeds for Beaufort County, South Carolina. No **land** in any proposed ~~Major or Minor~~ Subdivision [Plan](#) may be sold, transferred, or offered for sale until a final plat for the ~~Major or Minor~~ Subdivision [Plan](#) has been approved in accordance with this **Ordinance** and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina.



b. Minor and Major Subdivision Plans

- i. A Minor Non-Residential Subdivision Plan ~~Minor Subdivision~~ is a division of **land** into five or fewer non-residential lots.
- ii. A Minor Residential Subdivision Plan is a division of **land** into five or fewer residential **lots**.
- iii. A Major Non-Residential Subdivision is a:
 01. Division of **land** into six or more non-residential lots; or
 02. Division of any **lot** that previously resulted from a minor subdivision and results in six or more non-residential **lots** that were created from the original minor subdivision(s) and the proposed division of **land**.
- iv. A Major Residential Subdivision is a:
 01. ~~d~~Division of **land** into six or more residential lots; or-
 02. Division of any **lot** that previously resulted from a minor subdivision and results in six or more residential **lots** that were created from the original minor subdivision(s) and the proposed division of **land**.
 03. A division that creates lots intended or used for multi-unit residential buildings where the cumulative dwelling units enabled within the subdivision area would be six or more shall require Major Residential Development Plan review.

3. Subdivision Review ~~(Minor or Major)~~ Procedure



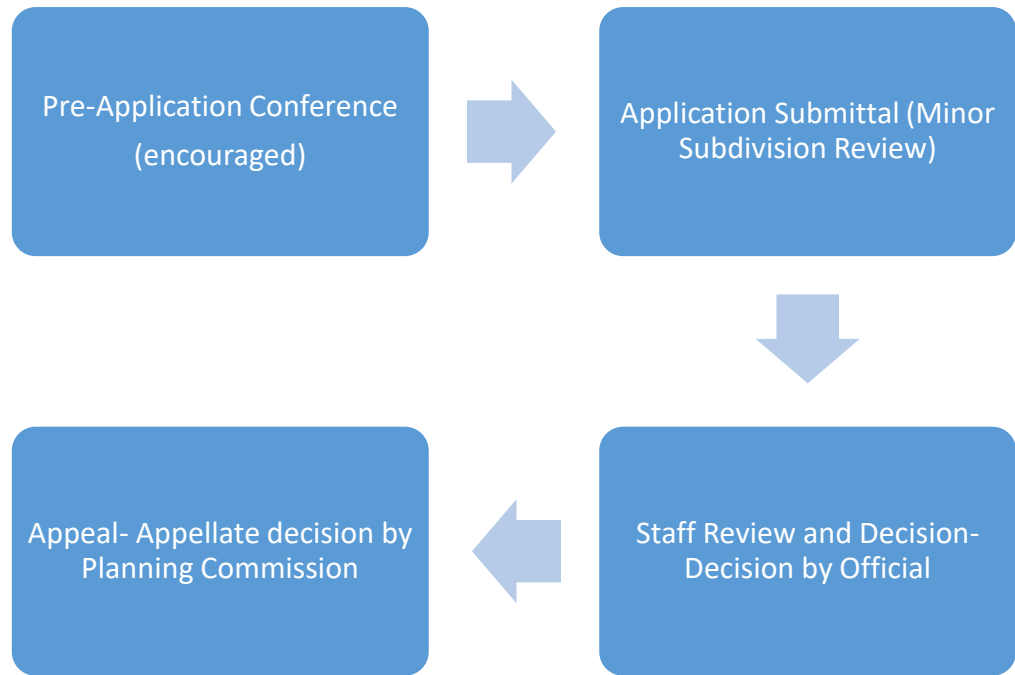
a. Pre-Application Conference

- i. Prospective **applicants** for [Minor Non-Residential Subdivision Plan Reviews and Minor Residential Subdivision Plan Reviews](#) ~~Minor Subdivision Reviews~~ 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 Non-Residential Subdivision Plan Reviews, Preliminary Major Residential Subdivision Plan Reviews, and Final Major Residential Subdivision Plan Reviews](#) ~~Major Subdivision Reviews~~ are required to hold a pre-application conference with Town staff in accordance with Sec. 16-2-102.B.

c. Staff Review and Action — [Minor Non-Residential Subdivision Plan Review and Minor Residential Subdivision Review](#)

- i. On receiving an **application for a Minor Non-Residential Subdivision Plan Review or Minor Residential Subdivision Review**, 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**, [for a Minor Non-Residential Subdivision Plan Review or Minor Residential Subdivision Review](#), in accordance with Sec. 16-2-102.D, within 60 days after it is submitted, or such extended time agreed to by the **applicant**.
- iii. If the **Official** fails to take action on the **application** [for a Minor Non-Residential Subdivision Plan Review or Minor Residential Subdivision Review](#) 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**.



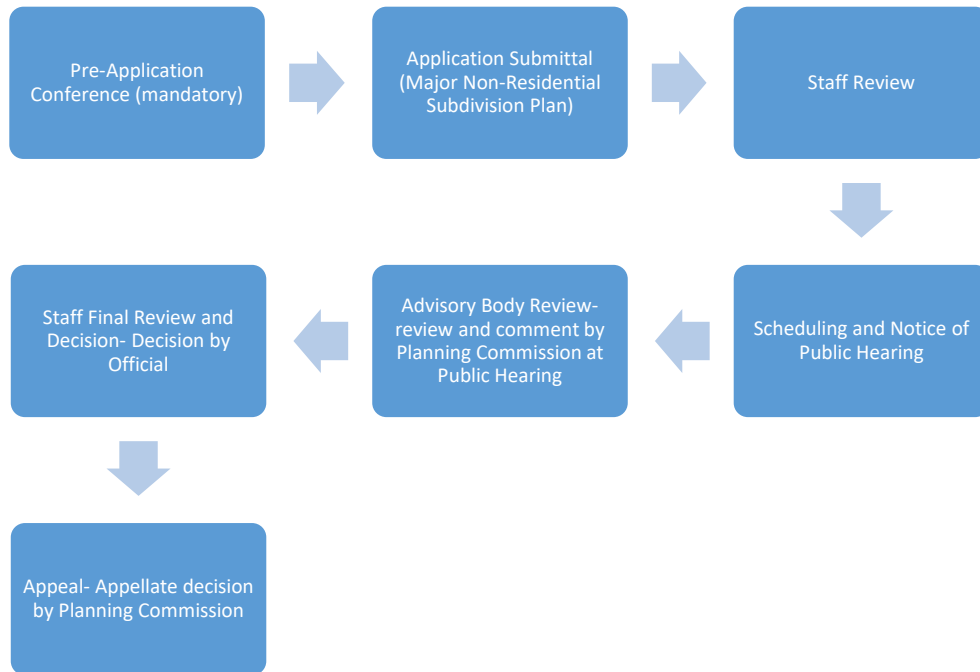
~~d. Staff Review and Action – Major Subdivision~~

- ~~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. Staff Review and Action – Major Non-Residential Subdivision Plan Review

- i. On receiving an **application** for a Major Non-Residential Subdivision Plan Review, the **Official** shall review the **application**, prepare a staff report on the **application**, and transmit the **application** and staff report to the **Planning Commission** in accordance with Sec. 16-2-102.D. The **Official's** staff report shall be based on the standards in Sec. 16-2-103.F.4, Subdivision Review Standards.
- iii. A public hearing on the **application** for a Major Non-Residential Subdivision Plan Review shall be scheduled before the **Planning Commission**, and all required notices shall be provided in accordance with Sec. 16-2-102.E.
- iv. The **Planning Commission** shall review the **application** for a Major Non-Residential Subdivision Plan Review, staff report, and public comment at the hearing, and shall provide review comments on the **application**.
- v. Following review by the **Planning Commission**, the **Official** shall make a final decision on the **application** for a Major Non-Residential Subdivision Plan Review 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 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**.
- vi. The **Official** shall act on an **application** for a Major Non-Residential Subdivision 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**.
- vii. If the **Official** fails to act on an **application** for a Major Non-Residential Subdivision Plan Review, in accordance with Sec. 16-2-102.D, within the time period in provision vi 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**.



e. Planning Commission Review and Action – Preliminary Major Residential Subdivision Plan Review

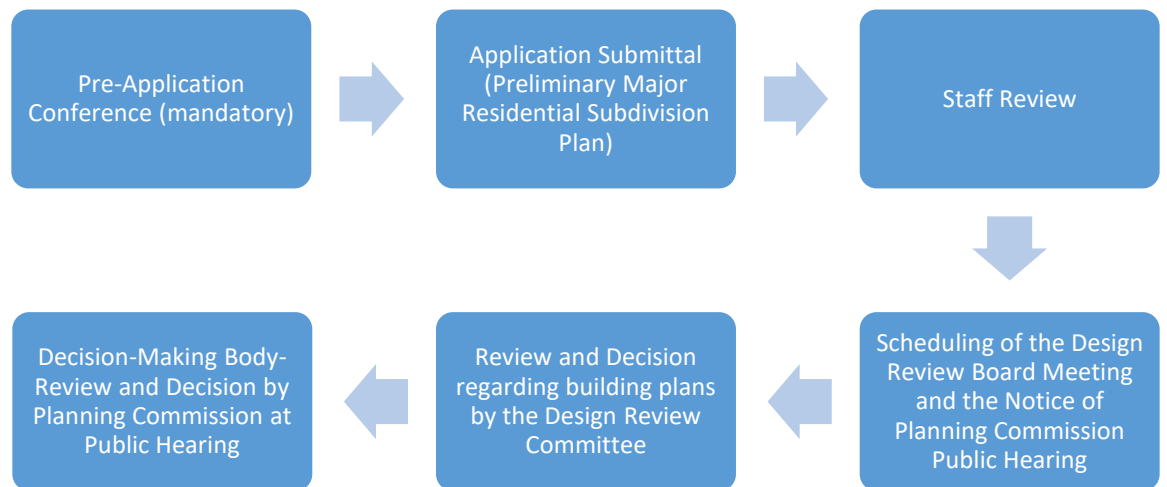
- i. On receiving an **application** for a preliminary Major Residential Subdivision Plan Review, the **Official** shall review the **application**, prepare a staff report with a recommendation for action on the **application**, and transmit the **application** and staff report to the **Design Review Board** and the **Planning Commission** in accordance with Sec. 16-2-102.D. The **Official's** recommendation shall be based on the standards in Sec. 16-2-103.F.4, Subdivision Review Standards.
- ii. A meeting with the **Design Review Board** shall be scheduled for consideration of compliance with Anti-Monotony Design Standards (Sec. 16-8-102.F.1), and a public hearing on the **application** for a Preliminary Major Residential Subdivision Plan Review shall be scheduled before the **Planning Commission**, and all required notices shall be provided in accordance with Sec. 16-2-102.E.
- iii. The **Design Review Board** shall review the proposed building plans, staff report, and the **Official's** recommendation, and make a final decision in accordance with Sec. 16-2-102.D. The **Design Review Board's** decision shall be based on compliance with Sec. 16-8-102.F.1 Anti-Monotony Design Standards, and shall be one of the following:
 01. Approve the **building** plans;
 02. Approve the **building** plans subject to conditions of approval; or
 03. Deny the **building** plans.
- iv. The **Planning Commission** shall review the **application** for a Preliminary Major Residential Subdivision Plan Review, staff report, public comment at the hearing, and the **Official's** recommendation, and make a final decision on the **application** in accordance with Sec. 16-2-102.D. The **Planning Commission's** decision shall be based on the standards in Sec. 16-2-103.F.4, Subdivision 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**.

v. The **Planning Commission** shall act on an **application** for a Preliminary Major Residential Subdivision 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**. However, the **Planning Commission** shall not act on an **application** for a Preliminary Major Residential Subdivision Plan Review unless the **Design Review Board** has first approved the **building plans** associated with the **development** in accordance with Sec. 16-8-102.F.1 Anti-Monotony Design Standards.

vi. If the **Planning Commission** fails to act on an **application** for a Preliminary Major Residential Subdivision Plan Review, in accordance with Sec. 16-2-102.D, within the time period in provision v 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**.

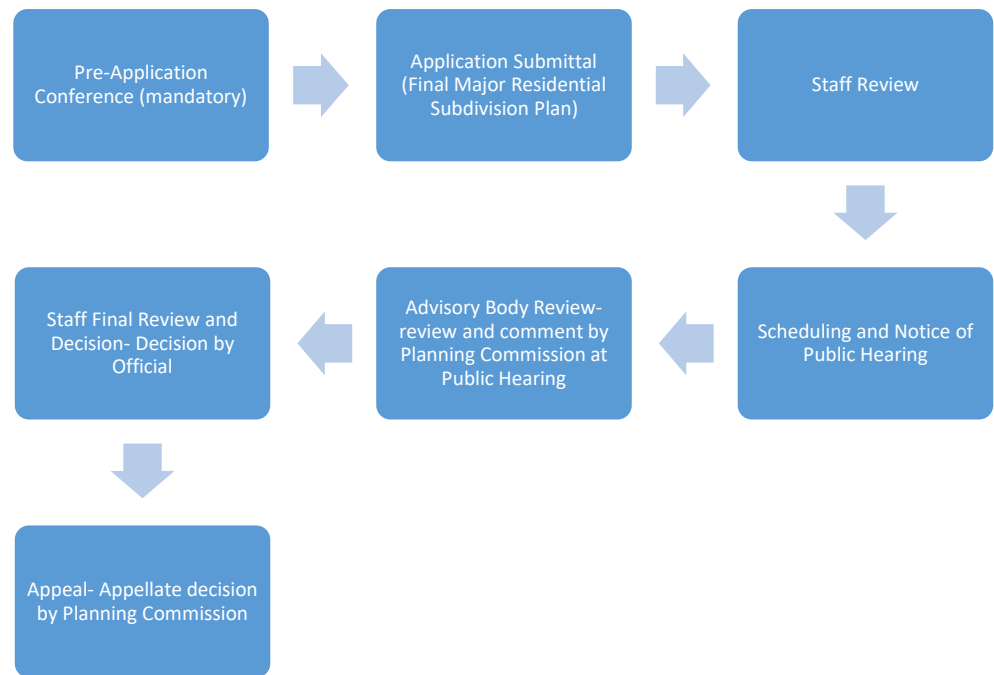


f. Staff Review and Action – Final Major Residential Subdivision Plan Review

i. On receiving an **application** for a Final Major Residential Subdivision Plan Review, the **Official** shall review the **application**, prepare a staff report on the **application**, and transmit the **application** and staff report to the **Planning Commission** in accordance with Sec. 16-2-102.D. The **Official's** staff report shall be based on the standards in Sec. 16-2-103.F.4, Subdivision Review Standards.

ii. A public hearing on the **application** for a Final Major Residential Subdivision Plan Review shall be scheduled before the **Planning Commission**, and all required notices shall be provided in accordance with Sec. 16-2-102.E.

- iii. The **Planning Commission** shall review the **application** for a Final Major Residential Subdivision Plan Review, staff report, and public comment at the hearing, and shall provide review comments on the **application**.
- iv. Following review by the **Planning Commission**, the **Official** shall make a final decision on the **application** for a Final Major Residential Subdivision Plan Review 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 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**.
- v. The **Official** shall act on an **application** for a Final Major Residential Subdivision 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**.
- vi. If the **Official** fails to act on an **application** for a Final Major Residential Subdivision Plan Review, in accordance with Sec. 16-2-102.D, within the time period in provision vi 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**.



eg. Post-Decision Actions and Limitations

4. Subdivision Review ~~(Minor or Major)~~ Standards

An ~~**application**~~ for Subdivision Review (Minor or Major) shall be approved if the ~~**Official**~~ finds the ~~**applicant**~~ demonstrates the proposed Major or Minor Subdivision complies with:

- a. ~~Applicable standards in Sec. 16-5-115;~~
- b. ~~All other applicable standards and requirements in this **Ordinance**; and~~

~~c. All other applicable requirements in the **Municipal Code**.~~

a. An **application** for Minor Non-Residential Subdivision Plan Review or Major Non-Residential Subdivision Plan Review shall be approved on a finding the **applicant** has demonstrated the **development** proposed in the Minor Non-Residential Subdivision Plan or Major Non-Residential Subdivision Plan complies with:

- i. The relevant standards and requirements in Chapter 16-3: Zoning Districts, Chapter 16-4: Use Standards, Chapter 16-5: General Development and Design Standards, Chapter 16-6: Natural Resource Protection, and Chapter 16-7 Non-Residential and Vertical Mixed-Use Development Design Regulations.
- ii. All other applicable standards of this **Ordinance**; and
- iii. All other applicable requirements in the **Municipal Code**.

b. An **application** for Minor Residential Subdivision Plan Review shall be approved on a finding the **applicant** has demonstrated the **development** proposed in the Minor Residential Subdivision Plan complies with:

- i. The relevant standards and requirements in Chapter 16-3: Zoning Districts, Chapter 16-4: Use Standards, Chapter 16-5: General Development and Design Standards, and Chapter 16-6: Natural Resource Protection.
- ii. All other applicable standards of this **Ordinance**; and
- iii. All other applicable requirements in the **Municipal Code**.

c. An **application** for Preliminary Major Residential Subdivision Plan Review or Final Major Residential Subdivision Plan Review shall be approved on a finding that the **applicant** has demonstrated the **development** proposed in the Preliminary Major Residential Subdivision Plan Review or Final Major Residential Subdivision Plan complies with:

- i. The relevant standards and requirements in Chapter 16-3: Zoning Districts, Chapter 16-4: Use Standards, Chapter 16-5: General Development and Design Standards, Chapter 16-6: Natural Resource Protection, and Chapter 16-8 Residential Subdivision and Residential Development Design Regulations;
- ii. All other applicable standards of this **Ordinance**; and
- iii. All other applicable requirements in the **Municipal Code**.

G. Minor Development Plan, Major Non-Residential Development Plan, Preliminary Major Residential Development Plan, and Final Major Residential Development Plan Review ~~(Minor and Major)~~

2. Applicability

b. Minor Development Plan, Major Non-Residential Development Plan, Preliminary Major Residential Development Plan, and Final Major Residential Development Plan ~~Minor and Major Development Plans~~

~~There are two types of~~ Development Plans include the following: ~~Minor and Major~~ Minor Development Plan, Major Non-Residential Development Plan, Preliminary Major Residential Development Plan, and Final Major Residential Development Plan.

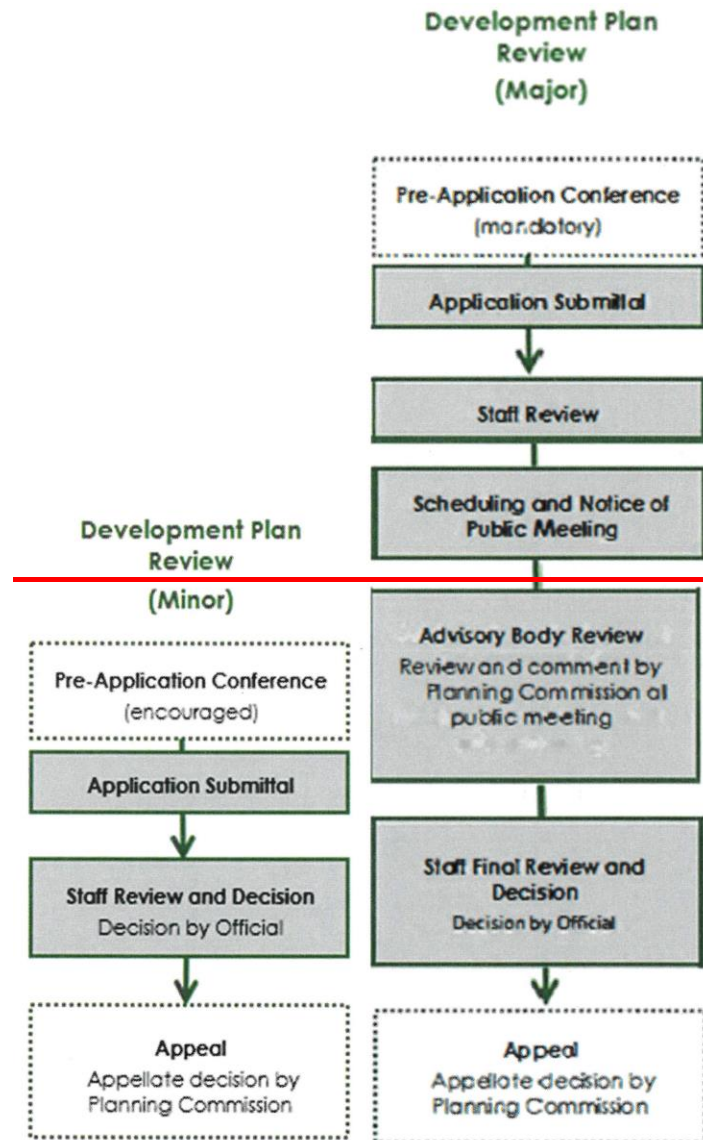
- ii. Approval of a Major Non-Residential Development Plan is required for all other **development** that does not qualify for Minor Development Plan Review ~~subject to Development Plan Review~~, including non-residential development and mixed-use development. However, any **development** qualifying as a Minor Development Plan that is adjacent to or across the **street** from a residential **use** shall be processed as a Major Non-Residential Development Plan.
- iii. Approval of a Preliminary and Final Major Residential Development Plan is required for all other residential development subject to Development Plan Review, including all non-subdivision residential development involving six or more dwelling units on a single lot, such as single-family dwellings, townhomes, and multifamily dwellings.

3. Exemptions

The following activities or **uses** are exempt from Development Plan Review (although they may be reviewed under a separate administrative procedure, or may be governed or prohibited by private covenants and restrictions):

- d. All **structures** (including factory-built housing) built or placed on an individual **single-family** residential **lot** with no other **dwelling** on it although such structures shall comply with the provisions set forth below:
 - vii. Section 16-5-105.4, Access to Streets;
 - viii. Section 16-5-~~106~~107, Parking and Loading Standards;
 - ix. Section 16-5-~~111~~110, Fire Protection Water Supply;

4. *Minor Development Plan, Major Non-Residential Development Plan, Preliminary Major Residential Development Plan, and Final Major Residential Development Plan* Procedure
Development Plan Review (Minor or Major) Procedure

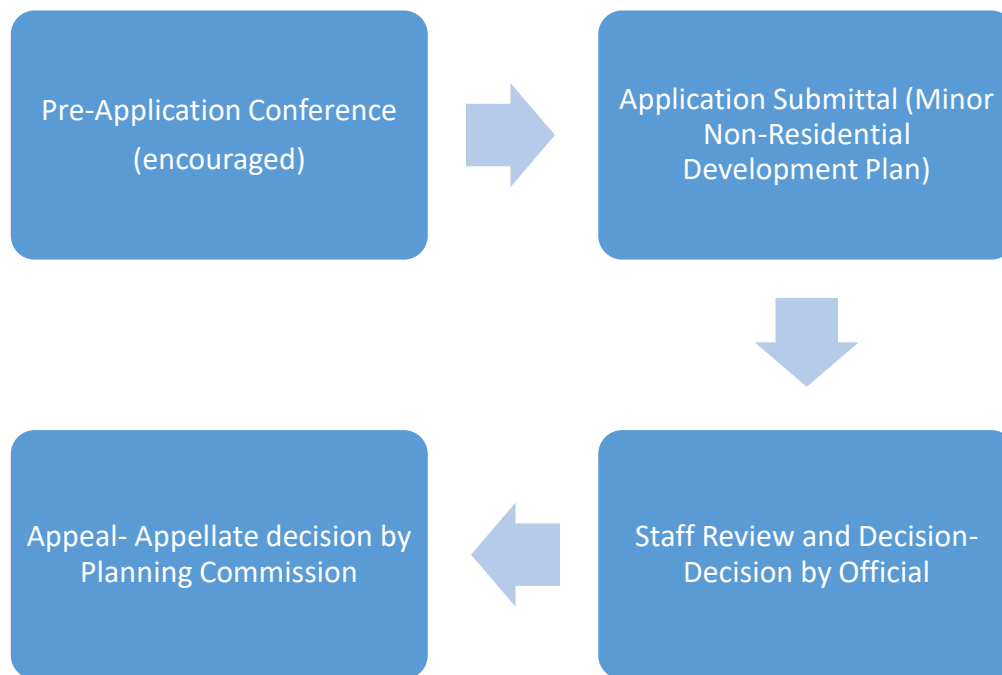


a. Pre-Application Conference

- i. Prospective **applicants** for Minor Development Plan Reviews 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 Non-Residential Development Plan, Preliminary Major Residential Development Plan, and Final Major Residential Development Plan ~~Major Development Plan~~ Reviews are required to hold a pre-application conference with Town staff in accordance with Sec. 16-2-102.B.

c. Staff Review and Action - Minor Development Plan Review

- i. On receiving an **application** for Minor Development Plan Review, 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. 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**.~~
- ~~iii~~iv. If the **Official** fails to act on an **application** for Minor 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 Non-Residential Development Plan ~~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.~~ On receiving an **application** for a Major Non-Residential Development Plan

Review, the **Official** shall review the **application**, prepare a staff report on the **application**, and transmit the **application** and staff report to the **Planning Commission** in accordance with Sec. 16-2-102.D. The **Official's** staff report shall be based on the standards in Sec. 16-2-103.G.5, Development Plan Review Standards.

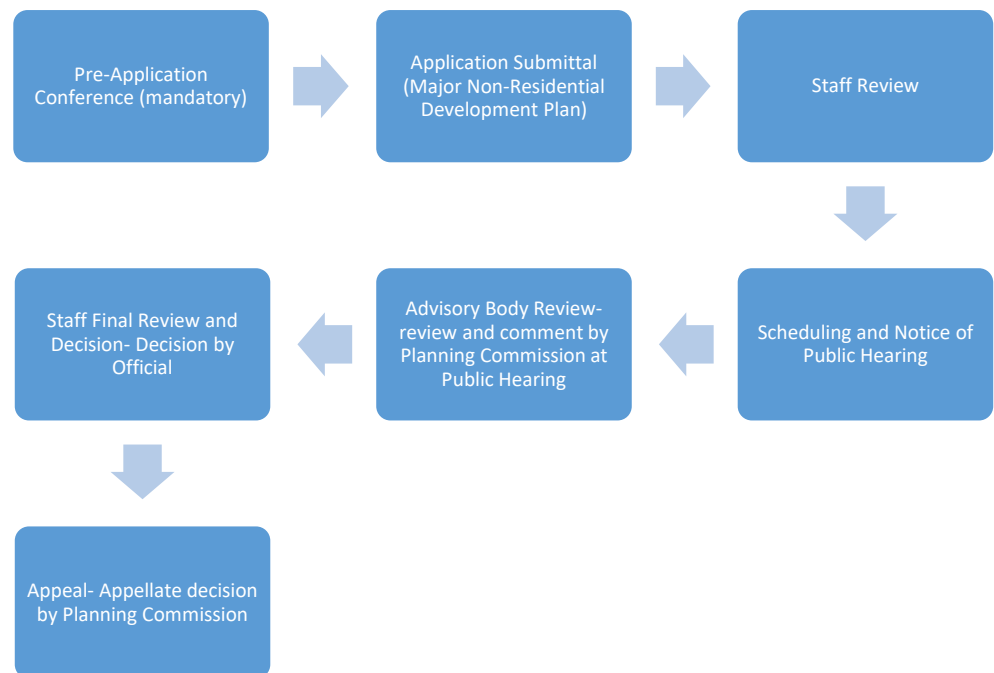
- ii. A public hearing on the **application** for a Major Non-Residential Development Plan Review shall be scheduled before the **Planning Commission**, and all required notices shall be provided in accordance with Sec. 16-2-102.E.
- iii. The **Planning Commission** shall review the **application** for a Major Non-Residential Development Plan Review, staff report, and public comment at the hearing, and shall provide review comments on the **application**.

- iv. Following review by the **Planning Commission**, the **Official** shall make a final decision on the **application** for a Major Non-Residential Development Plan Review 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**.

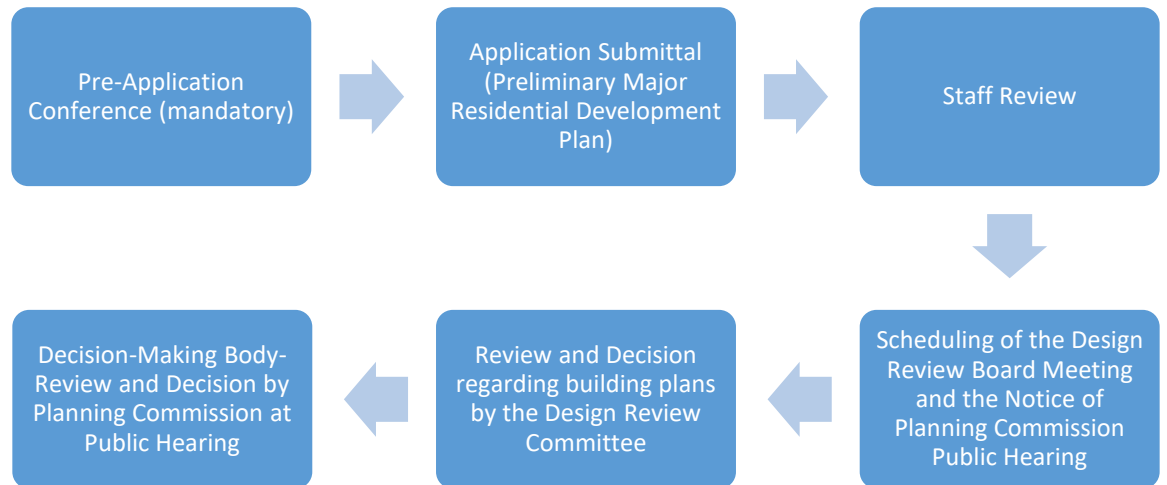
- iii.v. The **Official** shall act on an **application** for a Major Non-Residential Development Plan ~~Major Development Plan Review~~, in accordance with Sec. 16-2-102.D, within 60 days after the **application** is submitted, or such extended time agreed to by the **applicant**.

- iv.i. If the **Official** fails to act on an **application** for a Major Non-Residential Development Plan ~~Development Plan Review~~, in accordance with Sec. 16-2-102.D, within the time period in provision ~~iv.v~~ 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**.



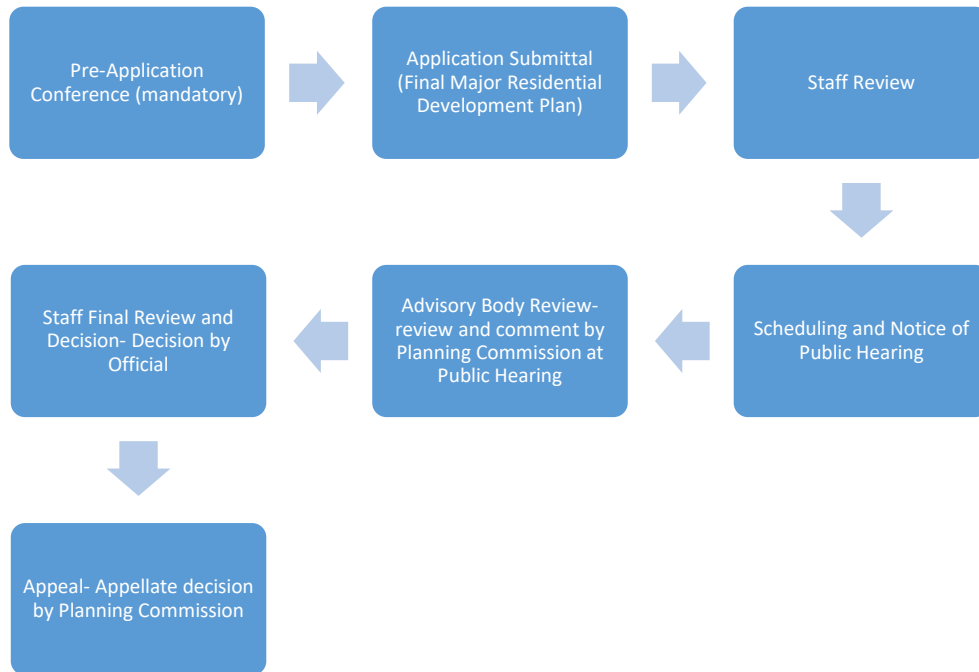
e. Planning Commission Review and Action – Preliminary Major Residential Development Plan Review

- i. On receiving an **application** for a Preliminary Major Residential Development Plan Review, the **Official** shall review the **application**, prepare a staff report with a recommendation for action on the **application**, and transmit the **application** and staff report to the **Design Review Board** and the **Planning Commission** in accordance with Sec. 16-2-102.D. The **Official's** recommendation shall be based on the standards in Sec. 16-2-103.G.5, Development Plan Review Standards.
- ii. A meeting with the **Design Review Board** shall be scheduled for consideration of compliance with Sec. 16-8-102.F.1 Anti-Monotony Design Standards, and a public hearing on the **application** for a Preliminary Major Residential Development Plan Review shall be scheduled before the **Planning Commission**, and all required notices shall be provided in accordance with Sec. 16-2-102.E.
- iii. The **Design Review Board** shall review the proposed building plans, staff report, and the **Official's** recommendation, and make a final decision in accordance with Sec. 16-2-102.D. The **Design Review Board's** decision shall be based on compliance with Sec. 16-8-102.F.1 Anti-Monotony Design Standards, and shall be one of the following:
 01. Approve the **building plans**;
 02. Approve the **building plans** subject to conditions of approval; or
 03. Deny the **building plans**.
- iv. The **Planning Commission** shall review the **application** for a Preliminary Major Residential Development Plan Review staff report, public comment at the hearing, and the **Official's** recommendation, and make a final decision on the **application** in accordance with Sec. 16-2-102.D. The **Planning Commission'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**.
- v. The **Planning Commission** shall act on an **application** for a Preliminary Major Residential 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**. However, the **Planning Commission** shall not act on an **application** for Preliminary Major Residential Development Plan Review unless the **Design Review Board** has first approved the **building plans** associated with the **development** in accordance with Sec. 16-8-102.F.1 Anti-Monotony Design Standards.
- vi. If the **Planning Commission** fails to act on an **application** for a Preliminary Major Residential Development Plan Review, in accordance with Sec. 16-2-102.D, within the time period in provision v 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**.



f. Staff Review and Action – Final Major Residential Development Plan Review

- i. On receiving an **application** for a Final Major Residential Development Plan Review, the **Official** shall review the **application**, prepare a staff report on the **application**, and transmit the **application** and staff report to the **Planning Commission** in accordance with Sec. 16-2-102.D. The **Official's** staff report shall be based on the standards in Sec. 16-2-103.G.5, Development Plan Review Standards.
- ii. A public hearing on the **application** for a Final Major Residential Development Plan Review shall be scheduled before the **Planning Commission**, and all required notices shall be provided in accordance with Sec. 16-2-102.E.
- iv. The **Planning Commission** shall review the **application** for a Final Major Residential Development Plan, staff report, and public comment at the hearing, and shall provide review comments on the **application**.
- v. Following review by the **Planning Commission**, the **Official** shall make a final decision on the **application** for a Final Major Residential Development Plan Review 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**.
- vi. The **Official** shall act on an **application** for a Final Major Residential 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**.
- vii. If the **Official** fails to act on an **application** for a Final Major Residential Development Plan Review, in accordance with Sec. 16-2-102.D, within the time period in provision vi 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**.



eg. Post-Decision Actions and Limitations

5. Development Plan Review Standards

a. An **application** for Minor Development Plan Review or Major Non-Residential Development Plan Review ~~Development Plan Review (Minor or Major)~~ shall be approved on a finding the **applicant** has demonstrated the **development** proposed in the Development Plan complies with:

- i. The relevant standards and requirements in Chapter 16-3: Zoning Districts, Chapter 16-4: Use Standards, Chapter 16-5: General Development and Design Standards, ~~and~~ Chapter 16-6: Natural Resource Protection, and Chapter 16-7 Non-Residential and Vertical Mixed-Use Development Design Regulations;
- ~~b.ii.~~ All other applicable standards of this **Ordinance**; and
- ~~c.iii.~~ All other applicable requirements in the **Municipal Code**.

b. An **application** for Preliminary Major Residential Development Plan Review or Final Major Residential Development Plan Review shall be approved on a finding the **applicant** has demonstrated the **development** proposed in the Development Plan complies with:

- i. The relevant standards and requirements in Chapter 16-3: Zoning Districts, Chapter 16-4: Use Standards, Chapter 16-5: General Development and Design Standards, Chapter 16-6: Natural Resource Protection, and Chapter 16-8 Residential Subdivision and Residential Development Design Regulations;
- ii. All other applicable standards of this **Ordinance**; and
- iii. All other applicable requirements in the **Municipal Code**.

6. Effect of Approval

Approval of a [Minor Development Plan, Major Non-Residential Development Plan, Preliminary Major Residential Development Plan, and Final Major Residential Development Plan](#) ~~Development Plan (Minor or Major)~~ authorizes the submittal of any other subsequent **development applications** that may be required before **construction** or other **development** authorized by this **Ordinance**.

7. Expiration

Approval of a [Minor Development Plan, Major Non-Residential Development Plan, Preliminary Major Residential Development Plan, and Final Major Residential Development Plan](#) ~~Development Plan (Minor or Major)~~ establishes a **vested right** in accordance with Sec. 16-2-102.J.1, Vested Rights for Approvals of Site Specific Development Plans.

8. Amendment

An approved [Minor Development Plan, Major Non-Residential Development Plan, Preliminary Major Residential Development Plan, and Final Major Residential Development Plan](#) ~~Development Plan (Minor or Major)~~ may be modified or amended only in accordance with the procedures and standards established for its original approval.

H. Small Residential Development Review

2. Applicability

Approval of a Small Residential Development in accordance with this subsection is required for any **development** of two to five **dwelling units** on a single **lot**. [The Official may deny a Small Residential Development application or require consolidation into a Major Residential Development Plan where multiple Small Residential Development applications cumulatively meet or exceed six dwelling units within a rolling 36-month period across contiguous or adjacent lots.](#) Approval of a Small Residential Development is required before issuance of a **Building Permit** for **development** subject to Small Residential Development Review.

P. Certificate of Compliance

3. Certificate of Compliance Procedure

b. Staff Review and Action

On receiving an **application**, the **Official** shall review and make a final decision on the **application** in accordance with Sec. 16-2-102.D, subject to the following procedures:

- iv. Performance Guarantee of Improvements. If landscaping installations are not completed and accepted by the **Town** prior to issuance of a Certificate of Compliance, a Temporary Certificate of Compliance may be issued and shall be subject to the posting of a performance guarantee with conditions satisfactory to the **Town**, providing for and securing to the **Town** the actual construction and installation of improvements.

05. Release of Guarantee.

- (D) **Additional Landscaping Performance Guarantee.** [If the landscaping is accepted by the **Official** and an ISA Certified Arborist following an inspection, the performance guarantee shall be adjusted to comply with Sec. 16-2-103.P.6 Performance Guarantee for Tree Replacement and Supplemental Planting Survival.](#)

6. Performance Guarantee for Tree Replacement and Supplemental Planting Survival

- a. An **applicant** required to replace **trees**, plant supplemental **trees**, or install additional landscaping on a **development** site shall provide a performance guarantee in a form acceptable to the **Official** in accordance with Sec. 16-2-103.P.3.b.iv.01 to ensure the maintenance and survival of the newly planted materials.
- b. The performance guarantee shall be provided after a satisfactory inspection of the required planting by the **Official** and an ISA Certified Arborist and prior to the issuance of a Certificate of Compliance.
- c. The amount of the performance guarantee shall equal 125% of the cost of acquiring and installing all required **trees**, unless the **Official** determines that a higher amount is required to cover the projected cost of acquisition and installation in 18 months from the **Official's** acceptance of the performance guarantee.
- d. The performance guarantee shall remain in effect for not less than 18 months following the satisfactory inspection and the acceptance of the performance guarantee.
- e. The performance guarantee shall be recorded with the Beaufort County Register of Deeds within one month of acceptance to ensure it remains legally associated with the subject **lot**.
- f. At a time within 12 to 14 months following the satisfactory inspection and the acceptance of the performance guarantee, the site and required landscaping and **trees** shall be reinspected by the **Official** along with an ISA Certified Arborist. If the **Official** and ISA Certified Arborist determine that any of the required **trees** or landscaping materials have died, have been removed without authorization, are not in good condition, are unhealthy, or are failing to thrive during this period, the **applicant** shall be issued a written order to replace the **trees** or landscaping materials with the same species or an approved equivalent, size, and quality.
- g. If the **applicant** fails to replace the **trees** in accordance with the **Official's** written order within 16 months of the satisfactory inspection and the acceptance of the performance guarantee, the **Town** shall draw upon the performance guarantee to complete the replacement work. The **Town** may use the proceeds to cover all reasonable costs associated with replacement **trees** and landscape materials, including administration, inspection, professional services, and contingencies. If the **Official** and ISA Certified Arborist determine that all required replacement **trees** and landscape materials are present, alive, in good condition, healthy, and thriving during the reinspection, the full performance guarantee will be released.
- h. The **Official** shall require the extension of the performance guarantee if replacement **trees** and landscape materials are required during the initial guarantee period. In such cases, provisions a-g will apply to the replacement **trees** and landscape materials.
- i. After the release of a performance guarantee, the **owner** of the property shall remain responsible for the long-term preservation and survival of all required **trees** and landscape materials in accordance with the original **development** permit approval.

7. Zoning Compliance Permit

1. Purpose

This section is intended to ensure that no construction, reconstruction, alteration, demolition, change in the use of or occupancy of any land, building, or other structure occurs without first obtaining the permit approval and that no permit is issued or approved by the Town unless compliance with the requirements of this LMO has been met.

2. Applicability

This Section applies to an activity involving construction, reconstruction, alteration, demolition, and change in the use of or occupancy of any land, building, or other structure.

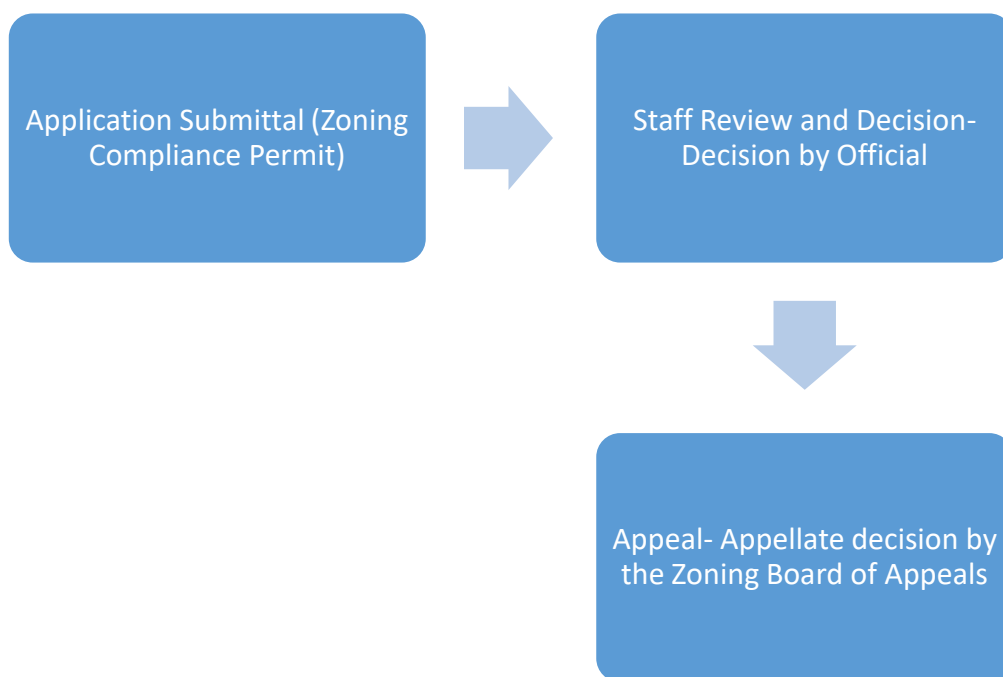
3. Application Review Criteria

The Official shall consider the following criteria in assessing an application for Zoning Compliance Permit:

- a. The application must comply with the applicable requirements of this LMO; and.
- b. The application must comply with applicable requirements in the Applications Manual.

4. Effect and Expiration of Approvals

- a. Approval. Issuance of a permit shall authorize the Applicant to either begin the activity specified by the permit or apply for any additional permits, if applicable.
- b. Expiration. Approval of a Zoning Permit shall expire one year from the date of its issue unless an appreciable amount of the approved activity commences and proceeds to completion in a timely and customary manner in accordance with the Zoning Compliance Permit.



Chapter 16-5:

General Development and Design Standards

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

A. Purpose and Intent

The purpose and intent of this section is to ensure a portion of residential **development sites** is set aside as **common open space** for the use and enjoyment of the **development's** occupants and users. **Common open space** serves numerous purposes, including preservation and protection of natural areas and features, providing opportunities for passive and active recreation, providing areas for people to meet and congregate, and limiting **impervious surfaces** that adversely impact water quality and the environment.

B. Applicability

1. The provisions of this section apply to any Major Residential Subdivisions (six or more **lots**) creating **lots** for residential **development**, unless expressly exempted in this section.
2. The provisions of this section apply to any Major Residential Development Plan (six or more **dwelling units** on a single lot), unless expressly exempted in this section.
- ~~2-3.~~ 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.
- ~~3-4.~~ 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 residential development~~subdivision~~ shall consist of **common open space** meeting the requirements of this section.
2. **Common open space** shall be depicted on any plat or as-built survey 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

1. **Common open space** shall be connected to all lots within the residential development~~subdivision~~ by **pathways** in accordance with Sec. 16-5-115.D.5.
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.16-5-106. Transportation Analysis Standards

B. Intent

The regulations of this section are designed and intended:

1. To ensure that the ~~Town's adopted~~ Town's adopted **transportation service level standards** are met within the **Town** and to provide safety from fire, panic and other dangers, to promote the public health and general welfare, to prevent the overcrowding of **land**, to avoid undue concentration of population, and to facilitate safe and adequate **street** and non-motorized facilities.

~~Sec.16-5-109. Stormwater Management and Erosion and Sedimentation Control Standards~~

A. Purpose

~~The purpose of the standards in this section is to ensure that developments incorporate **best management practices** to minimize and manage stormwater runoff so as to control flooding, protect the quality of the ground and surface waters within and surrounding the **Town**, and minimize erosion and sedimentation. Specifically, this section is intended to supplement the **State's** stormwater management program and standards with additional standards that ensure control of the volume and flow of stormwater runoff, limit pollutants in stormwater runoff, provide opportunities for the filtering and settling of pollutants from runoff before it enters the **ground water** and surface waters, and minimize erosion and sedimentation from stormwater runoff.~~

B. Applicability

1. General

~~This section applies to all land disturbing activity that disturbs ½ acre or greater of land and all development that is within ½ mile of **coastal receiving waters**, regardless of disturbed area. Additionally, this section applies to any project or activity that is part of a **Larger Common Plan**, regardless of size. Exceptions to these requirements are listed in subsection 2. below.~~

2. Exceptions

~~The following activities are exempt from the standards in this section:~~

- a. ~~**Development** exempt from Development Plan Review in accordance with Sec. 16-2-103.G.3, Exemptions, with the exception of public street or minor utility construction;~~

- b. ~~The establishment of, or additions or modifications to, a **single-family dwelling** or its **accessory structure**, provided that such **development** shall be subject to all standards in Sec. 16-5-109.1, Erosion and Sedimentation Control, except the requirement to submit an erosion control plan (Such **development** is also subject to the **flood** damage control standards in Chapter 9 of Title 15 of the **Municipal Code**, and must conform to the grading scheme and finished floor elevation established by the approved Development Plan.);~~
- c. ~~**Maintenance** and **repair** of public **streets**, pathways, storm drainage, or similar public infrastructure subject to government **maintenance**;~~
- d. ~~New or existing **agricultural activity** (as defined in Sec. 16-10-105, General Definitions) not involving the **filling** or drainage of **land**; and~~
- e. ~~Emergency work by agencies or **property owners** required to address flooding conditions, provided:
 - i. ~~Such work is verbally approved by the **Official** or other duly appointed official in charge of emergency preparedness or emergency relief if practicable (**property owners** performing emergency work will be responsible for any damage or injury to **persons** or property caused by their unauthorized actions);~~
 - ii. ~~The **Official** or other duly appointed official who verbally approved the action delivers written notice of the action to the **landowner** and any affected agency at the earliest possible time; and~~
 - iii. ~~**Property owners** performing emergency work restore the site of the emergency work within 60 days following the end of the emergency period.~~~~

(Revised 6-6-2017—Ordinance 2017-08)

C. General Standards for Stormwater Management

1. Compliance with State and Federal Stormwater Management Standards

All **development** shall comply with the stormwater management standards of the South Carolina Department of Health and Environment Control (DHEC) and any applicable federal stormwater standards and permits (e.g., NPDES permits), unless such standards are waived by the appropriate **State** or federal agency.

2. Compliance with Maximum Impervious Cover Standards

All **development** shall comply with the maximum **impervious cover** standards applicable to the zoning district in which the **development** is located (see Chapter 16-3: Zoning Districts). (See definition of **impervious surface** in Sec. 16-10-105, General Definitions.)

3. Compliance with OCRM Critical Area Permitting Requirements

For **development adjacent** to the OCRM Critical Line, all stormwater management facilities located in the critical areas shall obtain a permit from the South Carolina Office of Ocean and Coastal Resource Management (OCRM) prior to installation.

4. No Increased Flood Potential

Development shall not appreciably increase the **flood** potential within the **development**, on **adjacent** or surrounding **lands**, or on tidal or freshwater wetlands, as determined by the Town Engineer.

5. No High-Maintenance Facilities

Development shall not incorporate **structures** and facilities that the Town Engineer determines will demand considerable **maintenance**.

6. Discharges onto Beaches and into Wetlands and Water Bodies

- a. No stormwater discharge shall be permitted onto **beaches**.
- b. No direct stormwater discharge shall be permitted into tidal or freshwater wetlands unless approved by the Town Engineer.
- c. Discharging stormwater runoff directly into water bodies from impervious areas shall not be allowed unless methods are provided to filter the runoff to the **maximum extent practicable**. Such methods include filtering runoff through sheet flow, grass swales, drywells, infiltration ditches, gravel, sand, or other filter mediums before the runoff leaves the site or enters any natural or shared-in-common manmade water body.

7. Alteration of Water Bodies

Dredging, clearing, deepening, widening, straightening, stabilizing, or otherwise altering water bodies may be permitted by the Town Engineer only when a positive benefit can be demonstrated. Such approval does not obviate the need for other applicable **Town, State**, or federal agency approvals.

8. Water Surface Elevation Alteration and Adjustment

- a. No **development** shall construct, establish, maintain, or permanently alter the surface water elevation of any water body or wetland so as to adversely affect the natural drainage from any upstream areas, or to any downstream areas, of the **drainage basin**.
- b. The water surface elevations proposed for lagoons or water bodies are subject to approval by the Town Engineer as part of the **development** review process. The **applicant** shall submit sufficient **groundwater**, topographic elevation data, and hydrologic data on or around the proposed water body site to assist in establishing the water surface elevation.

9. Reference Guides

The standards and design guidelines as set forth in the latest editions of the *Beaufort County Manual for Storm Water Best Management and Design Practices*, the South Carolina DHEC's *Stormwater Management BMP Handbook*, and the *Georgia Coastal Stormwater Supplement* shall serve as guides to technical specifications for the design and **construction** of various types of stormwater management facilities (including, but not limited to, structural and nonstructural stormwater **best management practices** (BMPs) and **maintenance** standards).

10. Pre-Design Conference

A pre-design conference with the Town Engineer or his or her designee is suggested for small projects not affecting major drainage ways or environmentally sensitive areas, and is required for all Subdivision Review and Development Plan Review **applications**.

11. Professional Engineer or Surveyor

All surveys, plans, specifications, and reports shall be prepared and certified by the appropriate professional engineer or professional surveyor registered in South Carolina, in accordance with the current South Carolina Code of Laws, Title 40 Professions and Occupations, Chapter 22, Engineers and Surveyors.

D. Drainage Design Standards

1. General

a. Design Methodology

- i. — The two accepted hydrological methodologies for computing surface runoff are the rational method and the USDA NRCS TR-55 method. Other methods approved by the Town Engineer are allowable.
- ii. — The rational method may be used only for sizing individual culverts or storm drains that are not part of a pipe network or system and have a contributing drainage area of 20 acres or less.
- iii. — The USDA NRCS TR-55 method or other approved methodology may be used for **sites** of any size.
- iv. — Proposed **development** design shall consider the hydrological features within the total watershed, including the **development** site, upstream and downstream areas.

b. Site Area

The site area incorporated in stormwater management design shall be the total area of proposed **development**, including any noncontiguous **lands** that are part of a Planned Development, which is owned in fee simple by the **landowner/developer** of the Planned Development, or is included in perpetual cross **easements** for drainage purposes.

c. Design Storm

The design storm, to be used in the design of all drainage systems and permanent stormwater management facilities, is the 25-year frequency/24-hour/8.4-Inch rainfall and Antecedent Moisture Condition II (AMC II).

d. Engineering Checklist

Detailed design standards for all stormwater management systems required by this section can be found in the Engineering Checklist maintained by the Town Engineer.

2. Pre-Development Peak Discharge Rates

- a. — All **development** shall incorporate stormwater management facilities sufficient to ensure that for the design storm and Type III rainfall distribution, the post **development** peak discharge rate across **adjacent** property lines will not exceed the pre-development peak discharge rate. In the case of redevelopment, the pre-development condition shall be defined as the existing state at the time of **development application**.
- b. — Stormwater **best management practices** (BMPs) shall be used to retain and detain the increased and accelerated runoff that the **development** generates.
- c. — The peak discharge requirement is not required upon the Town Engineer determining that the **applicant** has demonstrated that:
 - i. — A suitable means of flow into a downstream tidal discharge point is accessible by means of recorded permanent storm drainage easements, through drainage infrastructure that will adequately convey the peak discharge from the 100-year storm without any adverse impacts on downstream properties; or

- ii. The ~~development~~ includes a drainage system with adequate capacity to carry site flows to an ultimate downstream tidal discharge point.

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

3. On-Site Retention of First Inch of Runoff

- a. All ~~development~~ shall provide for ~~on-site~~ retention (dry or wet) or percolation of a minimum of one inch of runoff from ~~on-site impervious surfaces~~. Major drainage canals may not be used for retention where doing so may adversely impact the storm hydrology upstream or downstream.
- b. The one inch of runoff from all such ~~impervious surfaces~~ shall be dissipated by percolation into the soil, evaporation, or other methods of treatment or handling acceptable to the Town Engineer.
- c. Where ~~on-site~~ retention of runoff is also required by OCRM standards, evidence of OCRM approval of the ~~on-site~~ retention shall be submitted to the Town Engineer.

4. On-Site Detention or Percolation of Runoff

- a. All ~~development~~ shall provide for ~~on-site detention~~ (dry or wet) or percolation of stormwater runoff that is sufficient to maintain the same peak discharge rate as occurred pre-development. Major drainage canals may not be used for ~~detention~~ where doing so may adversely impact the storm hydrology upstream or downstream.
- b. ~~Off-site detention~~ (dry or wet) or percolation areas may be used, provided:
 - i. The Town Engineer determines that such ~~improvements~~ are in the common good and are of satisfactory design to cause no hardship to others utilizing the same drainageway, whether ~~on-site~~ or upstream or downstream;
 - ii. A recorded, permanent drainage ~~easement~~ is provided that complies with this section and Sec. 16-5-109.G, Drainage Easements, and benefits the ~~land~~ described in the ~~application~~ for ~~development~~ permit;
 - iii. Adequate ~~maintenance~~ of the areas is provided for in accordance with Sec. 16-5-109.H.1, Ownership and Maintenance Responsibility; and
 - iv. The ~~developer~~ bears the total cost of the areas and their ~~detention~~ or percolation facilities.

5. Design of Detention and Retention Facilities

- a. ~~Detention~~ and retention facilities shall be designed to provide at least one-half foot of freeboard or vertical ~~detention~~ storage volume for runoff above the design storm peak elevation.
- b. ~~Detention~~ and retention facilities shall be designed for ten-year sediment loads before the one-half foot storage volume required in subparagraph a above is included. Sediment storage may be accommodated below the dry weather water level design, as long as an adequate permanent pool depth is maintained.
- c. ~~Detention~~ and retention facilities shall be designed with relatively flat side slopes (maximum horizontal to vertical ratio of 3:1) along the shoreline.
- d. Where possible, ~~detention~~ and retention facilities shall be designed with meandering shorelines to increase the length of shoreline, thus offering more space for the growth of littoral vegetation for pollution control purposes.
- e. Where cleared site conditions exist around ~~detention~~ or retention areas, the banks shall be sloped to the proposed dry weather water surface elevation and planted for stabilization.

purposes. Where slopes are not practical or desired, other methods of bank stabilization will be used and noted on plans submitted for approval.

6. Adequate Outfall

A ~~developer~~ shall provide adequate outfall ditches, pipes, and ~~easements~~ downstream from a proposed discharge if public or private facilities adequate to carry the proposed discharge do not exist or are not available for use by the ~~developer~~.

7. Use of Wetlands

- a. The use of wetlands for stormwater retention is allowable with approval by the Town Engineer. ~~Adjacent~~ BMPs that benefit from retention of normal wetland water table elevations are acceptable.
- b. Regulated wetlands shall not be disturbed by the ~~construction~~ of BMPs in them or sufficiently near to deprive them of required runoff or to lower their normal water table elevations.
- c. If a BMP is proposed to be located near a regulated wetland or in a required ~~wetland buffer~~ (see Sec. 16-6-102, Wetland Protection), the ~~applicant~~ will provide data showing that impacts will not be detrimental to the wetland or ~~wetland buffer~~, and the BMPs shall include flow dissipation devices ensuring that discharge to wetlands occurs at non-erosive velocities.

8. Incorporation of Stormwater Management into Landscape Design

Final landscape designs and plantings shall not adversely affect stormwater conveyance or ~~maintenance~~ of stormwater management facilities, but rather should further opportunities for percolation, retention, ~~detention~~, filtration, and plant absorption of site-generated stormwater runoff (e.g., using low impact ~~development~~ (LID) measures—see guides in Sec. 16-5-109.C.9, Reference Guides).

E. Inspection and Certification of Construction

The ~~application~~ for a Certificate of Compliance for a ~~development~~, or approved phase thereof, shall include certification by a professional engineer registered in South Carolina that the ~~development~~ site work was constructed in accordance with approved plans and the requirements of this ~~Ordinance~~. Prior to approval of such ~~application~~, the Town Engineer or his or her designee shall conduct an inspection of constructed stormwater management facilities. Any deficiencies identified by the inspection shall be corrected before a Certificate of Compliance is issued.

F. As-Built Survey

1. Before issuance of a Certificate of Compliance, the ~~applicant~~ shall submit to the Town Engineer an ~~as-built survey~~ prepared and certified by a South Carolina professional ~~land~~ surveyor that accurately identifies and depicts the horizontal location of all property corners, ~~easements~~, and the horizontal and vertical locations of all ~~on-site improvements~~. The ~~as-built survey~~ shall show:
 - a. Closed polygons of all impervious areas (~~buildings~~, sidewalks, parking facilities, paved areas), utilities, storm drainage ~~structures~~, pipes, channels, and ~~detention~~/retention areas;
 - b. The diameter and type of material for all new storm drainage pipes;
 - c. All storm drainage ~~structures~~, grate/rim, and invert elevations, along with ~~finish grades~~ on pavements and curbing as per the design plans (with design elevations to be struck through and the actual as-built elevations to be underlined and shown directly above or below the design elevation).

2. The ~~as-built survey~~ shall be clearly labeled and based on NAD 83, NAD 83 State Plane South Carolina Feet Intl, and NAVD 88 datums.
3. The ~~as-built survey~~ shall be submitted in the form of two sets of hard copy, sealed prints at a legible scale, and the digital file in AutoCAD 2007 format or newer.

G. Drainage Easements

1. General

~~Developments~~ shall provide adequate ~~access~~ for ~~maintenance~~ and ~~improvement~~ of the drainage easement and required stormwater management facilities.

2. Closed Pipe Easements

Generally, the minimum width of a drainage easement with underground storm drain pipes shall be at least 15 feet. The Town Engineer may require additional width as necessary to allow for ~~access~~ by service equipment and storage of removed fill to one side of the pipes, or to accommodate larger or more deeply buried pipes.

3. Open Channel Easements

Drainage ~~easements~~ for open drainage channels shall have a minimum width equal to the maximum top width of the channel plus an additional 15 feet. The Town Engineer may require additional width as necessary to allow for ~~access~~ by service equipment to one side of the channel.

4. Shared Easements

Drainage ~~easements~~ may be shared with other ~~easements~~ with the written approval of the Town Engineer and with consent of the easement holders. Nothing herein shall be construed as prohibiting the use of drainage ~~easements~~ for ~~access~~ to various properties or other compatible ~~uses~~ with the consent of the ~~landowners~~ and easement holders.

H. Maintenance of Stormwater Management Facilities and Easements

All required drainage ~~easements~~ and stormwater management facilities shall be maintained in accordance with the provisions in this subsection.

1. Ownership and Maintenance Responsibility

- a. The ~~applicant~~ shall designate what specific entity or entities will own and be responsible for operation and ~~maintenance~~ of drainage ~~easements~~ and required stormwater management facilities. Specific entities may include, but are not limited to, the ~~Town~~, the ~~developer~~ or a homeowners' or property owners' association or regime.
- b. For systems conveying runoff from a public ~~street~~ right-of-way, the ~~applicant~~ shall dedicate permanent drainage ~~easements~~ to the ~~Town~~.
- c. Any stormwater management facility serving a single ~~lot~~ commercial or single ~~lot~~ industrial ~~development~~ shall be privately owned and maintained.
- d. Private ~~maintenance~~ of drainage ~~easements~~ and stormwater management systems shall be provided for in restrictive covenants (e.g., through reference to the operation and ~~maintenance~~ agreement required in paragraph 2 below).

- e. Prior to the issuance of a Certificate of Compliance, all required drainage ~~easements~~ and restrictive covenants ensuring ~~maintenance~~ of drainage ~~easements~~ and stormwater management facilities shall be recorded with the Beaufort County Register of Deeds.

2. Operation and Maintenance Agreement

Where drainage ~~easements~~ and stormwater management facilities are to be privately operated and maintained, the ~~applicant~~ shall obtain ~~Town~~ approval of a DHEC Operation and Maintenance Agreement ensuring adequate and perpetual operation and ~~maintenance~~ of the ~~easements~~ and facilities by the ~~developer~~ or a homeowners' or property owners' association. In addition to meeting DHEC requirements, the operation and ~~maintenance~~ agreement shall:

- a. Require the parties responsible for operation and ~~maintenance~~ of stormwater management facilities to inspect the facilities on an annual basis and submit an annual facilities inspection report to the Town Engineer each December; and
- b. Authorize the ~~Town, State~~, or other legal entity having authority to enforce stormwater management requirements to perform, or require the homeowners' or property owners' association or ~~landowner~~ to perform, actions necessary to:
- i. Correct any lack of ~~maintenance~~ resulting in an adverse effect on drainage flow; or
- ii. Alleviate flooding or other emergency drainage problems upstream or downstream of the ~~development~~ site.

1. Erosion and Sedimentation Control

1. Applicability

Erosion, sedimentation, and pollution controls shall be required for all ~~land-disturbing activities~~ subject to this section. The Town Engineer shall have the authority to require an erosion and sediment control plan for any other ~~land~~ disturbance activity that may impact ~~adjacent~~ drainageways.

2. General Standards

- a. The ~~applicant~~ for a ~~development~~ shall identify potential sources of erosion, sedimentation, and other forms of pollution that could be transported by stormwater runoff on the ~~construction~~ site, and shall prepare plans to prevent and minimize adverse effects.
- b. Erosion, sedimentation, and pollution control plans shall be submitted with ~~development applications~~ according to the provisions set forth by DHEC for ~~land-disturbing activities~~.
- c. All erosion, sedimentation, and pollution control plans shall conform to the standards of the most recent South Carolina NPDES General Permit for Stormwater Discharges from Construction Activities (SCR100000) and South Carolina Regulation 72-300, when applicable.
- d. All erosion, sedimentation, and pollution control BMPs shall be designed, installed, and maintained in accordance with the South Carolina DHEC's *Stormwater BMP Handbook*. All symbols and standard details on plans shall conform to those found within the *BMP Handbook*.

3. Stabilization of Disturbed Areas

- a. Temporary stabilization measures shall be established on the site of any ~~land-disturbing activity~~ that is inactive for more than 14 days, until activity recommences.
- b. Permanent stabilization measures shall be established on the ~~development~~ site prior to the issuance of final approval or a Certificate of Compliance for the ~~development~~.

4. Construction Buffer Zones

~~Land disturbing activities adjacent~~ to regulated wetlands and waters of the ~~State~~ shall be subject to the applicable ~~wetland buffer~~ standards in Sec. 16-6-102, Wetland Protection, or NPDES buffer requirements.

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

Sec.16-5-10910. Utility Standards

Sec.16-5-1104. Fire Protection Water Supply

~~Sec.16-5-112. Flood Zone Standards~~

A. Applicability

1. All ~~development~~ activity on Hilton Head Island shall conform to the standards governing ~~flood~~ zones that are referenced to the floodplain protection zones identified by the Federal Emergency Management Agency (FEMA), unless a variance from such standards is granted by the ~~Town~~ in accordance with Title 15 (Building and Building Codes) of the ~~Municipal Code~~.
2. The location of the ~~flood~~ zones on Hilton Head Island are identified by the Town-adopted Flood Insurance Rate Maps (FIRMs).
3. The Island is covered by the following ~~flood~~ zones that range from most vulnerable to flooding and ~~flood~~ damage to least vulnerable:
 - a. VE Zone, or ~~coastal high hazard~~ area, subject to 100-year coastal flooding and storm surge;
 - b. Coastal A Zone, or the area landward of a V zone and seaward of the Limit of Moderate Wave Action as shown on the FIRMs.
 - c. AE Zone, or 100-year ~~flood~~ plain area;
 - d. AO Zone, or areas of shallow flooding;
 - e. X(shaded) Zone, or 100 to 500-year ~~flood~~ plain area; and
 - f. X Zone, or areas of minimal flooding.

(Revised 3-16-2021—Ordinance 2021-05)

B. Flood Zone Standards

On all plats within "VE" or "AE" zones for which ~~lots, sites, or structures~~ are to be sold, the following statement shall be clearly affixed to the plat and shall be recorded:

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 by rising tidal waters associated with possible hurricanes. Local regulations require that certain ~~flood~~ hazard protective measures be incorporated in the design and ~~construction of structures~~ in these designated areas. Reference shall be made to the ~~development~~ covenants and restrictions of this ~~development~~ and requirements of the Town Building Official. In addition, federal law requires mandatory purchase of ~~flood~~ insurance as a prerequisite to federally insured mortgage financing in these designated ~~flood~~ hazard areas.

(Revised 3-16-2021—Ordinance 2021-05)

C. Elevation of Sites

Sites shall not be elevated with fill material to an average ~~height~~ greater than three feet above existing ~~grade~~ with the exception of ~~critical facilities~~. The fill material shall be retained under the footprint of the ~~structure~~. Other methods of elevation may be used solely or in conjunction with three feet of fill to meet ~~base flood elevation~~ requirements. ~~Single family residential development~~ is exempt from this provision.

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

Sec.16-5-11~~13~~¹³. Fence and Wall Standards

Sec.16-5-11~~24~~²⁴. Sign Standards

E. Sign Permits

2. Sign Review

b. Sign Review Procedures

i. Application Submittal

An ~~application for~~ application for a Sign Permit 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.

ii. Staff Review and Action

01. On receiving a Sign Permit ~~applications subject~~ application subject to administrative sign review (see Sec. 16-5-114.E.2.a.i), 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. 16-5-114.E.3, Sign Review Standards, and shall be one of the following:

(A) Approve the *application*;

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

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;

f. Ensuring there is adequate ~~common open space~~ and recreation facilities; and

g. Ensuring there is proper recordation of ~~land~~ ownership.

(Ordinance 2025-13, § 1(Exh. A), 8-19-2025; revised 8-19-2025—Ordinance 2025-16)

B. Applicability

~~Subdivisions~~ shall comply with all applicable design and performance standards of this section and this ~~Ordinance~~, including the adjacent setback and buffer standards in Sec. 16-5-102 and 16-5-103.

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 space~~ and recreational areas shall be planned in accordance with Sec. 16-5-104, Common Open Space Standards.

(Revised 8-19-2025—Ordinance 2025-16)

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.

(Revised 8-19-2025—Ordinance 2025-16)

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; revised 8-19-2025—Ordinance 2025-16)~~

5. ~~**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).~~

~~(Revised 8-19-2025—Ordinance 2025-16)~~

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.~~

~~(Revised 8-19-2025—Ordinance 2025-16)~~

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)~~

F. Street Access

1. ~~All Major Subdivisions shall have direct vehicular **access** to a public **street** that meets the standards of Sec. 16-5-105.C, General Street Design Standards.~~

2. ~~Minor Subdivisions shall be permitted to provide vehicular **access** to **lots** via a minimum 20-foot wide unobstructed **access** easement, provided the **access** easement complies with the following standards:~~

a. ~~**Access easements** shall contain an **all-weather driving surface** approved by the Fire Chief for the Town of Hilton Head Island.~~

b. ~~Dead-end **easements** shall have a turn-around as required by the latest edition of the International Fire Code as adopted by **Town Council**.~~

c. ~~No **access** easement shall be permitted to exceed a maximum traffic volume of 50 ADT due to the further **subdivision** of **lots** without upgrading the accessway to meet the design standards of Sec. 16-5-105.C, General Street Design Standards.~~

d. ~~**Access easements** are not allowed in any **wetland buffer** required by Sec. 16-6-102.D, Wetland Buffer Standards, except for approximately perpendicular crossings as approved by the **Official**.~~

e. ~~A bridge may be permitted within an **access** easement as long as the driving surface is at least 20 feet wide and is approved by the Fire Chief of the Town of Hilton Head Island.~~

~~(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.~~

~~(Revised 8-19-2025—Ordinance 2025-16)~~

- 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.~~

2. Addressing and Lot Numbering

The ~~Official~~ shall determine a method of ~~street~~ addressing/~~lot~~ numbering. ~~Applicants~~ should consult with the ~~Town~~ for ~~site~~ specific review.

3. Lots with Septic Systems

~~Subdivisions~~ creating ~~lots~~ to which public sanitary sewer is unavailable shall demonstrate that all such ~~lots~~ are sized to accommodate septic systems. Such systems shall be set back from property lines, approved by SCDHEC, and located within septic ~~easements~~ recorded with the ~~subdivision~~ plat.

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

Sec.16-5-11~~36~~. Impact Fees

Sec.16-5-11~~47~~. Construction Management Standards

Sec.16-5-115. General Requirements for Subdivisions

AG. 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.

(Revised 8-19-2025 - Ordinance 2025-16)

- 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.

B2. Addressing and Lot Numbering

The **Official** shall determine a method of **street** addressing/**lot** numbering. **Applicants** should consult with the **Town** for **site**-specific review.

C3. Lots with Septic Systems

Subdivisions creating **lots** to which public sanitary sewer is unavailable shall demonstrate that all such **lots** are sized to accommodate septic systems. Such systems shall be set back from property lines, approved by SCDHEC, and located within septic **easements** recorded with the **subdivision** plat.

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

Chapter 16-7:

Non-Residential and Vertical Mixed Use Development Design Regulations

16-7-101. General Provisions

A. Purpose and Intent

The purpose of this chapter is to establish development and design standards for non-residential and vertical mixed-use development that promote safe, functional, and well-connected sites. These standards are intended to enhance pedestrian access and mobility, improve connections between buildings and the public realm, support multimodal transportation, and ensure that development contributes to a cohesive, accessible, and attractive built environment while remaining compatible with the Town's character and unique barrier island setting.

B. Applicability

The development and design standards of this chapter are applicable to all Minor Non-Residential Development Plans and Major Non-Residential Development Plans.

C. Review Processes

All Minor Non-Residential Development Plans and Major Non-Residential Development Plans subject to this chapter shall be processed and reviewed in accordance with Sec. 16-2-103 G as Minor Non-Residential Development Plans or Major Non-Residential Development Plans.

D. Other Applicable Requirements

In addition to these requirements, all Minor Non-Residential Development Plans and Major Non-Residential Development Plans shall be subject to Chapter 16-3: Zoning Districts, Chapter 16-4: Use Standards, Chapter 16-5: General Development and Design Standards, and Chapter 16-6: Natural Resource Protection.

16-7-102. Pedestrian Access Standards

A. Applicability

1. When a project proposes the construction of a new street, access drive, alley, or pathway, whether public or private, streets and pathway standards apply.
2. Existing streets, access drives, alleys, and pathways may remain serving existing development in their current configuration, but are required to meet the standards of this Article if extended or substantially rebuilt, as determined by the Official.

B. Transit Access Standards

1. If a site is located on a current or future identified public transit route, the Official is authorized to require a 6' x 12' concrete pad at the location determined to be the safest and most practical location for a transit stop, and pedestrian access to the nearest street.
2. Transit stops must comply with the most up-to-date accessibility guidelines as outlined by SCDOT.

3. The transit provider may install and maintain necessary transit stop items, including signage, lighting, benches, and shelters.
4. Access to the transit stop must be allowed in perpetuity.

C. Pedestrian Access Standards

1. At least 1 pedestrian walkway is required for each building and must connect a sidewalk or multi-purpose pathway to the building entry.
2. The walkway must be at least 5 feet wide.
3. The finished surface must be stable, firm, and slip resistant and meet the accessibility guidelines of the Americans with Disabilities Act (ADA).
4. The walkway must be physically separated from and uninterrupted by motor vehicle use areas except where required to cross a drive-aisle. When crossing a drive-aisle, the walkway must meet the following standards:
 - a. The walkway must be distinguishable from vehicular traffic lanes they cross by painted markings, a change in pavement material or color, raised paving height, decorative bollards, or flashing caution signals.
 - b. Drive aisle crossings must be the shortest practical distance.
5. Where a retaining wall, open drainage, or similar obstacle interrupts a required walkway, the connection must be designed to facilitate passage through or over the obstacle. If the connection is not ADA compliant, a separate, compliant walkway must be provided.

Chapter 16-8:

Residential Subdivision and Residential Development Design Regulations

Sec.16-8-101. General Provisions

A. Purpose and Intent

The purpose of this chapter is to establish development and design standards for Major Residential Subdivisions and Major Residential Developments that promote thoughtful neighborhood design, environmental stewardship, and high-quality residential communities. These standards are intended to guide site planning, preserve natural resources, provide functional and interconnected streets and pedestrian facilities, encourage well-designed lots, blocks, and open spaces, minimize unnecessary land disturbance through appropriate clearing, grading, and phasing practices, and ensure that buildings, infrastructure, and site improvements are integrated into a cohesive and sustainable development pattern consistent with the Town's character and barrier island setting.

B. Applicability

The development and design standards of this chapter are applicable to all Major Residential Subdivision Plans and Major Residential Development Plans.

C. Review Processes

All Major Residential Subdivision Plans and Major Residential Development Plans subject to this chapter shall be processed and reviewed in accordance with Sec. 16-2-103 F for Major Residential Subdivision Plans and Sec. 16-2-103 G for Major Residential Development Plans.

D. Other Applicable Requirements

In addition to these requirements, all Major Residential Subdivision Plans and Major Residential Development Plans shall be subject to Chapter 16-3: Zoning Districts, Chapter 16-4: Use Standards, Chapter 16-5: General Development and Design Standards, and Chapter 16-6: Natural Resource Protection.

E. Phasing

Site improvements as part of Major Subdivision Plans or Residential Major Development Plans may be constructed in phases. If phasing is proposed, a Phasing Plan shall be submitted for approval at the time of application for a Preliminary Major Subdivision Plan or Residential Preliminary Major Development Plan, and made a condition of that approval. Each phase or combination of constructed phases shall stand on its own and meet the regulations of the Town and any other required permitting agency.

If an applicant desires to change the sequence of the approved Phasing or propose changes to the type of building, road layout, amenities, open space or other features, a revised Phasing Plan shall be submitted. The Official can approve minor changes that meet the Town Standards, such as adjustment of a lot line, slight realignment of road or non-motorized layout, relocation of the open space or amenities, or changes to stormwater facilities Any increase in the density, types of units, changes or reduction to the Open Space, or other revisions categorized as "Major" by the Official, shall require review by the Planning Commission.

F. Zero Lot Line Residential Subdivisions

Individual **lots** may be created for **multifamily buildings** in which **dwelling units** are attached, side-by-side, by means of a common wall. In these cases, a property line shall be established along the centerline of a common wall or walls to separate two or more attached **dwelling units** onto their respective separate **lots**. **Zero Lot Line Residential Subdivisions** shall comply with the following requirements:

1. Each **lot** shall contain no more than one complete **dwelling unit**.
2. Property lines shall not divide any interior portion of a **dwelling unit** or separate an attached garage, detached garage, accessory **building** or accessory **structure** from the **dwelling unit** it serves.
3. A **dwelling unit** shall not be attached to more than one **dwelling unit** at any one common side lot line.
4. Side **setbacks** are only applicable to the exterior side of each end **dwelling unit**.
5. Each **dwelling unit** shall abut and have direct access to a public street, private street, or private driveway.
6. All areas other than individual **lots** for **dwelling units** shall be designated as common area, which shall be conveyed by the **developer** to a property owners' association.

Sec.16-8-102. Layout and Design

a. General Requirements

The General Requirements for layout and design are as follows:

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.

b. Environmental Site Analysis

All Preliminary Major Subdivision Plans and Residential Preliminary Major Development Plans shall include an environmental site analysis in accordance with this section, including a site analysis, delineation of priority preservation areas, a conceptual site plan, and supporting information.

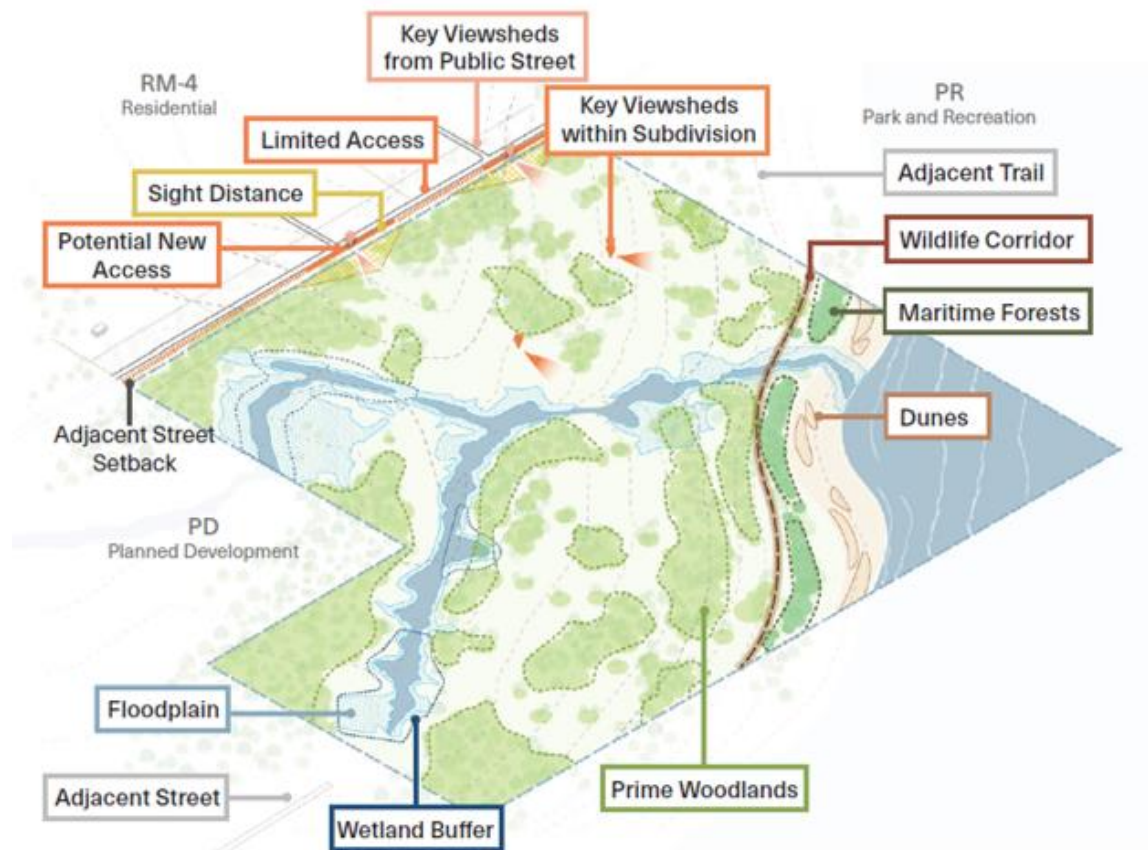
1. Site Analysis

An overview plan merging the information shown below. The submittal plan shall be prepared at the same scale as the site development plans and may include a series of more detailed plans or attachments for each factor, along with the source of the information. A supporting written analysis shall be submitted that addresses the required information and explains the sources utilized.

- a. Wetlands and wetland buffers delineation per Sec. 16-6-102 D.2, with a note of whether they are regulated federally or by the Town. This should include a separate map and report on the findings.
- b. Tree survey identifying all trees on the site including Town Regulated Trees per Section 16-6-106

- c. Forests serving as shoreline estuaries or coastal forests with salt tolerant trees and shrubs influenced by strong winds, salt spray, and periodic flooding, supporting diverse wildlife, also sometimes referred to as maritime forest.
- d. A topographic analysis with contour intervals of one foot or less.
- e. Existing ponds, creeks, and drainage patterns on the site and connections to adjacent sites and roads.
- f. A delineation of soil types, identification of selected soil characteristics, and assessment of suitability for development.
- g. Wildlife habitat, whether in fields, wetlands, dune systems, beach areas, or woodlands. Predominant species of known birds, mammals, amphibians, and reptiles shall be identified. The presence of rare or endangered species of plants should be noted, along with the boundaries of natural areas and critical species habitat sites.
- h. Historic or cultural features, including earthworks, ruins, fortifications, shell rings, tabby-built structures, grave sites, or other remnants of historic resources.
- i. Existing buildings and structures, and the location of land uses and buildings abutting the property and across the street
- j. Scenic vistas, both into the site from adjacent roads, trails, and waterways and outward from the site. This can be supplemented with photographs or imagery.
- k. Future planned public infrastructure that may impact the layout of the site, such as streets, sidewalks, pathways, and public buildings or facilities.
- l. Sight distance measurements along the public street frontage, noting where curves, slopes, structures, or landscaping may limit sight distance for proposed streets or driveways along public roads. Any access to US-278 shall meet the requirements of the South Carolina Department of Transportation.

Figure XX. Example Overview Plan



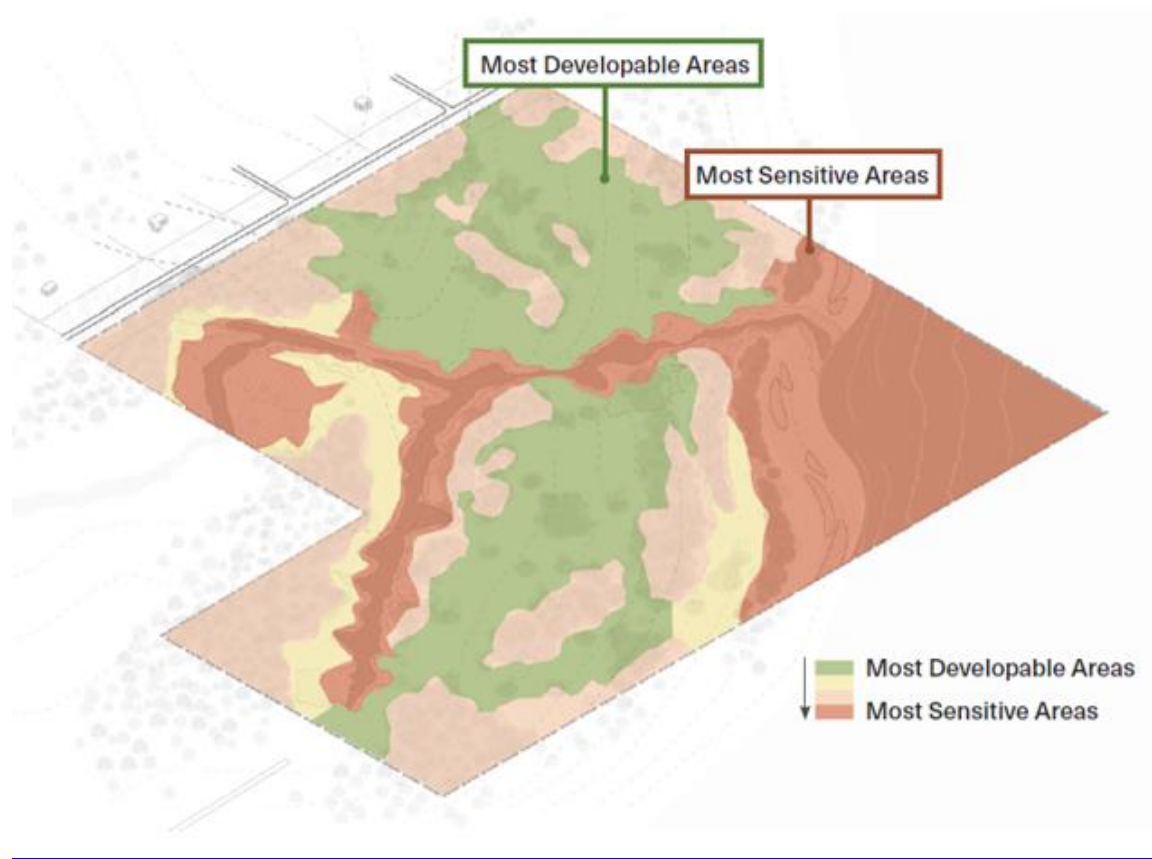
2. Delineation of Preservation or Conservation Areas, and Developable Lands.

A Plan shall be provided that illustrates areas to be preserved or conserved from among the environmental features listed above. The areas without those features, that are considered most suitable for development, shall also be illustrated on the Plan. This Plan shall highlight and label the following features that may shape the layout of the roads, lots, buildings, open space, stormwater design, and infrastructure, including:

- a. Regulated Natural Resources such as wetlands (Section 16-6 102), floodplains (Section 16-6 103), watercourses, shorelands, beaches and dune systems (Section 16-6 105), and other environmentally constrained lands protected by federal, state, or Town regulations.
- b. Other non-regulated lands being conserved to protect surface water, riparian watersheds, groundwater, watersheds, open space features, and views.
- c. Protected trees and woodlands to be preserved during grading and construction (Section 16-6 106).
- d. Wildlife movement corridors or areas for habitat preservation.

- e. Historic buildings, earthworks, ruins, shell rings, archaeological resources, tabby-built structures, grave sites, monuments, and cultural features that will be preserved or incorporated into the design.
- f. Scenic views and viewsheds that will be maintained or improved by landscaping design into the site from public roads, pathways and adjacent land uses to enhances the visual character.
- g. Lands and features that will be preserved for passive or active open space including trails, overlooks, parks and similar features. Calculations shall be provided for "Useable Open Space" per Section 16-5, 104.
- h. Greenway and Pathway Systems connections to adjacent Town parks, trail or pathway systems, conservation lands, other protected greenways or open spaces.
- i. Buffer areas that will preserve or provide visual screening, transitions between development and natural areas, or separation from adjacent development.
- j. Areas most suitable for development in consideration of the site analysis, features listed above, accessibility, and size.

Figure XX. Example Preservation and Development Areas Plan



3. Conceptual Site Plan

After completion of the site analysis, and delineation preservation and developable areas, a conceptual site plan shall be prepared. This Plan shall form the basis of a Preliminary Major Subdivision Plan or Residential Preliminary Major Development Plan. This plan shall illustrate the spatial relationship between the preserved and developable areas, including:

- a. General location and alignment of proposed streets, including the length of any proposed cul-de-sacs, and access points to public roads.
- b. Lots and buildings to blend naturally into the landscape, avoiding forced or artificial placement that is inconsistent with the features of the site.
- c. Screening or landscape treatments to improve visibility from sensitive viewpoints while preserving significant key scenic views and open space.
- d. Areas where buffering or visual screening should be preserved or supplemented through a landscape design.
- e. Approximate placement and configuration of open space and amenity buildings or courts.
- f. Location of non-motorized networks including pathways, sidewalks, trails, and overlooks providing internal connectivity between residential units, preservation areas, amenities, open space, and any adjacent public network. Non-motorized or road connections to adjacent lands should be considered to improve overall connectivity and reduce unnecessary vehicular travel.
- g. Conceptual design of stormwater management and utilities.
- h. Areas to be graded for roads, utilities and stormwater per Section 16-8, D, Grading and Clearing.

Figure XX. Example of Conceptual Site Plan Aligned with Preservation and Development Areas

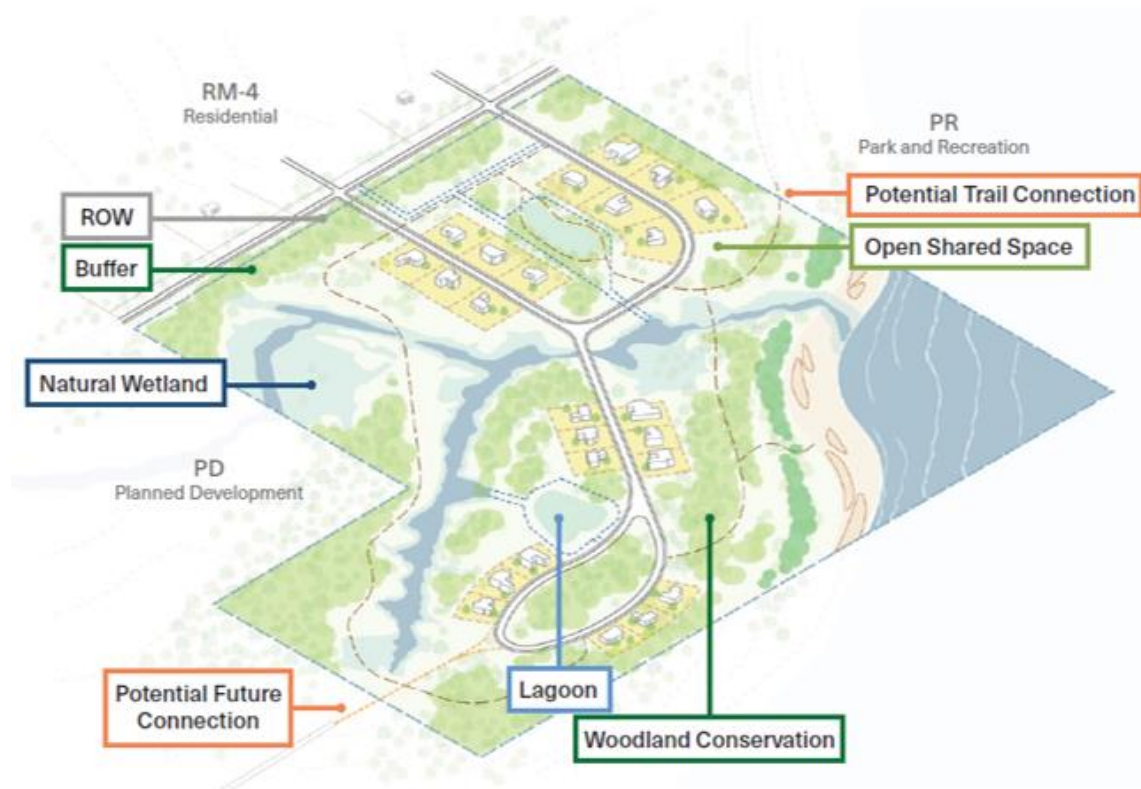


Figure XX. Example of Conceptual Plan NOT Aligned with Preservation and Development Areas



4. Alternatives

The applicant may provide separate development plan options that show different configurations of streets, open space, lots, densities, building types or other features to obtain feedback from the Town staff or Planning Commission.

5. Review and Coordination Process

The review and coordination process is as follows:

- a. The applicant and LMO Official shall review the site analysis, delineation of priority preservation areas, and the conceptual site layout plan at the required Pre-Application Meeting.
- b. The LMO Official may request revisions to the site analysis, delineation of priority preservation areas, or the conceptual site layout plan when it is determined that the submittal and proposed design do not adequately:
 - i. Identify the features and elements required as part of the site analysis;
 - ii. Delineate first- and second-priority preservation areas;
 - iii. Integrate development with first- and second-priority preservation areas and ensure their protection;
 - iv. Reflect the intent of this section; or
 - v. Comply with applicable regulatory requirements.

c. Common Open Space Standards

Common open space and recreational areas shall be planned in accordance with Sec. 16-5-104, Common Open Space Standards.

D. Grading and Clearing

1. To promote land development practices that minimize disturbance to vegetation and soils, limit alteration of natural topography, reduce surface water and groundwater runoff and diversion, minimize the need for additional storm drainage facilities, reduce sedimentation in surrounding waters, and encourage site planning that is responsive to the Town's scenic character , the initial clearing and grading for all Major Subdivision Plans and Residential Major Development Plans, or phases thereof, shall be limited to dedicated rights-of-way and easements necessary for the installation of streets, utilities, and other infrastructure necessary to comply with local, state, and federal regulations.
 - a. All clearing and grading shall be completed in accordance with all applicable federal, state, and local laws, rules, and regulations, including those pertaining to air and water pollution and noise control.
 - b. Clearing and grading for infrastructure improvements, including streets, sidewalks, multiuse pathways, curbs, gutters, water, sewer, utilities, and stormwater facilities, may be completed in phases in accordance with approved phasing plan the approved Final Major Subdivision Plan or Residential Final Major Development Plan.
 - c. Before proceeding to the next phase of clearing and grading, the developer shall:
 1. Stabilize the completed phase with adequate ground cover sufficient to prevent erosion; and
 2. Complete installation of all required infrastructure for that phase.
 - d. Clearing and grading of individual lots or residential building sites shall not begin until a tree removal permit, where required, and a building permit have been obtained.

Figure XX. Clearing and Grading

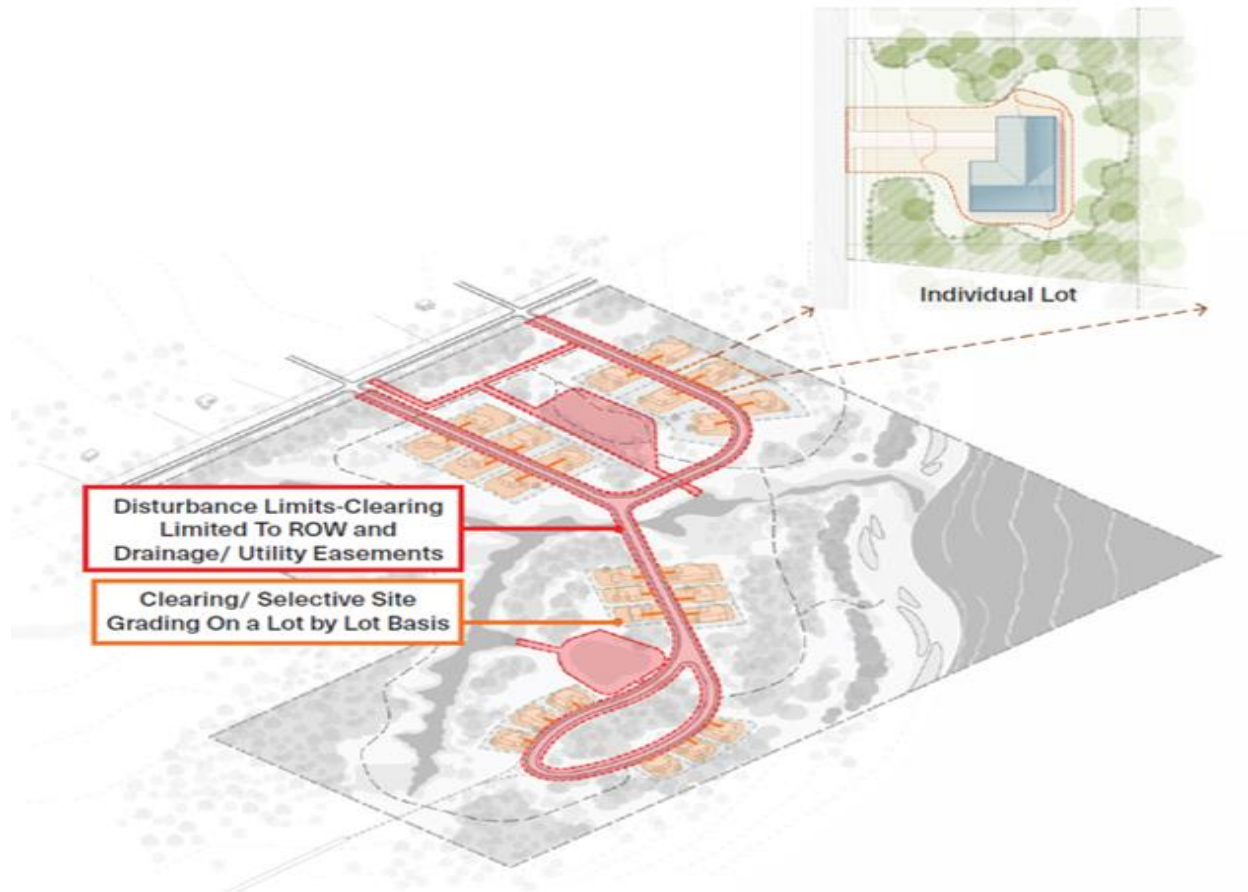
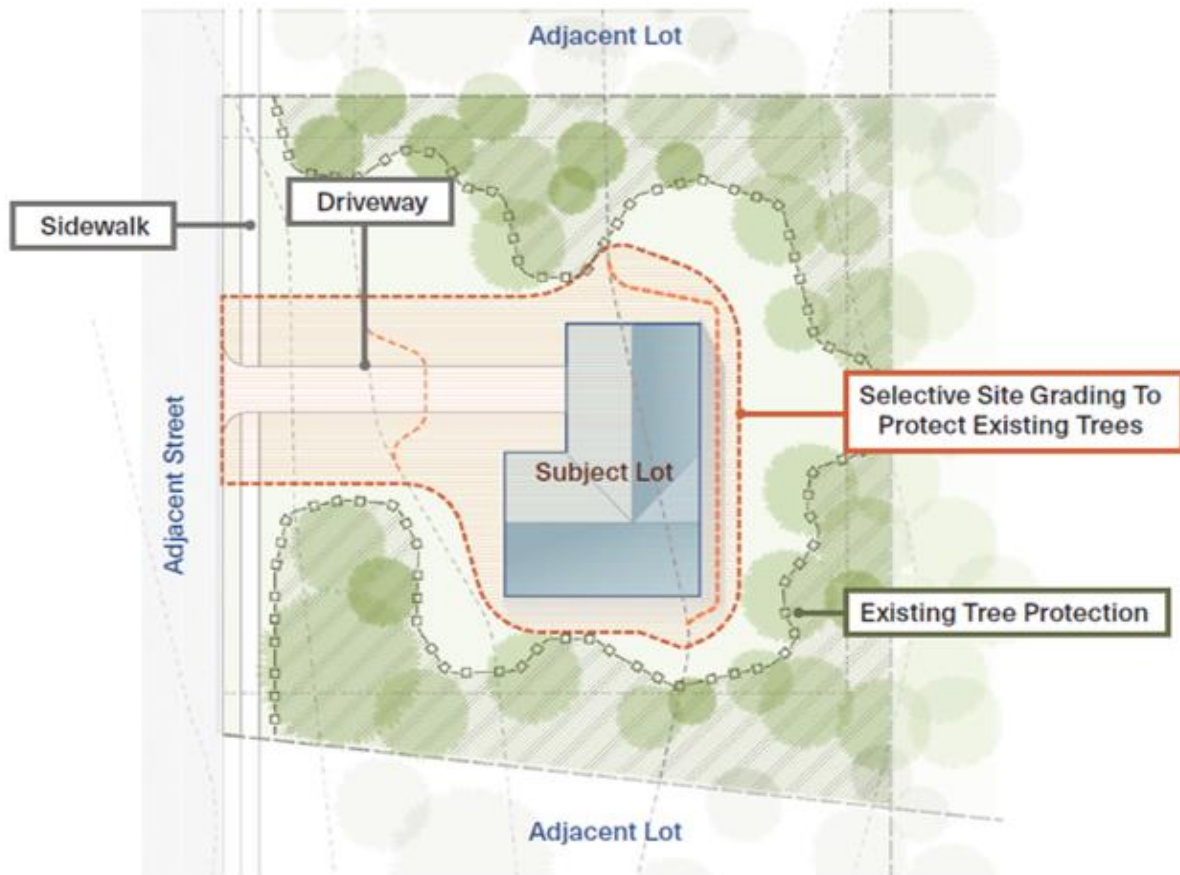


Figure XX. Selective Site Grading to Protect Existing Trees



E. Lots and Blocks

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

F. Building and Design Placement

1. Anti-Monotony Residential Design Standards

a. Intent

This Section promotes architectural variety, visual interest, vernacular design, and neighborhood character within residential developments. These standards are intended to prevent repetitive building designs and

ensure varied architecture within residential developments consistent with the character of Hilton Head Island. These standards are intended to require varied designs to complement the character of the environment and surroundings.

b. Applicability

The standards of this Section apply to any residential development with single-family detached homes and attached dwellings, including townhouses, and multifamily development, including but limited to duplexes, three-plexes and four-plexes, where each dwelling unit has its own private entrance and each unit extends vertically from the foundation to the roof. These standards are not applicable to stacked units whereby a separate dwelling is located above another dwelling unit.

Standards in this Section are not intended to regulate the quality, workmanship and requirements for materials relative to strength, durability, hurricane endurance, maintenance, performance, load capacity, or fire resistance characteristics.

c. General Standards

- i. There shall be a street alignment that provides curves, medians, pedestrian crossing islands, narrowing, street and front yard trees, or other design features that varies the views of the homes along any given block.
- ii. No front elevation (or building façade) may be repeated within a series of three (3) adjacent homes on the same side of the street, lots directly across the street or part of any lot within 50 feet of the subject lot's frontage. (see "Façade Design Study Area" Figures XX for examples of application of this standard).

Figure XX. Façade Design Study Area – Aligned Lot Pattern

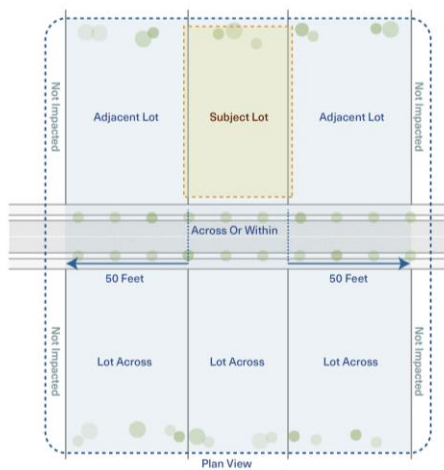


Figure XX. Façade Design Study Area – Offset Lot Pattern



Figure XX. Façade Design Study Area – Corner Lots



Figure XX. Façade Design Study Area - Repeating Assembly

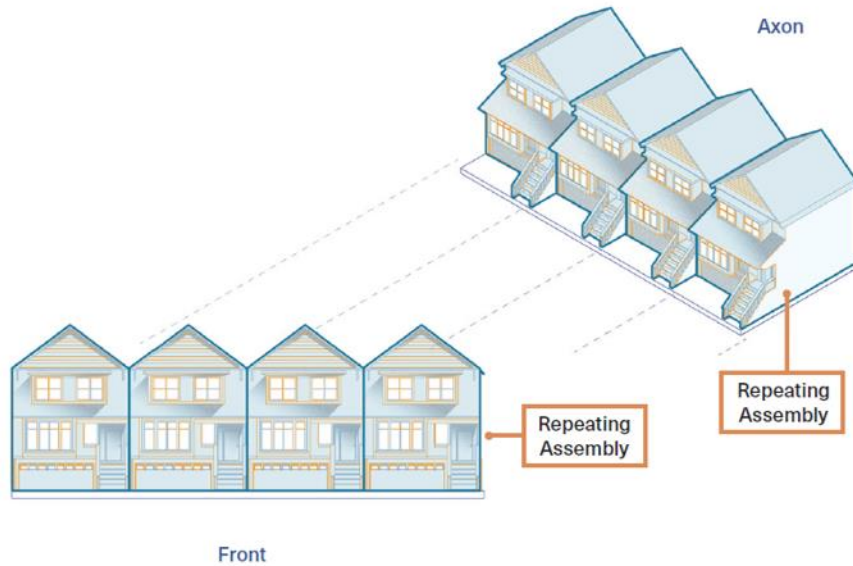
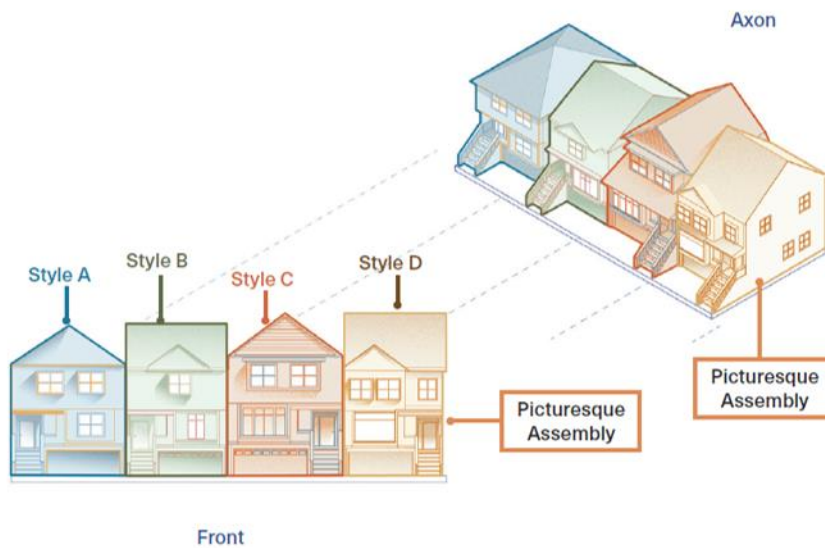


Figure XX. Façade Design Study Area - Picturesque Assembly



d. Building Facades

Building Facades must include architectural variation sufficient to avoid repetitive or monotonous appearances along streets and within neighborhoods and shall vary from the adjacent lots to the side and lots across the street described in Section 16-8-102-F-1A above. Architectural variation may be achieved through the implementation of the following design modifications:

- i. Architectural Style. Architectural style shall be consistent with the Island's established character. Building design must provide notable variation in stylistic elements that contribute to that overall architectural character, as determined by the Design Review Board. Acceptable methods include notable variation in:
 - a. Fenestration arrangement, size, and pattern;
 - b. Support systems such as columns, pillars, posts, and arches;
 - c. Porch, dormer, or balcony style;
 - d. Other stylistic elements as approved by the Design Review Board.
- ii. Building Form and Massing. A building must incorporate noticeable changes in its three-dimensional form or massing to add visual interest. Acceptable methods include variation in and use of:
 - a. Variation in roof form and pitch;
 - b. Use of offset facades, vertical or horizontal massing breaks, or other massing projections or recesses; and/or
 - c. Bay window projections of at least two feet that alter building massing.
- iii. Facade Configuration and Composition. A building must incorporate features that introduce variation in facade arrangement or surface composition. Acceptable methods include notable variation in:
 - a. Entry location;
 - b. Porch, dormer or balcony placement;
 - c. Variation in window configuration or treatments; and/or
 - d. Architectural patterns or textures that highlight or align with vertical or horizontal plane changes, including seams, batons, and special masonry courses.
- iv. Primary Building Materials. A building must incorporate variation in primary building materials when consistent with Hilton Head Island's character, quality, and durability. Material variation shall be used to prevent repetitive building appearances.
- v. Secondary Building Materials. A building must incorporate secondary building materials as accents to provide contrast in texture or pattern and support overall architectural variety.
- vi. Garage Orientation and Location. Garage design must contribute to reducing monotony within the streetscape. Compliance may be achieved through:
 - a. Variation in garage orientation, including front-loaded, side-loaded, rear-loaded, or angled configurations;
 - b. Placement of garages so they do not dominate the principal facade, including recessed, set-back, or detached configurations; and/or
 - c. Integration of garage massing with the building form, and use of different, but coordinated materials, to avoid repetitive patterns.

Mirror images of the same building façade using different materials or ornamentation changes do not meet the standards of this Section. e. Determination of Compliance

Front façade elevations must be evaluated and approved by the Design Review Board confirming that the design, when considered in its entirety, clearly achieves the intent of preventing monotony. The Design Review Board may require additional variation when necessary to meet the purpose of this section.

f. Submittal Materials to Demonstrate Compliance with these Standards

A Preliminary Major Subdivision or Residential Major Development Plan shall submit drawings or materials to illustrate compliance with these standards of this Section. This information shall be reviewed by the Official and submitted to the Design Review Board for its approval.

g. Revisions

The Town recognizes the selection of styles and design may need to be adjusted. The developer or property owner shall alert the Official of changes including drawings and descriptions of how changes to the building design will be consistent with the anti-monotony intent and relate to the buildings in the surrounding area. Major changes, such as adding or removing a home design option, shall be resubmitted to the Design Review Board for its approval. Minor changes, such as refinements to materials or accent features, can be approved administratively by the Official. Changes to a façade or materials after construction are not regulated by this Section.

2. Amenity Buildings and Outdoor Recreation

- a. Amenities shall be shown on the development plan including details of the features. Amenities may include a clubhouse, gathering space, shared workspace, pool, fitness center, athletic courts, putting green, outdoor fitness equipment, playgrounds, overlooks, electric vehicle charging stations, bike racks, mobility hubs, bus shelters, gazebos, picnic tables, outdoor living and grill or firepits, or similar features.
- b. If amenities are shown on the approved plan, details shall be included showing the location, building or structure elevations and materials, any associated parking, non-motorized connections to the amenities, landscaping, associated signs, lighting and other features. The developer shall post and maintain a sign illustrating the location of any amenity structure and post stakes to generally outline its location. The developers plan shall indicate a schedule and describe the responsibility for construction of the amenity buildings and structures.
- c. Unless a separate schedule has been approved by the Official as part of development approval, construction of amenity buildings and structures is required when 50% of the units within a particular phase have an approved building permit. The Official shall require a Performance Guarantee to ensure the amenities are constructed.

Appendix A: Advisory and Decision Making Bodies and Persons

A-1. Official

The **Official** is the LMO Official who is designated by the Town Manager as the **person** who administers and enforces this **Ordinance**. The **Official** shall have the following powers and duties under this **Ordinance**:

A. Powers and Duties

1. Review and make decisions on:
 - a. Subdivision Reviews ~~Reviews (Minor and Major) (Sec. 16-2-103.F);~~
 - i. Minor Non-Residential Subdivision Plan Reviews;
 - ii. Major Non-Residential Subdivision Plan Reviews;
 - iii. Minor Residential Subdivision Plan Reviews; and
 - iv. Final Major Residential Subdivision Plan Reviews.
 - b. Development Plan Reviews ~~Reviews (Minor and Major) (Sec. 16-2-103.G);~~
 - i. Minor Non-Residential Development Plan Reviews;
 - ii. Major Non-Residential Development Plan Reviews; and
 - iii. Final Major Residential Development Plan Reviews.
 - g. Certain Sign Permits (Sec. 16-5-~~114~~112.E);
 - j. Minor Deviations to PUD Master Plans (Sec. 16-2-103.D.8); ~~and~~.
 - k. Zoning Compliance Permits (Sec. 16-2-103.Z).
2. Review and prepare a staff report with a recommendation on:
 - e. Preliminary Major Residential Subdivision Plan Reviews (Sec. 16-2-103.F);
 - f. Preliminary Major Residential Development Plan Reviews (Sec. 16-2-103.G);
 - eg. Major Corridor Reviews (Sec. 16-2-103.I);
 - fh. Certain Sign Permits (Sec. 16-5-~~114~~112.E);
 - gi. Street/Vehicular Access Easement Name Reviews (Sec. 16-2-103.O);
 - hj. Public Project Reviews (Sec. 16-2-103.Q); and
 - ik. Variances (Sec. 16-2-103.S).
4. Enforce the provisions of this **Ordinance** (Sec. 16-~~8~~10-105)

A-2. Planning Commission

A. Powers and Duties

3. Review and provide comments to the Official on:

- a. Subdivision Reviews (Sec. 16-2-103.F);
 - i. Major Non-Residential Subdivision Plan Reviews; and
 - ii. Final Major Residential Subdivision Plan Reviews.
- b. Development Plans;
 - i. Major Non-Residential Development Plan Reviews (Sec. 16-2-103.G); and
 - ii. Final Major Residential Development Plan Reviews (Sec. 16-2-103.G).
- 4. Review and make decisions on **applications** for:
 - a. Preliminary Major Residential Subdivision Plan Reviews (Sec. 16-2-103.F);
 - b. Preliminary Major Residential Development Plan Reviews (Sec. 16-2-103.G);
 - c. Street/Vehicular Access Easement Name Reviews (Sec. 16-2-103.O);
 - ~~b.d.~~ Public Project Reviews (Sec. 16-2-103.Q); and-
 - ~~c.e.~~ Traffic Impact Analysis Plans (Sec. 16-2-103.J.5.b.ii).
- 45. 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).
- 56. Review and decide appeals (see Sec. 16-2-103.U) on:
 - a. Subdivision Reviews ~~Reviews (Minor and Major)~~ (Sec. 16-2-103.F);
 - i. Minor Non-Residential Subdivision Plan Reviews;
 - ii. Major Non-Residential Subdivision Plan Reviews;
 - iii. Minor Residential Subdivision Plan Reviews; and
 - iv. Final Major Residential Subdivision Plan Reviews.
 - b. Development Plan Reviews ~~n Reviews (Minor and Major)~~ (Sec. 16-2-103.G);
 - i. Minor Non-Residential Development Plan Reviews;
 - ii. Major Non-Residential Development Plan Reviews; and
 - iii. Final Major Residential Development Plan Reviews.
- 67. 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.*

A-3. Board of Zoning Appeals

A. Powers and Duties

- 2. To hear and decide appeals (see Sec. 16-2-103.T) on:
 - d. Certificates of Compliance; ~~and~~
 - e. Zoning Compliance Permits; and

- ~~ef.~~ Written Interpretations of the **Official** on zoning regulations where it is alleged there is error in an order, requirement, decision or determination made by an administrative official in the enforcement of the zoning **ordinance**.

A-4. Design Review Board

A. Powers and Duties

2. To review and decide **applications** for:
 - a. [Anti-Monotony Compliance \(16-8-102.F.1\) for Preliminary Major Residential Subdivision Plan Reviews \(Sec. 16-2-103.F\);](#)
 - b. [Anti-Monotony Compliance \(16-8-102.F.1\) for Preliminary Major Residential Development Plan Reviews \(Sec. 16-2-103.G\);](#)~~Certain Sign Permits (Sec. 16-5-114.E);; and~~
 - ~~bc.~~ Major Corridor Development Reviews (Sec. 16-2-103.I); ~~and~~;
 - d. [Certain Sign Permits \(Sec. 16-5-1142.E\);; and](#)

Appendix D: Application Submittal Requirements

D-4. ~~Subdivision~~Subdivision Review, Major (All Application Types)

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

B. Subdivision Plat

One black line print of a *subdivision* plat at a scale of 1"=50' or other scale acceptable to the *Official*, showing:

20. Location of Preservation Areas, where applicable, as required by Sec. 16-8-102.B, including an easement or covenant recorded on the property that permanently restricts the Preservation Area from any development, construction, land-disturbing activity, or use other than those expressly authorized for preservation, open space, restoration, habitat management or other approved purposes.

H. Subdivision in Phases

1. Whenever part of a tract is proposed for platting and it is intended to subdivide additional parts in the future or abutting land is in the same ownership, a sketch plan for the entire tract shall be submitted with the plat.
2. Additionally, for Major Residential Subdivisions, the applicant shall provide a Phasing Plan per Sec. 16-8-101.E. The Phasing Plan shall illustrate and identify the sequence of development anticipated, such as Phase 1, Phase 2, Phase 3. This shall include an estimated schedule for the development of each phase. Additionally, the Phasing Plan shall include:
 - a. The initial grading plan per Sec. 16-8-102.D, showing future street rights-of-way or private roads, utility easements, stormwater basins and other common design elements. This plan must demonstrate that initial grading will be limited to those areas, with limited grading area along the edges for proper drainage and safety as approved by the Town. Grading on individual lots will be approved by the Town on a lot-by-lot basis or building-by-building basis.
 - b. Areas where wetlands or woodlands are being preserved through limits on grading. Fences or other demarcations and signs shall identify those preserved areas to builders, contractors, and others.
 - c. The number of lots or dwelling units along each road or cul-de-sac shall be identified, consistent with Section 16-5, 105 Mobility, Street, and Pathway Standards.
 - d. Locations where a street, road, or non-motorized pathway, and utilities will be extended in the future, within the development or adjacent properties. If temporary turnarounds or other features are proposed, public access to each lot or building, details shall be provided for approval by the Zoning Administrator and Fire Department. A general grading plan to demonstrate those connections can be accomplished in the future, consistent with the Town's standards.
 - e. The location of any construction access points and staging areas, including an engineering review that demonstrates adequate sight distance is provided along public streets.
 - f. Planned amenities per Sec.16-8-102.F.2.

I. Other Items

Any applicable items as identified in D-6b, Development Plan Review, Non-Residential Major and Final Residential Major~~Development Plan Review, Major~~.

D-5. Subdivision Review, Minor

D-6a. Development Plan Review, Preliminary Major Residential

A Preliminary Major Residential Development Plan *Application* shall be considered complete when the following items have been submitted:

A. Application Form and Fee

An *application* form as published by the *Official* and appropriate fee as required by Sec. 16-2-102.C.2, Application Fees.

B. Affidavit of Ownership

Notarized certification, written and signed by the *development site* owner of record, that such owner formally consents to the proposed *development*.

C. Property deed

Copy of property deed to the *lot of record* or portions thereof which constitute the proposed *development site*.

D. Boundary survey plat

One copy of the boundary survey plat of the *lot of record* or portions thereof which constitute the proposed *development site* at a minimum scale of 1"=50' or other appropriate scale acceptable to the *Official*. Upon such plat shall appear:

1. Location of primary control points used in the survey, with ties to such control points to which all dimensions, angles, bearings, distances, block numbers and similar data shall be referred.
2. Computed acreage of the surveyed *tract*. Where only a portion of any *tract* is proposed for *development*, there shall appear on the plat the acreage to be developed (except in the case of *subdivisions*, where precise acreages shall be shown) in addition to the overall *tract* acreage.
3. Seal and signature of a South Carolina registered *land* surveyor.
4. Date of survey and date of any revisions.
5. Notation of specific reference plats, if applicable.
6. Graphic scale and reference meridian.
7. Beaufort County Tax Map and Parcel Number.

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. Schematic 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. An Environmental Site Analysis as required by Sec. 16-8-102.B.
8. All permanent **structures** and facilities within approximately 50 feet of the proposed **development tract**.
9. 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.
10. Location of proposed drainage system, including **off-site** areas of interconnection.
11. Description of proposed methods and general layout of stormwater drainage.
10. Statement by the Applicant confirming that the site can be supplied with adequate utilities.
12. General location parking and off-**street** loading areas, where applicable.
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. 16-8-104, Common Open Space Standards.
16. Location of proposed buffer areas as required by Sec. 16-6-103.
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.

G. Street, Vehicular Access Easement and Development Names

Appropriate approvals for all **street** and **development** names as listed in Sec. 16-2-103.O, Street/Vehicular Access Easement Name Review.

H. Schematic Landscape Plan

A schematic landscape plan to demonstrate ability to achieve conformance to the intent of all applicable sections of this **Ordinance**. Landscape plans shall be submitted at a scale of 1"=30' or other appropriate scale acceptable to the **Official**, and shall include:

1. A general planting plan showing location, quantity, and type of proposed plantings including existing **trees** to remain and new **trees** as required by Sec. 16-6-104, Tree Protection.
2. All horizontal landscape **construction** such as drives, decks, terraces, and other features shall be shown and labeled.
3. All vertical landscape **construction** such as walls, fences, raised decks, shelters, **signs**, flagpoles, trellises, seats, mailboxes, etc. shall be shown and labeled.
4. A plan note indicating the use of irrigation and its location.
5. In an effort to conserve water, landscape plans which utilize existing vegetation, native plants, drought-tolerant ornamental plants, and limited lawn areas are encouraged.

I. Site Lighting Plan

Narrative or plan notes describing the proposed exterior site and building lighting for the development.

J. Exterior Elevations

1. For non-residential developments, final **building** and other **structure** exterior elevations accurately showing the **height**, width and length of all proposed **structures**, as applicable.
2. For residential developments, for each phase, the developer shall submit:
 - a. A Plan that demonstrates how the anti-monotony design standards of this Section 16-8-102.F.1 will be applied.
 - b. Materials that demonstrate the various building styles, elevations, floor plans, materials and other features that are expected to be constructed or offered to future purchasers.
 - c. A commitment from the developer, that applies to future builders and owners, that describes how the Town will be informed of the proposed building façade designs and any changes, on a building-by-building basis.

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, 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.
3. The applicant shall provide a Phasing Plan per Sec. 16-8-101, E. The Phasing Plan shall illustrate and identify the sequence of development anticipated, such as Phase 1, Phase 2, Phase 3. This shall include an estimated schedule for the development of each phase. Additionally, the Phasing Plan shall include:
 - a. The initial grading plan per Sec.16-8-102.D, showing future street rights-of-way or private roads, utility easements, stormwater basins and other common improvement elements. This plan must demonstrate that initial grading will be limited to those areas, with limited grading area along the edges for proper drainage and safety as approved by the Town. Grading on individual lots will be approved by the Town on a lot-by-lot basis or building-by-building basis.
 - b. Areas where wetlands or woodlands are being preserved through limits on grading. Fences or other demarcations and signs shall identify those preserved areas to builders, contractors, and others.
 - c. The number of lots or dwelling units along each road or cul-de-sac shall be identified, consistent with Sec. 16-5-105.
 - d. Locations where a street, road, or non-motorized pathway, and utilities will be extended in the future, within the development or adjacent properties. If temporary turnarounds or other features are proposed, public access to each lot or building, details shall be provided for approval by the Zoning Administrator and Fire Department. A general grading plan to demonstrate those connections can be accomplished in the future, consistent with the Town's standards.
 - e. The location of any construction access points and staging areas, including an engineering review that demonstrates adequate sight distance is provided along public streets.
 - f. Planned amenities per Sec. 16-8-102, F. 2.

L. Natural Resources Permit Application

Natural Resources Permit **application** as required in D-12, Natural Resources Permit.

M. Wetlands Alteration Permit Application

Wetlands Alteration Permit **application** as required in D-13, Wetlands Alteration Permit

N. Stormwater Management

1. Acknowledgement of compliance with in Sec. 16-5-109, Stormwater Management and Erosion and Sedimentation Control Standards.
2. Description of proposed methods to manage stormwater, including soil types and permeability characteristics.
3. Proposed methods to remove pollutants.

O. Other Requirements

Any other items specifically required of a **development** plan **application** by any other provisions of this Title.

D-6b. Development Plan Review, Non-Residential Major and Final Residential Major

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

J. Exterior Elevations

1. For non-residential developments, final **building** and other **structure** exterior elevations accurately showing the **height**, width and length of all proposed **structures**, as applicable.

K. Development Phasing Plan

For non-residential developments, A plan indicating the contemplated phasing of the proposed **development**. Such plan shall contain:

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.

D-28. Zoning Compliance Permit

A. General Requirements

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

1. Recorded deed and plat showing proof of property ownership.
2. Digital files of proposed plans.
3. Narrative describing reason for application and compliance with applicable LMO standards.
4. An Application Review Fee.
5. For Major Residential Developments, on a building-by-building basis, each request for a Zoning Compliance Permit shall include the following:
 - a. A façade design study area map that demonstrates the implementation of this Section is provided from existing buildings or restrictions on the designs allowed on the adjacent lots and the three lots or buildings across the street(s).
 - b. An updated plan and listing or index of floor plans and styles selected for each lot. This plan shall be provided to each lot purchaser to understand any limitations on the selection for a particular lot.
 - c. A lot plan that shows the lot, lot dimensions, setbacks, lots adjacent and across the street, the building footprint, driveway, sidewalk or pathway, preserved or planted front yard trees, and other notable features.
 - d. Facade architectural drawings consisting of front elevation views drawn to an architect's scale, showing front façade features and the materials. Each material shall be cross referenced to an approved or submitted the sample board. All mechanical and utility locations and screening shall be indicated on the facade drawings.



TOWN OF HILTON HEAD ISLAND

Attachment 4.a

EXECUTIVE SUMMARY

Proposed LMO Priority 1 Amendments

Administrative Conforming Amendments

Renumbering, Cross-References, and Related Code Revisions

The Priority 1 amendments reorganize several substantive portions of the LMO, create new review procedures, and relocate existing regulations into new chapters. Corresponding section numbers and cross-references elsewhere in the ordinance must therefore be updated so the LMO continues to function as an integrated document.

Proposed Administrative Amendments

Conforming revisions will be made to the following chapters:

- Chapter 16-1 – General Provisions
- Chapter 16-9 – Nonconformities
- Chapter 16-10 – Enforcement
- Chapter 16-11 – Disaster Recovery
- Chapter 16-12 – Definitions, Interpretation, and Measurement

Nature of the Amendments

- Updates renumbering and internal cross-references resulting from the substantive Priority 1 amendments.
- Makes related conforming code revisions needed to align the affected chapters with the reorganized LMO.
- Does not introduce substantive policy or regulatory changes within Chapters 16-1, 16-9, 16-10, 16-11, or 16-12.

Task Force Review

Because these changes implement the substantive amendments already reviewed by the Task Force rather than establish additional policy:

- No separate LMO Task Force action is required.
- The conforming amendments will be incorporated as the Priority 1 amendment package proceeds through Planning Commission and Town Council review.

Appendices

LMO Appendix	Proposed Change
Appendix B – Maps and Tables	No amendments proposed.
Appendix C – Recommended Native Plants	No amendments proposed.

Summary

These amendments are administrative in nature. They update references and numbering necessary to implement the Priority 1 package consistently throughout the LMO without changing the underlying policies or regulations contained in the affected chapters.